



LLANHARAN COMMUNITY COUNCIL

Minutes of the Open Spaces Committee, Rights of Way and Allotments Committee (ORA) held remotely at 7.00pm on Tuesday 16th August 2022

The meeting was held on a remote basis in accordance with:
The Local Government and Elections (Wales) Act 2021

Present:

Councillors: Mark Steer (Chair of the ORA Committee), Chris Parker, Helen Donnan, Neil Feist, Olie Wicks.

Clerk to the Council: Leigh Smith

Office Administrator: Lisa Phillips.

1 member of the public

Apologies received: Cllr Janine Turner

Absent without apologies: None

ORA2022/033 Welcome, introductions, and apologies for absence

The Chair welcomed everyone to the meeting.

Apologies were received from Janine Turner.

RESOLVED

To accept Councillor Turner's reasons for apology as a valid reason.

ORA2022/034 Disclosures of Interests

Councillor Neil Feist declared a personal interest with regards to agenda item 11.



ORA2022/035 Minutes

RESOLVED

The minutes of the ORA Committee meeting held remotely on Tuesday 9th June 2022 at 7.00pm were approved as a true and accurate record of the meeting subject to the following amendments:

That the minutes be altered to show Councillor Mark Steer as Chair of the Committee.

ORA2022/036 Matters arising

None

ORA2022/037 ORA Action plan

Noted.

ORA2022/038 Public speaking slot

None

ORA2022/039 PSM32/1 near Gellifedi road.

RECOMMENDED

The Clerk to write to RCT planning department to investigate whether the planning consent for the menage has been fully satisfied with regards to the public rights of way affected and to RCT rights of way to enquire whether enforcement action is planned regarding the reopening of PSM32/1.

ORA2022/040 Tan Y Brydleway

Councillor David Evan's response on progress was noted

ORA2022/041 Extent and limits of delegated authority extended to the Clerk regarding the management of allotments.

The matter was deferred to a future meeting of the Committee.

ORA2022/042 Policy regarding trees overshadowing allotment plots.'

RECOMMENDED

That in principle a policy be adopted that trees will be addressed should they overshadow plots, however each case will be assessed on its merits with near-neighbours and others consulted.



ORA2022/043 Transfer of tenancy of selected allotment plots.

RECOMMENDED

That the Council's existing policy of not allowing tenancies of allotments to pass to children or other family members to be maintained in all cases and without exception.

ORA2022/044 RCT Local access forum recruitment.

RECOMMENDED

That Councillor Mark Steer be adopted as the Community Council's formal representative.

ORA2022/044 Environment (Wales) Act 2016 - Section 6 Biodiversity Duty.

RECOMMENDED

That the Clerk refer to this specific duty when preparing the Council's draft strategic action plan, and that the Council's actions with regards to Japanese knotweed, funding of the Wildlife trust and other actions are included as examples of compliance with the duty.

ORA2022/045 Urgent items for information.

The Clerk provided feedback on actions taken with regards to Japanese knotweed and the potential to improve the area of land around the bench near Haran roofing.

There being no further business the meeting closed at 8.50pm.

The next meeting will be held on 4th October 2022

Councillor Mark Steer
Chair of the ORA Committee



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Minutes of the Open Spaces Committee, Rights of Way and Allotments Committee (ORA) held remotely at 7.00pm on Tuesday 9th June 2022

The meeting was held on a remote basis in accordance with:
The Local Government and Elections (Wales) Act 2021

Present:

Councillors: Chris Parker (Chair of the ORA Committee), Janine Turner, Helen Donnan, Mark Steer, Neil Feist.

Clerk to the Council: Leigh Smith

Apologies received: Ollie Wicks.

Absent without apologies: None

1 member of the public

ORA2022/016 Welcome, introductions, and apologies for absence

The Chair welcomed everyone to the meeting.

Apologies were received from Ollie Wicks.

ORA2022/017 Disclosures of Interests

Councillor Neil Feist declared a personal interest with regards to agenda items 13 and 15.

Councillor Mark Steer declared a personal interest with regards to agenda items 8 and 12.

ORA2022/018 Minutes



RESOLVED

The minutes of the ORA Committee meeting held remotely on Tuesday 1st March 2022 at 7.00pm were approved as a true and accurate record of the meeting.

ORA2022/019 Matters arising

None

ORA2022/020 ORA Action plan

The action plan was noted.

ORA2022/021 Public speaking slot

A member of the public spoke on agenda items 9 and 13.

ORA2022/022 Christmas festive lights

This item was deferred to the next meeting of full council.

ORA2022/023 Alternative arrangements for the commissioning of carvings for Brynna Woods.

RECOMMENDED

That the Clerk approach 'Wildboar carvings' and other artists to seek alternatives to Chris Woods to provide carvings for Brynna Woods.

ORA2022/024 Japanese knotweed in the community.

RECOMMENDED

- That members of the Community Council maintenance team attend training in the management of Japanese knotweed so that they are licenced to deal with Japanese knotweed on Community Council land. The Clerk to enquire with RCT regarding availability, scope and cost of such training.
- That the Community Council identify where outbreaks are on RCTCBC land and take ownership of engaging RCTCBC to manage the outbreaks themselves. (Note: If the Community Council staff are able to become trained and competent in the management of Japanese knotweed it is possible that the Community Council could attempt to negotiate a service level agreement (SLA) to manage outbreaks on RCT's behalf, if desired by the Council it is recommended that this potential proposal be deferred until some future date).
- Whilst the Community Council cannot charge the public for services at this time, if its staff are to become trained and competent it could offer a 'without prejudice' advisory service to the public where Japanese knotweed appears



on private land. And/or keep a list of contractors who may be able to assist private landowners.

RECOMMENDED

The Clerk to contact RCTCBC and Bridgend College to enquire on training RE Japanese knotweed for maintenance staff.

RECOMMENDED

The Clerk to obtain leaflets and/or factsheets to keep at the Council office for members of the public.

ORA2022/025 Area of ground near the bench adjacent to the Haran roofing building.

RECOMMENDED

That the Clerk contact RCTCBC highways to enquire whether they own the land.

ORA2022/026 One Voice Wales 'Nature hub'

Noted.

ORA2022/027 RCT 'Action for nature website'

RECOMMENDED

That Councillor Mark Steer be proposed as the Community Council's official liaison to the website.

ORA2022/028 Lighting of fires on allotment plots.

RECOMMENDED

That the Clerk contacts plot-holders to trial the allowance of fires at any time of day during the months of November through to and including February. Fires to be prohibited at any other time. The trial to be undertaken on a voluntary basis with the consent of plot-holders with no changes to the tenancy agreements at this time.

RECOMMENDED

That the Clerk post notices to remind plot holders at the appropriate time of year to remind them that regardless of what material is burned on fires, they must not cause a nuisance to local residents.

ORA2022/029 Exclusion of the press and public.

RESOLVED



To exclude members of the press and public from discussion of agenda item 15 by virtue of the Public Bodies (Admission to Meetings) Act 1960, on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

ORA2022/030 Notice of warnings issued and other matters relating to allotment plots.

Noted.

ORA2022/031 Status of PSM32/1 near Gellifedi Road,

This matter was deferred to the next meeting as information requested from RCTCBC rights of way department was not forthcoming.

RECOMMENDED

That the Clerk write to RCTCBC Rights of Way department to express the Council's disappointment that the information requested has not been provided despite repeated requests.

ORA2022/032 Urgent information

The continued poor and dangerous condition of the barbed wire fence along the Tan Y Bryn bridleway was noted. (PSM 33/3). The Clerk reported that the landowner had been approached in 2021 with an unfulfilled commitment to repair the fence by September 2021 obtained. The issue subsequently reported to RCTCBC Rights of Way in early 2022. Cllr David Evans to follow up with RCTCBC

There being no further business the meeting closed at 9.04pm

The next meeting will be held on 28th July 2022

Councillor Chris Parker
Chair of the ORA Committee



Llanharan Community Council - ORA Committee Action Plan 14.8.22

Action no	Date added	Category	From	Action	Notes	Status	Owner
2020/232h	19.2.2021	Full Council	ORA	That a draft leaflet/factsheet be produced containing information outlining the rights and responsibilities of landowners, RCT, The Community Council and members of the public.	To be progressed once ROW database progress made.		LS
2020/2321	19.2.2021	Full Council	ORA	That a draft leaflet/factsheet be produced containing information on popular or interesting walking routes around the community.	In progress		LS
2021/053	16.6.2021	Full Council	ORA	ORA2021/025 Footpath to the north of Talyfan Road (RAN 6/1) Recommended – The Project Officer/Assistant Clerk to obtain quotes to infill the damaged section of the path with suitably sized aggregate to provide stability and drainage.	Met with RCTCBC in January to agree Spec. Awaiting quotes.		LS
2021/053	16.6.2021	Full Council	ORA	ORA2021/027 Footpath north of the newly installed path to the north of Llanharan Cemetery. (PSM53/2) Recommended - Project Officer/Assistant Clerk to approach RCTCBC to enquire whether a joint approach/cost share could be agreed to carry out repairs.	Written to RCTCBC to enquire on a joint approach. 13.7.21 RCTCBC have responded verbally indicating that they would be open to sharing the Cost. project Officer to obtain an estimate. Awaiting other quotes.		LS
2021/053	16.6.2021	Full Council	ORA	ORA2021/031 Consider PSM32/1 near Gellifedi Road Recommended - Project Officer/Assistant Clerk to enquire with RCTCBC whether a diversion order was ever submitted and/or processed.	Written to RCTCBC on 13.7.21 and again in August 21 and again Feb 22. Awaiting formal response. Response received. RCT responded June 2022 to report no record of a diversion application received or processed.	Completed	LS
2021/053	16.6.2021	Full Council	ORA	ORA2021/035 Steps in the alley between Bridgend Road and Parc Bryn Derwyn. Recommended – That the Project Officer/Assistant Clerk approaches the Land registry to discover the due process to claim ownership of the lane and steps so that the Community Council can maintain them.	Contacted Land Registry on 16 Feb 22. Ref 220216-321997. Awaiting response.		LS
		Full council	ORA	ORA2021/049 Book-swap stations Recommended That the Project Officer/Assistant Clerk liaise with interested parties to develop a community plan showing where book swap stations could be placed, how they would be managed and what funds would be requested from the Community Council.	Member of the public assisting. Awaiting response.		LS
		Full council	ORA	Recommended That the Project Officer/Assistant Clerk liaise with interested parties to obtain designs and a price for a suitable outdoor cabinet to be sighted at Mountain Hare.	Member of the public assisting with obtaining quotes. Awaiting response.		LS
ORA2021/041	24.9.21	ORA	ORA	The minutes of the ORA Committee meeting held remotely on Tuesday 8th June 2021 at 7.00pm were approved as a true and accurate record of proceedings subject to the following amendments to minute reference ORA2021/35 Steps in the alley between Bridgend Road and Parc Bryn Derwyn To be changed to: Steps in the alley between Bridgend Road and Parc View	Change them and reissue on website and sharepoint	Completed	

2021/097a		Full Council	ORA	RESOLVED (RE Decorative sculptures): That the artist be invited to a site meeting at Brynna Woods with members of the ORA Committee to discuss concepts and costs	Awaiting prices from CW. Summer 2022. The artist is currently abroad working on a project. May 22 - A second artist has been approached. The Clerk to provide Chris Woods with notes on what was required.		LS
2022/010	20.1.22	Full Council	ORA	ORA2021/067 Improvements to southern end of RAN17/5 at Enterprise Way. RECOMMENDED The Clerk to investigate options to create access both along the ridge of the bank and up the slope of the bank. To design a scheme of works and obtain budget prices and obtain advice and permissions from relevant landowners and authorities. For the project to be added to the CIL123 list and Active project list for further investigation.	Design to ORA in March meeting. Price obtained. Awaiting further quotes. Scope of works to be resolved by FC. Fresh quotes required. Superseded by Reoloultion 21022/050	Completed	LS
2022/010	20.1.22	Full Council	ORA	ORA2021/068 Ground conditions on Bridleway PSM40/4 RESOLVED With regards to the asphalt section leading immediately from Bethlehem View, the Clerk to approach the relevant landowners to enquire about their attitude to allowing improvement works to be carried out in principle. The Clerk to also check access rights, easements etc... over the land.	Permission in principle from land-owner given to surface with a slip resistant material. Budget price £450. Presented to March 22 ORA Committee. Resolved.		LS
2022/050	18.3.22	Full council	ORA	ORA2022/007 Popular or interesting walking routes around the community. RECOMMENDED The Clerk to produce a draft leaflet showing 'Route 1'.	Liase with MS and historical leafeltt RE Features.Include mileage, diffiulty level.(eh RAG? Hilly?) Look at Llantrisant Bunny walks (Ramblers) leaflett for examples. Copies to JB		LS
2022/050	18.3.22	Full council	ORA	ORA2022/008 Changes to the allotment tenancy agreements (Notice periods and allowance of Hens on Bridgend Road allotments) RESOLVED That the template allotment tenancy agreement be amended as per the suggested text (in red shown in Appendix Four presented to the ORA Committee held on 1st March 2022), or similar. And that.... That the Council's policy with regards to those clauses changes immediately to reflect the changes and that newly issued tenancy agreements reflect those changes, but that the Council does NOT physically re-issue tenancy agreements until the next scheduled re-issue in December 2022 but rather writes to current plot-holders to inform them of the policy change and impending changes to tenancy agreements.	Clerk to contact plotholders		LS

2022/050	18.3.22	Full council	ORA	<p>ORA2022/009 Design for steps regarding improvements to the southern end of RAN17/5 on Enterprise Way.</p> <p>RECOMMENDED</p> <p>That the design is adopted as per that in the accompanying paper, but that the steps be of concrete construction, with lower side walls and incorporate key-clamp style handrails.</p>	Re-quote for amended design and obtain further quotes.		LS
2022/050	18.3.22	Full council	ORA	<p>ORA2022/010 pathway to the picnic bench, MUGA and Skatepark at Oakbrook play area.</p> <p>RECOMMENDED</p> <p>That the design in the accompanying paper be accepted subject to consultation with RCTCBC regarding the specification and obtaining of the relevant permissions and for the picnic bench be situated outside of the fenced-off playpark area</p>	Speak to Lisa Austin at RCTCBC. Width, material etc.. Specifically for disabled access. And for permission to do the work.		LS
2022/050	18.3.22	Full council	ORA	<p>ORA2022/011 Disabled access to play areas in the community</p> <p>RECOMMENDED</p> <p>That before the matter is progressed further that RCTCBC parks are consulted on specification of gates (existing and future) for disabled access. Furthermore that disabled members of the community, including wheelchair users are engaged on the findings of the survey. On completion of this work an updated report to be submitted to the ORA Committee.</p>	<p>Speak to Lisa Austin RE spec for gates - existing and future.</p> <p>Look for engagement from wheelchair user(s).</p> <p>Review report and resubmit to ORA</p>		LS
2022/050	18.3.22	Full council	ORA	<p>ORA2022/012 Bridleway PSM40/4, approach to Brynna Woods from Bethlehem view.</p> <p>RESOLVED</p> <p>That pending formal approval from the landowners, as described in the accompanying paper, a non-slip surface material be overlaid over the asphalt in a 1.5m wide strip from the joint on the drain cover to the joint in the road. The colour to be chosen by the landowner and approval given to spend £450 from CIL funds for the project with the project to be added to the CIL123 list and Active Project list.</p>	Proceed.		LS
2022/155	22.7.2022	Full council	ORA	<p>RESOLVED</p> <p>ORA2022/024 Japanese knotweed in the community. That members of the Community Council maintenance team attend training in the management of Japanese knotweed so that they are licenced to deal with Japanese knotweed on Community Council land. The Clerk to enquire with RCT regarding availability, scope and cost of such training.</p>	Contacted both RCT and Bridgend college in June. Bridgend college have responded with costs. Awaiting response from RCT nudged 12.8.22		
2022/155	22.7.2022	Full council	ORA	<p>RESOLVED</p> <p>That the Community Council identify where outbreaks are on RCTCBC land and take ownership of engaging RCTCBC to manage the outbreaks themselves. (Note: If the Community Council staff are able to become trained and competent in the management of Japanese knotweed it is possible that the Community Council could attempt to negotiate a service level agreement (SLA) to manage outbreaks on RCT's behalf, if desired by the Council it is recommended that this potential proposal be deferred until some future date).</p>	Contacted both RCT in June, Awaiting responses.		

2022/155	22.7.2022	Full council	ORA	RESOLVED Whilst the Community Council cannot charge the public for services at this time, if its staff are to become trained and competent it could offer a 'without prejudice' advisory service to the public where Japanese knotweed appears on private land. And/or keep a list of contractors who may be able to assist private landowners.			
2022/155	22.7.2022	Full council	ORA	RESOLVED The Clerk to contact RCTCBC and Bridgend College to enquire on training RE Japanese knotweed for maintenance staff.	Contacted both RCT and Bridgend college in June. Bridgend college have responded with costs. Awaiting response from RCT nudged 12.8.22		
2022/155	22.7.2022	Full council	ORA	RESOLVED The Clerk to obtain leaflets and/or factsheets to keep at the Council office for members of the public.			
2022/155	22.7.2022	Full council	ORA	RESOLVED ORA2022/025 Area of ground near the bench adjacent to the Haran roofing building. That the Clerk contact RCTCBC highways to enquire whether they own the land.	Send email TE 11.8.22. Area appears to be unregistered. RCT report it could be considered highway and if so they have no objection. To be added to next ORA agenda.		
2022/155	22.7.2022	Full council	ORA	RESOLVED ORA2022/027 RCT 'Action for nature website'. That Councillor Mark Steer be proposed as the Community Council's official liaison to the website.	Clerk to ask Cllr Steer to inform website accordingly.		
2022/155	22.7.2022	Full council	ORA	RESOLVED ORA2022/028 Lighting of fires on allotment plots. That the Clerk contacts plot-holders to trial the allowance of fires at any time of day during the months of November through to and including February. Fires to be prohibited at any other time. The trial to be undertaken on a voluntary basis with the consent of plot-holders with no changes to the tenancy agreements at this time. That the Clerk post notices to remind plot holders at the appropriate time of year to remind them that regardless of what material is burned on fires, they must not cause a nuisance to local residents			

From: [Bragg, Jason](#)
To: [The Clerk / Project Officer](#)
Subject: Re: PSM32/1 near Gellifedi Road
Date: 20 June 2022 13:01:03
Attachments: [image002.png](#)

Hi Leigh,

We have no record of a public path diversion order for the above being formally requested or processed.

Thanks,

Jason

From: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Sent: Thursday, June 9, 2022 10:09 AM
To: Bragg, Jason <Jason.Bragg@rctcbc.gov.uk>
Subject: FW: PSM32/1 near Gellifedi Road

Hi Jason,

Any chance you've had a check on this one please?

Catch up soon

regards

Leigh Smith
Clerk to the Council.
Llanharan Community Council
project@llanharan-cc.gov.wales
www.llanharan-cc.gov.wales
Tel: 01443 231430 / 07769 266675

Mae'r neges ar gyfer y person / pobl enwedig yn unig. Gall gynnwys gwybodaeth bersonol, sensitif neu gyfrinachol. Os nad chi yw'r person a enwyd (neu os nad oes gyda chi'r awdurdod i'w derbyn ar ran y person a enwyd) chewch chi ddim ei chopio neu'i defnyddio, neu'i datgelu i berson arall. Os ydych chi wedi derbyn y neges ar gam, rhowch wybod i'r sawl sy wedi anfon y neges ar unwaith. Mae'n bosibl y bydd holl negeseuon yn cael eu cofnodi a/neu fonitro unol â'r ddeddfwriaeth berthnasol.
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From: The Clerk / Project Officer
Sent: 27 February 2022 21:36
To: Bragg, Jason <Jason.Bragg@rctcbc.gov.uk>
Subject: RE: PSM32/1 near Gellifedi Road

Hi Jason.

Sorry to be a pain, could you check this for me please? I'm due to report to Council Tuesday night.

Cheers

Leigh

From: Bragg, Jason <Jason.Bragg@rctcbc.gov.uk>
Sent: 17 February 2022 06:56
To: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Subject: RE: PSM32/1 near Gellifedi Road

Hi,

From memory, I don't think so, but I will double check the path's historical file.

Thanks,

Jason

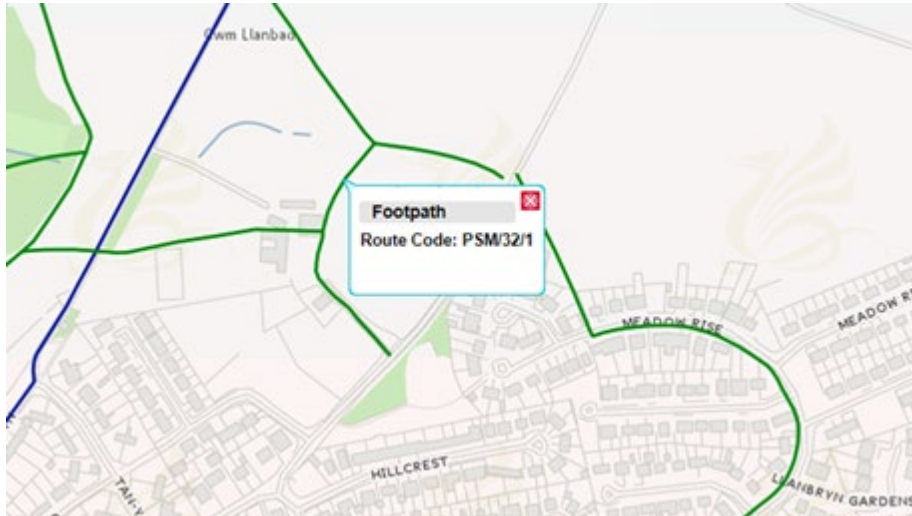
From: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Sent: 16 February 2022 11:35
To: Bragg, Jason <Jason.Bragg@rctcbc.gov.uk>
Subject: FW: PSM32/1 near Gellifedi Road

Hi Jason,

Sorry to keep on with this one, you have spoken to me about this but I cant remember the outcome. Sorry.

I need to report to ORA next month. The action I have is this: Project Officer/Assistant Clerk to enquire with RCTCBC whether a diversion order was ever submitted and/or processed.

Its this one..... Could you help please?



Leigh Smith

Clerk to the Council.

Llanharan Community Council

project@llanharan-cc.gov.wales

www.llanharan-cc.gov.wales

Tel: 01443 231430 / 07769 266675

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From: Assistant Clerk

Sent: 13 July 2021 14:51

To: Bragg, Jason <Jason.Bragg@rctcbc.gov.uk>

Subject: PSM32/1 near Gellifedi Road

Jason,

Apologies for the glut of emails, im working through my action plan.

RE: PSM32/1 near Gellifedi Road, the Community Council made the following resolution:

Project Officer/Assistant Clerk to enquire with RCTCBC whether a diversion order was ever

submitted and/or processed.

I think you might have mentioned this one the other day but my goldfish memory cant recall any of the detail !

Could you update me please?

Thanks in advance

Leigh

Leigh Smith

Project Officer / Assistant Clerk

Llanharan Community Council

project@llanharan-cc.gov.wales

www.llanharan-cc.gov.wales

Tel: 01443 231430

Contact Hours:

Wednesday 9.30am to 12 noon.

Thursday & Friday 9.30am to 5.00pm

Due to the Covid-19 Pandemic the council office is closed until further notice.

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Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddim yn arwain at oedi. Rhowch wybod inni beth yw'ch dewis iaith e.e. Cymraeg neu'n ddwyieithog

Mae'r neges ar gyfer y person / pobl enwedig yn unig. Gall gynnwys gwybodaeth bersonol, sensitif neu gyfrinachol. Os nad chi yw'r person a enwyd (neu os nad oes gyda chi'r awdurdod i'w derbyn ar ran y person a enwyd) chewch chi ddim ei chopio neu'i defnyddio, neu'i datgelu i berson arall. Os ydych chi wedi derbyn y neges ar gam, rhowch wybod i'r sawl sy wedi anfon y neges ar unwaith. Mae'n bosibl y bydd holl negeseuon yn cael eu cofnodi a/neu fonitro unol â'r ddeddfwriaeth berthnasol. I ddarllen yr ymwadiad llawn, ewch i <http://www.rctcbc.gov.uk/ymwadiad>

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Appendix 4

Tan Y Bryn Bridleway, barbed wire encroachment onto path.

Councillor David Evans has formally enquired with RCTCBC and has received an acknowledgement of receipt but an update has yet to be forthcoming.

Appendix 5

Extent and limits of delegated authority extended to the Clerk of the Council with regards to the management of allotments

Officer Proposal:

Tenancies

- That the Clerk (Or their deputy with delegated authority) be empowered to issue warnings to plot holders up to the level of final warnings and to carry out such steps as necessary under the terms of the tenancy agreement (and Poultry welfare policy) up to the point of preparing an eviction notice.
- Any eviction must be recommended by the ORA Committee and resolved by Full Council in the normal manner.
- The Clerk (or deputy) to present a paper to the ORA Committee detailing the clause(s) of the tenancy agreement that were being breached and outlining the steps that had been taken to resolve the issue amicably along with any formal warnings issued. The paper would also present the proposed eviction notice along with any legal notes for the ORA committee to consider.

Animal welfare

- Where there is felt to be an imminent risk to animal welfare, that the Clerk be empowered to act immediately with assumed delegated authority, and to carry out such steps as deemed necessary by them under the terms of the Poultry welfare policy, up to and including issuing a notice revoking a plot holder's right to keep birds on the allotment.

This would then be presented in a paper to the ORA Committee for retrospective consideration and would be recommended or otherwise to full council.

The paper would detail the reasons for the revocation notice along with any evidence available, supporting the decision.

- Where there is felt to be a non-urgent risk to animal welfare, or breaches of the Poultry welfare policy that does not present an urgent or imminent risk to animal welfare, that the Clerk (Or their deputy with delegated authority) be empowered to issue warnings to plot holders up to the level of final warnings and to carry out such steps as necessary under the terms of the Poultry welfare policy up to the point of preparing an notice to revoke permission to keep birds on the allotment.
- Any non-urgent revocation notice must be recommended by the ORA Committee and resolved by Full Council in the normal manner.

- The Clerk (or deputy) to present a paper to the ORA Committee detailing the clause(s) of the poultry welfare policy that were being breached and outlining the steps that had been taken to resolve the issue amicably along with any formal warnings issued. The paper would also present the proposed eviction notice along with any legal notes for the ORA committee to consider.
- The Clerk (Or their deputy with delegated authority) be empowered to manage the allotments and to interpret the tenancy agreement, poultry welfare policy and other policies or resolutions relating to the allotments at their discretion unless otherwise specifically instructed by resolution of council.

Appendix 6

Policy regarding trees overshadowing allotment plots

On some of the allotments there are mature trees overshadowing parts of allotment plots.

A plot holder has approached the Clerk to request that a tree is felled or otherwise heavily pruned in order to prevent it from overshadowing the plot. Some plot holders report that this has been done in the past.

Until now, the current Clerk has operated on the basis that unless there is a health and safety risk to people from tree collapse, or damage is being caused, or is likely to be caused to the fence of a neighbour (for which the Council would be liable) then trees will not be felled or heavily pruned on grounds of cost. There are many mature trees bordering allotment plots.

Some minor dressing is carried out by Council maintenance staff where appropriate, but this is limited.

The Clerk seeks guidance from Council regarding policy on this matter with a view to including in some future tenancy agreement.

Photographs of examples of mature trees bordering Council allotment plots are shown below.





Appendix 7

Transfer of tenancy of selected allotment plots.

Regarding the transfer of tenancies, the tenancy agreement states:

Clause 12(b) - The Tenancy of the Allotment Garden is renewable yearly and is therefore not passable from person to person or family member to family member.

Proposal 1

For the following principle to be adopted and appropriate wording to be inserted into some future tenancy agreement:

That under certain circumstances, under the discretion of the Council (and not the Clerk or any other individual) it may be beneficial to allow an allotment plot to be transferred to a family member or other interested party. This can only be affected by a resolution of Council.

Proposal 2

Case in point.

Plot 18&19 Jubilee Street allotment.



The total size of the two plots is approximately 375m².

The tenants of the plot for many years have been a husband and wife. However, in recent years the plot has been regularly tended by a close family member, the son.

The plot is primarily used for the keeping of birds with many semi-permanent, appropriate allotment-style structures. The birds are well looked after, netted, and the plot is well maintained.

The son has made a request that he be able to take on the tenancy at some point in the future.

Under the terms of the tenancy agreement if and when the current tenants are unable to maintain their tenancy then the plots would be cleared, the birds removed, and the plots placed onto the waiting list.

It is proposed that given that the son has actively tended the plot in recent years, that it is well used and maintained and that such a plot may be difficult to let to an active tenant, it may be appropriate to allow the transfer of the plot to the son either now or at some future date (with the written consent of all parties).

Appendix 8

RCT Local access forum recruitment. (Cllr Steer)

Proposal:

To formally support Councillor Mark Steer's application to the RCT Local Access Forum. See correspondence below.

Dear Sir or Madam,

Rhondda Cynon Taff Local Access Forum

I would like to invite a person from your organisation or group to apply to the Council to be considered for membership of the above forum. The purpose of the forum is to provide advice and guidance on the management of the Council's 'access to the countryside' function and responsibilities.

The previous forum examined and ruled on a wide range of issues and new initiatives and had been particularly successful at breaking down perceived barriers and misconceptions through working together.

Individual members from organisations are not expected to attend as specific representatives of any organisation but rather because of their wide and relevant experience of issues and opportunities in the countryside access field. I therefore attach an application for appointment to the 'new' forum with some brief guidance notes.

We would request that any applications are submitted not later than 03/10/2022. In addition, please feel free to share this information with any interested parties.

I look forward to hearing from you.

Yours faithfully,

Jason Bragg
Countryside and Rights of Way Officer