



LLANHARAN COMMUNITY COUNCIL

Minutes of the Open Spaces Committee, Rights of Way and Allotments Committee (ORA) held remotely at 7.00pm on Tuesday 25th July 2023

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

Present:

Councillors: Mark Steer (Chair), Neil Feist, Will Thomas.

Clerk to the Council: Leigh Smith

Apologies received: Cllr Tracy Allen (Dispensation). Cllr Helen Donnan.

Absent: Olie Wicks.

1 Member of the public.

ORA2023/049 Welcome, introductions, and apologies for absence
The Chair welcomed everyone to the meeting.

ORA2023/050 Disclosures of Interests

Councillor Neil Feist declared a personal interest with regards to all agenda items being a joint tenant holder of an allotment plot.

Councillor Neil Feist also declared a personal and prejudicial interest in agenda items 11 and 14 (minute references 2023/060 and 2023/063 respectively) and that he would leave the meeting during consideration of that business.

ORA2023/051 Public speaking slot

None



ORA2023/052 Minutes

RESOLVED

The minutes of the ORA Committee meeting held remotely on 14th June 2023 at 7.00pm were approved as a true and accurate record of the meeting.

ORA2023/053 Matters arising

None

ORA2023/054 ORA Action plan

RECOMMENDED

Ref 2023/041 (ORA2023/011) Improvements to a section Danygraig Road. The Clerk to add to the next agenda of the ORA committee to follow up and to request an update from Cllr Turner.

ORA2023/055 Walking route leaflets progress update

RECOMMENDED

For the Clerk to write to the graphic designer to politely dispense with their services and for the draft leaflet to be produced by the working group.

ORA2023/056 'Cut and Collect' cutting techniques

RECOMMENDED

That the Clerk contacts Rachel Carter, One Voice Wales's Places for nature officer regarding possible available funding to purchase appropriate equipment to facilitate the cost benefit analysis.



ORA2023/057 Improvements to the access lane leading to the meadow rise open space

RESOLVED

To defer the item to the next meeting of the ORA Committee to give Llanmoor Homes time to respond.

ORA2023/058 Lane and Steps leading from Bridgend Road to Parc View
Noted.

ORA2023/059 Adding individuals to long standing tenancy agreements, and creating joint tenancies

RESOLVED

To defer the item to the next meeting of the ORA Committee.

ORA2023/060 Exclusion of press and public

RESOLVED

To exclude the press and public from the meeting by virtue of the Public Bodies (Admission to Meetings) Act 1960, on the basis that with regards to the next two agenda items disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. Specifically with reference to Part 12 of LGA 1972 Schedule 12A.

ORA2023/061 Meeting with developer of Eco-Houses at entrance to Brynna Woods.

RESOLVED

For a working group to be established to meet the developer of the Eco houses. Membership of the working group to comprise Cllrs Mark Steer as Chair, David Evans and Helen Donnan. Terms of reference to be to meet with the developer to discuss access, rights of way and other issues pertaining to Brynna Woods and its approaches. Dates and specific arrangements for the meeting to be arranged.



ORA2023/062 To consider issuing an eviction notice on Jubilee Street allotments

RESOLVED

Councillor Neil Feist having declared a prejudicial interest in this item, the meeting would become inquorate and so the matter was deferred to a future meeting.

ORA2023/063 Urgent items for information or items suggested to the Clerk for future agenda.

None

There being no further business the meeting closed at 8.30pm.

The next meeting to be held 3rd October 2023

Councillor Mark Steer
Chair of the ORA Committee



LLANHARAN COMMUNITY COUNCIL

Minutes of the Open Spaces Committee, Rights of Way and Allotments Committee (ORA) held remotely at 7.00pm on Wednesday 14th June 2023

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

Present:

Councillors: Mark Steer (Chair), Neil Feist, Will Thomas.

Clerk to the Council: Leigh Smith

RFO/Deputy Clerk: Lisa Phillips

Apologies received: Cllr Tracy Allen, Helen Donnan

Absent without apologies: Olie Wicks.

1 Member of the public.

ORA2023/032 Welcome, introductions, and apologies for absence

The Chair welcomed everyone to the meeting.

RESOLVED

Cllr Tracy Allen proffered a reason for absence with their apology, and this was accepted by the Committee as a valid reason for absence.

Cllr Helen Donnan proffered a reason for absence with their apology, and this was accepted by the Committee as a valid reason for absence.

ORA2023/033 Disclosures of Interests

Councillor Neil Feist declared a personal interest with regards to all agenda items being a joint tenant holder of an allotment plot.



Councillor Neil Feist also declared a prejudicial interest in agenda items 13 and 15 and that he would leave the meeting during consideration of that business.

ORA2023/034 Public speaking slot

A member of the public spoke in relation to agenda item 15.

ORA2023/035 Minutes

RESOLVED

The minutes of the ORA Committee meeting held remotely on 4th April 2023 at 7.00pm were approved as a true and accurate record of the meeting.

ORA2023/036 Matters arising

RECOMMENDED

Cllr Steer asked that the actions with regard to minute reference ORA2023/025 (and Full council reference 2023/080) be prioritised by the Clerk given the ongoing issues still being experienced.

ORA2023/025 Blocking of access by construction vehicles at the entrance to Brynna Woods, PSM 40/2

RECOMMENDED

The Clerk to write to the developer working in the area to request a site meeting with a senior manager to address

ORA2023/037 ORA Action plan

Noted.

ORA2023/038 Placement of additional benches from Bryncae to 'The Square'.

RECOMMENDED

That 4 addition benches be purchased and sited in the following locations. 1) Adjacent to Greggs/Ground Control 2) Adjacent to the Terry's Way/Enterprise Way roundabout , 3) At the junction with Llanharry Road, 4) On the square near to the junction with Hillside Avenue. That CIL funds be used, the Clerk to present Costs to full council.



ORA2023/039 Signage for allotment site gates

RECOMMENDED

That the officers be authorised to spend up to £400 for the allotment gates and sites.

ORA2023/040 Walking route leaflets progress

RESOLVED

That a working group be set up to work with the designer on the detail to be included in the leaflet for Route 1. The working group to be known as 'The Walking leaflet Working Group' comprising Cllrs Mark Steer, Neil Feist and Will Thomas. The Chair to be Councillor Mark Steer.

Terms of reference to be:

The Walking Leaflet Working Group to be tasked with examining the details of arranging the leaflets for Route 1 and for subsequent leaflets. The working group will work with the designer and others and make recommendations to the ORA Committee.

ORA2023/041 Replacement way-marker for RAN 4/1 and RAN 3/2, and broken stile RAN3/2

RECOMMENDED

For the Council to fund a replacement of the way-marker at RAN4/1 and 3/2, and to replace the broken stile on RAN3/2 with a self-closing gate. To be funded from CIL funds (pending approval from RCT CIL dept). the Clerk to obtain costs to be presented to Council.

RECOMMENDED

For the Clerk to be authorised to approach the relevant landowners to obtain permission for the Council to replace the way-marker and to replace the stile with a self-closing gate and to arrange access accordingly.



Councillor Neil Feist requested that the minutes reflect that he voted against this motion.

ORA2023/042 Cut and collect techniques

RECOMMENDED

The Officers carry out a cost benefit exercise on the proposal to use cut and collect techniques on Council land.

ORA2023/043 Felling a tree on Bridgend Road allotments

RECOMMENDED

That the Clerk obtain a price to fell the tree and obtains consent from the owner of the adjacent property.

ORA2023/044 Survey existing plot holders regarding the potential to allow bees to be kept on allotment plots

Councillor Neil Feist having declared a prejudicial interest in this item, the meeting would become inquorate and so the matter was deferred to a future meeting.

ORA2023/045 Exclusion of press and public

RESOLVED

To exclude the press and public from the meeting by virtue of the Public Bodies (Admission to Meetings) Act 1960, on the basis that with regards to the next two agenda items disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. Specifically with reference to Part 12 of LGA 1972 Schedule 12A.

ORA2023/046 To consider issuing an eviction notice on Jubilee Street allotments



RESOLVED

Councillor Neil Feist having declared a prejudicial interest in this item, the meeting would become inquorate and so the matter was deferred to a future meeting.

ORA2023/047 To consider issuing an eviction notice on Bridgend Road allotments

RECOMMENDED

That the tenant be allowed to voluntarily surrender one of the plots and that they be given the opportunity to improve the condition of the remaining plot. However, that formal notice of eviction be given on that remaining plot to be enforced if the condition of the plot has not improved during the 1 month notice period and sustained over a 3 month period at the discretion of the Clerk. The notice of eviction be issued under the appropriate terms of the tenancy agreement as set out.

ORA2023/048 Urgent items for information or items suggested to the Clerk for future agenda.

None

There being no further business the meeting closed at 8.30pm.

The next meeting to be held 25th July 2023

Councillor Mark Steer
Chair of the ORA Committee



Llanharan Community Council Action Plan ORA 24.7.23

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
2021/053	16.6.2021	Full Council	ORA	ORA2021/035 Steps in the alley between Bridgend Road and Parc Bryn Derwyn.(SIC Parc View) RESOLVED – 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. Application form obtained and to be completed. Superceded by a subsequent resolution to attempt to register the land (2022/233)	Completed	LS
2021/013	20.1.22	Full Council	ORA	RESOLVED The Clerk to gather background information and carry out a feasibility study (Christmas decorations) with a view to presenting options to council for budgeting in late 2022 in preparation for budget 2023/24 and Christmas 2023 in relation to the following areas: New Road (A473); Lanley estate; Enterprise Way.			LS
2021/014	20.1.22	Full Council	ORA	RESOLVED To form a working group to examine purchase and placement of summer plants with a view to presenting options to council for budgeting in late 2022 in preparation for budget 2023/24 and summer 2023.	Form working group. On agenda of FC meetings until resolved. On hold pending TOR for the newly formed Community Engagement Working Group formed in May 23		LS
2022/040	18.2.22	Full Council	ORA	RESOLVED To purchase a replacement, wheelchair-friendly picnic bench for up to a cost of £450 plus £120 fitting. (Oakbrook)	Purchase bench and arrange fitting. Delivery to be made to site. Co-ordinate with contractor. Obtain permission RCT parks dept. Mote: Need a note on minutes rto approve for CIL. LS contacted LA to chase Jan 23. RCTCBC Permission obtained. Minute needed to increase spend in line with new quotation. Going to Council May 23 and superceded by that resolution.	completed	LS
2022/050	18.3.22	Full council	ORA	ORA2022/009 Design for steps regarding improvements to the southern end of RAN17/5 on Enterprise Way. RECOMMENDED 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.	Quote accepted and job awarded to Eric Avril. LS checking with RCT and landowner on spec and practicalitled. Jan 23 - Job awarded. RCT highways satisfied. LS Checking with RoW, Landowner and Wales and West Utilities (Gas pipe)	Completed	LS
2022/050	18.3.22	Full council	ORA	ORA2022/010 pathway to the picnic bench, MUGA and Skatepark at Oakbrook play area. RECOMMENDED 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	Speak to Lisa Austin at RCTCBC. Width, material etc.. Specifically for disabled access. And for permission to do the work. Need a note to make a CIL project Minute). LS chased LA for spec Jan 23. Sirte meeting held Jan 23 and permission given to fit bench. Obtaining quotes. Bench and resolution to fit recieved. awaiting assembly of bench will then arrange contracotr to fit.		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). Review report and resubmit to ORA</p> <p>Jan 23 update. It appears all parks are accessible. LS chasing RCT survey and report from LA Jan 23 Received.</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>	<p>Proceed. Booked for completion early October. Clerk to reconfirm with landowner consent given. Consent withdrawn by landowner Oct 22. RCTCBC ROW investigating options. Added to CIL lists</p> <p>Note: The landowner has withdrawn consent. On hold. Raised with RCTCBC</p>		LS
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>	<p>Contacted both RCT in June, Awaiting responses. Quantify which areas of survey are on RCT/CC land. Survey complete.</p>	Completed	
2022/155	22.7.2022	Full council	ORA	<p>RESOLVED</p> <p>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.</p>			
2022/183	30.9.2022	Full Council	ORA	<p>RESOLVED</p> <p>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.</p>	<p>Investigate PE plot and plot 31</p>	Completed	LS
2022/183	30.9.2022	Full council	ORA	<p>RESOLVED</p> <p>That the Clerk refer to the Environment(Wales) Act 2016 – Section 6, Biodiversity 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</p>	<p>Write the action plan.</p>		LS
2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED</p> <p>That subject to the prior receipt of appropriate public liability insurance certificates Eric Avril be awarded the work "improvements to the southern end of RAN17/5 on Enterprise Way" and the Clerk be approved a spend of £8,500 + 10% contingency = £9,350. For the project to be funded using CIL funds if eligible, the Clerk to confirm with RCTCBC.</p>	<p>Check spec with RCTCBC highways, obtain copy of insurance. Proceed. Clerk chased RCTCBC Jan 23 RE spec. Consent from all parties received. Awaiting availability of contractor and favourable weather conditions.</p>		LS
2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED</p> <p>Security arrangements at allotment sites. For the Clerk to carry out a survey of Jubilee Street plot-holders in order to ascertain their views on current security arrangements at the Jubilee Street allotment site. A report to be presented to the next ORA Committee.</p>	<p>LS to canvass.</p>	Completed	LS

2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED PSM32/1 near Gellifedi Road That the Clerk formally write to RCTCBC Rights of Way Officers to request a site meeting to consider PSM31 and PSM32.</p>	The Clerk emailed JB 16th January 2023. Awaiting response. Agreed. LS to obtain residents contact details. JB has agreed to a meeting and will arrange. Received in March - 'the Council is unlikely to pursue legal action over a substantial long-standing obstruction (i.e. of considerable size, worth and requiring major engineering works to remove or to reinstate public passage), a diversion may be considered an acceptable solution in such extenuating circumstances. While we are open to discussions with the landowners, we currently have a small very small team compared to the size of the PRoW network and are prioritising are work/enforcement accordingly. I am happy to arrange a meeting but this unlikely to happy over the coming weeks due to current work load.'		LS
2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED Steps in the alleyway between Bridgend Road and Parc View. That the Clerk take steps to register the land in the name of the Community Council, paying any registration fees accordingly.</p>	Clerk requesting consent of Council to engage a solicitor. Obtained advice, no prospect of registering land as no evidence or occupation or maintenance.	Completed	LS
2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED Area of rough ground near the bench next to Haran Roofing. That the Clerk take steps to register the land in the name of the Community Council, paying any registration fees accordingly.</p>	Clerk requesting consent of Council to engage a solicitor	Completed	LS
2022/233	16.12.2022	Full Council	ORA	<p>RESOLVED Leaflet of walking routes around the community. That the Clerk purchase an annual subscription to OS Maps online up to a cost of £60 for the year.</p> <p>RESOLVED For a budget of £1000 to be allocated to this project and for the Clerk to be authorised to spend up to that amount.</p> <p>RESOLVED For the Clerk to enquire whether the project is applicable for CIL funding. If so for the project to be funded from CIL funds. If not for the funds to be taken from the general reserve.</p> <p>RESOLVED For the Clerk to engage a graphical designer to produce a draft mock-up of route 1 to demonstrate what is achievable.</p>	In progress. Meeting arranged with Graphic designer March 23. graphic designer has been engaged and is drawing up a draft concept leaflett. Project is NOT applicable for CIL. Working group formed to progress matters.	Completed	LS
2023/041	17.02.2023	Full Council	ORA	<p>RESOLVED ORA2023/007 Stone hamlet/ward gateways That the Clerk design a draft public consultation to garner ideas for the location and/or design of hamlet/ward gateways in the community and for the draft to be presented to the ORA Committee for approval.</p>	Hold until after CIL consultation. To be added to Sept 23 ORA agenda.		
2023/041	17.02.2023	Full Council	ORA	<p>RESOLVED ORA2023/010 CGI's Tree Planting Programme That the Clerk to contact GCI to check on the detailed process for applying for trees including what specific information they require.</p>	Cllr Feist has made initial contact. Awaiting details to be able to follow up. No contact from group. Application submitted by Cllr Feist. Trees delivered and distributed April 23	Completed	
2023/041	17.02.2023	Full Council	ORA	<p>RESOLVED ORA2023/011 Improvements to a section of Danygraig Road Councillors Turner and Donnan to meet with RCTCBC highways officers to investigate potential options for the road.</p>	Ref Cllr Turner and Donnan.		

2023/041	17.02.2023	Full Council	ORA	RESOLVED ORA2022/060 Urgent items for information or items for future agenda. Future agenda to include training on basic tree safety training for staff and interested members.	Add to future agenda.		
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/017 ORA Action plan. The Clerk to send a summary of all pending right of way issues raised with RCTCBC with a request for update and/or RCTCBC's intentions on these matters.			
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/018 Council's policy regarding allowing tree planting by plot-holders on allotment plots. That a policy be adopted immediately that when plot-holders request permission to plant trees then only Cordon trees be permitted which may not grow to a height greater than 2 meters	Put notice on gates		
2023/080	21.4.2023	Full Council	ORA	RESOLVED That the next version of the tenancy agreement issued be amended to include this policy and to include the provision that when surrendering a plot, the plot holder has the option of taking the trees with them.			
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/019 Council's policy regarding allowing bee-hives on allotment plots. That the council should allow the keeping of bees in principle but that first the Clerk present a paper to a future meeting outlining any rules or restrictions that should be put in place.	Research. Contact details provided by Cllr Steer. Superseded, first the Clerk to survey current plotholders.	Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/021 Quotations for noticeboards for Llanharry road and Ynysmaerdy. That the Clerk be authorised to place an order for 2 noticeboards for Llanharry Road and Ynysmaerdy respectively as per the quotation received, up to the value of £2300, to be taken from CIL funds.	To be presented to Extra meeting, quotation is £2782	Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/022 Using a solicitor (conveyancer) in relation to the registration of land. For the Clerk to be authorised to spend up to £1000 to engage an appropriate solicitor for the registration of land relating to 'the steps between Bridgend Road and Parc View' and 'land near Haran Roofing'.	Emailed Devonalds Talbot Green 3.5.23 Spoke to Howells, Cardiff 12.6.23. awaiting responses. Verbally told unless evidence of occupation no claim can be made. Report to ORA. Feedback from solicitors that the land cannot be registered due to the lack of evidence of occupation or maintenance.	Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/023 Tree survey carried out in February 2023. The Officers authorised to make payment of £720 for the tree survey.		Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED For the Clerk to obtain quotations for the carrying out of the work recommended in the surveys.	Arrange. Awaiting quotes.		
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/024 Japanese Knotweed survey previously in relation to RCTCBC land ownership. That the Clerk forward a copy of the analysis showing where Japanese knotweed (identified in the survey undertaken in 2020/2021) is present on RCTCBC land to the RCTCBC Invasive species officer.		Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/025 Blocking of access by construction vehicles at the entrance to Brynna Woods, PSM 40/2. The Clerk to write to the developer working in the area to request a site meeting with a senior manager to address the issues regarding access to PSM40/2 and access to Brynna Woods	Letter written. Superseded	Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/027 Cut and collect mowing. The Clerk to contact RCT Countryside department regarding the availability of suitable cut and collect machinery and best practise methods.	Cllr Steer to provide contact details and examine draft.	Completed	
2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/029 Allotment eviction notice. To issue an eviction notice to a plot-holder under the terms described in the confidential paper presented to the meeting	Inform tenant. Letter sent. Plot to be vacated 21st May 2023.	Completed	

2023/080	21.4.2023	Full Council	ORA	RESOLVED ORA2023/030 Request from an allotment plot-holder on Jubilee Street to keep more than 6 birds. To grant the request for dispensation to keep extra birds, none of which may be cockerels, with a review to take place at each tenancy renewal period. A count to be taken of the number of birds present and this number not to be exceeded. Stipulation that as birds pass away or are otherwise removed from the allotment plot they are not replaced, so that the number of birds kept will reach a maximum of 6 over time.	Inform tenant	Completed	
2023/142	16.6.23	Full Council	ORA	RESOLVED Cllr Steer asked that the actions with regard to minute reference ORA2023/025 (and Full council reference 2023/080) be prioritised by the Clerk given the ongoing issues still being experienced. Specifically:ORA2023/025 Blocking of access by construction vehicles at the entrance to Brynna Woods, PSM 40/2 The Clerk to write to the developer working in the area to request a site meeting with a senior manager to address	The developer has agreed to a meeting. Cllr Steer to check whether the issues still exist and if a meeting is still worthwhile. Deemed worthwhile meeting to be arranged.		
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/038 Placement of additional benches from Bryncae to 'The Square'. That 4 addition benches be purchased and sited in the following locations. 1) Adjacent to Greggs/Ground Control 2) Adjacent to the Terry's Way/Enterprise Way roundabout , 3) At the junction with Llanharry Road, 4) On the square near to the junction with Hillside Avenue. That CIL funds be used, the Clerk to enquire with RCT highways on the specifics of each location and to obtain permission to site benches and present findings and costs to the ORA Committee.	Wrote to Terry Evans 13.7.23 acknowledgement received, awaiting response.		
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/039 Signage for allotment site gates That the officers be authorised to spend up to £400 for signage for the allotment gates and sites.			
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/041 Replacement way-marker for RAN 4/1 and RAN 3/2, and broken stile RAN3/2 For the Council to fund a replacement of the way-marker at RAN4/1 and 3/2, and to replace the broken stile on RAN3/2 with a self-closing gate. To be funded from CIL funds (pending approval from RCT CIL dept). the Clerk to obtain costs to be presented to Council.			
2023/142	16.6.23	Full Council	ORA	For the Clerk to be authorised to approach the relevant landowners to obtain permission for the Council to replace the way-marker and to replace the stile with a self-closing gate and to arrange access accordingly.			
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/042 Cut and collect techniques The Officers carry out a cost benefit exercise on the proposal to use cut and collect techniques on Council land	Awaiting information on the potential for a grant to purchase equipment from Rachel Carter		
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/043 Felling a tree on Bridgend Road allotments That the Clerk obtain a price to fell the tree and obtains consent from the owner of the adjacent property	Awaiting quotation.		
2023/142	16.6.23	Full Council	ORA	RESOLVED ORA2023/047 To consider issuing an eviction notice on Bridgend Road allotments That the tenant be allowed to voluntarily surrender one of the plots and that they be given the opportunity to improve the condition of the remaining plot. However, that formal notice of eviction be given on that remaining plot to be enforced if the condition of the plot has not improved during the 1 month notice period and sustained over a 3 month period at the discretion of the Clerk. The notice of eviction be issued under the appropriate terms of the tenancy agreement as set out.	The Clerk wrote to plot holder 4th July 2023. Via Royal mail. Potential eviction date 4th August 2023.		

Llanharan Community Council

Notes from Working Group Route 1 leaflet meeting 19th July 2023

Present: Cllr. Neil Feist (NF), Cllr. Will Thomas (WT) and Cllr. Mark Steer (MS)

It was agreed that the format of the Llantrisant 'Bunny Walks' leaflet should be used as a template – trifold.

Need to include OS grid references, What3Words, elevations, level of difficulty/ease, recommended footwear/clothing, number of stiles/gates on route, time for walk, details of route, simplified map, nearest landline phone if possible, panoramic photos, nearest bus stops to start of route and other information as necessary.

WT is willing to take suitable photos and to design leaflet using software that he has. At this stage it will not be necessary to engage a graphic designer. Cover photo – possibility of WT taking suitable photo using local residents wearing suitable footwear and clothing rather than generic stock photo.

The legal implications/liabilities for the Community Council distributing these leaflets should be checked.

As well as printed leaflets this should be available online – on LCC website. A more detailed map could be included.

Action:

- 1) Arrange suitable date for the Group to walk the route to confirm details and take suitable panoramic photos – MS/WT/NF.
- 2) Speak to Jason Bragg RCT RoW about improvements to stiles etc. - MS
- 3) Speak to Olie Wicks re OS licence/agreement to use map – MS
- 4) Speak with the Clerk regarding any possible liability to LCC - MS
- 5) Draft text – MS
- 6) Draft leaflet using available software - WT

Site visit – 6.7.23 Rachel Carter

Llanharan – Meeting point Land adj to Meadow rise, Brynna CF72 9TP

Observations

Weather was warm, dry and sunny. Llanharan CC covers the settlements of Llanharan, Brynna and Brynna Gwynion. It is close to the outskirts of Bridgend but is within the boundary of Rhondda Cynon Taff local authority. I visited 3 sites on the day. The community council manage their own land and 2 pieces of land on behalf of the Llanharan welfare trust.

Land adjacent to Meadow rise, Brynna

This parcel of grassland and mixed broadleaf woodland and scrub is close to a residential area surrounded by homes. There is an area with football goalposts, a bench and some younger trees. Mainly Rowan (*sorbus aucuparia*). The site is well used by dog walkers and children and families. There were some visible signs of a recent tree survey with dead Ash trees and evidence of Ash die-back in the remaining trees. The woodland area is overgrown and can't be used by the public currently.

Current management for the grass areas appears to be by regular cut and fly, with visible evidence of damage to base of trees possibly caused by a strimmer. The sward mainly consisted of rye grass, plantains, docks with limited evidence of creeping buttercup and white clover. The ground is hard and where the grass cuttings have thatched in places this has caused bare patches. The site would benefit from reduced mowing with a 'Cut & Collect' method, the designated areas shown in figure 1 could be cut short in Spring before the end of March, then left unmown throughout the summer with a final cut at the end of August/beginning of September. This method would allow more of the native wildflower species to grow and complete their life cycles providing valuable nectar and pollen resource for pollinators, forage and habitat for invertebrates and small mammals as well as birds. A more diverse sward has been shown to absorb more water and Carbon dioxide from the atmosphere. These combined benefits could help the area become more nature positive whilst ensuring Llanharan CC is meeting its statutory Section 6 duty (The Environment Act, 2016)

The edges of the existing paths and new nature paths could be created using the mower to connect existing desire lines and entrances. This would create more interest and a new nature walkway. The regularly mown areas are shown in green on figure 1. Signage from the ['It's for them'](#) stakeholder toolkit could be displayed to communicate with users of the area, and explain the purpose of the change in mowing regime. The reduction in mowing time will free up staff for other tasks such as maintenance and litter collection as well as possibly reducing overall costs.

The orange markers on figure 1 are potential sites for a green waste area. By using more than one site and spreading the waste this should create essential habitats and avoid issues with rotting grass clippings. As time elapses the arising collected will become more 'hay-like' and this problem will potentially be reduced.

Creating a wildflower meadow using this technique can take time and there is no doubt that for the first year or two, there may only be a small increase in plant diversity but if the regime continues the plant diversity will increase and the area will become more aesthetically pleasing alongside the increase in biodiversity value. The creation of paths and displaying of signage could help engage the

residents and clearly communicate the aims of the Council. Social media can also be used to spread the message that reducing mowing is a nature positive step.



Figure 1- Map showing the mowing lines under a cut & Collect regime that will create footpaths and recreational areas.

The woodland area could benefit from a tree management plan, and replacement of any culled Ash trees planned. Hazel and Aspen are the recommended replacement species following removal of diseased Ash trees. Pathways could be used made with natural materials to create a woodland nature walk, creating habitat piles from any felled branches or trees here and in the area marked in red on figure 1. A nature trail could be created using local craftsmen and/or the local school, building on any work that has already been carried out at Brynna woods. The addition of hedgehog hotels, bug boxes and bird/bat boxes would further enhance the area and provide volunteer opportunities for education and community engagement.

The Welfare playing fields, Llanharan

As requested by the Welfare trust large areas at the playing fields have ben left un-mown. To get the maximum benefit to biodiversity these areas would need to be mown in late summer and all arisings removed from the ground with 'Cut & collect machinery.

The Playground, Brynna Gwynion

The grassy area at the side and rear of play area shows some good botanical diversity, with species such as self heal, birds foot trefoil, red clover, sorrels, and ribwort plantain. I would recommend that this area is now left unmown until the end of August or mid-September. This will allow the speices already present to complete their flowing cylces and set seed. This will also allow other species to grow throughout August providing over 500m² of essential pollen and nectar sources for

pollinators. The area suggested is shown on figure 2 below and corresponds with a dry line that could be followed with the mower.



Figure 2 - Brynna Gwynion play area, area shaded has a higher plant species diversity.

In the future this area could be managed under a twice per year cut and collect regime, using the mower to cut paths through for the users and creating a nature trail across the small park.

Possible actions and funding opportunities

The Local Places for Nature scheme could fund the purchase of mowing machinery and some of the associated costs. This would allow Llanharan CC to manage their own areas and those they manage on a cut and collect regime, increasing wildflower populations and bringing significant benefit to pollinators, and other wildlife, as well as potential impacts on air pollution and surface water accumulation.

All the sites above are 'on the doorstep', close to public services such as the toilets, pub, community centres and bus stops. The sites fall within more than one LSOA:- Llanharan 1 (W01001189) where The community council is registered at Postcode CF72 9QA; this areas ranks 657/1909 for overall deprivation. The full profile can be seen here: [WIMD - Llanharan 1 \(gov.wales\)](https://gov.wales/wimd-llanharan-1). This area qualifies for LPfN funding through The National Lottery Heritage fund scheme. The sites at Brynna and Brynna Gwynion fall within 2 different LSOAs [WIMD - Brynna 1 \(gov.wales\)](https://gov.wales/wimd-brynna-1) and [WIMD - Brynna 2 \(gov.wales\)](https://gov.wales/wimd-brynna-2) and neither of these sites qualify under the deprivation criteria. However, because Llanharan itself meets the urban deprivation criteria any equipment bought using the funding would be used across areas and accessed by the different communities so there is a case to be made to receive LPfN funding.

The LPfN funding is also heavily focused on community involvement as this would need to be an important part of any project. The main objective of any LPfN project being to get a 'wider range of people' involved in nature. If the Council would like to explore this idea further, then please contact me for more information and advice on the application process.

The woodland area may be able to benefit from funding through the [The Woodland Investment Grant | The National Lottery Heritage Fund](#) to create a community woodland that could then apply to become part of the National forest scheme: [National Forest for Wales Status | GOV.WALES](#),

Some useful links

After the suggested biodiversity enhancements Llanharan CC could consider an application to join the Welsh Government Bee friendly status scheme: [Wales Biodiversity Partnership - About the scheme \(biodiversitywales.org.uk\)](#)

Lots of useful information can be found in the post conference resource pack including pollinator friendly plant lists/ This can be downloaded here: <https://we.tl/t-7XTgl4n288>

It's for them stakeholder toolkit can be downloaded here: <https://we.tl/t-0Lh5fA9Mms>

Local Nature partnership Coordinator at Rhondda Cynon Taff: Kate Stock kate.stock@rctbc.gov.uk

For more information, help and advice please contact me:
Rachel Carter - Local Places for Nature Officer: rcarter@onevoicewales.wales

From: [The Clerk / Project Officer](#)
To: [Customer Care](#)
Subject: RE: Request for maintenance to footpath -Meadow Rise, Llanharan.
Date: 19 July 2023 13:18:00
Attachments: [image003.png](#)
[image004.png](#)

No problem Mark,

Thank you.

Leigh Smith

Clerk to the Council.

Llanharan Community Council

Clerk@llanharan-cc.gov.wales

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.

llanharan-cc.gov.uk

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

llanharan-cc.gov.uk

From: Customer Care <Customercare@llanmoor-homes.co.uk>
Sent: Tuesday, July 18, 2023 3:26 PM
To: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Subject: RE: Request for maintenance to footpath -Meadow Rise, Llanharan.

Good Afternoon Leigh

I do apologise soon as I have an answer let you know ASAP ,

Kind Regards



Mark Thomas

Customer Service Manager

email:-customercare@llanmoor-homes.co.uk

[Tel:- 07721-239914](tel:07721-239914)

From: The Clerk / Project Officer <project@llanharan-cc.gov.wales>

Sent: 18 July 2023 13:51

To: Info <info@llanmoor-homes.co.uk>; Customer Care <Customercare@llanmoor-homes.co.uk>

Subject: RE: Request for maintenance to footpath -Meadow Rise, Llanharan.

Good afternoon,

Are you able to respond to this request please?

regards

Leigh Smith

Clerk to the Council.

Llanharan Community Council

Clerk@llanharan-cc.gov.wales

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.

llanharan-cc.gov.uk

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

llanharan-cc.gov.uk

From: The Clerk / Project Officer

Sent: Wednesday, June 28, 2023 2:20 PM

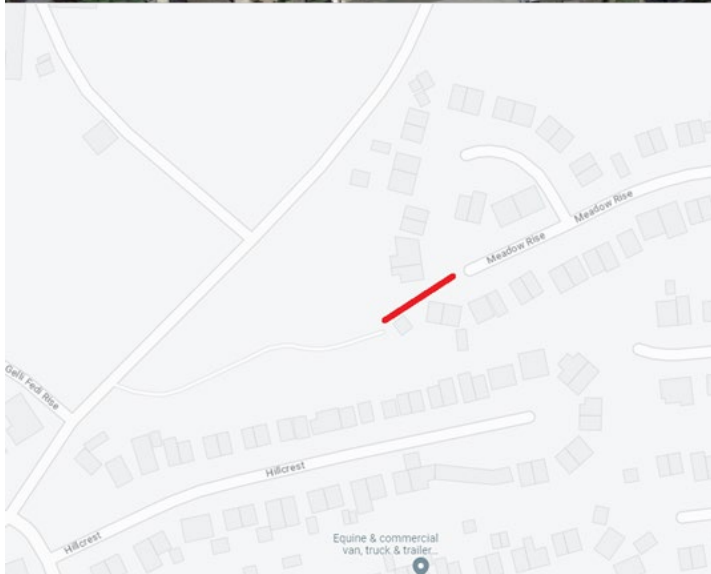
To: info@llanmoor-homes.co.uk; customer care@llanmoor-homes.co.uk

Subject: Request for maintenance to footpath -Meadow Rise, Llanharan.

Good afternoon,

Llanharan Community Council has directed me to write to you to enquire whether you would consider carrying out maintenance to the pathway and replacing the kissing gate to make more accessible to pushchairs and wheelchair users shown below:

The path indicated runs from the Meadow rise estate into an area of open space owned by the community Council.



It appears you own the land/pathway and it has fallen into poor repair.

Best regards

Leigh Smith

Clerk to the Council.

Llanharan Community Council

Clerk@llanharan-cc.gov.wales

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, rhwch 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.

llanharan-cc.gov.uk

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation.

llanharan-cc.gov.uk

llanmoor-homes.com



Award Winning Home Builder in South Wales.

Find us on [Facebook](#) [Instagram](#) [Twitter](#)

This email and any files transmitted with it are CONFIDENTIAL and may contain legally privileged information intended solely for the use of the addressee. If you are not the intended recipient, please advise the sender immediately by return email. Whilst every care has been taken to check this outgoing email and any attachments for viruses it is seen as the recipients responsibility to verify the safety of this emails contents on receipt.

From: [Lott, Leanne](#)
To: [The Clerk / Project Officer](#)
Subject: Footpath between 36 and 36A Bridgend Road, Llanharan
Date: 18 July 2023 09:35:36
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)

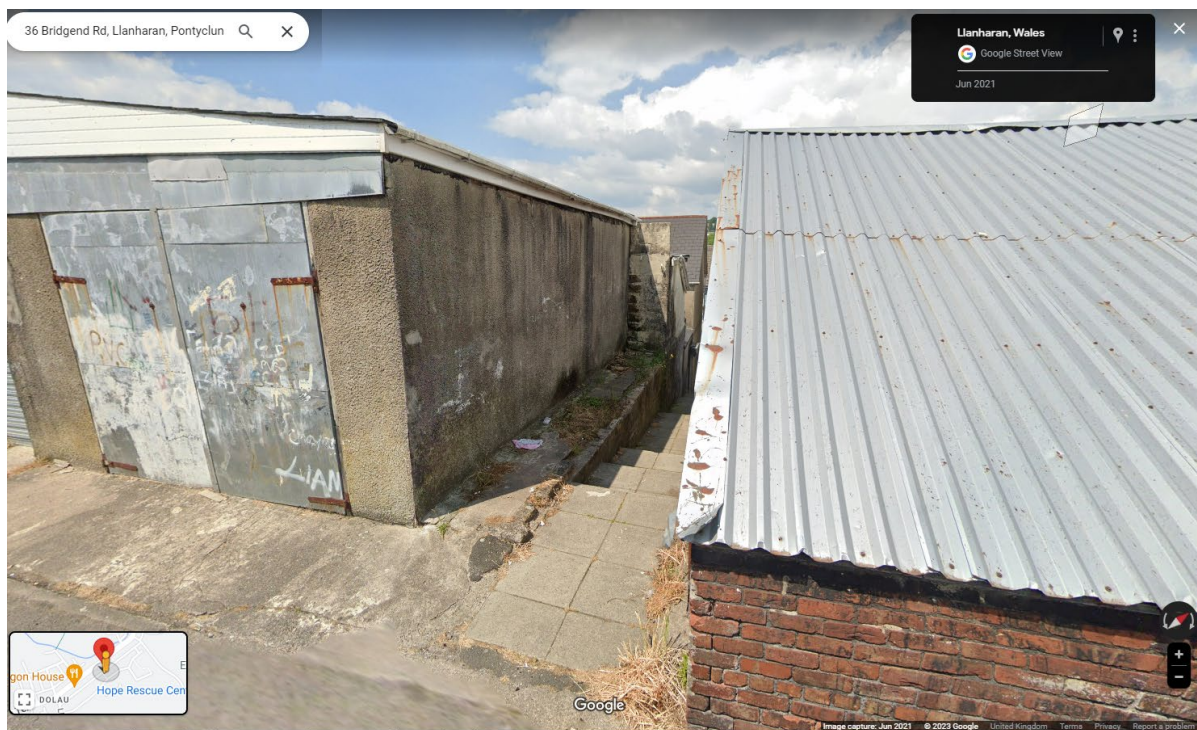
Dear Leigh

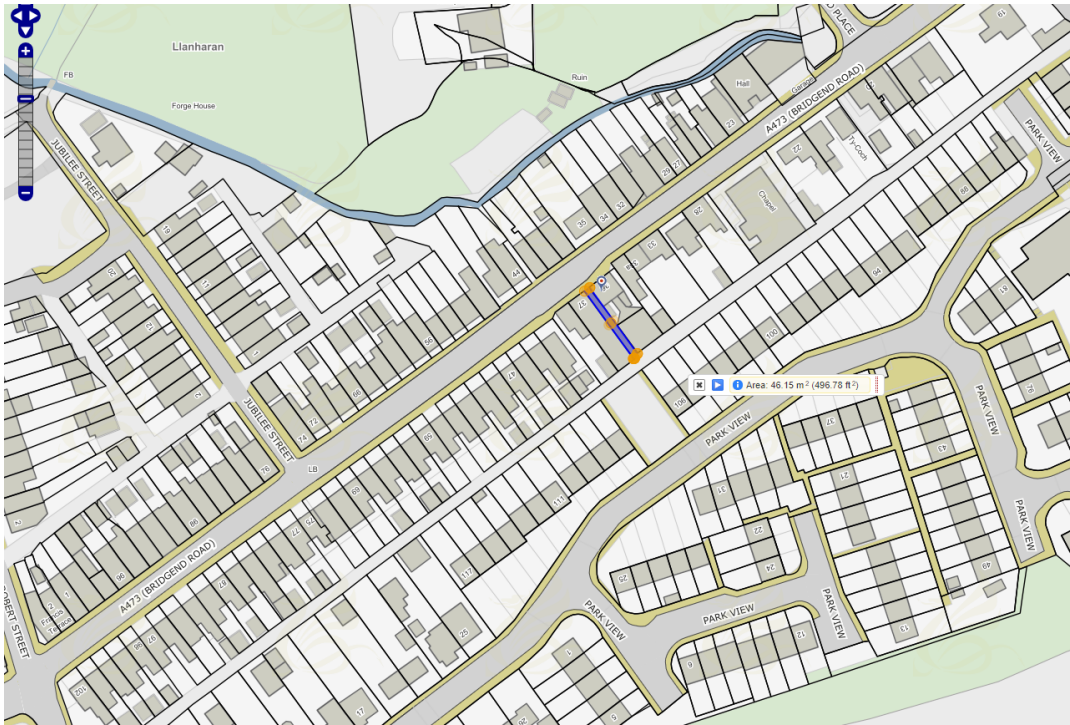
Many thanks for your email.

The footpath between 36 and 36A Bridgend Road, Llanharan is not adopted by the Council, and it is also not registered with the Land Registry.

You have explained that the footpath is well used by the public and based on this I would class this as appropriate CIL spend for the repair and maintenance of the footpath.

Kind regards
Leanne





From: The Clerk / Project Officer <project@llanharan-cc.gov.wales>

Sent: 13 July 2023 17:43

To: Lott, Leanne <Leanne.M.Lott@rctcbc.gov.uk>

Subject: RE: CIL funds on unregistered land.

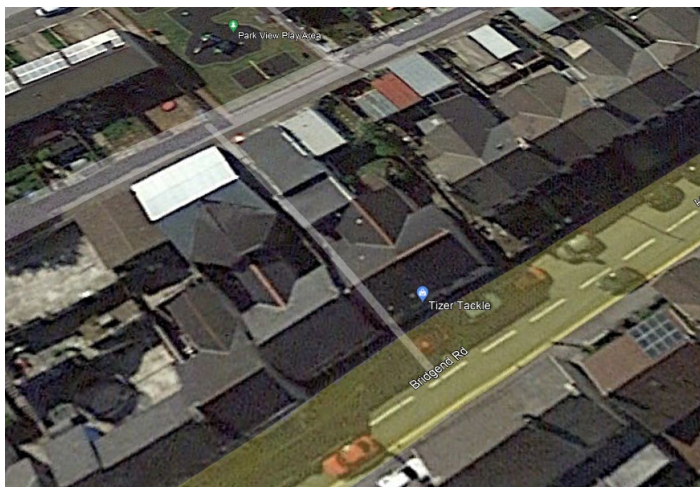
Rhybudd: E-bost allanol yw hwn - sy wedi dod o sefydliad/unigolyn y tu allan i'r Cyngor. Byddwch yn wylidwrs wrth glicio ar ddolenni neu agor atodiadau.

Caution: This is an external email and did not originate from within the Council. Please take care when clicking links or opening attachments.

Hi,

Between 36/36A Bridgned Road and Tizer Tackle.





thanks

Leigh Smith
Clerk to the Council.
Llanharan Community Council
Clerk@llanharan-cc.gov.wales
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, rhwch 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.
llanharan-cc.gov.uk

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation.
llanharan-cc.gov.uk

From: Lott, Leanne <Leanne.M.Lott@rctcbc.gov.uk>
Sent: Thursday, July 13, 2023 5:32 PM
To: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Cc: Office <Office@llanharan-cc.gov.wales>; Janine Turner <janine.turner@llanharan-cc.gov.wales>
Subject: RE: CIL funds on unregistered land.

Hi Leigh

Are you able to tell me the addresses of the 2 houses and I will try to locate the steps on a plan, unless you want to send me a plan showing the steps – google street view is good.

Many thanks
Leanne

From: The Clerk / Project Officer <project@llanharan-cc.gov.wales>
Sent: 13 July 2023 17:29
To: Lott, Leanne <Leanne.M.Lott@rctcbc.gov.uk>
Cc: Office <Office@llanharan-cc.gov.wales>; Janine Turner <janine.turner@llanharan-cc.gov.wales>
Subject: CIL funds on unregistered land.

Rhybudd: E-bost allanol yw hwn - sy wedi dod o sefydliad/unigolyn y tu allan i'r Cyngor. Byddwch yn wylidwrs wrth glicio ar ddolenni neu agor atodiadau.

Caution: This is an external email and did not originate from within the Council. Please take care when clicking links or opening attachments.

Hi Leanne,

We have a set of concrete steps in a narrow land that is between 2 houses connecting a local estate. It is well used but in a very poor condition.

The lane is unregistered land.

No one claims the land and we have made exhaustive attempts to discover the owners are but to no avail.

We cannot register the land as we have no record of occupying or maintaining the land.

My question is, can we spend CIL funds on refurbishing the steps.

Another tricky one im afraid.

regards

Leigh Smith
Clerk to the Council.
Llanharan Community Council
Clerk@llanharan-cc.gov.wales
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.
llanharan-cc.gov.uk

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation.
llanharan-cc.gov.uk

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>

We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation For the full disclaimer please access <http://www.rctcbc.gov.uk/disclaimer>

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>

We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual

This transmission is intended for the named addressee(s) only and may contain personal, sensitive or confidential material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All traffic may be subject to recording and/or monitoring in accordance with relevant legislation For the full disclaimer please access <http://www.rctcbc.gov.uk/disclaimer>

Appendix 7

Adding individuals to long standing allotment tenancy agreements

Background

There have been a number of requests to add individuals to existing tenancy agreements from current plot holders.

Some of these requests are from fairly new plot holders, some from those who have held tenancies for decades.

In some of the cases the person who is requested to be added to the tenancy apparently actively works on the plot or has done for many years.

There are already a number of existing and historical joint tenancies.

The Clerk recommends that there should be no change to the status of these existing joint tenancies.

The issue of allowing joint tenancies is closely related to the policy of whether to allow the 'passing on' of plots to close family members.

Considerations

Pro

There are plot holders who have held tenancies on their plots for decades, where family members have actively assisted in cultivated the plot for many years. There is a desire by the plot holders to retain the plot for the family member.

Con

Allowing joint tenancies could be abused, creating a system whereby plots are retained in families to the exclusion of others in the community.

It is sometimes difficult to evidence how involved a family member has been in the cultivation of a plot or whether they are currently a resident of the Llanharan Community Council area.

Clerk's recommendation (Motion)

- To honour any existing joint tenancies.
- Not to allow any new joint tenancies for new plot-holders (ie One person must be named as the tenant).
- Not to allow another individual to be added to any current tenancy, creating a joint tenancy.
- Instead to consider exploring a process whereby an application can be made to transfer an existing tenancy to a close family member (Spouse, sibling, parent or child only).

An application to only be allowed whilst the current tenancy is active (ie Not following the cessation of a tenancy for any reason, including voluntary surrender, eviction or death of the tenant).

For a specific application process and form to be drawn up, requiring a narrative for Councillors to consider and evidence that the family member is a current resident of the area and meets the normal criteria to hold a plot with the Council and that they have personally actively and substantially assisted in the cultivation of the plot consistently and regularly for a period of at least 5 years. The Officers of the Council to make efforts to verify this as part of the application process, this would include interviewing the proposed transferee to interrogate their knowledge of managing a plot and validating the information provided on the application form.

The assumption to be that the bar to allowing a transfer is a high one and that applicants must provide significant argument and evidence that the transferee has personally contributed significantly and consistently to the plot for a period not less than 5 years.

For the Clerk to draw up a draft application form and guidance for further consideration.

Options

1. To allow the creation of new joint tenancies
2. To adopt the motion contained in the Clerk's recommendation.
3. Some other option not listed