

Raglan Community Council
Notes of the Task & Finish Meeting held on Tuesday
8 June 2021, this meeting was conducted electronically
at 7.00pm

Present

Cllr Adrian Merrett (Chairman)
Cllr Richard Moorby Raglan CC
Cllr Richard Marfell Gweheog
Community Council Fawr CC
Cllr Chris John Llanarth CC

21/1 In attendance:

Adrian Edwards, Clerk to the Raglan Community Council, Nicola Awni Clerk
Gweheog Community Council.

Cllr Adrian Merrett welcomed everyone and thanked everyone for attending. He gave a brief introduction why the group meeting was set up and he also expressed concern that no overarching governing body are willing to offer any advice, when this current situation isn't the Community Councils making.

The chair asked the Raglan Clerk to give all those present some background information and what information he has received and been able to collect from organisations like One Voice Wales and Monmouthshire County Council.

The Clerk explained on behalf of Raglan Community Council he has contacted the LDBCfW Commission, the Head of Legal Services at Monmouthshire County Council, the Democratic Services Officer at Monmouthshire County Council, and both organisations are not prepared to offer any advice or guidance as the recommendations are with the Minister for signing the Order.

He explained this process started back in September 2012. The draft proposals were published with an open consultation period for each community to make representations on the draft proposals. In January 2014 there was a consultation period for draft proposals and public meetings with all Community Councils.

The review was postponed in May 2015 as the future of local government would not become clear until after the Assembly elections in May 2016. Any proposals submitted to the LDBCfW would take effect after the elections scheduled for May 2017 as it did not allow sufficient time for the legislation to be passed prior to the elections.

A number of items are included as appendices for member's interest.

21/2 Agenda item 1:- Apologies for absence

None: There was some discussion over one member from Gweheog Community Council having IT issues and difficulty attending meetings remotely

21/3 Agenda item 2:- Declarations of interest.

No declarations of interest were submitted, but members will make a declaration when and identified under the relevant minute.

Cllr Chris John joined the meeting at 19.12 hrs
Mrs Nicola Awni joined the meeting 19.26 hrs

21/4 Agenda item 3:- To discuss the current issues surrounding Monmouthshire County Council electoral arrangements

The Chair asked if those in attendance would like to give the meeting some background information on themselves and the different communities within their area. Cllr Marfell explained that Gweheog Community Council Community Council is made up from different villages and hamlets of Gweheog, Trostrey, Llancayo and Kemys Commander.

Cllr Marfell explained that Trostrey as a community has been split into two, divided between Llanarth and Raglan.

He stated that no-one knows what the decision is, and no-one is going to be able to make any decisions until everyone knows what the recommendations are and clarity is needed.

The Raglan Clerk said the only thing we know is, the elections will be convened on the 12 May 2022 and the recommendation will come into force at that date.

Cllr Marfell said that WG have been promising this for years and it was going to happen following the last Welsh Government elections and it did not happen. It was explained that Monmouthshire County Council reopened the consultation in May 2018, and the next thing everyone knew, was the recommendations were with the LDBCfW.

Cllr Marfell said about the records i.e. Minutes will go the national records office. The chair asked how Gweheog Community Council records the minutes and store them. Cllr Marfell explained that the Clerk uploads them onto the community council website.

Cllr Moorby asked about the hard copy records before the current computer age, as those records would be filed in cabinets, as the minutes are a formal record in law.

Gweheog Community Council Clerk joined the meeting at this stage.

The Clerk was asked where the current signed minutes are stored. It was explained that the minutes are stored on the "one drive" on the council laptop. It was also confirmed that signed copies are filed in cabinets. There was no presses discussed about transferring the electronic or hardcopies to Llanarth or Raglan Community Councils

A question was asked, relating to the minutes and files and how are they going to be divided between the two councils. It was explained that they did not know.

The chair enquired about the minutes that go back in time and does Gweheog Community Council have legacy documents in files. The Clerk explained that she was not sure, but it could go back to 2012. It was explained the Clerk is the administrator of the website. Clerk from Gwehelog to confirm at the next meeting.

The chair asked everyone, if we have the right people around the table to drive this matter forward and be part of this task and finish group. There was some discussion about representation of this group.

It was thought that:

❖ **Llanarth Community Council**

Cllr's Chris John, and Linsey Williams & Clerk.

❖ **Gweheog Community Council Community Council**

Cllr's Richard Marfell, Cllr Charlie Kirby, & Clerk. It was explained that Cllr Kirby has issues with attending remotely. Therefore, it was suggested that Cllr Pat Stevens may be able to attend.

❖ **Raglan Community Council**

Cllr's Adrian Merrett, Cllr Richard Moorby, Cllr Helen Tilley & Clerk.

It was suggested that the same number of individuals from each council should be attend and not be overwhelmed by one council.

It was suggested should the County Councillors be involved in the T&F group, as they may have a direct line in the County Council. A discussion took place with a range of views being expressed and it was thought it could become politicised, and it needs to be the smallest group as possible. It was thought that

Monmouthshire County Council and OVW will have a process in place and the Community Councils will need to follow that process.

It was explained that Monmouthshire County Council have been asked and the Head of Legal Services has told Raglan Community Council that they won't be getting involved.

There was some discussion about the wards being represented by two County Councillors, crossing community boundaries. Raglan Clerk explained that he has received confirmation from the Democratic Service Officer the new ward of Raglan will be represented by one Councillor. A question was posed therefore will one of the ward seats be dissolved.

It was explained that Raglan Community Council have discussed and debated this over the last twelve or so months and representations have been made by the Clerk to several different organisations in that time.

Cllr John explained the Community Council meets every two months and it is a standing open agenda item on Llanarth's agenda with updates from the Clerk. Cllr John explained there has been open discussion but there has been no action plan formulated looking at the way forward.

Cllr Marfell stated that Gweheog Community Council are the council that is being disbanded, and they don't know what is happening, so they don't know what avenue to go down. The Clerk explained that it's an agenda item at the meetings, and Gweheog Community Council have been in contact with One Voice Wales (OVW) relating to what the process will be. They were told that OVW has not put a process together. It was explained that Gweheog is ceasing to exist and at that point Llanarth and Raglan Community Councils will have the Legacy documents transferred.

It was explained that all three councils will need to consider the current RLDP process and the effect that may have on communities. It was suggested that the RLDP is considered at a later meeting.

21/5 **Agenda item 4:-** Balances and assets will need to be divided relating to the population in that community.

The chair asked about the current balance and assets held by Gweheog Community Council. He explained that he is not asking the question, looking at money but what will need to be in place and could the representatives from Gweheog Community Council give some indication of the assets. It was explained that the council have 4 community Notice Boards and a laptop the Clerk uses.

It was explained that an asset register would need to be set up so a formal transfer can be undertaken, and what assets will be transferred to which Community Council.

It was explained that Raglan Community Council will see some parts of Raglan being transferred to Mitchell Troy.

It was explained it is not a physical asset, but Gweheog Community Council has a website that is managed by the Clerk. The Clerk explained that the website will be archived and that was agreed by members of Gweheog Community Council, but they are unsure who will undertake that process. It was explained that the website is hosted by a local company in Raglan.

21/6 Agenda item 5:- Storage and keeping of the minutes and reports

The minutes are stored in hard copy and on the website.

21/7 Agenda item 6:- Employment

The chair asked, what is the Clerks expectation of her role. The Clerk explained that this is not the meeting for that. Cllr Marfell stated this meeting is not the platform to look at that. It will be for each Community Council to look at that process and follow any advice from Monmouthshire County Council or OVW.

The chair explained he is not probing but just seeking some views. He considered and will respect the sensitivity of the situation. It was confirmed that employment is for the relevant councils to look at during the coming months.

21/8 Agenda item 7:- Office Equipment.

It was explained that the Community Council has a laptop, the Community Council does not have a printer, any printing is undertaken on the Clerks personal printer.

21/9 Other business

Cllr Moorby asked would Gweheog Community Council representatives be able to confirm an estimate in round figures of the financial assets that Gweheog Community Council have. This was asked to have some idea how the relevant amount is going to be divided between the other Community Councils.

It was explained that the council is not an affluent council, and the precept covers the running costs. The Clerk was not able to give an amount the Community Council has in the bank and made a comment the details of reserves are on the website, but indicated the precept was around £4,500 a year.

Cllr John explained that it prudent to have some funding for unexpected expenditure.

It suggested that an agenda item should be “any audit actions”.

Cllr John explained that Llanarth Community Council are fortunate that they have a small income from a local wind/solar farm; at the planning stage it was agreed that the community would receive a small annuity annually. A discussion took place with a range of views being expressed.

The chair explained that without a definitive timeline it is going to be difficult to consider meeting dates etc. With the transfer under twelve months away should the meetings be monthly or more spaced out.

- ❖ Cllr Marfell stated until WG does something we cannot do anything.
- ❖ Cllr John explained that Llanarth only meets bimonthly, but he explained that Llanarth will go with the majority.
- ❖ Cllr Moorby thinks it would be best to hold the next meeting in three months' time. It was agreed to convene a meeting on the 28 September 2021 at 19:00hrs. That meeting will depend on the current restrictions and if the meeting will be held face-to-face or electronically.

A question was asked about the number of properties in Gweheog Community Council and the numbers being transferred to the other two councils. It was explained from the report submitted to LDBCfW the number of electors in Gweheog Community Council area is 384, with an estimated 223 electors being transferred to Raglan Community Council area and the remainder transferring to Llanarth.

Could the Clerk from Gweheog Community Council confirm the number of dwellings that will be transferred to each of the other councils? The Clerk explained that she doesn't have that information and suggested contacting Monmouthshire County Council.

Cllr John reiterated that Llanarth convene meetings every two months, and the months are November, January, and March 2021, and suggested that the shadow meetings fall in line with their meetings.

It was explained that Gweheog Community Council holds their precept meeting in October, and this would need to be attended by Raglan and Llanarth, so the other council could consider any matters that may need to be included. It was explained there has been no increased in the precept for several years.

21/3 Agenda item 9:- Consider a further date for meeting

Date of the next meeting was agreed as the 28 September 2021 at 7.00pm

No other business was discussed, and the Chairman thanked everyone for attending. The meeting closed at 20.06hrs.

Signed by _____

Please note: these Notes are a summary of the above meeting, and a record of the decisions or resolutions moved. These notes are not to be taken as a verbatim record of the meeting.

Appendix NOTE:

For everyone's interest I have attached as an appendix some of the emails from OVW and Monmouthshire County Council for your information.

Appendix 1: One Voice Wales

Hi Adrian

This is the sort of information and advice we are trying to obtain on behalf of Monmouthshire Community & Town Councils. Redundancies, TUPE arrangements, asset transfers, division of funds some or all may apply to councils.

We are hoping to obtain some guidance that we can issue to all Councils concerned either from NALC or Welsh Government on the processes/actions that each Council will need to take. In the meantime Councils need to consider as you have already done what the implications for the Council will be and have conversations with neighbouring Councils if assets are likely to be transferred.

We do recognise the importance of this matter and as soon as I have any further advice I will get back to you and other Councils affected

Appendix 2: One Voice Wales

Hi Adrian

We are told by Welsh Government officials that the Order has not been signed.

Lyn has also told that official of the pressing need for guidance to be issued and I understand she is going to meet with her colleagues to discuss.

It is our intention to hold a meeting to identify the issues the restructure raises but Lyn would like that to be once we've had guidance and a steer from Welsh Government on what the arrangements will need to be.

We do recognise the urgency and I can assure you Lyn in his contact with the officials dealing with the signing off of the Review is reminding them of the need for some action.

Regards

Shân

Appendix 3: Matt Phillips, Director - People and Governance

Subject: RE: To Matt Phillips, Director - People and Governance Re community boundaries and electoral arrangements

Adrian,

Thanks for your letter. I've copied John in as he'll have the better detail than me on questions 6 and 7.

For the other questions you'll know I have to be careful here as my remit is code of conduct and MCC has no sovereign control over Community Councils; I can't properly give you legal advice on employment or asset matters I'm afraid. I'm reassured to see that OVW, who I would expect to assist you in those matters and the practicalities of the change, are both engaged and working towards a County/National set of advice and assistance, though I'm a bit concerned that you feel you don't have it in time and, indeed, at the language of "...hoping to obtain some guidance..." I would like to see something a bit more definitive from the organisation that is designed to assist on matters such as these (and for which you pay them).

Could I ask for a bit of patience with John's reply as we've got the 2 elections to get sorted next week/weekend and then our AGM and the host of changes going on? I'm conscious that my answer on the other elements isn't hugely useful to you sorry but I am constrained here.

Regards

Matt

Appendix 4: John Person

Hi Adrian.

On point 6 – communication with electorate – its likely we will be picking this up in some form towards the end of this year. With the Boundary Commission currently reviewing the County Council boundaries and Welsh Government likely to formally sign off the Community changes and County changes at the same time, it makes sense that the communication piece is done as a whole ahead of next years local elections.

On point 7 – I assume you are referring to County Councillors rather than community councillors. As I mentioned above, the Boundary Commission are currently reviewing the boundaries and numbers of County Councillors but I would anticipate that their proposals are for a single member ward for Raglan.

Kind Regards,

John

Appendix 5: Wales Audit Office

Hi

I've been looking for some information but haven't been able to locate any. I suggest you check with OVW again.

I assume that a mechanism will need to be developed to allocate balances eg population (I am aware that this method was used previously when a council divided into two).

Kind regards

Deryck Evans

Appendix 6: One Voice Wales

Monmouthshire County Council Review of Community Boundaries

As you will be aware Welsh Government Ministers have yet to sign the Order confirming the review of the community boundaries in Monmouthshire as set out in the Local Boundary and Democracy (LDBC) Report dated January 2019 see link below to Report on LDBC website:- <https://ldbc.gov.wales/reviews/01-19/monmouthshire-final-recommendations>

You will also be aware that on behalf of the Monmouthshire Community & Town Councils One Voice Wales asked all relevant bodies in turn i.e. Monmouthshire County Council, Local Democracy & Boundary Commission and Minister for Housing & Local Government for the Review to be re-run after the Community & Town Councils were misinformed that they would have further opportunity to comment on the proposals put forward by Monmouthshire County Council which was not the case.

Following all relevant bodies refusal to re-run the Review we sought legal advice on whether there was a case for a judicial review and we were advised that unfortunately there were no grounds.

Since then we have been waiting for the Review to be signed off by Welsh Government Ministers which should result in the issuing of orders that we understand will give guidance to those Councils who find that their areas are to be split up or even dissolved.

For some Community & Town Councils the Review will simply mean a change to the boundary with the loss or gain of local properties which will simply affect the calculation of the precept.

Others will have questions regarding the transfer of assets, contracts, services or other formal agreements.

Councils that are to be dissolved will need to take action regarding Clerks or other staff faced with redundancy and any remaining finances and assets may need to be divided between neighbouring Councils that absorb the community areas of those Councils.

One Voice Wales recognises that Councils will require support and advice on how to deal with these matters some answers will be relevant to all Councils other Councils will need specific guidance.

Until the Order confirming the Review is signed off and becomes law we will not receive the legal orders that we understand will give guidance on some of the questions that you may have already identified.

Hopefully now that the Senedd elections have taken place Welsh Government will resume business and legal orders will signed.

The urgency of the situation has been impressed on Welsh Government officials who have been asked to consider providing practical advice and guidance to accompany the legal orders when they are received.

Until that time One Voice Wales would ask that if you have not already done so that your Council consider the implications of the Review for your Council and set out the issues and questions that arise.

We recommend that you have conversations with neighbouring Councils to identify assets or services that may need to be transferred between Councils.

Then as soon as the legal orders are issued if they do not provide answers to the questions your Council faces One Voice Wales can support you to answer any remaining issues or questions.

I can assure you that One Voice Wales will not lose sight of this issue and our officials are impressing the need for urgency on those in Welsh Government involved in this matter.

Shân Bowden, Development Officer will be the One Voice Wales officer who will be the first point of call regarding the Review and the issues it has created Shân can be contacted by email: sbowden@onevoicewales.wales or Mob No 07917 846511.

Please be aware Shân works part time but will respond as quickly as she can to emails or any messages left on her answer phone.

Regards
Lyn Cadwallader
CEO

Appendix 6: Email to Cllr P Jones Raglan Community Council ward member

Subject: RE: Local Electoral boundary changes

Hi Both,

Just to echo Richards points there. Gweheog Community Council is being disbanded with its area divided between two other community councils which will then continue to operate as they do now under the boundaries. Llantrisant, Llangwm, Llangattock Vibon Avel, Llantilio Crossenny, Tintern are all other examples where the council itself is being disbanded or changed significantly enough to consider it a new entity.

I spoke to Matt Philips a while ago to discuss how much support we can give Town and Community Councils through the process, much of the issues go beyond my remit in terms of legal/employment processes and I wouldn't be best placed to offer the right advice.

His recommendation is the first point of call is with One Voice Wales as the representative body of all Town and Community Councils who are best placed to have experience of these issues in other Local Authority areas as well as offer consistent advice to all councils across the piece.

Cheers

John