



Meeting

Members of the St Nicholas with Bonvilston Community Council are summoned to attend a meeting of the council, to be held remotely, on **Monday 10th January, 2022 at 7pm**. Members of the public are welcome, and encouraged to attend, and will have opportunity to address the council.

The meeting will be held remotely in accordance with the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, and can be accessed via the internet or by telephone. The meeting will be recorded to ensure the accuracy of the Minutes.

Agenda

1. Chair's welcome and introductions
2. To receive apologies for absence
3. To receive declarations of interest
4. Co-option of Member
5. Police Matters
6. Vale of Glamorgan Council Matters
7. To approve the Minutes of the
 - a. Meeting of December 6
 - b. Extraordinary Meeting of December 16
8. To receive updates from other meetings attended
9. To receive updates on completed & actioned projects
 - a. Progress on Actions from previous meetings
 - b. Employment of a Clerk to the Council
 - c. Christmas Trees
9. Correspondence
10. Matters not on the agenda – Discussion Forum
11. Finances
 - a. Payments and income

Agenda (Continued)

12. To receive updates on planning matters
 - a. Planning decisions
 - b. St Nicholas CIW School
13. To consider Planning Applications & Matters
 - a. Land at Bolston House, Bonvilston
Demolition of the existing dwelling and redevelopment of the site to accommodate residential development and associated works
 - b. Replacement LDP
14. To consider
 - a. Management of Public Open Spaces of new housing developments
 - b. Consultation on the Local Government and Elections (Wales) Act 2021: Community and Town Councils statutory guidance
 - c. Projects for 2022-23
15. Announcements
16. Next meeting

Part ii

The public and press may be excluded from the meeting during consideration of the following item(s) in accordance with section 100A(4) of the Local Government Act, 1972.

Cllr Ian Perry
Chair



Supporting Documentation

Matters not on the agenda – Discussion Forum

This is an opportunity for residents to raise matters of concern to them. This replaces the section of the agenda formerly referred to as Public Participation, due to the changes coming in from the Local Government and Elections Act (Wales), 2021. Members of the public will be offered the opportunity to speak, briefly, on all agenda items.

Updates on Planning Matters

Planning Decisions

- a. 3, Broadway Green, St Nicholas Ty Groes Farm, Bonvilston
Proposed two storey rear extension, removal of existing conservatory for new single storey extension with roof terrace – 2021/01547/FUL
Approved on the 22 December 2021.

Planning Applications & Matters

Land at Bolston House, Bonvilston

Demolition of the existing dwelling and redevelopment of the site to accommodate residential development and associated works



DAS Addendum

This statement annexes to the original Design and Access Statement for the application.

The site analysis, policy analysis, context and planning history remain unchanged.

- In section 7.0 Planning Consultations we would add

“After submission of the formal application officers felt that the density of the design was substantially below planning guidance limits. The applicant’s agent put forward various further sketch designs which increased the density, which were still not preferred. Given the density of the surroundings (low) the applicant felt that a further increase would be out of local accord. However this further submission represents the final position of the applicant and is supported by a density justification statement, which outlines the approach and reasons behind this position.”

- In section 8.0 Access we would add

“The initial geometry of the access road has changed slightly due to increased geometrical needs predicated by increased traffic load. This is because the proposal is now for 14 units. A new access drawing is enclosed but the position of the access is mainly unchanged although there is a slight effect on the amount of the historic wall that will have to be modified to accommodate this. The first part of the road is now made to an adoptable geometry with associated turning head. The latter part is private in line with highway guidance.”

- In section 9.0 Character we would add

“The development is now for 14 units so the amount has changed. The zones for the built form being north south / east west. North south remains unchanged but the buildings in these three “build zones” are now smaller and closer together but occupy the same space.”

- In sections 10, 11, 12, 13 and 14 being Appearance, Landscaping, Community Safety, Environmental Sustainability and movement, the effect of the density increase is small. The style of the architecture remains the same and the quantum of landscaping has not changed to any extent. Arguably the scheme is more “sustainable” because it is better use of land (arguably). There is a nominal increase in movement (to and from the site) but this is picked up in the TA and noted previously in the Access section (8.0)







LDP

The Vale of Glamorgan Council is currently consulting on the LDP draft Review Report and draft Delivery Agreement for a new LDP.

The **draft Review Report** considers the effectiveness of the adopted LDP and confirms the revision procedure to be followed in preparing the RLDP. The **draft Delivery Agreement** contains a Community Involvement Scheme and timetable for preparing and adopting the RLDP.

These documents are available on the Vale of Glamorgan website, and on the Community Council Website, with the information for this meeting.

Members may find the following section from the draft Review Report of particular interest:

THE VALE OF GLAMORGAN GREEN INFRASTRUCTURE STRATEGY

3.6.15. PPW highlights the fundamental role of green infrastructure in shaping places and improving well-being, by providing multiple functions and benefits for social, economic, and environmental resilience. It states that planning authorities should adopt a strategic and proactive approach to green infrastructure and biodiversity by producing up to date Green Infrastructure Assessments (GIAs) and that they should be given early consideration in plan preparation and the development management process.

3.6.16. The Council is currently in the process of developing a Green Infrastructure (GI) Plan which sets out the priorities for enhancing and delivering GI over the period 2022 to 2032.

An audit has been undertaken of all green spaces within the Vale of Glamorgan which accounts for 41,752.34ha of green/blue space in the authority boundary. In June 2021, NRW released a guidance note (GN042 refers) which outlines the relevant NRW datasets and explains how they can be used to form part of a GIA. The audit is in accordance with NRW's guidance.

3.6.17. In addition, the Council is part of a working group to produce a UK wide Nature Tool to assess environmental net gain which will help inform the GIA. A prototype tool has been produced and the Council is undertaking 2 case studies to test the tool before using it more widely within the assessment process. It is anticipated this tool will be used to evaluate the identified green infrastructure assets within the Vale of Glamorgan which will feed into the overall GI Plan and forms the main part of the GIA. The Assessment process will seek to address the following questions:

- What green infrastructure elements must be protected?



- What elements should be changed in character or enhanced?
- Where is there a need to create new elements and what type should they be?
- Where should the development of grey infrastructure be integrated with GI?
- Which elements should be linked together?
- Which elements are possibly tradable to achieve net environmental gains in both an infrastructure and qualitative sense?

3.6.18. The assessment of the identified green and blue assets will inform the vision and strategy of the GI Plan. However, in general terms once the GI Plan is adopted, it will set out how the Council and its partners will plan and manage GI to address issues such as enhancing open space provision to the benefit of the resident's health and well-being, addressing habitat and biodiversity fragmentation through provision of habitat corridors and helping adapt to climate change through the greening of urban spaces and incorporating ways to manage water resources in a sustainable manner.

The Draft Delivery Agreement has a section on Town and Community Council's

TOWN AND COMMUNITY COUNCILS

2.3.13. Town and Community Councils play a key role in disseminating important information to residents within their area. They will be consulted at all stages of the RLDP process and encouraged to raise awareness of the RLDP within their local communities. They can provide up to date local information and opinions on any proposals within their area and are also provide details of any land use-based aspirations they have for their community.

2.3.14. Through the Planning (Wales) Act 2015 there is the potential for town and community Councils to prepare Place Plans for their area. Place Plans should reflect the aspirations of the local community whilst also making synergies with the Council's aspirations in the development plan and the Wellbeing Plan. Place Plans are given weight in planning decisions if they are adopted by the Council as supplementary planning guidance.



Community Liaison Committee – Management of Public Open Spaces

Proposal for consideration: The Community Council to put forward the issue of private management companies owning Public Open Space in the Vale of Glamorgan for consideration at a meeting of the Vale of Glamorgan's Community Liaison Committee.

Issue: New housing developments in the Vale of Glamorgan are having their Public Open Spaces managed by profit-seeking management companies that allow minimal community "ownership" of parks and play areas, and charge "estate fees" that are often high.

Since 2014, developers have been able to seek a third-party management company to take on responsibility for green spaces, and sections of road, rather than the Unitary Authority. The term 'Fleecehold' has been coined to describe residents who find themselves liable to paying a management company, and hostage to the charges the management company sets.

This has resulted in hostility between the residents of the new developments who receive bills for the maintenance of parks and play areas, and other local residents who wish to use the public facilities (play equipment) that have been provided for the community beyond those paying the "estate fee".

The profit-seeking management companies take money out of our communities, and offer little, if any, input from communities.

Town and Community Councils were created to carry out functions like managing public open spaces/Village Green's. A few years ago, the Vale Council held the "Reshaping Services" meetings/consultation, where those present heard of the desire of the Vale Council to devolve responsibility of public open spaces back to communities – to our Town and Community Councils. Town and Community Councils would receive financial support from the higher authority, but would be free to manage their open spaces as they chose, for the benefit of their community. Moving the decision-making process closer to the people who use the amenity is seen as beneficial for communities.

Privatising our Public Open Space isn't popular and creates conflict within our communities. The Highway Authority should be adopting all public roads, and Town and Community Councils should be given the opportunity to take ownership of open spaces in their Community Wards.

The Home Owners Rights Network ([HorNet](#)) has been set up to highlight the problems.

A condition of planning approval for residential development within the Vale of Glamorgan should be that the Vale Council, or the Town/Community Council take ownership of Public Open Spaces, and the Highway Authority adopts all roads and footways.



Consultation on the Local Government and Elections (Wales) Act 2021: Community and Town Councils statutory guidance

This consultation has been issued to seek your views on the draft statutory guidance for community and town councils on a number of provisions in the Local Government and Elections Act (“the 2021 Act”).

The 2021 Act was passed on 20 January 2021 and provides for the establishment of a new and reformed legislative framework for local government elections, democracy, governance and performance. The legislation affects the community and town council sector and the key changes are explained in this draft statutory guidance.

The 2021 Act gives qualifying local authorities, including eligible community councils, a general power of competence. This guidance supports community and town councils to consider the requirements should they wish to become eligible community councils.

This guidance also provides information to help all community councils discharge their new duties in relation to the following requirements:

- accessing meetings from multiple locations
- providing opportunity for public participation at public council meetings
- preparing and publishing an annual report
- preparing and publishing a training plan to support training for councillors and council staff
- other provisions which impact on community and town councils.

Overview of the provisions

There is support across the sector and from the public for increasing the visibility of the work of community councils. We want communities to take an interest in what their councils do and to have easy access to information on the council’s work. The requirements in relation to annual reports, training plans, multi-location meetings and public participation are designed to support this intent.

Multi-location meetings

The 2021 Act requires that community councils must make and publish arrangements for its meetings enable people who are not in the same place to



meet. Under the arrangements, councils will need to take reasonable steps to allow meetings to be held from multiple locations. The minimum requirement is that members are able to hear and be heard by others.

Public participation at full council meetings

The 2021 Act makes provision for public participation at full community council meetings or those part of meetings which are open to the public. The person presiding over the meeting must give members of the public in attendance a reasonable opportunity to make representations about any business to be discussed at the meeting, unless doing so is likely to prejudice the effective conduct of the meeting.

Annual reports

The 2021 Act requires community councils, as soon as reasonably practicable after the end of each financial year, to prepare and publish an annual report about the council's priorities, activities and achievements over the previous year.

Training plans

The 2021 Act requires community councils to make and publish a plan about the training provision for its members and staff. The first training plan must be ready and published by 5 November 2022, six months after the duty comes into force. The training plan should reflect on, and address, whether the council collectively has the skills and knowledge it needs to deliver its plans effectively.

Eligibility to exercise the general power of competence

There is also support to empower community councils to be more innovative and ambitious when delivering for their community. The Act introduces a general power of competence for 'eligible community councils', which empowers those councils to do anything that an individual generally can do. It is a power of first resort which means that a qualifying authority does not need to rely on specific powers in legislation to do something, so long as what is intended to do is not otherwise prohibited.

The 2021 Act sets out the conditions community councils must meet to be an 'eligible community council' with access to the general power. The statutory guidance provides information on the qualifying conditions and on the application of the general power of competence.

Other provisions in the Act



Information is provided to make community councils aware of changes to legislation regarding:

- Notices of meetings of community councils for example the time and place for giving notice of a council meetings.
- Proceedings of councils meetings for example a new requirement to publish key information within a week of council meetings.
- Community petitions, and where they replace community polls.
- The electoral cycle of community councils.

Important Dates

Provisions in the 2021 Act come into force on different dates, some linked to the financial year, others to the date of the local government elections. The coming into force dates are listed below:

- Duty on councils to publish annual reports: 1 April 2022
- Eligibility to be able to exercise the general power of competence for the community and town council sector: 5 May 2022
- Duty to make opportunity for public to participate in council meetings: 5 May 2022
- Duty to consider training for councillors and council staff: 1 April 2022, with first training plan to be published by November 2022.

Why we are introducing this guidance

This draft statutory guidance is intended to support community and town councils in implementing the 2021 Act. Councils will need to have due regard to this guidance when carrying out their activities. This consultation is intended to ensure that stakeholders are able to provide input and insight into the statutory guidance.

We intend for the final statutory guidance to be published in advance of the local government elections in May 2022. This date is when the key provision for eligibility to exercise the general power of competence will come into force.

The guidance is set out as follows:

- Chapter 1: General Power of Competence and eligible community councils
- Chapter 2: Multi-location meetings
- Chapter 3: Public participation in meetings
- Chapter 4: Annual reports
- Chapter 5: Training plans

Chapter 6: Other provisions impacting community and town councils

Consultation questions



Question 1

Generally, is the structure and coverage of the guidance presented clearly and in a way which is practical for community and town councils?

Question 2

Does Chapter 1 provide sufficient and appropriate guidance on the eligibility conditions for exercising the general power of competence? Is it clear on how the general power of competence should be applied? What additional information would be helpful?

Question 3

What additional information would be helpful to illustrate or clarify how the general power of competence could be applied to community councils? Do you have any case studies which could support this?

Question 4

Do Chapters 2 and 3 provide sufficient and appropriate guidance on the requirements relating to multi-location meetings and on how the public may participate in council meetings?

Question 5

Does Chapter 4 provide sufficient and appropriate guidance on meeting the duty to prepare and publish annual reports? What additional specific information would be helpful?

Question 6

Does Chapter 5 provide sufficient and appropriate guidance on meeting the duty to prepare and publish training plans? What additional information would be helpful?

Question 7

We would like to know your views on the effects that this guidance would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?



Question 8

Please also explain how you believe the proposed guidance could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 9

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

