

Langstone Community Council
Minutes of the Ordinary Meeting held on
Monday 14 June 2021
at 7.00 pm

Date: 14 June 2021
Time: at 19.00hrs

In attendance: Adrian Edwards Clerk
City Cllr's Mogford & Routley
12 members of the public.

Venue: Zoom

21/154 Cllr's Present
C Bryant
L Duthie
L Humphries
M Griffiths
J Straw

Apologies received:
M Harring-Burn
J Harring-Burn

Absent:

21/155 Agenda Item 1. Apologies for absence.

Cllr's M Harring-Burn, & J Harring-Burn. Both members returned the declaration form.

21/156 Agenda Item 2. Declarations of interest

Cllr J Straw declared a Personal and Prejudicial interest in item 3.1. Members will make a declaration if and when the member believes there's a need.

21/157 Agenda Item 3. 15 minutes set aside for Community interaction and members of the community to ask the Clerk or elected members questions of local interest. Any questions should be submitted to the clerk 3 clear working days before the meeting. All questions need to be relevant to the agenda.

Sub item (3.1) To receive a report from a member of the public relating to Llandevaud Common.

The clerk explained that one resident requested to address the council at the last meeting.

Cllr J Straw declared a Personal and Prejudicial interest and left the meeting.

The resident asked about the access on and over Llandevaud Common from Lower Road to the larger area of Common Land. The resident indicated that the footpath/bridle way has become dangerous from tractors and other implements using the access. It was explained that this is a safety matter in the community.

The clerk asked the resident what was the question that the resident would like to ask.

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The question was the footpath/bridle way has become an access point and it is unsafe where residents walk. The resident also stated the footpath/bridle way is muddy and it is all turned up, and the mud is running onto Lower Road. The resident stated this, along with the common have become unsightly.

The clerk explained that footpaths and bridle ways are the City Councils responsibility under the Highways Act, therefore would one or both of the City Councillors like to express a view.

Cllr Routley, stated that this access has been looked at by officers from the Planning Dept; and officers have indicated that they don't wish to take any further action and serve any enforcement relating to this matter.

Cllr Routley explained that both City Councillors have asked officers to look into a number of things and requested that officers formally give the City Councillors an update. He explained that officers from the City Council have looked into this and officers were unable to do anything.

Cllr Routley stated that he needs to be guided by officers from the City Council. He believed if there is an ongoing issue with mud on the road, the land owner will need to address the situation.

Cllr Routley stated that he wasn't aware officers from City Council have been to the location to clear mud from the highway.

The resident stated that no-one owns the common according to Land Registry.

Cllr Routley stated that he is aware there is dialogue between some residents and the Head of Law at City of Newport Council. He also explained that Cllr Mogford is also following this up along with residents who are seeking information.

The clerk explained that at this stage it's not for the Community Council to become involved as it is a City Council matter, and if residents are questioning the ownership, it for those residents to seek action through the court system.

A further resident explained if there is an issue regarding the ownership, that matter is with the person who sold the land.

One resident asked who was the person speaking and in what context was the person in the zoom call as the person wasn't a resident of Langstone. A discussion began, but the clerk intervened and stated, as it has been said a number of times over the past several weeks, anyone and everyone can attend or join the meeting if

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they request to do so. It is immaterial if someone lives in Llandevaud / Langstone or Lands End. The resident stated that she is a landowner in Llandevaud.

A resident from Llanmartin stated that a question had been sent but that person is unable to attend. It was about the new litter bins that have been purchased for the community.

The Chairman explained that she as met with the contractor and the work is scheduled to start shortly. The person asked if the changes to the standing orders can be read out including the finance payments

21/158 Agenda Item 4. To receive and sign any minutes of previous meetings on the 17 May 2021
"Minutes distributed and agreed at the council meeting as a true and accurate record 25 May 2021".

Resolved: to sign the minutes from the 17 May following the distribution and the agreement at the council meeting as a true and accurate record 25 May 2021

All those in attendance agreed

21/159 Agenda Item 5. To receive and sign as a true and accurate record minutes of previous meeting on the 25 May 2021;

Resolved: to sign the minutes from the 25 May as a true and accurate record 25 May 2021

All those in attendance agreed

21/160 Agenda Item 6. Matters to report.

No matters to report

21/161 Agenda Item 7. Reports from the City Councillors;

Cllr Mogford asked a question about the current situation regarding the website. He explained that it would appear that the Community Council have two websites. He asked what is the plan to harmonise the web presence and which site is going to be maintained. The clerk explained that there has been a number of issues and this will be discussed shortly.

Cllr Mogford thanked the clerk for explaining the issues earlier this afternoon.

Cllr Routley explained that he was disappointed with the response he received from the Community Council. He explained that anyone should have free and unfettered access to meetings without asking for the link.

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Cllr Routley said that it isn't right that people should give three days' notice. The clerk explained that the three days' notice is not to access to the meeting; the three days' notice is to ask the community council any questions.

Cllr Routley asked the council who made the decision about asking people to ask for the login details. It was said the Clerk, so the meeting and the attendee details were able to be recorded for data control purposes.

Cllr Routley asked about the access under GDPR and the clerk informed Cllr Routley that people are asked to agree for their details to be saved.

Cllr Routley gave a verbal report on residents matters, grass cutting in the Ward, along with working Road Safety issues. It was explained that both City Councillors will be convening a meeting with the Head of Highways and other officers relating to a number of other projects. He explained that they are waiting for the results from the speed traffic strips.

Cllr Griffiths asked if the results can be distributed to the Community Council. Cllr Routley said that he expects the information will be published on a number platforms, and hopes the City Councillors and the Community Council will be able to work in partnership.

A resident asked about access to meetings, as the resident believed the clerk had contradicted himself regarding the statement about access and anyone was able to attend. The Clerk explained yes, anyone can attend the meetings, and that also includes anyone from anywhere not just the Langstone community.

A further resident said that the clerk has said that he hadn't received his email, and he has emailed three times. The resident made reference to the Community Council receiving IT issues.

The clerk explained that the resident is the only person who emails every couple of days asking for the link. The clerk explained that one email had not been received and the resident was informed as soon as the link was set up it would be forwarded. On receipt of the residents second email, he received a reply within an hour.

The chair explained that she and the members of the Community Council are prepared to meet both City Councillors. The clerk had emailed both Councillors asking for convenient dates, but that not been responded to. Therefore, if both City Councillors can give some convenient dates the clerk can convene a meeting.

Both City Councillors left the meeting at 19:45

21/162 Agenda Item 8. To receive and discuss a motion to amend minute 20/70 (ii)

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Chairman's initials

The Chair read out a Special Motion:

Propose that minute 20/70 (ii) is amended by this Special Motion.

Access to remote meetings is available to residents and councillors.

The meeting will only be aired to enable residents or councillors to attend meetings remotely, and to speak and to be heard by each other. 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 transacted at the meeting, unless that person considers that doing so is likely to prejudice the effective conduct of the meeting.

The clerk explained that he had received notice of the motion inline with the community councils standing orders.

It was **Proposed:** by Cllr L Duthie seconded by Cllr L Humphries

All those present agreed:

21/163 Agenda Item 9. To consider any verbal or written reports from Gwent Police;

No reports received

21/164 Agenda Item 10. To consider any verbal or written reports from the Clerk;

The clerk explained that he would like to make a verbal statement.

Madam Chair, I would like to make a verbal report - I don't believe there needs to be debate as they are observations on a number of matters that have arisen since I came into post.

I have noted on some social media platforms the Community Council has had a number of disparaging comments.

Since taking up office as Clerk to Langstone Community Council, the Community Council has had the time to consider some of the items of concern, and therefore, the Community Council has self-reflected on the situation, and decided to address a number of shortcomings and failures and where the due process was not followed.

I have informed a number of regulatory bodies about a number of concerns that I have and it will be for the Investigators to conclude if the council, its members along with any staff have been found to have breached any regulations or Codes of Conduct.

If those regulatory bodies come back and wish to investigate further, it will be for all current and former elected members and staff to answer to any breaches of the rules which have been identified.

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It has been noted that one former Councillor stated that there was bullying, cronyism and breaches of the Code of Conduct.

On that note, if any member believed that bullying and cronyism had taken place that member should have contacted the PSoFW at that time.

It would seem Madam Chair, a large number of people think it's for the Monitoring Officer at City of Newport to consider and overrule the Community Council. Langstone Community Council is an independent authority to City of Newport Council. The Monitoring Officer can advise but can't tell or force the Community Council to do anything.

It's also been noted that one former Councillor stated "Tax Payers money for Corruption". I can only say that is a big statement and it will need to be investigated.

On that matter Madam Chair it would seem all the Councillors that were in office at that time would be included in those comments and any investigation that may take place.

The clerk noted and explained that a community survey has been set up, and he hopes all community councillors complete it.

Those present noted the statement.

21/165 Agenda Item 11: To consider changes to the Community Council Standing Orders;

- a. Accept a Concerns and Complaints Policy;
- b. Accept a Habitual or Vexatious Complaints Policy;
- c. Accept a General Data Protection Regulation (GDPR) General Privacy Notice;
- d. Accept a GDPR Privacy Notice, for staff, Councillors and Role Holders,
 "Policies distributed before meeting".

The chair explained that all Councillors had received the documents prior to the meeting. The clerk presented the changes to the Standing Orders and explained the Standing Orders the Community have been signed up to, and published, don't follow the recommendations in the preface of the Model Standing Orders. Any items in bold type contain legal and statutory requirements, but the published Standing Orders have no bold text and the document is standard type face.

The clerk also explained the Community Council didn't have some of the policies; they are new documents. A short discussion took place by members. After some further consideration it was:

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Proposed: by Cllr M Griffiths seconded by Cllr L Humphries that the Standing Orders and policies are accepted.

All those present agreed.

21/166 Agenda Item 12. Consider obtaining further IT equipment to return to Face-to-Face meetings;

The chair invited the clerk to give some background to this matter. The clerk explained he would just like to bring to members attention the estimated cost to enable the community council to undertake the meeting function lawfully also enabling anyone wishing to login to council meeting to do so.

It was explained that there are some systems available for a smaller council. This would incorporate a device that combines a camera, microphones & speakers and can be connected to a laptop via USB. This system would be very limited and suitable for a smaller council with up to 6 members. This system is around £1k plus a laptop.

A second option would be a medium sized system where a full-size conferencing camera can be utilised. This system comes with a remote-control camera to be used during the meeting. Two desk boundary microphones are connected to the camera to provide audio pick up. These microphones are calibrated for speech and can happily pick up clear voice from 15 feet in any direction. This system can be connected to a laptop via a single USB cable. This system is around £2,700 plus a laptop.

A discussion took place. After some debate it was:

Recommended: that the clerk seek to obtain further estimates to see if the cost could be reduced. The clerk explained that he would present a full report to the next meeting for members consideration

21/167 Agenda Item 13. Consider any Planning applications, received before the meeting;

The clerk informed members that a number of applications had been received and a Task & Finish group will be convened to consider the applications and make the relevant observations to the next meeting

21/168 Agenda Item 14. To note finance matters, including Income & Expenditure;

The clerk explained that he has been unable to provide a financial report due to the transfer of any administration. He explained that the current DD and Standing Orders payments have been paid. He gave some further background information, and members noted the comments. The explained that no payments have been made on a corporate card system, no Councillor been reimbursed for any out-of-pocket expenses and no salaries have been paid.

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The clerk informed members that the Community Council has received an application for funding to replace a piece of equipment. The clerk also explained that one of the members of the Llandevaud Common Committee is in attendance to provide any information or answer any questions. The clerk stated if the Chair was mindful to suspend the standing order and allow the Llandevaud Common committee member to address the meeting. It was noted, that no-one objected.

The clerk asked members to consider deferring this matter until the next meeting so further information can be gathered, following the observations the Community Council are going to receive.

The Llandevaud Common Committee member gave members some background information on the current situation and the condition of the existing equipment. It was explained that the current item is defunct and is unrepairable. It was explained that the item of equipment was serviced twice over the last two years. It was explained that the common has seen more people using the common since the onset of Covid-19.

It was explained that City of Newport council cut the edge of the common. Llandevaud Common Committee are requesting a grant of £3k to enable the Llandevaud Common Committee to replace the equipment. It was explained that Llandevaud Common Committee will be the owners of the equipment. If Llandevaud Common Committee should become unable to continue, the equipment will be sold and revenue held in the committee back accounts. Any surplus funds will be made payable to St David's Hospice where all the profits are donated.

The committee member asked if he could give some background information on the ownership of Llandevaud Common. It was explained that the committee member had substantial knowledge on the matter due to his involvement over the years. It was explained that main dispute related to the Marcher Lord and his legal claims to historical rights. It was said the common was never registered with the land registry for a number of reasons. It was stated that the current common owner is the legal owner as payment was paid legally and was supported by the appropriate legal advice. It was explained that the legal documents were produced to the Llandevaud Common Committee and members of the Community Council at that time.

The clerk informed the chair that another resident wished to address the meeting. The clerk explained that this is outside the public section of the meeting, but standing orders were suspended, the resident should be given the opportunity to address the council.

The resident explained that he would disagree with some of the comments already made. It was stated that there are a number of documents available and a number of the documents indicate that the common was part of the Church in the 1840s. It was said when the Marcher Lord became the owner of the common it wasn't Manorial land.

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The resident understands that the land was submitted for registration but the Land Registry declined, on the grounds that further evidence was required and as that evidence was not forthcoming the application was closed down.

The resident believes the land wasn't Manorial land and therefore the common could not be sold. The resident said under that Common Act there was a requirement to register common land. There were a number of other matters discussed, including the scheme of management for Llandevaud Common, and that scheme is vested with City of Newport council.

The clerk explained that minute **18/164 (ii)** Llandevaud Common states: – The sale of the Common had been completed. A Common Committee had been set up locally and has held its first meeting.

The chairman thanked those for their input and the item will be deferred to the next meeting.

All those present agreed.

21/169 Agenda Item 15. To receive any items of correspondence received since the last meeting;

The clerk informed members that he has not received any further correspondence since the last correspondence was sent to members.

Members noted the comments.

21/170 Agenda Item 16. Reports from members on outside bodies;

No reports made from members on outside bodies

21/171 Agenda Item 17: Date of the next meeting 12 July 2021;

Agreed the next meeting will be convened on the 12 July 2021

21/172 Agenda Item 18: Members requests for items for inclusion on the agenda (Motions need to be tabled with the Proper Officer at least 10 clear days before the meeting.)

No members identified any matters

The Chair thanked everyone for attending and the meeting closed at 20:17hrs

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