

**CYNGOR CYMUNED LLANSANTFFRAED
LLANSANTFFRAED COMMUNITY COUNCIL**

**Cofnodion o gyfarfod o'r Cyngor a
gynhaliwyd am 7:30 pm ar nos
Fawrth, 2il Gorffennaf 2019 yn yr
Ystafell Ddarllen, Llanon.**

**Minutes of a meeting of the Council
held at 7:30 pm on Tuesday, 2nd July
2019 at the Reading Room, Llanon.**

Yn bresennol:

Cadeirydd: y Cynghorydd Lowri Jones; y
Cynghorwyr Sheila Davies, Jim Hughes,
Lodwick Lloyd, Dennis Morgan, Gwenno
Piette, Aled Roberts, Bryan Tomlins a
Caryl Vaughan.

Y Cynghorydd Sir Dafydd Edwards
Mr Denfer Morgan (Clerc)

Present:

Chairman: Councillor Lowri Jones;
Councillors Sheila Davies, Jim Hughes,
Lodwick Lloyd, Dennis Morgan, Gwenno
Piette, Aled Roberts, Bryan Tomlins and
Caryl Vaughan.

County Councillor Dafydd Edwards
Denfer Morgan (Clerk)

362 Ymddiheuriadau a Threfn
Ymddiheurodd y Cynghorydd Phil
Tomlins am fethu a bod yn bresennol yn
y cyfarfod.

362 Apologies and Procedure
Councillor Phil Tomlins apologised for
their inability to attend the meeting.

**363 Datgelu Buddiant Personol ac Un
sy'n Rhagfarnu**
Fe ddatgelodd y Cynghorwr Caryl
Vaughan buddiant personol ac un sy'n
rhagfarnu yn y materion y cyfeirir ato
yng nghofnod 367 isod a gadawodd yr
ystafell pan y gafodd ei ddarllen a'i
ystyried.

**363 Disclosure of Personal and Prejudicial
Interest**
Councillor Caryl Vaughan disclosed a
personal and prejudicial interest in the
matters referred to in Minute 367 below
and left the room during the reading out
and consideration of the letter.

**364 Cofnodion o'r Cyfarfod Misol a
gynhaliwyd ar 4ydd Mehefin 2019**
Cadarnhawyd cofnodion o Gyfarfod o'r
Cyngor a gynhaliwyd ar 4ydd Mehefin
2019 fel rhai cywir.

**364 Minutes of the Monthly Meeting held
on 4th June 2019**
The Minutes of the Monthly Meeting of the
Council held on 4th June 2019 were
confirmed as being a correct record.

365 Materion yn codi o'r Cofnodion

Cofnod 355 (Man Chwarae) – cafodd y
cwrbyn ei drwsio ac fe fyddai'r arolwg
blynyddol yn cael ei wneud yn fuan.

365 Matters arising from the Minutes

Minute 355 (Playground) – the kerb had
been repaired and the annual inspection
was to take place shortly.

**366 Cau allan y Cyhoedd a'r Wasg
PENDERFYNWYD**, yn unol â
darpariaethau Adran 1(2) Deddf Cyrff
Cyhoeddus (Mynediad i Gyfarfodydd)
1960, cau allan y cyhoedd a'r wasg o'r
cyfarfod ar gyfer ystyried rhan o'r eitem

366 Exclusion of Public and Press
It was **RESOLVED**, under the provisions of
Section 1(2) of the Public Bodies
(Admission to Meetings) Act 1960, to
exclude the public and press from the
meeting for the consideration of part of the

ganlynol, sef yr ystyriaeth o anghydfod yn ymwneud â chontract rhwng y Cyngor a chontractwr.

367 Contract Torri Tyfiant Llwybrau Cyhoeddus

Cytunodd y Cyngor symud yr eitem hon i ddechrau'r agenda er mwyn rhoi cyfle i'r aelodau o'r cyhoedd a oedd yn bresennol i annerch y cyfarfod o blaid y contractwr, a oedd hefyd yn bresennol. Esboniodd y Cadeirydd fod yr Aelodau wedi ymgynnull hanner awr cyn i'r cyfarfod ddechrau er mwyn darllen y swp o ddogfennau a oedd yn cynnwys gohebiaeth a chofnodion a oedd yn berthnasol i'r mater hwn. Fe esboniodd y Cadeirydd hefyd fod cyngor wedi cael ei dderbyn y dylid cau allan y cyhoedd a'r wasg yn ystod yr ystyriaeth o'r mater, oherwydd natur gyfrinachol yr anghydfod ynglŷn â'r contract i'w drafod, ac y byddai'r Cyngor yn gwneud penderfyniad i'r perwyl hynny. Ar wahoddiad y Cadeirydd, fe ddatganodd sawl aelod o'r cyhoedd a oedd yn bresennol eu barn am y gwaith o dorri tyfiant ar lwybrau cyhoeddus a wneir gan y contractwr a materion eraill yn ymwneud â phentref Llansantffraed, gan gynnwys:

- dweud fod y contractwr yn torri tyfiant ar hyd y llwybrau cyhoeddus mewn modd effeithiol ac nad oedd y llwybrau wedi bod mor hygyrch â hyn ers sawl blwyddyn
- heblaw am gymenu llwybrau, dywedwyd nad oedd trigolion Llansantffraed yn derbyn gwasanaethau digonol gan y Cyngor Cymuned gan fod angen adnewyddu meinciau a'u bod yn dal i ddisgwyl Chalet newydd yn lle'r un presennol
- fod yna dyfiant yn gor-hongian dros ffyrdd; ac esboniwyd taw mater i'r Cyngor Sir oedd hwn.

Diolchodd y Cadeirydd y trigolion am eu sylwadau ac fe adawsant yr ystafell. Fe benderfynodd y Cyngor yn ffurfiol i gau allan y cyhoedd a'r wasg o'r

following item, namely the consideration of a contractual dispute involving the Council and a contractor.

367 Public Footpath Growth Cutting Contract

The Council agreed to bring this agenda item forward to enable those members of the public present to be given an opportunity to address the meeting in support of the contractor, who was also present.

The Chairman explained that Members had convened half an hour prior to the meeting in order to read the bundle of documents comprising correspondence and minutes relevant to this matter. The Chairman also explained that advice had been received that the public and press should be excluded during the consideration of the matter, due to the confidential nature of the contractual dispute to be discussed, and that the Council would be making a resolution to that effect.

At the invitation of the Chairman, several members of the public present then expressed their views with regard to the undertaking of the work of cutting growth on public footpaths by the contractor and other matters relating to the village of Llansantffraed, including:

- stating that the contractor was cutting the growth along the public footpaths in an effective manner and that the paths had never been so accessible in several years
- other than the clearing of footpaths, it was stated that the residents of Llansantffraed did not receive adequate services from the Community Council as benches needed renovating and the Chalet was yet to be replaced
- there was also overhanging growth over roads and this was explained to be a matter for the County Council.

The Chairman thanked the residents for their comments and they then left the room.

The Council formally resolved to exclude

cyfarfod (dylid cyfeirio at gofnod 366 uchod).

Fe gynigiodd y Cadeirydd, a chytunodd yr Aelodau, drafod y materion dan ystyriaeth yn y drefn ganlynol:

- llythyr dyddiedig 26ain Mehefin oddi wrth y Contractwr a oedd yn cynnwys honiadau am y Clerc
- materion yn ymwneud â'r contract a'r ohebiaeth helaeth rhwng y Contractwr a'r Clerc
- y wybodaeth a dderbyniwyd gan Un Llais Cymru ynghylch cael cyngor cyfreithiol drwy'r corff hwennw
- yr angen i adolygu y dogfennau tendro a chontract ar gyfer 2020-21 a blynyddoedd dilynol.

Dywedodd y Cadeirydd hefyd bod dau ddogfen ychwanegol wedi'u cyflwyno drwy law gan y Contractwr ar ddechrau'r cyfarfod, sef:

- anfoneb rhif J17/2019 yn rhoi manylion am ddyddiau ac oriau a weithiwyd yn Ebrill, Mai, Mehefin a Gorffennaf
- llythyr dyddiedig 2il Gorffennaf.

Aeth y Cyngor ymlaen i drafod y llythyr dyddiedig 26ain Mehefin oddi wrth y Contractwr ynghylch gweithrediadau'r Clerc ac fe adawodd y Clerc yr ystafell yn ystod y drafodaeth hon.

Yn dilyn y drafodaeth, daeth y Clerc yn ôl i fewn i'r ystafell a dywedodd y Cadeirydd y **PENDERFYNWYD** fel a ganlyn:

- nodi fod y Clerc wedi gweithredu mewn modd proffesiynol yn yr holl ohebiaeth gyda'r Contractwr
- cadarnhau fod y Clerc wedi cyflwyno penderfyniadau'r Cyngor i'r Contractwr mewn modd cyson yn yr ohebiaeth
- dweud fod gan y Clerc ddyletswydd i gofnodi penderfyniadau'r Cyngor yn ei gyfarfodydd a bod gan y Cyngor, yn ei dro, ddyletswydd i gyhoeddi cofnodion ei gyfarfodydd.

Fe fu i'r Cyngor hefyd fynegu ei farn am

the public and press for the meeting (please refer to Minute 366 above).

The Chairman suggested, and it was agreed by the Members, that the matters under consideration be discussed in the following order:

- a letter dated 26th June from the Contractor containing allegations about the Clerk
- matters relating to the contract and the extensive correspondence between the Contractor and the Clerk
- the information received from One Voice Wales that legal advice could be obtained via that organisation
- the need to review the tender and contract documents for 2020-21 and future years.

The Chairman also stated that two documents had been handed in by the Contractor at the commencement of the meeting, namely:

- an invoice no. J17/2019 detailing dates and hours worked in April, May, June and July
- a letter dated 2nd July.

The Council then proceeded to discuss the letter dated 26th June from the Contractor concerning the action of the Clerk and the Clerk left the room during its consideration.

Following its consideration, the Clerk re-entered the room and the Chairman indicated that it had been **RESOLVED** to reply to the contractor as follows:

- to record that the Clerk had acted professionally in all correspondence with the Contractor
- to confirm that the Clerk had accurately conveyed the decisions of the Council to the Contractor in a consistent manner in this correspondence
- to state that the Clerk had a duty to record the decisions of the Council at its meetings and the Council, in turn, had a duty to publish the minutes of its meetings.

naws a geiriad y llythyr.

Fe fu i'r Aelodau droi eu sylw wedyn at y sefyllfa presennol parthed gwneud y gwaith o dorri tyfiant ar hyd y llwybrau cyhoeddus gan y Contractwr, ac i'r llythron niferus a dderbyniwyd oddi wrtho fe. Fe ddarllenodd y Cadeirydd hefyd y llythyr dyddiedig 2il Gorffennaf a'r anfoneb a dderbyniwyd y noson honno.

Fe fu i'r Aelodau ddatgan unwaith yn rhagor mai eu dymuniad oedd i'r Contractwr fwrw 'mlaen gyda'r gwaith o dorri tyfiant ar hyd yr wyth llwybr cyhoeddus a'r maes parcio a restrwyd yn y ddogfen tendro - sef y ddogfen a oedd yn sail i'r pris a dderbyniwyd yn y tendr. O ran yr anfoneb, nododd yr Aelodau ei fod yn cynnwys cyfeiriad at oriau a weithiwyd yn Ebrill, Mai, Mehefin a Gorffennaf ond nad oedd yn nodi a oedd yr holl llwybrau troed a'r maes parcio wedi'u torri. Fe ddatganodd yr Aelodau hefyd nad oedd llwybrau troed Llwynon, Glanmorfa a Rhewyn Dŵr, yn enwedig, wedi'u torri.

Dywedodd y Cadeirydd hefyd y gallai'r Cyngor gytuno ar gwestiynau ynghylch y contract i'w cyflwyno, i gael cyngor gan ymgynghorydd cyfreithiol Un Llais Cymru.

Yn dilyn trafodaeth, **PENDERFYNWYD** ymhellach:

- i) talu'r Contractwr swm o £568 mewn cysylltiad â'r gwaith a wnaed yn Mai a Mehefin, gan ei fod eisoes wedi cael ei dalu swm o £284 am y gwaith a wnaed yn Ebrill;
- ii) o ran toriadau yn y dyfodol, i ofyn i'r Contractwr roi blaenoriaeth i dorri tyfiant ar llwybrau troed Llwynon, Glanmorfa a Rhewyn Dwr;
- iii) gofyn i'r Contractwrcwblhau y tri toriad llawn sydd yn weddill ym misoedd Gorffennaf, Awst a Medi; gan ofyn i'r archwilwyr llwybrau archwilio'r llwybrau troed ar ddiwedd y misoedd yma; gofyn i'r Contractwr gyflwyno anfoneb am y gwaith

The Council also expressed its concern about the tone and wording of the letter. Members then turned their attention to the current position with regard to the undertaking of the work of cutting the growth along the public footpaths by the Contractor and to the numerous letters received from him. The Chairman also read out the letter dated 2nd July and the invoice received that evening.

Members reiterated their wish that the Contractor continue with the work of cutting the growth along the eight public footpaths and car park which were listed in the tender document and on which the contractor's tender price was based. With regard to the invoice, Members noted that it contained a reference to hours worked on dates in April, May, June and July but did not specify whether all the footpaths and car park had been cut. Members also contended that growth along the Llwynon, Glanmorfa and Rhewyn Dŵr footpaths especially had not been cut.

The Chairman also stated that the Council could agree questions about the contract to be referred to the One Voice Wales legal adviser for advice.

Following discussion, it was further

RESOLVED:

- i) to pay the Contractor a sum of £568 in respect of the work undertaken in May and June, as he had already been paid a sum of £284 for the work undertaken in April;
- ii) with regard to future cutting, to request the Contractor to give priority to cutting the growth on the Llwynon, Glanmorfa and Rhewyn Dŵr footpaths;
- iii) to request the Contractor complete the three remaining full cuts in the months of July, August and September; with the footpaths inspectors to be asked to inspect the footpaths at the end of each of these months; that the Contractor be requested to submit an invoice for the work carried out in July

iv) a wneir ym mis Gorffennaf ar gyfer ei dalu yng nghyfarfod Awst, cyflwyno anfoneb am y gwaith a wneir ym mis Awst ar gyfer ei dalu yng nghyfarfod Medi, a chyflwyno anfoneb am y gwaith a wneir ym mis Medi ar gyfer ei dalu yng nghyfarfod mis Hydref; a bod y Contractwr yn cael ei ofyn i restru ymhob anfoneb y llwybrau troed a dorwyd a dyddiadau'r toriadau hynny; a gofyn i Un Llais Cymru am y cyngor cyfreithiol a gytunwyd yn y cyfarfod, sef a oedd cais y Cyngor am fwy o wybodaeth / tystiolaeth manwl am doriadau'r dyfodol yn resymol o dan yr amgylchiadau; a oedd penderfyniad y Cyngor i atal y gwaith am gyfnod wedi effeithio ar ei sefyllfa; a oedd unrhyw gamau ychwanegol y gallai'r Cyngor eu cymryd dan eiriad y tendr i sicrhau fod y gwaith a oedd yn weddill yn cael ei wneud; a oedd y Cyngor wedi torri cyfraith amddiffyn data drwy enwi'r contractwr yng nghyfarfod 16ain Mai, gan gofio ei fod eisoes wedi'i enwi fel y tendrwr llwyddiannus yng Nghofnod 314 cyfarfod 2il Ebrill 2019.

iv) for payment at the August meeting, to submit an invoice for the work carried out in August for payment at the September meeting and to submit an invoice for the work carried out in September for payment at the October meeting; and that the Contractor be requested to list in each invoice the footpaths which had been cut together with the dates of those cuts; and to request One Voice Wales for legal advice as agreed at the meeting, namely whether the request made by the Council for more detailed information / evidence of future cuts were reasonable under the circumstances; had the Council decision to suspend work for a period affected its position; was there any further action that could be taken by the Council by way of the wording of the tender to ensure that the remaining work was undertaken; had the Council breached data protection law in naming the contractor at the 16th May meeting, bearing in mind that he had previously been named as the successful tenderer in Minute 314 of the 2nd April 2019 Meeting.

368 Adroddiad Archwilio Eiddo
Y cyrtiau tenis – beiciau yn cael eu cymryd ar y cyrtiau a dŵr yn casglu ar un ochr.

368 Property Inspection Report
Tennis courts – bikes being taken onto the courts and water collecting on one side.

369 Y Chalet
PENDERFYNWYD awdurdodi'r Clerc i fwrw 'mlaen gyda'r cais am Grant Cymunedol unwaith roedd yr holl wybodaeth i law.

369 The Chalet
It was **RESOLVED** to authorise the Clerk to proceed with the Community Grant application once all information was to hand.

370 Materion Ariannol
PENDERFYNWYD talu'r anfonebau

370 Finance Matters
It was **RESOLVED** to pay the following

canlynol:

Gwasg Aeron (5ed Rhifyn Cloncan Llanon) £274
Clerc (Denfer Morgan) ad-daliad am gost llungopiâu £43.20
Mr Meurig Lloyd (Torri llwybrau Mai & Mehefin) £568

371 Cais am golau stryd yn Nebo
PENDERFYNWYD gohirio'r drafodaeth o'r pris a dderbyniwyd gan Gyngor Sir Ceredigion am ddarparu golau stryd tan y cyfarfod nesaf.

372 Bwrdd Llywodraethol Ysgol Gynradd Gymunedol Llan-non.
PENDERFYNWYD penodi y Cynghorydd Gwenno Piette i wasanaethu ar Fwrdd Llywodraethol Ysgol Gynradd Gymunedol Llan-non yn lle'r Cynghorydd Aled Roberts.

- 373 Unrhyw Fater Cymwys Arall**
- a) Cyfeiriodd y Cynghorydd Caryl Vaughan at rwystr a achosir gan geir yn parcio ar ddwy ochr y ffordd pen pellaf Cylch Peris.
 - b) Gofynnodd y Cynghorydd Gwenno Piette fod trefniadau cyfrifyddu 'Clonc Llanon' yn ae lei gynnwys ar yr agenda nesaf.
 - c) Dywedodd y Cynghorydd Dennis Morgan ei fod wedi trwsio'r main ar Draeth y Morfa.
 - d) Dywedodd y Cynghorydd Bryan Tomlins fod trigolion dal yn anhapus gyda geiriad presennol yr arwydd a oedd yn cyfyngu ar fynediad cerbydau i lain y Cyngir a chytunwyd trafod y mater yn y cyfarfod nesaf.
Dywedodd y Cynghorydd Tomlins ei fod hefyd wedi cael cyngor gan Un Llais Cymru na ddylid ystyried gohebiaeth anhysbys gan y Cyngor mewn cyfarfodydd.
 - e) Dyddiad y cyfarfod nesaf: 13eg Awst 2019

Daeth y cyfarfod i ben am 9:25pm

invoices:

Aeron Printers (5th Edition Llanon Chat) £274
Clerc (Denfer Morgan) reimbursement for cost of photocopies £43.20
Mr Meurig Lloyd (Footpath cutting May & June) £568

371 Request for street light at Nebo
It was **RESOLVED** to defer consideration of the price received from Ceredigion County Council for the provision of a street light to the next meeting

372 Governing Body of the Llan-non Community Primary School.
It was **RESOLVED** to appoint Councillor Gwenno Piette to serve on the Governing Body of the Llan-non Community Primary School in place of Councillor Aled Roberts.

- 373 Any Other Competent Business**
- a) Councillor Caryl Vaughan referred to the obstruction created by cars parking on both sides of the road at the top end of Cylch Peris.
 - b) Councillor Gwenno Piette that the 'Llanon Chat' accounting arrangements be included on the next agenda.
 - c) Councillor Dennis Morgan stated that he had repaired the bench at Morfa Beach.
 - d) Councillor Bryan Tomlins stated that residents were unhappy with the current wording of the sign restricting the access of vehicles onto the Council's slang and it was agreed to consider the matter at the next meeting.
Councillor Tomlins also stated that he had received advice from One Voice Wales that anonymous correspondence should not be considered by the Council at its meetings.
 - e) Date of next meeting: 13th August 2019

The meeting concluded at 9:25pm