

Subject: PENNARD NEWS EXTRA

GOOD DAY

I do not usually comment upon the activities of Pennard Community Council, other than to advertise events. However, I feel there is an issue that the public in Pennard should be aware of, especially as only a few local residents follow what the council is doing and how it is spending your money. (see point 1)

In 2017, Pennard Community Council agreed to look at making the small hall independent from the main hall. This would make it attractive to more users and would stop the complaints of users from the small hall disturbing the activities in the main hall. There was also the health and safety risk of users entering the main hall whilst activities such as archery or badminton were in progress. At that time the small hall was used by several groups, and originally a small extension was planned to include a disabled toilet and kitchenette. (see point 2)

The plans escalated into a large extension, with a new hall and the small hall becoming storage. The plans were drawn up, planning applied for, and tenders were sent out. The quotes received were far in excess of the councils' funds. Hence the plans were revisited, downsizing was discussed to carry out the build in two parts and the changes were agreed. (see point 3)

In 2020, the council agreed to put the extension on hold for the rest of the financial year to reassess the potential of completing the facilities required within the footprint of the building. (see point 4)

In June 2021, the council sent out tenders for an architect. The chosen architect provided plans, but was asked to revisit them as they did not meet the council's requirements. It took many months to get these amended plans back and, in the meantime, new councillors, with building experience, joined the council. They looked at the plans in relation to the hall, raised the point that the work could be carried out in a simpler fashion and still provide the same facilities required. (Namely access to and from the store room for trolleys of tables and chairs into either the main hall or small hall, and the construction of a disabled toilet and kitchenette in the small hall, along with a disabled ramp and new external door) This would also have the advantage to being significantly cheaper and less disruptive to carry out.

Simply, it was found that

- There had previously been a door between the small hall and the store room in the corner of the small hall which could be easily be reopened, saving the work to create a new doorway.
- By swapping the proposed disabled toilet and the kitchenette around, there would be no need to change the position of the double doors between the two halls, which would mean no need to block up and create a new opening through the blockwork, no need to move the existing radiator or bury pipework beneath the concrete floor.

- The existing doorway from the store to the main hall can be widened sufficiently by altering the wooden frame, so there is no need to create a new opening through the blockwork with it's engineering for a supporting lintel.

I have attached plans to help to explain . (three plans: Existing layout, Proposed plan as currently agreed by Pennard Community Council , Simpler layout)

These points were raised in a hall committee in and at the main council meeting. The hall committee had asked for items to be put on the full council agenda in April which was refused. The hall committee finally got an agreement to ask the architect to meet at the hall to consider the amendments in May 2023. This was rescinded at the next month's meeting in June 2023, and the council agreed to go ahead with a tender process with the extant plans. Some of the councillors voting to rescind the previous motion and go out to tender do not know the hall and have not visited to discuss the proposed changes. Several councillors only attend meetings online, hence they do not really know the hall. (see point 5)

If you wish to take any action on this point of wasting your money, you can write to the council via the clerk –

Mrs Jan Crocker, Clerk to Pennard Community Council, 11 Anderson, Southgate SA3 2BX

Or email [Clerk@pennardcc.org.uk](mailto:Clerk@pennardcc.org.uk) (this should have been [clerk@pennardcc.gov.wales](mailto:clerk@pennardcc.gov.wales))  
Or attend a meeting, and ask questions

All meetings are public and you can attend in person in the small hall or request a link from the clerk to join a meeting online. All the meetings are advertised on the councils website and the minutes thereof can also be found there [pennardcc.org.uk](http://pennardcc.org.uk) ([pennardcc.gov.wales](http://pennardcc.gov.wales))

Lynda James

#### Point

- 1) Although Lynda James is a county councillor, she is also a community councillor and, as such, is as responsible as any other councillor for how such money is spent. [Your councillors | Pennard Community Council](#)
- 2) This was agreed at the 20 February 2017 Hall Committee and, as the chair of said committee, it was agreed that Lynda James would take this forward.
- 3) The following minutes pertain to further discussions on the hall extension:
  - a) On April 13<sup>th</sup> 2017, A working party meeting was arranged for 19<sup>th</sup> April to review the future use of the community hall. Mr. Will Smith was invited to participate in the discussion, following his request to be included as he had his own ideas for the expansion of Squiggles Nursery.
  - b) At the AGM on May 15<sup>th</sup> 2017, Lynda James was re-elected as chair of the Hall Committee.

- c) At the full council meeting on the same day, the working group (see 3a) also reported on a meeting with Mr Will Smith which had been organised to hear his ideas regarding the hall extension and how it could work with his plans.
- d) On June 13th of that year, it was proposed, seconded and unanimously agreed that “the Clerk will endeavour to identify a builder with capacity to design a modest extension to the small hall which will incorporate kitchen and toilet facilities, and also provide improved entrance accessibility for a full spectrum of hall users.” Lynda James was at the meeting where this was approved by everyone including Cllr James.
- e) At a Hall Committee Meeting on June 29th of that year, chaired by Lynda James, it was agreed that the extension “must provide direct access to toilet and basic kitchen facilities without the need to enter the main hall. It should also provide additional storage facilities.”
  - i) It was also reported that “an exploratory discussion has been held with Mr Roger Randle who has the necessary expertise to draw plans for the extension and has provided an early indication of his costs. A second quotation is also available. Full Council should decide on the appropriate appointment to undertake the planning work and the matter will be added to the July meeting Agenda.”
  - ii) It was agreed that a working group of six members to lead the project and liaise with the planners will comprise Cllr Lynda James, Cllr Jason Thomas, Cllr Richard Killick, Cllr Mark Smith, Cllr Angela Brunt and Cllr Charlotte Toft. This working group should be recommended to Full Council for ratification.
- f) In the 15th November Full Council Meeting, it was proposed by Cllr Susan Rodaway, seconded by Cllr Charlotte Toft with all members in agreement that the quotation for £600 from Gwyr Design Consultancy should be accepted. As there is a carried forward surplus from 2016/17, we now have a larger pool of money available which will allow some leeway in the design. It was agreed that the working party should now meet as soon as possible to expedite progress. The working party may care to consider the use of solar panels and better insulation. Lynda James was present and voted for this unanimous decision.
- g) The clerk reported to the Full council meeting of December 19th that “It is understood that the extension may cost in the region of £60,000 without the entrance porch, and an additional £5,000 with the porch, although it is emphasised that these costs should be regarded as budget estimates only at this stage. It was proposed by Cllr Jason Thomas, seconded by Cllr Mark Smith and unanimously agreed that a planning application should be submitted to Swansea City Council as soon as possible.” Lynda James was present and voted for this unanimous decision.

- h) On January 8th 2018, it was reported to the Full Council meeting that “a planning application has been submitted to Swansea City Council on 22nd December. A copy of the plan previously approved by Council was made available to each member present.”
- It was also reported that “An initial telephone discussion has taken place with a Quantity Surveyor to provide a Bill of Quantities to establish a like for like specification in the builder’s tendering process.”
- It was agreed that “a quotation will be obtained from the Quantity Surveyor”
- Lynda James was present at this meeting.
- i) At the Full Council meeting of February 13th 2018, it was proposed by Cllr Jason Thomas, seconded by Cllr Lynda James and approved by majority with one abstention that JMB should be appointed as Quantity Surveyor for the project to prepare a Schedule of Works with Quantities at a fee of £700.
- j) At the Full Council Meeting of the 12th of April 2018, it was reported to council that “Five building contractors have been invited to tender for the work. They have all been requested to return their sealed bids to the Clerk no later than Friday 20 April.”
- It was agreed that “bids will be opened at an extraordinary meeting of Council scheduled at 11:00 am Monday 23 April at Pennard Community Hall. The Clerk should make contact with all intended contractors to remind them of the impending closing date for tenders, and to request an indication of their intended timescale.”
- Lynda James was present at this meeting.
- k) For the extraordinary meeting of council on the 23rd of April, Lynda James sent apologies for absence. At the meeting “Two sealed bids only were received by the tender closing date set as 20 April 2018. Financial standing orders 10.3 states: All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction”
- i) As a result of this it was agreed to go back out to tender.
- l) At the Annual General Meeting on the 18th of May 2018, Lynda James was re-elected as the chair of the Hall Committee.
- m) At the Full Council Meeting of the 26th of July “A discussion took place regarding external funding to cover the shortfall between expected and actual cost of the Community Hall extension. In order for work to begin, it is necessary to source funding from an external source. It was proposed and seconded to make an initial application for approval for borrowing totalling £49,995 from the public Works Loan. 10 in favour with 1 abstention from Cllr Arthur Rogers who had joined the meeting at the end of the discussion. A further discussion took place to explore an application to Pennard Charity for the same sum. This was proposed, seconded and agreed unanimously. Lynda James was present at this meeting and voted for the motion.

- n) At the Full Council Meeting of January 10th 2019, it was decided to “apply to the {Pennard Community} Charity for the amount of £49995” Lynda James abstained due to being on the Charity. As she represents PCC on the charity committee this abstention was unnecessary.
- o) At the 18th of April 2019 Hall Committee Meeting “agreed that changes were needed, Cllr {Lynda} James agreed to check whether we would need to re-apply to Planning for minor amendments to be made. This recommendation would be taken to Full Council and new designs drawn up. Once done we would need to go back out to tender for the revised plan.”
- p) At the Full Council meeting of 13th May 2019, it was reported that “The Clerk had discussed the plans with the architect and a meeting was proposed to discuss potential changes to plans before going out to tender. The Council were happy for this to proceed. Proposed Seconded and Agreed. Lynda James had sent apologies to this meeting for her absence.
- q) At the Full Council Meeting of the 11th June 2019, the following was noted:
- a. Progress to date on Community Hall Extension  
Cllr Rodaway relayed progress made at the recent meeting with the architect. During the meeting suggestions had been made to bring down the cost of the project including a smaller kitchen, one toilet and delaying the building of a Porch until phase 2.
  - b. To agree amended Plans for Community Hall extension.  
The amended plans were shown and discussed Proposed seconded and agreed by all.
  - c. To agree to a tender process for Community Hall extension.  
It was proposed that we approach 6 builders. The letter should suggest that the amended Schedule of work document be used as a guide. It was also agreed that any decision should be based on when the work would start, how long it would take as well as value for money. It was agreed that the timescales need to be as accurate as possible due to the displacement of hall users. Proposed seconded and agreed by all.
- Lynda James had sent apologies to this meeting for her absence.
- r) At the Hall Committee of July 2nd 2019, Lynda James updated the committee on the hall extension and the committee agreed to send out tenders.
- s) At the Hall Committee Meeting of October 10th 2019, chaired by Lynda James, three tenders were opened and a quote was recommended to full council. This recommendation was unanimous, save for one abstention. That of Claire Whomes who had declared an interest.
- t) At the Full Council Meeting of November 13th 2019, attended by Lynda James, there was a discussion about “extra budget requirements for Small Hall Extension and agree source of funding” along with a “To discuss extra

budget requirements for Small Hall Extension and agree source of funding  
This was discussed along with a suggestion “we apply for grants for the  
“Green elements”. It was agreed that “various options should be investigated  
and brought to the December Meeting.”

- u) At the Finance and Employment Committee Meeting on January 9th 2020, hiring a building surveyor was proposed for the project. It was proposed that the specific surveyor be decided at the next Full Council meeting. This was agreed by all councillors present, including Lynda James.
- v) At the Full Council Meeting of January 13th 2020, Lynda James proposed a building surveyor be appointed, this choice of surveyor was passed unanimously.
- w) At the Hall Committee Meeting of February 27th 2020, Lynda James “presented the various plans which had been drawn up in the past regarding the hall extension. The current space available in the hall was discussed, with a view of changing how the storage was designed and used. It was agreed that the services of an architect should be sought to look at and design the area after the structure has been investigated.”
- x) At an Extraordinary Meeting on March 25th 2020, there were emergency changes to standing orders and reallocation of funds due to the emerging pandemic.

4) This is inaccurate. The plans were put on hold as there was an emerging pandemic and the council were unsure as to what response(s) would be necessary to support the community.

5) This process started earlier and was misrepresented, the facts around this are listed below. It should also be noted that the “simpler plans” were not drawn up by a qualified professional and only dealt with a small portion of the project rather than the entire plan.

- a) At the May 12th 2020 Annual Meeting, Lynda James was re-elected as chair of the Hall Committee.
- b) At the 18th February 2021 Full Council Meeting, plans were resumed and a working group was set up for the hall. Lynda James was present.
- c) At the 15th March 2021 Full Council Meeting, Lynda James reported a productive meeting and that the amended plans had been passed back to the architect for comment on its feasibility. She also recommended that some hall users be invited to the next working group meeting so their views could be incorporated.
- d) At the Hall Meeting on the 22nd of April 2021, Lynda James presented the plans which had been discussed at the recent working group meeting, where

the feedback from hall users has been very positive. These were discussed further including the suggested changes to the storage facilities currently provided to users.

- e) On the 12th May 2021, Lynda James was re-elected as chair of the Hall Committee at the Annual General Meeting.
- f) At the Hall Committee on the 8th of June 2021, chaired by Lynda James, several aspects of the tender were discussed and agreed:
  - i) To discuss amended refurbishment plans.  
The plans were looked at and suggestions regarding the size of the new toilet and moving the utility area were made. It was agreed that the services of an Architect should be sought, the Clerk was asked to obtain some quotes.
  - ii) To discuss options for external corridor  
This was looked at and a few options discussed it was agreed that this was also a task for an architect, although most of the members agreed that a side entrance was preferable to the existing back entrance.
  - iii) To discuss a work plan for internal works ready for tender.  
Lynda James had put together a work plan which was examined, it was agreed that the plan provided a good base and would be amended by the architect depending on the design.
  - iv) To discuss changes required to be made to existing storage.  
It was agreed that this would also be a task for the architect
- g) 29th June 2021 hall committee agreed on an architect and the minutes were ratified by Full Council on 12 July 2021. Lynda James was present at both meetings and made the proposal at Full Council to appoint the architect which was passed by majority.
- h) 6th Sept 2021 Plans from architect received and reviewed by Hall Committee and amendments suggested. As Chair Lynda James was present and participated fully in the discussions.
- i) 27th Oct 2021 Hall Committee received a request from Squiggles to lease an area to the rear of the small hall next to the car park. No decision was made pending final decision on the small hall refurbishment. As Chair, Lynda James was present and participated fully in discussions.
- j) On the 5 Jan 2022 the Hall Committee looked at the following proposals. As Chair, Lynda James was present, lead and participated fully in discussions.
  - **To review plans submitted by Squiggles and make a recommendation to Full Council.**

The proposed plans submitted by Mr. W. Smith were reviewed and discussed at length, they included an offer from Mr. Smith to fund and build the extension in return for Squiggles acquiring an area of the existing main hall, including the toilets and kitchen. The Council had sought advice prior to this meeting from One Voice Wales

regarding the propriety of such an offer. It was agreed by all (including Lynda James) that the Hall Committee would recommend a refusal to Full Council as advice provided was very clear that while Council could accept a donation for the project, all monies would have to be received in advance of the open tendering process which would also need to be managed by the Council in line with their financial regulations processes. This was agreed by all present, including Lynda James.

At the Full Council meeting of 12th January 2022 this recommendation was accepted following further discussions with Mr. W. Smith who explained he would not be interested in providing funding on this basis.

- **To review storage solutions and make a recommendation to Full Council.**

The storage solutions were examined, a change to the way the Archery net was stored was suggested and concerns over the amount of storage required for the table and chair trolleys was raised. Cllr Rodaway suggested that the plans be shown to the Hall User Group before any recommendation be made to Full Council to ensure a proper consultation process was completed prior to any alterations being approved.

- **To review the plans for the renovation changes to the halls and make a recommendation to Full Council**

The plans were discussed, concerns over the sliding door to the toilet were raised as it was felt there could be a collision problem in this area and that the storeroom door from the small hall should be the same width as the door to it from the main hall. It was suggested that where possible the sliding doors should slot into a wall cavity to maximise space in all areas. It was also suggested that due to radiators needing to be changed and moved we should look at the whole heating system before making a final recommendation to Full Council.

- k) At the Hall user meeting on 24 Jan 2022 they discussed the draft hall plans and the plans were accepted by the users. Lynda James was present and led discussions.
- l) Following the May 2022 election new Councillors joined the administration including Mr. Will Smith.
- m) At the Annual General Meeting on the 12th of May 2022, Lynda James was re-elected as the chair of the Hall Committee.
- n) The first Hall meeting following the May election was held on September 5th 2022. At this meeting Will Smith proposed himself as Vice Chair of the committee this was seconded by Ralph Cook and agreed by Lynda James despite concerns being raised by Susan Rodaway that a member of the public could reasonably perceive Will Smith to have a conflict of interest in hall matters. Susan Rodaway voted against the proposal with Cari Jones abstaining.



- o) At the 1 Nov 2022 Hall Committee meeting the plans and cost schedule were reviewed for recommendation to Full Council, Will Smith stated he felt in his experience that the cost schedule covered the works needed. Lynda James was present and led discussions. Accepting the plans and schedule was proposed by Lynda James and seconded by Will Smith and agreed by all except Steve Sheriff who abstained.
- p) At the 16th Nov Full Council the Architect invoice was agreed for payment having been authorised by Lynda James in her capacity as Chair of Hall Committee. She was present at the meeting and voted for the approval of the November payments.
- q) Hall Committee 17 Jan 2023 the tender document which had been created by the Clerk in order to move progress of the refurbishment (to the agreed plans) was examined and discussed, it was agreed to form a working group for the purpose of completing the document. No actions other than completing the document were authorised by the Council. Lynda James was present and as Chair, led discussions.
- r) At the 13 Feb Full council meeting Lynda James presented an update on the hall refurbishment and tender document from the working group on the tender wording. The Clerk was tasked with providing a simplified scoring matrix for the tender document.
- s) On the 7 March 2023 the Hall Committee received a report from the working group that changes to the plans were needed and they suggested a further visit from the architect. The Clerk was asked to get architect visit costs and the tender document was recommended to Full Council. Lynda James was present and proposed a further visit by the architect.
- t) At the Full Council Meeting on 15th March 2023 Councillor James asked why the Hall Committee's recommendation to meet with the architect to discuss plan changes had not been put on the agenda. It was explained that the Hall Working Group's remit was to look at the tender document, not the plans which had already been agreed and paid for (and proposed for approval by her at the 1st November Hall Committee meeting and proposed payment to the architect at the 16th November Full Council meeting). The Clerk has the authority to refuse suggested items for an agenda if there is good reason for doing so as was the case for the proposed agenda item.
- u) At the 13 April Full Council meeting a full time booking of the small hall was discussed following a request from a member of the community. A meeting had been held on April 3rd between the member of the public, the Clerk, and Susan Rodaway with Will Smith leading the discussions. Lynda James was present at this Full Council meeting and received the update from the meeting.
- v) Hall Committee on the 25th April 2023 held *in camera*

The long term booking of the small hall was discussed. Cllr Rodaway asked if it was appropriate for Cllr Smith to take part in this discussion due to him being a tenant himself and encouraged him to declare an interest at this point, he said he had declared an interest in all things Squiggles and did not think this relevant to Squiggles so remained in the room. Another discussion ensued regarding conflict of interests. The committee agreed that the small hall could be rented rather than leased formally and were interested in taking the discussion forward.

The Agreement to go out to tender for builders was deferred as the committee would like new plans to be drawn up by the architect following a further meeting with him to discuss what they believed to be a more cost-effective plan. As Chair Lynda James was present and led discussions.

- w) At the Annual General Meeting on the 10th of May, Lynda James was re-elected as the chair of the Hall Committee.
- x) At the 15 May 2023 Full Council Meeting the Motion to agree to revisit plans agreed 5 votes to 4 with 1 abstention and the motion to arrange architect visit 5 votes for 1 against and 4 abstentions. Lynda James was present and voted for the motion. During the discussion Cllr James explained that she felt the plans were unimaginative and that they could be improved, she suggested that the plans should be revisited and amended, if possible, perhaps even be split into several phases. She went on to explain the suggested changes. Cllr Rodaway expressed concerns that this would further delay the refurbishment, which had been agreed by Council over 12 months ago, and that she was surprised by the Hall Chair's comments, as the plans had been amended several times and Cllr James had been happy to agree and pay £1640 for them previously. She also pointed out that the Hall Committee had been involved in drawing up the tender document ready for distribution.
- y) At the 13 June 2023 Full Council meeting the motion to revisit plans was rescinded by 5 councillors and the motion to agree to begin tender process for the hall refurbishment voted 5 for 5 against and 1 abstention, the Chair exercised her casting vote, where she chose to stay with her existing vote to maintain the status quo. - the motion was carried. Lynda James was present and voted against as did Will Smith. Susan Rodaway expressed incredulity that Will Smith had made the decision not to declare an interest (following the advice received by the Clerk from the Monitoring Officer and communicated to him directly in an email and reported earlier in the meeting).
- z) From 26th June 2023 the Clerk began to receive emails regarding the "Pennard News Extra" email communication (provided at the start of this document) which had been sent out by Lynda James to a "select number of people in the village" excluding the Clerk and Councillors who were unaware of its content. Members of the community presented the Clerk with copies as Lynda James stated it was a "private communication" (despite it being called

Pennard News, which is her regular e-newsletter circulated in her capacity of County Councillor) and had not provided a copy to the Council.

aa) At the 28th June 2023 Finance Employment and Policy Committee made up of all committee chairs (including the hall chair) looked at the tender process and timetable. It was proposed this be recommended to Full Council by Cllr S Rodaway seconded by Cllr Cook agreed by Cllr Hickery voted against by Cllr James, the motion was carried.

The tender document was then examined and some amendments made ready for recommendation to Full Council.

bb) At the 11th July 2023 Full Council Meeting, the motion to publish the Hall refurbishment as recommended by the Finance Employment and Policy Committee fell 5 to 4 with 2 abstentions. Lynda James was present and voted against publishing the tender.

In conclusion all motions regarding the Hall refurbishment have been discussed, proposed and voted on and now remain off the table for at least 6 months.

As is evidenced in this response, the Council has acted with integrity with stewardship of public funds front and centre throughout the process. Council has been required to take measures to ensure this integrity is maintained due to the continued refusal by Will Smith to declare an interest in matters pertaining to the Community Hall. To ratify this, the Clerk sought, and received, advice from the Monitoring Officer at Swansea Council that Will Smith should declare a pecuniary interest and leave the room during discussions regarding the hall building and curtilage, not purely the part of the building he rents from the Council.

As Will Smith (who, by his own admission, is not a qualified architect) has previously provided multiple sets of plans in order for his business to acquire additional space within the hall, along with the "simpler layout" referred to by Lynda James, Council have acted at all times to prevent both Cllr. Smith and the Council from being brought into disrepute.

This communication from Lynda James is not only inaccurate, it has caused unnecessary burden on the Clerk and has wasted public funds in the hours taken to research, cross check and respond to concerned residents with the facts.