



## COUNCIL

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 26TH JUNE 2012 AT 5.00 P.M.

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PRESENT:

Councillor Mrs. G. Oliver - Mayor

Councillors:

Miss. L. Ackerman, M. Adams, Mrs. E.M. Aldworth, H.A. Andrews, A.P. Angel, Mrs. K.R. Baker, Mrs. G. Bevan J. Bevan. Mrs. A. Blackman, D. Bolter, D.G. Carter, Mrs. A. Collins, P. Cook, C.J. Cuss, H.W. David, W. David, H.R. Davies, D.T. Davies, C. Durham, Mrs. D. Ellis, C. Elsbury, Mrs. C. Forehead, Ms. E. E. Forehead, J.E. Fussell, Mrs. J. Gale. L. Gardiner, N. George, C.J. Gordon, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, G.J. Hughes, K. James, M.P. James, S. Jenkins, G. Johnston, Mrs. B.A. Jones, G. Jones, Ms. J.G. Jones, S. Kent, G. Kirby, A. Lewis, K. Lloyd, C.P. Mann, Mrs. R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, Mrs. D. Price, J. Pritchard, J.A. Pritchard, D. Rees, L.R. Rees, J.E. Roberts, R. Saralis, Mrs. M.E. Sargent, Mrs. J. Summers, J. Taylor, T.J. Williams.

Together with:-

A. O'Sullivan (Chief Executive), N. Barnett (Deputy Chief Executive), S. Aspinall (Corporate Director - Education, Lifelong Learning and Leisure), A. Heaney (Corporate Director - Social Services), D. Perkins (Head of Legal Services and Governance), G. Hardacre (Head of Human Resources and Organisational Development), N. Scammell (Head of Corporate Finance), H.C. Morgan (Senior Committee Services Officer).

#### 1. APOLOGIES

Apologies for absence were received from Councillors P.J. Bevan, L. Binding, R.T. Davies, K. Dawson, N. Dix, D.M. Gray, R.W. Gough, Mrs. P. Griffiths, S. Morgan, K.V. Reynolds, L.G. Whittle and R. Woodyatt.

#### 2. BEREAVEMENT

The Leader made reference to the recent death of the twin sister of Councillor Keith Reynolds and members extended their condolences to the bereaved family.

#### 3. PETITIONS

The Mayor received the following petitions presented by Members on behalf of local residents and indicated they would be referred to the appropriate directorate for attention.

- (i) request for speed restriction of 20 mph (or less) - Lower Navigation Street, Trethomas - Councillor Mrs. E. M. Aldworth;
- (ii) consideration of parking issues at Newport Road, Bedwas - Councillor Mrs. E.M. Aldworth.

#### **4. PRESENTATION OF AWARDS**

##### **Food Waste Award**

Members were advised that at the recent Plant and Waste Recycling Show the Waste Management Team was presented with the Food Waste Award 2012. This was made in recognition of their achievement in maximising food waste recycling. The award recognises the partnership approach taken by the Council in working with the public and schools to significantly increase food waste recycling and reduce the amount of waste sent to landfill.

Colette Price, Nicole Owen and Scott Jones received the award on behalf of the service and in recognition of the achievement. Members wished to place on record their appreciation to all those involved in achieving the award.

##### **Chartered Institute of Logistics and Transport's Excellence in Passenger Transport**

Members were then advised that the Council received an award presented by the Chartered Institute of Logistics and Transport Wales for Excellence in Passenger Transport. The award was made to the Integrated Transport Unit for demonstrating best practice in sustainable and innovative public transport services. The team re-designed the Sunday bus timetable to reflect Sunday trading and leisure activities, ensuring integration with other bus and train services and introduced simpler timetables which reflect the weekday patterns of service. This change has resulted in a 20% growth in passenger numbers on that day.

Huw Morgan, Alex Clarke and Roger Reynolds received the award on behalf of the service and in recognition of the achievement. Members wished to place on record their appreciation to all those involved in achieving the award.

#### **5. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the commencement or during the course of the meeting.

The Head of Legal Services advised that in relation to the report on the review of the decision relating to the Notice of Motion - Veolia Environmental Services, there was no requirement for those members who have sat/now sit on the Prosiect Gwyrdd Joint Committee to declare an interest and as such they are able to take part in the discussions and voting thereon.

#### **6. MAYORS ANNOUNCEMENTS**

The Mayor referred to the many events and visits that she and the Deputy Mayor have undertaken since the last meeting and made specific reference to twinning weekends to Ludwigsburg and Pisek, award ceremonies including those at Rhymney College, Young Enterprise and for the Voluntary Sector and the number of engagements associated with both the Queens Diamond Jubilee and the launch of the Olympic Games. She made specific reference to the Armed Forces Parade and Service at Ty Penallta, the Ebenezer Players summer production and the Citizenship ceremonies and encouraged Members to participate in the latter.

**7. COUNCIL - 24TH APRIL AND 24TH MAY 2012**

RESOLVED that the following minutes be approved as correct records and signed by the Mayor.

Council held on 24th April (minute nos. 1 - 14 on page nos. 1 - 4), Annual Council held on 24th May (minute nos. 1 - 17 on page nos. 1 - 10) and Special Council held on 24th May 2012 (minute nos. 1 - 2, page nos. 1 - 2).

Members noted that Councillor D.T. Davies had been appointed as Chairman to the South Wales Fire and Rescue Authority and wished him well in his role.

**REPORTS OF OFFICERS**

Consideration was given to the following reports.

**8. SECTIONS 14 TO 17 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Consideration was given to the report which sought authorisation to apply the provisions of Sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 to the County Borough of Caerphilly which would facilitate the making of byelaws on acupuncture, tattooing, semi-permanent skin-colouring cosmetic piercing or electrolysis.

RESOLVED that for the reasons contained in the report, in accordance with Section 13(2) of the Local Government (Miscellaneous Provisions) Act 1982, it be agreed to apply the provisions of sections 14 to 17 of Part VIII of the Local Government (Miscellaneous Provisions) 1982 Act to Caerphilly County Borough to come into force on 1st September 2012.

**9. ESTABLISHING A POLICE AND CRIME PANEL IN THE GWENT POLICE FORCE AREA**

The report provided an update on the progress made in connection with the establishment of the new Police and Crime Panel required under the provisions of the Police Reform and Social Responsibility Act 2011 and sought nominations for Members to sit on the Panel.

The report also sought approval for Caerphilly County Borough Council to be considered as host local authority for the area, taking on the responsibility of establishing and supporting a Police and Crime Panel. Should Caerphilly be agreed as the host, in responding to the Home Secretary it is proposed that this be a 'conditional offer' as there are concerns that the finance to be provided by the Home Office will not be sufficient for this purpose.

Members were advised that at its meeting on 18th June 2012 the Gwent Police Joint Committee had agreed that 10 elected members, with 2 members representing each of the 5 authorities, should be nominated to serve on the Police and Crime Panel. At that meeting consideration was given to the suggestion that in order to reflect their larger populations Caerphilly and Newport should have an additional member. This request would be considered at the first meeting of the Panel.

During the course of the debate it was suggested that in the event that a third representative is approved it should be taken by the Youth Champion. It was noted that the Act sets out the requirement for the membership of the Panel to be politically and geographically balanced and as such it would not be possible to take forward the suggestion at this stage.

RESOLVED that for the reasons contained in the report:-

- (i) the establishment of a Police and Crime Panel for Gwent Force Area and the arrangements to set up a Shadow Panel in advance of October 2012 be noted;
- (ii) on a conditional basis, the nomination of Caerphilly County Borough Council as host local authority, be approved;
- (iii) two members, Councillors K.V. Reynolds and C. P. Mann, be nominated to sit on the Police and Crime Panel and Councillors Mrs. C. Forehead and Mrs. A. Collins be appointed as named substitutes for each appointed member;
- (iv) Councillor K.V. Reynolds replaces Councillor H.A. Andrews on Gwent Police Authority

**10. REVIEW OF DECISION RELATING TO NOTICE OF MOTION VEOLIA ENVIRONMENTAL SERVICES**

The report provided an update with regard to the following Notice of Motion submitted by Councillor R.T. Davies in 2010, which was approved by Council on 23rd November 2010.

"That the Leader and Chief Executive do not sign or allow to be signed any new contracts or renewal of any existing contracts with Veolia Environmental Services or any other company in breach of international law, so long as to do so would not be in breach of any relevant legislation".

The Head of Legal Services and Governance advised that since the preparation of the report Members would have received e-mails in relation to its content. He advised that whilst Veolia have undertaken work on behalf of the Israeli Government investigations have concluded that it has not been in breach of international law, and as such there is nothing to prevent the Council entering into any contract with Veolia. Should Veolia be selected as the preferred bidder for Project Gwyrdd, then the Notice of Motion approved on 23rd November 2010 would have no bearing on that procurement process.

Mr. Perkins also advised that Councillor R.T. Davies was not able to be at the meeting but wished it recorded that whilst he was disappointed he did accept the content of the report.

It was proposed and seconded that as Veolia have not breached international law it is therefore not subject to the terms of the Notice of Motion approved by Council in November 2010.

An amendment was moved and seconded that consideration of the report be deferred for further information.

In accordance with Rule of Procedure 15.4 (1) a request was made for a recorded vote.

**For the Amendment (16)**

Councillors A.P. Angel, Mrs. K.R. Baker, Mrs. A. Blackman, Mrs. A. Collins, C. Elsbury, J.E. Fussell, M.P. James, S. Kent, K. Lloyd, C.P. Mann, M.J. Prew, J.A. Pritchard, D. Rees, J.E. Roberts, Mrs. M.E. Sargent, J. Taylor

**Against the amendment (44)**

Councillors M. Adams, Mrs. E.M. Aldworth, H.A. Andrews, Mrs. G. Bevan J. Bevan, D. Bolter, D.G. Carter, P. Cook, C.J. Cuss, H.W. David, W. David, H.R. Davies, D.T. Davies, C. Durham, Mrs. D. Ellis, Mrs. C. Forehead, Ms. E. E. Forehead, Mrs. J. Gale. L. Gardiner, N. George, C.J. Gordon, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, G.J. Hughes, K. James,

S. Jenkins, G. Johnston, Mrs. B.A. Jones, G. Jones, Ms. J.G. Jones, G. Kirby, A. Lewis, Mrs. G. Oliver, Mrs. R. Passmore, D.V. Poole, D.W.R. Preece, Mrs. D. Price, J. Pritchard, L.R. Rees, R. Saralis, Mrs. J. Summers, T.J. Williams.

**Abstention (1)**

Councillor Miss. L. Ackerman

The amendment was lost and following a show of hands, the following motion was declared carried.

RESOLVED that for the reason contained in the report it be noted that Veolia have not breached international law and are therefore not subject to the terms of the Notice of Motion approved by Council in November 2010.

**11. LOCALISM ACT - PUBLICATION OF PAY POLICY STATEMENT**

Consideration was given to the report which sought approval for the publication of the Authority's Pay Policy. Members were advised that the Localism Act 2011 requires local authorities to develop and make public their Pay Policy on all aspects of Chief Officer remuneration (including on ceasing to hold office) and also in relation to the "lowest paid" in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.

RESOLVED that for the reasons contained in the report:-

- (i) the Pay Policy Statement as appended to the report be approved for publication;
- (ii) a delegated sub committee (Senior Remuneration Committee) of five members (politically balanced) be established to deal with the pay and remuneration arrangements for the Chief Executive, Directors and Heads of Service.

**12. QUESTIONS UNDER RULE OF PROCEDURE 10(2)**

There were no questions submitted under Rule of Procedure 10(2).

The meeting closed at 5.50pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting on 26th June 2012 they were signed by the Mayor.

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Mayor