



COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY 23RD APRIL 2013 AT 5.00PM

PRESENT:

Councillor Mrs. G. Oliver - Mayor
Councillor D.M. Gray - Deputy Mayor

Councillors:

Miss. L. Ackerman, M. Adams, H.A. Andrews, A.P. Angel, Mrs. G. Bevan, J. Bevan, P.J. Bevan, Mrs. A. Blackman, D.G. Carter, Mrs. A. Collins, Mrs. P. Cook, C.J. Cuss, H.W. David, W. David, H.R. Davies, D.T. Davies, R.T. Davies, N. Dix, C. Durham, Mrs. D. Ellis, Mrs. C. Forehead, Ms E. E. Forehead, Mrs. J. Gale, L. Gardiner, N. George, C.J. Gordon, R.W. Gough, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, M.P. James, G. Johnston, G. Jones, Ms. J.G. Jones, S. Kent, G. Kirby, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs. R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, Mrs. D. Price, J. Pritchard, J.A. Pritchard, K.V. Reynolds, Mrs. M.E. Sargent, Mrs. E. Stenner, Mrs. J. Summers, J. Taylor, L.G. Whittle, T.J. Williams, R. Woodyatt

Together with:-

N. Barnett (Acting Chief Executive), S. Aspinall (Acting Deputy Chief Executive), D. Street (Acting Director of Social Services), N. Scammell (Acting Director of Corporate Services), G. Williams (Monitoring Officer/Principal Solicitor), J. Jones (Democratic Services Manager), H. Rees (Programme Manager for Partnership Development and Collaborative Improvement), D. Beecham (Electoral Services Manager), L. Donovan (HR Service Manager - Customer Services), G. Hardacre (Head of Human Resources and Organisational Development), H. Morgan (Senior Committee Services Officer)

Also Present:-

Gill Lewis - Seconded/Consultant
Anthony Barrett - Wales Audit Office
Lynne Hammond - PriceWaterhouseCooper

1. APOLOGIES

Apologies for absence were received from Councillors Mrs. E.M. Aldworth, Mrs. K.R. Baker, L. Binding, D. Bolter, K. Dawson, C. Elsbury, J.E. Fussell, Mrs. P. Griffiths, G.J. Hughes, K. James, Mrs. B.A. Jones, D. Rees, J.E. Roberts and R. Saralis.

2. MAYORS ANNOUNCEMENTS

The Mayor advised that she would make her announcements at the Annual Meeting of Council schedule for 9th May 2013.

3. BEST USE OF TECHNOLOGY AWARD 2013

Members were advised that Caerphilly County Borough Council was presented with the 'Best Use of Technology Award' at the Welsh Contact Centre Awards. The annual awards ceremony celebrates excellence and innovative practice from individuals and companies across Wales and the Customer Service Team received the award for work undertaken to improve the Council's Bulky Collections Service.

Dave Titley (Customer Services Manager) and Karen Davies (Contact Centre Team Leader), received the award on behalf of the Team and Members wished to place on record their appreciation to all those involved in achieving the award.

4. CORPORATE HEALTH STANDARD

It was then announced that the continued commitment to employee health and well-being has resulted in the receipt of the Corporate Health Standard Gold Award. The Corporate Health Standard is the Welsh Government flagship award for improving employee health and well being in Wales.

Gareth Hardacre (Head of Human Resources and Organisational Development) received the award on behalf of the Employee Health and Well Being Group and Members wished to place on record their appreciation to all those involved in achieving the award.

5. ANNOUNCEMENT

Mr. Barnett, Acting Chief Executive, reminded Members of previous advice given with regards to the Wales Audit Office Public Interest Report and subsequent investigations. He advised that it is necessary to avoid any comments which may conflict with the other on-going investigations in order to avoid prejudice to those investigations and of the importance in adhering to the legal advice previously given.

He advised that those Members who serve on the Investigating and Disciplinary Committee were able to taken part in the debate on item 5 (Notice of Motion) and item 6 (Wales Audit Report in the Public Interest).

6. DECLARATIONS OF INTEREST

Councillor D.T Hardacre declared an interest in item 6(1) - Wales Audit Office Report in the Public Interest.

Councillor G. Jones declared an interest in item 7(1) - Caerphilly Delivers.

With regards to agenda item 7(2) - Armed Forces Community Covenant, the Monitoring Officer advised that those Members having family members associated with the armed forces should declare a personal interest. Whilst they may have a personal interest it would not be prejudicial and as such the Code of Conduct did not prevent them from taking part in the discussion or voting thereon. Councillors A. Angel, C. Durham, Mrs. D. Ellis, D. Hardacre, D. Havard, A. Higgs, Mrs. J. Gale, Mrs. R. Passmore, J. Taylor and R. Woodyatt declared an interest in this item.

It was noted that all Members present were required to declare an interest in item 7(4) - Independent Remuneration Panel for Wales Report 2013/14. They were advised by the Monitoring Officer that in accordance with the relevant regulations members would not be regarded as having a prejudicial interest in this item and would be able to participate fully in the discussions and voting thereon.

Councillors H.A. Andrews, Miss. L. Ackerman, J. Bevan, Mrs. G. Bevan, Mrs. A. Blackman, C. Cuss, D.T. Davies, L. Gardiner, N. George, C. Gordon, D.T. Hardacre, A. Higgs, D.V. Poole, M. Prew, Mrs. J. Summers, K.V. Reynolds and R. Woodyatt declared a personal interest in item 7(6) Localism Act - Publication of Pay Policy Statement.

Details of all the declarations received are minuted with the respective item.

Other Members sought advice as to whether they were required to declare an interest on the reports to be presented but were individually advised that as their interest was neither personal or prejudicial they were not required to declare an interest.

7. COUNCIL - 12TH MARCH, 21ST MARCH AND 17TH APRIL 2013

RESOLVED that subject to it being noted that in the minutes of 17th April 2013 both Councillor Ms. E. Forehead and J. Taylor are recorded as present but had given their apologies, the following minutes be approved as correct records and signed by the Mayor.

Council held on 12th March (minute nos. 1 -11 on page nos. 1 - 4), Special Council held on 21st March (minute nos. 1 - 5 on page nos. 1 - 5) and 17th April 2013 (minute nos. 1 - 3 on page nos. 1 - 3).

MATTERS ARISING

8. COUNCIL TAX SETTING RESOLUTION 2013/14 - MINUTE NO. 9 DATED 27TH FEBRUARY 2013

In relation to the minutes of the meeting held on 12th March 2013, Members attention was drawn to minute no. 6 as it relates to the minutes of the meetings held on 29th January, 26th and 27th February 2013. With regards to the minutes of 27th February 2013 and the part of the minute that refers to the Council Tax Setting Resolution (minute no. 9) it has since been noted that part of the minute refers to 2012/13 and not 2013/14 and as such approval was sought to correct the minutes of that meeting.

RESOLVED that the change from 2012/13 to 2013/14 within minute no. 9 dated 27th February 2013, as it relates to the Council Tax Setting Resolution, be approved.

9. PROSIECT GWYRDD (MINUTE NO. 7 DATED 12TH MARCH 2013)

It was noted that the information requested from a Member had not yet been received.

10. NOTICE OF MOTION

Consideration was given the following Notice of Motion submitted by Councillors C.P. Mann, L. Binding, A. Angel, M. James and M.J. Prew.

'That this Council has no confidence in the leadership of the Council as carried out by the Leader, Councillor Harry Andrews'

The Motion was moved and seconded and following the debate, and in accordance with Rule of Procedure 15.4 (1), a request was made for a recorded vote.

FOR THE MOTION

Councillors Miss. L. Ackerman, A.P. Angel, P.J. Bevan, Mrs. A. Blackman, Mrs. A. Collins, R.W. Gough, M.P. James, S. Kent, K. Lloyd, C.P. Mann, M.J. Prew, J.A. Pritchard, Mrs. M.E. Sargent, J. Taylor, L.G. Whittle (15)

AGAINST THE MOTION

Councillors M. Adams, H.A. Andrews, Mrs. G. Bevan J. Bevan, D.G. Carter, Mrs. P. Cook, C.J. Cuss, H.W. David, W. David, H.R. Davies, D.T. Davies, R.T. Davies, N. Dix, C. Durham, Mrs. D. Ellis, Mrs. C. Forehead, Ms. E. E. Forehead, Mrs. J. Gale. L. Gardiner, N. George, C.J. Gordon, D.M. Gray, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, G. Johnston, G. Jones, Ms. J.G. Jones, G. Kirby, A. Lewis, S. Morgan, Mrs. G. Oliver, Mrs. R. Passmore, D.V. Poole, D.W.R. Preece, Mrs. D. Price, J. Pritchard, K.V. Reynolds, Mrs. E. Stenner, Mrs. J. Summers, T.J. Williams, R. Woodyatt (43)

The Motion was declared lost.

11. WALES AUDIT OFFICE REPORT IN THE PUBLIC INTEREST

Councillor D.T. Hardacre declared an interest in this item (as having a family member working for the authority).

In introducing the item, Mr. N. Barnett (Acting Chief Executive) advised that Gill Lewis had been seconded from the Aneurin Bevan Health Board to assist in the preparation of a response to the Wales Audit Office report. He accepted that there have been shortcomings in governance arrangements which have been identified within the Auditors Report and referred to the proposed action to address those findings.

Mr. Anthony Barrett (Wales Audit Office) gave a brief overview of the report, highlighted the reason for its production and advised of the requirement to draw attention to its conclusion that there had been a failure in governance and inadequacies in the processes adopted.

Consideration was then given to the report which provided a response to the Statutory Report of the Wales Audit Office and made recommendations which provided a robust action plan to further strengthen the Council's governance processes and procedures to address the areas for improvement highlighted by the Auditor.

Mrs. Gill Lewis (Secondee/Consultant) referred to the findings of the Public Interest Report and highlighted the proposals to progress the five recommendations contained therein (advertisement of meetings, conflicts of interest, procedures for new committees, records of meetings and clarity and comprehensiveness of reports to committees) she also referred to the wider issues for improvement arising from those recommendations which are also to be addressed.

Members were advised that the Auditors Report gives an opportunity to reflect on established internal systems and procedures, assess whether they comply with best practice, consider any actions needed to strengthen governance arrangements to prevent the recurrence of events set out in the Auditor's report and make suggestions to integrate recent statutory changes introduced by the National Assembly in a way which will strengthen open and transparent decision making and give greater emphasis to the importance of the internal scrutiny challenge process.

Mrs. Lewis drew attention to the Summary Report in the Public Interest, the Nolan Committee Report on Standards in Public Life and the proposed action plan as appended to the report and advised that with regards to the latter Officers will work with the Auditor to ensure that appropriate actions are taken. She also advised that it should be noted that at the time of preparing the report there are a number of other ongoing actions relating to the Auditors Report and that the implementation of some of the recommendation may need to await their conclusion.

Members made specific reference to the five recommendations within the Auditors Report and noted the details provided as to how they are to be addressed. They welcomed the action plan which identified the recommendations for improvement and highlighted the wider issues for improvement arising from those recommendations and noted that further reports would be presented on progress made against those recommendations.

It was moved and seconded that the recommendations in the report be approved. By show of hands this was unanimously agreed.

RESOLVED that:-

- (i) the Wales Audit Office Public Interest Report and its recommendations be accepted;
- (ii) the recommendations for improvement as detailed in the report be approved.

REPORTS OF OFFICERS

Consideration was given to the following reports.

12. CAERPHILLY DELIVERS - THE CAERPHILLY LOCAL SERVICE BOARD SINGLE INTEGRATED PLAN

Councillor G. Jones declared a personal interest in this item (service sector interest).

Mr. H. Rees (Programme Manager for Partnership Development and Collaborative Improvement) gave a presentation to complement the detail within the report which sought approval for the document "Caerphilly Delivers", which is the Caerphilly Local Service Board's Single Integrated Plan.

He advised that during 2011 it was identified that there was a need and an opportunity to rationalise the Caerphilly Community Strategy Partnership landscape, reduce bureaucracy, re-prioritise and focus on enhancing Partnership delivery. This work programme was complimented by the publication (19th June, 2012) by Welsh Government of "Shared Purpose - Shared Delivery: Guidance on integrating Partnerships and Plans". This document provides statutory guidance to and requires Local Service Boards to rationalise their respective Partnership "landscapes" and produce a Single Integrated Plan to discharge statutory planning and delivery obligations.

In his presentation he provided an overview of the process that had been undertaken to develop the plan and of proposals to simplify and strengthen joint working and collaboration. It had been determined that a single integrated plan should include:

Vision - long term vision for the area

Analysis - key issues, trends and local patterns of need, based on comprehensive/contemporary needs analysis)

Action Plan - priority outcomes for 3-5 year period and action plan driving improvement

describing partners' contributions and accountability (specific focus on 3-5 highest priorities on core agenda for improvement by LSB)

Enabling strategies - Information Strategy and Engagement Strategy

Assurance - Local Service Board governance, performance management and scrutiny arrangements

He advised of the multi agency approach in taking these requirements forward.

Mr. Rees advised that 'Caerphilly Delivers' has been developed based on the Caerphilly Local Service Board (and partner organisations) commitment to improve the quality of life for the public, by tackling the impact of poverty, its many causes and symptoms, and by concentrating on the major issues and challenges facing our communities. He outlined the Project Management Structure and referred to the establishment of Task and Finish Groups to take forward each stage of the Plan and made specific reference to the identification of outcomes and priorities. Following extensive consultation these have now been identified as Prosperous Caerphilly, Safer Caerphilly, Learning Caerphilly, Healthier Caerphilly and Greener Caerphilly and the Plan outlines the delivery mechanism for each of those outcomes and priorities.

Members were pleased to note that throughout the development of "Caerphilly Delivers" there has been comprehensive involvement of Strategic Partnerships, their respective networks and stakeholders. The draft 'Caerphilly Delivers' document and supporting documentation has been circulated extensively both internally and externally and by the end of the public consultation period on 22nd March 2013, over 80 individual and collective responses had been received. Where possible, the comments and additional information received have either been reflected in the amended "Caerphilly Delivers" document or will be taken into account in the production of action plans for each of the Priorities.

Mr. Rees then responded to a number of issues raised over and above those in his presentation, specifically a query with regards to consultation with the South Wales Fire and Rescue Authority. Mr. Rees advised that the Fire Authority is a key member of the Safer Caerphilly Community Safety Partnership and as such has been fully involved in the development of the Safer Caerphilly themed outcome Work Stream process. It was suggested that representations be made to the Local Service Board to clarify whether the South Wales Fire and Rescue service should be invited to become a member of the Local Service Board.

Members were pleased to note the five themed outcomes and respective priorities in the Plan, identified following the data collection process, and noted progress made on the specific priorities and how they are to be taken forward. With regards to monitoring the outcomes Mr. Rees advised that the Plan is a strategic document and specific action plans will be in place to enable Members to undertake this role.

Mr. Rees confirmed that the plan had been approved at the meeting of the Local Service Board on 17th April 2013 and would be presented to partner organisations for approval.

It was moved and seconded that the recommendation in the report be approved. By show of hands this was unanimously agreed.

RESOLVED that 'Caerphilly Delivers - the Caerphilly LSB Single Integrated Plan' be endorsed and approved.

13. ARMED FORCES COMMUNITY COVENANT

Councillors A. Angel, C. Durham, Mrs. D. Ellis, D. Hardacre, D. Havard, A. Higgs, Mrs. J. Gale, Mrs. R. Passmore, J. Taylor and R. Woodyatt declared an interest in this item as having family members associated with the armed forces. In accordance with the advice of the Monitoring Officer, and as their declaration was personal and not prejudicial, they remained in the Chamber and took part in the discussion and voting thereon.

Consideration was given to the report which detailed the request of the Minister for Local Government and Communities for an Armed Forces Community Covenant (and supportive scheme) to be put in place at a local level and outlined how this could be taken forward. The covenant is a voluntary statement of mutual support between a civilian community and its local armed forces community and is intended to complement, at a local level, the covenant introduced nationally by Central Government in 2011, which outlines the moral obligation between the Nation, the Government and the Armed Forces Community.

Members were advised that the county borough is already meeting the needs of serving armed forces personnel and veterans in a number of ways and that once an Armed Forces Community Covenant is signed, local groups and organisations are then able to bid for funds from the Community Covenant Grant Scheme, which is administered by the MOD.

Subject to Councillor A. Higgs being identified as Armed Forces Community Covenant Champion, it was moved and seconded that the recommendations in the report be approved. By show of hands this was unanimously agreed.

RESOLVED that: -

- (i) given there are no armed forces establishments within the county borough, though the borough is a recruitment area for the armed forces, a proportionate approach be adopted in developing the Caerphilly Armed Forces Community Covenant scheme;
- (ii) the Caerphilly Armed Forces Community Covenant scheme include the features outlined in the report;
- (iii) Councillor A. Higgs be identified as the Armed Forces Community Covenant Champion.

14. CHANGE OF NAME - RISCA WEST COMMUNITY COUNCIL

Consideration was given to the report which advised of a request of Risca West Community Council to change its name to Risca Town Council and highlighted the procedure (under Section 76 of the Local Government Act 1976) to be undertaken in order to achieve this. Notice of any change must be sent to the Secretary of State, the Director General of the Ordnance Survey and the Registrar General. Notice of the change of name must also be published in the community.

It was moved and seconded that the recommendations in the report be approved and by show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the report:-

- (i) the request of Risca West Community Council to change its name to Risca Town Council (Cyngor Tref Rhisga) be approved and a Notice of change be published in the community accordingly;

- (ii) in accordance with the provisions of Section 76 of the Local Government Act notice of the change be sent to the Secretary of State, the Director General of the Ordnance Survey and the Registrar General.

15. INDEPENDENT REMUNERATION PANEL FOR WALES REPORT 2013/14

All Members present declared an interest in this item. However, in accordance with the Member Code of Conduct they were able to participate fully in the discussions and voting thereon.

Members were advised that the Local Government (Wales) Measure 2011 gave the Independent Remuneration Panel for Wales additional powers to prescribe Members remuneration. This was a significant change to the well established practice of Members determining their own scheme of allowances within the maximum sums prescribed by the Panel. This is the second year that the Panel have prescribed Councillors and Co-opted Members remuneration and it has determined that the payments to Councillors and Co-opted Members shall remain unchanged for 2013/14.

Members noted the prescribed basic salary, senior salaries, subsistence allowances 2013/14, civic salaries, co-opted members payments, care expenses, travel and subsistence allowances and noted that the Panel's determinations will take effect from the date of the Annual Meeting on 9th May 2013.

Members considered the recommendations of the Democratic Services Committee as detailed in the report and it was moved and seconded that subject to the deletion of recommendation (iii) as it relates to the award of travel claims for official business within a ward (in excess of 4 miles and above) the recommendations in the report be approved. By show of hands this was unanimously agreed

RESOLVED that for the reasons contained in the report:-

- (i) the Panel's determinations for 2013/14 be noted;
- (ii) the maximum number of days payable to co-opted members with voting rights remain at 10 days per annum;
- (iii) the recommendation of the Democratic Services Committee that in recognition of the small number of geographically large wards, travel claims for official business undertaken by Councillors within their own wards should be paid for 'round trip' journeys in excess of 4 miles and above be not supported.

16. STANDARDS COMMITTEE ANNUAL REPORT

Consideration was given to the report which outlined the general functions of the Standards Committee and provided a summary of activities for 2011 and 2012.

Members noted the activities within the report and commended its comprehensive detail and wished to place on record their appreciation to the Standards Committee for their informative report. In noting that the Chairman, Len Davies, has to stand down (as his term of office is due to expire) Members wished to place on record their appreciation for the role he has performed and thanked him for the valued advice and guidance he has given over the many years on the Committee. All Members wished him good health and happiness in the future.

Mr. Davies responded by thanking the Members and Officers for their support during his term of office and for always dealing with matters in a professional and helpful manner.

It was moved and seconded that the recommendation in the report be approved and by show of hands this was unanimously agreed.

RESOLVED that the Standards Committee Annual Report be noted.

17. LOCALISM ACT - PUBLICATION OF PAY POLICY STATEMENT

Councillor H.A. Andrews, Ms. L. Ackerman, J. Bevan, Mrs. G. Bevan, Mrs. A. Blackman, C. Cuss, D.T. Davies, L. Gardiner, N. George, C. Gordon, D.T. Hardacre, A. Higgs, D.V. Poole, M. Prew, Mrs. J. Summers, K. V. Reynolds and R. Woodyatt declared an interest (as having family members working for the authority) and left the Chamber when the item was discussed.

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.

Members were advised that the Pay Policy Statement appended to the report contained the full details of the remuneration position for the Council that is required to be published. The Policy will be published on the Website, and will be the subject of scrutiny from members of the public, press and interested pressure groups. In that the Pay Policy is required to be published on an annual basis, and there is a requirement under the Localism Act for this to be undertaken before 31st of March 2013. The draft Pay Policy was published on the Council's website on the 28th of March 2013, with the note that it was being presented to this meeting of Council.

It was moved and seconded that the recommendation in the report be approved and by show of hands this was unanimously agreed.

RESOLVED that for the reason contained in the report the Pay Policy Statement be approved and published on the Council's website.

18. QUESTIONS UNDER RULE OF PROCEDURE 10(2)

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

19. CABINET SUB-COMMITTEE (WELSH HOUSING QUALITY STANDARD)

The minutes of the meeting of the Cabinet Sub-Committee (Wales Housing Quality Standard) held on 21st February 2013 were received and noted. Tribute was paid to the role of the Tenants Representatives in developing the Charter for Trust.

The meeting closed at 7.20pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 11th June 2013 they were signed by the Mayor.

MAYOR