



## COUNCIL

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY 11TH JUNE 2013 AT 5.00PM

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#### PRESENT:

Councillor D. M. Gray - Mayor  
Councillor D.G. Carter - Deputy Mayor

#### Councillors:

Miss. L. Ackerman, Mrs. E.M. Aldworth, H.A. Andrews, Mrs. K.R. Baker, Mrs. G. Bevan, J. Bevan, P.J. Bevan, L. Binding, Mrs. A. Blackman, D. Bolter, Mrs. A. Collins, Mrs. P. Cook, C.J. Cuss, H.W. David, W. David, D.T. Davies, R.T. Davies, K. Dawson, C. Durham, C. Elsbury, Mrs. C. Forehead, Ms E. E. Forehead, J.E. Fussell, Mrs. J. Gale, L. Gardiner, N. George, C.J. Gordon, R.W. Gough, Mrs. P. Griffiths, D.T. Hardacre, D. Havard, C. Hawker, G.J. Hughes, K. James, Mrs. B.A. Jones, G. Jones, Ms. J.G. Jones, S. Kent, G. Kirby, Ms. P. Leonard, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs. G. Oliver, Mrs. R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, Mrs. D. Price, J. Pritchard, J.A. Pritchard, K.V. Reynolds, J.E. Roberts, R. Saralis, , 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 (Interim Monitoring Officer), H. Morgan (Senior Committee Services Officer)

#### 1. **OPENING OF MEETING**

In opening the meeting the Mayor read a prayer.

#### 2. **BEREAVEMENT - COUNCILLOR MRS. ANNE COLLINS**

The Mayor referred to the recent death of Councillor Mrs. Anne Collins and all present stood in silence as a mark of respect and extended their condolences to the bereaved family.

Several Members referred to the late member's long and distinguished career in local government and paid tribute to the manner in which she had carried out her duties during her years of office and to the high esteem in which she had been held by Members, Officers and the community she represented.

**3. APOLOGIES**

Apologies for absence were received from Councillors M. Adams, A.P. Angel, H.R. Davies, N. Dix, Mrs. D. Ellis, A.G. Higgs, M.P. James, G. Johnston, D. Rees and Mrs. M.E. Sargent.

**4. MAYORS ANNOUNCEMENTS**

The Mayor referred to the many events and visits that he and the Deputy Mayor have undertaken since the last meeting and made specific reference to the launch of his chosen charities, Latch and the Alzheimers Society, on 26th June 2013. He invited all Members to attend.

**5. DECLARATIONS OF INTEREST**

Councillor D. Bolter declared an interest in agenda item 6, Cabinet Sub - Committee (WHQS) minutes. Details are minuted with the respective item.

**6. PRESENTATION OF AWARDS**

**Local Government Communications Reputation Award**

Members were advised that the Communications Team were recently presented with a Prestigious Gold Award at the National LG Communications Reputation Awards. The Team's innovative testicular cancer awareness raising campaign 'Grab your life by the Balls' won the Best Health and Wellbeing prize. The campaign, launched in June 2012, features sporting legend John Hartson and included an educational DVD and teaching pack aimed at 15 year olds, a tongue-in-cheek 'men at work' style calendar and a poster campaign.

Steve Pugh, Hayley Lancaster and Sarena Hughes came forward to receive 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.

**Living Wage**

It was then announced that the Living Wage Foundation has recognised the Council's commitment to its staff by implementing the living wage. The Foundation has approved the Council as an accredited UK Living Wage Employer. This accreditation allows the Council to use the living wage logo on its website, publications or vehicles to publically demonstrate the Council's strong commitment to be a responsible employer.

Gareth Hardacre came forward to present the Mayor with the official Living Wage plaque 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.

**Families First Quality Awards**

Members were then advised that the Families First Quality Award was presented by the National Association of Family Information Services to the Council's Family Information Service. The award is made in recognition that the Council is fully meeting its Information Duty under the Childcare Act and provides continuing high quality services to parents and professionals throughout the county borough.

From the Family Information Service, Sarah Mutch, Ruth Lee, Jodie Thomas, Jan Betts, Vicky Andrews and Sue Jones came forward to receive 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.

**7. COUNCIL - 23RD APRIL AND 9TH MAY 2013**

RESOLVED that subject to an amendment to minute no. 4 dated 9th May 2013 to read 'Deputy Mayor' the following minutes be approved as correct records and signed by the Mayor.

Council held on 23rd April (minute nos. 1 - 19 on page nos. 1 - 10) and Annual Meeting of Council held on 9th May 2013 (minute nos. 1 - 16 on page nos. 1 - 11).

**MATTER ARISING**

**8. Prosiect Gwyrd (minute no. 9 dated 23rd April 2013)**

It was noted that the information requested from a Member had not yet been received. As the Member concerned was not present no response could be given.

**REPORTS OF OFFICERS**

Consideration was given to the following reports.

**9. STANDARDS COMMITTEE - APPOINTMENT OF INDEPENDENT MEMBER**

Consideration was given to the report that detailed the process undertaken to appoint an independent member to the Standards Committee. It was noted that on 21st April 2013 the term of office of one of the independent members of the Standards Committee, Mr. Len Davies, expired and under current regulations it is not permissible to further extend his respective term of office and therefore Council undertook the process prescribed by the National Assembly in order to appoint replacement independent members.

A Panel was established to consider all the applications and to make a recommendation on an appointment to Council. In accordance with the regulations the Panel comprised two elected members, a community council member and a "lay panel member" (who in this case was Professor Griffiths, the current Vice-Chair of the Standards Committee) with advice from the Interim Monitoring Officer.

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

RESOLVED that for the reasons contained in the report, the following recommendations of the Panel be endorsed:-

- (i) Mr. Vincent Brickley be appointed as independent member of the Standards Committee for a period of 4 years from 12th June 2013;
- (ii) a reserve list be established and Mr. David Lewis be invited to remain on that reserve list for a period of six months from 12th June 2013.

**10. REVIEW OF COUNCIL CONSTITUTION**

Consideration was given to the report which sought to establish a "Constitutional Working Group" consisting of Members and Officers to oversee the implementation of a thorough review of the Council's Constitution and to report to Council the outcomes of the review.

Members were advised that the need for a thorough review of the Council's Constitution was highlighted in the report to Council on 23rd April 2013. A new model constitution for local authorities in Wales has been commissioned which will assist the Authority in terms of the review of the current Constitution and will be the framework within which the Council can incorporate its arrangements.

It was moved and seconded that subject to an amendment to the number of members to sit on the cross-party Constitution Working Party to 4 Labour, 2 Plaid and 1 Independent member, 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) in order to facilitate the review, a cross-party Constitution Working Party be established consisting of 7 members (4 Labour, 2 Plaid and 1 Independent) plus relevant officers;
- (ii) it be noted that the Labour representation will be Councillors Mrs. E.M. Aldworth, D.G Carter, Mrs. P. Cook and D.T. Davies and that details of the other Members would be submitted to the Acting Chief Executive;
- (iii) the following terms of reference for the Cross party Constitution Working Group be approved:-

To review the Council's Constitution and to recommend to Council any changes in respect of:-

- (a) drafting improvements to enhance the clarity and remove minor anomalies;
- (b) updating to reflect legislative changes and matters of record;
- (c) the Terms of Reference of any of the Council's Standing Committees;
- (d) to oversee the implementation of the new Welsh 'Model Constitution' in respect of:-
  - (i) incorporating the Council's existing constitutional framework into the new model; and
  - (ii) suggesting amendments and recommending changes to the existing framework in place for consideration by Council which can be included in the new model.

## **11. QUESTIONS UNDER RULE OF PROCEDURE 10(2)**

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

## **12. CABINET SUB-COMMITTEE (WELSH HOUSING QUALITY STANDARD)**

Councillor D. Bolter declared an interest in this item (as a Council house tenant). He remained in the meeting.

The minutes of the Cabinet Sub-Committee (Welsh Housing Quality Standard) held on 4th April 2013 were received and noted.

## **EXEMPT MATTER**

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and it was

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

### **13. REPORT FROM PUBLIC SERVICES OMBUDSMAN FOR WALES**

Consideration was given to the contents of the report from the Public Services Ombudsman for Wales on a maladministration complaint made against Caerphilly County Borough Council and sought to make a recommendation to Council.

Members were advised that there are two forms of report - a Section 16 which is the form of report which needs to be formally considered by the Authority and Section 21 where the Ombudsman feels that a public report is not required and the matter has been satisfactorily resolved. The report, dated 20th May 2013, is issued by the Ombudsman under Section 16 of the Public Services Ombudsman (Wales) Act 2005. Due to the sensitivity of the circumstances surrounding this case the Ombudsman has given a direction under Section 17(9) of the 2005 Act that his report is not for publication.

The report had been considered by the Standards Committee on 10th June 2013 where it had been noted and recommended to Council that the report be accepted and the compensation detailed in paragraphs 3.8 and 3.8.1 of the report be paid to Ms. X.

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

RESOLVED that for the reasons contained in the report it be recommended to Council that the compensation detailed in paragraphs 3.8 and 3.8.1 of the report be paid to Ms. X.

The meeting closed at 5.30pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 23rd July 2013 they were signed by the Mayor.

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MAYOR