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For all enquiries relating to this agenda please contact Emma Sullivan  
(Tel: 01443 864420 Email: [sullie@caerphilly.gov.uk](mailto:sullie@caerphilly.gov.uk))

**Date: 17th January 2018**

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Dear Sir/Madam,

A meeting of **Council** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 23rd January, 2018** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy Harrhy'.

**Christina Harrhy**  
INTERIM CHIEF EXECUTIVE

## AGENDA

Pages

- 1 To receive apologies for absence.
- 2 Mayor's Announcements.

A greener place Man gwyrddach



3 Presentation of Awards.

4 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

5 Council held on 21st November 2017. 1 - 10

6 Special Council held on 5th December 2017. 11 - 14

To receive and note the following report from the meeting of Cabinet held on 15th November 2017, which was considered as an urgent item not subject to call-in:-

7 Free Christmas Parking Proposal for Caerphilly Town. 15 - 18

To receive and consider the following reports: -

8 WLGA Charter for Member Support and Development. 19 - 42

9 Planning Consultation Procedure for Applications that Involve Telecommunication Masts. 43 - 50

10 Council Tax Reduction Scheme 2018/19. 51 - 54

11 To receive and to answer questions received under Rule of Procedure 10(2). 55 - 56

**Circulation:**

All Members And Appropriate Officers



## COUNCIL

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 21ST NOVEMBER 2017 AT 5.00 PM

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#### PRESENT:

Councillor J. Bevan - Mayor  
Councillor M. Adams - Deputy Mayor

#### Councillors:

Mrs E. Aldworth, C. Andrews, A. Angel, P.J. Bevan, C. Bezzina, L. Binding, A. Collis, S. Cook, D. Cushing, C. Cuss, W. David, D.T. Davies, M. Davies, N. Dix, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, J.E. Fussell, A. Gair, Ms J. Gale, C. Gordon, R.W. Gough, D.T. Hardacre, L. Harding, D. Harse, D. Havard, A. Higgs, A. Hussey, M. James, L. Jeremiah, Mrs B. Jones, S. Kent, G. Kirby, Mrs A. Leonard, Ms P. Leonard, C.P. Mann, Mrs P. Marsden, B. Miles, S. Morgan, Mrs G. Oliver, B. Owen, T. Parry, Mrs L. Phipps, D.V. Poole, J. Pritchard, J. Ridgewell, J.E. Roberts, R. Saralis, Mrs M.E. Sargent, J. Simmonds, S. Skivens, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L G. Whittle, T. Williams, W. Williams, B. Zaplatynski.

#### Together with:

C. Burns (Interim Chief Executive), C. Harray (Corporate Director – Communities), D. Street (Corporate Director - Social Services), L. Donovan (Acting Head of Human Resources and Organisational Development), R.M. Harris (Internal Audit Manager), S. Harris (Interim Head of Corporate Finance), D. Marr (Deputy Monitoring Officer, Cardiff City Council) and R. Barrett (Committee Services Officer)

#### 1. WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publicly available in live and archive form via the Council's website. He advised that decisions would be made by a show of hands.

A Member sought clarification on why the Chamber's electronic voting system is not currently being used during meetings of Council. The Interim Chief Executive explained that Members had previously trialled the system at several Council meetings but that some difficulties had been experienced with its use. He explained that the Democratic Services Committee is due to give consideration to the use of the system with a view to reintroducing it at Council meetings in the near future.

#### 2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors K. Dawson, Mrs C. Forehead, Ms E. Forehead, N. George, V. James, G. Johnston, D.W.R. Preece, Mrs D. Price, J. Scriven, G. Simmonds and Mrs E. Stenner.

### **3. WELCOME**

Members gave a warm welcome to pupils from Bryn Primary School Senedd, who were observing part of the Council meeting during their visit to Penallta House to learn about democracy from their local Councillors.

### **4. BEREAVEMENT**

The Mayor referred to the recent passing of Assembly Member Carl Sargeant. All present stood in silence as a mark of respect and extended their condolences to the bereaved family.

### **5. MAYOR'S ANNOUNCEMENTS**

The Mayor referred to the many events and visits that he and the Deputy Mayor have undertaken since the last meeting. These included the reopening of St. David's Church in New Tredegar, together with the annual CLIC Sargent charity event at Islwyn Bowls Club and the Swiss Ambassador's Concert at the Welsh Royal College of Music and Drama in Cardiff.

### **6. ELECTION OF CAERPHILLY YOUTH CHAMPION**

The Interim Chief Executive referred to the recent election for the position of Caerphilly Youth Champion, which took place across a number of secondary schools and youth groups within the county borough. Councillor Donna Cushing and Councillor Mark Evans stood for election to represent the views of young people in the area, and Members were advised that following strong competition between the two candidates, Councillor Mark Evans was elected as the Youth Champion on Friday 17th November 2017.

Councillor Evans paid tribute to his fellow candidate and expressed his gratitude to all the young people who had participated in the democratic process. In turn, Councillor Cushing congratulated the new Youth Champion on his appointment and both Members acknowledged the intensive campaign process throughout the three-week pre-election period.

Members congratulated Councillor Evans on his achievement and Councillor Cushing on her efforts, and also acknowledged the contribution made by the previous Youth Champion (Mr Mike Prew) during his time in office.

### **PRESENTATION OF AWARDS**

#### **7. Bronze Award - Defence Employer Recognition Scheme**

Members were informed that the Council has recently achieved the Bronze Award as part of the Defence Employer Recognition Scheme, which recognises UK employers for their support and commitment towards the Defence and Armed Forces communities. The Bronze Award is given to those employers who seek to promote an Armed Forces friendly position, and are open to employing reservists and supporting their training and mobilisation commitments. Caerphilly was the first local authority to provide free swimming sessions for serving members and veterans of the Armed Forces, and the Council has also signed up to the Royal British Legion's 'Count Me in' campaign and supports Town Centre Marches for Armed Forces Day celebrations.

Councillor Alan Higgs (the Council's Armed Forces Champion) and Mrs Audrey Nealon (representing the Defense Employer Recognition Scheme) came forward to present the award to the Mayor.

## **8. Recognition of Caerphilly Council's Armed Forces Champion – Councillor Alan Higgs**

Members were advised that Councillor Alan Higgs will be stepping down as the Council's Armed Forces Champion at the end of the year and tributes were paid to his dedication and enthusiasm in carrying out this role over the past 5 years. It was explained that Councillor Higgs and the Corporate Policy Unit have worked hard to establish the Council's Armed Forces Forum, and his commitment has helped enable the public to acknowledge and better understand the issues affecting armed forces communities. Members noted the many successes of Councillor Higgs during this time, including finding a permanent home for the WW1 Pontlottyn commemorative plaque, enabling the South Wales Armed Forces Day to be held in Caerphilly over the last 2 years and, with support from the Leader, enabling the Armed Forces Forum to attend events such as Armed Forces Day and the Big Cheese Weekend.

Councillor Higgs came forward in order to be congratulated by Members on his achievements. He was joined by Captain Tom Doe, Captain Huw Williams, and Warrant Officer Alistair 'Kiwi' Bache from the Council's affiliated regiment, the 203 (Welsh) Field Hospital, who presented Councillor Higgs with a commemorative trophy in recognition of his tireless work and dedication as Armed Forces Champion.

## **9. 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) Demolish Flats at River Road, Pontlottyn - Cllr Mrs G.D. Oliver;
- (ii) Request for a full evaluation and amendment of the scheme in regard to Pentwyn Road - Cllr K. Etheridge;
- (iii) Highway Safety – Sunnybank Road - Cllr K. Etheridge;
- (iv) Pavement at junction of Woodbine Road and Woodbine Close – Cllr K. Etheridge.

## **10. DECLARATIONS OF INTEREST**

Clarification was sought from Councillors D.T. Hardacre and D. Cushing on whether they were required to declare an interest in Agenda Item 7 (Notice of Motion – Commitment to Work in Partnership with Dementia Friendly Initiative), having family members who are affected by the issues referred to within the report. The Interim Chief Executive confirmed that due to the nature of the report, there was no requirement for Members to declare a prejudicial interest and leave the meeting on that basis, but that the declarations could be recorded as a personal interest.

Councillor C. Andrews declared an interest in Agenda Item 8 (Notice of Motion – Joint Council for Wales Statement on Pay in Local Government in Wales) and during the course of the meeting, Councillors C. Bezzina and P. Marsden also declared an interest in this item. Details are minuted with the respective item.

The Interim Chief Executive referred to Agenda Item 10 (Internal Investigation of Senior Officer – Additional Financial Provision) and explained that as the report was seeking approval of an additional financial provision for legal costs (and did not address the investigation itself) there was no requirement for Members or Officers to declare a prejudicial interest and leave the meeting on that basis. However it was a matter for individual Members as to whether they wished to declare a personal and/or prejudicial interest.

Councillors M. Adams, A. Angel, C. Gordon, J. Simmonds and J. Taylor declared an interest in Agenda Item 10 (Internal Investigation of Senior Officer – Additional Financial Provision). Details are minuted with the respective item.

It was noted that with regards to Agenda Item No. 11 (Contract Arrangements of Interim Chief Executive and Continuation of Internal Management Arrangements), Chris Burns and Steve Harris would be required to declare an interest and leave the meeting, and that for Agenda Item No. 12 (Appointment of Deputy Monitoring Officer), Richard Harris and David Marr would be required to declare an interest and leave the meeting. Details are minuted with the respective item.

**11. COUNCIL – 10TH OCTOBER 2017**

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

Council held on 10th October 2017 (minute nos. 1-17).

**12. SPECIAL COUNCIL – 31ST OCTOBER 2017**

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

Special Council held on 31st October 2017 (minute nos. 1-7).

**REPORTS OF OFFICERS**

Consideration was given to the following reports.

**13. NOTICE OF MOTION – COMMITMENT TO WORK IN PARTNERSHIP WITH DEMENTIA FRIENDLY INITIATIVES**

Councillors D. Cushing and D.T. Hardacre declared a personal interest, having family members who are affected by the issues referred to within the report, and remained in the Chamber during consideration of the item.

Consideration was given to the report, which detailed the following Notice of Motion received from Councillor C. Cuss and supported by Councillors D. Poole, Mrs B. Jones and Mrs E. Stenner, in relation to the matter of dementia friendly initiatives. In accordance with Rule 11 (3) of the Constitution, the Mayor had agreed to allow the motion to be dealt with at Council, without being first discussed at an overview and scrutiny committee:-

“This Council confirms its commitment to becoming a Dementia Friendly Council through working in partnership with Dementia Friends to improve the lives of people affected by dementia. Council will support Dementia Friendly communities that empower people affected by dementia, to have high aspirations and feel confident, knowing they can contribute and participate in activities that are meaningful to them. Council will work with other public services, the private and voluntary sector, to raise awareness and promote the training on offer.”

In supporting the commitment, that Members appoint a Dementia Friendly Champion for the borough of Caerphilly and encourage all Council Members to undertake the Dementia Friends Training”.

Members considered the reasons for the Motion, and the information provided by the Member in support of the motion, and following due debate, it was moved and seconded that its content be supported. By a show of hands this was unanimously agreed.

It was also moved and seconded that Councillor C. Andrews be appointed as the Dementia Friendly Champion for the borough of Caerphilly. By a show of hands, this was unanimously agreed.

RESOLVED that for the reasons contained in the report:-

- (i) the Notice of Motion and its request that the Council becomes a Dementia Friendly Council be supported;
- (ii) Councillor C. Andrews be appointed as the Dementia Friendly Champion for the borough of Caerphilly;
- (iii) all Members be encouraged to undertake Dementia Friends training.

Councillor C. Andrews thanked Members for their endorsement and expressed her commitment towards carrying out the role of Dementia Friendly Champion.

#### **14. NOTICE OF MOTION – JOINT COUNCIL FOR WALES STATEMENT ON PAY IN LOCAL GOVERNMENT IN WALES**

Councillor C. Andrews declared a personal interest, being a public sector worker for a neighbouring local authority and having a family member who works for Caerphilly Council, and remained in the Chamber during consideration of the item.

Councillor C. Bezzina declared a personal interest, being a trade union employee, and remained in the Chamber during consideration of the item.

Councillor P. Marsden declared a personal interest, being a lay official for a trade union, and remained in the Chamber during consideration of the item.

Consideration was given to the report, which detailed the following Notice of Motion received from Councillor D.V. Poole and supported by Councillors C. Gordon, Mrs B. Jones, S. Morgan and L. Phipps, in relation to the Joint Council for Wales statement on pay in local government in Wales. In accordance with Rule 11 (3) of the Constitution, the Mayor had agreed to allow the motion to be dealt with at Council, without being first discussed at an overview and scrutiny committee:-

“The following resolutions agreed by the Joint Council for Wales and Welsh Local Government Board be supported and as such,

- (i) the LGA be asked to effectively lobby Central Government to fund the implementation of the NJC Pay Spine Review caused by the direct effect of the National Living Wage.
- (ii) a letter be sent to Central and Welsh Governments to provide local government in Wales with the funding to ensure a fair, affordable and sustainable pay increase is made to the local government workforce in Wales.
- (iii) the WLGA be asked to work with the trade unions in pursuance of a fair funding deal for local government.”

Members considered the reasons for the Motion, and the information provided by the Member in support of the motion, and following due debate, it was moved and seconded that its content be supported. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the report the Notice of Motion be supported.

## 15. NOTICE OF MOTION – 5 YEAR LAND SUPPLY

Consideration was given to the report, which detailed the following Notice of Motion received from Councillor C.P. Mann and supported by Councillors A. Angel, J. Taylor, J.E. Fussell, L. Binding, L.G. Whittle, P.J. Bevan, Mrs T. Parry and R. Gough, in relation to the matter of a 5 year land supply. In accordance with Rule 11 (3) of the Constitution, the Mayor had agreed to allow the motion to be dealt with at Council, without being first discussed at an overview and scrutiny committee:-

“That this council urges Welsh Government Secretary, Lesley Griffiths, to suspend for the time being the need for a 5-year land supply in Caerphilly County Borough”.

It was noted that following the meeting of Council on 10th October 2017, the Council had written to Lesley Griffiths, the Cabinet Secretary for Environment and Rural Affairs to urge Welsh Government to place a moratorium on TAN 1 (i.e. the method upon which the 5 year housing land supply is calculated). Members referred to the pressures placed on the Council arising from the lack of a 5-year land supply, which have led to a number of successful planning appeals from housing developers in recent months, and urged the Council to maintain the momentum in lobbying Welsh Government on this matter.

It was moved and seconded that the Notice of Motion be supported. An amendment was proposed in that the Council request a formal meeting with Welsh Government regarding the TAN 1 issues, to be attended by a delegation of Members representing those wards most affected by these issues. The mover of the motion agreed that this could be incorporated into his motion.

Members were advised that the letter in respect of TAN 1 had only been sent to Welsh Government in the last ten days and that it might be premature to pursue the matter in view of the recent suspension of Assembly plenary business. It was suggested that Members could consider whether to request a meeting with Assembly officials regarding the issues surrounding TAN 1 if no response is received from WG by mid-December. The mover of the amendment confirmed that he was content with this suggested course of action and withdrew his amendment. Following due debate, the mover of the motion agreed that the suggested course of action could be incorporated into his motion.

Members were advised that a seminar will be held prior to the next Planning Committee on 6th December 2017 which will contain useful information on calculations surrounding the 5 year land supply, and all Members were encouraged to attend. A Member also commented that he had recently written to the Future Generations Commissioner for Wales to ask them to examine the short term gains versus the long benefits of those sites turned down for planning development, but had not yet received a reply.

Having moved and seconded the amended Notice of Motion, by a show of hands it was unanimously agreed that its content and the suggested course of action be supported.

RESOLVED that for the reasons contained in the report:-

- (i) the amended Notice of Motion be supported;
- (ii) the Council approach Welsh Government to request a formal meeting in respect of TAN 1 issues if no response is received to the letter previously sent by mid-December.

## 16. INTERNAL INVESTIGATION OF SENIOR OFFICER – ADDITIONAL FINANCIAL PROVISION

Councillors M. Adams, A. Angel, C. Gordon, J. Simmonds and J. Taylor declared a personal and prejudicial interest as Members of the Investigating and Disciplinary Committee and left the meeting during consideration of the item.



The Interim Chief Executive reminded Members that there should be no discussion regarding the ongoing internal investigation referenced in the report.

Consideration was given to the report which sought approval of additional financial provisions in relation to the ongoing internal investigation of a Senior Officer. Members were reminded of the current interim arrangements in place within the Authority arising from the internal investigation of three Senior Officers and of the additional associated costs, which have been funded from provisions established using the General Fund Reserve as approved by Council.

Settlement agreements were approved in respect of two of the Senior Officers at a Special meeting of Council on 31st October 2017, and these settlements now draw matters to a close for these two individuals. However, it will now be necessary to engage a Designated Independent Person (DIP) in respect of the allegations that require formal investigation in respect of the remaining Senior Officer.

Based on financial estimates presented to Council on 31st October 2017, it is anticipated that the costs of undertaking the formal investigation for the one Senior Officer will be £60k for the Designated Independent Person and £187k for legal costs. It will also be necessary to establish a financial provision to meet the ongoing salary cost of the remaining Senior Officer whilst the formal investigation is being undertaken. At this stage it is recommended that this provision should cover the six month period from 1st January 2018 to 30th June 2018, totalling £93k. The salary costs of the Senior Officer for November and December 2017 are already covered by previously approved provisions.

These additional costs total £340k and will be partially met by a balance of £190k that remains from provisions previously approved by Council. Approval was therefore sought for a further financial provision of £150k to be funded from the General Fund Reserve as detailed in the report.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands (and in noting there were 13 against and 4 abstentions) this was agreed by the majority present.

RESOLVED that for the reasons set out in the report, and to ensure that sufficient funding is set aside to meet the potential costs of the ongoing investigation process, should matters not be concluded by 30th June 2018, a further financial provision of £150k be funded from the General Fund Reserve to meet these costs.

## **17. CONTRACT ARRANGEMENTS OF INTERIM CHIEF EXECUTIVE AND CONSULTATION OF INTERNAL MANAGEMENT ARRANGEMENTS**

Chris Burns (Interim Chief Executive) and Steve Harris (Interim Head of Corporate Finance) declared an interest (as they are directly affected by the report) and left the meeting during consideration of this item.

Members were reminded of the requirement by law for the Council to have a Head of Paid Service, and of the appointment of Chris Burns to the post of Interim Chief Executive on 22nd July 2014 on a fixed term contract for a period of 12 months. The interim contract has been extended on several occasions and is due to end on 31st December 2017. It is anticipated that the Designated Independent Person stage of the aforementioned internal investigation will reach a quicker resolution now that it only involves one of the Senior Officers. In the meantime it is necessary to consider the contract of the current Interim Chief Executive and whether or not this should be extended beyond 31st December 2017. Council were therefore asked to delegate the decision to extend the Interim Chief Executive's contract to the Leader in consultation with the two Deputy Leaders in order to provide ongoing continuity for the organisation.

Members were also reminded of the interim arrangements in place in relation to the Director of Corporate Services and the Head of Legal Services/Monitoring Officer, which are now substantively vacant as a result of the Council meeting on 31st October 2017. Council were therefore asked to delegate the decision to extend the interim contract arrangements for the Director of Corporate Services and the Head of Legal Services/Monitoring Officer to the Leader in consultation with the two Deputy Leaders, and also the decision with regards to the longer term permanent recruitment to these posts.

Members sought clarification on the meaning of the recommendations, particularly in relation to the longer term recruitment for the substantively vacant posts, and expressed a need for the appointment of these posts on a permanent basis to be made through full Council via the Appointments Committee. Officers explained that the second recommendation within the report was seeking approval to delegate the extension of interim contract arrangements for the Director of Corporate Services and the Head of Legal Services/Monitoring Officer, and that appointment of these posts would be subject to the agreed recruitment processes. It was confirmed that a further report on these posts would be brought back to Council at a future date and also that a special Council would be arranged in December to consider a report on the post of Interim Chief Executive.

It was moved and seconded that the recommendations in the report be approved. By a show of hands (and in noting there were 2 abstentions) this was agreed by the majority present.

RESOLVED that for the reasons set out in the report:-

- (i) the decision to extend the Interim Chief Executive's contract be delegated to the Leader in consultation with the two Deputy Leaders;
- (ii) the decision to extend the interim contract arrangements for the Director of Corporate Services and the Head of Legal Services/Monitoring Officer, together with the decision with regards to the longer term permanent recruitment to these posts, be delegated to the Leader in consultation with the two Deputy Leaders.

At this point Chris Burns and Steve Harris returned to the meeting.

## **18. APPOINTMENT OF DEPUTY MONITORING OFFICER**

Richard Harris (Internal Audit Manager) and David Marr (Deputy Monitoring Officer, Cardiff City Council) declared an interest (as they are directly affected by the report) and left the meeting during consideration of this item.

Consideration was given to the report, which sought Members' approval for the designation of an acting Deputy Monitoring Officer for the Authority. Members were reminded of the requirement by law for the Authority to have a Monitoring Officer in place and for their function to be covered by an Officer who is able to deputise for them in their absence. The Authority does not currently have a Deputy Monitoring Officer and due to the current absence of the council's Interim Monitoring Officer it is necessary to make alternative arrangements to ensure that this function is adequately covered. It was noted that in most cases, councils tend to appoint their Head of Legal Services or another senior legal officer as Monitoring Officer, although there is no requirement for the Monitoring Officer to be a legal officer.

The report therefore proposed the designation of Richard Harris (Internal Audit Manager) as Deputy Monitoring Officer in a temporary capacity, and that he deputise in the absence of the Interim Monitoring Officer until such time as the Authority reviews the future structure of the legal service and is able to put in place permanent arrangements which should include provision for a deputy to act in the absence of the Monitoring Officer. In addition, the report

sought approval for the Council to enter into a service level agreement with Cardiff City Council, whereby their Deputy Monitoring Officer (Mr David Marr) will be available to provide advice to Mr Harris if required and to other Officers and Members if needed.

During the course of the ensuing debate, concerns were raised as to the potential costs that could be incurred through the service level agreement. Queries were received from Members as to the suitability of the proposed designation, whether the Internal Audit Manager would continue to undertake his substantive post in addition to that of Deputy Monitoring Officer, and whether there could be a potential conflict of interest between the two roles. A Member raised concerns over the diplomacy of the report in regards to Legal Services staff, sought clarification on the timescales and realm of the service level agreement with Cardiff City Council, and queried the intended length of the proposed temporary designation. The Member also asked whether consideration had been given to offering the post as a secondment opportunity to other local authorities and queried the rationale for selecting the service level agreement provider.

The Interim Chief Executive emphasised the urgency of the situation to Members and reminded them that the Council must have a Monitoring Officer in place in order to comply with relevant legislation. He also acknowledged the need for a permanent deputy and explained that it is anticipated that this temporary designation will only be for a very short period of time. He confirmed that Mr Harris would be taking on the role in addition to his current Audit duties, but that the role of Deputy Monitoring Officer includes a specific set of statutory duties and is not a separate full-time post. It was explained that consideration had been given towards offering the role as a secondment opportunity and that two authorities had been approached on this matter, but it was concluded that there was no need to offer a specific secondment opportunity due to the nature of the role.

Members were advised that it not possible to define how limited the service level agreement will be in nature, although it is not anticipated that a significant amount of hours will be accrued. Should the current situation continue into the New Year, then Council will be asked to consider a further report on the matter. It was explained that the specifics of the agreement have yet to be confirmed and it is only the hourly rate that has been agreed to date.

The Interim Chief Executive reiterated the temporary nature of the situation and the importance of ensuring that all statutory safeguards are in place to protect the Authority. It was confirmed that there would be no conflict of interest between the roles of Internal Audit Manager and Deputy Monitoring Officer as the two roles complement each other and have similar functions. The Interim Chief Executive also referred to Mr Harris' significant experience as an Audit Officer and the high level of accountability associated with the Monitoring role, and explained that consideration had been given to appointing a member of staff from Legal Services to undertake the role. However, following consultation with staff within the section, it had been established that it would have been unfair to expect any particular member of staff to undertake this responsibility at the present time.

In response to a Member's query, it was confirmed that the cost of the service level agreement will be met from the Legal Services budget. Should the situation continue into the New Year, a further report will be presented to Council. The Interim Chief Executive also emphasised the value of these measures in relation to providing the necessary safeguards for the Council to ensure statutory requirements are met.

Members conveyed their best wishes to Mrs Gail Williams (Interim Head of Legal Services and Monitoring Officer) for a speedy recovery.

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

RESOLVED that for the reasons set out in the report:-

- (i) Mr Richard Harris, Internal Audit Manager, be nominated as the Council's Deputy Monitoring Officer for a temporary period, and that he deputises in the event of the absence at any time of the council's existing Interim Monitoring Officer;
- (ii) The Council enter into a service level agreement with Cardiff City Council to provide support to Mr Harris, and to the Authority in general as required, to support this arrangement.

**19. QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(2)**

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

**20. MAYOR'S CHRISTMAS CAROL SERVICE**

In closing the meeting, the Mayor invited Members to his Christmas Carol Service, which will be held on Wednesday 29th November 2017 at Rhymney Comprehensive School.

The meeting closed at 6.25 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 23rd January 2018, they were signed by the Mayor.

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MAYOR



## SPECIAL MEETING OF COUNCIL

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON 5TH DECEMBER 2017 AT 5.00PM

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#### PRESENT:

Councillor J. Bevan - Mayor  
Councillor M. Adams - Deputy Mayor

#### Councillors:

C. Bezzina, L. Binding, A. Collis, S. Cook, D. Cushing, C. Cuss, M. Davies, D.T. Davies, K. Dawson, K. Etheridge, M. Evans, A. Farina-Childs, Ms E. Forehead, A. Gair, Ms J. Gale, N. George, C. Gordon, R.W. Gough, D.T. Hardacre, L. Harding, D. Harse, D. Havard, A. Hussey, M. James, V. James, L. Jeremiah, G. Johnston, Mrs B. Jones, S. Kent, G. Kirby, Mrs A. Leonard, Ms P. Leonard, C.P. Mann, S. Morgan, Mrs G. Oliver, B. Owen, T. Parry, Mrs L. Phipps, D.V. Poole, Mrs D. Price, J. Pritchard, J. Ridgewell, J.E. Roberts, Mrs M.E. Sargent, J. Scriven, J. Simmonds, S. Skivens, Mrs E. Stenner, J. Taylor, C. Thomas, R. Whiting, L G. Whittle, T. Williams and W. Williams.

#### Together with:-

C. Burns (Interim Chief Executive), R. Harris (Head of Internal Audit and Deputy Monitoring Officer), S. Harris (Interim Head of Corporate Finance), D. Marr (Deputy Monitoring Officer – Cardiff City Council) and C. Evans (Committee Services Officer).

#### 1. WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publically available in live and archive form via the Council's website. He advised that decisions would be made by show of hands.

#### 2. APOLOGIES

Apologies for absence were received from Councillors Mrs E. Aldworth, Mrs C. Andrews, A. Angel, P. Bevan, W. David, N. Dix, C. Elsbury, C. Forehead, J. Fussell, A. Higgs, Mrs P. Marsden, Mrs B. Miles, D. Preece, R. Saralis, G. Simmonds, A. Whitcombe, B. Zaplatynski and D. Street (Corporate Director – Social Services) and Mrs C. Harry (Corporate Director – Communities).

### **3. DECLARATIONS OF INTEREST**

Mr D. Street (Corporate Director – Social Services) and Mrs C. HARRY (Corporate Director – Communities) declared an interest in agenda item 3 – Designation of Interim Head of Paid Service and were not present during the meeting.

### **4. ANNOUNCEMENT FROM THE LEADER**

The Leader, Councillor D.V. Poole, in noting the recent announcement that the Interim Chief Executive, Mr Chris Burns will be leaving the Authority at the end of December, paid tribute to the Interim Chief Executive. It was noted that Mr Burns joined the Authority in September 2014, on a temporary appointment, during a particularly difficult time and has “steadied the ship”, for which the Leader, and Council offered their sincere thanks.

Sentiments of gratitude were echoed from the Leader of Plaid Cymru and the Independent Group, and Council thanked the Interim Chief Executive for his hard work, assistance and support and wished him well in the future.

Mr Burns thanked the Leaders for their comments and highlighted that it had been a great honour to be appointed. Acknowledging the challenging circumstances in which he was appointed, Mr Burns highlighted a number of positive outcomes to the challenges which were achieved during his time as Interim Chief Executive, for example the delivery of balanced budgets, achievements within the Education Directorate, with 3 new schools being built to a high standard and on time and within budget, the partnership working that has been established with secondary head teachers and the improvements made within the school league tables.

### **REPORT OF OFFICERS**

Consideration was given to the following reports.

### **5. DESIGNATION OF INTERIM HEAD OF PAID SERVICE**

Consideration was given to a report, which recommended the appointment of an Interim Head of Paid Service/ Chief Executive.

It was noted that the Local Government and Housing Act 1989 requires a relevant local authority to designate an officer as Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive. The appointment of which must be made by Full Council.

It was noted that since September 2014 Mr Chris Burns has been employed as the Interim Chief Executive, employed on a series of twelve month contracts. On the expiry of the most recent 12 month contract in August 2017, which was extended by Council for a further period until the 31st December 2017. It is necessary for Council to designate a Head of Paid Service from that date. Mr Burns has indicated that he does not wish to extend this contract for a further period and it is therefore necessary for Council to designate another person to fulfil this role.

The report recommended that Mrs Christina HARRY, Corporate Director for Communities, be designated as Interim Head of Paid Service/ Chief Executive for a period of six months.

A Member sought clarification on the backfilling of relevant posts within the Executive Office in order to ensure that there are sufficient Senior Officers appointed to meet

workloads demands and, in addition, how these posts would be funded. Officers explained that, should the appointment be agreed, the Officer would consider the staffing structure and relevant arrangements would be made. In addition, Members were asked to note that the backfilling of posts would be met from the substantive budget in place for staffing within that Department, and therefore there would be no requirement to utilise reserves.

Members debated the recommendations within the report and in noting that Officers were aware of the Interim Chief Executives intentions to leave the Authority at the end of the year, sought clarification as to whether Welsh Government (WG) or Wales Local Government Association (WLGA) had been consulted on the appointment, and whether or not they had made any recommendations in respect of Officers to fill the role in the meantime. It was confirmed that consultation had been conducted with WG and there were no objections to the appointment.

Following detailed debate, it was moved and seconded that the recommendations within the Leaders Report be agreed.

An amendment was moved and seconded that the Appointment be deferred and an approach be made to WG and WLGA.

During the ensuing debate, and in raising concerns around the current Interim arrangements in place, and in recognising the urgency of the appointment, a Member proposed that the appointment be made on a 3 month basis in the first instance; as such a further amendment was moved and seconded that the Appointment be made on a 3 month basis.

In taking the amendment, by show of hands this was lost. By show of hands, the further amendment was also lost. Members then considered the motion and by a show of hands (and in noting that there was 1 abstention) this was agreed by the majority present.

RESOLVED that for the reasons contained in the Officers report:

- (i) the requirements of the post, as set out in Appendix 1 of the report be approved;
- (ii) Mrs Christina Harry be designated as Interim Head of Paid Service/Chief Executive for a period of six months on the terms outlined within the report;
- (iii) the interim appointment be made at the first point of the relevant pay scale and fixed at that point with no incremental progression;
- (iv) Mrs Christina Harry also be designated as the Interim Electoral Registration and Returning Officer.

The meeting closed at 5.28pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 23rd January 2018 and they were signed by the Mayor.

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MAYOR

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## COUNCIL – 23RD JANUARY 2018

**SUBJECT: FREE CHRISTMAS PARKING PROPOSAL FOR CAERPHILLY TOWN**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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- 1.1 The attached report was considered as an urgent item by Cabinet on 15th November 2017.
- 1.2 The Constitution requires that any decision taken as a matter of urgency must be reported to the next available meeting of Council, giving the reasons for its urgency. Therefore the report is presented to Council for Members' information, due to the unique set of circumstances that resulted from the highway improvement works at Pwllypant roundabout.
- 1.3 The recommendations of the report were considered and approved by Cabinet.
- 1.4 Members are asked to note the recommendations of the report and Cabinet decision.

Author: M. Lloyd, Acting Head of Engineering Services

Appendix: Report to Cabinet – 15th November 2017.



## CABINET – 15TH NOVEMBER 2017

**SUBJECT: FREE CHRISTMAS PARKING PROPOSAL FOR CAERPHILLY TOWN**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### 1. PURPOSE OF REPORT

- 1.1 To seek Cabinet approval to introduce a 2 hour free parking period in all Caerphilly town pay and display car parks for two weeks in the run up to Christmas 2017.

### 2. SUMMARY

- 2.1 In order to demonstrate the Council's continuing support for traders in Caerphilly town in light of the impact of the ongoing A468/A469 Pwllpant roundabout highway improvement works and the still challenging economic climate, it is proposed to introduce the 2 hour free parking period in the town's pay and display car parks for two weeks in the run up to Christmas 2017 in an effort to support and increase trade in the town.

### 3. LINKS TO STRATEGY

- 3.1 The report links to the Council's priority to ensure that communities are safe, green and clean places to live and to improve residents' quality of life.
- 3.2 The recommended course of action contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:
- *A prosperous Wales*
  - *A resilient Wales*
  - *A Wales of cohesive communities*
  - *A globally responsible Wales.*

### 4. THE REPORT

- 4.1 Construction of the A468/A469 Pwllpant roundabout highway improvement commenced on the 9<sup>th</sup> October 2017 and is programmed to take 12 months to complete. After the first few days of significant disruption to traffic, the increase in journey times has reduced significantly to generally 10-15 minutes at peak times. However, traders continue to express concern about the reduction in footfall and trade, and in particular the potential impact on the Christmas trade which is one of the busiest times for most traders. The impact of the temporary traffic management is under review and further mitigation measures are being considered.

- 4.2 The Cabinet acknowledges the ongoing pressures facing traders in the Caerphilly County Borough owing to the ongoing challenging economic climate and the potential impact of the highway improvement works on Caerphilly town in particular. Every opportunity must be taken to encourage shoppers and visitors to come into the town, particularly during the Christmas period. In previous years a 2 hour free parking for a two week period in the run-up to Christmas was introduced and was well received as part of the Council's support to increase trade in the borough (last introduced in 2011).
- 4.3 During the Christmas period the car parks are full for the majority of the day and demand for parking is at its highest at this time of year. Free parking up to 2 hours (with no return for 2 hours) in Caerphilly town, whilst diminishing some turnover, will ensure that there is turnover of car parking spaces; that commuter and worker parking is discouraged from the main car parks; and that there is general availability for shoppers and visitors to the town in the car parks most suited for their needs. Any users wishing to stay for longer than 2 hours will be required to pay the normal tariff (i.e. 3 hours and over).
- 4.4 To ensure compliance with the 2 hour free parking with no return for 2 hours a higher level of enforcement will be required at the most heavily used short stay sites. It will be important to ensure adequate signage is provided to avoid confusion with users. To control the free car parking users will still be required to display a ticket otherwise they may be issued with an excess charge notice. The early stages of this period will need to be monitored to determine how motorists react to the changes.
- 4.5 Given the practicalities of implementing this proposal just before the statutory holidays, it is proposed that the free parking will commence in Caerphilly town on Saturday 9 December 2017 until Saturday 23 December 2017.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 As a "one off" short term measure the proposal is not expected to have a long term impact, but does contribute to the Well-being Goals as set out in Links to Strategy above.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The cost of implementing the proposal borough wide in 2011 was approximately £30,000 but since that time usage of the car parks has remained similar and there has been no increase in the parking tariffs. To implement the free parking proposals in Caerphilly town in 2017 it is estimated to cost the Council around £5-10,000 (covering loss of income, legal and implementation costs). This cost will be met from existing Engineering Services budgets.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 None.

## **9. CONSULTATIONS**

- 9.1 All responses from consultations have been incorporated in the report.

## **10. RECOMMENDATIONS**

- 10.1 Cabinet are asked to approve the implementation of free parking in Caerphilly town for up to 2 hours with no return for 2 hours in the two weeks before Christmas 2017.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 As described in 4.1 – 4.2.

## **12. STATUTORY POWER**

- 12.1 Road Traffic Regulation Act 1984.

## **13. URGENCY**

- 13.1 This report is urgent on the basis that Caerphilly town businesses have cited that the Pwllpant Roundabout improvement works have had a detrimental impact on their trading figures as a result of reduced footfall and visitor numbers within the town. A significant amount of their annual trade is undertaken in the run up to Christmas.
- 13.2 In accordance with the Council's Constitution the Mayor has agreed that the decision proposed is reasonable and has agreed that the decision should be treated as exempt from Call in.

Author: Clive Campbell - Transportation Engineering Manager

Consultees: Cllr David Poole, Leader of the Council

Cllr Sean Morgan, Deputy Leader and Cabinet Member for Economy, Infrastructure, Sustainability and Wellbeing and Future generations Champion

Cllr John Bevan, Mayor

Chris Burns, Interim Chief Executive

Christina HARRY, Corporate Director - Communities

Steve Harris, Interim Head of Corporate Services

Marcus Lloyd, Acting Head of Engineering Services

Anwen Cullinane, Senior Policy Officer – Equalities & Welsh Language

Mike Eedy, Finance Manager

Shaun Watkins, HR Service Manager

Dean Smith, Principal Engineer (Traffic Management)



## COUNCIL – 23RD JANUARY 2018

**SUBJECT: WLGA CHARTER FOR MEMBER SUPPORT AND DEVELOPMENT**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151**

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- 1.1 The report was considered by the Democratic Services Committee on the 23rd November 2017.
- 1.2 Having considered the report and the Charter requirements as detailed within the submission pro-form in Appendix 1 of the report the Democratic Services Committee unanimously recommended that Council approve the proposal that this Council re-affirms its commitment to the Wales Charter for Member Support and Development.
- 1.3 Members are invited to consider the report and the above recommendation.

Author: E. Sullivan, Democratic Services Officer, Ext 4420.

Appendix: Democratic Services Committee Report – 23rd November 2017



## DEMOCRATIC SERVICES COMMITTEE – 23RD NOVEMBER 2017

**SUBJECT: WLGA CHARTER FOR MEMBER SUPPORT AND DEVELOPMENT**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

### 1. PURPOSE OF REPORT

- 1.1 To seek the views and endorsement of the Democratic Services Committee on the proposed commitment to renew the Wales Charter for Member Support and Development prior to seeking the approval of Council to reapply for charter status.

### 2. SUMMARY

- 2.1 The report seeks Member endorsement to continue operating Member support and development activities in accordance with the WLGA's Wales Charter for Member Support and Development. The Charter is a public statement and quality standard benchmark for delivering effective Member support and development

### 3. LINKS TO STRATEGY

- 3.1 Member support and development opportunities assist Members to discharge their community leader, decision-making and scrutiny roles effectively. It contributes to all seven Wellbeing Goals within the Wellbeing of Future Generations Act (Wales) 2015 as it seeks to support and develop those roles where Councillors will be called upon to make recommendations and decisions that will impact on future generations.

- *A prosperous Wales*
- *A resilient Wales*
- *A healthier Wales*
- *A more equal Wales*
- *A Wales of cohesive communities*
- *A Wales of vibrant culture and thriving Welsh language*
- *A globally responsible Wales*

### 4. THE REPORT

- 4.1 Caerphilly County Borough Council was the first in Wales to be awarded the Wales Charter for Member Support and Development in 2007 which has since been successfully renewed twice in 2011 and 2014. The Charter aims to develop, recognise and share good practice in the support and development of elected Members.
- 4.2 The Charter was developed by the WLGA, in partnership with Members and Officers from across Wales. Each section of the Charter contains specific actions to be undertaken. It is divided into the following 4 sections:

- Members roles and responsibilities
- Members development
- Member support
- Member facilities

4.3 The Charter renewal application process requires the compilation of a portfolio of evidence against each of the four sections and a self-assessment made against an establish criteria. The self-assessment establishes the Charter requirement, description of the Authority approach and action which is then cross referenced to the supporting evidence. A full list of the Charter requirements is attached at Appendix 1.

4.4 Following the result of this submission and assessment, additional evidence may be requested from the WLGA or alternatively, the Charter will be awarded.

## **5. WELL-BEING OF FUTURE GENERATIONS**

5.1 The renewal of the Wales Member Charter for Member for Support and Development contributes to the Wellbeing Goals as set out in the 'Links to Strategy' above. It is consistent with the five ways of working as defined within the sustainable development principal in the Act in that by providing a benchmark for Member Support and Development it better prepares Councillors for their role as decision makers and scrutineers. A role that requires them to make decisions and recommendations that will impact the long and short terms needs of Caerphilly County Borough residents; enable them to confidently scrutinise, challenge and hold to account, better assess appropriate interventions and provide them with the skills required to work collaboratively and nurture their understanding of the importance of community involvement.

## **6. EQUALITIES IMPLICATIONS**

6.1 An EqlA is not needed because the issues covered have previously been considered by the Council.

## **7. FINANCIAL IMPLICATIONS**

7.1 There is a specific budget allocated to fund Member development activities.

## **8. PERSONNEL IMPLICATIONS**

8.1 There are no personnel implications arising from this report.

## **9. CONSULTATIONS**

9.1 There are no consultation responses, which have not been incorporate into the report.

## **10. RECOMMENDATIONS**

10.1 Members are asked to recommend that Council re-affirm their commitment to the Wales Charter for Member Support and Development.

## **11. REASONS FOR THE RECOMMENDATIONS**

11.1 To provide an agreed recognised standard of Member support and development.

## **12. STATUTORY POWER**

12.1 The Local Government Act 2000.

12.2 Local Government (Wales) Measure 2011.

Author: Emma Sullivan, Interim Scrutiny Officer (sullie@caerphilly.gov.uk)  
Consultees: Cath Forbes-Thompson, Interim Head of Democratic Services  
Gail Williams, Interim Head of Legal Services and Monitoring Officer  
Nicole Scammell, Interim Head of Corporate Services and Section 151 Officer  
Councillor Barbara Jones, Cabinet Member for Finance Performance and Governance  
Councillor Colin Mann, Chair of Democratic Services Committee

Appendices:  
Appendix 1 The Wales Charter for Member Support and Development



**A Self Assessment  
Pro-forma for the Standard Level  
Charter**

A. Member Roles and Responsibilities	Charter Requirement	Charter Expansion and Clarification	Description of authority approach and actions	References to supporting evidence enclosed
<p><b>1. Members are supported with role descriptions.</b></p> <p style="text-align: center;">Page 24</p>	<p>Role descriptions are adopted for the:</p> <ul style="list-style-type: none"> <li>• Leader</li> <li>• Deputy Leader</li> <li>• Cabinet Members</li> <li>• Scrutiny Members</li> <li>• Scrutiny Chairs</li> <li>• Scrutiny Vice Chairs</li> <li>• Scrutiny Co-optees</li> <li>• Chairs of statutory committees</li> <li>• Chair of the Audit Committee</li> <li>• Members of Audit Committee</li> <li>• Chair of Democratic Services</li> <li>• Member of Democratic Services</li> <li>• Ward Member, including community leadership and case work</li> </ul>	<p><b>What does adopted mean?</b></p> <p>Role descriptions exist and have been formally adopted for all the roles listed.</p> <p>There is no need at this level for members to evidence that they perform the roles outlined in the descriptions but they should understand what their role is and what is expected of them. What can be defined as a role description?</p> <p>See</p> <ul style="list-style-type: none"> <li>▪ the WLGA model role descriptions for Welsh Authorities and</li> </ul>		

	<ul style="list-style-type: none"> <li>• Chair of Standards committee</li> <li>• Member of Standards Committee</li> <li>• Leader of the Opposition</li> <li>• Member Champion</li> </ul> <p>Guidance is provided to members on their role on outside bodies.</p>	<ul style="list-style-type: none"> <li>▪ the WLGA document <i>The Role of Members in Collaboration</i> and</li> <li>▪ The Model Role description for a Scrutiny Co optee Appendix A local Government (Wales) Measure 2011</li> </ul> <p><b>Outside Bodies</b> Where members are responsible for formally representing the authority or making decisions that could impact on the authority or have legal obligations as - for example trustees of an organisation, they should be provided with a role description. In all instances members should be provided with guidance on their role on the outside body. Officers</p>		
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		should secure (where available) terms of reference from outside bodies.		
<b>2. Members are supported in undertaking their duties according to high standards of conduct.</b>	All members are provided with training and development in the detail of the local code of conduct, taking into account any changes in the model or local codes as they emerge.	<b>What can be interpreted as training and development?</b> Any activities which help members understand what the code is and how they need to work within it. This could include written guidance, induction sessions, workshops, Q&A sessions.		
<b>3. Members are supported in understanding their roles and responsibilities as set out in the Constitution.</b>	All members have received training on and understand the contents of the constitution, including: <ul style="list-style-type: none"> <li>• the roles, responsibilities and limits to the roles of committees</li> <li>• the role of individual members and officers</li> <li>• Member/officer</li> </ul>	Training has been made available to all members and take up of this has been high.  The constitution sets out the roles and responsibilities of every committee and broadly the role of the key players at each committee, for example chairs, support officers and regular/key		

	<ul style="list-style-type: none"> <li>protocols</li> <li>meeting practice</li> <li>standing orders</li> <li>rules of debate</li> </ul>	<p>participants.</p> <p>Role descriptions may be in the constitution or as a separate document but should be formally adopted and valued.</p>		
<b>B. Member Development</b>				
<p><b>B1. A member learning and development strategy has been adopted.</b></p> <p>Page 27</p>	<p>A local member development strategy is in place. The strategy sets out the approach that the authority and the Democratic Services Committee takes to member development. It includes:</p> <ul style="list-style-type: none"> <li>a commitment to and methodology for undertaking development needs analyses through a PDR scheme or TNA for those members not requesting a PDR, which identifies the local and national, collective</li> </ul>			

and individual development needs of all members.

- a commitment to and methodology for developing members according to the needs of the organisation.
- a commitment to and methodology for creating personal development plans for all members.
- a methodology for responding to the development needs of members identified in their personal support and development reviews or TNAs.

<p><b>B2. Arrangements are in place for <u>all</u> members to be offered a PDR.</b></p>	<p>Personal support and development reviews which are:</p> <ul style="list-style-type: none"> <li>• based on role descriptions</li> <li>• contribute to personal development plans</li> <li>• are conducted by senior members or other deemed suitably qualified as set out in the Measure guidance</li> <li>• are <u>made available</u> for all members and <u>must</u> be undertaken by members in a receipt of a senior/civic salary.</li> </ul> <p><b>Note,</b> although the measure does not require the leader to undertake a review, the Charter does. The Charter requires that all members in receipt of a senior salary undertake this.</p>	<p><b>What is a PDR?</b> An opportunity for a member to discuss with any senior member or other suitably qualified person their own requirements for training and development.</p> <p>This <b>should</b> include some examination of current duties as set out in the role descriptions listed above and <b>may</b> include some self or supported reflection on current performance as a starting point. <b>The outcomes of the discussion should feed into a personal development plan held by the member with the required development activities and also be recorded by the authority so that development activities can be</b></p>		
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	<p>The Measure is voluntary but for all members.</p>	<p><b>arranged to support every members needs.</b></p> <p>The WLGA document 'Guidance for Authorities Planning to Implement Personal Development Reviews for Member' provides guidance in this area.</p> <p><u>Anyone</u> conducting reviews should have received training in their purpose and methodology.</p>		
<p><b>B3. A development programme for councillors is in place</b></p>	<p>An annual development programme informed by the member development</p>	<p>There is an annual programme of events and learning opportunities for</p>		



**with a mechanism for its annual review.**

**All councillors are made aware of, guided to and are able to access the development activities equally.**

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strategy is in place

- The annual development programme is planned and publicised in advance.
- Members are made aware of development opportunities provided in response to their needs.

The timings and settings of activities are varied to enable equal access by all, including those members who are working, are carers or have child care responsibilities.

members both collectively and individually. This programme is informed by the organisational priorities set out in the strategy and in any requirements identified in the personal development plans which emerge from PDRs and TNAs. The programme should be developed by relevant officers and members for example the DSC/MDWG/MD Champion, DS/HR officers and directors/service heads. The programme includes 'specialist' areas of development reflecting the needs of members in developing skills and understanding in both corporate governance and thematic or service areas.

The programme is provided to members

		<p>giving sufficient notice for attendance.</p> <p>Members are notified of specific events in which they have expressed an interest.</p> <p>The programme is designed to offer choice or variety of opportunities to attend.</p>		
<p><b>B4. Prospective candidates, candidates and new members are informed of their role and responsibilities.</b></p>	<ul style="list-style-type: none"> <li>▪ The Council uses the national guidance and support materials available for candidates and prospective candidates.</li> <li>▪ All new or returning members are provided with a programme of induction.</li> </ul>	<p><b>What is the national Guidance?</b></p> <p>This refers to the materials provided by the Association and others, to people in the community (not just those who have decided to stand) to encourage them to stand for office and to those who have already declared their intention to stand. These will be different for each election and at different times in the political calendar. The</p>		

		<p>Association will have an overview of what is available.</p> <p><b>What constitutes an induction programme?</b>          This will vary between authorities but should at the base level be any activity that introduces new members to their roles both within and outside the council and the work of the authority generally.</p> <p>Use is made of the national induction materials provided by the WLGA.</p>		
<p><b>B5. Development activities are relevant and of high quality.</b></p>	<p>Learning activities are provided in appropriate styles and settings based on the learning needs and styles of individuals and committees. The authority has a systematic and effective approach to</p>	<p><b>What are appropriate styles and settings?</b>          A mix of for example formal/informal group/individual, interactive/passive working environment/away day</p>		

	<p>commissioning, developing, providing and evaluating its training and development activities. This could include internal, external and collaborative arrangements.</p>	<p>The authority would need to demonstrate an effective selection process for commissioning training. This might include working with the WLGA and should include working collaboratively where appropriate with other authorities to share intelligence or undertake joint procurement.</p> <p>Internal training, (rather than briefing) should be designed and provided with the support of training/OD professionals in addition to member support or policy/service officers.</p>		
<p><b>B6. There is a clear responsibility for leading the programme, driving the strategy and monitoring the outcomes.</b></p>	<p>The Authority has clearly defined the arrangements for developing, implementing and monitoring its strategy for member support and development. Individual</p>	<p>This role should be undertaken by the Democratic Services Committee and its chair or other appropriate for a such as a member support and development</p>		

	<p>members and officers have clear roles in leading and championing this area. The needs of all political groups and independent members are taken into account regardless of political affiliation.</p>	<p>working group. Individual member(s) and officer(s) have clear overall responsibility for developing, implementing and monitoring the strategy and progress of the programme.</p>		
<p><b>B7. Resources are identified and provided for member development.</b></p>	<p>Dedicated resources are identified and provided for member development activities.</p> <p>The authority provides the “reasonable level” of development required by the Measure.</p>	<p><b>How dedicated is dedicated?</b></p> <p>Resources are specifically put aside and used for member development. The development activity can be very widely interpreted but should not be the usual business of the council. It could include traditional briefing, workshops or seminars handbooks, e. learning, induction activities. Resources should also include staff time, shared where possible between authorities.</p>		

<p><b>B8. Members are offered the opportunity to be mentored by member peers.</b></p>	<p>The authority is exploring the needs of members to be mentored. Any member who has requested a mentor is provided with one. Mentors are trained in mentoring skills.</p>	<p>The authority is speaking to members about the concept and benefits of mentoring to gauge interest. Mentoring might include member to member or working with member or officer "buddies" The authority should be exploring the need to provide Leadership mentoring for the Leader and Cabinet if requested.</p>		
<p><b>C. Member Support</b></p>				
<p><b>C1. Officer support is provided for member development, support and scrutiny.</b></p>	<p>Every member committee, panel, forum etc. has officer support provided. Members are also supported in their case work.  Overview and scrutiny committees have dedicated support from officers who can provide impartial research, support and</p>	<p>Officer support should be provided for every council meeting and committee.  Systems should be in place to support members in non Party Political case and community work whether from member support or other service areas. Support for</p>		

	<p>advice.</p> <p>The nature of the support has been clearly articulated to members</p>	<p>collaborative governance arrangements such as joint committees and commissioning boards should also be evidenced.</p> <p>There needs to be a resource (dedicated or otherwise) in the authority who can provide members with advice in relation to the discharge of the authority's scrutiny function, and support for scrutiny members or committees by impartially researching information. This should be in direct response to the needs of members when they are undertaking their legitimate scrutiny role.</p>		
<p><b>C2. Arrangements made for the business of the Council are flexible and enable members to participate fully regardless of personal</b></p>	<p>A review of the arrangements for council business has taken place and as a result, meeting times, arrangements and venues reflect the needs of</p>	<p>Authorities should have undertaken a review in line with Measure guidance i.e at least once every term, preferably shortly after the new</p>		

<p><b>circumstances</b></p>	<p>members as closely as possible.</p> <p>Members have been involved in developing the approaches to remote attendance as set out in the standing orders as/when required by the Measure.</p>	<p>council is elected which at least measures whether daytime or evenings are preferred and if particular times cause problems for individual members. Individual committees should be able to define what is convenient for members of that committee. What should be demonstrated is an awareness of the restrictions placed on members by holding council meetings at certain times and some evidence of flexibility in meeting arrangements as a result.</p>		
<p><b>C3. Contact management and communication</b></p>	<p>Systems are in place to enable members to liaise with council officers regarding services provided both within and outside the authority. Community groups and individuals are</p>	<p>These systems should include agreed standards for response times, complaints procedures and processes to support community and casework. Members should be</p>		



	also assisted in contacting local members. Members are able to contact stakeholders.	provided with information regarding which officers to contact regarding complaints and casework relating to any service delivered by or on behalf of the council.		
<b>C4. Annual reports</b>	The authority makes arrangements for all members to be able to publish annual reports, according to the guidance in the measure.	Members are provided with support and guidance on using the authority's systems.		
<b>C5. Personal support for members</b>	Members are provided with access to guidance on their rights and benefits as members.	Members are provided with general advice on what might be described as 'employment' rights and benefits relating to their role as councillors. This includes member salaries, family absence, allowances, tax and benefits, pensions, indemnities, data protection and freedom of information.		
<b>D. Member Facilities</b>				

<p><b>D1. All members are provided with adequate access to ICT.</b></p>	<ul style="list-style-type: none"> <li>▪ Members are provided with the equipment, or connectivity required to undertake their role.</li> <li>▪ Basic training is provided in its use and help desk facilities are available.</li> <li>▪ Members are supported in remote working through the use of remote access codes and Skype etc.</li> <li>▪ Members are provided with support to enable them to remotely attend meetings according to the standards set out in the standing orders (when implemented</li> </ul>	<p>Members are provided with equipment for their individual use to undertake council business.</p> <p>They are shown how to use the equipment and packages.</p> <p>They are able to have assistance if they are experiencing problems with using the equipment or it is faulty.</p> <p>Members are advised on the use of mobile communications and digital and social media and have access to relevant social media sites, discussion for a and communities of practice such as is required to undertake their role.</p> <p>All council agendas and</p>		
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	<p>through the Measure).</p> <ul style="list-style-type: none"> <li>Members are able to communicate with the council and the public electronically.</li> </ul>	<p>meeting papers are provided electronically.</p>		
<p><b>D2. Information resources are provided</b></p> <p>Page 41</p>	<p>A central collection of information dedicated to member needs is provided as part of the information and research support available to members.</p>	<p>An up to date and regularly revised collection of information resources is available specifically for members.</p> <p>This contains agendas, minutes, training opportunities, links to web resources and access to performance data.</p> <p>Members are informed about the information that is available.</p>		
<p><b>D3. Facilities for members to work in the Council are available.</b></p>	<p>Member needs have been reviewed and where required the following are provided:</p> <ul style="list-style-type: none"> <li>Shared areas for</li> </ul>	<p>The needs of members must have been assessed.</p> <p>Rooms must be available but not necessarily permanently dedicated.</p>		

	<p>example for each political group.</p> <ul style="list-style-type: none"><li>▪ Private rooms for meetings.</li><li>▪ Offices for senior office holders.</li></ul>			
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## COUNCIL – 23RD JANUARY 2018

**SUBJECT: PLANNING CONSULTATION PROCEDURE FOR APPLICATIONS THAT INVOLVE TELECOMMUNICATIONS MASTS**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

- 
- 1.1 The report, which was presented to Regeneration and Environment Scrutiny Committee on 12th December 2017 asked for Members consideration on a proposal to amend the local planning authority's current consultation procedure with regard to telecommunications masts.
  - 1.2 Members noted that Council resolved in 2005 to adopt a consultation procedure whereby any application for planning permission for, or a notification about telecommunications masts should be subject to a public consultation with all local education establishments within 300m, and all residential development within 250m of the proposed site. The report requested Members consideration and comment on a proposal to reduce that requirement so that telecommunications masts are subject to the similar consultation procedures to other developments, i.e. only adjoining properties will be sent a letter, but a site notice will be posted in every case, and the need to consult local schools will be retained.
  - 1.3 It was noted that the current approach reflects the concerns of members and the public about the effect of telecommunications masts on health. However, Members were asked to consider whether the consultation process is necessary, as it was evident from analysis that the number of comments received are very small compared to the number of consultations sent out. It was noted that a recent application required 730 consultations but only resulted in 2 responses. It was estimated that the total cost of carrying out that level of publicity, including postage, paper and printing is £508.80. That cost did not include staff time, or the cost of determining the application which included a professional officer's time, and members' time because it was reported to Planning Committee and involved a site visit. The statutory fee received for the application in that case was only £380. In addition, with the growing use of mobile phones, there is a greater acceptance of the associated masts.
  - 1.4 Members were assured that there is a Code of Best Practice on Mobile Phone Network Development, which was adopted by Welsh Government in 2002. The document, amongst other things encourages telecommunications companies to consult ward councillors, community councillors and schools in certain cases. In addition, extensive advice is given by the code on the need to consult schools and FE colleges. Where it is proposed to install, alter or replace a mobile phone base station on or near a school or college, operators should discuss the proposed development with the relevant body of that particular institution before submitting an application for planning permission, or a notification to the local planning authority.
  - 1.5 The Committee were further assured in that all applications for planning permission or notifications have to be accompanied by a certificate of compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure to transmission from masts. That has long been regarded, including by environmental health officers, as sufficient assurance that the masts are acceptable from a public health point of view.

- 1.6 Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons outlined in the Officers report and having consideration for the reasons and rationale relating to the recommendation to reduce the level of planning consultation to that associated with other applications and notifications, and provide an amended procedure, the Scrutiny Committee supported the recommendation and referred the report to Council for endorsement.

- 1.7 Members are asked to consider the report and endorse the recommendations from Regeneration and Environment Scrutiny Committee.

Author: C. Evans, Committee Services Officer, Democratic Services  
Ext. 4210

Appendix: Report to Regeneration and Environment Scrutiny Committee on 12th December 2017.



## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 12TH DECEMBER 2017

**SUBJECT: PLANNING CONSULTATION PROCEDURE FOR APPLICATIONS THAT INVOLVE TELECOMMUNICATION MASTS**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

### 1. PURPOSE OF REPORT

- 1.1 To consider a proposal to amend the local planning authority's current consultation procedure with regard to telecommunications masts.

### 2. SUMMARY

- 2.1 Council resolved in 2005 to adopt a consultation procedure whereby any application for planning permission for, or a notification about telecommunications masts should be subject to the following public consultation: all local education establishments within 300m, and all residential development within 250m of the proposed site. Consideration is now being given to reduce that requirement so that telecommunications masts are subject to the similar consultation procedures to other developments, i.e. only adjoining properties will be sent a letter, but a site notice will be posted in every case, and the need to consult local schools will be retained.

### 3. LINKS TO STRATEGY

- 3.1 The following are the Well-being Goals within the Well-being of Future Generations Act (Wales) 2016:

- *A prosperous Wales\**
- *A resilient Wales\**
- *A healthier Wales\**
- *A more equal Wales\**
- *A Wales of cohesive communities\**
- *A Wales of vibrant culture and thriving Welsh language\**
- *A globally responsible Wales\**

The recommendation at the end of this report does not make a significant contribution to these goals, but is a response to changing circumstances.

### 4. THE REPORT

- 4.1 Following a notice of motion to the Policy and Resources Scrutiny Committee, Council of 11 January 2005 resolved that:

- (i) the Local Planning Authority advise telecommunication companies and developers of the Welsh Assembly Government Code of Best Practice on Mobile Phone Network Development which recommends they undertake full consultation and full disclosure of information to local communities prior to submitting any planning application for telecommunication equipment and will request such telecommunication companies and developers to comply with this Code of Best Practice;
- (ii) in the interests of transparency, consultations be extended to local education establishments such as Schools and FE Colleges within 300m of the proposed site, residential development within 250m of the proposed site as well as Town and Community Councils;
- (iii) part 3 of the Notice of Motion in respect of the request that delegated powers to Officers be removed be referred to the Modernisation Working Group and its recommendations be referred to Council for consideration;
- (iv) all planning notices for telecommunications equipment should contain information on the actual purpose so that all residents of this county borough have the full facts and a chance to object within the 21-day period;
- (v) Caerphilly County Borough Council notes that the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) allows for the emergency site moveable apparatus purely where required for the replacement of unserviceable apparatus and this does not extend to greenfield sites.

4.2 That approach reflected the concerns of members and the public about the effect of telecommunications masts on health. It would now be reasonable to consider whether the consultation process set out in point (ii) above is necessary, taking account of the response of the public to the applications received over the past twelve years, which is considered further below, and set out in table form in paragraph 4.6 it is likely that with the growing use of mobile phones there is a greater acceptance of the associated masts. Also, budgetary and time pressures on local government services mean that it would be prudent to review this procedure.

4.3 Welsh Assembly Government adopted the document *Code of Best Practice on Mobile Phone Network Development* in 2002, which amongst other things encourages telecommunications companies to consult ward councillors, community councillors and schools in certain cases. Extensive advice is given by the code on the need to consult schools and FE colleges. Where it is proposed to install, alter or replace a mobile phone base station on or near a school or college, operators should discuss the proposed development with the relevant body of that particular institution before submitting an application for planning permission, or a notification to the local planning authority.

4.4 The code states that there are no hard and fast rules in determining whether a mast should be considered as being close to a school or college, but the following matters should be taken into account:

- the proposed site is on the school or college grounds
- the proposed development would be seen from the school or college grounds
- the site is the main access point used by students at the school or college
- the local planning authority has requested consultation with the school or college
- the school or college has requested that it be included in any consultation
- there is a history of concern about base stations within the local community

On the basis of that advice alone, this Council's current practice of consulting schools within 300m of a mast site would appear excessive, although it was taken into account by members at the time the consultation procedure was adopted.



- 4.5 With regard to publicity, Welsh Government Technical Advice Note 19 (Telecommunications) (2002) states:

53. Local planning authorities are advised to consider, on a case-by-case basis, whether the statutory consultation arrangements for applications for planning permission and prior approval will adequately provide for interested parties to be notified of a particular development. Pre-application discussions with the developer should have helped the authority to identify who those interested parties might be. Authorities are strongly encouraged to undertake any additional publicity that they consider necessary to give people likely to be affected by the proposed development an opportunity to make their views known to the authority. Local authorities should bear in mind that, on occasion, this may include people outside of the authority area.

This Council clearly took this advice on board when it considered its consultation procedures in 2005. However, the number of replies generated by the consultations carried out since then suggests that the scale of publicity is greater than the actual public concern would merit.

- 4.6 The procedure was adopted in 2005, and up to the end of May 2017, 62 cases had been considered by the local planning authority where public consultation had to be carried out. An analysis of those cases reveals the following.

Number of consultees	Number of cases
Under 20	20
20 -100	16
101-200	13
201 - 300	5
301 - 650	7
650 - 730	1

The following table takes the ten cases that had the highest number of consultees, and then shows how many responses were received for each of those applications.

Number of responses in the cases with the ten highest number of consultations	
Number of consultees	Number of responses
211	0
288	0
307	1
321	1
336	6
346	2
450	4
520	0
641	1
730	2

The next table takes the ten highest levels of responses and shows the corresponding number of consultation letters sent in each case.

Ten highest level of responses compared to number of consultations	
Number of responses	Number of consultations
4	179
4	450
5	144
6	176
6	204
6	336
9	44
9	53
16	144
25 (including letter from head teacher)	99

- 4.7 It is evident from the analysis that the number of comments received is very small compared to the number of consultations sent out. A recent application required 730 consultations, and it is estimated that the total cost of carrying out that level of publicity, including postage, paper and printing was £508.80. That cost did not include staff time, or the cost of determining the application which included a professional officer's time, and members' time because it was reported to Planning Committee and involved a site visit. The statutory fee received for the application in that case was only £380
- 4.8 Sixteen South Wales local planning authorities were consulted about this matter in May 2017, and replies were received from six. None of those that replied have consultation procedures as extensive as those adopted by this council. Of those that have a policy or have adopted a practice, these are the only special requirements they have:
- "... the Authority would display at least five site notices and at the discretion of the Director of Environment and Development send letters to nearby properties."
  - "... the nearest residential property would be notified on all occasions."
  - "... ensure at least one site notice is displayed."
- 4.9 Whatever the costs involved, it is evident that the level of consultation currently carried out is disproportionate to the response it is prompting. Also, it is unlikely that any other LPA is consulting to the same extent as Caerphilly. In view of those factors, it is recommended that consideration is given to reducing the level of consultation to something similar to that carried out for other applications and notifications, i.e. adjoining properties will be sent a letter, but a site notice would also be posted in every case. Also, experience suggests that it is the proposals near schools that generate the most concern, so that aspect of the extended consultation procedures should be retained.
- 4.10 All applications for planning permission or notifications have to be accompanied by a certificate of compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure to transmission from masts. That has long been regarded, including by environmental health officers, as sufficient assurance that the masts are acceptable from a public health point of view.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This proposal will not make a significant contribution to the Well-being Goals as set out in Links to Strategy above, but it is consistent with the five ways of working as defined within the sustainable development principle in the Act in that:
- Long Term – it ensures that the Council uses its resources prudently so that the planning service is delivered in an efficient manner that is focused on the appropriate material planning issues;
  - Prevention - it prevents the inappropriate use of resources on wasteful consultation, but through retaining the consultation of schools will ensure that the impact of masts on future generations will be taken into account;
  - Involvement – it maintains the involvement of the public in the planning determination process in an appropriate manner as set out in the development management procedure order (wales) 2012.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There will be a small financial saving to the Council. It is unquantifiable as the number of most related applications received is unpredictable, as is the number of consultees in each case.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 It will release administration officers to carry out other tasks.

## **9. CONSULTATIONS**

- 9.1 Swansea, Blaenau Gwent, Torfaen, Monmouth, Merthyr and Neath Port-Talbot county borough councils replied to a consultation of 16 local planning authorities in South Wales.

## **10. RECOMMENDATIONS**

- 10.1 That the committee considers the reasons and rationale relating to the recommendation to reduce the level of planning consultation to that associated with other applications and notifications, and an amended procedure is supported which includes a site notice in each case, and the consultation of all local education establishments within 300m, and offer their views, prior to decision by full Council.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To offer a more appropriate, efficient and effective consultation procedure, based upon evidence gathered from previous applications.

## **12. STATUTORY POWER**

- 12.1 Town and Country Planning Act 1990.  
Town and Country Planning (General Permitted Development) Order 1990 as amended.  
Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Author: Tim Stephens - Interim Head of Planning  
Consultees: Christina Harray - Corporate Director - Communities  
Richard Crane - Senior Solicitor

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## COUNCIL – 23RD JANUARY 2018

**SUBJECT: COUNCIL TAX REDUCTION SCHEME 2018/19**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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### 1. PURPOSE OF REPORT

1.1 To seek Council approval of the Council Tax Reduction Scheme for the 2018/19 financial year.

### 2. SUMMARY

2.1 The report recommends continuing to operate a Council Tax Reduction Scheme for the 2018/19 financial year on the same basis as the scheme used in 2017/18.

### 3. LINKS TO STRATEGY

3.1 The payment of Council Tax Reduction is a key element of the Council's anti-poverty strategy and a significant source of funding.

3.2 The revenue raised through Council Tax is a key element in setting a balanced budget which in turn supports the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015: -

- A prosperous Wales.
- A resilient Wales.
- A healthier Wales.
- A more equal Wales.
- A Wales of cohesive communities.
- A Wales of vibrant culture and thriving Welsh Language.
- A globally responsible Wales.

### 4. THE REPORT

4.1 Members will recall that Council Tax Benefit was abolished in April 2013 and replaced by the Council Tax Reduction Scheme.

4.2 On the 29<sup>th</sup> January 2013, Council adopted the Council Tax Reduction Scheme for 2013/14 in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012. The Welsh Government put a sunset clause in those regulations which meant that they became invalid after the 31<sup>st</sup> March 2014.

- 4.3 On the 28<sup>th</sup> January 2014, Council adopted a Council Tax Reduction Scheme for 2014/15 (its local scheme) in accordance with the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014. These regulations prescribe the main features of the scheme to be adopted by all Councils in Wales and allow for some limited local discretions. The scheme provides for claimants to receive a reduction of up to 100% of their Council Tax bill in certain circumstances. The same arrangements were adopted for 2015/16, 2016/17 and 2017/18.
- 4.4 The Council is required to formally approve a Council Tax Reduction Scheme on an annual basis. The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018 have now been agreed and these apply in relation to a Council Tax Reduction Scheme made for a financial year beginning on or after the 1<sup>st</sup> April 2018. The regulations update certain figures used to calculate an applicant's entitlement to a reduction under a Council Tax Reduction Scheme, and the subsequent level of reduction. It also makes consequential amendments as a result of changes to the wider welfare system.
- 4.5 As the 2018 regulations do not contain any significant changes for claimants, it is proposed that the Council continues its local scheme in line with the regulations as recently amended for the financial year 2018/19, effective from the 1<sup>st</sup> April 2018, and continues to exercise the previously approved local discretions as provided for within Part 5 of the Prescribed Requirements Regulations: -

<b>Discretion</b>	<b>Discretion to be adopted by CCBC</b>
The ability to increase the standard extended reduction period of 4 weeks given to persons who have ceased to receive qualifying benefits after they return to work, where they have previously been receiving a Council Tax reduction that is to end as a result of their return to work.	<p><u>Pensioners</u> The standard period of 4 weeks specified in paragraph (33) Schedule 1 will apply, and</p> <p><u>Non-Pensioners</u> The standard period of 4 weeks specified in paragraphs (35) and (40) Schedule 6 will apply.</p>
The ability to backdate the application of Council Tax reduction for periods longer than the new standard period of 3 months before the claim is made.	<p><u>Pensioners</u> The standard period of 3 months specified in paragraph (3) Schedule 13 will apply, and</p> <p><u>Non-Pensioners</u> The standard period of 3 months specified in paragraph (4) Schedule 13 will apply.</p>
Discretion to disregard more than the statutory weekly amount of £10 of income received in respect of War Disablement Pensions and War Widow's Pensions (disregarded when calculating the income of the applicant).	<p><u>Pensioners</u> The total value of any pension specified in paragraphs 1(a) and 1(b) Schedule 4 will be disregarded, and</p> <p><u>Non-Pensioners</u> The total value of any pension specified in paragraphs 20(a) and 20(b) Schedule 9 will be disregarded.</p>
Discretion to provide more than the minimum information prescribed in the Prescribed Requirements Regulations when issuing notification of decisions of an award of Council Tax Reduction.	To supplement the minimum requirements specified in the Prescribed Requirements Regulations, where appropriate.

- 4.6 The provisional 2018/19 budget for the Council Tax Reduction Scheme totals £14.060m.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 The revenue raised through Council Tax supports effective financial planning which is a key element in ensuring that the Well-being Goals within the Well-being of Future Generations Act (Wales) 2015 are met.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An Equalities Impact Assessment has previously been carried out for the Council Tax Reduction Scheme. As the proposed Scheme for 2017/18 has no significant changes from previous years, a further impact assessment will not be required at this time.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Funding for the Council Tax Reduction Scheme was transferred into the Revenue Support Grant (RSG) in the 2013/14 financial year.
- 7.2 The Welsh Government has confirmed its commitment to a fully funded Council Tax Reduction Scheme to the 31<sup>st</sup> March 2019. There is currently no firm commitment beyond this date.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no direct personnel implications arising from this report.

## **9. CONSULTATIONS**

- 9.1 There are no consultation responses that have not been reflected in this report.

## **10. RECOMMENDATIONS**

- 10.1 It is recommended that the current Council Tax Reduction Scheme should continue for the 2018/19 financial year along with the previously agreed local discretions.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 Council is required annually to adopt a Council Tax Reduction Scheme and local discretions.

## **12. STATUTORY POWER**

- 12.1 Local Government Finance Act 1992 and regulations made under the Act.
- 12.2 Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2012 and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) Regulations 2014 (as amended).

Author: Stephen Harris, Interim Head of Corporate Finance  
Tel: 01443 863022 E-mail: [harrisr@caerphilly.gov.uk](mailto:harrisr@caerphilly.gov.uk)

Consultees: Amanda Main, Housing & Council Tax Benefits Manager  
Richard Harris, Internal Audit Manager & Acting Deputy Monitoring Officer

Background Papers:

- Council Report 29<sup>th</sup> January 2013 – Adoption of a Council Tax Reduction Scheme.
- Council Report 28<sup>th</sup> January 2014 – Council Tax Reduction Scheme 2014/15.
- Special Council Report 25<sup>th</sup> February 2015 – Council Tax Resolution 2015/16 and Council Tax Reduction Scheme.
- Special Council Report 24<sup>th</sup> February 2016 – Council Tax Resolution 2016/17 and Council Tax Reduction Scheme.
- Council Report 24<sup>th</sup> January 2017 – Council Tax Reduction Scheme 2017/18.





## COUNCIL – 23RD JANUARY 2018

**SUBJECT: QUESTION(S) RECEIVED UNDER RULE OF PROCEDURE 10(2)**

**REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER**

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### 1. COMMUNITY REGENERATION AREA FORUM FUND

To the Cabinet Member for Homes and Places from Councillor K. Etheridge

To ask the Cabinet Member how much total money was allocated to the Regeneration Area Forum since March 2017-2018 and

1. Allocating to each Ward
2. How was the money spent, and what criteria was used and can projects be defined
3. Can Ward Members bid for projects which benefit their wards and residents
4. Is the procedure and funding agreed after discussion with the Town Centre Management Committees where one exists, and is there any discussion with Town Councils.
5. What happens in Wards when point 4 is not applicable
6. Define any underspends for this period across the Borough
7. Confirmation that future allocations will be available from March 2018.

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