



COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 22ND JANUARY 2019 AT 5.00PM

PRESENT:

Councillor M. Adams - Mayor
Councillor J. Simmonds - 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, M. Davies, D.T. Davies, K. Dawson, N. Dix, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, Ms E. Forehead, J.E. Fussell, A. Gair, Ms J. Gale, N. George, C. Gordon, R.W. Gough, D.T. Hardacre, L. Harding, D. Harse, A. Higgs, A. Hussey, V. James, L. Jeremiah, G. Johnston, 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, Mrs G. Oliver, B. Owen, T. Parry, Mrs L. Phipps, D.V. Poole, D.W.R. Preece, J. Pritchard, J. Ridgewell, J.E. Roberts, R. Saralis, J. Scriven, G. Simmonds, J. Simmonds, S. Skivens, Ms E. Stenner, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L G. . Whittle, T. Williams, B. Zaplatynski

Together with:-

C. Harrhy (Interim Chief Executive), M.S. Williams (Interim Corporate Director of Communities), R. Edmunds (Corporate Director Education and Corporate Services), D. Street (Corporate Director Social Services), S. Harris (Interim Head of Business Improvement Services), R. Tranter (Head of Legal Services and Monitoring Officer), M. Lloyd (Head of Infrastructure), N. Scammell (Head of Finance and Section 151 Officer), K. Peters (Corporate Policy Manager) and E. Sullivan (Senior Committee Services Officer)

And: -

Ms S. Chapman (Deputy Chief Fire Officer, South Wales Fire and Rescue Authority)
Dr T. Peppin (Welsh Local Government Association)

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. She advised that decisions would be made via the electronic voting system.

MINUTE SILENCE

As a mark of respect Council stood for a minutes' silence for Mr Stefan Lewis (AM), Mr Martin Beynon, Mr B. Horsman, Mr J. Humphries and for Councillor Brenda Miles whose mother had also recently passed away.

Councillor C.P. Mann paid tribute to Stefan Lewis AM, who recently lost his battle with bowel cancer and passed away at the age of 34. The high regard with which Stefan was held across the political spectrum was marked as an acknowledgement of the spirit with which he took on both his career and his illness. Continuing to work in his constituency and attending the Assembly and raising awareness of bowel cancer until the very end of his life. The tragedy of losing one so young has been deeply felt by all those that knew and worked with Stefan and all thoughts are now with his wife and young son and to all those who have recently suffered a bereavement.

Councillor L. Whittle expressed his deepest condolence to all those who had recently lost loved ones and in payment tribute to Stefan recalled his early years, giving his first speech at the age of 14 at Plaid Cymru Conference and also a mascot for the Welsh Rugby Team. He spoke of how Stefan had been touched by the many tributes he received during his illness and how humbled he had been the way in which people had come together to help and support him. A courageous battle fought bravely to the very end Councillor Whittle wished him to now rest in peace, perfect peace.

Councillor G. Johnson added his condolences on behalf of the people of Newbridge to those already expressed and acknowledged the work done by Stefan in relation to the removal of the Severn Bridge tolls and it gladden him to know that the Assembly Member had been able to see this completed before his passing.

Councillor M. Davies who worked closely with Stefan thanked Members for their tributes.

Councillor J. Taylor paid tribute to Mr Jack Humphries who he felt truly embodied the true meaning of public service ethic, he referred to the work Jack undertook as Clerk to Aber Valley Community Council continually going above and beyond for the community. Following his time as Clerk, Jack became involvement in various voluntary groups primarily the Aber Valley Heritage Group and his tireless efforts for the Senghenydd Miners Memorial Garden were a measure of his commitment to the Aber Valley. For all those that worked and knew Jack he expressed sadness at his loss and sent his heartfelt condolences to his family and friends.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs C. Forehead, D. Havard, M. James, Mrs. D. Price, Mrs M.E. Sargent and W. Williams

2. MAYOR'S ANNOUNCEMENTS

The Mayor referred to the many events and visits that he and the Deputy Mayor have undertaken since the last meeting and made specific reference to the Caerphilly Music Showcase during December and Platinum Wedding Anniversary presentation he recently attended. He referred to upcoming Mayoral engagements and duties over the course of the next few weeks and congratulated former Councillor, Mr Leon Gardiner who had been awarded a British Empire Medal in the New Years Honours List.

3. TO RECEIVE PETITIONS UNDER RULE OF PROCEDURE 28(3)

Councillor K. Etheridge presented a petition on behalf of reception parents at Blackwood Primary School regarding the dropping off of reception children and their siblings at the side gate by the busy car park off Apollo Way during the mornings, for health and safety reasons.

Councillor L. Binding presented a petition which called on Caerphilly Council not to cut any further the funding to the Aber Valley Water Play Park which could result in its potential closure if alternative funding cannot be found.

Councillor K. Dawson presented a petition which called for urgent action to be undertaken in regard to off road parking on Fairview Road, Blackwood.

4. PRESENTATION OF AWARDS

The Cabinet Member for Corporate Services announced that Caerphilly County Borough Council had achieved the Defence Employer Recognition Scheme, Silver Award in recognition of their support and commitment toward the Defence and Armed Forces communities. Going beyond their Armed Forces Covenant Pledge, Caerphilly had demonstrated an active approach towards Armed Forces Community employment via established HR policies and procedures. Caerphilly was the first authority to provide free swimming session for serving members and veterans, have signed up to the Royal British Legion 'Count Me In' campaign and supported Armed Forces Day celebrations.

The Mayor welcomed Colonel Tim Davies MBE and Captain Huw Williams (Army) and Warrant Officer Steve Perham, Flying Officer Jason Fretwell and Pilot Officer Joshua Boulton (Royal Air Force) and Mrs Audrey Nealon from the Defence Employer Recognition Scheme who presented the award.

5. DECLARATIONS OF INTEREST

Councillors T. D. Davies, C. Elsbury and A. Hussey declared a personal interest in agenda item no 12 and confirmed that as such they would remain in the Chamber and reserve the right to speak if required but would take no part in the vote. Councillor G. Johnson declared a personal interest in agenda item no 11. Details are minuted with the respective items.

Councillor D. V. Poole and Mrs C. Harry (Interim Chief Executive) sought advice with regard to agenda item no. 9 as the report sought approval for responsibilities to be delegated to them to jointly approve expenditure from an earmarked reserve. The Monitoring Officer confirmed that there was no need to declare.

Councillor S. Skiven sought advice with regard to agenda item no 12 as he is a Member of the Fire Officers Association. The Monitoring Officer confirmed that there was no interest to declare in this instance, however if he wished to declare it would be personal interest only.

6. COUNCIL – 13TH DECEMBER 2018

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

Council held on 13th December 2018 (minute nos. 1-17)

7. TO RECEIVE AND TO ANSWER QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10 (2)

It was confirmed that no questions had been received.

8. CAERPHILLY COUNTY BOROUGH COUNCIL RESPONSE TO THE REFORM OF FIRE AND RESCUE AUTHORITIES WHITE PAPER

With approval of the Mayor this item was brought forward on the agenda.

Councillors D. T. Davies, C. Elsbury and A. Hussey declared a personal interest as Members of the South Wales Fire and Rescue Authority so they could remain in Chamber during the discussion and vote.

Councillor S. Skivens declared a personal interest as a Member of Fire Officers Association.

Consideration was given to the report which set out the proposed Caerphilly County Borough Council response to the consultation on the Welsh Government White Paper "Reform of Fire and Rescue Authorities in Wales – Consultation on reform of the Fire and Rescue Authorities in Wales' governance and funding arrangements".

Members were advised that the White Paper sets out Welsh Governments case for change and to modernise Fire and Rescue Authorities (FRAs). The consultation explores a range of options to change current membership so that Members are accountable to their electorate and Welsh Government, improve scrutiny of FRAs decision making and introduce new funding mechanisms which could sustain the widening of their role to support other public services.

The proposals to reform the structure and membership by reducing the nominated Councillor representation from three members, with political balance to a single Cabinet Member were noted and that this has been strongly rejected in the response. The response recognises the evolving role of the services in educating communities and business in fire safety and supports the continuing evolution of the service. However the response suggests that WG should work to remove factors that are delaying this, particularly the ability to administer basic life support when first at scene.

With regard to lack of accountability back to local democracy it was noted that the CCBC response disagrees with this as the Caerphilly elected members that sit on the FRA are there in a capacity that represents the whole of the authority. In terms of business and performance the response supports the reporting to scrutiny or Council on FRA objective setting, planning, performance and accountability. Current boundaries are supported but the proposal to transfer the service to Police and Crime Commissioners was not supported.

In relation to future funding the response presented supports the precept option and concerning performance reporting suggests that the National Framework for Fire and Rescue Services should form the framework with requirements to set Wellbeing Objectives. The response also supports the it should be the role of the FRA to deliver the service, not the Chief Fire Officer, in the same way that it is Council this is responsible for delivering local authority services.

Following consideration of the response it was moved and seconded that subject to an amendment to the response to Question 13 to read that we do not support the reserve arbitration power for Welsh Ministers and by way of the electronic voting system and in noting there were 3 abstentions this was agreed by the majority present.

RESOLVED that subject to the aforementioned amendment to the response to Question 13 the proposed response to the consultation on the Welsh Government White Paper be endorsed.

9. WLGA – BREXIT IMPLICATIONS

Consideration was given to the presentation from Dr T. Peppin, Director of Regeneration and Sustainable Development at the Welsh Local Government Association which provided an overview of the Brexit implications for local authorities.

The timeline, critical dates and current position of the Brexit process were detailed and the implications for what could happen next were explained. Members were advised that there was a great deal of uncertainty around the next steps considering that the deadline for the UK exit was the 29th March 2019. It was noted that a 'no deal' exit could not be ruled out, with a Norway+ or Canada+ based deal still a possibility but any deal would need to be renegotiated with the European Union (EU). There also remained the possibility of a second referendum, a further vote of no confidence or a request for an extension to Article 50.

In terms of the corporate risks and actions for local authorities Members were advised that WLGA and LGA were working with Councils to risk assess the implications. For a 'no deal' scenario the immediate implications would centre on the workforce, supplies, local economy, costs and preparedness. Priority actions for Councils as organisations would be to mobilise key decision makers, create plans, conduct a workforce audit, map current income and understand financial exposure. Priority actions for Councils as deliverers of services were outlined in that they must identify the most significant services and suppliers, understand the impact on core services, develop contingency plans and understand risks to contract suppliers. Finally for Council in their role as community leaders they must understand the make-up of their communities and the impact of service demand, engage with the public and keep them informed, review business continuity and emergency plans and understand where the points of vulnerability in the local economy are likely to be.

Members were assured that a lot of this work was already underway with local authorities presenting reports to Cabinet and Council on Brexit, risk assessment and budgetary planning being undertaken, Member briefings being held and lobbying for additional resources.

Funding implications were outlined and although some funding streams were guaranteed to 2020 beyond that point there was very little certainty. Concerns for rural areas and farming in particular were outlined particularly with regard to the Common Agricultural Policy.

In conclusion Dr Peppin confirmed that the WLGA would continue its support for local authorities by lobbying and engagement with Welsh Government submitting written and oral evidence to NAFW committees and working jointly with the other LGAs. Although there was still massive uncertainty local authorities must be ready, hope for the best but contingency plan for the worst. In this regard, Dr Peppin advised Council that the WLGA had set up a joint working group with WG (Local Government EU Preparedness Advisory Panel) and the first meeting was scheduled for 24th January. He also advised that the Council's Interim Corporate Director (Communities) would be sitting on the panel to represent Welsh Environment Directors.

The Mayor thanked Dr Peppin for his presentation and for his attendance at Council.

10. BREXIT

Consideration was given to the report which was considered by Cabinet on the 16th January 2019 and sought to provide an update on Brexit and the potential implications for Caerphilly County Borough Council (CCBC).

Members were referred to recommendation 10.1.2 of the report and advised that there was a typing error in relation to the amount quoted as the balance of unallocated reserves; this should read £20.08m rather than £20.8m stated therein.

It was noted that given the high level of uncertainty the potential impact for local authorities in the short and long term were difficult to anticipate, however CCBC had recently established an

internal Brexit Working Group. Focusing on the Brexit Preparedness Toolkit produced for the WLGA by Grant Thornton, the Group works to identify priority actions and key tasks.

In relation to the recommendations contained within the Officer's report, Members were advised that Cabinet had endorsed two additional recommendations for Councils' consideration. Firstly that the Leaders of the main Opposition Groups be included in the Membership of the Working Group and that any emergency spends be reported retrospectively to the appropriate committee.

Members welcomed the inclusion of the Opposition Group Leaders and although concern was expressed with regard to the £1m contingency fund, recognised the need for swift action to be taken in order to mitigate any potential negative economic impacts. Members agreed the need to be prepared and shared the hope that the funds would not be needed.

Having fully considered the report it was moved and seconded that the recommendations contained within the Officer's covering report and the additional recommendations endorsed by Cabinet on the 16th January 2019 be approved and by way of the electronic voting system, and in noting there was 1 against this was agreed by the majority present.

RESOLVED that: -

- (i) £1m be set aside in an earmarked reserve as a contingency to meet any short to medium-term financial implications arising from the Brexit process (funded from the £20.08m unallocated reserves identified in the 'Update on Reserves' report that was presented to the Policy and Resources Scrutiny Committee on the 15th January 2019);
- (ii) delegated powers be granted to the Leader and Interim Chief Executive to jointly approve expenditure from the earmarked reserve as and when required;
- (iii) both Leaders from the Opposition Groups be invited to join the recently established internal Brexit Working Group;
- (iv) any emergency spends authorised under delegated powers to be reported retrospectively to the appropriate Committee.

11. CIVIL PARKING ENFORCEMENT – PROGRESS REPORT

Consideration was given to the report which sought to update Council on the progress with pursuing Civil Parking Enforcement Powers and to seek Council's endorsement of the Cabinet Members to stand on the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations outside London.

Members were referred to section 4.1 of the report which detailed the implementation timetable and the key actions and potential issues were outlined. Members were advised that interviews had been arranged for the Civil Parking Enforcement Officers and a 'Go Live' target for the 8th April 2019 was on track.

Members expressed concern that the 8 Civil Parking Enforce Officers would not be sufficient to provide the necessary coverage, particularly around schools and town centres, but welcomed the decrease in the permit holder charge to £15.

Officers confirmed that comparisons had been made with other Local Authorities already operating civil parking enforcement and they had started off the process with a similar number of Enforcement Officers. It was accepted that 100% coverage could not be achieved however with the support of Member led intelligence; key areas could be identified and focused upon in order to prevent and enforce indiscriminate parking.

Hours of enforcement operation were discussed and it was confirmed that these would be worked on a shift system, 7 days per week, from 7.00am to 10.00pm including Bank Holidays. The expected timeframe for the various traffic regulation orders to be put in place was explained and Members advised that there was bound to be settling-in issues at the beginning but gave assurances that enforcement would be appropriately managed.

Clarification was sought in relation to the 'buddy-up' system required for Community Safety Officer and whether this would be the same for Enforcement Officers. It was confirmed that this was not the case for Civil Parking Officers, who would be equipped with full contact and body camera vests.

Clarification was sought with regard to the financial implications and whether this allowed for the RCT back office costs, if there were any implications resulting from the Sirhowy Enterprise Reserve and PFI project pay back and would the use of the Communities Directorate reserve result in reduced services. The Members was advised that there would be no impact on services or the payment of the PFI project. Figures quoted reflected the costs of the whole process and revenue costs would be covered by the income generated.

The Interim Chief Executive recognised the concerns raised by Members in relation to staffing numbers but as a completely new service area considered the proposals to be prudent, starting small with the potential to expand in response to demand. Members would be a critical part of the process not just in gathering intelligence but also managing the expectations of residents as the service develops.

Having fully considered the report it was moved and seconded that the recommendations contained within the Officer's report be approved and way of the electronic voting system, and in noting there were 2 against this was agreed by the majority present.

RESOLVED that: -

- (i) the content of the report be noted;
- (ii) the Deputy Leader and Cabinet Member for Economy, Infrastructure, Sustainability and Future Generations and Cabinet Member for Environment and Public Protection as substitute be the appointed representatives to stand on the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulation outside London, which oversees the adjudication service known as the Traffic Penalty Tribunal (TPT);
- (iii) the Head of Legal Services/Monitoring Officer be authorised to change the scheme of delegation under Part 3 of the Council's constitution.

12. COUNCIL TAX REDUCTION SCHEME 2019/20

Consideration was given to the report which sought Council approval for the Council Tax Reduction Scheme for the 2019/20 financial year.

Members were advised that a minor correction was required to the recommendation as contained in the Officers report in that the financial year stated therein should be 2019/20.

Following consideration of the report it was moved and seconded that subject to the aforementioned corrected the recommendation contained within the Officer's report be approved and by way of the electronic voting system this was unanimously agreed.

RESOLVED that the current Council Tax Reduction Scheme continue for the 2019/20 financial year along with the previously agreed local discretions.

The meeting closed at 19:20pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th March 2019 they were signed by the Mayor.

MAYOR