



COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY 22ND JULY 2014 AT 5.00PM

PRESENT:

Councillor D.G. Carter - Mayor
Councillor L. Gardiner - Deputy Mayor

Councillors:

M. Adams, Mrs E.M. Aldworth, H.A. Andrews, Mrs K.R. Baker, Mrs G. Bevan, J. Bevan, P.J. Bevan, L. Binding, Mrs A. Blackman, Mrs P. Cook, C.J. Cuss, H.W. David, H.R. Davies, D.T. Davies, R.T. Davies, N. Dix, C. Durham, C. Elsbury, Mrs C. Forehead, Miss E. E. Forehead, J.E. Fussell, Mrs J. Gale, N. George, C.J. Gordon, R.W. Gough, D.M. Gray, Mrs P. Griffiths, D.T. Hardacre, C. Hawker, A.G. Higgs, K. James, M.P. James, G. Jones, Ms J.G. Jones, S. Kent, G. Kirby, Ms P. Leonard, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs G. Oliver, Mrs R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, J. Pritchard, J.A. Pritchard, A. Rees, D. Rees, K.V. Reynolds, J.E. Roberts, R. Saralis, S. Skivens, Mrs E. Stenner, Mrs J. Summers, J. Taylor, L.G. Whittle, T.J. Williams, R. Woodyatt

Together with:-

S. Rosser (Interim Chief Executive), S. Aspinall (Acting Deputy Chief Executive), D. Street (Director of Social Services), G. Williams (Interim Head of Legal Services and Monitoring Officer), M. Williams (Head of Community and Leisure Services), Colin Jones (Head of Performance and Property), Lynne Donovan (HR Service Manager - Customer Services), Steve Harris (Acting Head of Corporate Finance), A. Price (Interim Deputy Monitoring Officer), D. Price (Parks and Outdoor Facilities Manager), H. Morgan (Senior Committee Services Officer)

Also Present Non Jenkins (Wales Audit Office) and Ian Davies (PricewaterhouseCoopers)

1. APOLOGIES

Apologies for absence were received from Councillors Miss L. Ackerman, A.P. Angel, D. Bolter, W. David, D. Havard, G.J. Hughes, G. Johnston, Mrs B.A. Jones, Mrs D. Price, Mrs M.E. Sargent and Mrs N. Scammell (Acting Director of Corporate Services).

Members were advised that Councillor D. Bolter is currently in hospital following a period of illness and extended their best wishes for a speedy recovery.

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 unveiling of the Wales National Mining Memorial and Gardens in Senghenydd by Prince Charles and the Duchess of Cornwall. Members wished to place on record their appreciation to the role played by the Senghenydd Memorial Committee in developing the site which commemorates the victims of the mining Senghenydd Colliery Disaster 100 years ago. He also referred to the journey of six fire engines that are being taken to Serbia through the auspices of the South Wales Fire Authority.

3. PETITIONS

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

- (i) request to improve the safety at the junction on the exit road from Penmaen Housing Estate, Oakdale onto the B4251 - Councillors Mrs J. Summers and R. Saralis;
- (ii) request for a crossing patrol at the road adjacent to Graig-y-Rhacca Primary School - Councillors Mrs E. M. Aldworth and Mrs J. Gale.

PRESENTATIONS

4. Best Young Enterprise Company in Wales 2014

Members were advised that pupils from Heolddu Comprehensive School recently won the award for Best Young Enterprise Company in Wales 2014. Their company, Hexaphone, made up of six year 12 pupils, has already won the Gwent regional heats and along the way picked up additional prizes for Best Trade Stand and Most Innovative Product.

Their winning product 'Handy Stand' allows for easy hands-free viewing of mobile phones and tablet devices. The Hexaphone Team was responsible for the entire product development, from design, manufacturing, marketing and sales.

Julie Hovestadt and the Hexaphone Team, Ryan Williams-Griffiths, Georgia Sutcliffe, Lucy Roach, Callum Pascoe and Callum Rosser came forward to show their award and Members wished to place on record their appreciation for their hard work and dedication to the project.

5. Home Office - Lord Ferrers Award

It was then noted that the Community Safety Wardens have been recognised by the Home Office and awarded the Lord Ferrers 'Employer Supported Policing' Award. The award was presented for the excellent work done by the Community Safety Officers in supporting Gwent Police to tackle crime, disorder and antisocial behaviour in the county borough.

Kathryn Peters, Paul Wallen, Alan Davies, Mark Griffiths and Morgan Davies received the award on behalf of the service. Members wished to place on record their appreciation to all those involved in achieving the award.

6. ROYAL BRITISH LEGION - PRESENTATION OF CERTIFICATE

The Mayor announced that the Royal British Legion have presented the Council with a 'Certificate of Thanks' for all the support that has been given in the fundraising efforts for the Welsh Memorial in Flanders campaign, primarily by selling pin badges to staff, with the money raised going towards the campaign. He advised that in total they have raised £8,000 which will pay for a memorial to be built on an area of land in Belgium to commemorate the people of Welsh descent who lost their lives in World War 1.

7. DECLARATIONS OF INTEREST

Mr Rosser advised that with regards to item 9(2) - Recruitment of Interim Chief Executive he would be required to declare an interest in the third of the recommendations detailed within the report. With regards to item 9(3) - Interim Management Costs, and subject to the content of the debate, certain Officers present may be required to declare an interest and leave the meeting.

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

8. COUNCIL - 10TH JUNE 2014

RESOLVED that subject to it being noted that Councillor C. Hawker had been present at the meeting and is recorded as having given apologies, the following minutes be approved as correct records and signed by the Mayor.

Council held on 10th June 2014 (minute nos. 1 - 17 on page nos. 1 - 10).

9. ANNUAL IMPROVEMENT REPORT BY WALES AUDIT OFFICE

Non Jenkins (Wales Audit Office) gave an overview of the content of the Annual Improvement Report (AIR). She highlighted the key messages, areas for improvement and weakness identified and in providing a summary of the work undertaken advised that three improvement reports are received each year from Wales Audit Office. One is a forward looking report that asks if we comply with the legislation, the second is a backward looking report which looks at the performance for the previous financial year and the third, and final, is the AIR which summarises all the regulator work and the findings throughout the year.

It was noted that the recommendations for improvement made in the first and second reports have already been presented to Members and that there are already monitoring processes to take forward the proposals for improvement recommended by the Wales Audit Office. The findings have previously been debated and many of the proposed areas of improvement have been addressed, although it was acknowledged that there are still improvements that could be made which will continue to be taken forward through the action plan. Those identified within the AIR have already been progressed and incorporated within the plan.

Members were advised of the process in place to monitor and track proposals that are made for improvement by Wales Audit Office and were assured that there is a robust process in place for following up on the suggested improvements. Regular reports are presented to Corporate Management Team, Cabinet and the Audit Committee detailing progress on the proposals. The AIR recognises the steady progress that has been made and acknowledges the mechanisms in place to track and monitor proposals and the improvements to performance management and the scrutiny process.

Following a query on the fee, it was noted that the financial audit fee for 2012/13 is currently expected to be higher than the agreed fee set out in the Annual Audit Outline due to the additional work required in respect of senior officers pay and asset valuation.

Following consideration and discussion, it was moved and seconded that the Annual Improvement Report be accepted and the process for the routine monitoring of any outstanding proposals be noted. By a show of hands this was unanimously agreed.

RESOLVED that the Annual Improvement Report be accepted and the process for the routine monitoring of any outstanding proposals be noted.

REPORTS REFERRED FROM CABINET

Consideration was given to the following reports referred from Cabinet.

10. CORPORATE PLAN 2013-2017

Cabinet considered this report on 16th July 2014 and in endorsing its content recommended its acceptance by Council.

Members were advised that the Corporate Plan sets out the Priorities for 2013-2017 and the Improvement Objectives for 2014-2015. Whilst there is no requirement to publish a corporate plan, it is the chosen vehicle for publishing the Council's longer-term priorities and includes its Improvement Objectives. The Improvement Objectives were published by the end of June as part of discharging the Council's statutory duty. Subject to the agreement of Council, the Plan, including the Improvement Objectives, will be published by the end of July 2014.

It was noted that there are two errors on page 5 of the Plan which need to be corrected - number of residents should read around 180,000 and not around 170,000 and the number of Cabinet Members should read 10 and not 9.

The Head of Performance and Property explained that following a review of aspirations, Cabinet decided on a revised set of priorities and to retain the same Improvement Objectives as last year. Reference was made to the 9 priorities and following several queries, explanations were given on the proposed priorities and as to how they will be achieved. It was explained that where possible the long term aspirations, priorities and Improvement Objectives are designed to have a connection and link to each other. There are also connections to the Single Plan and Caerphilly Delivers which are joint partnership documents dealing with the long term priorities for the whole of the county borough.

Following consideration and discussion, it was moved and seconded that subject to the minor amendments required to the document, the recommendation from Cabinet be approved. By a show of hands this was unanimously agreed.

RESOLVED that subject to the minor amendments required and for the reasons set out in the report, the Corporate Plan for 2014/15 be approved.

11. REVISED BUSINESS PLAN FOR THE DELIVERY OF THE WELSH HOUSING QUALITY STANDARD (WHQS) BY 2019/2020

The report, which advised Members of a revised Business Plan in respect of the delivery of the WHQS programme, and sought approval for the Housing Revenue Account (HRA) to prudentially borrow up to £55m, was considered by Cabinet on 16th July 2014. In endorsing its content Cabinet recommended its acceptance by Council.

It was explained that the Business Plan is a working document and is constantly updated to reflect any changes in the original assumptions to ensure that it remains viable. As such, and as a result of the need to release the Major Repairs Allowance (WG annual grant) it has become necessary to amend the latest Business Plan to remove the £12m General Fund borrowing contribution and increase the HRA level of unsupported borrowing. To maintain the £200m of spend that is needed to achieve the WHQS by 2019/20, the Business Plan requires £55m of unsupported borrowing solely from the HRA compared to the original Council decision of £39.3m. The business plan remains viable with £55m of HRA borrowing.

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

RESOLVED that for the reasons set out in the report, unsupported borrowing for the Housing Revenue Account (HRA) of £55m be drawn upon to ensure WHQS can be achieved by 2019/20 and the Major Repairs Allowance (MRA) can be released by Welsh Government.

REPORT REFERRED FROM SCRUTINY COMMITTEE

12. ANNUAL DIRECTOR'S REPORT ON THE EFFECTIVENESS OF SOCIAL CARE SERVICES 2013/14

Consideration was given to the report that informed Members of the key messages identified in the preparation of the fifth Annual Director's Report on the Effectiveness of Social Care Services. This report was considered by the Health Social Care and Well Being Scrutiny Committee on 17th July 2014 who endorsed its content and recommended its acceptance by Council.

Members were advised that the annual report is a summary outlining the effectiveness of how the county borough delivers Social Services to its citizens and the various consultation activities that have been undertaken in order to assist in the process of evaluating the effectiveness of social care services were outlined. It provided details on areas in which the Directorate does well, issues for further development and the key priorities for continued improvement into the future.

Members were advised that in 2013/14 the Directorate set itself a number of overarching and specific divisional priorities. The progress achieved in relation to these priorities were detailed within the document, as were the number of priority areas for development in 2014-15. Detailed Service Improvement Plans have also been developed in order to deliver the priorities for 2014/15 as identified within the report.

It was moved and seconded that the recommendation from the Health Social Care and Well Being Scrutiny Committee be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the report, the contents of the Annual Director's Report on the Effectiveness of Social Care Services 2013-14 be noted and the key priorities for action by the Corporate Director Social Services be approved.

REPORTS OF OFFICERS

Consideration was given to the following reports.

13. PROVISION OF BYE-LAWS FOR PARKS, PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

Consideration was given to the report which advised of the completion, and Ministerial approval, of Bye-laws for Parks, Pleasure Grounds, Public Walks and Open Spaces and sought approval for their implementation.

Members were advised that the last occasion the bye-laws were updated covering parks, pleasure grounds, public walks and open spaces was 1999. Prior to this revision many of the bye-laws had not been updated for many years and originated from the previous urban district councils. The approved byelaws (as appended to the report) are set against the changing lifestyles of residents and visitors to parks, pleasure grounds and open spaces and the adoption of new areas including housing estates, commercial developments and the establishment of community partnership facilities.

It was noted that the proposed byelaws will be different in several areas to the Welsh Government "model bye laws" and specifically to the reduction in the upper age limit for using play equipment from 14 (WG model) to 12 (play industry standard) and the opening times. A query was raised in relation to the variation in the opening hours and it was noted that experience has shown that a more flexible approach to opening hours is most beneficial for the users. Reference was also made to the erection of signage and it was noted that there will be a cost to provide signs to inform the public and users of the areas/facilities and it is proposed that a phased approach would be adopted.

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

RESOLVED that the up-to-date Bye-laws covering Parks, Pleasure Grounds, Public Walks and Open Spaces as appended to the report be approved and implemented immediately.

14. RECRUITMENT OF INTERIM CHIEF EXECUTIVE

Mr Rosser advised that he would be required to declare an interest in the third of the recommendations detailed in the report (as it relates to an extension to the current contract of the Interim Chief Executive) and requested that the first two recommendations be dealt with before he is required to leave the meeting. This was agreed by those present.

Consideration was then given to the report and the minutes of the Appointments Committee held on 17th July 2014 (a copy of the Minutes had been circulated to each Member).

Members were reminded that the Council is required by law to have in place a Chief Executive/Head of Paid Service, and Mr Rosser explained the process that had been followed to advertise for an Interim Chief Executive as a result of the decision taken at Council on 10th June 2014.

It was noted that following the advertisement, 13 applications had been received. From an analysis of the applications against the requirements in the job description and person specification, 5 candidates were shortlisted to be brought forward to the recruitment process. Prior to the informal stage of the process one of the shortlisted candidates reconsidered their position and withdrew and a further candidate withdrew just prior to the interviews taking place. As a result the Appointments Committee interviewed 3 candidates for the role and recommended to Council that Christopher Burns be offered the position of Interim Chief Executive and Head of Paid Service of the Council, on an interim basis for a period of twelve months at the agreed advertised salary.

With the exception of recommendation 8.3, it was moved and seconded that the recommendations within the report and within the minutes of the Appointments Committee be approved. By show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the progress outlined in appointing an Interim Chief Executive be noted;
- (ii) Christopher Burns be offered the position of Interim Chief Executive and Head of Paid Service of the Council, on an interim basis for a period of twelve months at the agreed advertised salary.

At this point Mr Rosser declared an interest and left the meeting for this item.

It was moved and seconded that recommendation 8.3 be considered and proposed that there be an extension to the current contract of the Interim Chief Executive (subject to agreement) to bridge any timing gap in the ability of the candidate appointed to take up the post. The exact length of the extension be delegated to the Leader to determine (subject to this not being beyond the 31st October 2014). By a show of hands this was unanimously agreed.

RESOLVED that there be an extension to the current contract of the Interim Chief Executive (subject to agreement) to bridge any timing gap in the ability of the candidate appointed to take up the post. The exact length of the extension being delegated to the Leader to determine (subject to this not being beyond the 31st October 2014).

15. INTERIM MANAGEMENT COSTS

It was noted that subject to the content of the debate it may be necessary for certain of the Officers present to declare an interest and leave the meeting. This was subsequently not required.

Consideration was given to the report which had been prepared following a request for a more detailed report on the additional costs of interim arrangements. The Interim Chief Executive advised that following the suspension of three senior officers, the Council has had to put in place interim arrangements for the management of the Authority, including an Interim Chief Executive and various acting up positions. These costs are in addition to the salary costs of the suspended officers. The report also detailed all of the main areas of cost - salaries of suspended officers, costs of Interim Chief Executive, acting up arrangements in CMT/Governance, other acting up arrangements and other associated costs (legal/audit costs).

Mr Rosser advised that the most significant element of cost is the salary costs associated with the suspension of the three senior officers. As previously reported, the Council has taken external legal advice about the employment procedures and all Council employees have to be paid in line with their employment contracts and this includes full payment whilst on suspension. Additional legal/audit costs have also been incurred over the recent period, albeit that these do not all directly relate to the suspensions/interim management arrangements.

It was noted that provision has been made in the accounts and/or budgets to finance all the costs. The costs of the suspended staff are being met from reserves whilst all other costs are being met from the base budgets. The position is subject to regular review and any significant changes will be reported to Members as appropriate.

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

RESOLVED that the content of the report be noted.

16. QUESTIONS UNDER RULE OF PROCEDURE 10(2)

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

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 7th October 2014 they were signed by the Mayor.

The meeting closed at 6.35pm

MAYOR