



COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY 10TH MARCH 2015 AT 5.00PM

PRESENT:

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

Councillors:

Miss L. Ackerman, Mrs E.M. Aldworth, H.A. Andrews, A.P. Angel, Mrs K.R. Baker, J. Bevan, P.J. Bevan, Mrs A. Blackman, D. Bolter, Mrs P. Cook, C.J. Cuss, H.W. David, W. David, H.R. Davies, D.T. Davies, R.T. Davies, 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, Mrs P. Griffiths, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, G.J. Hughes, K. James, M.P. James, G. Johnston, Mrs B.A. Jones, G. Jones, Ms J.G. Jones, S. Kent, G. Kirby, Ms P. Leonard, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs G. Oliver, Mrs R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, Mrs D. Price, J.A. Pritchard, A. Rees, D. Rees, K.V. Reynolds, J.E. Roberts, Mrs M.E. Sargent, S. Skivens, Mrs E. Stenner, Mrs J. Summers, J. Taylor, T.J. Williams

Together with:-

C. Burns (Interim Chief Executive), S. Aspinall (Acting Deputy Chief Executive), DN. Scammell (Acting Director of Corporate Services), A. Price (Deputy Monitoring Officer), G. Hardacre (Head of Human Resources and Organisational Development), G. Jenkins (Assistant Director - Children's Services), R. Hartshorn (Head of Public Protection), D. Regan (Lead Officer - Benefits and Finance), L. Lane (Corporate Solicitor), H. Morgan (Senior Committee Services Officer)

Also present - David Waite from the School of Planning and Geography, Cardiff University and Anna Freeman, Director of Employment, WLGA.

1. **WEB-CASTING FILMING AND ELECTRONIC VOTING ARRANGEMENTS**

The Mayor 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. **SANDRA ASPINALL - DEPUTY CHIEF EXECUTIVE**

The Mayor advised that this was the last meeting of Council that Sandra Aspinall would be attending. Members paid tribute to the manner in which she has undertaken her duties during the last six years and referred to the high esteem in which she was held by Members and

Officers alike. They referred to the valued advice and guidance she had given to them over the years and for always dealing with matters in a professional and helpful manner. She was wished every success and happiness for the future.

In response, Sandra referred to her varied portfolio and thanked the Members for their kind words and the number of individual messages that she had been sent. She referred to the support she had received from Members and Officers and advised that she would leave with cherished memories.

3. WELCOME

The Mayor welcomed both David Waite from the School of Planning and Geography, Cardiff University, and Anna Freeman, Director of Employment, WLGA to the meeting.

4. APOLOGIES

Apologies for absence were received from Councillors M. Adams, Mrs G. Bevan, L. Binding, K. Dawson, N. Dix, D.M. Gray, J. Pritchard, R. Saralis, L.G. Whittle and R. Woodyatt and D. Street (Director of Social Services).

5. 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) Regeneration of derelict former community centre in Graham Court, Lansbury Park, Caerphilly - Councillor Ms E. Forehead;
- (ii) Planning application 15/0038/OUT - land north of Pandy Road Bedwas Caerphilly - Councillors R.T. Davies and D. Havard (two petitions).

6. 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 Young Musician of the Year Competition and to the high standard of the performances. In referring to the Gala Concert held at Newbridge Memo, he paid tribute to the Organising Committee and the local ward members.

7. PRESENTATION OF AWARDS - C2:0 DIGITAL INCLUSION – GET CAERPHILLY ONLINE

Members were informed that 'Get Caerphilly Online' recently won the Communities 2.0 Digital Leadership Award for its innovative and sustainable approach to delivering digital inclusion work through a partnership approach. The award was presented by Lesley Griffiths, Minister for Communities and Tackling Poverty who praised the initiative's unique innovative and sustainable model. A new initiative, Cloud9, which aims to improve pupil attainment and family digital and financial inclusion by ensuring that every child has access to a laptop or tablet (which can be purchased through the local Credit Union) has recently been launched at Rhymney Comprehensive School.

Tina McMahon, Matthew Bevan, Craig Clarke and Cerian Thomas received the award on behalf of the service and in recognition of the achievement. Members wished to place on record their appreciation to all those involved in achieving the award.

8. DECLARATIONS OF INTEREST

Councillor D.T. Hardacre declared an interest in agenda item 10 - Publication of Pay Policy Statement - Localism Act 2015. Mr Burns, Interim Chief Executive, advised that with regards to this report, those Senior Officers who have an interest would also be required to leave the meeting when this item is considered. Details are minuted with the respective item.

9. PRESENTATION - CARDIFF CAPITAL REGION

David Waite, from the School of Planning and Geography, Cardiff University, attended the meeting to give an overview on the progress towards the delivery of regeneration, transport and planning at City Region level as reflected in the document "Delivering a Future with Prosperity".

In opening his presentation, Mr Waite advised that the Cardiff Region Board, along with other Regional Boards, has an advisory capacity, is independent of Welsh Government and has a cross sectional constitution to enable private, public, academic and third sector involvement. Given its advisory role it has been tasked with setting a vision and strategy for the economy of South East Wales, albeit that in order to achieve regional co-ordination and impact, a number of investments are required to take the initiatives forward. A range of different policies, programmes and projects are seeking a more regional focus, and there is a need to ensure these are brought together and do not duplicate effort and activity.

Mr Waite referred to the development of the city regionalism agenda, and advised that city regions are considered as functional geographies rather than political administrative areas, with their functionality being defined by community patterns. He advised that the agenda reflects city and regional hinterlands as a system, rather than as independent or self contained places. In that city regions are seen to offer an economic opportunity in the sense that certain benefits for employment and productivity emerge through size and scale, it is essential to consider these areas as a system, how the system can be better invested in and how it can better operate. Such coordination will allow producers to develop better links with suppliers and enable them to undertake production more efficiently, with an effective workforce.

It was noted that the Advisory Board for the Cardiff Capital Region recently released their report. It is a vision document with strategic priorities and Mr Waite detailed its rationale – connectivity, innovation and skills. With regards to connectivity he referred to the case to develop a metro or an integrated transport system for South East Wales, whereby buses are waiting for trains (frequencies improved) and a single ticket can be used across the network. Business cases are being developed accordingly. Consideration has also been given to the development of Cardiff airport and, in considering the importance of London connections, improvements on the Great Western main line.

With regards to innovation and skills, the report makes reference to exploiting the research capacity in the city region, working with the university and colleges and improving digital connectivity. In that there are approximately 80,000 full time students in the city region at any one point there are significant opportunities in terms of economic development, including the establishment of businesses within the city region. The report also puts emphasis on quality of lifestyle, the environment and amenities and accepts the challenges for those trying to access and integrate into the labour market. These are significant path dependencies that need to be developed.

In closing Mr Waite advised that a key question is the management and delivery of services and advised that governance arrangements are under discussion. Whatever model emerges the status quo probably is not an option if the ambitious agendas for connectivity and skills are to be developed. The progress on governance is caught up with local government reform and the outcome of the Williams report. He accepted that in times of austerity and with demands for services increasing, it will need to be determined what investments can be made with the finance that may be available. He advised that in order to progress the city region, there has to be a common vision, with a common agenda, which cannot be led by one authority at the expense of all others and has to bind across the ten authorities.

Members accepted that there needs to be an overarching common vision to bring the region together but wished it noted that the valleys are unique geographical areas and each community has their own individual identity and as such, will not conform to a common format. It was accepted that there is a need to ensure the infrastructure will support any proposals. Mr Waite advised that implementation is key for strategic development, as is the investment to take it forward, and it would not be possible to use an existing model and impose it on this local context. There is a need to understand how systems work and to develop business cases that prioritise investments, that are responsive to the local context, and be developed using the knowledge and experience within the region.

Members noted proposals to escalate transport and economic development functions to a wider regional level and expressed concerns at the current transport infrastructure and the need to increase the frequency of trains (particularly on the Ebbw Vale line), to increase the number of carriages for commuters and to ensure that bus timetables complement train arrival times as part of the integrated transport hub. Mr Waite referred to ongoing debate in relation to the metro or integrated transport system and advised that these views will be taken into consideration as part of ongoing discussions going forward. In that Cardiff and the surrounding area is growing both in terms of population and labour force, there is an opportunity to capture this and allow people across South East Wales to access those opportunities.

Concerns were also expressed at proposals to consider quicker rail connections to London, and as to whether this will revive the local economy or drive resources elsewhere. Mr Waite advised that plans to improve the Great Western main line has come from the idea that the Cardiff Capital Region will be put at a disadvantage to Birmingham and Manchester who will have their train times to London significantly reduced and the idea is that Cardiff need to be well connected to UK capital. All of the views expressed will be taken into consideration when business cases are developed. Reference was also made to the development of Cardiff airport and it was noted that consideration would be given to the types of market that can be developed from that location (e.g. long haul flights).

With regards to governance arrangements, clarification was sought as to the interface between the Board, Welsh Government and Welsh Local Government. Mr Waite advised that that this is currently being debated as part of the ongoing process.

Reference was also made to the potential for migration intercity rather than immigration from the city up to the valleys and the need to ensure buy in from residents. In that the report puts emphasis on quality of lifestyle, the environment and amenities and accepts the challenges for those trying to access and integrate into the labour market there are a number of steps that need to be out in place. Mr Waite advised that this is a long term strategy and as such, things will not change quickly and there may be no tangible evidence in the short term as the plan develops. He confirmed that any infrastructure and investment should be made taking into account existing community strengths and developed using local knowledge.

In noting the presentation and the response given by Mr Waite, it was accepted that all authorities need to have a common vision and confirmed that Caerphilly would seek full equal partnership in any city regional development that is proposed

Mr Waite was thanked for his informative presentation and for his responses to the questions and issues raised by members, which would be taken into account as the project moves forward.

10. COUNCIL - 27TH JANUARY AND 25TH FEBRUARY 2015

RESOLVED that subject to it being noted that minute no 7, dated 25th February 2015 (Replacement of a Member of Corporate Management Team) should also reflect that there was one Member against the Motion, the following minutes be approved as correct records and signed by the Mayor.

Council held on 27th January 2015 (minute nos. 1 - 20) and Special Council held on 25th February 2015 (minute nos. 1 - 7).

REPORT REFERRED FROM CABINET

11. ADOPTION OF POLICIES IN RELATION TO THE MOBILE HOMES (WALES) ACT 2013

Cabinet considered this report on 4th March 2015 and, in endorsing its content, recommended its acceptance by Council.

The report outlined changes to the legislation applicable to mobile homes and sought to amend the Council's Constitution to include The Mobile Homes (Wales) Act 2013. Officers within the Public Protection Division require additional authorisation under the Act in order to enforce the legislation and carry out their duties.

The report also sought approval for the adoption of the Fees and Fines Policy (Appendix 1), including minimum charges for the taking of enforcement action, and the Fit and Proper Persons Policy (Appendix 2). Clarification was sought as to which sites within the county borough this will apply and it confirmed that the legislation refers only to those sites used for permanent residential purposes, and not to those where residents are required to vacate the site for a period during the year, albeit that there is a separate licensing regime for such sites.

Following consideration and discussion, 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 contained in the Officer's report:-

- (i) the implementation of the legislation be noted and the proposed changes to the constitution be agreed. The Monitoring Officer make the necessary amendments to the Council's Constitution;
- (ii) the Council's Constitution and Terms of Reference be amended by adding the following:
 - The Mobile Homes (Wales) Act 2013.

- (iii) Officers within the Public Protection Division be authorised under The Mobile Homes (Wales) Act 2013 in order to enforce the legislation and carry out their duties;
- (iv) the Fees and Fines Policy (as detailed in appendix 1 of the report), including the minimum charges for the taking of enforcement action, be approved;
- (v) the Fit and Proper Persons Policy (as detailed in appendix 2 of the report) be approved.

REPORTS OF OFFICERS

Consideration was given to the following reports.

12. LICENSING/REGISTRATION/PERMIT FEES - 2015/16

The report, which proposed the Licensing/Registration/Permit Fees for the next financial year, was considered by the Licensing Committee on 16th February 2015. Following discussion on its content, the Licensing Committee noted the level of fees charged in connection with the Licensing Act 2003 and unanimously endorsed the recommendations contained in the report and recommended their acceptance by Council.

The report detailed fees in a number of areas, which are reviewed annually to recover reasonable costs of providing the service. It recommended fees, which were detailed in Appendix 1 and 3 of the report, and Members were asked to note that the proposed fees for hackney carriage/private hire vehicles and operators would be advertised in the local press for 28 days to allow for any trade objections. Historically the Licensing Committee, have been given delegated authority to consider any objections received, determine the fees and the date they come into force. If objections were received a further report would be submitted to the Licensing Committee regarding this matter. If there are no objections the fees automatically come into force at the end of the statutory 28-day consultation.

It was noted that the Government currently sets any fees charged in connection with the Licensing Act 2003. In the future, the Police Reform and Social Responsibility Act 2011 will enable Local Authorities, to move to locally set fees, however the date for this change has not yet been confirmed.

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

RESOLVED that for the reasons contained in the report:-

- (i) where appropriate, the fees proposed for 2015/16, as outlined in appendices 1 and 3 of the report, be implemented with effect from 1st April 2015;
- (ii) the proposed fees for hackney carriage/private hire vehicles and private hire vehicle operator licences be advertised and the Licensing Committee be given delegated powers to consider any objections received and to determine the fees to be charged and the date on which any variations should come into force.

13. PUBLICATION OF PAY POLICY STATEMENT - LOCALISM ACT 2011

Councillor D.T. Hardacre declared an interest (as having a family member that could be affected by the proposal) and left the meeting during consideration of this item. Sandra

Aspinall, Nicole Scammell, Gareth Hardacre, Angharad Price, Gareth Jenkins and Rob Hartshorn also declared an interest (as being affected by the proposal) and left the meeting for this item.

Anna Freeman, Director of Employment, WLGA, came to the podium to assist with the presentation of the report.

Consideration was given to the report which sought approval for the publication of the Authority's Pay Policy. Members were advised that the Localism Act 2011 requires local authorities to develop and make public their Pay Policy. This includes all aspects of Chief Officer Remuneration (including on ceasing to hold office), and also in relation to the "lowest paid" in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups. The Pay Policy Statement appended to the report contains the full details of the remuneration position for the Council that it is required to publish under the legislation.

The Interim Chief Executive explained that with regards to the recommendations within the report, in that the Pay Policy is required to be published on an annual basis, the first is a restatement of the existing Pay Policy Statement, and the second is seeking approval to include a paragraph within the Pay Policy Statement as it relates to the Chief Officer National Pay Award. For clarification, it was noted that those employees covered by this award includes all Directors, Heads of Service and Service Managers.

Anna Freeman, Director of Employment, WLGA, advised that with regards to the Chief Officer National Pay Award, recent Welsh Government amendments to the Local Authorities (Standing Orders) (Wales) Regulations 2006 introduced a new requirement that '*The relevant authority must determine the level, and any change in the level, of the remuneration to be paid to a chief officer*'. As such, all changes to Chief Officer pay must be voted on by full Council, not just those that are determined locally. This includes any pay rises which have been nationally negotiated by the JNC for Chief Officers and these now cannot be paid, unless and until, they have been agreed by full Council.

By way of explanation to a number of queries raised, she advised that having to seek Council's determination to pay JNC nationally agreed pay rises at the time they are agreed is likely to cause delay in their payment. The Welsh Local Government Association has therefore pursued this matter with Welsh Government on behalf of all Councils in order to seek a pragmatic solution. As a result it has been agreed that full Council must determine nationally agreed contractually entitled pay rises for Chief Officers which can be met by Council voting on an appropriate resolution to insert a suitable clause in their Pay Policy Statements to cover this issue.

During the course of the debate, reference was made to the decision taken at Council on 17th January 2013 in relation to Chief Officer pay. It was confirmed that the minute reflects that it had been agreed at that time that the issue of Chief Officer pay will not be revisited in the lifetime of the current administration unless required by law or Local Government regulations and that any future proposal at any time would require a final decision by Full Council. This report was brought forward as a result of such changes.

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

RESOLVED that for the reasons contained in the Officers report:-

- (i) the Pay Policy Statement (Version 4) as appended to the report be approved and published on the Council's website;
- (ii) in light of the issues outlined in paragraphs 4.7 - 4.12 of the report, it be agreed

that the Council's Pay Policy Statement be amended to include the following paragraph:-

'The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.'

- (iii) in view of the foregoing, the Pay Policy Statement be duly amended to reflect this amendment prior to publication on the Council's website as part of its annual arrangements.

The Mayor thanked Anna Freeman for her contribution and for responding to the queries raised by Members during the course of the debate.

14. NOTICE OF MOTION - WORKFARE

Consideration was given to the report which detailed the following Notice of Motion submitted by Councillors K.V. Reynolds, G. Jones, Mrs B. Jones and D.V. Poole in relation to Workfare. In accordance with Rule 11 (3) of the Constitution, the Mayor has agreed to allow the motion to be dealt with at Council, without being first discussed at an overview and scrutiny committee.

'This Council pledges not to use the UK Government's WORKFARE placements and will encourage partners not to do so either, so far as it is legally permitted to do so'.

The following information was provided by the Members in support of their notice of motion.

Reasons for the Motion - Caerphilly County Borough Council is concerned about the lack of evidence that the UK Government WORKFARE scheme assists job seekers in finding work. We believe that a 30 hour a week placement makes it more difficult for people to find work and that WORKFARE stigmatises people and locks them further into poverty.

During the course of the debate, it was requested that any future procurement should include this caveat, specify that the living wage must be implemented (and also be applied to Agency staff) and that social clauses should be revisited. In view of the potential legal implications and as the costs would be reflected in future tender prices and as such would affect the medium term financial plan, the Interim Chief Executive advised that he would bring forward a report in due course.

It was moved and seconded that the Notice of Motion be supported. By show of hands this was unanimously agreed.

RESOLVED that the Notice of Motion be supported, and as such, this Council pledges not to use the UK Government's WORKFARE placements and will encourage partners not to do so either, so far as it is legally permitted to do so.

15. QUESTIONS UNDER RULE OF PROCEDURE 10(2)

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

The meeting closed at 6.45pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 21st April 2015 they were signed by the Mayor.

MAYOR