



COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 5TH JUNE 2018 AT 5.00PM

PRESENT:

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

Councillors:

Mrs E. Aldworth, A. Angel, P.J. Bevan, C. Bezzina, L. Binding, A. Collis, S. Cook, C. Cuss, W. David, M. Davies, D.T. Davies, K. Dawson, N. Dix, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, Mrs C. Forehead, Ms J. Gale, N. George, C. Gordon, R.W. Gough, D.T. Hardacre, L. Harding, D. Harse, D. Havard, A. Higgs, M. James, L. Jeremiah, S. Kent, G. Kirby, 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, D.W.R. Preece, Mrs D. Price, J. Pritchard, J. Ridgewell, J.E. Roberts, R. Saralis, J. Scriven, G. Simmonds, J. Simmonds, S. Skivens, Mss E. Stenner, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L G. . Whittle, T. Williams, W. Williams, B. Zaplatynski

Together with:-

C. Harray (Interim Chief Executive), M.S. Williams (Interim Corporate Director of Communities), J. Morgan (Trading Standards, Licensing and Registrars Manager) D. Marr (Deputy Monitoring Officer - Cardiff Council), L. Lane (Interim Monitoring Officer), E. Sullivan (Senior Committee Services Officer).

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 electronic voting would be used for the final agenda item, other decisions would be made by show of hands.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Andrews, D. Cushing, Ms E. Forehead, J.E. Fussell, A. Gair, A. Hussey, V. James, G. Johnston, Mrs B. Jones, Mrs G. Oliver, B. Owen and Mrs M.E. Sargent.

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 his attendance at the Queens Garden Party at Buckingham Palace and referred to upcoming Mayoral engagements and duties over the course of the next few weeks.

3. ANNOUNCEMENT BY THE INTERIM CHIEF EXECUTIVE

The Interim Chief Executive announced that in line with the commitment made to reduce the number of interim appointments a series of Appointments Committee meetings had been held and the following executive appointments made; Mrs Rhian Kyte as Head of Regeneration and Planning, Ms Lynne Donovan as Head of People Services, Mr Marcus Lloyd as Head of Infrastructure and Mrs Sue Richards, Head of Education Planning and Strategy. Further to this Mr Robert Tranter had been appointed to the post of Head of Legal Services and Monitoring Officer and Mr Richard Edmunds to the post of Corporate Director for Education and Corporate Services. Members were advised that the two remaining appointments would be made by September 2018.

4. PRESENTATION OF AWARDS

Chief Constables' Commendation Award

The Cabinet Member for Health, Social Care and Wellbeing recognised the achievements of Mrs Karen Morris, Service Manager - Adult Services who had received the Chief Constables Commendation Award for her work on an initiative to incorporate Mental Health Professionals to the operators' team in the Gwent Police Call Centre. Using triage methodology vital information can now be quickly accessed, complex needs identified and appropriate referrals made, reducing the number of individuals in police custody or under section. This Service Level Agreement was the first of its kind and was heralded as a beacon of good practice.

The Chief Constable of Gwent Police Julian Williams presented the award to Mrs Karen Williams who came forward to be recognised for her outstanding achievement.

Caerphilly Churches Night Shelters

The Cabinet Member for Homes and Places recognised the work of the Caerphilly Church Night Shelters in providing much needed emergency accommodation for rough sleepers during periods of extreme cold weather. Over the winter months of 2017/18 over 600 bed spaces were provided, with some service users taking up opportunities to access housing and employment via a partnership approach. In recognition of their commitment and compassion representatives from Elim Baptist Chapel, Pontllanfraith, St Helen's Roman Catholic Church, Bethany Baptist Chapel, Risca, The Salvation Army, Risca, Argoed Baptist Chapel, Tabernacle Baptist Church, Newbridge, The Oasis Centre, Cefn Forest, Crosskeys Methodist Church, Crosskeys and Mount Pleasant Church, Blackwood come forward to receive the gratitude and appreciation of Council for their achievements.

5. DECLARATIONS OF INTEREST

Councillors J. Roberts, G. Kirby and E. Stenner expressed a personal interest in Agenda Item No.9 – Notice of Motion – Relocation of the Caerphilly DWP Offices and Councillor L. Binding declared a personal and prejudicial interest in Agenda Item No. 9 – Notice of Motion – Relocation of the Caerphilly DWP Offices. Details are minuted with the respective item.

6. SPECIAL COUNCIL – 28TH MARCH 2018

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

Special Council held on 28th March 2018 (minute nos. 1-6)

7. COUNCIL – 17TH APRIL 2018

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

Council held on 17th April 2018 (minute nos. 1-16)

8. NOTICE OF MOTION – TO SUPPORT THE LUCY’S LAW NATIONAL CAMPAIGN TO BAN AND OUTLAW THIRD PARTY PUPPY FARMING

Consideration was given to the report, which detailed the following Notice of Motion received from Councillors E. Stenner and supported by Councillors S. Morgan, L. Phipps and C. Cuss in relation to Lucy’s Law National Campaign to Ban and Outlaw Third Party Puppy Farming: -

“Caerphilly County Borough Council adds its support to the Lucy’s Law Campaign to ban and outlaw third party puppy farming. That Caerphilly County Borough Council will add its name to the growing list of supporting organisations and will proactively highlight the campaign to our residents across the Council Borough. This Council requests that the Leader of the Council Cllr David Poole writes to UK Government, supporting the call for urgent action.”

The report which detailed the Notice of Motion had been presented to the Health, Social Care and Wellbeing Scrutiny Committee on the 1st May 2018 and the comments of the Scrutiny Committee were outlined. Members were advised that the Scrutiny Committee unanimously endorsed the Notice of Motion and recommended its acceptance by Council.

Members considered the reasons for the Motion, and the information provided by the Member in support of the motion, and following due debate agreed that everything that can be done should be done to eliminate this practice, furthermore they would like to see enabling legislation for the licensing of breeders of all animals.

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

RESOLVED that for the reasons contained in the report:-

- (i) the Notice of Motion and its request to support the Lucy’s Law National Campaign to ban and outlaw third party puppy farming be supported;
- (ii) the campaign be proactively highlighted to the residents of the County Borough;
- (iii) the Leader of the Council to write to UK Government supporting the call for urgent action on this matter.

9. NOTICE OF MOTION – RELOCATION OF THE CAERPHILLY DWP OFFICES

Councillors J. Roberts, G. Kirby and E. Stenner declared a personal interest in that they are Members of the PCS Trade Union.

Councillor L. Binding declared a personal and prejudicial interest in that he is a Member of the PCS Trade Unions and currently works in one of the Offices under considerations for relocation and left the Chamber when the matter was discussed.

Consideration was given to the report, which detailed the following Notice of Motion received from Councillor D.V. Poole and supported by Councillors J. Pritchard, B. Jones, S. Morgan, C. Gordon, C. Cuss, E. Stenner, L. Phipps, N. George and P. Marsden, in relation to the proposed relocation of the Caerphilly DWP Offices. In accordance with Rule 11 (3) of the Constitution, the Mayor agreed to allow the motion to be dealt with at Council, without first being discussed at an overview and scrutiny committee: -

“Caerphilly County Borough requests the UK Government to reconsider the relocation of the Caerphilly DWP Offices and to enter into meaningful discussions with the PCS Trade Union. We further request that the Welsh Government supports the PCS’s position.”

Members expressed concern with regard to the impact of the relocation on town centres across Wales, not only in terms of loss of footfall and but ongoing regeneration plans. Reference was made to the lack of an equalities impact assessment in relation to DWP staff, particularly those with caring responsibilities. Further concerns were expressed with regard to the feasibility of moving 600 staff outside reasonable mobility criteria, coupled with the loss of well paid jobs from the various areas. Reference was made to the FDA Union and their possible contribution in objecting to the proposal. Further to this, Members referred to the role of the Public Service Board and their collaborative work to improve the quality of life and that this was being undermined by central government decision making.

Possible traffic issues were discussed, in terms of the influx of cars and the impact this would have on already busy interchanges and the Member felt the need for a Traffic Impact Assessment should be included in any letter sent. It was also felt that more information was needed from central government on any business risk evaluation undertaken prior to the sending of any correspondence. Although it was accepted this additional information would add weight to the correspondence, the delay required for the collation of this additional information was expressed as a concern and the importance of responding as quickly as possible was emphasised by other Members.

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 the Notice of be supported and by show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the Notice of Motion be supported;
- (ii) this Council writes to UK Government to request the reconsideration of the relocation of the Caerphilly DWP Offices and enter into meaningful discussions with the PCS Trade Union;
- (iii) this Council writes to Welsh Government to request that they support the PCSs’ position.

10. LICENSING AND GAMBLING/REGISTRATION/PERMIT FEES – 2018/19

Consideration was given to the report which recommended increases to licensing/registration/permit fees under the Gambling Act 2005 for the next financial year and outlined fees centrally set under the Licensing Act 2003.

The report had been presented to the Licensing and Gambling Committee on the 31st May 2018 and the comments of that Committee were outlined. It was noted that in future years the Licensing and Gambling Committee would take the decisions in respect of fees which are set locally without further reference to Council.

Members were referred to the recommendations contained within the Officers report and were advised that the Licensing and Gambling Committee had proposed an additional recommendation that the Welsh Local Government (WLGA) be asked to approach the Government to take the appropriate action for local authorities to set the level of fees charges in connection with the Licensing Act 2003.

Following due deliberation it was moved and seconded that the recommendations contained in the Officers original report and the aforementioned additional recommendation of the Licensing and Gambling Committee be approved and by a show of hands this was unanimously agreed.

RESOLVED that for the reasons given in the Officer's report: -

- (i) the level of fees proposed under the Gambling Act 2005 for 2018/19 (as outlined in Appendix 1 of the report) and the fee for Temporary Use Notices (as outlined in Appendix 2 of the report) be approved;
- (ii) the level of fees charged in connection with the Licensing Act 2003 (as set out in Appendix 3 of the report) and for the majority of gambling permits and associated charges (as set out in Appendix 2 of the report) be noted;
- (iii) it be noted that in accordance with the existing powers contained in the terms of reference for the Licencing and Gambling Committee, for future years the decisions in respect of fees which are set locally will be made by the Licensing and Gambling Committee without further reference to full Council;
- (iv) the Welsh Local Government Association (WLGA) be asked to approach the Government to take the appropriate action for local authorities to set the level of fees charged in connection with the Licensing Act 2003.

11. TAXI AND GENERAL LICENSING/REGISTRATION/PERMIT FEES – 2018/19

Consideration was given to the report which recommended general licensing/registration/permit fees for the next financial year.

The report had been presented to the Taxi and General Committee on the 31st May 2018 and the comments of that Committee were outlined. It was noted that in future years the Taxi and General Committee would take the decisions in respect of fees which are set locally without further reference to Council.

Members were referred to Appendix 1 of the report which detailed the proposed level of fees for 2018/19. The Officer confirmed that all statutory consultations include the posting of notices had taken place and advised that delegated powers were also being sought to allow the Taxi and General Committee to consider any objections received in response to the aforementioned consultation process.

Clarification was sought in relation to checks and balances procedures to ensure the accuracy of the proposed fees. The Officer confirmed that the level of fees had been set using the fee calculator toolkit devised by the All Wales Licensing Expert Panel and reflected what was needed in order to cover the costs of providing the service. Reassurances were provided that the fees were reasonable and proportionate to the cost of the processes associated with the licensing regime. They could not be set a level that would make a profit or deter certain businesses from operating in an area.

A concern was expressed with regard to the proposed level of increase on Taxi Vehicle and Driver Licenses given the additional running costs for those businesses in terms of fuel and insurance. A similar concern was also expressed in relation to Street Trading fees and the Officer confirmed the rationale behind the proposed levels.

Having fully considered the report it was moved and seconded that the recommendation contained in the Officers report be approved and by a show of hands and in noting there were 7 against and 5 abstentions this was agreed by the majority present.

RESOLVED that for the reasons given in the Officer's report: -

- i) The proposed fees for hackney carriage/private hire vehicle licences for 2018/19 be advertised and the Taxi and General 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;
- (ii) it be noted that in accordance with the existing powers contained in the terms of reference for the Taxi and General Committee in future years the decisions in respect of fees set out in this report will be made by the Taxi and General Committee without further reference to Council.

12. CAERPHILLY COUNTY BOROUGH COUNCIL RESPONSES TO THE STRENGTHENING LOCAL GOVERNMENT GREEN PAPER

Consideration was given to the report which sought Council approval for the proposed response to the consultation on the Welsh Government Green Paper 'Strengthening Local Government Delivering for People'.

Members were advised that three options had been proposed within the Green Paper, Option 1 – Voluntary Merger by 2022, Option 2 – A phased approach with early adopters merging by 2022 and all other authorities by 2026 and finally Option 3 which proposed a single comprehensive merger programme by 2022. From a Caerphilly perspective the Green Paper proposed the merger of this authority with Newport City Council. The Officer referred Members to Appendix 1 of the report which detailed the consultation questions and the proposed responses.

Members expressed their support for the consultation responses and expressed their concerns in relation to the proposed merger with Newport City Council. It was felt that the proposal would benefit neither the residents of Caerphilly or Newport and that larger did not necessarily mean better. Reference was made to the successes demonstrated working on a regional footprint and the opinion was expressed that this rather than reorganisation was the future for local government. The possible impact on the City Deal was discussed particularly in terms of deliverability under the proposed reorganisation. The wisdom of moving forward a costly reorganisation process during a time of austerity was also questioned.

Members agreed that there seemed to be no robust financial assessment of costs or benefits as a result of reorganisation and it was felt that this authority was in a strong enough position

to be sustainable without merging. Reference was made to the possible impact on service delivery especially in light of the decisions taken by many local authorities to out-source services, services that Caerphilly had retained. Members also referenced the negative affect on staff morale that a forced merger would undoubtedly bring not the mention the loss of efficiency over a number of years while the merger process was being undertaken.

An opinion was then expressed that there were too many authorities under the present system with many poorly managed and underperforming and the Member referenced poor performance in terms of educational achievement, business growth, regeneration and poverty. The Member felt that local government required rationalisation and modernisation.

Members placed on record their thanks to Kath Peters, Policy Manager for the hard work in preparing the consultation responses.

Following consideration of the report and the responses contained in Appendix 1 it was moved and seconded that they be endorsed and submitted to Welsh Government and by means of electronic voting and in noting there was 1 against this was agreed by the majority present.

RESOLVED that for the reasons given in the Officer's report the proposed response to the consultation on the Welsh Government Green Paper 'Strengthening Local Government: Delivering for People be endorsed.

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

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

The meeting closed at 6.40pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th October 2018 they were signed by the Mayor.

MAYOR