



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# AGENDA

## COUNCIL SUMMONS

To all Members of Council

You are hereby summoned to attend a

MEETING OF THE COUNCIL

to be held at 2.00 pm on

14 December 2022

in the

**MULTI LOCATION MEETING VIA MICROSOFT TEAMS  
/COUNCIL CHAMBER PORT TALBOT**

**ALL MOBILE TELEPHONES TO BE SWITCHED TO SILENT FOR THE  
DURATION OF THE MEETING**

**Webcasting:** This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

**--- A G E N D A ---**

### **PART A**

1. Mayor's Announcements
2. Declarations of Interest
3. Public Question Time.  
*Questions must be submitted in writing to Democratic Services*  
[democratic.services@npt.gov.uk](mailto:democratic.services@npt.gov.uk) no later than noon on the working

*day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.*

## **PART B**

4. Multi Locations Meeting Policy (Pages 3 - 24)
5. Changes to Committee and Outside Body Membership (Pages 25 - 28)
6. Council Tax Reduction Scheme (Pages 29 - 42)

## **PART C**

7. Notice of Motion under Section 10 of Part 4 (Rules of Procedure) the Council's Constitution
8. Questions from Members, with Notice, under Rule 9.2 of the Council's Procedure Rules
9. Urgent Items  
*Any urgent items (whether public or exempt) at the discretion of the Mayor pursuant to Section 100B (4) (b) of the Local Government Act 1972.*



**Chief Executive**

**Civic Centre  
Port Talbot**

**Thursday, 8 December 2022**

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### COUNCIL

15<sup>th</sup> December 2022

### **Report of the Head of Legal and Democratic Services - Mr Craig Griffiths.**

#### **Matter for Decision**

#### **Wards Affected:**

All Wards

#### **Multi Location Meeting Policy**

#### **Purpose of the Report**

To approve the draft Multi Location Meetings Policy considered by the Democratic Services Committee on the 3<sup>rd</sup> October 2022.

#### **Background**

At its meeting of the 3<sup>rd</sup> October 2022, the Democratic Services Committee considered a draft Multi Location Meetings Policy and accordingly it is now placed before Council for formal approval.

Under the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”), Local Authorities are required to facilitate multi-location meetings (that is, formal meetings where participants may not all be in the same physical place.)

Alongside the legally mandated arrangements, which the Council has adopted since the implementation of the 2021 Act, recent statutory guidance states that Local Authorities should develop a wider policy setting out the detailed systems chosen by the Council for the operation of its multi-location meetings.

The draft Multi Location Meeting Policy reflects the statutory guidance where it states that the exact contents will be agreed at a local level. It is suggested that the policy includes:

- The process which meetings are conducted.
- Which online meeting platform will be used
- How formal notices will be issued, and the publication of agendas and minutes
- How exempt matters will be dealt with
- How participants who sit as part of committees or bodies subject to the 2021 Act will be able to access and participate in the meeting (including support and advice on technology, behavioural and conduct issues).
- How observers (including the public and the press) will be able to access the meeting, and how they may actively participate in the meeting where needed.
- Facilitating broadcast of the meeting.
- Chairing of meetings.

### **Draft Multi- Location Meeting Policy**

The draft Multi Location Meeting policy is attached at Appendix 1 for member's approval.

It should be noted that the Council adopts the following principles in respect of its meetings:

#### Predominantly Remote Meetings

The Council administers both the Swansea Bay City Region Joint Scrutiny Committee and the Corporate Joint Committee and associated committees. Given the challenges of travelling significant distances across the region and the need to ensure maximum participation, these meetings have been initially identified as "predominantly remote meetings".

#### Predominantly Physical meetings

Experience has identified that some meetings may be better suited to having a higher level of physical attendance. However, this does

not preclude some or all participants attending these meetings remotely if they wish or if there are overriding reasons for doing so. These meetings may include the following committees: Appointments Committees, Appeals Committee, Licensing Sub Committee.

### Multi-location Meetings

All Council, Cabinet and committee meetings must be able to operate as multi-location meetings and ensure that participants are able to attend remotely.

### **Financial Impacts**

There are no financial impacts associated with this report. Previous reports authorised the purchase of hybrid meeting and webcasting equipment to facilitate multi-location meetings

### **Integrated Impact Assessment**

There is no requirement to undertake an Integrated Impact Assessment as this report is in relation to administrative matters only.

### **Workforce Impacts**

No impact.

### **Risk Management**

No impact.

### **Legal Powers**

Under 2021 Act, this Council is required to facilitate multi-location meetings (that is, formal meetings where participants may not all be in the same physical place.)

### **Valleys Communities Impacts:**

There are no specific impacts for valley communities arising from this report.

### **Appendices:**

Appendix 1- Draft Multi Location Meetings Policy

## **Consultation**

There is no requirement under the Constitution for external consultation on this item.

## **Recommendation**

It is recommended that:

- The draft Multi Location Policy at Appendix 1 of this report be approved.
- Delegated authority be granted to the Head of Legal and Democratic Services to update the Constitution of Neath Port Talbot County Borough Council to reflect the approval of the Multi-Locations Policy

## **Reason for Proposed Decision**

To approve the Council's draft Multi Location Meeting policy

## **Officer Contacts**

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# Multi Location Meeting Policy

**MULTI LOCATION POLICY**

[www.npt.gov.uk](http://www.npt.gov.uk)

## Table of Contents

Overview.....	4
Background.....	4
Local Authority Meetings .....	4
Legal Requirements .....	5
Policy on Multi-Location Meetings.....	6
What are Multi Location Meetings? .....	7
Participating at a Meeting .....	7
Observing a Meeting.....	7
The Meeting Environment in Neath Port Talbot.....	8
Physical Venues .....	8
The Technological Requirements.....	8
Control Systems .....	8
Physical Participants and Observers .....	8
Remote Participants .....	9
Remote Observers.....	9
Determining the type of Meeting .....	9
Predominantly remote meetings.....	9
Predominantly Physical Meetings.....	10
Multi Location Meetings.....	10
Use of camera.....	10
Attendance at Meetings .....	11
Elected Member and Council Officer Participants.....	11
Remote Participants .....	11
Physical .....	11
Attendance of Other Participants.....	12
Recording and broadcasting of meetings by observers .....	12
Record of Attendance.....	12
Observing Meetings .....	13
Webcast Meeting.....	13
Physical Attendance of Observers at Multi-location Meetings .....	13



Online Meeting Platforms.....	13
Publication of Meeting.....	14
Pubic information .....	14
Non-Public Information.....	14
Consideration of exempt or confidential information at meetings.....	15
Access and Participation at meetings .....	16
Officers support at meetings.....	16
Conduct and Behaviour .....	16
Voting at Meetings .....	17
Chairing Meetings.....	17
Chat Function use by Remote Participants.....	18
Review of Policy .....	18

## Overview

### Background

1. Arrangements were first made to progress “remote meetings” in the Local Government (Wales) Measure 2011, however this required at least 30% of the attendees to be in attendance in person and was rarely used. At the outset of the coronavirus pandemic in March 2020, the Welsh Government introduced the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 which established a framework for Councils to convene remote meetings for all attendees throughout 2020 and part of 2021.
2. With the implementation of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) the Welsh Government requires the Council to hold multi-location meetings which will enable greater accessibility and public participation in local government decision making.

### Local Authority Meetings

3. In accordance with the 2021 Act this Multi-locations Meeting Policy will apply to all meetings of:
  - a. The Council
  - b. The Executive (Cabinet & Cabinet Boards)
  - c. Scrutiny
  - d. Joint Committees
  - e. Regulatory Committees
  - f. Outside Bodies
  - g. A committee or sub-committee of b. – c. above.
4. Formal meetings of the Council or its committees are convened in accordance with the relevant legislative requirements for those meetings. These meetings are usually held to make formal decisions or recommendations and are often held in public. Notice of these meetings is published in advance on the Council’s website and includes information about the location, timing and business to be conducted. Previously these meetings would have been held with all participants being in physical attendance at a single venue.

## Legal Requirements

### 5. Local authorities are required to:

- a. Broadcast full Council meetings (with effect from May 2022).
- b. Ensure that all Council, Cabinet, Committee and Joint Committee meetings may be attended remotely (i.e. enabling persons who are not in the same place to attend the meeting) – also referred to as ‘multi-location meetings’.
  - Meetings must be capable of being held virtually, but each authority must decide whether their meetings will be held fully virtually or partially virtually (where some participants are in the same physical location, whilst others join the meeting virtually, also referred to as ‘hybrid meetings’).
  - Meeting participants must be able to speak to and hear each other; and for meetings which are required to be broadcast (i.e. full Council meetings), participants must also be able to see and be seen by each other.
- c. Publish all meeting documents on the Council’s website, including notices, summonses, agendas, reports and background papers (with effect from May 2021).
  - A note of the meeting, including Members in attendance and decisions made, must be published within 7 working days of the meeting.
  - Notice of meetings is no longer required to be posted at the Council’s offices. However, copies of agendas and reports must be made available for the public if meetings are held physically.
  - The Council is also required to make public access provision for members of the public who cannot access electronic documents, for example, by providing access to computers, copies of

documents, or making documents available for inspection.

6. When considering arrangements for remote attendance or ‘multi-location meetings’, authorities must have regard to the statutory guidance issued by the Welsh Ministers: Interim statutory guidance on multi-location meetings (gov.wales)
7. Section 2 of the statutory guidance sets out a number of general principles to guide authorities when developing their meeting arrangements, namely, transparency, accessibility, good conduct, Welsh language, local needs and future generations. This sets the framework within which authorities must consider options and decide the meeting arrangements which best suit the authority and the communities it serves.
8. The guidance also confirms that the meeting arrangements should be reflected in the procedure rules set out in the constitution.

### Policy on Multi-Location Meetings

9. Alongside the legally mandated arrangements that authorities must make for multi-location meetings, the statutory guidance says that authorities should develop a wider policy setting out the detailed systems chosen by the authority for the operation of its multi-location meetings.
10. This policy is intended to clarify the arrangements of Multi-Locations meetings for:
  - a. Participants in meetings convened by the Council;
  - b. Officers providing support to formal meetings
  - c. Officers with adjacent responsibilities – for example, those responsible for drafting and clearing reports, attending meetings to present reports to members and officers with supervisory responsibilities on governance matters;
  - d. Anyone with an interest in the way in which the business of this authority is conducted.
11. This policy will be reviewed on an “as required” basis.

## What are Multi Location Meetings?

12. Multi-location meetings which may have been described previously as “remote” or “hybrid” meetings are meetings of the Council or its committees whose participants are not all in the same physical place. This may include:
- all participants are in the same physical location except one individual who joins from another location, with a physical public gallery being provided;
  - a roughly equal number of members are present in one physical space compared with those joining through remote means;
  - all members are joining through remote means but nonetheless a physical public gallery has been made available in a Council venue
  - a meeting taking place wholly through remote means where no physical meeting arrangements have been made. \*
13. Multi-location meetings offer this Council an opportunity to raise its profile in the community and to bring its work directly into people’s homes. Evidence from the remote meetings held during the pandemic shows that public access to multi-location meetings is likely to be significantly higher than the level of audiences of formal meetings when all meetings were held physically in a single location.

## Participating at a Meeting

14. A “participant” of a multi-location meeting is defined in the statutory guidance as a person who takes an active part in that meeting. They might be an Elected Member, an officer of the Council, a person giving evidence to a committee as a witness, an appellant or claimant on a regulatory matter, someone presenting a petition, or taking part formally in another way.

## Observing a Meeting

15. An “observer” of a multi-location meeting is defined in the statutory guidance as a member of an audience, or otherwise spectating, a multi-location meeting. They might be in the same

room that a meeting is taking place or they might be observing by remote means.

## The Meeting Environment in Neath Port Talbot

### Physical Venues

16. The Council has the following locations with the ability to fully support Multi-Location Meetings.
  - a. Council Chamber – Port Talbot Civic Centre
  - b. Committee Rooms 1/2 – Port Talbot Civic Centre
  - c. Committee Rooms A/B – Neath Civic Centre

### The Technological Requirements

17. The delivery of multi-location meetings requires the provision of equipment and facilities to be enable those involved to participate or observe meetings as identified below:

### Control Systems

18. Any multi-location meeting will be facilitated by Democratic Services who will use the control systems to ensure that the full range of meeting facilities and functionality can be co-ordinated and integrated for all participants and observers to deliver effective meeting support. The control systems will provide and co-ordinate cameras, audio inputs and outputs, simultaneous translation at defined meetings, speaker queues, electronic voting, integration with the Council webcasting provider and to support participants and observers.
19. The following ICT equipment is required:

### Physical Participants and Observers

- Microphones to enable other participants and observers to hear the meeting proceedings, initiate a request to speak, support electronic voting and enable access to simultaneous translation facilities where required.
- Appropriate cameras to show other participants and observers when the individual speaking.
- Display screens to enable those physically participating/observing to see those attending remotely.

- Simultaneous translation equipment where required
- Audio enhancement and hard of hearing support without compromising the audio quality of the remote attendees.

### Remote Participants

- A suitable laptop with camera and microphone facilities.
- A headset allowing participants to effectively communicate with other attendees (particularly those with hearing difficulties).
- Suitable access to the internet.
- Relevant software which is publicly available to support remote attendance at meetings.

### Remote Observers

- A suitable ICT device with an audio output and ideally a visual display
- Internet access to view the Council's webcasting website. [Home – Neath Port Talbot Council Webcasting \(public-i.tv\)](#)

## Determining the type of Meeting

20. The Welsh Government guidance identifies that the needs of local democracy, and the needs of the public in engaging with multi-location meetings, are a paramount consideration in deciding where and when meetings will be convened partially or wholly by remote means. The overriding intention of the 2021 Act is to help the public to be able to access and engage with local democratic systems. The convenience of participants and the efficient operation of relevant authorities themselves is important but the needs of the public will come first and a balance has to be achieved with the physical and remote element of meetings when decisions are being made.

21. In addition to Council and Cabinet meetings the Council has in the region of 28 committees and sub-committees which support its statutory, regulatory and governance arrangements. This is inclusive of two joint committees which involve other Local Authorities which are administered by the Council.

### Predominantly remote meetings

22. The Council administers both the Swansea Bay City Region Joint Scrutiny Committee and the Corporate Joint Committee and

associated committees. Given the challenges of travelling significant distances across the region and the need to ensure maximum participation, these meetings have been initially identified as “predominantly remote meetings” \*

## Predominantly Physical Meetings

23. Experience has identified that some meetings may be better suited to having a higher level of physical attendance. However, this does not preclude some or all participants attending these meetings remotely if they wish or if there are overriding reasons for doing so. These meetings may include the following committees: Appointments Committees, Appeals Panels, certain Licensing Sub Committees

## Multi Location Meetings

24. All Council, Cabinet and committee meetings must be able to operate as multi-location meetings and ensure that participants are able to attend remotely.

## Use of camera

25. The 2021 Act requires participants of meetings that are broadcast to be able to “speak to and be heard by each other” and “to see and be seen by each other”. The ability to see and be seen predominantly applies when a participant is speaking, although for some meetings, participants attending remotely may also be required to ensure that their cameras remain on for the duration of the meeting. For other meetings the Chair may use their discretion whether participants are to keep their cameras on when not speaking.
26. There are occasions when a remote participant may need to disable their camera to stabilise their connection to the meeting due to internet issues or because they have been temporarily interrupted by events at their location. If this occurs the participant should use the chat function to inform the meeting Chair and democratic services staff.



## Attendance at Meetings

### Elected Member and Council Officer Participants

27. Invitations to meetings will be provided electronically using Microsoft Outlook/ Microsoft Teams or the relevant meeting software. The invitation will provide details of the meeting, its location and timings. It will also include links to enable the participants to join remotely should they wish to do so. On receipt of the invitation, participants are requested to indicate their intentions to attend the meeting physically or remotely to enable any necessary administrative and support arrangements to be put in place by Democratic Services.

### Remote Participants

28. Those participants considering attending the meeting remotely should also ensure that they have appropriate internet connectivity to join and maintain their attendance throughout the meeting. Participants should also ensure that they have headphones and a laptop as mentioned above.

### Physical

29. The technological requirements for multi location meetings will limit the available meeting venues to the Council Chamber Port Talbot Civic Centre, Committee Rooms 1/2 Port Talbot Civic Centre, Committee Rooms A/B Neath.

30. On occasions due to physical space, technological issues or specific requirements such as socially distancing rules, the number of physical attendees who may be present at each meeting may be limited. The political groups are expected to give priority to any members who have difficulties joining a meeting remotely.

31. Member Development and other informal opportunities to facilitate physical meetings of committee members may be used to promote good practice, develop working relationships and to mitigate any adverse impact of remote attendance at formal meetings.

## Attendance of Other Participants

32. Meetings are also attended by a range of participants other than committee members. These include invitees, witnesses, officers providing technical or other support for example, external experts and members of the public in accordance with the Council's Constitution.
33. Once the need for additional participants including members of the public (where appropriate) is identified by service area or support officers, they will inform Democratic Services of the details and contact information of the participant. The external participants will be contacted by Democratic Services to confirm their attendance, explain how they can join the meeting either as a physical or remote participant and the meeting procedures. If the external participant is joining the meeting remotely an electronic meeting invitation similar to that of other participants will be sent. They will also be offered the opportunity of a test meeting to familiarise themselves with the technology and the arrangements that are in place.

## Recording and broadcasting of meetings by observers

34. Members of the public are not permitted to photograph, film or record Councillors and officers or broadcast any such images or videos on social media at any Council meetings that are open to the public and press.

## Record of Attendance

35. The attendance of each committee member and participant will be recorded by the Democratic Services Officers supporting the committee. This will be achieved by recording attendance on a sign in sheet or using the attendance record from the remote meeting software to confirm attendance at the meeting.
36. Committee Members are to inform the relevant Democratic Services Officers if they are unable to attend a meeting and their apologies will be recorded.

## Observing Meetings

### Webcast Meeting

37. The main purpose of webcasting is to aid transparency, governance and accountability by giving members of the public, elected members, officers and other interested parties the opportunity to observe meetings without having to attend in person and for the Council to have an official audio and visual record of its decision making process.
38. The formal meetings of Council will either be webcast by being live streamed or recorded for subsequent upload to the Council's webcasting website within 48 hours of the end of the meeting.
39. Webcasting does not replace the formal record of the meeting and the decisions taken, which are published on the Council website in the form of minutes or decision records.

### Physical Attendance of Observers at Multi-location Meetings

Observers will also be able to attend the physical element of meetings from the public gallery in each of the primary locations.

## Online Meeting Platforms

40. The Council will continue to use Microsoft Teams as its primary remote meeting platform. This platform should only be used by Elected Members from their Council provided devices to maintain the effective security of its meetings.
41. Meeting participants are required to use their laptops and headsets when participating in Council meetings remotely.
42. Other participants are able to join meetings using links contained within the meeting invitation which is circulated to all participants.

43. For facilitating dual language meetings Zoom can be used instead of Teams, however, the dual language element is currently being developed by Teams and will be the Councils preferred option when available.

## Publication of Meeting

### Public information

44. The production and publication of the Programme of Meetings, public agenda, reports, decision records and minutes are facilitated by the Council's committee administration software Civica-Modern.gov. Meeting participants are sent an email which includes links to the electronic agenda pack at least three clear working days prior to a meeting.
45. The software enables the Council to publish public information to its English and Welsh webpages for the public to view. The public are also able to subscribe to updates on the Councillors and Meetings webpages and identify any specific meetings or topics which they have an interest in. Once registered, the Modern.gov system will automatically provide electronic updates when new information is published on the website.
46. Modern.gov is also available to download as an app from the App store, Google Play and Microsoft Store which allows participants, observers and members of the public to view the Councils' meeting information. The Modern.gov app provides a paperless facility which enables participants to annotate their meeting document during their preparation for a meeting.
47. For those participants with an identified need or to provide ease of reading for more complex documents, hard copies can be provided with prior arrangement with either Democratic Services or Cabinet Support Officers as necessary.

### Non-Public Information

48. The law provides that some information may not be made publicly available and this is known as exempt or confidential information. When this type of information is considered at a formal meeting the documents are published on the Council's intranet and are only

available to those entitled to view them. The publication of these documents is also supported by the Modern.gov app but participants will be required to register the device they intend to use for viewing these documents with Democratic Services. Successful registration of a device will provide access to the Councils “private” modern.gov network but will still limit the availability of the information to those entitled to view it.

## Consideration of exempt or confidential information at meetings.

49. When exempt or confidential information is to be considered at a formal meeting, wherever possible, the agenda will schedule those items at the end of the meeting, so as to minimise any inconvenience to observers who will be required to leave the meeting at that point.
50. Agenda items which contain public information, and which are not fully exempt or confidential can be considered in a public environment. Should any participant wish to refer to the exempt or confidential information the Chair must be informed, and the meeting should exclude the press and public before continuing.
51. When an exempt or confidential item is planned to be considered the Chair will request that those not entitled to consider the exempt information leave the public remote meeting or be moved whilst the exempt information is considered.
52. The meeting recording and/or webcast will be paused. In the physical part of the meeting any observers will be requested to leave the room whilst the exempt item is considered.
53. When consideration of the exempt information has been completed, if there are further public items to be considered, all remote participants will be invited to re-join the public remote meeting and the recording and/or webcast will be resumed. The observers or participants attending the physical meeting will be invited to return into the meeting venue.

## Access and Participation at meetings

### Officers support at meetings

54. Primary support for multi-location meeting will be provided by Democratic Services Officers. This will include the:
- “Organiser” who will circulate the meeting appointment which will include a link to enable participants to join remotely. The organiser will also monitor the remote participants and assist them to join or re-join the remote meeting.
  - “Clerk” who will support the meeting, facilitate any voting and take the minutes
  - “Recording controller” will facilitate the live streaming of the meeting or the recording and subsequent upload of the meeting to the Council’s webcasting webpage.
  - For larger or more technical meetings an additional Democratic Services Officer will support the other Democratic Services Officers as necessary during the meeting.
  - Additional support may be also provided by ICT Officers to ensure that the technology used during meetings operates effectively and that the meeting can be progressed as planned.

### Conduct and Behaviour

55. Meeting preparation
56. Members should know how to join the meeting in advance
- Know how to adjust settings such as microphone sensitivity and volume levels
  - Know how to announce presence
  - Know how to mute/unmute equipment – this is very important
57. Fully charge equipment, long meetings can take a lot of battery.

58. Prepare thoroughly. The Chair will assume that everyone has read any reports being considered and be looking for observations and focussed debate.
59. Remember that meetings are being recorded and that all participants should be aware of their demeanour and surroundings.
60. Profile photographs should be professional and appropriate.
61. Participants should call in from a noiseless location where possible. Even if equipment can be muted everyone participating in the Meeting can hear all background noises.
62. Make sure that participants can access and view papers accordingly.
63. Ensure meetings are joined in a timely manner. Participants will know who is joining late.
64. When joining the meeting and before speaking, participants should introduce themselves with full names so participants and minute takers are in no doubt who is speaking.
65. Remember that participants should be the only person able to hear confidential and exempt items being discussed – remember that some matters could be private or exempt.
66. Report any technical issues that prevent being seen or heard to Democratic Services and IT as soon as possible.
67. Members are reminded that should adhere to the Members Code of Conduct at all times.

### **Voting at Meetings**

68. The voting rule are set out in the relevant procedure rules in the Council's Constitution.

### **Chairing Meetings**

69. Chairing a multi-location meeting is very different to chairing a face-to-face meeting and the Chair will be supported to carry out their role as outlined in the Officer Support at meetings section

above. The role of the Chair is particularly challenging at a physical meeting with some participants joining remotely. The “balance” between individuals in a room, and those joining by remote means, will have a significant effect on how business will be transacted.

70. Chairs have a particular responsibility to prepare for a multi-location meeting, in a more planned and directed way than might be necessary for a physical meeting. This may involve the Chair consulting with officers, committee members and participants in advance of a meeting.

### Chat Function use by Remote Participants

71. The Chat function must not be used to communicate in the meeting, if members wish to raise a question they must use their electronic hand and speak within the meeting.

### Review of Policy

72. This policy will be reviewed on an “as required” basis.



**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**COUNCIL  
14th December 2022**

**REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC  
SERVICES - Mr. Craig Griffiths.**

**SECTION A – MATTER FOR DECISION**

**WARDS AFFECTED: ALL**

**CHANGES TO POLITICAL PROPORTIONALITY AND COMMITTEE  
MEMBERSHIP**

**Purpose of the Report**

1. The purpose of this report is to authorise changes to the allocation of seats on council committees to the political groups.

**Amendments to Committee Membership**

2. The Head of Legal and Democratic Services has been notified of the proposed changes to the membership of Council committees specified below:
  - That Cllr Sonia Reynolds be removed as a member of the Cabinet (Policy and Resources) Scrutiny Sub Committee
  - That Cllr Carol Clement Williams be appointed as a member of the Cabinet (Policy and Resources) Sub Committee
  - That Cllr Sarah Thomas be removed as a member of the Social Services, Housing and Community Safety Scrutiny Committee
  - That Cllr Angharad Aubrey be appointed as a member of the Social Services, Housing and Community Safety Scrutiny Committee.

**Amendment to Outside Body Membership**

3. The Head of Legal and Democratic Services has been notified of the proposed changes to the membership of the outside body specified below:
  - That Cllr Martyn Peters be the named Council representative on the Neath Port Talbot Port Authority.

### **Financial Impact**

4. There are no financial impacts.

### **Integrated Impact Assessment**

5. There is no requirement to undertake an Integrated Impact Assessment as the issues within the report relate to constitutional matters only.

### **Workforce Impacts**

6. There are no workforce Impacts.

### **Legal Powers**

7. Section 15 of the Local Government and Housing Act 1989 and Local Government Act 2000

### **Risk Management**

8. There are no risk management issues that require attention.

### **Consultation**

9. There is no requirement under the Constitution for external consultation on this item.

### **Recommendations**

10. It is recommended that Council approves the changes to the membership of committees as contained in paragraphs 2 and 3 of this report.

**Reason for Proposed Decisions:**

11. To update the Council's membership arrangements.

**Implementation of Decisions:**

12. The decisions are for immediate implementation.

**List of Background Papers:**

13. Neath Port Talbot County Borough Council Constitution.

**Officer Contact**

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**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
COUNCIL**

**14<sup>th</sup> DECEMBER 2022**

**REPORT OF THE CHIEF FINANCE OFFICER**

**SECTION A – MATTERS FOR DECISION**

**WARDS AFFECTED – ALL**

**COUNCIL TAX REDUCTION SCHEME 2023/24**

**Purpose of Report**

1. This report sets out the proposed Council Tax Reduction Scheme for 2023/24 which needs to be adopted by Council by 31<sup>st</sup> January 2023. It also makes proposals relating to discretionary areas within the proposed scheme.

**Background**

2. Council Tax Benefit was replaced in April 2013 by a Council Tax Reduction Scheme more commonly known as Council Tax Support.
3. As Members are aware the UK Government funding for the scheme was reduced by approximately 10% as compared to their funding level for the previous Council Tax Benefit Scheme. However, since 2013/14 the Welsh Government has continued to provide an additional £22m on top of its base funding of £222m to enable financial support up to 100% of the council tax bill to be made available for eligible claimants.
4. The Welsh Government made regulations for a national scheme for Council Tax support. However, the obligation remains upon the Council to adopt a scheme.

## **Current Position**

5. The current Council Tax Reduction Scheme ends on 31<sup>st</sup> March 2023 and a new scheme must be adopted for 1<sup>st</sup> April 2023.
6. As Members are aware the Council provides Council Tax support to approximately 16,000 households within the County Borough, of which approximately 11,000 receive full support and pay no Council Tax. The remaining 5,000 households receive partial support to pay for their Council Tax.
7. Although the Local Government Finance Act gives Welsh Ministers discretion to allow Welsh local authorities to determine the contents of schemes themselves, the Welsh Government have approved an extension to the existing national framework for the provision of Council Tax Support in Wales. This is to avoid what has been termed a "postcode lottery" whereby eligibility for a Council Tax reduction and the size of the Council Tax reduction for particular groups could be different in different council areas. This extension provides up to a "100% support scheme" for 2023/24.
8. The Council Tax Reduction Scheme in Wales is set by Regulations made under Schedule 1B of the Local Government Finance Act 1992 (as inserted by the Local Government Finance Act 2012). On 26<sup>th</sup> November 2013 the Wales Government approved the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013.
9. The scheme is subject to the annual up-rating of certain figures used by authorities to assess individual customers' entitlement and is also subject to periodic technical adjustments. These amendments are contained in The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2023.
10. These regulations have been laid in Welsh Government on the 6<sup>th</sup> December 2022 and are due to be debated/approved by Welsh Government in January 2023. It is proposed that the Council also

adopts the proposed changes that will be made by the Welsh Government, which include:

#### Uprating figures for 2023-24

Personal allowances in relation to working age, pensioner age, carer and disabled premiums will be updated as will non-dependent deductions.

#### Additional Amendments

In addition to uprating the financial figures, there are also a number of other amendments to the 2013 CTRS Regulations, which make provision for the treatment of two types of payments and ensure the 2013 Regulations remain up-to-date and fit for purpose.

#### People from Ukraine

This amendment is designed to support Ukraine nationals and as a consequence of the refugee crisis caused by the Russo-Ukrainian War. Similar changes will be made by the Department for Levelling Up, Housing and Communities (DLUHC) for required components of local council tax support schemes in England.

The proposed amendments to the 2013 CTRS Regulations make provision to ensure that any Ukrainian national who has been granted leave to enter or remain in the United Kingdom under or outside the immigration rules or who has a right of abode is not treated as not being habitually resident in Great Britain for the purpose of determining their eligibility for a council tax reduction. The effect of these amendments is that people in this group will be eligible to be included in a local authority's CTRS and will be eligible for a discount if they meet the other requirements of the CTRS.

#### People from Ukraine: Protection for hosts for the Homes for Ukraine scheme

This amendment is designed to ensure that no applicant living in Wales hosting a person from Ukraine under the Homes for Ukraine scheme is negatively impacted.

The proposed amendments to the 2013 CTRS Regulations make provision that any Ukrainian national who has been granted leave to enter or remain in the United Kingdom or who has a right of abode is to be treated as dependent on the applicant host for the purpose of calculating entitlement to a council tax 6 discount. This has the effect of preserving the level of entitlement of the host applicant.

#### European Economic Area citizens

The 2013 CTRS Regulations currently provide an exception for European Economic Area (EEA) citizens. EEA citizens are now subject to immigration control (and therefore a class of persons who must not be included in an authority's scheme). This amendment will mirror the English regulations.

The proposed amendments to the 2013 CTRS Regulations to remove the exception for EEA citizens who are now subject to immigration control

#### **Integrated Impact Assessment**

11. The Welsh Government has previously compiled an Equalities Impact Assessment following its consultation. A local Equalities Impact Assessment has previously been carried out by this Council in 2012 and 2013. Those consultations assisted the Council in satisfying the public sector equality duty as set out in the Equality Act. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at Appendix 1, has indicated that a more in-depth assessment is not required.
  
12. The approved national scheme, within the Prescribed Requirements Regulations, provides some limited discretion for the Council to apply additional elements that are more generous than the national scheme.



13. As the Welsh Government has introduced a standard scheme other than for 3 discretionary items as set out below they have determined there is no need for each Council to carry out a separate consultation process in relation to individual schemes. This is provided that there is no proposed change in relation to the discretionary elements. It is confirmed that there are no proposed changes to the discretionary elements for the 2023/24 Council Scheme as set out below.

- (a) The ability to backdate the application of council tax reduction with regard to late claims prior to the standard period of three months before the claim;

**that there is no increase in the backdated period for pensioners and working age claimants from the standard 3 months contained within the prescribed scheme.**

- (b) The ability to increase the standard extended reduction period of 4 weeks given to persons 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;

**that there is no change to the standard 4 week extended reduction period contained within the Prescribed Scheme.**

- (c) Discretion to increase the amount of War Disablement Pensions, War Widows Pensions and War Widower's Pensions which is to be disregarded when calculating income of the claimant;

The National Scheme provides for the first £10 per week of this income to be disregarded.

**to continue to disregard the above-mentioned pensions income in full.**

### **Financial Implications**

14. This Council's total budget for Council Tax Support in 2022/23 is £19.621million. The budget for 2023/24 will be determined by Cabinet in March 2023.

## **Legal Implications**

15. The Council is obliged to make a Council Tax Reduction Scheme under the Prescribed Requirements Regulations. Although the legislation provides for a default scheme to apply in the absence of the Council making a scheme, the Council is nevertheless under a statutory duty to adopt its own scheme, even if it chooses not to apply any of the discretionary elements.

## **Risk Implications**

16. The Council needs to manage the cost of Council Tax Support within its budget. The amount of Welsh Government support is provided on a fixed basis rather than the demand-led basis of support to council tax benefit. Any variation in Council Tax support costs will have to be met by this Council.

## **Recommendations**

17. Having given due regard to the Integrated Impact Assessment. It is recommended that Council approve the following in relation to establishing its Council Tax Reduction Scheme for the 2023/24 financial year:
  - (a) Adopts the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 as further amended by the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2023 and any subsequent amendments that may be required by legislation in relation to The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2023.
  - (b) Approves the retention of the existing discretionary elements in relation to the Prescribed Scheme:
    - (i) That no increase in the backdated period for all claimants be applied from the standard 3 months contained in the Prescribed Scheme.

- (ii) That no increase in the extended reduction period for all claimants be applied from the standard 4 weeks currently contained within the Prescribed Scheme.
- (iii) Apply a 100% disregard for War Disablement Pensions, War Widows Pensions and War Widower's Pensions for all claimants.

### **Reason for Proposed Decision**

- 18. To establish a Council Tax Reduction Scheme for 2023/24 in line with legislation and regulations.

### **Implementation of Decision**

- 19. The decision is for immediate implementation.

### **Background Documents**

- 20. Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 as amended by the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015, amended by the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016, amended by the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2017 ("Uprating Regulations"), amended by The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018 ("Uprating Regulations") and further amended by The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2019. Further amended by The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020. Further amended by The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2021. Further amended by The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2022. Further amended by The Council Tax Reduction Schemes

(Prescribed Requirements and Default Scheme) (Wales)  
(Amendment) Regulations 2023.

## **Appendix**

Appendix 1 – Impact Assessment – First Stage

### **Officer Contact**

For further information on this report item, please contact:

Mr Huw Jones – Chief Finance Officer

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**Impact Assessment - First Stage**

**1. Details of the initiative**

**Initiative description and summary:** Council Tax Reduction Scheme 2023/24.

The Welsh Government has previously consulted and put in place a universal scheme across Wales for the provision of financial support to the most financially disadvantaged citizens to help them pay their Council Tax. Since 2013/14 the Welsh Government has provided £244m to the 22 Local Authorities in Wales to adopt a standard scheme of financial support. This is to avoid what has been termed a "postcode lottery" whereby eligibility for a Council Tax reduction and the size of the Council Tax reduction for particular groups could be different in different council areas. The continued extension of this scheme into 2023/24 provides up to a "100% support scheme" for eligible taxpayers. As in all years since 2013/14 Neath Port Talbot Council's Council Tax Reduction Scheme (or support scheme) will be in line with the standard Welsh Government Scheme and does not propose any change to the 3 Discretionary elements of the scheme as are set out in paragraph 13 of the report.

**Service Area:** Council Tax

**Directorate:** Chief Executive

**2. Does the initiative affect:**

	<b>Yes</b>	<b>No</b>
Service users (council taxpayers)	X	
Staff	X	
Wider community	X	
Internal administrative process only		X

**3. Does the initiative impact on people because of their:**

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age				X		<p>Council Tax is payable by people occupying non domestic properties. These include owner occupiers, tenants and owners of properties (if they are vacant). There are a number of exemptions and discounts available for council tax payers and these along with the Council Tax Support Reduction scheme are applied to each property/taxpayer in line with Government legislation and regulations.</p> <p>The Council Tax Reduction Scheme (CTRS) set out in this report was consulted on by Welsh Government prior to its adoption in 2013/14. CTRS is provided to all eligible taxpayers to help them pay their Council Tax. This report shows that the cost to the Council exceeds the share of the £244m funding made available. The cost of the scheme has to be found from within the Council's total resources available. The Council Tax database does not identify the specific characteristics of taxpayers. All eligible taxpayers receive the appropriate financial support in line with the scheme's criteria and do not treat any people with protected characteristics any differently.</p>
Disability				X		
Gender Reassignment				X		
Marriage/Civil Partnership				X		
Pregnancy/Maternity				X		
Race				X		
Religion/Belief				X		
Sex				X		
Sexual orientation				X		

**4. Does the initiative impact on:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		X				Applications for support can be made in Welsh
Treating the Welsh language no less favourably than English		X				Applications for support can be made in Welsh

**5. Does the initiative impact on biodiversity:**

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		X				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		X				

**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

	Yes	No	Details
<b>Long term</b> - how the initiative supports the long term well-being of people	X		The scheme provides assistance to people on benefits and low income to help them pay their Council Tax. This is a continuation of a standard uniform scheme introduced by Welsh Government in 2013/14. In line with Regulations the council must determine annually before the end of January the Council Tax Reduction scheme that it will have in place for the next financial year i.e. 2023/24.
<b>Integration</b> - how the initiative impacts upon our wellbeing objectives	X		It assists to provide a sense of community and helps people live locally without having to be concerned about paying all or part of their Council Tax.
<b>Involvement</b> - how people have been involved in developing the initiative		X	The scheme has been in existence since 2013/14 and is proposed to continue unchanged in 2023/24. If the Welsh Government proposes any changes to the scheme they will be subject to full consultation.
<b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions		X	The Council is applying the standard scheme of financial support as provided by the Welsh Government
<b>Prevention</b> - how the initiative will prevent problems occurring or getting worse	X		It prevents people having tax arrears and having to pay their Council Tax when they are on the appropriate benefits and/or low incomes



**7. Declaration - based on above assessment (tick as appropriate):**

A full impact assessment (second stage) <b>is not</b> required	X
Reasons for this conclusion	
This is a continuation of the Council Tax Reduction scheme that has been in existence since 2013/14. In line with regulations the Council's is required to approve its scheme for the forthcoming financial year before 31 January of each year.	

A full impact assessment (second stage) <b>is</b> required	
Reasons for this conclusion	

Page 41

	Name	Position	Date
Signed off by	Huw Jones	Chief Finance Officer	07.12.22

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