

COUNCIL

(Civic Centre, Port Talbot)

Members Present:

25 November, 2015

The Mayor: **Councillor A.P.H.Davies**

The Deputy Mayor: **Councillor Mrs.S.M.Penry**

Councillors: H.M.Bebell, Mrs.A.Chaves, D.W.Davies, Mrs.R.Davies, Mrs.J.Dudley, M.Ellis, P.Greenaway, M.Harvey, S.K.Hunt, H.N.James, Mrs.L.H.James, M.L.James, A.Jenkins, Mrs.D.Jones, E.E.Jones, M.Jones, R.G.Jones, E.V.Latham, D.Lewis, A.Llewelyn, Mrs.K.Lloyd, J.Miller, Mrs.S.Miller, C.Morgan, Ms.C.Morgans, Mrs.S.Paddison, Mrs.K.Pearson, M.Protheroe, L.M.Purcell, S.Rahaman, P.A.Rees, J.Rogers, A.J.Siddley, A.Taylor, A.H.Thomas, A.L.Thomas, R.Thomas, J.Warman, D.Whitelock, I.D.Williams, Mrs.L.G.Williams and A.N.Woolcock

Officers in Attendance: S.Phillips, H.Jenkins, A.Evans, G.Nutt, D.Michael, S.John, R.George, P.Malough, Mrs.A.Manchip and Miss.C.Davies

Representatives of the Translation Service: Present

1. MAYOR'S ANNOUNCEMENTS.

It was with great sadness that the Mayor announced the recent death of Mrs.Monica Johnson, the widow of the late Kenneth Johnson who was a Member of this Authority and Mayor and Mayoress of the former Port Talbot Borough Council in 1991-92.

In addition the Mayor referred to the death of Mr David Morgan Williams, former Member of this Authority and the Glynneath Ward.

The Mayor also extended Council's heartfelt sympathies to all those affected by the recent atrocities in Paris.

As a mark of respect, Members stood for a minute's silence.

2. **PRESENTATION BY THE CHIEF FIRE OFFICER**

On behalf of Council, the Mayor welcomed Mr. Chris Davies, the Chief Fire Officer of the Mid and West Wales Fire Authority and Mr Mick Crennell, the Deputy Chief Fire Officer, to the annual meeting with the Council.

Members were reminded that the Fire Authority covered 6 Local Authority areas and was the second largest in England and Wales with a £43.8m budget. The Fire Authority had had a 34% reduction in staff over the last 2 years, and was now a small and agile unit. The cost of the service per head of population was 13p per day.

Mr. Davies advised Council of the governance arrangements in place wherein it was noted that the Neath Port Talbot Commander was now Mr Peter Greenslade.

From the presentation it was noted that there had been a reduction in the incidents of fire by 50%, while arson had reduced by 66%. It was important to acknowledge that this was a risk based service and not demand lead. Details of other statistics, such as house fires which averaged at 45 per month over the whole of the service area, were noted. In relation to Road Traffic Collisions, there had been an increase this year of 14% and work was ongoing to identify why this was the case, but it was noted that the age group of 17 to 24 years of age was responsible for in the region of 55% of the accidents. Concern was expressed at this high percentage and were advised that the Fire service worked closely with schools and the police to educate young drivers. Members asked whether there was a reason for the increase in road traffic accidents and noted that there were in the region of 88 per month over the area and that it was difficult to ascertain any trends.

The Fire Authority had been able to increase its participation in such things as flooding and co responding, etc. In relation to being co responders, Members noted that fire officers attended incidents with defibrillators.

In relation to attending incidents of flooding, Members noted that with effect from 1 December 2015, the Fire Service would have a statutory duty to attend. As a result of these increased responsibilities, Mr. Davies would be approaching the Welsh Government for increased funding.

Members then asked how, in these days of austerity, could the Fire Authority generate income and were advised that the Service had a trading arm, however the service would always require additional funding.

Members then asked whether risk assessments had been carried out on properties which were difficult to reach with large fire engines and were advised that this had been carried out and that where necessary a four wheel drive vehicle would be used.

Members noted that the service shared premises with other service providers in order to rationalise the costs of premises.

Members asked for the implications of having 4 COMAH sites in the area and were advised that the Fire Authority's resources had not changed.

Concern was expressed by Members that should the service be cut any further safety could possibly be compromised.

The Mayor then thanked Mr Davies and Mr Crennell for their presentation to Council and they withdrew from the meeting.

3. **MINUTES OF THE PREVIOUS MEETING OF COUNCIL**

RESOLVED: that the Minutes of the previous meeting of Council, held on 14 October 2015, be confirmed as a correct record, subject to the third paragraph of Minute No 9 being amended to read:

“what provision was provided following the 2 terms the pupils were excluded”.

4. **CAPITAL BUDGET MONITORING 2015/16**

Members received the report of the Head of Financial Services in relation to the Capital Budget Monitoring for 2015/16, which had been commended to Council for approval by Cabinet held on 4 November, 2015.

- RESOLVED:**
- a. that the adjustment arising from the post audit final Capital Programme spend for 2014/15, of £57.902m, be noted;
 - b. that the proposed 2015/16 budget of £73.627m, as contained in Table 1, contained in the circulated report, be approved;
 - c. that the expenditure as at 30 September 2015, be noted.

5. **DIGITAL BY CHOICE STRATEGY**

Members received the report of the Head of Corporate Strategy and Democratic Services re the Digital by Choice Strategy – Outcome of Public Consultation Exercise, which had been commended to Council by the Policy and Resources Cabinet Board held on 15 October, 2015.

Members were pleased with the proposed Strategy but acknowledged the fact the some members of the public could find it difficult to become engaged. Following the presentation of the report the Leader of Council supported the introduction of the Strategy as the way forward.

- RESOLVED:**
- a. that the outcome of the consultation undertaken on the Draft Channel Shift Strategy entitled 'Digital By Choice', be noted, and the Strategy adopted without amendment;
 - b. that the Head of Corporate Strategy and Democratic Services be authorised to implement the Strategy.

6. **TREASURY MANAGEMENT MID YEAR REVIEW REPORT 2015/16
AND AMENDMENT TO TREASURY MANAGEMENT PRACTICES
INVESTMENT CRITERIA**

Council received the report of the Director of Finance and Corporate Services re: Treasury Management Mid Year Review 2015/16 and Amendment to Treasury Management Practices Investment Criteria.

- RESOLVED:**
- a. that the revised Prudential and Treasury Indicators for 2015/16 onwards, as contained in Appendix 2 to the circulated report, be approved;
 - b. that the revised Investment Criteria, as contained in Appendix 4 to the circulated report, be approved;
 - c. that the Treasury Management activities to date this financial year, and how they relate to the proposed activities within the original 2015/16 Treasury Management Strategy and Annual Investment Strategy Statements, be noted;
 - d. that the proposals in relation to the Icelandic Bank accounting adjustments to take place at 2015/16 year end, be approved.

7. **BUDGET GUIDELINE CHANGES 2015/16**

Following the meeting of Cabinet held on 4 November 2015, Council received the updated report of the Corporate Directors' Group in relation to Budget Guideline Changes for 2015/16.

- RESOLVED:**
- a. that the budget virements, as contained in Paragraph 2.1 of the circulated report, be approved;
 - b. that the reserve movements, as contained in Paragraph 3.3 of the circulated report, be approved;
 - c. that the reserve balances as contained in the circulated report, be noted.

8. **GAMBLING ACT 2005 - DRAFT STATEMENT OF PRINCIPLES 2016**

Following the conclusion of the consultation period, Members received the Report of the Head of Legal Services on the proposal to revise the Statement of Principles in relation to the Gambling Act 2005.

RESOLVED: that the Draft Statement of Principles 2016, as contained as an Appendix to the circulated report, be adopted and that a new 'No Casino' resolution be agreed.

9. **LICENSING ACT POLICY**

Following the conclusion of the consultation period, Members received the Report of the Head of Legal Services on the proposal to revise the Licensing Act Policy 2016.

RESOLVED: that the Draft Licensing Act 2016, as contained as an Appendix to the circulated report, be adopted.

10. **MEMBERSHIP ARRANGEMENTS**

As a result of a change in the Political composition of the Authority, together with requests received from the political groups, the following changes in Membership, be approved:

Environment and Highways Scrutiny Committee

Replace Councillor R.Phillips with Councillor C.Morgan

Planning Committee

Replace Councillor Mrs J.Dudley with Councillor C.Morgan

Joint Resilience Committee

Replace Councillor J.Bryant with Councillor Mrs.J.Dudley

Neath Town Centre Redevelopment Group

Replace Councillor J.Bryant with Councillor Mrs.J.Dudley

Licensing and Gambling Acts Committee
Licensing and Gambling Acts Sub Committee
Registration and Licensing Committee

Replace Councillor J.Bryant with Councillor Mrs.R.Davies

Replace Councillor C.Morgan with Councillor A.Taylor.

11. **EXECUTIVE DECISIONS OF THE CABINET AND CABINET BOARDS**

RESOLVED: that the following Executive Decisions of Cabinet and Cabinet Boards be noted:-

Cabinet	7 October, 2015
Cabinet	4 November, 2015
Children, Young People and Education	22 October, 2015
Social Care, Health and Housing	8 October, 2015
Policy and Resources	15 October, 2015
Economic and Community Regeneration	23 October, 2015
Environment and Highways	29 October, 2015
Environment and Highways	6 November, 2015

12. **QUESTION UNDER RULE 9.2**

Councillor D.Lewis put the following question in accordance with Rule 9.2 of the Council's Procedure Rules:-

"The 4th September 2015 report to the CYPE Cabinet Board contains the following lines :-

'It is the view of officers within DELLL that having regard to the legal requirement upon the Council to promote access to Welsh medium education it is reasonable to designate Ysgol Gyfun Ystalyfera as the nearest suitable provision for pupils who have received most of their primary education through the medium of Welsh.'

This sentence lies at the heart of the shambles that has now gone on for nearly 2 years. Currently, YGY is the designated WM secondary school in the County Borough for children from families wishing to be educated through the medium of Welsh. Discretionary powers are employed to provide free transport to the school from anywhere in the Borough. Very simple and clear with families - not officers - being able to exercise their rights to choose their child's education.

Critically this "view of officers" forms the basis of the ruling first notified in February 2014.

Would the Cabinet Member identify when and how members were asked to consider and then approve this "view of officers"? “

The Cabinet Member then advised that the report was considered by the Children, Young People and Education Scrutiny Committee and Cabinet Board on 22 September 2014. Following consideration of the Scrutiny Committee's views the Cabinet Board did not then agree the recommendations contained in the report but asked that the matter be brought back for Members' consideration.

In accordance with the Council's Constitution. Councillor Lewis then asked a supplementary question as follows:-

“What advice did they (Members) receive from Officers”

The Cabinet Member then advised that no pupils in the area had been disadvantaged and that Officers were seeking Welsh Government advice. An informed decision would then be made.

13. **URGENT ITEM**

Because of the need to deal now with the matter contained in Minute No.14 below, the Mayor agreed that this could be raised at today's meeting as an Urgent Item pursuant to Section 100B (4) (b) of the Local Government Act 1972.

Reason:

Due to the time element.

14. **SUSPENSION OF STANDING ORDERS**

RESOLVED: That the Rules of Procedure be suspended except Rule 14.6 and Rule 15.2, for the remainder of the meeting.

15. **TRADES UNION BILL**

RESOLVED: That the following motion put before Council be agreed:-

“On behalf of the Labour Group this Council registers its opposition to the Trades Union Bill being considered by Parliament. Council welcomes Welsh Government’s proposal to lay down a Legislative Consent Memorandum in the National Assembly for Wales in respect of the proposed allocation of parts of the Bill on the devolved public services. Further, this Council wishes to register its opposition to the Bill in its entirety and would like to register its support and solidarity to Trades Unionists in other parts of the UK that will be affected by the Bill.”

CHAIRPERSON