

COUNCIL

(Civic Centre, Port Talbot)

Members Present:

15th October, 2014

The Mayor: **Councillor H.N.James**

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

Councillors: A.Carter, Mrs.A.Chaves, Ms.C.Clement-Williams,
Mrs.J.Dudley, M.Ellis, J.S.Evans, M.Harvey,
S.K.Hunt, Mrs.L.H.James, M.L.James, R.James,
A.Jenkins, E.E.Jones, Mrs.D.Jones, R.G.Jones,
S.Jones, D.Keogh, E.V.Latham, D.Lewis,
A.Llewelyn, A.R.Lockyer, J.Miller, C.Morgan,
J.D.Morgan, Ms.C.Morgans, Mrs.S.Paddison,
Mrs.K.Pearson, Mrs.S.M.Penry, D.M.Peters,
M.Protheroe, L.M.Purcell, S.Rahaman,
H.G.Rawlings, P.A.Rees, P.D.Richards, J.Rogers,
A.J.Siddley, A.J.Taylor, A.Taylor, A.L.Thomas,
A.H.Thomas, D.Whitelock, I.D.Williams,
Mrs.L.G.Williams, Mrs.A.Wingrave and
A.N.Woolcock

Officers in Attendance: H.Jenkins, A.Evans, R.George, N. Jarman,
H.Jenkins, Mrs.A.Manchipp, Mrs.K.Jones, Thomas
and Mrs.N.Pearce, R.George
and Mrs.A.Manchipp

**Representatives of the
Translation Service:** Present

1. **MAYOR'S ANNOUNCEMENTS.**

The Mayor advised Members of Council that Mr Valdo Funning, former Member of Neath Port Talbot County Borough Council had passed away.

As a mark of respect Council stood for a moment's silence.

2. **MINUTES OF COUNCIL MEETINGS 2014/15**

RESOLVED: that the Minutes of the following meeting of Council be confirmed:-

Council

03.09.14

3. **CORPORATE PARENTING STRATEGY**

Council noted the content of the Report of the Director of Social Services, Health and Housing regarding the Corporate Parenting Strategy, which had been commended to Council for adoption by the Children, Young People and Education Cabinet Board held on 22nd of September, 2014.

Members also noted that an Equality Impact Assessment had been carried out on the implications of the Strategy, a copy of which was also considered on 22nd September.

RESOLVED: that the Corporate Parenting Strategy, contained in the circulated report and commended to Council by the Children, Young People and Education Cabinet Board on 22nd September, 2014, be adopted.

4. **BUDGET STRATEGY 2015/16**

The Director of Finance and Corporate Services gave Members a verbal update in relation to the above as a result of the provisional budget announcement made by Welsh Government on 8th October, 2014.

Members were pleased to note that the provisional settlement announced on 8th October was a reduction of 2.4% which was less than the reduction of 4.5% anticipated and on which the report to Cabinet on 1st October had been based. Members were however reminded that the cut of 2.4% was equivalent to a cut of £19 million (previously £23 million) which now obviated the need to identify further saving to close the previously reported shortfall of £2.8 million.

The Director however warned Members that the majority of the proposed budget savings, as contained in the report of 1st October and subject to consultation, would still be necessary to achieve a balanced budget.

Members were reminded that the Specific Grants had not yet been announced and that issues may arise when these became known resulting in

some of the savings being used to offset any cut in the grants. The Director would advise Members of the current position separately.

Members again discussed the use of Reserves in addressing some of the shortfall but were advised that this would just result in a one off saving and would not solve the problem over the three years. Some reserves would likely be used to balance the budget for 2015-16 due to be considered by Council in early February 2015.

The work of all concerned, in lobbying Welsh Government, was commended.

RESOLVED: that the above report, be noted.

5. **CHANGES TO THE DETERMINATION OF PLANNING APPLICATIONS**

Council received the comprehensive report of the Head of Planning regarding proposed changes to the determination of Planning applications in line with the Planning Bill which had been launched on 6th October, 2014.

Members raised the following points during discussions:-

Clarity around the issue of Predetermination of Planning application and in particular the public perception when Members were precluded from taking part in the determination of a particular application. Would the Training referred to in the report address this? The Head of Service advised that this was a particularly difficult issue to address, but where Members of the public were able to put forward their views at the relevant meeting, this would hopefully alleviate some of the issues.

There would be a presumption that any request for a site visit would be made at the beginning of the meeting, however should a request be made (by a Member of the Committee) during the discussion of an application, this would be duly considered by the Committee.

In relation to Member training this would be carried out on an annual rolling programme, facilitated by either Officers internally or via external providers. There would be a minimum of 10 hours per annum, however this could increase subject to upcoming Welsh Government Legislation.

There was a lack of reference to Town and Community Councils as they were already Statutory Consultees.

Members expressed their support of the proposals, in particular the right of members of the public to speak at a meeting. It was confirmed that Ward Members who attended for a particular item, with the permission of the Chairman, would be referred to as invited Members.

RESOLVED: that the proposals for the modernisation for the determination of planning applications, as contained in the circulated report be approved, with the changes to the Planning and Development Control Committee being effective from 11th November, 2014 and the other changes referred to therein being effective as soon as possible thereafter.

6. ANNUAL REPORT 2013/14

Council received the comprehensive report of the Head of Corporate Strategy and Democratic Services on the Authority's Draft Annual Report entitled "Rising to the Challenge", a copy of which was contained in the Appendix to the circulated report.

Members were advised that the findings of the Corporate Assessment recently undertaken by Wales Audit would be presented to the next meeting of Council following receipt of the final report.

Members were pleased to note the decrease in the use of agency staff and the decrease in sickness. Officers were also commended on the work undertaken to not only produce the Annual Report but to improve the statistics referred to above.

Following the above discussions, the Leader of Council highlighted the successes of the Authority which included the progress in implementing the Capital Programme, increase online services, exceeding the waste targets set by Welsh Government and joint working on adult social care, etc. He also thanked Members and Officers of the Authority and Partner agencies, together with the Trade Unions, for their contributions in meeting the challenges.

RESOLVED: that the Draft Annual Report 2013/2014 entitled "Rising to the Challenge" together with the Summary, contained as an Appendix to the circulated report, be adopted, subject to the Head of Corporate Strategy and Democratic Services being given delegated authority, in consultation with the Leader of Council, Deputy Leader

and the Chief Executive to make any further changes necessary prior to its final publication, which do not materially change the content of the Report.

7. **MODERNISING THE PLANNING COMMITTEE**

Members received the report of the Head of Corporate Strategy and Democratic Services, and an Addendum report circulated at the meeting on the proposed Membership of the Planning Committee (Minute Number above refers), together with a proposed change to the Membership of the Economic and Community Regeneration Scrutiny Committee.

RESOLVED: 1. that the following Membership of the Planning Committee be approved, with effect from 11th November, 2014:-

Councillors: R.G.Jones (Chairman), E.E.Jones (Vice Chairman), Mrs A.Chaves, Mrs.S.Paddison, Mrs.S.M.Penry, R.Thomas, D.Keogh, Mrs.L.G.Williams, D.W.Davies, Mrs.R.Davies, Mrs.J.Dudley and S.K.Hunt.

2. that, with effect from 11th November, 2014, Councillor S.K.Hunt be replaced by Councillor A.Taylor on the Economic and Community Regeneration Scrutiny Committee.

8. **RECORD OF EXECUTIVE DECISIONS OF THE CABINET AND CABINET BOARDS**

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

Cabinet	30.07.14
Cabinet	10.09.14

(NOTE: In relation to Minute Number 3 of the above meeting, the Director of Environment provided clarification, in that the sale referred to therein was subject to the Head of Legal Services confirming that there were no encumbrances to the provenance concerning the disposal.)

Economic and Community Regeneration	31.07.14
Economic and Community Regeneration	11.09.14
Children, Young People and Education	31.07.14

Children, Young People and Education	22.09.14
Policy and Resources	04.09.14
Environment and Highways	09.09.14
Social Care, Health and Housing	15.09.14

9. **QUESTION UNDER RULE 9.2**

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

I am a Governor at Cwmtawe Comprehensive School and on 3rd August 2014, I wrote to Chief Executive about newly introduced changes to School Transport rules for children in the Cwmtawe catchment area.

In my view, the changes were discriminatory and possibly illegal. The Chief Executive refuted those views and explained that the policy covering the changes currently being enforced were covered by the Council's Home to School Transport Policy decided by Cabinet on 27th March 2013. When of course, I was the Cabinet Member for Education.

Question

Would the current Cabinet Member for Education demonstrate where in that document it says that Children attending Welsh Medium Primary Schools who chose to continue their secondary education in an English Medium Secondary School, and I quote 'would be deemed as a preferred placement to which no free transport would be provided' (letter from an Education Officer to a parent from Tairgwaith, 30th September 2014) ?

Even though for example a child from the same street who chose an English Medium Primary School would have their transport free when attending the same English Medium secondary school.

Councillor Peter Rees, Cabinet Member for Education and Lifelong Learning, responded to the above request in that the distance criteria threshold for primary age pupils was 2 miles while the threshold for secondary age pupils was 3 miles.

The Deputy Leader then made reference to the Cabinet report of 27th March 2013 and in particular the Learner Travel Measure and Learner Travel Operational Guidance 2009 which applies equally to both English and Welsh medium schools. Reference was also made to the subsequent Learner Travel – Statutory Provision and Operational Guidance 2014.

Under the Authority's discretionary powers to determine the nearest suitable school for secondary transfer to be a Welsh medium school – even if that school is not the nearest by travel distance. In the case of this Authority, the Welsh medium secondary school designated as the nearest suitable is YG Ystalyfera. By default, this makes other schools preferred placement choices for parents for which, notwithstanding the Authority's discretionary powers, there is no requirement to provide assistance with transport.

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

- a. Councillor Lewis made reference to the letter from the Director of Education, Leisure and Lifelong Learning of 4th February 2014 asking why it was only YGG Ystalyfera that the Authority provided free transport for secondary pupils?
- b. When did the Cabinet/Council scrutinise and adopt the Policy – it does not exist – it was just a footnote on the Policy Document?
- c. Is the Cabinet Member aware that any changes to policies etc. must be conveyed to the parents no later than 1st October the year prior to the child entering the school? This did not happen as letters were received by parents 6 months late ie on the 4th February, 2014, by which time parents had secured the relevant pupil placements.

The Director of Education, Leisure and Lifelong Learning began to respond to the Supplementary Question, however Cllr Lewis withdrew from the meeting at this point. The Director therefore advised Council that he would compile a written response to the supplementary question.

CHAIRMAN