

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE SERVICES SCRUTINY COMMITTEE

MINUTES of the special meeting of the Corporate Services Scrutiny Committee held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale, on Thursday, 13th November 2014 at 10.00 am.

Present:

County Borough Councillor M A Norris – in the Chair

County Borough Councillors:

S Carter	J David	(Mrs) M E Davies
P Griffiths	S Lloyd	S Rees-Owen
G Stacey	(Mrs) J S Ward	P Wasley
E Webster	D W Weeks	C Willis
R A Yeo		

Members making the Call in:-

County Borough Councillors
M Powell
L Walker
P Wasley (also member of the Committee)

Officers:

Mr S Merritt – Chief Executive
Mr C Lee – Group Director, Corporate Services
Mr P J Lucas – Director of Legal & Democratic Services
Mr C Hanagan – Service Director, Cabinet Office & Public Relations
Mr C Atyeo – Director of Corporate Estates
Mr S Dinnick – Head of Corporate Asset Management & Support Services
Ms Ann Edwards – Scrutiny Support Officer

Cabinet Members:

County Borough Councillors
A Morgan – Leader of the Council
P Cannon QPM - Deputy Leader & Cabinet Member for Safer Communities, Tourism and Heritage
G E Hopkins - Cabinet Member for Children's Social Services and Equalities

County Borough Councillors in Attendance:

R Bevan - Cabinet Member for Economic Development & Planning
M Forey - Cabinet Member for Health & Adult Social Services
(Mrs) E Hanagan - Cabinet Member for Education & Lifelong Learning
(Mrs) M Webber - Cabinet Member for Council Business & Corporate Affairs
(Mrs) T Bates
(Mrs) J Bonetto
B Morgan
S Powderhill
R W Smith

29. APOLOGIES

Apologies for absence were received from County Borough Councillors H Boggis, (Mrs) J Cass and (Mrs) M Tegg.

30. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, the following declarations of interest were received in relation to Agenda Item 3 – Operating Replacement Services – Opportunities for Community Groups/Individuals.

County Borough Councillor S Carter declared a personal and prejudicial interest and left the meeting – “I am a member of the Group applying”.

County Borough Councillor S Rees-Owen declared a personal and prejudicial interest and left the meeting – “I was in discussion with one of the successful applicants for the bid”.

The following Members declared personal but non prejudicial interests:

County Borough Councillor P Wasley – “Collected Business Plan from applicant”.

County Borough Councillor L Walker – “Met with applicant to collect Business Plan”

County Borough Councillor M Powell – “Met and collected Business Plan from commercial applicant”

County Borough Councillor S Powderhill (Not a member of the Committee) – “Pontypridd Town Councillor – here as observer”

County Borough Councillor B Morgan (Not a member of the Committee) – “Pontypridd Town Councillor – here as observer”

County Borough Councillor (Mrs) T Bates (Not a member of the Committee) - “Pontypridd Town Councillor – here as observer”

31. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act, 1972 (as amended) for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 14 of Part 3 of Schedule 12A of the Act, namely, information relating to the financial or business affairs of any particular person (including the Authority holding that information) and it is not considered to be in the public interest to disclose financial details as it will prejudice acquisition procedures.

32. PROCEDURE

The Director of Legal and Democratic Services explained the process and purpose of the Call-in. He explained that the three Members who had instigated the call-in were in attendance and that as Councillor Wasley was a Member of the Committee he would be able to participate and vote in this

capacity. He reported that the Leader and the Cabinet portfolio holder had requested to address the committee and also the Cabinet Member with responsibility for the Welsh language. He informed Members that the Chairman had agreed to this request.

The Director of Legal and Democratic Services explained that before commencing the debate it was important to agree the procedure to be adopted and he drew Members' attention to pages 1 and 2 of his report which outlined the recommended procedure to be followed and the issues to be taken into account in considering the decision taken by Cabinet on the 30th October 2014.

Members were advised of the information before them, namely,

- Appendix A – Copy of the report presented to Cabinet on the 30th October 2014
- Appendix B – The Decision Notice of Cabinet;
- Appendix C – Extract from the Council's Constitution of Scrutiny Procedure Rules re: Call-In.
- Appendix D - Copy of prescribed Call-In form duly completed by three Scrutiny Members.

The Director of Legal and Democratic Services highlighted the reasons given by the three Members in requesting the Call in, at Appendix D and which were reproduced for ease of reference at paragraph 2.7 of his report. He referred to paragraph 2.8 of the report which proposed that one of the three Members be given the right to make a final address to the Committee membership immediately before a vote is taken on the proposal and also explained that if the proposal to have the matter referred back to Cabinet was unsuccessful, then the Cabinet decision would take effect from the date of the meeting ie 13th November 2014.

It was pointed out that the wording used at paragraph 2.10 of the report of the Director of Legal and Democratic Services differed to that used for previous call-in meetings. The Director explained that it was not the intention to imply that Cabinet Members would not answer questions but to focus on the issue of the call-in which was that Cabinet did not have sufficient information before them.

RESOLVED –To adopt the procedure as set out at paragraphs 2.6 to 2.10 of the report.

33. CALL-IN - OPERATING REPLACEMENT SERVICES – OPPORTUNITIES FOR COMMUNITY GROUPS/INDIVIDUALS (Decision to grant a lease to the successful applicant in respect of the Municipal Hall, Pontypridd)

The three Members who had called-in the decision namely, County Borough Councillors M J Powell, L Walker and P Wasley were afforded the opportunity to address the Committee and they proceeded to outline their reasons for the Call-in.

Following the address by the three scrutiny Members the Chairman called on the Director of Corporate Estates to respond to the issues made, following which the Leader, the Cabinet Member for Safer Communities, Tourism & Heritage and the Cabinet Member for Children's Social Services & Equalities also addressed the Committee.

Having heard the arguments from those Members who had made the Call in and the responses from the Director of Corporate Estates and Cabinet Members, the Chairman invited the Committee to ask any questions they may have.

The Committee having debated the issue, the Chairman invited County Borough Councillor M J Powell to sum up the argument in favour of referring the Cabinet decision in relation to the granting of a lease to the successful applicant in respect of the Municipal Hall, Pontypridd back to the Cabinet for re-consideration.

Following consideration of the issues and in accordance with the Overview and Scrutiny procedure rules the Corporate Services Scrutiny Committee **RESOLVED** that the matter not be referred back to the Cabinet for reconsideration and that the decision taken on the 30th October 2014 take effect as from the date of this meeting i.e. 13th November 2014.

M A Norris
Chairman

The meeting closed at 10.55 am.