

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

Minutes of the meeting of Rhondda Cynon Taf County Borough Council held at The Pavilions, Cambrian Park, Clydach Vale on Wednesday, 25th June, 2014 at 5.00 p.m.

PRESENT

County Borough Councillor B.Stephens – in the Chair

County Borough Councillors

L.M.Adams	P.Griffiths	S.Rees
P.Baccara	(Mrs.)E.Hanagan	S.Rees-Owen
(Mrs.)T.Bates	P.Howe	(Mrs.)A.Roberts
D.R.Bevan	J.S.James	J.Rosser
J.Bonetto	(Mrs.)S.J.Jones	G.Smith
S.A.Bradwick	R.Lewis	G.Stacey
J.Bunnage	(Mrs.)C.Leyshon	(Mrs.)M.Tegg
A.Calvert	S.Lloyd	R.K.Turner
S.Carter	C.J.Middle	G.P.Thomas
(Mrs.)J.Cass	A.Morgan	L.G.Walker
(Mrs.)A.Crimmings	B.Morgan	(Mrs.)J.S.Ward
W.J.David	K.Morgan	P.Wasley
(Mrs.)A.Davies	M.A.Norris	(Mrs.)M.Webber
C.Davies	I.Pearce	E.Webster
J.Davies	S.Powderhill	W.D.Weeks
(Mrs.)M.E.Davies	M.J.Powell	D.H.Williams
(Mrs.)L.De Vet	K.A.Privett	C.J.Willis
M.Griffiths		R.Yeo

Officers in Attendance

Mr.S.Merritt – Chief Executive
Mr.C.Lee – Group Director, Corporate Services
Mr.C.Bradshaw – Director, Education & Lifelong Learning
Mr.P.J.Lucas – Director, Legal & Democratic Services
Mr.T.Wilkins – Director, Human Resources
Mr.N.Wheeler – Service Director, Streetcare
Mr.N.Elliott – Service Director, Direct Services, Business & Housing
Mr.P.Griffiths – Service Director, Performance & Improvement
Mr.C.Hanagan – Head of Strategy, Tourism and Public Relations

29 CHAIR OF THE MEETING

In the absence of the Mayor, County Borough Councillor M.J.Watts, the Deputy Mayor, County Borough Councillor B.Stephens took the Chair.

30 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors H.Boggis, P.Cannon,QPM, A.L.Davies,MBE, G.R.Davies,J.Elliott, S.M.Evans-Fear, M.Forey, G.Holmes, G.E.Hopkins, P.Jarman, W.L.Langford, S.Pickering, M.Weaver and C.J.Williams.

31 DECLARATIONS OF INTEREST

In accordance with the Code of Conduct, County Borough Councillors (Mrs.)A.Crimmings and A.Morgan declared personal interests in Agenda Item 13 – Nominations for Freedom of the County Borough as they were both members of the Nos Galon Committee which had made the individual concerned a Honorary Patron.

32 ANNOUNCEMENTS

- (1) County Borough Councillor (Mrs.)S.J.Jones indicated that envelopes had been circulated amongst Members requesting donations to the John Hopla Memorial Appeal, she stated that all donations would be acknowledged in a commemorative booklet.
- (2) It was announced that £210 had been raised by Members for the Haematology Unit at Prince Charles Hospital, Merthyr Tydfil in memory of the late Councillor Anthony Christopher.

33 AGENDA ITEM 8 – THE GOOD PRACTICE AND INNOVATION AWARD FOR MEMBER SUPPORT AND DEVELOPMENT – BROUGHT FORWARD

With the permission of the Deputy Mayor the above item was brought forward at this juncture in the proceedings.

In their joint report, the Director, Legal &Democratic Services and the Director, Human Resources, informed Members of the Council's success in achieving the Good Practice and Innovation Award for Member Support and Development and outlined the background whereby the Authority was the only Council in Wales to be awarded the three areas of achievement:

- The Charter (2007)
- The Advanced Charter (2010)
- The Good Practice and Innovation Award for Member Support and Development (previously the Excellence Award) (2014)

The Deputy Mayor welcomed Mr.Steve Thomas, Chief Executive of the WLGA who presented the award to the Leader of the Council, County Borough Councillor A.Morgan.

On accepting the award, the Leader of the Council stated that the award was for the development and support provided to all Members within the Authority and he thanked the appropriate Officers for assisting the Authority in achieving this award.

Following a discussion, whereby other Members also showed their appreciation to the staff concerned, the Deputy Mayor thanked Mr.Thomas for his attendance at this meeting and it was **RESOLVED** – to note the Council’s success in achieving the Good Practice and Innovation Award for Member Support and Development

34 MINUTES

RESOLVED – to approve as accurate records the minutes of the following meetings of the Council, subject to County Borough Councillor R.K.Turner being included in the list of attendees at the meeting held on the 26th March, 2014 and County Borough Councillor (Mrs.)J.Cass be included in the list of attendees at the Reconvened Annual Meeting held on the 28th May, 2014:

- (i) 26th March, 2014
- (ii) 21st May, 2014 – Annual Meeting
- (iii) 28th May, 2014 – Extraordinary Meeting
- (iv) 28th May, 2014 – Reconvened Annual Meeting

35 OPEN GOVERNMENT – STATEMENTS

There were no statements from the Leader of the Council or Cabinet Portfolio Holders on this occasion.

36 PUBLIC QUESTION

From Mr.K.Thomas of Llwynypia to the Cabinet Member for Education and Lifelong Learning (County Borough Councillor (Mrs.)E.Hanagan):

“Will nursery and pre-nursery provision be reinstated to the level it was before the Judicial Review and not limited to schools old admission numbers that are way out of date?”

Response from County Borough Councillor (Mrs.)E.Hanagan:

Thank you Mr.Thomas. Since you submitted your question, it has been subsequently been answered by the Leader in his statement on the 30th May, 2014, but to answer it formally, I can confirm that the Council’s current nursery admission arrangements, that is the status quo remains and schools and parents have been informed for this position in respect of September term.

In relation to the second part of your question, all schools in Wales have admission numbers which correlate to their physical building capacity. They are calculated in line with statutory Welsh Government guidance, namely the Measuring of School Capacity in Wales regulations of 2006 which were amended in 2011. These admission numbers, which are published, relate to the Reception Year groups upwards but here in Rhondda Cynon Taf we have ensured that all our schools have Nursery admissions number that matches its admissions number for the statutory year groups above. This is to try to ensure, as far as we are able under the Welsh Government School Admissions Code, that nursery pupils are able to progress their future education in the school of their parents initial preference if they choose to do so.

School capacity data is updated annually and all headteachers are required to check the information for their school and to certify it as correct. This exercise was last undertaken in March, 2014, just three months ago, so based on the conversations I have had with the Director on this I cannot subscribe to the statement that our admission numbers are way out of date. I and the Director are happy to meet with you on this, should you have any concerns.

Supplementary Question from Mr.Thomas:

Will these numbers which are statutory, provide full-time, at least for nursery and pre-nursery children until Easter 2015 and if not, sufficient childcare to cover the whole of RCT, will that be provided?

Response from County Borough Councillor (Mrs.)E.Hanagan:

When we had the issue of the judicial review, you do reflect and consider fully the detail of the judgment. As the Leader of the Council has made clear nothing is ruled in and nothing is ruled out. The process used to reach our decision was considered as flawed by the judgment, not the policy. We make decisions based on the professional advice of Officers. During our deliberations we considered and debated many issues highlighted by the judgment, indeed, I did so in public raise questions such as these. The omission which resulted in this decision being quashed was because the statutory requirements relating to issues such as childcare sufficiency audit were not placed before Cabinet Members when we took the decision. Nothing is ruled in and nothing is ruled out.

37 MEMBERS QUESTIONS

(1) From County Borough Councillor L.G.Walker to the Leader of the Council (County Borough Councillor A.Morgan)

“How much has this Authority paid out in External legal expenses in the last financial year for legal advice on all matters?”

Response from the Leader of the Council:

Over the last year, we have paid out just over £500,000 on external legal fees.

Supplementary Question from County Borough Councillor L.G.Walker

What steps are we going to take to reduce that amount, bearing in mind the austerity measures?

Response from the Leader of the Council:

Every area is being reviewed, in particular external legal advice, Mr.Lucas and I will meet with you on the measures that are being taken and framework with other authorities on procuring legal advice.

(2) From County Borough Councillor M.J.Powell to the Cabinet Member for Council Business and Corporate Affairs (County Borough Councillor M.Webber)

“In light of the recent report of the Council selling on the full electoral register could the Cabinet Member outline to all Councillors the line management responsibilities for the compilation and sale of RCTCBC electoral registers?”

Response from County Borough Councillor M.Webber

The responsibility for these matters forms part of the statutory post of Electoral Registration Officer which falls within the remit of the Chief Executive of this Council.

Supplementary Question from County Borough Councillor M.J.Powell

Would it be possible to have a report back from the Electoral Registration Officer, highlighting the issues with the unedited version. People were getting telephone calls from agencies and the volume of information that it was based on.

Response from County Borough Councillor M.Webber

The issue to which you refer was not a line management issue, it was to do with a data breach which resulted from a software failure which affected many

authorities across the UK. As soon as the breach was found it was referred to the Commissioner. I also spoke to Councillor Jarman and she was satisfied with the response she had. I will provide you with further information.

(3) From County Borough Councillor M.J.Powell to the Leader of the Council (County Borough Councillor A.Morgan)

“Could the Leader make a statement to Members with regard to the recent decision that the proposal to cut nursery education was unlawful and what steps the administration intend to take next?”

County Borough Councillor M.J.Powell indicated that he did not wish a response from the Leader to this question as the matter would be discussed later on in the meeting under Agenda Item 10 – Medium Term Service Planning – Update Council Revenue Budget 2014/15.

(4) From County Borough Councillor M.J.Powell to the Cabinet Member for Council Business and Corporate Affairs (County Borough Councillor M.Webber)

“Could the responsible Cabinet Member explain why RCTCBC has increased its workforce from just over 12000 employees in July 2011 to just over 13000 employees as at October 2013?”

Response from County Borough Councillor M.Webber

In the first instance, after having Officers to look into your figures and respective dates, it appears that the basis of the figures you use are not the same. The 12,000 figure you use appears to be based, I believe, upon an FOI response to you at the time of the terms and condition changes, which did not include teachers, but did include casual workers whilst the 13,000 figure appears to be the “headcount” detail provided to Overview and Scrutiny Committee in October, 2013 which does include teachers, but not casual workers. But you are the only one who knows where you got the figures from, so I would be grateful for some clarity from you on this. Also these figures do not reflect the difference between full time equivalent numbers and numbers paid.

Supplementary Question from County Borough Councillor M.J.Powell

The information was gleaned from the previous Chief Executive on the 8th October that was responded to on the 6th November with an analysis, without the names but every grade of every person employed by the authority at that time which was 13,008 people.

If taken as a given that the figures that I was given at the time were correct, then obviously extra cost for those extra staff.

Response from County Borough Councillor M.Webber

It is correct that the number of people we employed at that time had increased. A significant proportion of the increase is in our schools where as you know we have protected the budgets for many years, so can I only assume that you and your party are against the employment of these extra staff in our schools.

Also we employ many hundreds of staff linked to specific grant funding e.g. Community First clusters, whereby the staff are employed by this authority but the money comes from Welsh Government, we have worked hard to achieve and these are included in the increased headcount figures.

We have had to make many tough decisions and these have inevitably impacted on those employed in these areas and because of the austerity situation, service levels will have to be reduced.

JOINT REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES AND THE DIRECTOR, HUMAN RESOURCES

38 THE GOOD PRACTICE AND INNOVATION AWARD FOR MEMBER SUPPORT AND DEVELOPMENT

This matter was dealt with earlier on in the meeting, Minute No.33 (above) refers.

REPORT OF THE CHIEF EXECUTIVE

39 THE COUNCIL'S PROPOSED CORPORATE PLAN – 2014/15

In accordance with Section 2 of Part 1 of the Local Government (Wales) Measure 2009, the Chief Executive attached to his report at Appendix A, the Council's proposed Corporate Plan for 2014/15 outlining the improvement priorities and plans for achieving them for agreement by Full Council.

It was reported that throughout 2013/14, the Council has used its quarterly performance reporting arrangements to update the Cabinet Performance and Resources Committee and the Scrutiny Committees on the progress being made against each of the Council's seven priorities:

- Medium term service planning
- Education
- Street care services and the natural environment

- Children and family centred services
- Maintaining people's independence
- Public Health and Protection
- Regeneration of our Communities (Physical Regeneration and Social Regeneration)

Individual action plans were drafted for each proposed priority, primarily covering year one (i.e. the 2014/15 financial year). All draft action plans were pre-scrutinised by designated scrutiny Working Groups throughout May and June of this year and amendments were auctioned, where deemed appropriate. Attached to the report at Appendix B were copies of the updated action plans together with the minutes of each of the Scrutiny Working Groups, which were reported to the Overview and Scrutiny Committee on the 9th June, 2014.

Following a lengthy discussion, it was **RESOLVED** – To endorse the Council's proposed `Corporate Plan 2014/15` in accordance with Part 1 of the Local Government (Wales) Measure 2009 and the priorities contained therein and as summarised at Table 1 within the report.

REPORT OF THE CABINET

40 MEDIUM TERM SERVICE PLANNING – UPDATE

COUNCIL REVENUE BUDGET 2014/15

The report of the Cabinet provided Members with an update on the financial impact on the Council's revenue budget of the agreed Phase 2 Service Change decisions, the recently announced Judicial Review judgment of School Admission Arrangements and the decision to re-open Rhydyfelin Library.

Following a discussion, it was **RESOLVED** –

1. To note the financial impact of the agreed Phase 2 Service Change decisions, the outcome of the Judicial Review and the decision to re-open Rhydyfelin Library on the Council's Revenue Budget for 2014/15.
2. To the further use of the Medium Term Financial Planning and Service Transformation Reserve to offset the net impact on the Council's budget for 2014/15, as commended by the Cabinet at its meeting held on the 23rd June, 2014.

REPORT OF THE GROUP DIRECTOR, CORPORATE SERVICES

41 FINANCING OF SCHOOLS USING PRUDENTIAL BORROWING

In his report, the Group Director, Corporate Services sought the Council's approval for the major capital works at Treorchy and Trerobert Primary Schools and Y Pant Comprehensive School and it was **RESOLVED** – to agree that the net cost to the Council of £14,975M is funded through borrowing using the Council's powers under the Prudential Code, with the annual revenue cost of £0.813M being met from savings from this and other recent school closures and amalgamations.

REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES

42 REVIEW OF GIFTS AND HOSPITALITY POLICY

In his report, the Director, Legal & Democratic Services informed Members of the review undertaken by the Standards Committee in respect of the Gifts and Hospitality policy and the form used for registering the accepting or refusal of gifts and hospitality together with the Members declarations contained in the register.

Following consideration of the recommendations made by the Standards Committee, it was **RESOLVED** –

1. To note the Council's current Gifts and Hospitality Policy as shown at Appendix 1 to the report.
2. To note the form used for registering acceptance or refusal of a gift or hospitality as shown at Appendix 2 to the report.
3. That the threshold relating to the acceptance and refusal of gifts and hospitality by Members and Officers be increased from £20 to £25 and to note that the Standards Committee considers that Members should politely refuse any gifts or hospitality.
4. To agree the publication of the Members' Gifts and Hospitality register on the Council's website to include details of both acceptance and refusals.
5. That the Director, Legal & Democratic Services amend the Council's Gifts and Hospitality Policy to reflect the agreed amendments.

REPORT OF THE CHIEF EXECUTIVE

43 NOMINATIONS FOR FREEDOM OF THE BOROUGH

In his report, the Chief Executive outlined the recommendations of the Freedom of the County Borough Committee which met on Tuesday, 8th April, 2014 and it was **RESOLVED –**

1. To support the recommendation of the Freedom of the Borough Committee in awarding the Freedom of the County Borough to Mr. Bernard William Leighton-Baldwin MBE.
2. That Officers be instructed to begin co-ordinating the presentation of the Freedom.
3. That Mr. David William “Dai” Dower MBE be included on the list of nominations for consideration for the Freedom of the County Borough at the next meeting of the Freedom of the County Borough Working Group (which was formally established at the Reconvened Annual Council Meeting on the 28th May, 2014, Minute No.18 refers).

REPORTS OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES

44 MEMBERSHIP OF RCT COMMUNITY CHEST

In his report, the Director, Legal & Democratic Services informed Members that County Borough Councillor A. Crimmings had resigned as a member of RCT Community Chest and it was **RESOLVED –** that County Borough Councillor J. Rosser be appointed to sit on RCT Community Chest for the remainder of the three year term of office.

45 REVISED CALENDAR OF MEETINGS

The Director, Legal & Democratic Services sought approval of the proposed Calendar of Meetings for the remainder of the 2014/2015 municipal year and it was **RESOLVED –** to agree the revised Calendar of Meetings for the remainder of the 2014/2015 municipal year.

**B. STEPHENS
DEPUTY MAYOR**

The meeting closed at 7.00 p.m.