

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**Minutes** of the meeting of Rhondda Cynon Taf County Borough Council held at the County Borough Council Offices, The Pavilions, Clydach Vale on Wednesday, 10 December 2014 at 5 p.m.

**PRESENT**

County Borough Councillor M.J.Watts – in the Chair

**County Borough Councillors**

D.R.Bevan	G.E.Hopkins	J.Rosser
J.Bonetto	(Mrs) S.J.Jones	G.Smith
S.A.Bradwick	R.Lewis	G.Stacey
P.Cannon,QPM	(Mrs) C.Leyshon	B.Stephens
S.L.Carter	S.Lloyd	(Mrs) M.Tegg
A.Crimmings	R.B.McDonald	G.Thomas
W.J.David	C.J.Middle	(Mrs) J.S.Ward
A.L.Davies,MBE	K.J.Montague	P.Wasley
C.Davies	A.Morgan	M.J.Watts
G.R.Davies	B.Morgan	M.O.Weaver
(Mrs) L.De Vet	M.A.Norris	M.Webber
J.Elliott	I.Pearce	E.Webster
S.M.Evans	S.Pickering	W.D.Weeks
M.Forey	M.J.Powell	T.Williams
A.S.Fox	K.A.rivett	C.J.Willis
P.Griffiths	S.Rees	R.A.Yeo
(Mrs) E.Hanagan	(Mrs) A.Roberts	

**Officers in Attendance**

Mr.S.Merritt – Chief Executive  
Mr.C.Lee – Group Director, Corporate & Frontline Services  
Mr.G.Isingrini – Group Director, Community & Children’s Services  
Mr.P.J.Lucas – Director, Legal & Democratic Services  
Mr.T.Wilkins – Director, Human Resources  
Mrs.J.Cook – Director, Regeneration & Planning  
Mr.C.Hanagan – Service Director, Cabinet Office & Public Relations  
Mr.S.Gale – Service Director, Planning

**90 APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Borough Councillors L.M.Adams, (Mrs) T.A.Bates, H.Boggis, J.Bunnage, A.Calvert, (Mrs) J.Cass, (Mrs) M.E.Davies, S.M.Evans-Fear, M.Griffiths, G.Holmes,

P.Howe, J.S.James, P.Jarman, K.Morgan, S.Powderhill, R.W.Smith, R.K.Turner, L.G.Walker, C.J.Williams and D.H.Williams.

**91 DECLARATION OF INTEREST**

There were no personal interests declared in matters pertaining to the agenda.

**92 ANNOUNCEMENTS**

The Mayor informed Council of the recent bereavements of County Borough Councillor Pauline Jarman's Husband and County Borough Councillor Mark Adams' Father and on receiving the news, Members stood in silence as a mark of respect.

The Mayor also informed Council that the Christmas Carol Concert will take place at The Pavilions, Clydach Vale on Thursday, 18 December at 11 a.m. and all were invited to attend.

**93 MINUTES**

**RESOLVED** to approve as accurate records, the minutes of the meetings of the Council held on 29 October 2014 and 26 November 2014.

**94 OPEN GOVERNMENT – STATEMENTS**

There were no statements made by the Leader of the Council or Cabinet Members on this occasion.

**REPORT OF THE DIRECTOR, REGENERATION & PLANNING**

**95 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The Director, Regeneration & Planning sought Council's approval to proceed with the implementation of the Community Infrastructure Levy along the lines outlined in her report.

Reference was made to the contents of the following two "late" representations received to the proposals set out in the report:-

- (i) from the Director of Savills, Chartered Surveyors requesting the Council to consider delaying the implementation of the Community Infrastructure Levy for a period of three months to allow an application relating to Trane Farm, Tonyrefail (application no.12/0929/13) to be approved and the required Section 106

agreement to be put into place to allow the scheme to be developed; and

- (ii) from the Clerk of Llanharan Community Council stating that the Llanharan By Pass should be the priority scheme and not the Talbot Green to Ynysmaerdy Relief Road which had been included in the Regulation 123 list of schemes outlined in Appendix D to the report.

In response to the above representations, the Director, Planning & Regeneration stated that she did not recommend that the Council delay the implementation of the Community Infrastructure Levy for an individual project or change the list of schemes listed in Appendix D to the report. Members noted that the schemes listed in Appendix D would be subject to scrutiny by the Corporate Scrutiny Committee in due course.

Following lengthy consideration of the matter, it was **RESOLVED** –

- (1) To adopt the Charging Schedule in line with the recommendations of the independent examiner (Appendix A Examiner's Report and Appendix B Charging Schedule) and for the Charging Schedule to take effect from 31 December 2014.
- (2) To agree the contents of:
  - The Instalments Policy (Appendix C)
  - CIL Additional Information Form as from 31 December 2014 to become a validation requirement (Appendix E)
  - The Exceptional Circumstances Statement (Appendix F)
  - The statement at Appendix G that allows Discretionary Relief for Social Housing.
- (3) To authorise the Director, Regeneration & Planning, in consultation with the Cabinet Member for Economic Development & Planning, to make available Discretionary Relief in Exceptional Circumstances for other CIL liable developments should the need to offer such Discretionary Relief become apparent.
- (4) To authorise the Director, Regeneration & Planning to make minor editorial changes to the supporting text of the Charging Schedule and other documents in particular to reflect any changes to Government Regulations.

- (5) To agree the procedures for administering CIL set out in Section 6 of the report and grant delegated authority to the Director, Regeneration & Planning in consultation with the Cabinet Member for Economic Development & Planning, to authorise the spending of CIL money on feasibility/design work subject to the work being related to projects contained within the Regulation 123 list and to a limit for £50,000 on each individual project.
- (6) To adopt the revised Planning Obligations SPG at Appendix H.
- (7) To instruct the Director, Regeneration & Planning to keep under review the effectiveness of the Charging Schedule.
- (8) To agree the Regulation 123 List (Appendix D).
- (9) That in respect of the late representations received –
  - To decline the request of Savills, Chartered Surveyors; and
  - To refer the request of Llanharan Community Council to the Corporate Scrutiny Committee for consideration.

**(Note:** The following lost amendment to the motion was moved by County Borough Councillor G.R.Davies and seconded by County Borough Councillor C.Davies:

“To include in the Regulation 123 list, the following schemes:

- Cross Valley Link in Cynon Valley
- Extension to the Rhondda Fach Relief Road from Pontygwaith to Maerdy
- By Pass for Gelli and Treorchy”)

**(Note:** County Borough Councillors G.R.Davies, C.Davies, I.Pearce, M.O.Weaver and E.Webster wished to have recorded that they voted in favour of the above-mentioned amendment to the motion)

**(Note:** County Borough Councillors M.J.Powell and P.Wasley wished to have recorded that they voted against the motion).

**(Note:** County Borough Councillor A.L.Davies,MBE wished to have recorded that he did not vote on the matter as he was not present for the whole debate).

**REPORT OF THE GROUP DIRECTOR, CORPORATE AND FRONTLINE SERVICES**

**96 2014-15 MID YEAR TREASURY MANAGEMENT STEWARDSHIP REPORT**

In accordance with Code of Practice requirements, the Group Director, Corporate and Frontline Services provided Members with information relating to:

- The Council's Treasury Management activity during the first six months of 2014/15; and
- Prudential and Treasury Indicators for the same period.

The Group Director outlined his report and following consideration thereof, it was **RESOLVED** to note the contents of the report.

**REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES**

**97 LICENSING ACT 2003 – REVIEW OF LICENSING POLICY STATEMENT 2015-20**

In his report, the Group Director, Community & Children's Services requested the Council to consider the revised Statement of Licensing Policy for the period 2015-2020 and following consideration of the matter, it was **RESOLVED** –

- (1) To note the process of review and consultation that has been undertaken by the Service Director, Public Health & Protection with regard to revision of the current Licensing Policy Statement.
- (2) To note the recommendation of the Council's Executive to approve the changes proposed (Cabinet Decision, 20 November 2014 refers)
- (3) To adopt the revised Licensing Policy Statement as recommended by the Executive with provision for implementation effective 7 January 2015 subject to the inclusion of "Treorchy" as a Township within the County Borough.

**REPORTS OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES**

**98 CHANGES TO THE MEMBERSHIP OF COMMITTEES**

In his report, the Director, Legal & Democratic Services informed the Council of changes to the memberships of the Development Control Committee and the Overview & Scrutiny Committee as well as the need to appoint a Vice-Chair of the Development Control Committee for the remainder of the 2014-15 municipal year and following consideration of the report, it was **RESOLVED** –

- (1) To note that County Borough Councillor (Mrs) S.Jones will replace County Borough Councillor W.D.Weeks on the Development Control Committee, with immediate effect.
- (2) To appoint County Borough Councillor M.Griffiths as Vice-Chair of the Development Control Committee for the remainder of the 2014-15 municipal year.
- (3) To note that County Borough Councillor (Mrs) J.S.Ward will replace County Borough Councillor G.Stacey on the Overview & Scrutiny Committee, with immediate effect.

**99 REMOTE ATTENDANCE AND WEBCASTING OF COUNCIL MEETINGS – GRANT MONIES**

In his report, the Director, Legal & Democratic Services sought the Council's endorsement of action taken by the Democratic Services Committee in relation to the use of the remaining grant monies received from the Welsh Government for Remote attendance and the Webcasting of Council meetings and following consideration of the matter, it was **RESOLVED** –

- (1) To note the contents of the report.
- (2) To endorse the action taken by the Chair and Vice-Chair of the Democratic Services Committee, which was sanctioned by the Democratic Services Committee at its meeting held on 5 November 2014, in approving the remaining monies of the grant funding to be used for:
  - Webcasting of meetings of the Development Control Committee
  - Recording of planning training events to be screened and use on RCTSource.
- (3) Not to undertake 'remote attendance' of a Cabinet Meeting.

(**Note:** The following lost amendment to the motion was moved by County Borough Councillor M.J.Powell and seconded by County Borough Councillor P.Wasley:

“To also allow the public and press to record proceedings at Council meetings”)

(**Note:** County Borough Councillor D.R.Bevan wished to have recorded that he did not vote on the above-mentioned matter as he was not present for the whole debate).

#### **100 WELSH MODULAR CONSTITUTION**

In his report, the Director, Legal & Democratic Services informed Members of the technical software problems experienced in formulating the Welsh Modular Constitution and as a result, sought approval of the recommendation of the Corporate Governance and Constitution Committee at its meeting on 13 November 2014 regarding the way forward in this matter.

Following consideration of the report, it was **RESOLVED** –

- (1) To agree the recommendation of the Corporate Governance and Constitution Committee at its meeting held on 13 November 2014 that no further work be undertaken in producing a Modular Constitution using Exari software.
- (2) To agree that the Terms of Reference of the Corporate Governance and Constitution Committee be amended accordingly by the deletion of (d) i.e. “overseeing the implementation of the new Welsh `Model Constitution’ in respect of (i) incorporating the Council’s existing constitutional framework into the new model and (ii) suggesting amendments and recommending changes to the existing framework in place for consideration by Council which can be included in the new model”.

(**Note:** County Borough Councillor A.Morgan wished to have recorded that he did not vote on the above-mentioned matter as he was not present for the whole debate).

#### **101 NOTICE OF MOTION – COUNCIL MEETING – 24 SEPTEMBER 2014**

In his report, the Director, Legal & Democratic Services informed Members of the comments of the Corporate Governance and Constitution Committee at its meeting held on 13 November 2014 in respect of the

Notice of Motion that was presented to the Council at its meeting on 24 September 2014.

Following consideration of the report, it was **RESOLVED** to amend Part 4 Rules of Procedure paragraph 10.3.1 of the Council's Constitution relating to matters that can be considered by way of Notices of Motions to read as follows, as recommended by the Corporate Governance and Constitution Committee:-

“Subject to Rule 10.3.2 motions for which notice may be given under rule 10.1 must be about matters for which the Council has a responsibility. Other matters which the Council could influence, that are the responsibilities of other Governments but which substantially affect the well being of the administrative area of the Council or will also be allowed in the wider public interest, subject to them not being defamatory, frivolous or offensive.”

(**Note:** County Borough Councillor A.Morgan wished to have recorded that he did not vote on the above-mentioned matter as he was not present for the whole debate).

**M.J.WATTS  
MAYOR**

The meeting terminated at 6.22 p.m.