

COUNTY COUNCIL

WEDNESDAY, 14 FEBRUARY 2018

PRESENT: Councillor H.I. Jones (Chair)

Councillors:

S.M. Allen	L.R. Bowen	K.V. Broom	C.A. Campbell
J.M. Charles	D.M. Cundy	S.A. Curry	C.A. Davies
T.A.J. Davies	G. Davies	J.A. Davies	S.L. Davies
W.R.A. Davies	E. Dole	J.S. Edmunds	P.M. Edwards
D.C. Evans	H.A.L. Evans	L.D. Evans	R.E. Evans
W.T. Evans	A.L. Fox	S.J.G. Gilasbey	C.J. Harris
P. Hughes-Griffiths	T.M. Higgins	J.K. Howell	P.M. Hughes
A. James	J.D. James	R. James	D.M. Jenkins
J.P. Jenkins	G.H. John	C. Jones	B.W. Jones
D. Jones	G.R. Jones	T.J. Jones	A. Lenny
M.J.A. Lewis	K. Lloyd	K. Madge	A.S.J. McPherson
E. Morgan	A.G. Morgan	S. Najmi	D. Nicholas
B.D.J. Phillips	J.S. Phillips	D. Price	J.G. Prosser
B.A.L. Roberts	E.M.J.G. Schiavone	H.B. Shepardson	B. Thomas
D. Thomas	E.G. Thomas	G. Thomas	J. Tremlett
A. Vaughan Owen	D.T. Williams	D.E. Williams	J.E. Williams

Also Present:

M. James, Chief Executive;
P.R. Thomas, Assistant Chief Executive (People Management & Performance);
C. Moore, Director of Corporate Services;
J. Morgan, Director of Community Services;
G. Morgans, Director of Education & Children's Services;
R. Dawson, Head of Integrated Services;
L.R. Jones, Head of Administration and Law;
S. Watkins, Information, Advice & Assistance Manager;
J. Owen, Democratic Services Officer;
E. Bryer, Member Support Officer.

Also in attendance:

Chief Fire Officer Chris Davies, Mid and West Wales Fire and Rescue Service (for Item 5);
Deputy Chief Fire Officer Rob Quin, Mid and West Wales Fire and Rescue Service (for Item 5).

Chamber, County Hall, Carmarthen - County Hall – 10:00am - 1:00pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors F. Akhtar, A. Davies, H.L. Davies, I.W. Davies, A.D. Harries, S. Matthews, A.D.T. Speake, L.M. Stephens and G.B. Thomas.

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor/s	Minute Number	Nature of Interest
J.M. Charles; D.C. Evans; K. Madge; E.G. Thomas; D.E. Williams.	Item 5 - Presentation by the Chief Fire Officer, Mid & West Wales Fire and Rescue Service.	Member of Mid & West Wales Fire Authority.
C.A. Davies	Item 10.1 Moving Forward In Carmarthenshire - The Next Five Years.	The Towy Valley Path runs through land that she owns.
K. Madge	Item 10.2 – The establishment of a Local Authority Trading Company known as "Llesiant Delta Wellbeing Ltd" for Careline.	His Daughter works in Social Services.

3. CHAIR'S ANNOUNCEMENTS.

The Chair extended his condolences to Councillor Dai Nicholas and his family following the death of his mother.

The Chair wished to extend his best wishes to Councillor A. Davies who was currently undergoing hospital treatment.

The Chair extended his congratulations to Shaun Miles, Building Control Officer within the Authority who had been selected to represent Wales at the World Deaf Rugby 7's Championship tournament and in the 15's test match which will be held in Sydney, Australia in April.

The Chair extended his congratulations Cory Baldwin, who had scored 2 tries against Scotland, and also Dan Davies, who scored 1 try, both of whom live within Councillor Edward Thomas' constituency. Congratulations was also to Aron Hemmings, who lives within Councillor Joseph Davies' constituency, who played in the Wales against England Under 20s.

A special congratulations was extended to Nancy Williams from Capel Seion, Drefach who had celebrated her 100th birthday in January this year at Gwernllwyn Care Home, Gorslas.

Congratulations was extended to Councillors Sharen Davies and Shahana Najmi who had recently passed their ILM (Institute of Management) Level 5 and had both achieved a 1st Class Bachelor of Honours Degree in Management, graduating in July this year at Trinity St Davids.

Appreciation was extended to all staff within the Highways Department for their hard work in ensuring that the roads within Carmarthenshire were safe during the recent inclement weather.

4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETINGS HELD ON THE FOLLOWING DATES:-

4.1. 13TH DECEMBER, 2017;

It was **RESOLVED** that the minutes of the meeting of the Council held on the 13th December 2017, be signed as a correct record.

4.2. 10TH JANUARY, 2018.

It was **RESOLVED** that the minutes of the meeting of the Council held on the 10th January 2018, be signed as a correct record.

5. PRESENTATION BY THE CHIEF FIRE OFFICER, MID & WEST WALES FIRE AND RESCUE SERVICE.

[Note: Councillors J. M Charles, D.C. Evans, K. Madge, E.G. Thomas, D.E. Williams had earlier declared an interest in this item.]

The Chair welcomed Chief Fire Officer Chris Davies and Deputy Chief Fire Officer Rob Quin of the Mid and West Wales Fire and Rescue Service, to the meeting.

The Chief Fire Officer's gave an overview of the work of the Fire and Rescue Service. The presentation included reference to the following issues:

- The Service's geographical area and associated challenges
- Management structure including the Executive Board of Directors and six County Command Areas
- The Fire Authority
- Financial savings already achieved
- Performance in relation to deliberate fires, accidental dwelling fires, fatalities and injuries and road traffic collisions
- Expenditure changes in real terms and public value
- Results of recent public survey
- The Service's Statutory Duties.
- Changes to Service Delivery.
- Key performance indicators.

Members noted that collaborative working and education had been key in the reduction of incidents.

The presentation was followed by a question and answer session.

The Chair thanked both the Chief and Deputy Fire Officers for their attendance at the meeting and for the presentation.

6. PUBLIC QUESTIONS (NONE RECEIVED).

The Chair advised that no public questions had been received.

7. QUESTIONS BY MEMBERS:-

7.1. QUESTION BY COUNCILLOR LOUVAIN ROBERTS TO COUNCILLOR LINDA EVANS, EXECUTIVE BOARD MEMBER FOR HOUSING

“At the end of 2017 within the Glanymor Ward a fire occurred in a stairwell in a block of 6 flats.

Since this event occurred, I have been made aware that there aren't any TILT and TURN windows in situ within any similar type of dwelling. Also, there aren't any type of Sprinkler Systems in place as well as there not being any Fire Extinguishers at these properties.

The same situation exists at Complexes within the Glanymor Ward, as well as there being no fire escapes at First Floor Residencies.

I feel that this Type of Window is essential for the health and Safety of Residents. Within the Complexes they have Windows that can be made slightly wider.

Some residents are very frail and I realise that some have refused to move to the ground floor.

But Carmarthenshire County Council are bound by a Duty of Care to ensure residents Safety within their place of abode at all times.

Can you please give myself assurances that the points I have brought to you, as well as this Council's attention, will be rectified immediately.”

Response by Councillor Linda Evans, Executive Board Member for Housing:-

Thanks to Councillor Roberts, this gives me an opportunity to show you as a Council how serious we consider health and safety in tenant's homes and maybe more relevant today after the presentation this morning.

Unfortunately back in November someone lit and intentional fire on one of the communal stairwells in Granby Close. As a result of this, one tenant spent time in hospital suffering from the effects of smoke before being released later and six flats were affected, 5 tenants have been rehoused. Before going any further I'd like to take this opportunity once again in fact to thank everyone involved in this incident including the emergency services, the tenants, the community, Council staff who went that additional mile, contractors and the two local members namely Councillor Roberts and Councillor Prosser. Not only for their speedy response in dealing with the direct result of the incident but the ongoing support that has been provided to the tenants affected. This includes re-housing, emergency payments, arrangements with furniture, food parcels and so on. There was excellent co-operation between all concerned and thanks again to you all.

May I also confer that we have been in close corporation with the Fire Authority enabled us to ensure that we also learn lessons from this. As I said the fire was lit intentionally as a result we have done a great deal of detailed work and have put in place a number of actions to ensure that every stairwell is kept clear. We make regular visits and we have also taken enforcement action if tenants are not willing to conform there is zero tolerance and no less from now on. This will continue not only in Granby Close, but in all communal blocks.

Tilt and turn windows are not part of the Carmarthenshire Housing Standard nor indeed the Wales Housing Standard and this is for very practical reasons. Flats and Sheltered Schemes have been designed so that it should not be necessary to gain entrance through a window in such situations. The risk for tenants in blocks of flats regarding the possibility of fire is governed by the smoke alarm system that has been installed rather than what kind of place the home is. In terms of safety, tilt and turn also create problems especially if there are young children in a flat this could be a major risk. We have no sprinkler systems in our houses nor in the flats with access through communal stairwell.

There are no necessary controls to be installed in our current homes, yet as you are aware they are not part of the CHS+ or the Wales Housing Standard. Having said that, we are nevertheless, conducting a fire risk assessment in all our communal blocks and any upgrading work will be based on the results of that assessment. We have begun to install retrofit sprinkler systems in our sheltered schemes as we upgrade them. Waddle's Court and Hafan will have already been provided with these systems and others will have been done as we upgrade them. As you are aware Councillor Roberts, you have promised at the Community Scrutiny meeting on the 19th January that a general report on fire safety including tilt and turn windows and sprinklers will come to you as a Scrutiny Committee in future. Fire extinguishers in communal stairwells can also create problems, tenants can't be expected to tackle a fire and break the main rule which is they should stay in their homes with the doors closed until help arrives. In our sheltered schemes however, there are fire extinguishers in the communal area, because this area is recognised as a place of work. During recent years there has been a focus on fire management in our sheltered schemes and a great deal of work has been done to ensure the safety of our tenants. What we have done has been commended by the Fire and Rescue Service where they say about Carmarthenshire, quote "a robust fire management system which seeks to reduce the risk to as low as is reasonably practical".

And this is indeed what we do to achieve that aim. We have spent £800,000 on upgrading fire alarms and emergency lighting, this following a detailed assessments in all sheltered schemes. The Fire Service has access to our digital information on the disability status of our tenants. This is an important tool for identifying our most vulnerable tenants. This is vitally important information in a situation where it would not be possible for a tenant to leave the flat without support. The Fire Service is able to put specific protocols in place with this information before arriving at the building and this has again been highlighted as good practice.

In summary Chair, I hope that what I have talked about this morning assures Members of how careful we are in fulfilling our duty of care to tenants in terms of fire safety. Tennant safety is paramount, more important than anything else and our fire management process is consistently reviewed. None of us would expect less, thank you.

Councillor Roberts asked the following supplementary question:-

Councillor Evans thank you very much for your report. What if I hadn't a stairwell, the doors on the stairwells of the flats are all plastic and are crumbled and burnt and shrivelled up and the fire was exacerbated by it. The windows needed more tilt and turn. The window was broken and the person in that flat actually was injured because the window had been broken. These are one bedroom flats with no tilt and turn at all in them. My concern is, and this is all over Carmarthenshire and the fire people that were there said to me that tilt and turn would have helped the area far better, that is what I am looking at.

Response by Councillor Linda Evans, Executive Board Member for Housing:-

Just repeat what I said, which is that we are conducting an assessment of all communal flats and we will be acting on the outcomes of those assessments.

7.2. QUESTION BY COUNCILLOR TINA HIGGINS TO COUNCILLOR HAZEL EVANS, EXECUTIVE BOARD MEMBER FOR ENVIRONMENT

As China have recently stated that they will be no longer accepting plastics for recycling, what action is the Council taking to ensure Carmarthenshire's recycling targets continue to be met?"

Response by Councillor Hazel Evans, Executive Board Member for Environment:-

In July 2017 China made it known that they were going to ban the imports of certain material. This led to considerable reduction in possible markets for plastics and mixed paper. On 1st January 2018, the ban on the import on 24 types of plastic waste and mixed paper came into force. In 2017, Cwm sent 38% of its paper for recycling to China, no plastic was exported to China. As a result of this situation in China we will have to identify alternative paper recycling markets. Currently Cwm has two markets one in Indonesia and one in the domestic European Market. Many UK processes export plastics to China, although this was not the case for Cwm, as a result of the ban put in place by China processes have had to redirect plastics to other places within the markets available, this could reduce the price that Cwm receives in future and as a result could add to the financial pressures.

Nevertheless, it seems that the markets for plastics are relatively stable at present given the circumstances and despite the cost. Currently Cwm is in discussion with alternative processors in an effort to secure more favourable processing arrangements where good work and good progress has been made.

Currently mixed paper and plastics continue to reach the recycling markets and as a result they continue to contribute to our recycling figures in the short term. However, Cwm and the Council will have to continue to monitor the situation closely and review our situation so that as appropriate, dependant on the circumstances and the market at the time.

7.3. QUESTION BY COUNCILLOR ANDRE MCPHERSON TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

“In the December County Council meeting in connection with my motion “9.2 to fly the LGBTQ rainbow Flag over county Council building each year in LGBTQ History Month” full Council were informed that it would be sent to CRWG for their consideration.

Can I ask Cllr Dole what was the outcome and if not been successful the reasons for this?”

Response from Councillor Emlyn Dole, Leader of the Council:-

It should be made clear from the start that when raised in December it was agreed that the Council should continue to celebrate and support LGBTQ diversity within the community. The only point of disagreement was whether the Council should fly the LGBTQ rainbow flag over County Council buildings during LGBTQ history month.

The Council has a well establish policy for flying flags outside the main civic buildings in Carmarthen, Llanelli and Ammanford and as the request fell outside the current policy we put to Council that the matter should be referred to the cross-party and politically balanced Constitutional Review Working Group (CRWG) for clarification. That group met on Monday of this week. I can tell you that the group met on Monday and looked closely at the existing flag flying policy and we did have a full and detailed debate on the issue. We considered your request in context of the work that the work the Authority already does to promote equality for all and the need to value our staff and residents regardless of their sexual orientation. It was recognised that the Council already has a range of equality and diversity related policies, services and networks in place to order to support all of our staff.

In 2016, Stonewall rated Carmarthenshire County Council as one of the 12 top employers in Wales for lesbian, gay and bisexual staff. The Stonewall workplace equality index place the Authority in 11th place across the whole of Wales. The index lists the best employers for promoting a fair and equitable workplace and community participation for lesbian, gay, bisexual and transgender people.

The Authority has been a member of Stonewall for over 5 years and has taken steps to promote Stonewall's diversity champions programme with our aim to create the right kind of environment where all staff are able to give their best and all are treated with dignity and respect.

Responding directly to your Notice of Motion the Council has also made a commitment to show solidarity with HIV+ people and those in Carmarthenshire living with AIDs by encouraging everyone to wear a red ribbon, the symbol for World AIDs day on 1st December each year as we do with the white ribbon for domestic abuse.

If I may turn specifically to your request at the LGBTQ rainbow flag be flown over County Council buildings each year during the history month. CRWG discussed the number of requests that are received each year from organisations for flags to be flown over County Council premises supporting specific causes and marking particular events. We also considered whether these flags should be flown for designated days or set periods. I've made it clear that since becoming Leader that the line I've taken consistently has been that it's in response to a policy set by this Council and considered by CRWG and to turn down all requests that fall outside our existing protocol. We considered that fully, the decision taken on a unanimous vote by all Members of the CRWG Committee was not to fly any flags other than what is in the policy that is already in place.

Again in the context of your own very specific request, Members of the CRWG Committee were unanimously of the opinion that the policy should remain unchanged which effectively means that your request to fly the Rainbow Flag over County Council buildings each year during history month has been declined.

8. COMPOSITION OF THE COUNCIL'S SCRUTINY, REGULATORY AND OTHER COMMITTEES AND THE APPOINTMENT OF MEMBERS TO SERVE UPON THEM

In line with the requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) regulations 1990, as amended, consideration was given to a report detailing the outcome of a review of the composition of the Council's Scrutiny, Regulatory and other Committees following the resignation of Councillor A James from the Independent Group and notification of wish to join Plaid Cymru. Council considered a report which set out the details of the proposed membership changes received from the Independent and Plaid Cymru Groups.

Council noted that the allocation of seats to the Labour Group and unaffiliated member remained unchanged, however the Independent Group would lose one Scrutiny and one Regulatory seat and the Plaid Cymru Group would gain one Scrutiny and one Regulatory seat.

In response to the required changes and as set out in table 2B within the report, the Independent Group had agreed to relinquish one seat on the Environment & Public Protection Scrutiny Committee and the Plaid Cymru Group had nominated Councillor Andrew James to fill their additional seat on this Committee.

With regard to the changes impacting the Regulatory seat as set out in Table 3 within the report, the Independent Group had agreed to relinquish one seat on the Standards Committee and the Plaid Cymru Group nominated Councillor Jeanette Gilasbey to fill the additional seat on the Standards Committee.

Furthermore, in accordance with Part 6 of the Local Government (Wales) Measure 2011, which sets out the requirements for the appointment of Persons to Chair Overview and Scrutiny Committees, Council noted that as Councillor James had moved between two groups that form the Executive, there was no change to the allocation for the 5 Scrutiny Chairs.

RESOLVED that as a result of changes to the overall political composition of the Council,

8.1 to adopt the changes to the number of seats held by the Independent and Plaid Cymru Groups as detailed within Tables 1, 2 and 3 of the report, specifically the allocation of seats in respect of the Environmental & Public Protection Scrutiny Committee, and the Standards Committee;

8.2 to note that there are were no changes to the number of seats held by the Labour Group and Unaffiliated Member;

8.3 in accordance with Corporate Procedure Rule CPR 2 (2) (n) to approve changes in Committee membership as a result of recommendation 8.1 above (as detailed within the report);

8.4 in accordance with Part 6 of the Local Government (Wales) Measure 2011 to note that allocation of the 5 Scrutiny Chairs is unchanged.

9. APPOINTMENT OF MEMBERS TO SERVE ON COUNCIL ADVISORY PANELS AND OUTSIDE BODIES SUBJECT TO POLITICAL BALANCE REQUIREMENTS

As a result of a review following Councillor A James' resignation from the Independent Group and notification of wish to join Plaid Cymru. Council considered a report which set out the consequential changes to the overall political composition of the Council and reviewed the arrangements for the allocation of seats to political groups.

Council noted that the only changes impacted upon, were to the allocation of seats to the political groups for the Brecon Beacons National Park Authority and the Mid and West Wales Fire Authority.

Nominations had been received for the new arrangements for representation on the Brecon Beacons National Park Authority and the Mid and West Wales Fire Authority and were appended to the report within Appendix A.

RESOLVED that:

9.1 the revised nominations for members to sit on the Brecon Beacons National Park Authority and Mid and West Wales Fire and Rescue Authority as set out within Appendix A of the report be approved;

9.2 to note that no changes were required to the membership and allocation of seats for the following:

- Dyfed Powys Police and Crime Panel;
- Constitutional Review Working Group;
- Pay Policy Advisory Panel.

10. TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE BOARD IN RESPECT OF THE FOLLOWING ITEMS:-

10.1. MOVING FORWARD IN CARMARTHENSHIRE - THE NEXT FIVE YEARS

[Note: Councillor C.A. Davies had earlier declared an interest in this item].

The Council was informed that the Executive Board, at its meeting on 8th January 2018 (minute 5 refers) considered a report which contained a plan outlining the Executive Board's proposals for Moving Forward in Carmarthenshire over the next five years.

The plan noted the Executive Board's aspirations for delivery and sought to continually improve economic, environmental, social and cultural well-being in the county thus ensuring that residents, communities, organisations and businesses are supported and enabled to develop and thrive.

The Council noted that the key projects and programmes within the plan would be incorporated into the Council's new Corporate Strategy which would also be developed in line with the Well-being of future Generations (Wales) Act 2015 and departmental plans. Furthermore, the Council noted that detailed reports and recommendations on specific projects/programmes would be presented through the Council's democratic processes over the course of the next 5-years in order to take these commitments forward.

Reference was made to point 72(a) on page 15 of the report where it was requested that a full status report on the progress on the developments of the Ammanford, Carmarthenshire and Llanelli focus groups be brought to Council for consideration. The Leader stated that specific elements were brought to Council however, agreed to provide a full report.

RESOLVED that the Executive Board's plan for Moving Forward in Carmarthenshire over the next 5 years be endorsed.

10.2. THE ESTABLISHMENT OF A LOCAL AUTHORITY TRADING COMPANY KNOWN AS "LLESIANT DELTA WELLBEING LTD" FOR CARELINE

[Note: Councillor K. Madge had earlier declared an interest in this item].

Council was informed that the Executive Board, at its meeting on 22nd January 2018 (minute 8 refers) considered a report setting out the reasoning behind, and practicalities of, establishing a wholly owned Local Authority Trading Company (LATC) for Careline known as 'Llesiant Delta Wellbeing Ltd'.

The Council received a detailed report for consideration which demonstrated the ability to access far wider markets and income streams than the current Careline service was able to do.

The Council also noted that to address the challenges outlined in the report, the Executive Board had decided to set up a local Authority Trading Company (LATC) called "Llesiant Delta Wellbeing Ltd" to run the Careline service.

Following a number of queries raised, the Director of Community Services emphasised to Council members that the company would be wholly owned and controlled by the Council and the Council would be responsible for managing any financial liabilities that the LATC incurred.

RESOLVED that

- 10.2.1 the set up costs of the Company be recovered by way of a loan arrangement between the County Council and the Company at a commercial rate of interest with the value being set out within the Company's detailed business plan and being agreed by the Executive Board;**
- 10.2.2 the County Council agree to providing a cashflow loan to the Company to the value of up to £250k (value within this limit being agreed by the Director of Corporate Services) to cover the day to day operation of the company and the set up costs (referred to in 10.2.1 above). The commercial rate of interest to be calculated at 3.5% above the PWLB 5 year loan maturity rate at 6 monthly intervals. The term of the loan will be for a maximum of 5 years;**
- 10.2.3 in the event that the Company is not established, then the costs of set up will be met from the County Council budget (funded via reserves);**
- 10.2.4 the Council guarantees the pension liabilities of staff employed by the Company.**

11. MEMBERSHIP OF COMMITTEES:

11.1. TO NOTE THAT THE PLAID CYMRU GROUP HAS NOMINATED COUNCILLOR KIM BROOM TO REPLACE COUNCILLOR DAI NICHOLAS ON THE POLICY AND RESOURCES SCRUTINY COMMITTEE

In accordance with Corporate Procedure Rule CPR 2 (2)(n), the following nominations from the Plaid Cymru Group had been received and it was

RESOLVED to note that Councillor Kim Broom to replace Councillor Dai Nicholas on the Policy and Resources Scrutiny Committee.

12. TO RECEIVE THE REPORTS OF THE MEETINGS OF THE EXECUTIVE BOARD HELD ON THE FOLLOWING DATES:-

12.1. 8TH JANUARY, 2018;

UNANIMOUSLY RESOLVED that the report of the Executive Board meeting held on 8th January 2018 be received.

12.2. 22ND JANUARY, 2018.

UNANIMOUSLY RESOLVED that the report of the Executive Board meeting held on 22nd January 2018 be received.

CHAIR

DATE