

COUNTY COUNCIL

17TH JUNE 2015

PRESENT: Councillor P. Hughes Griffiths [Chair]

Councillors:

S.M. Allen	E. Dole	D.M. Jenkins	D.W.H. Richards
D.J.R. Bartlett	J.S. Edmunds	J.P. Jenkins	B.A.L. Roberts
S.M. Caiach	P.M. Edwards	A.W. Jones	L.M. Stephens
C.A. Campbell	D. C. Evans	G.O. Jones	T. Theophilus
J.M. Charles	H.A.L. Evans	H.I. Jones	E.G. Thomas
A.P. Cooper	L.D. Evans	P.E.M. Jones	G. Thomas
D.M. Cundy	W.J.W. Evans	T.J. Jones	J. Thomas
A. Davies	W.T. Evans	A. Lenny	M.K. Thomas
D.B. Davies	A.D. Harries	M.J.A. Lewis	S.E. Thomas
G. Davies	C.P. Higgins	K. Madge	W.G. Thomas
J.A. Davies	W.G. Hopkins	S. Matthews	J. Tremlett
S.L. Davies	J.K. Howell	A.G. Morgan	D.E. Williams
T. Davies	P.M. Hughes	E. Morgan	J. Williams
W.K. Davies	I.J. Jackson	J. Owen	J.E. Williams
W.R.A. Davies	A. James	P.A. Palmer	J.S. Williams
T. Devichand	J.D. James	D. Price	

Also Present:

Mr M. James – Chief Executive

Mr R. Sully – Director of Education and Children

Mr P. Thomas – Assistant Chief Executive (People Management & Performance)

Ms W. Walters – Acting Assistant Chief Executive (Customer Focus and Policy)

Ms L. Rees Jones – Head of Administration & Law

Ms G. Morgan – Democratic Services Manager

Mr K. Thomas – Democratic Services Officer

(Council Chamber, County Hall, Carmarthen: 10.00 a.m. – 12.20 p.m.)

1. APOLOGIES

Apologies for absence were received from Councillors T. Bowen, I.W. Davies, T.T. Defis, W.J. Lemon, D.J.R. Llewellyn, M. Gravell, A.D.T. Speake, G. Thomas and K.P. Thomas.

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2. DECLARATIONS OF PERSONAL INTERESTS

No declarations of interest were made at the meeting

3. CHAIR'S ANNOUNCEMENTS AND OTHER MATTERS

- The Chair extended his congratulations and presented to the Council's Passenger Transport Team the Chartered Institute of Logistics and Transport Cymru – Best Partnership Working Award for its work with First Cymru in developing the Aberystwyth Carmarthen bus service and integrating the service with Bwcabus;
- The Chair extended his congratulations to the staff within the Property Design and School Modernisation Teams on having been awarded the Sustainability Award at the Constructing Excellence Wales Awards – Our Legacy for the design and construction of Ysgol y Ffwrnes.

The Chief Executive advised the Council that the recognition was not only for Ysgol y Ffwrnes becoming the first BREAN outstanding primary school in Wales, the first one of its kind, but also in coming third in the UK from a design and construction perspective. The amount of waste accumulated during the construction process had also been minimised by utilising new technology and practice to its fullest use. It had become an example of best practice in the whole of the U.K., as well as in Wales, and was quite an accomplishment for the design team.

4. PRESENTATION – CROSS PARTY CONSTITUTIONAL REVIEW WORKING GROUP ESTABLISHED TO CONSIDER THE RECOMMENDATIONS CONTAINED IN THE CARMARTHENSHIRE PEER REVIEW REPORT

The Chair of the Constitutional Review Working Group reminded the Council that at its meeting held on the 12th November 2014 it had resolved to establish the Working Group to consider the Carmarthenshire Peer Review and, to present recommendations for constitutional change, having regard to the recommendations of both the Peer Review and the Policy and Resources Scrutiny Committee's Task and Finish Group on consultation and Engagement Mechanisms.

Council was advised that the Working Group had considered all 39 of the Peer Review's recommendations in detail and, where necessary, had referred specific items to the Executive Board, Democratic Services Committee and the Local Service Board for their consideration.

Council thereupon received a power point presentation on the Group's 39 findings/recommendations and were afforded the opportunity of debating each one in turn. Observations thereon including the following:-

- Recommendation 6 – A view was expressed that the Council should endeavour to minimise the number of exempt and urgent items submitted to the Council and the Executive Board, and that it would be useful to build into the Annual Plan reporting process the number of such reports submitted in comparison with the Welsh Average

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- Recommendation 15 – Reference was made to the Local Service Board not web casting its meetings on the basis they rotated around its partner organisations. A suggestion was made that when the LSB met in County Hall, Carmarthen those meetings be webcast.

The Chief Executive advised that there would be no difficulty in webcasting the meetings when held at County Hall. He suggested that the LSB could also be asked to web cast its Annual Report to the Community.

- Recommendation 17 –a view was expressed that the Councillor’s Guide to the Constitution should also be displayed on the Council’s website. It was confirmed that arrangements could be made accordingly.
- Recommendation 19 – Reference was made to the Working Group’s recommendation for the timing and venue of Council and Committee meetings to remain unchanged. Views were expressed both for, and against, the recommendation. Council was advised that the Working Group would revisit the position at a future meeting.
- Recommendation 23 – Reference was made to the Working Group’s recommendation that public filming of meetings should only be permitted if those meetings were also being webcast by the Authority. Views were expressed both for and against the recommendation.

An amendment to the recommendation was duly proposed and seconded that ‘The Council should permit the public to film any meeting of Council and its Committees that were open to the public’.

Following a vote, the amendment was lost and the Motion to support the recommendation was duly carried.

Reference was also made for any health and safety issues that may arise from members of the public filming in the public gallery at County Hall to be addressed.

- Recommendation 26 – Reference was made to the Council’s policy of not identifying individual members within the minutes of its meetings. A view was expressed that the Council should reconsider that position to enable constituents, when reading the minutes, to see their local member had made representations on their behalf. A reversal of the policy could also enhance the minutes by incorporating member representations that led to a decision being made.

Council was reminded that as its meetings were webcast, individual representations made by members were available for the public to view, in conjunction with the minutes. It was suggested that the Council could further enhance that provision by audio recording its meetings.

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Council was advised that the Working Group could give consideration to making audio recordings of Council and Committee meetings.

- Recommendation 27 – a view was expressed that the decision to only include minutes of the Council's Scrutiny Committees on the Council Agenda for information was a disservice to members and removed the ability for questions to be asked on those minutes. The Council was reminded that all members received electronic copies of scrutiny minutes and provision had been made for questions to be asked thereon, on Notice.
- Recommendation 31 – Several views were expressed that all members of Council should be entitled to receive copies of exempt reports and to remain in a meeting during their consideration. However, it was acknowledged, for that to occur, all members would need to respect the confidentiality of those reports, abide by the national code of conduct and not divulge information to third parties.

Members expressed their concern and disappointment that a member had disclosed exempt information to the press after last Council and that this had undermined the case for circulation of such reports to all members.

In response to a question, Council was advised that the Working Group would examine the feasibility of the Chair of the Audit Committee also receiving copies of exempt reports.

- Recommendation 34 – Reference was made to Executive Board Members attendance at scrutiny committees being 'welcome'. Views were expressed that the wording of the recommendation should be amended to read 'expected'.
- Recommendation 37 – A view was expressed that it would be more beneficial for the electorate, who may not be aware of the Council's procedures, for a specific time period to be set aside on scrutiny committees to enable them to turn up on the day of a meeting and ask a question rather than pre submitting their question. It was felt that the matter could be reviewed at a later date.

The Head of Administration and Law advised that any recommendations requiring changes to the Council's constitution would be incorporated within the new constitution to be submitted to its meeting in September 2015

Following consideration of the power point, Council

RESOLVED that the findings of the Cross Party Constitutional Working Group be accepted and the following recommendations thereof, (as amended in regard to recommendation 34) be adopted, and that where appropriate the recommendations be incorporated within the new constitution to be

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submitted to the Council in September 2015:-

- 4.1. That the Constitutional Review Working Group continue in its current format as a Standing Working Group of the Council and that it should meet as required (Recommendation 1);
- 4.2. That the Business Management Group be disbanded and replaced by the Constitutional Review Working Group which would meet annually (or more often, as required) to consider any constitutional changes (recommendation 12);
- 4.3. That having regard to the responses received to the survey the timing and venue for Council and Committee meetings remain unchanged (recommendation 19);
- 4.4. That Corporate Procedure Rule 11 be revised to allow members to ask supplementary questions (recommendation 20);
- 4.5. That Corporate Procedure Rule 12 be revised to require only a proposer and seconder for 'Motions on Notice' (recommendation 21);
- 4.6. That Corporate Procedure Rule 12 should not include an option to refer, upon receipt, a Notice of Motion to the Executive Board/Council (recommendation 22);
- 4.7. That Corporate Procedure Rule 10 in relation to the presentation of on-line petitions be revised and the draft wording therefor be submitted to the Council's September meeting (recommendation 23);
- 4.8. That public filming of meetings should only be permitted if the meetings were also being webcast by the Authority (recommendation 23);
- 4.9. That Corporate Procedure Rule 17.3 be retained in its current form (recommendation 26);
- 4.10. That the Leader and Deputy Leader of the Opposition Group and the Chairs of Scrutiny Committees receive copies of Executive Board exempt reports and be allowed to remain at Executive Board Meetings when exempt reports are considered (recommendation 31);
- 4.11. That Executive Board Members be expected to attend Scrutiny Committees (recommendation 34, as amended);
- 4.12. That Executive Board Members should present reports and answer questions on policy at Scrutiny Committees(recommendation 35);

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- 4.13. That the Council's call-in procedure be revised so that any three Council Members could call-in an executive Decision and that the time period allowed for call-ins be extended to five clear working days (recommendation 37);**

- 4.14. That the Council's Scrutiny Procedure Rules be revised to allow for a Standard Agenda item for Questions on Notice made by the public (recommendation 38).**

The Chair of the Constitutional Review Working Group extended his appreciation to all members of the group for their work in undertaking the review and to officers for providing assistance to members in their deliberations.

CHAIR

DATE