

COUNTY COUNCIL

WEDNESDAY, 28 SEPTEMBER 2016

PRESENT: Councillor E. Morgan (Chair)

Councillors:

S.M. Allen	D.J.R. Bartlett	S.M. Caiach	C.A. Campbell
J.M. Charles	A.P. Cooper	D.M. Cundy	A. Davies
D.B. Davies	G. Davies	I.W. Davies	J.A. Davies
S.L. Davies	T. Davies	W.R.A. Davies	T.T. Defis
E. Dole	J.S. Edmunds	P.M. Edwards	D.C. Evans
H.A.L. Evans	L.D. Evans	W.J.W. Evans	W.T. Evans
M. Gravell	A.D. Harries	W.G. Hopkins	J.K. Howell
P. Hughes-Griffiths	P.M. Hughes	I.J. Jackson	J.D. James
D.M. Jenkins	A.W. Jones	G.O. Jones	H.I. Jones
T.J. Jones	W.J. Lemon	A. Lenny	M.J.A. Lewis
D.J.R. Llewellyn	K. Madge	S. Matthews	A.G. Morgan
J. Owen	D. Price	D.W.H. Richards	B.A.L. Roberts
H.B. Shepardson	A.D.T. Speake	L.M. Stephens	E.G. Thomas
G. Thomas	G.B. Thomas	J. Thomas	R. Thomas
S.E. Thomas	D. Tomos	D.E. Williams	J. Williams
J.S. Williams			

Also Present:

M. James – Chief Executive
C. Moore – Director of Corporate Services
J. Morgan – Director of Community Services
R. Sully – Director of Education and Children
R. Mullen – Director of Environment
L.R. Jones – Head of Administration and Law
W. Walters – Assistant Chief Executive (Regeneration & Policy)
P. Thomas – Assistant Chief Executive (People Management & Performance)
K. Thomas – Democratic Services Officer

Chamber, County Hall - 10.00 am - 12.35 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T. Bowen, T. Devichand, C.P. Higgins, A. James, J.P. Jenkins, P.E.M. Jones, P.A. Palmer, K.P. Thomas, M.K. Thomas, W.G. Thomas, J. Tremlett and J.E. Williams

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute Number	Nature of Interest
S.L. Davies	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Personal and Prejudicial - Member of Llanelli Rural Council and Secretary of the Dafen Welfare Committee

S.M. Allen	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Whitland Town Council
S.M. Caiach	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llanelli Rural Council
D.M. Cundy	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llanelli Rural Council
A. Davies	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llandybie Community Council
D.B. Davies	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llansteffan and Llanybri Community Council
G. Davies	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Cwarter Bach Community Council
W.R.A. Davies	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llandybie Community Council, Secretary and Treasurer of Llandybie Tennis Club
E. Dole	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llannon Community Council
J.S. Edmunds	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llanelli Town Council
D.C. Evans	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Ammanford Town Council
D. Harries	5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Ammanford Town Council and President of

W.G. Hopkins	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Ammanford Football Club Member of Llangennech Community Council
P.M. Hughes	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of St Clears Town Council
I.J. Jackson	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Llandovery Town Council
J.D James	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	President of Burry Port Bowls Club and member and Member of Burry Port Rugby Club
D.M. Jenkins	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Cwmamman Town Council
A.W. Jones	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Llandybie Community Council
T.J. Jones	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Llanelli Rural Council
W.J. Lemon	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Llanelli Town Council
K. Madge	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Cwmamman Town Council
A.G. Morgan	(Community Asset Transfer) 5.1 – Notice of Motion Submitted by Councillor J.D. James	Member of Llanelli Rural Council
J. Owen	5.1 – Notice of Motion	Member of Llanelli

	Submitted by Councillor J.D. James (Community Asset Transfer)	Town Council
G. Thomas	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llangennech Community Council
G.B. Thomas	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llanedi Community Council
S.E. Thomas	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llandybie Community Council
D.E. Williams	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llangunor Community Council
J. Williams	5.1 – Notice of Motion Submitted by Councillor J.D. James (Community Asset Transfer)	Member of Llanelli Town Council

3. CHAIR'S ANNOUNCEMENTS.

- The Chair welcomed Councillor Dafydd Tomos to his first meeting of the Council following his recent election as County Councillor for the Cilycwm Ward.
- The Chair extended his condolences to the family of former County Councillor June Williams from Johnstown, who had been a member of Carmarthenshire County Council from December 1997 to May 2008 and also served as Chair of the Planning Committee.
- The Council was advised of the contents of a recent Estyn Report on schools throughout Wales in terms of leadership and the value of primary schools. Congratulations were extended to Brynamman Primary School as being one of only three schools across Wales named within the report, the only school within Carmarthenshire and the only school to teach through the medium of Welsh. The school's leadership had been identified as being innovative, ensured effective provision and had a consistent culture of raising standards.
- Congratulations were extended to Aneurin Karadog, who lived in Pontyberem for winning the Chair in the Eisteddfod.
- The Chair welcomed staff from the People Management and Performance Unit of the Chief Executive's Department, the Head Teacher of Burry Port School, Alison Williams, the School's Business Support Manager, Helen Williams, two of the school's pupils Callum Eydman and Lowri Edwards together with Mr John Griffiths,

the Corporate Health Standard's Platinum Award Assessor who had been invited to the meeting following the Council achieving the Corporate Health Standard's Platinum Award.

The Chair extended his congratulations to the staff for their work in enabling the Council to achieve the Platinum Award and also thanked the staff and pupils at Burry Port Primary School for their contribution and involvement with the award process as part of the case study undertaken on the building of the school.

Mr John Griffiths made a brief presentation to the Council on it having successfully retained the Corporate Health Standard Gold Award and in achieving the Platinum Award. The awards recognised the good working practices adopted by the council and its long standing commitment to the Health and Well Being of its staff and the wider community, all of which were embedded within its policies and practices.

The Executive Board Member for Human Resources, Efficiencies and Collaboration endorsed Mr Griffith's comments, and extended her congratulations to both the Council's staff and the staff and pupils of Burry Port Primary School for their contribution in the Council achieving the Platinum Award.

Mr Griffiths thereupon presented the Corporate Health Standard's Platinum Award to the Chair of Council.

- The Chair welcomed to the meeting several members of staff from within the Environment Department's Property Design Team and extended his congratulations to them in recognition of the number of awards they had won over the previous 18 months.

The Executive Board member for Technical Services, together with the Director of Environment, outlined to the Council the nature and scope of the awards and extended their congratulations and appreciation to all the staff within the unit for their hard work in achieving those awards.

4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 13TH JULY, 2016.

Councillor S.M. Allen referred to Minute 2 on Declarations of Interest and advised that her declaration in relation to Minute 18 – Executive Board Minutes (Community Asset transfer) as a member of Whitland Town Council had not been recorded within the minutes.

Councillor G. Davies advised that his attendance at the meeting had not been recorded within the minutes.

RESOLVED that the minutes of the meeting of the Council held on the 13th July, 2016 be signed as a correct record subject to the above two amendments.

5. TO CONSIDER THE FOLLOWING NOTICES OF MOTION

5.1. NOTICE OF MOTION SUBMITTED BY COUNCILLOR J.D.JAMES

Councillor James advised the Council that, following legal advice, he was withdrawing his Notice of Motion.

RESOLVED that the withdrawal by Councillor James of his Notice of Motion be noted.

5.2. NOTICE OF MOTION SUBMITTED BY COUNCILLOR K. MADGE

The Council considered the following Notice of Motion submitted by Councillor Kevin Madge:-

“Carmarthenshire County Council calls on Welsh Government to deliver a new strategy to deal with large empty properties e.g. old chapels, churches, old halls and many other old buildings within our communities in Carmarthenshire and other council’s areas. With extra funding we can turn these unused buildings into flats for rent or for sale which will help with the chronic waiting list for homes within Carmarthenshire”

The motion was duly seconded

The proposer of the Motion was afforded the opportunity of speaking in support thereof and outlined the reasons for its submission, as set out in the Motion.

The following Amendment to the Motion was proposed by Councillor A Lenny and duly seconded:-

“Carmarthenshire County Council calls on the Welsh Government to draw up a new national strategy to deal with large empty properties e.g. old chapels, churches, old halls etc and provide additional funding to enable this council and others in Wales to buy and convert such redundant buildings into flats to be rented or sold”.

The proposer of the amendment was afforded the opportunity of speaking in support thereof and outlined the reasons for its submission.

A number of statements were made in support of both the Amendment and Motion following which, the proposer of the Motion, with the consent of his seconder, withdrew his motion. As a consequence, the Amendment then became the Substantive Motion on which the Council was requested to vote.

RESOLVED that the Amendment to the Notice of Motion be adopted.

6. QUESTIONS BY MEMBERS:-

6.1. QUESTION BY COUNCILLOR JEFF EDMUNDS TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

“In light of the work that has started at Parc Howard, Llanelli, and the cost of this project, undoubtedly council policy and proper procurement procedures would have been followed.

My question is when did the procurement process start along with the tendering, and when was the works awarded to the successful contractor”.

Response by Councillor Emlyn Dole, Leader of the Council

“Procurement of the equipment started on the 21st May, and the order for works to commence was provided on the 13th June.

Councillor Jeff Edmunds asked the following supplementary question:

“Can the Leader explain in full what he meant when he told residents living around the parc that if this project was rejected that houses would be built on the parc?”

Response by Councillor Emlyn Dole, Leader of the Council

Councillor Dole confirmed that he had not made any comment on houses being built at Parc Howard. That comment had erroneously been attributed to him by the Herald newspaper following a meeting held with local residents to discuss the Council’s approach for the retention of Parc Howard in public ownership and its plans, aims and aspirations for the park. As part of that discussion, resident’s views were sought on what the future could hold for the parc if the Council was unable to create the income for its retention within public ownership. Their response was that the land could be made available for housing. It was in that context the quote attributable to himself had appeared in the Herald in relation local residents views on what might happen if the Council did not realise its aims and aspirations for the parc, which, it fully intended to achieve.

6.2. QUESTION BY COUNCILLOR JEFF EDMUNDS TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

Prior to Councillor Edmunds putting his question, clarification was sought on whether it could be considered as being a supplementary to his earlier question in minute 6.1. If that was the position then, as a supplementary question had already been asked, any further question would be contrary to Corporate Procedure Rule 11.8.

Whilst the Chair had ruled the question was an additional supplementary question and could not therefore be put, it was moved and seconded that Corporate Procedure Rule 11.8 be suspended to enable the question to be put.

RESOLVED, that Corporate Procedure Rule 11.8 be suspended and Councillor Edmunds be permitted to put his question.

Councillor Edmunds thereupon put the following question:-

“Following on from my earlier question on the works being carried out at Parc Howard, Llanelli my question is:- Why was the work allowed to start without first obtaining the necessary planning permission, this has resulted in calling a halt to operations so that retrospective planning can be applied for, and the potential of unnecessary additional costs that this failure demonstrates”.

Response by Councillor Emlyn Dole, Leader of the Council

“When the work was commenced, it was initially considered that planning permission was not required, as installation of play equipment doesn’t generally require planning permission. Once it became clear that the extent of the work involved triggered the need for planning permission, the contractor was instructed to stop work immediately and a planning application is being prepared”.

Councillor Jeff Edmunds asked the following supplementary question:

“What kind of message is this sending to the general public. What are we trying to say to the general public when we act like this”?

Response by Councillor Emlyn Dole, Leader of the Council:

The Message is the proper one. It's a positive one around Parc Howard. It's about keeping Parc Howard in public ownership, making it all that it can be. We've put plans in place to ensure that happens, and it becomes what it does, has a purpose and that we develop it commercially with sensitivity. Those are the principles agreed with all the parties around the table on the consultation I've set in place with the friends, with the association and they are all signed up to that. In fact, on Monday, we all agreed on proceeding with that process and we'll be holding our next meeting in November.

With regard to the retrospective submission of the planning application, that was perfectly legal, and happened on a regular basis in the planning committee

6.3. QUESTION BY COUNCILLOR JEFF EDMUNDS TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

“On the 1st September there was an event held at Llanelli Town Hall to welcome a family to Carmarthenshire. A number of guests attended including executive board members along with as representation from the Police (PCSO). Why wasn't the Chair of our Council invited to attend as it is the role of the Chair to represent our Council at such an event”.

Response by Councillor Emlyn Dole, Leader of the Council:

It's the role of the Chair to represent this Council at civic occasions and events. When I put the Motion on Notice to Council last summer on welcoming Syrian refugees I asked that we go above and beyond that. That process has been put in place by a task force, chaired by Councillor Pam Palmer. It's been a long process and I've said this on the media and national news that that process was essential to ensure that when they arrived everything was in place and would work perfectly for them. That wasn't for one family, it was for three families. I called that meeting, not the Chair. It was an afternoon tea, held in Llanelli Town Hall, not in the Chairman's chamber, and was not a civic occasion or civic event. I didn't invite any councillors, the invitees were the team putting in place the process to ensure the welcome was the right one and that it worked on all levels and across the services they required. The purpose of that meeting was to meet them informally as the Leader, to ensure that welcome was there and to also enquire if they had any additional needs. The PCSO's also attended. There were no cameras, except those of the families themselves who wanted to take pictures with the PCSO's and the team who had done such a wonderful job to ensure their arrival had been safe and secure. There was no slight to the Chair. It wasn't a civic event or occasion. It was low key, no press, no pictures. It was about welcoming them and asking what their further needs were.

Councillor Jeff Edmunds asked the following supplementary question:

“My question is around the constitution of the Council and in view of the fact voluntary people were also at that event, there was a member of Council, apart from two Executive Board Members and yourself who were also at the event, there

were members of the public at that event as well as the family and obviously that to me is a civic form of duty however secrecy might have been kept but under the constitution I feel that the constitution wasn't followed. The question is on my understanding of the constitution reading the roles of yourself and the Chair, that the constitution was not followed".

Response by Councillor Emlyn Dole, Leader of the Council:

"The Constitution was absolutely followed. It was not a civic occasion, I've tried to explain that in my first answer. It was anything but that. It was meant not to intimidate these people who'd just arrived from camps in Jordan and on the border with Syria. It was low key, purposely low key, and the invitees were the people who were involved with the process to welcome them.

7. PUBLIC QUESTIONS (NONE RECEIVED).

The Chair advised that no public questions had been received.

8. APPOINTMENT OF DIRECTOR OF EDUCATION & CHILDREN'S SERVICES.

The Council considered a revised report circulated at the meeting relating to the appointment of a Director of Education and Children's Services following the resignation of the current Director on the 27th July 2016. Council was advised that in accordance with its Pay Policy Statement, endorsed in February 2016, the replacement of any Chief Officer post was required to be undertaken in accordance with the provisions of the Local Authority's (Standing Orders) (Wales) (Amendment) Regulations 2014. Accordingly, it was required to draw up a statement specifying:-

- (a) (i) the duties of the Officer concerned
- (a) (ii) any qualifications or qualities to be sought in the person to be appointed
- (b) make arrangements for the post to be publicly advertised in such a way as was likely to bring it to the attention of persons who are qualified to apply for it and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

In addition, the regulations required that, where the Authority proposed to appoint a Chief Officer on an annual remuneration of £100k, or more, the post must be publicly advertised, the only exception to which was if the appointment were to be for a period of no longer than 12 months.

RESOLVED

- 8.1 That the Job Profile and Personal Specifications for the Post of Director of Education and Children's Services as detailed in the revised report circulated at the meeting be endorsed**
- 8.2 That the Job advert to allow the post to be publicly advertised as required by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 as detailed in Appendix 2 to the revised report circulated at the meeting be endorsed**

9. TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE BOARD IN RESPECT OF THE FOLLOWING ITEMS

9.1. ANNUAL TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT 2015/16.

Council was informed that the Executive Board, at its meeting held on the 26th July 2016 (Minute 13 refers) had received the Annual Treasury and Prudential Indicator Report, in line with Council Policy. The report summarised the activity that had taken place during 2015/16 under the headings of Investments; Borrowing; Treasury Management Prudential Indicators; Prudential Indicators and Leasing and Rescheduling.

Reference was made to the previous decision to re-allocate £20m from within the Council's earmarked reserves to its regeneration policy for job creation within the county. Having regard to that re-allocation, clarification was sought on the reasons for the Authority borrowing approximately £20m at around the same time.

The Director of Corporate Services advised that the loan had been undertaken in relation to cash flow issues, and the timing thereof with the re-allocation of funds, over a five year period, from reserves to the regeneration policy was co-incidental.

In response to a question on the Council's borrowing having increased from £276m to £376m the Chief Executive reminded the Council that the increase largely related to the Council's decision to 'buy itself out' of the HRA subsidy to provide it with greater flexibility in the management of its housing stock and enabling it to build new properties. That approach had resulted in the Council being one of only two authorities in Wales to be in a position to attract government money to build houses

The Director of Corporate Services reminded the Council that previously, the Council annually returned £6.2m of the HRA subsidy to the Treasury. The cost of its decision to buy itself out of the subsidy system was £4.9m p.a. leaving a net gain of £1.3m p.a. for the Housing Revenue Account.

RESOLVED that the following recommendation of the Executive Board be adopted:

"That the Annual Treasury Management and Prudential Indicator Report 2015/16 be received.

9.2. DRAFT SUPPLEMENTARY PLANNING GUIDANCE - CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN.

Council was informed that the Executive Board, at its meeting held on the 26th July 2016 (Minute 18 refers) had received for consideration the Draft Supplementary Planning Guidance – Carmarthenshire Local Development Plan together with the outcome of the consultation period thereon which took place between the 24th February, 2016 and the 8th April, 2016. In total 59 representations had been received from a range of organisations, interested parties and members of the public, as detailed within Appendix 1.

References were made to the terminology within the SPG (part 2.27) of Council seeking community benefits contributions either by a S106 Agreement or via the proposed Community Infrastructure Levy (CIL). Concern was expressed at the proposal for the apportionment of those funds on a 15% direct contribution to the

community and 85% to the CIL which was considered would be unacceptable to local members and the community.

The Chief Executive reminded that Council that it had not adopted a CIL, and that the proposal for its adoption was currently subject to public consultation, which would close on the 4th November. Thereafter, a report would be formally presented to the Council on whether it wished to adopt a CIL for Carmarthenshire. The reason for its inclusion within the draft SPG, was to avoid the need for the introduction of a further SPG in the future if the Council were to resolve to adopt a CIL.

RESOLVED that the following recommendations of the Executive Board be adopted:-

“That the representations received be noted;

To proceed to formally adopt the Supplementary Planning Guidance to the Carmarthenshire Local Development Plan, including the proposed amendments

That officers be given delegated authority to amend any typographical or grammatical errors”.

10. TO RECEIVE THE REPORTS OF THE MEETINGS OF THE EXECUTIVE BOARD HELD ON THE:-

10.1. 26TH JULY 2016

RESOLVED that the report of the above meeting be received.

10.2. 23RD AUGUST 2016

RESOLVED that the report of the above meeting be received.

CHAIR

DATE