

COUNTY COUNCIL

WEDNESDAY, 18 OCTOBER 2017

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 | A. Davies |
| C.A.. Davies | T.A.J. Davies | H.L. Davies | I.W. Davies |
| J.A. Davies | W.R.A. Davies | E. Dole | J.S. Edmunds |
| P.M. Edwards | D.C. 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 |
| J.D. James | R. James | D.M. Jenkins | J.P. Jenkins |
| G.H. John | C. Jones | B.W. Jones | D. Jones |
| G.R. Jones | A. Lenny | M.J.A. Lewis | K. Lloyd |
| K. Madge | A.S.J. McPherson | E. Morgan | A.G. Morgan |
| 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 |
| L.M. Stephens | D. Thomas | E.G. Thomas | G.B. Thomas |
| G. Thomas | J. Tremlett | A.Vaughan Owen | D.T. Williams |
| D.E. Williams | J.E. Williams | | |

Also Present:

M. James, Chief Executive
J. Morgan, Director of Community Services
P.R. Thomas, Assistant Chief Executive (People Management & Performance)
C. Moore, Director of Corporate Services
W. Walters, Director of Regeneration & Policy
R. Mullen, Director of Environment
G. Morgans, Interim Director of Education & Children's Services
L.R. Jones, Head of Administration and Law
I. Jones, Head of Leisure
C. Daniels, Senior Sports and Leisure Manager
K. Gerard, Pensions Manager
A. Parnell, Treasury & Pensions Investments Manager
J. Owen, Democratic Services Officer

Chamber, County Hall, Carmarthen – 10:00am - 11:50am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors F. Akhtar, G. Davies, S.L. Davies, D. Harries, A. James, G.H. John, T.J. Jones, K. Lloyd, S. Najmi, B. Thomas, A.D.T. Speake.

2. DECLARATIONS OF PERSONAL INTERESTS.

There were no declarations of personal interest.

3. CHAIR'S ANNOUNCEMENTS.

- Congratulations were extended to Councillor Liam Bowen who had recently attained a degree in Welsh and Politics at the University College of Wales, Cardiff. The Chair also extended his congratulations to Councillor Bowen on his recent engagement to be married.
- Congratulations were extended to the Dyfed Pension Fund who had been successful in achieving two awards at the Local Authority Pension Fund (LAPF) Investment Awards in London. The Dyfed Pension Fund were awarded with the Scheme Administration award and the LGPS Fund of the Year award (under £2.5bn). Appreciation was extended to all the officers involved for their dedication and hard work. The Pensions Manager and Treasury & Pensions Investments Manager collected the awards from the Chairman.
- Congratulations was extended to Cyfle Building Skills who was awarded the Queens Award for Enterprise and Innovation earlier this year in recognition of the ground-breaking Shared Apprenticeship Scheme. Cyfle Building Skills Shared Apprenticeship Scheme was established in 2013 and was one of the first collaborative apprentice employments schemes in the UK. Cyfle supports young adults into sustainable employment within the construction industry and currently covers the following trades: Bricklaying, Plastering, Carpentry, Electrical, Plumbing, Painting & Decorating, Maintenance, Accounting and Business and Administration. Furthermore, in recognition of Carmarthenshire County Council's support for Cyfle, the Chairman was presented with a replica award by the Lord Lieutenant at a ceremony in the National Botanic Garden of Wales last September.
- Appreciation was extended to all staff within the Council as they battled against the recent extreme high winds in order to ensure that business continued as normal. The Council's attention was drawn to the work Highways Department who had attended 34 separate incidents throughout the County during the extreme high winds, which had resulted in fallen trees and electricity cables. The Met Office had recorded winds of up to 75mph. Recognition was given to the Council's frontline staff who had worked tirelessly to re-open roads, duty officers, Contact Centre staff and Careline Agents who had dealt with a large number of calls from the public.
- Congratulations were extended to Miss Francesca Evans-Thomas, of Year 8 Ysgol Bryngwyn, Llanelli, who had won the Welsh championships of the National Baton Twirling Championships Wales held recently in Kidwelly. Good luck and best wishes was extended to Miss Evans-Thomas in representing Wales in the World Baton Twirling Championship in Norway later this year.
- Congratulations were extended to Mr Jason Thomas from Drefach Football Club who, out of over 7000 nominations had won an award for Community Coach of the Year within the FA Wales Community Awards. This award was a true acknowledgement of Mr Thomas' dedication over the last 8 years in creating and building teams of youngsters within the Club.

- The Chair extended his condolences to the family of Lady Mary Mansel Lewis, widow of former Lord Lieutenant of Dyfed, Sir David Mansel Lewis.
- The Council's attention was drawn to the success of the Toy Box Appeal in previous years which had provided help to families who were facing difficult financial times particularly during the Christmas period. Similar to previous years, Members of Council were requested to make a donation and contribute to the Appeal. Appreciation was extended to the Managing Director of Nolan UPV who has allowed the project to be hosted at his premises in Johnstown. Members of Council were requested to make a donation at any of the collection points located throughout the County including County Hall, Ty Elwyn, Llanelli and Ammanford Town Hall.

4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 20TH SEPTEMBER 2017

It was RESOLVED that the minutes of the meeting of the Council held on the 20th September 2017, be signed as a correct record.

5. YOUNG SPORTS AMBASSADOR PRESENTATION

The Chair welcomed Mr Carl Daniels, the Senior Sports and Leisure Manager who was introduced by Head of Leisure, Ian Jones. The Senior Sports and Leisure Manager was invited to provide a presentation on the Young Ambassadors Programme.

The Head of Leisure provided members of Council a brief background in relation to work of the Sports and Leisure Services Section: The County boasts 8 leisure centres which attracts over 1.5m usages. In response to the financial pressures, work to increase income levels had enabled more services to be retained, increasing income in Aquatics by some £250k in the last 4-5 years to exceed £1m income and Health & Fitness by some £300k being set to exceed £1m this year. In addition to the work done within Leisure Centres significant amount of work was done out in the community and within schools. The Young Ambassadors Programme was an example of the work that had been carried out and was only part of wider community development work with an investment cost to the Authority of circa £26k a year.

The Senior Sports and Leisure Manager was accompanied by Richard Dando from Sport Wales, Rowan Smith and Dyfrig Davis, a pupil and teacher from Laugharne School and Jess Thomas from Ysgol Bro Myrddin, who gave their own personal experiences of being part of the programme.

Working together with Sport Wales, the Young Ambassadors Programme, a sector leading programme in Carmarthenshire was developed to deliver a number of Young Ambassador Outcomes which included:-

- Increase participation in Sport and promote healthy lifestyles
- Role model promoting positive values of sport in the school and local community
- To be the young people's voice on PE and school sport in their school in the community

- Bringing the excitement and inspiration of major events to their schools
- To get every child hooked on sport for life.

The programme included a pathway for Young Ambassadors across Wales starting from Bronze (years 5 and 6), Bronze+ (years 7, 8 and 9), Silver (age 14+), Gold (year 10 and above) through to Platinum at a National level. This pathway aimed to train and develop a future generation of leaders by providing young people with skills and experience to make them employable resilient young people through sport and physical recreation.

With Carmarthenshire being the first local Authority's in Wales to roll out Bronze Young Ambassadors programme, the County now boasts a network of over 300 Young Ambassadors providing valuable coaching support to staff. Appreciation was provided to Active Young People Officer's within the Leisure division for their commitment in driving the programme throughout the schools.

The presentation was followed by a question and answer session.

In response to question, 'What could Councillors do to help with the continued success of the programme?' the Senior Sports and Leisure Manager stated that Members could encourage their local schools to embrace the scheme if they had not done so already. Furthermore, if local schools were involved in the programme, Members were encouraged to seek more information from the school by asking the school to demonstrate their involvement in order to raise the profile of work being done.

The Chair thanked the Senior Sports and Leisure Manager and the Young Ambassador representatives for attending the meeting to appraise elected members of the programme and its success.

6. PUBLIC QUESTIONS (NONE RECEIVED).

The Chair advised that no public questions had been received.

7. QUESTIONS BY MEMBERS:-

7.1. QUESTION BY COUNCILLOR J PROSSER TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

What is the number of staff employed either directly or indirectly by Carmarthen County Council on zero hour contracts?

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

"This is a question that is asked with some regularity by our Trade Union colleagues, and my response to you today is the same as that given, with the same regularity, to the Trade Unions.

In relation to the first part of your question relating to direct employment, we do not have any zero hour contracts, so the number is zero. We do have however, casual workers who we call upon to deliver some of our services, as and when the needs arise. Perhaps I should clarify the difference between the two, as the terms 'casual contract' and 'zero hours contracts' are often used interchangeably, and can lead to confusion.

Under a casual contract, there is commonly no obligation on the employer to offer work to the individual and, crucially, no obligation on the individual to accept the work offered. Quite often this mutuality of obligation does not arise, therefore the individuals are classed as 'workers' and not 'employees'.

The 'zero-hours' contract differs from a standard casual worker agreement in that the Employer is under no obligation to offer work, but the individual is usually obliged to be available, and to accept work when offered.

Turning to 'indirect employment' then, I can confirm that for all Procurement activity valued over £25k, our Procurement Unit undertakes what are called Sustainable Risk Assessments with the relevant officers within the departments that are procuring services, to ensure that environmental, social and economic issues are assessed, understood and managed in all key procurement decisions that relate to the procurement of goods and services. These are contained within our Procurement Specification. One of the areas we consider is 'whether there is the potential for contractors' employees to be exploited?' Our Tender specification safeguards against this happening.

One of the consistent queries we've had over the last few years has been in relation to 'zero-hours' contracts in our provision of the Domiciliary Care framework which was awarded back in July 2015, we looked at the contracted hours of our supply chain in this area, and we stipulated back then that the providers appointed on to this subsequent framework were not to employ their staff on 'zero-hours' contracts to fulfil the Council's requirement.

Members will also be aware of the Code of Practice relating to the Ethical Employment in Supply chains, where zero hours contracts are not used unfairly, and we are working with Procurement colleagues in Pembrokeshire, through our Pilot Procurement shared service, and with our HR division to determine what we need to put in place to meet the expectations of the Code. Again, just for information, Welsh Government are expecting all Local Authorities to sign up to the Code by the end of this calendar year.

To conclude then, the number for both elements of your question is zero."

Councillor Prosser asked the following supplementary question:-

I know from personal circumstances that a lot of care workers are now being employed on self-employed basis as a way around zero-contract hours. Would that be considered when looking at procurement of new contracts?

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

That will be considered, yes. Under that code of practice that we are obliged to sign up to, it is for those who haven't seen it, it is the up coming appointment in supply chains, under that code after Mark Drayford gave the introduction, there are the 'Commitments', there are the 'Ways of implementing the code of practice', as well as 'who is expected to sign up' and we are on that list as are all of the public services and bodies in Wales and we will be doing that as I said in my previous answer.

To relate, that usually comes as a result of the domiciliary care that we provide and I did say that back in July, 2015 the previous administration of the coalition between Plaid and Independence, led by Plaid, we did put that in place to ensure that happened and we are still on a different route because I have to say that under previous Labour administrations, domiciliary care was outsourced to the private sector, where 70% in house went to 24% in house. We at the moment are reversing that trend and bringing it back in house. Not only are we trying to ensure that the ethical standards remain for procurement to private, that we are reversing what happened under previous Labour administrations by bringing more of that domiciliary care back in house.

8. TO CONSIDER THE FOLLOWING NOTICES OF MOTION:-

8.1. NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROB JAMES

Council considered the following Notice of Motion submitted by Councillor Rob James:-

That this Council:

- a) recognises the importance of a modern, integrated public transport network in increasing the connectivity of communities across Carmarthenshire and tackling poor air quality;
- b) supports the principles laid out within the Swansea Bay Metro plan;
- c) commits to engaging in any future discussions of a possible Metro system;
- d) advocate that any future proposal includes the Amman Valley and Carmarthen to ensure the benefits are felt by towns and villages across Carmarthenshire.

The Motion was duly seconded.

The following amendment to the Motion was proposed by Councillor Darren Price and duly seconded:-

After bullet point d), add:-

- e) Notes that the planned electrification of the Great Western railway to Swansea has been scrapped by the UK Government and that only 1% of Network Rail's capital expenditure has been spent in Wales since 2011, despite Wales having 11% of the total UK track network.

- f) Calls on the Welsh Government to lobby Network Rail and the UK Government to increase its spend in Wales and to deliver a Metro system for Swansea Bay and the Western Valleys.
- g) Welcomes the agreement between Plaid Cymru and the Welsh Government reached this month which commits the Welsh Government to exploring a new Metro for the Western Valleys and Swansea Bay.

The proposer of the Motion (supported by his seconder), advised that he was happy to accept the amendment and was afforded the opportunity of speaking in support of the Motion and outlined the reasons for its submission, as set out in the Motion.

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 the Motion, as amended, following which it became the Substantive Motion and the Council,

UNANIMOUSLY RESOLVED, that the Substantive Motion be supported.

8.2. NOTICE OF MOTION SUBMITTED BY COUNCILLOR JEFF EDMUNDS

The Council considered the following Notice of Motion submitted by Councillor Jeff Edmunds:-

Openness and transparency are vitally important in public governance, asking questions and their meaningful response form part of that.

There are quite clear rules in our Constitution covering questions asked at Council Meetings but I believe such clarity is absent, as far as our constitution is concerned, covering the response.

I would like to bring to your attention CPR 11.7.1. (a).

In response to a question this rule states: An answer may take the form of:-
'A direct oral answer.'

No reference is made to the question so my motion is to amend this particular CPR giving greater clarity.

The motion is to amend CPR 11.7.1. (a) to read:-
'An oral answer that relates directly to the question and is concise.'

To have questions and answers given appropriate consideration and equal status can only strengthen public confidence.

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.

With regard to the current process an assertion was made that the Constitution Review Working Group (CRWG) was set up to consider any amendments to the Council's Constitution before recommending to Council. In respect of the process and in light of the scheduled CRWG to take place next Wednesday, the proposer of the Motion (supported by his seconder), advised that he was happy to withdraw the Motion.

The Chief Executive confirmed that this item would be placed on the Agenda of the next CRWG meeting scheduled to take place on Wednesday, 25th October 2017.

9. TO CONSIDER THE RECOMMENDATIONS OF THE DEMOCRATIC SERVICES COMMITTEE IN RESPECT OF THE FOLLOWING ITEMS:

9.1. APPOINTMENT OF MEMBER DEVELOPMENT CHAMPION

In order to comply with section 7 of the Local Government (Wales) Measure 2011, training and development of Members and in accordance with the statutory guidance, local Authorities were encouraged to appoint a Member Development Champion. Members considered a report on the Appointment of Member Development Champion which appended the role description.

Members noted that the Member Development Champion would work closely with Councillor Mair Stephens, the Member development Lead for the Executive Board and officers of the Learning and Development Team on identifying and promoting member development issues.

RESOLVED that Councillor Rob James be appointed as Member Development Champion.

10. MEMBERSHIP OF COMMITTEES

In accordance with Corporate Procedure Rule CPR 2 (2)(n), the following nominations from the Labour Group had been received and was **RESOLVED**:

10.1 to note that Councillor Kevin Madge to replace Councillor Bill Thomas on the policy and Resources Scrutiny Committee;

10.2 to note that Councillor Bill Thomas to replace Councillor Kevin Madge on the Education and Children Scrutiny Committee

In addition to the above, further nominations from the Labour Group were provided. It was further **RESOLVED**:

10.3 to note that Councillor Suzy Curry to replace Councillor Louvain Roberts on the Planning Committee;

10.4 to note that Councillor Louvain Roberts to replace Councillor Suzy Curry on the Community Scrutiny Committee.

CHAIR

DATE