

# COUNTY COUNCIL

**WEDNESDAY**, 11 November 2015

**PRESENT:** Councillor P. Hughes-Griffiths (Chair)

## **Councillors:**

S.M. Allen, D.J.R. Bartlett, S.M. Caiach, C.A. Campbell, J.M. Charles, A.P. Cooper, A. Davies, D.B. Davies, G. Davies, I.W. Davies, J.A. Davies, S.L. Davies, T. Davies, W.R.A. Davies, T. Devichand, 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, J.K. Howell, P.M. Hughes, I.J. Jackson, A. James, J.D. James, D.M. Jenkins, J.P. Jenkins, A.W. Jones, G.O. Jones, H.I. Jones, W.J. Lemon, A. Lenny, M.J.A. Lewis, D.J.R. Llewellyn, S. Matthews, A.G. Morgan, E. Morgan, P.A. Palmer, B.A.L. Roberts, L.M. Stephens, T. Theophilus, E.G. Thomas, G. Thomas, G.B. Thomas, J. Thomas, S.E. Thomas, W.G. Thomas, J. Tremlett, D.E. Williams, J.E. Williams and J.S. Williams

## **The following Officers were in attendance:**

M. James, Chief Executive  
C. Moore, Director of Corporate Services  
J. Morgan, Director of Community Services  
R. Mullen, Director of Environment  
R Sully, Director of Education & Children  
L.R. Jones, Head of Administration and Law  
P.R. Thomas, Assistance Chief Executive People Management & Performance  
W. Walters, Assistant Chief Executive  
I.R. Llewelyn, Forward Planning Manager  
M.S. Davies, Democratic Services Officer

**Chamber, County Hall, Carmarthen - 10.00 am - 12.30 pm**

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T. Bowen, D.M. Cundy, S.L. Davies, C.P. Higgins, W.G. Hopkins, P.E.M. Jones, T.J. Jones, K. Madge, J. Owen, D. Price, D.W.H. Richards, H.B. Shepardson, A.D.T. Speake, K.P. Thomas, M.K. Thomas and J. Williams.

## **2. DECLARATIONS OF PERSONAL INTERESTS.**

<b>Councillor</b>	<b>Minute Number</b>	<b>Nature of Interest</b>
D.J.R. Bartlett	5 – Notice of Motion Submitted by Councillor C.A. Campbell;	Member of NUT;
	6 – Notice of Motion Submitted by Councillor J.D. James;	

S.M. Caiach	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;	Member of UNISON;
A. Davies	7 – Notice of Motion Submitted by Councillor J. S. Edmunds;	Member of Ammanford Rotary Club;
T. Davies	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James; 7 – Notice of Motion Submitted by Councillor J. S. Edmunds;	Member of NUM, President of the Pensioners Association in Gorslas and member of the Gorsedd;
W.R.A. Davies	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;	Lloyds Bank Group Union;
D.C. Evans	10 – Presentation by MWWFRS:	Member of the Fire Authority;
W.J.W. Evans	7 – Notice of Motion Submitted by Councillor J. S. Edmunds;	Member of private club and Llanddarog Community Council;
H.A.L. Evans	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;	Lloyds Bank Group Union;
P.M. Hughes	7 – Notice of Motion Submitted by Councillor J. S. Edmunds;	Member of a number of private clubs;
A.W. Jones	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James; 7 – Notice of Motion Submitted by Councillor J. S. Edmunds;	Member of NUM and Ammanford Miners Welfare Association;
G.O. Jones	5 – Notice of Motion Submitted by Councillor C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;	Member of ICAC;

D.J.R. Llewellyn	10 – Presentation by Member of the Fire MWWFRS: Authority;
E. Morgan	5 – Notice of Motion Life Member of Submitted by Councillor UNISON; C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;
E.G. Thomas	5 – Notice of Motion Lloyds Bank Group Submitted by Councillor Union; C.A. Campbell; 6 – Notice of Motion Submitted by Councillor J.D. James;
E.G. Thomas	10 – Presentation by Member of the Fire MWWFRS: Authority;
D.E. Williams	10 – Presentation by Member of the Fire MWWFRS: Authority;

In response to a question specifically in regard to the Notice of Motion submitted by Cllr. J.S. Edmunds [Minute 7 below] the Head of Administration and Law confirmed that the Council's Code of Conduct already required members to make appropriate declarations.

### 3. CHAIR'S ANNOUNCEMENTS.

- The Chair welcomed Ms. Ruth Mullen, recently appointed Director of Environment, to her first meeting of the Council;
- The Chair congratulated Mr. Nigel Owens on his recent achievement of refereeing the Rugby World Cup Final;
- The Chair extended best wishes to Councillor Jan Williams who was in hospital;
- The Chair extended his congratulations to the Council's Pension Team staff, who administer the Dyfed Pension Fund, on winning the Quality of Service Award at the LGC Investment Awards presentation evening recently in London;
- The Chair referred to the Council's ongoing support in marking White Ribbon Day on 25<sup>th</sup> November, to raise awareness of, and prevent, domestic abuse;
- Reference was drawn to the Council's Christmas Toy Box appeal.

### 4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 14TH OCTOBER 2015

**RESOLVED** that the minutes of the meeting of the Council held on the 11<sup>th</sup> October 2015 be signed as a correct record.

### 5. NOTICE OF MOTION SUBMITTED BY COUNCILLOR C.A. CAMPBELL

[NOTE: Councillors D.J.R. Bartlett, S.M. Caiach, T. Davies, W.R.A. Davies, A.W. Jones, G.O. Jones, E.G. Thomas, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof].

The Council considered the following Notice of Motion submitted by Councillor C.A. Campbell:-

'Carmarthenshire County Council opposes, in the strongest possible terms, the UK Government's Trade Union Bill 2015.

Council notes that the UK has some of the most restrictive trade union laws in the western world. It also believes that instead of implementing further draconian measures aimed at restricting trade union activity, the UK Government should initiate a prompt inquiry into industrial relations and employee rights, to look into the role of trade unions in a modern economy, and the challenges faced by working people – such as zero-hour contracts, low pay and the erosion of workplace rights.

Council believes that the role of trade unions in the workplace and public life should be enhanced, thereby helping to shape an economic and industrial strategy – one where trade unions would play a pivotal role in the management structures of the public and private sectors, and one where the pay and conditions of employees are strengthened to resemble European norms.

Council calls on the Executive Board to make representations to the UK Government to oppose the introduction of its Trade Union Bill.'

The Motion was duly seconded.

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

A number of statements were made in support of the Motion and, following a vote, it was

**RESOLVED that the Motion be adopted.**

## **6. NOTICE OF MOTION SUBMITTED BY COUNCILLOR J.D. JAMES**

[NOTE: Councillors D.J.R. Bartlett, S.M. Caiach, T. Davies, W.R.A. Davies, A.W. Jones, G.O. Jones, E.G. Thomas, having earlier declared an interest in this item and left the meeting for the previous item, remained out of the meeting].

The Council considered the following Notice of Motion submitted by Councillor J.D. James:-

'That this Council acknowledges the positive contribution that the trade unions and their members make in our workplaces. This Council values the constructive relationship that we have with our Trade Unions and we recognise their commitment and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with grave concern the content of the Trade Union Bill currently being proposed by the UK Government which would affect this Council's relationship with our trade unions and our workforce as a whole. This Council rejects this Bill's blatant attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.

This Council is happy with the arrangements currently in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and an easy and cost effective way to

administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.

This Council resolves to support the campaign against this unnecessary, anti-democratic and bureaucratic Trade Union Bill by writing to the UK Government and urging it to abandon this Bill and to strive to work harmoniously in partnership with the Trade Union movement.'

The Motion was duly seconded.

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

A number of statements were made in support of the Motion and, following a vote, it was

**RESOLVED that the Motion be adopted.**

[**NOTE:** At this point in the meeting, 11.00 a.m., Council observed two minutes silence in tribute to members of the Armed Forces who had lost their lives in the line of duty.]

**7. NOTICE OF MOTION SUBMITTED BY COUNCILLOR J.S. EDMUNDS**

The Council considered the following Notice of Motion submitted by Councillor J.S. Edmunds:-

'In the spirit of openness and transparency which is an aspiration that I'm sure all members of council seek to continually improve, will all Carmarthenshire County councillors declare if they belong to a secret society or society with secrets such as Freemasonry. I know declarations have been made previously but ask this motion be approved at full council.'

The Motion was duly seconded

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

A number of statements were made in support of the Motion and, following a vote, it was

**RESOLVED that the Motion be adopted.**

**8. QUESTION BY COUNCILLOR TEGWEN DEVICHAND TO COUNCILLOR DAVID JENKINS, EXECUTIVE BOARD MEMBER FOR RESOURCES**

'Due to the Welsh Language Board implementing further directions on the use of the Welsh language, the Council has had to find an extra £200,000 to provide further translation services. As this was not originally in the budget, could the Deputy Leader (Resources) inform members how this will be funded.'

**Response by Councillor D.M. Jenkins, [Deputy Leader], Executive Board Member for Resources:**

'The Welsh Language Board which you refer to in your question was in fact abolished three and a half years ago as a result of the Welsh Language (Wales) Measure 2011. The role of the Welsh Language Commissioner was created by the same Welsh Language Measure and Meri Huws was appointed as the first Commissioner in April 2012. The Welsh Language Commissioner's main aim is to promote and facilitate the use of the Welsh language. This will entail raising awareness of the official status of the Welsh language in Wales and by imposing standards on organisations. It is believed that this, in turn, will lead to the establishment of rights for Welsh speakers. According to the Commissioner there are two principles that underpin the work of the Commissioner, namely,

- Welsh should not be treated less favourably than the English language in Wales
- People should be able to live their lives in Wales through the medium of Welsh if they so wish.

Which consolidates the wish expressed in the last line of our National Anthem, namely 'O Fydded i'r hen iaith barhau'. The Commissioner may do anything she considers appropriate to:

- Promote the use of Welsh
- Facilitate the use of Welsh
- Work towards ensuring that the Welsh language will be treated as equally as English.

This includes promoting opportunities to use Welsh and encourage best practice in the use of Welsh by people dealing with other persons, or providing services to other persons. Areas of her work also includes legal issues, preparing and publishing reports, research, educational activities and written recommendations to Ministers of the Government of Wales.

At its meeting on the 27<sup>th</sup> July 2015 the Executive Board (Agenda Item 6) was asked to approve Carmarthenshire County Council's response on the content and deliverability of the Council's draft compliance notice within the Welsh Language Commissioner's consultation process. Carmarthenshire County Council will be required to comply with a total of 166 different standards (not all of the Commissioner's 174 standards are applicable to Carmarthenshire) and following consideration of those standards the Council considers that 20 of them were thought to be unreasonable and/or disproportionate to implement and responded accordingly to the Commissioner. In fairness the Commissioner did listen to our concerns and did in fact moderate some of these draconian standards.

The regulations placed on the Authority meant either, the re-allocation of current resources or, additional resources, for example for Welsh language training, awareness raising of staff, preparing papers in both languages for meetings, bilingual press releases and the intranet. In addition it is estimated that the Translation Unit would have needed a further expansion of the staff to manage the additional workload generated by the standards.

As usual when the current Welsh Government decides to introduce new legislation/measures no consideration is given as to the cost implications to the local Authority in the implementation of these legislations/measures. All of this



means that the Authority will have to find the funding to pay for these additional resources to the tune of approximately £200,000.

In answer to your question this £200,000 has already been identified as a pressure within the Chief Executives Departmental Budget and will be considered in this year's budget setting process.'

**Councillor T. Devichand asked the following supplementary question:**

'Can the same criteria for funding be used for supporting other services that are important to the health and the well-being of our communities. The Council are proposing cuts to the voluntary sector such as MIND, Gateway, Citizens Advice Bureau etc., these are all much needed facilities within our communities and need to be retained for the benefit of all.'

**Response by Councillor D.M. Jenkins, [Deputy Leader], Executive Board Member for Resources:**

'The fact that we are currently in budget setting mode these, are all considerations that we will have to consider and, given the extent of the limited resources we have, difficult decisions will have to be made and money allocated in accordance with our means. So I have got no firm answer for you but it is something we as a Council will be considering over the next 4 or 5 months prior to the budget process finishing.'

**9. QUESTION BY COUNCILLOR TEGWEN DEVICHAND TO COUNCILLOR PAM PALMER, [DEPUTY LEADER] EXECUTIVE BOARD MEMBER FOR COMMUNITIES**

'Could the Deputy Leader (Communities) please indicate the cost to schools in providing staff to recognise radicalisation and extremism, identifying and referring vulnerable people to the Channel Support Panel, training staff to have a good understanding of recognising the vulnerable young and adults susceptible to radicalisation as the duty is relevant in safeguarding our responsibilities, as well as the overall cost, although some financial assistance has been provided by Central Government, will this be enough to allow us to carry out our statutory duties without creating further budget cuts to our already over-stretched resources.'

**Response by Councillor P.A. Palmer, [Deputy Leader], Executive Board Member for Communities:**

'A Specialist police officer has, for a few years, provided training to raise awareness of the prevent agenda. This training has been available to our schools and council staff and is provided free of charge. The training aims to give staff who may come into contact with vulnerable people the necessary training to recognise and refer them for individual help and guidance if needed. Training is through workshops centred around a dvd. Councillors have also had an opportunity to attend seminars to increase their knowledge of the prevent agenda. We are in discussion with Dyfed Powys Police to provide further updated training to our staff, schools and members. We take our safeguarding responsibilities very seriously and our staff will have the relevant training to help identify vulnerable people at risk of radicalisation. The training also gives information about how to obtain individual, specially tailored help for those identified individuals. Training will continue to be provided free of charge. We are aware that our partners are also requesting similar training so we will need to manage the training schedule carefully. Our Assistant Chief Executive, Wendy Walters, as the officer lead for counter terrorism will be discussing our training needs for schools shortly. As you know we have

been allocated a one-off sum of £10k to deliver the Channel Support Panel to assist in the prevent agenda. However, the Executive Board agreed last week that we should write to the Home Office expressing our concern as to the short term nature of this funding. These problems won't go away overnight and funding should be made available annually to allow the local authorities to meet their new statutory obligations. An action plan is being developed to ensure Council meets these statutory obligations. It is anticipated that activity will, in future, be mainstreamed into departments and existing work in community safety and safeguarding will be met from existing departmental budgets. I'm sure Councillor Devichand you agree with me we must work with our partners to safeguard Carmarthenshire's residents. The setting up of the Channel Support Panel is a new duty placed upon us and perhaps it will be timely in 6 months time if I gave a short report to the relevant scrutiny committee and of course full council if needed.'

**10. PUBLIC QUESTIONS (NONE RECEIVED).**

The Chair advised that no public questions had been received.

**11. PRESENTATION BY THE CHIEF FIRE OFFICER OF THE MID AND WEST WALES FIRE AND RESCUE SERVICE**

The Chair welcomed to the meeting Mr. Chris Davies, Chief Fire Officer of the Mid and West Wales Fire and Rescue Service who had been invited to give a presentation to the Council on the work of, and challenges faced by the Service. Mr. Davies was accompanied by Mr. Iwan Cray.

Mr. Davies outlined the Service's structure, its performance, and the challenges it faced in terms of the area's geography and the budgetary pressures which necessitated savings and efficiencies. He referred to the fact that the Service worked closely with the Welsh Ambulance Service and medical emergency calls to the MAWWFRS were now outstripping fire calls. As a consequence some fire appliances would soon carry defibrillators to support the Welsh Ambulance Services. Mr. Davies also referred to the Service's flooding and water rescue capability which the Service currently had no statutory responsibility to provide though talks were taking place with WAG over future expectations in this respect. He highlighted the fact that the MAWWFRS

- covered the largest area of any Fire Service in England and Wales – 12k square kilometres;
- was the second cheapest 'cost per square kilometre in England and Wales;
- was the third lowest in terms of population density;
- had the 4<sup>th</sup> lowest cost per station in England and Wales.

The presentation was followed by a question and answer session following which the Chair thanked Mr. Davies for an excellent and informative presentation.

**12. EXECUTIVE BOARD RECOMMENDATION - DRAFT SUPPLEMENTARY PLANNING GUIDANCE CARMARTHENSHERE LOCAL DEVELOPMENT PLAN (Executive Board 02/11/2015)**

Council was informed that the Executive Board, at its meeting held on the 2<sup>ND</sup> November, 2015 had considered a report on proposals for the adoption of the Draft Supplementary Planning Guidance (SPG) to support and elaborate on the policies and provisions of the Adopted Carmarthenshire Local Plan, which had been adopted by the Council on the 10th December 2014.



Clarification was sought on the issue that in some instances TANs were referred to as 'policy' and in others as an 'advice note'. In response it was stated that such areas of ambiguity would, hopefully, be drawn out through the consultation process and members were invited to submit any observations they had. It was noted that the Community Infrastructure Levy, which was not mandatory, was not included within the SPG.

Members were urged to make their communities aware of the consultation.

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

**12.1 'the Draft Supplementary Planning Guidance, as detailed in the report, be approved for formal public consultation for six weeks;**

**12.2 delegated authority be granted to the Head of Planning to correct typographical, cartographical or grammatical errors and to make amendments in order to enhance accuracy and clarity of meaning.'**

**13. EXECUTIVE BOARD RECOMMENDATION - APPOINTMENT OF PROPER OFFICER (Executive Board 02/11/2015)**

Council was informed that the Executive Board, at its meeting held on the 2<sup>ND</sup> November, 2015, had considered a report on the appointment of Proper Officers from the Health Authority (Public Health Wales) for the purposes of the Public Health (Control of Disease) Act 1984 (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

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

**13.1 'that the Authority appoints the following named consultants from the Health Authority as Proper Officers for the purposes of Health Protection Legislation:-**

<b>Mrs Heather Lewis</b>	<b>Consultant in Health Protection</b>
<b>Dr Rhianwen Stiff</b>	<b>Consultant in Communicable Disease Control</b>
<b>Dr Jorg Hoffman</b>	<b>Consultant in Communicable Disease Control</b>
<b>Mr Sion Lingard</b>	<b>Consultant in Health Protection</b>
<b>Dr Marion Lyons</b>	<b>Director in Health Protection</b>
<b>Dr Gwen Lowe</b>	<b>Consultant in Communicable Disease Control</b>
<b>Dr Graham Brown</b>	<b>Consultant in Communicable Disease Control</b>
<b>Dr Christine Whiteside</b>	<b>Consultant in Communicable Disease Control</b>

**13.2 that the appointments take immediate effect and continue until:-**

**- the Council revoked the appointment or,**

- the officer provided the Council with 3 months written notice of resignation or,
- the officer ceased employment with the health authority.'

**14. EXECUTIVE BOARD RECOMMENDATION - CHILDREN & YOUNG PEOPLE'S PARTICIPATION STRATEGY 2015-18, ACTION PLAN, & CHILDREN'S RIGHTS PROMISE (Executive Board 02/11/2015)**

Council was informed that the Executive Board, at its meeting held on the 2<sup>ND</sup> November, 2015, had considered the proposed Children & Young People's Participation Strategy 2015-18, Action Plan and Children's Rights Promise produced in response to Article 12, of the United Nations Convention on the Rights of the Child which detailed that involvement in decisions that affected their lives was a fundamental right for all children and young people.

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

**14.1 'that the Children & Young People's Strategy, Action Plan & Promise be adopted;**

**14.2 that the Lead Member for Children and Young People (Cllr Gareth Jones) take on the role of Lead person (member) for Children's Rights, as set out in the promise.'**

**15. MEMBERSHIP OF COMMITTEES**

**UNANIMOUSLY RESOLVED that the following amendment to committee membership be approved in accordance with Council Procedure Rule 2(2)(m):-**

**Councillor J.K. Howell to replace Councillor A. Davies as one of the Plaid Cymru Group's representatives on the Policy and Resources Scrutiny Committee.**

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**CHAIR**

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**DATE**