

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE ORDINARY MEETING OF THE COUNCIL

SUBJECT: ORDINARY MEETING OF THE COUNCIL - 10TH OCTOBER, 2019

REPORT OF:

PRESENT: COUNCILLOR M. MOORE (CHAIR)

Councillors D. Bevan
 G. Collier
 J. Collins
 M. Cook
 M. Cross
 N. Daniels
 D. Davies
 M. Day
 P. Edwards
 K. Hayden
 S. Healy
 J. Hill
 J. Mason
 H. McCarthy
 C. Meredith
 J. Millard
 J. C. Morgan
 J. P. Morgan
 L. Parsons
 G. Paulsen
 K. Pritchard
 K. Rowson
 T. Sharrem
 T. Smith
 B. Summers
 B. Thomas
 S. Thomas
 H. Trollope
 J. Wilkins
 D. Wilkshire

B. Willis
L. Winnett

WITH: Managing Director
Corporate Director of Education
Corporate Director of Social Services
Corporate Director of Regeneration & Community Services
Chief Officer Resources
Head of Legal and Corporate Compliance
Service Manager – Development & Estates
Team Manager – Building Control and Development Plans
Team Leader Estates/Valuation
Policy Officer

ITEM	SUBJECT	ACTION
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> Apologies for absence were received from:- Councillors P. Baldwin, G. A. Davies, G. L. Davies, L. Elias, D. Hancock, W. Hodgins, M. Holland, J. Holt. G. Thomas.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u> The following declaration of interest was reported:- Councillor J. C. Morgan Item No. 27: Capital Programme 2019/2020 – 2025/2026	
No. 4	<u>CHAIR'S ANNOUNCEMENTS</u> <u>Congratulations</u> Congratulations were expressed to:-	

	<p>➤ Abertillery Learning Community pupil (Secondary Campus) Jack Minchin-Hayes who had represented Wales in the Commonwealth Games in Walsall. Jack had won a bronze medal in the under 42kg Judo Category.</p> <p>RESOLVED that a letter of congratulations be sent.</p> <p>➤ Emily Hoskins a young resident from Abertillery who had courageously and bravely spoken out about her individual battle with an eating disorder on BBC Wales News and BBC Wales Live on 2nd October, 2019 and explained how she was campaigning to improve facilities across Wales for others battling with eating disorders.</p> <p>RESOLVED that a letter be sent to Emily commending her on her courage and bravery and to express support for her campaign.</p>	
No. 5	<p><u>MINUTE BOOK - MAY - SEPTEMBER 2019</u></p> <p>The Minute Book for the period May – September 2019 was submitted for consideration, whereupon:-</p> <p><u>Item No. 17 – Education & Learning Scrutiny Committee – 26th June, 2019</u></p> <p>It was reported that Councillor Jonathan Millard had been in attendance at the above-named meeting.</p> <p>RESOLVED, subject to the foregoing, that the minutes be approved and confirmed as a true record of proceedings.</p>	
No. 6	<p><u>ORDINARY MEETING OF THE COUNCIL</u></p> <p>Agreed.</p>	
No. 7	<p><u>PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE</u></p> <p>Agreed.</p>	
No. 8	<p><u>SPECIAL PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE</u></p>	

	Agreed.	
No. 9	<u>STATUTORY LICENSING COMMITTEE</u> Agreed.	
No. 10	<u>PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE</u> Agreed.	
No. 11	<u>SPECIAL PLANNING, REGULATORY AND GENERAL LICENSING COMMITTEE</u> Agreed.	
No. 12	<u>SPECIAL STATUTORY LICENSING COMMITTEE</u> Agreed.	
No. 13	<u>EXECUTIVE COMMITTEE</u> Agreed.	
No. 14	<u>EXECUTIVE COMMITTEE</u> Agreed.	
No. 15	<u>SPECIAL ENVIRONMENT, REGENERATION & ECONOMIC DEVELOPMENT SCRUTINY COMMITTEE</u> Agreed.	
No. 16	<u>CORPORATE OVERVIEW SCRUTINY COMMITTEE</u> Agreed.	
No. 17	<u>AUDIT COMMITTEE</u> Agreed.	
No. 18	<u>EDUCATION & LEARNING SCRUTINY COMMITTEE</u>	

It was reported that Councillor Jonathan Millard had been in attendance at the above-named meeting.

No. 19 **COMMUNITY SERVICES SCRUTINY COMMITTEE**

Agreed.

No. 20 **SOCIAL SERVICES SCRUTINY COMMITTEE**

Agreed.

No. 21 **SPECIAL JOINT SCRUTINY COMMITTEE (BUDGET MONITORING)**

Agreed.

No. 22 **AUDIT COMMITTEE**

Agreed.

No. 23 **SPECIAL CORPORATE OVERVIEW SCRUTINY COMMITTEE**

Agreed.

No. 24 **MEMBERS QUESTIONS**

There were no questions submitted by Members.

No. 25 **PUBLIC QUESTIONS**

There were no questions submitted by members of the public.

No. 26 **MOTION - ABERFAN**

Consideration was given to the following Motion:-

That Blaenau Gwent County Borough Council invites its schools to observe a minute's silence on the morning of October 21 annually,

	<p>in remembrance of the 144 children, teachers and others killed on that date at Aberfan in 1966, as well as the countless thousands who had died in the coal industry in this country and many other parts of Wales.</p> <p>Upon a vote being taken the Motion was unanimously,</p> <p>RESOLVED accordingly.</p>	
No. 27	<p><u>PROPOSED FORWARD WORK PROGRAMME 2019/20</u></p> <p>Consideration was given to the report of the Democratic Officer.</p> <p>The Leader of the Council advised that the annual Council Forward Work Programme had been presented for approval. It was noted that as with any work programme this was a fluid document with flexibility to allow for regular review. The Leader concluded by proposing that the document be endorsed.</p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED that the report be accepted and Option 1 be endorsed, i.e. that the Council Forward Work Programme 2019/20 be approved.</p>	
No. 28	<p><u>CAPITAL PROGRAMME - 2019/2020-2025/2026</u></p> <p>The report of the Chief Officer Resources was submitted for consideration.</p> <p>At the invitation of the Chair, the Chief Officer Resources spoke in detail to the report which had been presented to Members to consider options to allocate £9.9m of capital funding to the capital programme for the period to 2025/26 based on a review of current available resources and an assumption of capital funding from Wales Government for 2024/25 and 2025/26.</p> <p>Councillor J. P. Morgan joined the meeting at this juncture.</p> <p>As a significant amount of capital projects had been identified (27 in total) for this period, a prioritisation mechanism (using the two staged approach outlined in paragraph 2.8 of the report) had been used as a means of ensuring that the highest priority projects could proceed. Appendix 3 attached to the report provide a</p>	

summary of all the potential projects together with their associated scores and rank based on this two stage process.

The Chief Officer Resources continued by pointing out that allocating all of the identified funding to the Capital Programme came with significant risks and should alternative higher priority projects be identified in the future or agreed schemes exceeded the approved budget, the Council would need to identify alternative funding sources e.g. use of reserves, revenue funding, reprioritising projects. Therefore, to mitigate this risk it was proposed that a contingency be retained and not all of the available resources be allocated at this point in time.

The three options were, thereupon, outlined and the officer highlighted that Option 3 was the preferred option which included a combination of paring down the schemes in period 1 (2019/20 to 2023/24 which was the most oversubscribed) by 20% to allow the funding to meet the requirements of an optimum number of schemes and allocating to the highest scoring projects in periods 2 and 3, leaving funding remaining in each period for allocation at a future date.

It was noted that Welsh Government had recently announced a number of enhanced capital grants for 2019 to 2021. The Council would receive £410,000 in 2019/2020 for the Public Highways Refurbishment Grant and a capital grant totalling £444,465 to support Economic Stimulus within local authorities.

The Chief Officer Resources concluded by advising that through the maximisation of these and other capital grants, there was the potential to further review the re-allocation of capital resources in this timeframe.

Members were then given the opportunity to raise questions/comment on the report.

Household Waste Recycling Centre – Roseheyworth Industrial Estate – The Leader of the Labour Group referred to this particular capital project and pointed out that in 2016 a number of Members had requested that a Working Group be established to test the veracity of this approach and had undertaken a piece of work in relation to this proposal.

He noted that a bid had been submitted to Welsh Government in the sum of £2.5 million for 2019/2020 and enquired as to the status of that bid i.e. had the Council been notified whether or not it had been successful.

The Leader of the Council confirmed that a bid had been submitted and he, the Managing Director and Service Manager had met the Deputy Minister and Senior Civil Servants prior to the August Recess. He had felt that this had been a very positive meeting and the questions that had been posed by Welsh Government gave some degree of optimism. He concluded by stating that he was mindful that any funding would be required to be spent within the current financial year and it was, therefore, anticipated that a response in respect of the bid would be received during October 2019.

The Leader of the Labour Group continued by pointing out, however, that the funding had yet to be awarded at this stage and the concerning detail in the report was that the Authority would also be expected to contribute an element of its own funding to the scheme. In addition, should the bid be approved, Welsh Government would be looking at the authority to ensure its recycling rates were increasing.

However, he was dumbfounded that the report had indicated that one HWRC Site would be open 3 days per week and the other would be open 4 days per week and said that he was unable to comprehend how this approach could increase recycling rates. The following report Item No. 28 Assessment of Performance 2018/19 had highlighted that the previous year the Authority had exceeded the Welsh Government's recycling target.

The Leader of the Labour Group concluded by stating as there was no evidence contained within the document that the funding bid would be successful and the recycling rate would increase (especially based on the 3 and 4 day approach) he was unable to support this capital project.

The Leader of the Council advised the project had been prioritised as part of the Council process and should the capital bid be successful, further reports would be submitted to Council to test the best options for utilisation of the new plant and current plant and this report would include and detail the operational arrangements.

The Leader of the Labour Group referred to the prioritisation mechanism that had been used as a means of ensuring that the highest priority capital projects could proceed and said that this scheme had surely been prioritised politically as he doubted officers would have brought forward a project that would retain the status quo in terms of operational days and could potentially result in a decrease in the recycling rate.

Proposed Amendment:

The Leader of the Labour Group said that he would support the project based on the following amendment i.e. ***if the bid for Welsh Government funding was approved and a report was produced that delineated the Council's approach going forward.*** He added that if a service was provided to the public then it should be wholly available and not only on specific days.

The Leader of the Council advised that the action (as outlined by the Leader of the Labour Group) would take place when and if the bid was successful. It was noted that the Service Manager had presented a very strong and powerful argument which had been supported by the Managing Director to the Deputy Minister and Senior Civil Services as to how essential a second Household Waste Recycling Centre was for Blaenau Gwent. He pointed out that whilst the report referenced the current recycling target rate of 64% this would be increasing to 70% in the near future and therefore, there was a need for other methods to be used to achieve this rate. If the ambition of Welsh Government was 0% waste in the future the likes of a second site HWRC would be absolutely essential to fulfil this requirement. The Leader of the Council concluded by pointing out that the project had been given political priority based on the views and comments received from the public, however, the report had been produced by the professionals.

The Leader of the Labour Group said that the recycling rate for Blaenau Gwent was currently increasing and Members wanted absolute proof to the highest degree that the rate would continue to increase.

A Member reported that a number of years ago she had taken the lead to re-open the recycling facility in the Ebbw Fach Valley and had asked the former Leadership to establish a Working Group in order to progress the scheme. The Member said that whilst she

did not necessarily agree with the proposed location (she had suggested an alternative site) this was a much needed facility as there was a tremendous amount of fly tipping and hot spots within this area.

However, she expressed her concern regarding the proposed operational arrangements for the site and said that the second recycling facility should be open 7 days a week. Residents had also commented that this facility would be required 7 days per week – it was noted that previously when the former site was closed rubbish was fly-tipped outside the site.

Point of Order - The Leader of the Council at this juncture raised a point of order. He said that the report was not requesting Members to vote on the operational arrangements (i.e. hours/days) it was validating the justification for the second Household Recycling Waste Centre. If the bid was successful and this would only be successful if the Minister felt that this facility was essential for Blaenau Gwent to continue its upward trajectory to achieve the recycling target, a report would be submitted to Council in respect of the actual minutiae of the proposal.

The Leader of the Labour Group stated that the information that the Member had alluded to did form part of the document and, therefore, this point of order should be ruled out.

The Member said that the Leader should not have raised a point of order when the information raised was valid as the report clearly indicated that one HRWC would be open 3 days and the other HWRC 4 days per week. Therefore, Members would be voting on the information contained within the report.

Revenue Implication - Another Member said that he felt that the 3 and 4 day opening arrangements would cause some confusion and enquired with regard to the revenue implications for this scheme if it progressed.

The Leader of the Council advised that the revenue implications would be mapped out if the bid was successful and this information would then be presented to Council for consideration. He continued by pointing out that work in respect of the proposal had commenced in 2016 under the previous Leadership who he acknowledged had been good enough to include him and the now Deputy Leader as part of the discussions. However, if work on this

scheme had commenced in 2016 and a potential bid submitted it would have been incumbent on relevant officers including officers within the Environment and Resources Directorate to plan for any revenue implications that would occur going forward.

Review of Play Provision – a Member referred to the possibility to bid for funding under the New Play Initiative being launched by the Welsh Government. He advised that a considerable amount of anti-social behaviour was being experienced in the one small play area in the Sirhowy Ward and this had been exacerbated by a recent new development on the former Rhoslan School site.

He continued by stating that Members were aware from the press regarding the growing issue of obesity in young children and said that there was a need to improve play provision to allow children to become more active. The Member, thereupon, formally requested that a feasibility study be undertaken in the Sirhowy area with a view to improving the play facilities currently available.

CCTV Review – a Member (who was also an appointed representative on Gwent Police and Crime Panel) advised that she had been approached at the last Panel meeting regarding the current position for Blaenau Gwent regarding CCTV. She pointed out that other authorities had their CCTV hosted at Police Headquarters and a response was now required from Blaenau Gwent.

The Leader of the Council pointed out that the Council was debating the capital programme as opposed to CCTV and operational issues.

The Managing Director clarified that the PCC had not offered funding to enable Blaenau Gwent to use the system referred to. Officers from Gwent Police were working on a business case to bring this forward but this information had yet to be received.

In reply to a request to contact the PCC due to conflicting information being received, the Chair advised that officers would pursue this matter.

Cemeteries Investment Programme – a Member welcomed the capital investment of £360,000 for cemeteries as this was much needed to improve the areas across Blaenau Gwent. However, he pointed out that as £360,000 would not be sufficient to deal with all

the required maintenance within cemeteries he requested that any further windfall monies received from Gwent Crematorium also be utilised as part of the cemeteries investment programme.

The Leader of the Council said that this project had also received political input as cemeteries within the scoring matrix had not ranked within the top 12 projects. He acknowledged that further work was required to address the poor condition of the cemeteries. However, with regard to any future reimbursement from Gwent Crematorium a policy had been agreed by Council that any windfall monies would be vired into the general reserves in the first instance.

The Leader continued by stating that he had sympathy with the Member and clarified that there was a political commitment to restore cemeteries to dignified areas.

Proposed Amendment – The Leader of the Labour Group said unfortunately he did not believe that recycling rates would improve with the plants only operating 3 and 4 days and proposed that Option 3 be endorsed with the following amendment i.e. **that there be no reduction in operating days at the planned Household Waste Recycling Centre at Roseheyworth Industrial Estate or current at New Vale site and that a robust business case be presented to Council.**

This amendment was seconded.

The Leader of the Council proposed Option 3 be endorsed as outlined in the report and gave an assurance that if the HWRC bid was successful any issues around revenue and operating practices would come back to Council for the fullest discussion.

A recorded vote was required and, thereupon, taken in respect of:-

In Favour of the Amendment (HWRC at Roseheyworth Industrial Estate that there be no reduction in operating days at the planned or current site and that a robust business case be presented to Council):-

Councillors D. Bevan, M. Cross, K. Hayden, H. McCarthy, J. C. Morgan, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

In Favour of Option 3 (Preferred Option) – Councillors G. Collier, J. Collins, M. Cook, N. Daniels, D. Davies, M. Day, P. Edwards, S. Healy, J. Hill, J. Mason , C. Meredith, M. Moore, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, B. Thomas, J. Wilkins.

The proposed amendment was, therefore, not carried.

Councillor J. Millard abstained from voting.

RESOLVED, subject to the foregoing, that the report be accepted and Option 3 be endorsed, namely:-

A combination of paring down the schemes in period 1 (2019/22 to 2023/24) which was the most oversubscribed) by 20% to allow the funding to meet the requirements of an optimum number of schemes and allocating to the highest scoring projects in periods 2 and 3, leaving funding remaining in each period for allocation at a future date.

The following exceptions to the 20% paring down were proposed:-

- Community Equipment Project – there was an SLA in place for a contracted amount.
- HWRC – the bid represented 20% of the estimated cost and assumed 80% Welsh Government Capital Grant Funding.
- Cemeteries Project - £210,000 proposed by Executive over 3 years.
- Disabled Facility Grants – pared down by £150,000 based on current demand levels.

The revised Capital Programme to 2025/2026 be approved.

No. 29

ASSESSMENT OF PERFORMANCE 2018/2019

Members considered the report of the Service Manager – Performance & Democratic.

The Assessment of Performance fulfilled the statutory obligations placed on the Council as part of the requirements of the Local Government Measure (Wales) 2009 and was required to be published by 31st October each year. This report was subject to external audit by the Wales audit Office.

Councillor J. Millard left the meeting at this juncture.

Appendix 1 of the report detailed and highlighted the key activities and progress made against each of the Council's Well-Being Objectives.

Education - The Leader of the Labour Group acknowledged the importance of the document and that it was aligned to the Council's Corporate Plan. However, he expressed his concern that the information contained therein should be a more detailed and an accurate reflection. By way of an explanation he pointed out that whilst the GCSE results in secondary schools had been recorded as improving he had received conflicting information that Estyn was currently inspecting one of the schools due to its performance and that results had declined in other schools.

The Corporate Director of Education explained that education was currently undergoing national reform and as part of this process the reporting measures were also changing. At the time of the compilation of the document, the reporting measure was 'Level 2+' and performance at GCSE level during the summer of 2019 had increased from 41.1% to 44.5%. Moving forward the national reporting measure would be 'CAT 9'.

The Leader of the Labour Group again expressed his concern regarding the conflicting information being received i.e. the information within the Self-Assessment advised that good progress was being made but Estyn was inspecting a school due to its performance. Therefore, he stated that the Self-Assessment did not provide an accurate picture.

The Corporate Director of Education reiterated that performance had increased from 41.1% to 44.5% for the Level 2+ national performance measure for summer 2018. This performance related to 5 GCSE's including English and Maths.

National Public Accountability Measures – 21st in Wales for

Clearing Fly Tipping – a Member pointed out that Blaenau Gwent was now 21st in Wales in relation to this measure and asked for an explanation why the average timescale for Blaenau Gwent clearing reported fly tipping was almost three times higher than the Welsh average. He pointed out that under the previous administration Blaenau Gwent had been the best performing authority.

The Executive Member – Environment acknowledged that these statistics needed to improve but measures were being introduced to address this issue which included a capital bid for a new Household Waste Recycling Centre and enforcement action would be taken to prosecute individuals for fly tipping offences.

In reply to a further question, the Executive Member – Environment said that measures and actions would be put in place shortly to improve performance and to improve Blaenau Gwent's position nationally in terms of this measure.

A Member pointed out that the Scrutiny Committee whose remit this was had been cancelled and said that this issue should have been considered at that Committee and a Working Group established to examine the issue. The Executive Member – Environment confirmed that any report would be submitted to the relevant Scrutiny Committee for due consideration.

The Corporate Director Regeneration & Community Services clarified that Blaenau Gwent had been the best performing authority for one year. However, Welsh Government was currently looking at how this statistical data was compared across all authorities as this 5 day measure was being reported differently by authorities. In order to improve performance the authority was looking at best practice nationally and Welsh Government would be advising on the reporting measure going forward.

22nd in Wales for the Percentage of Food Establishments that were Broadly compliant with Food Hygiene Standards – A Member expressed his concern that Blaenau Gwent was the worst performing authority in respect of this measure and asked whether this was due to under resourcing in this area. He continued by referring to the wording 'broadly compliant' and requested an assurance that food outlets in Blaenau Gwent were safe to purchase food from and safe to eat in as there was a need to reassure members of the public.

The Executive Member – Environment confirmed that the position was not satisfactory and advised that a detailed review was currently being undertaken to improve performance.

The Corporate Director Regeneration & Community Services on a point of clarification advised that this scoring indicator was a measure attributed and relevant to the establishment/person serving the food and was not a measure for the Council in terms of compliance with legislation.

Therefore, it was not a question of Council performance or resource nor was it because the Council was not inspecting the premises – this measure solely related to the establishments complying with the regulations. The Council was very much adhering to Environmental Health legislation to ensure that food was safe to purchase and eat.

Councillor L. Parsons left the meeting at this juncture.

Another Member referred to food takeaways and outlets and pointed out that if there was a sufficient number of Environmental Health Officers repeat visits could be undertaken and appropriate action taken if the businesses were not complying with the regulations.

Councillor L. Parsons returned to the meeting at this juncture.

Schools Attendance Data/Attainment Levels - in reply to a question regarding school attendance data, the Corporate Director of Education advised that attendance data was only made public at certain times during the year i.e. May and October. In respect of 2017/18 attendance data Blaenau Gwent had been placed second in its family of local authorities (Neath Port Talbot, Merthyr Tydfil, Caerphilly and Rhondda Cynon Taff) for primary and third for secondary schools. With regard to Unauthorised Absence, Blaenau Gwent had been placed second in the family for primary and first for secondary schools and in relation to persistent absentees Blaenau Gwent was joint first in the family for primary 1.7% and for secondary 4.1% - this was below the 4.6% all Wales average for secondary schools.

The Member referred to some significant changes that had taken place in secondary schools during in 2018 and pointed out at that time there was a considerable gap between the top performing

and lower performing schools. In order to address this issue a considerable amount of resources had been provided to some schools to close this performance gap and asked whether these changes had improved performance levels.

The Corporate Director of Education advised that education had undergone national reform and for 2019 a new set of reporting measures called CAT 9 which was a point based measure awarded to each school. The Corporate Director advised that a report for the South East Wales Consortium Region would be shortly submitted to Scrutiny (25th October) and then to Executive which gave details of the new CAT 9 reporting measure. For this academic year all schools had made progress in terms of performance. It was noted that the current Level 2+ was not a reportable national measure.

The Member said he was concerned and wanted an assurance that the performance gap between the best and worst performing schools had diminished. The Chair said that this issue would be discussed at the next meeting of the Education & Learning Scrutiny Committee.

Internal and External Regulations - The Leader of the Labour Group referred to Page 456 of the document and acknowledged some of the headline points that had been reported. However, he expressed his concern that the Wales Audit Office had conducted work in respect of the Leisure Service Review but some of this work and findings had not been provided to Members.

He concluded by stating that he felt that aspects of this Self-Assessment was 'too positive' and some aspects not overly accurate and said that next year's assessment of performance should be more measured.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and the Assessment of Performance for 2018/2019 be approved and published before 31st October, 2019.

No. 30

PREPARATIONS FOR EXITING THE EU

The joint Officers' report was submitted for consideration.

The Managing Director commenced by stating that this was a very topical subject at present and this report provided Members with an update on the preparatory work undertaken at the Council to prepare for the UK's exit from the EU.

It was noted that the report had also been considered at the Corporate Overview Scrutiny Committee detailing the issues and consequences of exiting the EU and in addition, a Member Briefing had taken place on 16th October that provided the opportunity to Members to explore the issues further. It was noted that a Member Briefing had also taken place in January 2019 when the proposed exit date at that time had been 31st March, 2019.

Whilst the date and way the UK exited the EU was still extremely uncertain a Brexit specific impact assessment had been undertaken and work was continuing to ensure that the Council and community were able to deal with consequence of a departure.

Preparedness work would now continue aligned to the exit date of 31st October, 2019. The Council was also working in partnership and as part of the all Wales Network. Work was also continuing in conjunction with Welsh Government and the Welsh Local Government Association to ensure that preparations were joined up across both national and local government.

It was noted that Welsh Government had published an action plan for a no deal Brexit. Blaenau Gwent had undertaken a high level impact assessment which identified how these risks would impact on the community and the work undertaken to mitigate those risks. High levels risks included the loss of EU funding and disruption to supply chains. There would also be an impact on the workforce of local businesses and suppliers. Therefore, there would be a need to continually monitor these issues within the community.

Councillor J. C. Morgan left the meeting at this juncture.

Exiting the EU had also been identified as a risk in the corporate risk register. Members would recall that a discussion at a recent budget monitoring meeting whereby it was highlighted that there could also be a potential risk to the Council's own budget. Officers were also working with the Local Resilience Forum to address any potential civil contingencies issues and officers were part of the Operation Yellow Hammer arrangements. To ensure all

reasonable actions were taken so that the Council was prepared as it possibly could these arrangements were being ramped up in readiness for 31st October.

The Managing Director said she appreciated that the situation remained extremely uncertain – even if the exit took place on 31st October any impact would not be expected overnight – this would become evident over the coming weeks and months ahead. This was a good example of all Council services working jointly in order to try and mitigate the pending situation ahead. The Managing Director concluded by stating that as the situation developed communication would continue with Members and information would be provided to the public on issues as they emerged.

Councillor S. Thomas left the meeting at this juncture.

A Member commended the report but expressed his concern that he was aware from information received that there was also a possibility of food shortages that could impact on the Council e.g. school meals and there could also be an issue in terms of the continuity of medical supplies.

Councillor S. Thomas returned to the meeting at this juncture.

The Member continued by stating that fiscal studies were also indicating the possibility of £100bn UK deficit which could trigger austerity and deprivation which could adversely impact Blaenau Gwent, its residents and Social Services.

Councillor J. C. Morgan returned to the meeting at this juncture.

The Managing Director in reply to a question in relation to Operation Yellow Hammer confirmed that the risks had been identified as part of the detail of the report. The Managing Director advised that with regard to:-

- Food supplies - Welsh Government was continuing to work closely with suppliers but there were no expected issues being highlighted at present.
 - Arrangements for fuel was being dealt with through civil contingencies and an assurance had been received that fuel could be managed at an all Wales level.
 - Social Services were working closely with colleagues in Health - the continuity of medical supplies was a key issue
-

that had been highlighted.

- Council Budget - quarterly budget monitoring reports would highlight any potential risks as they may impact in the future and these risks would have to be taken into account in the Council's Medium Term Financial Strategy.

The Policy Officer advised that the U.K. Government had also published a Readiness Report which contained important preparation steps for local authorities, businesses and third sector organisations.

Community Cohesion - A Member referred to community cohesion and said that tremendous work had been undertaken in terms of the Resettlement Programme. There was a need for officers to be mindful of this programme to ensure that it was not impacted by Brexit.

The Member continued by stating that he was mindful that:-

- a considerable amount of European nationals worked for the NHS and GP's;
- there may be an influx of British nationals returning from the EU to the U.K. and Blaenau Gwent in particular and there was a need to liaise with registered social landlords who may have vacant properties available to accommodate this influx of people; and
- the majority of insulin was sourced and came from Europe and this could potentially result in an insulin shortage.

The Policy Officer advised that the Welsh Local Government Association was currently communicating with Welsh and U.K. Government to gain a better understanding of the number of U.K. nationals residing in Europe.

The Corporate Director of Social Services reported that the issue of medical supplies was a problem faced by the whole of the U.K. and Social Services were working with colleagues in Health who had stockpiled medication for a 6 month period. It was noted that 95% medications were able to be stockpiled but there was 5% of medications (which included insulin) that were unable to be sourced in sufficient quantities. G.P's were trying to mitigate and address this issue by recommending a change in medication for some patients but work was continually on-going within Health to address this issue.

A Member said that the supply of antibiotics was also a worrying concern.

Councillor J. P. Morgan left the meeting at this juncture.

Another Member commended the excellent report and said that under the circumstances was confident that Blaenau Gwent was as prepared as it could be. He requested that the Managing Director pass on these comments to the officers concerned.

Councillor P. Edwards left the meeting at this juncture.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and the preparatory work underway to prepare for the UK's exit from the EU be noted.

Councillor J. P. Morgan returned to the meeting at this juncture.

No. 31

AMENDMENTS TO THE CONSTITUTION

Councillor J. P. Morgan re-joined the meeting at this juncture.

Consideration was given to the report of the Head of Legal and Corporate Compliance.

It was noted that the proposed amendments were of a consequence of changes arising out the Annual Meeting of the Council and also to reflect current operational practice and changes in legislative requirements.

Upon a vote being taken it was unanimously,

RESOLVED that the report be accepted and the suggested amendments be approved and incorporated into the existing Constitution.

No. 32

RENEWAL OF PUBLIC SPACE PROTECTION ORDERS FOR DOG CONTROL OFFENCES - RESULTS OF STATUTORY CONSULTATION

Members considered the report of the Service Manager – Public

Protection.

The Executive Member – Environment spoke in detail to the report which informed Council of the findings of the public consultation on the proposed new Public Space Protection Order for Dog Control Offences and to seek approval for the new Order to commence on 1st November, 2019.

A Member said that she wholly supported the new Orders but also advised that it was important that the Orders be enforced. She explained that in recent weeks a number of rugby matches in Blaina had been cancelled due to the amount of dog fouling on the pitches. Dog fouling was a serious health matter which could result in sight loss.

Councillor P. Edwards returned to the meeting at this juncture.

The Member continued by acknowledging that she knew it was not an easy task to catch perpetrators but parks were being severely affected by this issue and enforcement action had declined over recent years. She requested an assurance that increased patrols would take place in this area.

The Executive Member – Environment confirmed that the situation in Blaina was atrocious and the overall position was not acceptable and stated that if the Orders were approved they would be enforceable. Currently a review of the whole enforcement service was being undertaken to provide further resilience to address these kinds of issues. Once this review had been completed a report would be presented to Members for consideration.

A Member said that he also supported the Orders and said that this should be a fluid document rather than a document that was renewed every 3 years. He pointed out that a number of CAT transfers of grounds had taken place over recent months and these organisations may have ideas on how to address these issues.

Councillor S. Healy left the meeting at this juncture.

Another Member said that health and safety was of paramount importance to young children who should be able to play in areas in a safe manner. Enforcement and prosecutions needed to

increase and publicised accordingly. There also needed to be sufficient public notices erected advising of the Public Space Protection Orders for Dog Control Offences.

Councillor S. Healy returned to the meeting at this juncture.

The Corporate Director of Regeneration & Community Services pointed out that in addition to enforcement action it was also the responsibility of the owners to look after their dogs. Whilst it was difficult to catch the perpetrators, they were prosecuted if caught. However, if Members were able to raise awareness of issues within certain areas officer resources could be deployed to those particular areas accordingly. It was noted that the Council currently had four Enforcement Officers that were deployed throughout the County Borough but further resilience was being sought as part of the review process.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the new Public Space Protection Order for Dog Controls be approved for commencement on 1st November, 2019.

No. 33

BIODIVERSITY AND ECOSYSTEM RESILIENCE FORWARD PLAN (2019-2022)

Consideration was given to the report of the Head of Community Services.

The Executive Member – Environment spoke in detail to the report and highlighted points contained therein.

The Chair said that the issue of energy in particular the street lighting should be addressed as part of this Plan.

The Corporate Director Regeneration & Community Services said that this was a very topical report especially in light of reports regarding climate change. This Plan was a very important part of dealing with climate change within Blaenau Gwent and whilst the issue of energy had not been specifically included within the Plan, this could be addressed in other areas of Council work and cross referenced in the Plan moving forward.

Another Member referred to a recent award received for a housing estate that had been developed ecologically and commended these types of projects.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 2 be endorsed, namely that the Biodiversity and Ecosystem Resilience Forward Plan 2019/2022 be approved.

Councillor J. Millard returned to the meeting at this juncture.

No. 34

APPLICATION TO ACQUIRE LAND AT BEDWELLY PARK

Members considered the report of the Corporate Director of Regeneration and Community Services.

Councillor J. Millard left the meeting at this juncture.

The Executive Member – Environment spoke to the report which had been submitted to obtain the approval of Council (acting as Trustees of Bedwellty House and Park Charity) to transfer a parcel of land to Aneurin Bevan University Health Board for use as part of the proposed Tredegar Health and Well Being Centre.

The Corporate Director of Regeneration & Community Services advised that this was a statutory process and if agreed the consent of the Charity Commission to the disposal of the land would need to be obtained. It was noted that extensive consultation had taken place regarding the proposal and the use of land would be for a green plaza - there would be no loss of amenity space for the community if this proposal was approved.

The Leader of the Labour Group said that whilst he would have preferred an option of a lease, he commended Option 1.

Upon a vote being taken it was unanimously,

RESOLVED that the report be accepted and Option 1 be endorsed, namely that the Council as Charitable Trustees agree the principle of the disposal of the area of land either on a freehold or long leasehold basis to Aneurin Bevan University Health Board for inclusion within the development of its proposed Health and

Well-Being Centre on terms to be agreed subject to:-

- (i) Successfully obtaining the consent of the Charity Commission to the disposal, which must be obtained prior to a transfer being effected.
- (ii) Considering implications (if any) concerning the restrictive covenant contained in the 1910 transfer of land to Tredegar UDC.
- (iii) Advertising the proposed transfer under s.123 of the Local Government Act 1972 and taking account of any representations made.
- (iv) Advertising the disposal in line with the requirements of the Charities Act 2011 as detailed in paragraph 5.3.3 of the report.
- (v) Taking the appropriate advice of an RICS qualified surveyor on the method and transfer of the transfer.
- (vi) As detailed in paragraph 5.1.1 of the report any capital receipt be ring fenced for use by the Charity and not pooled for use with the Council's General Fund.

No. 35

STRATEGIC DEVELOPMENT PLAN - CARDIFF CAPITAL REGION AREA

The joint Officers' report was submitted for consideration.

The Executive Member – Regeneration & Economic Development spoke briefly to the report and explained that the development of a Strategic Development Plan for the Cardiff Capital Region area was a key project. In order to progress the preparation of the Plan regionally it was proposed that a Strategic Planning Panel be established which would consist of at least one member from each authority. Blaenau Gwent had been allocated one Member on the panel and one vote as per the weighted voting allocation.

It was noted that the establishment of a Panel would not detract from the remit of the Planning Committees in each borough.

The cost of setting up and running the Panel for the first 5 years was £3m pro rata across each authority and this for Blaenau

Gwent would be £136,590 staggered over 5 years would equate to £25,318 per annum.

The Executive Member expressed his appreciation to the Team Manager – Building Control and Development Plans and her team for the tremendous amount of work undertaken on the Local Development Plan. It was proposed that Councillor Mandy Moore in her capacity as Vice-Chair of Planning Committee be appointed as the Blaenau Gwent representative on the Strategic Planning Panel.

The Leader of the Labour Group said that he keen to promote and was supportive of this concept. He continued by referring to the appointment to the Strategic Planning Panel and said this representative would be given delegated responsibility to make decisions on behalf of the Council and said he felt that an Executive Member should have been appointed to this role. He concluded by seeking the rationale for the appointment and clarity in terms of the remuneration level.

The Executive Member – Regeneration & Economic Development clarified that the Leader determined the appointments made to the Panel and that the Member had been nominated in her capacity as Vice-Chair of Planning Committee as the SDP was the remit of this portfolio. Whilst he was unable to clarify the appointments to the Panel made by other local authorities in terms of remuneration there would be no direct responsibility payments – only travel expenses would be reimbursed.

The Leader of the Council reported that it had taken some time and had been an arduous process to reach this position and there had been many discussions along the way and commended the tremendous amount of work undertaken by officers.

He confirmed that the appointment arrangements were not out of keeping with what the other authorities were suggesting and quite rightly there was a strong move for gender balance on committee and he was personally pleased that this request could be supported. There was also a strong argument to broaden individual experience and succession planning. He confirmed that the report remained silent on anything but travelling expenses.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that a Strategic Development Plan be prepared for the Cardiff Capital Region and it be agreed that:-

- The Vale of Glamorgan as the Responsible Authority for the purposes of preparing the Strategic Development Plan for Cardiff Capital Region.
- The Responsible Authority be authorised to submit the Proposal for SDP for the Cardiff Capital Region to the Minister on behalf of the 10 Local Planning Authorities in the region.
- The strategic planning area as being comprised of the 10 local planning authority areas within the Cardiff Capital Region as shown on the map attached at appendix A to the report.
- The relevant officers engage with the Welsh Government in drafting the Strategic Development Plan Regulations to deliver the governance arrangements for the SDP and Strategic Planning Panel (SPP) as outlined in the report.
- The setting up of an Interim SPP be agreed prior to the formal establishment of the SPP. The nominated Member for this Council was Councillor Mandy Moore (Vice-Chair of Planning Committee) on the Interim Strategic Panel. The Councillor had delegated authority to take initial decision on the preparation of the SDP (with a vote weighted in accordance with the table at Recommendation 4(i)) and thereafter on the Strategic Planning Panel.
- In the event that Member was no longer to sit on the Interim Strategic Planning Panel, delegated authority be granted to the Leader of the council to nominate a new Member to represent to Council on the Interim Strategic Planning Panel and Strategic Planning Panel.
- That a Regional SDP officer team be established to progress the preparation of the SDP to be appointed by representatives of the Interim Strategic Planning Panel, with appropriate human resource support from the Responsible Authority.

No. 36	<p><u>FEEDBACK/INFORMATION FROM OUTSIDE BODIES: SOUTH WALES FIRE & RESCUE AUTHORITY</u></p> <p>Consideration was given to the report produced by Councillor Julie Holt, the Council's appointed representative on the South Wales Fire & Rescue Authority.</p> <p>A Member said that he was very pleased that feedback was being received from those Members appointed to outside bodies and that he had championed for this for a considerable amount of time.</p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
No. 37	<p><u>FEEDBACK/INFORMATION FROM OUTSIDE BODIES: BRECON BEACONS NATIONAL PARK AUTHORITY</u></p> <p>Consideration was given to the report produced by Councillor John Hill, the Council's appointed representative on the Brecon Beacons National Park Authority.</p> <p>A Member referred to issues being experienced with off road motorbikes in the Tredegar area (on the boundary with the National Park) and asked if this issue had been raised at the Park Authority Meetings. Councillor Hill advised that this issue may have been reported directly to officers at the National Park and undertook to investigate the matter.</p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and the information contained therein be noted.</p>	
No. 38	<p><u>STANDARDS COMMITTEE</u></p> <p>Consideration was given to the report of the meeting held on 5th July, 2019.</p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED that the report be accepted and the information</p>	

	contained therein be noted.	
No. 39	<p><u>MEMBERSHIPS REPORT</u></p> <p>Consideration was given to:-</p> <p><u>GAVO – Local Committee</u></p> <p>RESOLVED that Councillor John Mason replace Councillor Keri Rowson on the GAVO Local Committee.</p> <p><u>Advisory Panel for Local Authority School Governors</u></p> <p>The following recommendations were made by the Panel on 1st October, 2019 to appoint:-</p> <p>Natasha Tepielow – <i>Blaen-y-Cwm Primary School</i> Stephanie Hopkins – <i>Brynmawr Foundation School</i> Natalie Marshall – <i>Cwm Primary School</i> Councillor Jonathan Millard – <i>Ebbw Fawr Learning Community</i> Councillor David Davies – <i>Willowtown Primary School</i></p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED that the above appointments be endorsed.</p>	
No. 40	<p><u>EXEMPT ITEMS(S)</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the following reports should be exempt.</p>	
No. 41	<p><u>CASE REVIEWS: COMMUNITY ASSET TRANSFER PROCESS, SELECTION OF APPROVED USERS</u></p> <p>Councillor J. C. Morgan declared an interest in this item but remained in the meeting whilst it was under discussion.</p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance, the public</p>	

interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.

RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act, 1972 (as amended).

Consideration was given to the report of the Corporate Director of Regeneration & Community Services.

The Service Manager Development & Estates highlighted the robust review process that had been undertaken on a case by case basis and gave details of the three individual cases and the preferred options contained therein.

A Member referred to Appeal No. 2 and pointed out that there were historic differences between the two clubs and felt that by not allowing the appeal would not heal these differences and he proposed that Option 2 be endorsed and the appeal be allowed and the case referred back to the Selection Panel to reassess the case.

Upon a vote being taken it was

RESOLVED that the report which related to the financial or business affairs of any particular person (including the authority) be accepted and

- Appeal 1: – upon a vote being taken it was unanimously resolved that Option 1 be endorsed, namely that the appeal be dismissed and the original decision to award the CAT to the organisation named in the report be upheld.
- Appeal 2: – upon a vote being taken it was resolved that Option 1 be endorsed, namely that the appeal be dismissed and the original decision to award the CAT to the organisation named in the report be upheld.

Councillor H. McCarthy requested that his name be recorded against this decision.

- Appeal 3: – upon a vote being taken it was unanimously

	resolved that Option 2 be endorsed, namely that the appeal be allowed and the case referred back to the Selection Panel to reassess the case in light of further evidence and information emanating from the appeal process.	
No. 42	<p><u>SHORTLISTING (JNC) OFFICERS</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraphs 12 & 13 Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 25th September, 2019.</p> <p>Upon a vote being taken it was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the decision contained therein be noted.</p>	