

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>ORDINARY MEETING OF THE COUNCIL – 30TH SEPTEMBER, 2021</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR J. HOLT (THE CHAIR,
PRESIDING)

Councillors P. Baldwin
D. Bevan
J. Collins
M. Cook
N. Daniels
D. Davies
G. A. Davies
G. L. Davies
M. Day
P. Edwards
L. Elias
D. Hancock
S. Healy
J. Hill
W. Hodgins
J. Mason
H. McCarthy, B.A. (Hons)
J. Millard
J. C. Morgan
J. P. Morgan
L. Parsons
K. Pritchard
K. Rowson
T. Smith
B. Summers
B. Thomas
G. Thomas
S. Thomas
H. Trollope

J. Wilkins
D. Wilkshire
B. Willis
L. Winnett

AND: Managing Director
Corporate Director of Social Services
Corporate Director of Education
Corporate Director of Regeneration & Community Services
Chief Officer Commercial & Customer
Chief Officer Resources
Head of Legal & Corporate Compliance
Communications and Marketing Manager

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from Councillors K. Hayden, M. Holland, C. Meredith, G. Paulsen and T. Sharrem.</p>	
3.	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
4.	<p><u>CHAIR'S ANNOUNCEMENTS</u></p> <p>Congratulations were expressed to:</p> <ul style="list-style-type: none"> ➤ Rosie Richards aged 8 of Tredegar who had been selected for to train with the Welsh Gymnastics Development Squad. 	

	<ul style="list-style-type: none"> ➤ Lloyd Crump of aged 14 of Waunlwyd who had won the Welsh Mixed Doubles Under 17's Badminton Tournament and would be representing Wales in an international tournament in Scotland in the coming weeks. ➤ Alfie Skinner who had qualified in the 7 to 8-year group at the IMG Academy Junior World Golf Championships and had won a place on the British Junior Golf Team that would represent the U.K. in July 2022 in California. <p>RESOLVED that appropriate letters be sent.</p>	
<p>5 – 18.</p>	<p><u>MINUTE BOOK – OCTOBER 2020 – JULY 2021</u></p> <p>The Minute Book for the period October 2020 – July 2021 was submitted for consideration.</p> <p>It was unanimously,</p> <p>RESOLVED that the minutes be approved and confirmed as a true record of proceedings.</p>	
<p>19.</p>	<p><u>MEMBERS QUESTIONS</u></p> <p>There were no questions submitted by Members.</p>	
<p>20.</p>	<p><u>PUBLIC QUESTIONS</u></p> <p>There were no questions submitted by members of the public.</p>	
<p>21.</p>	<p><u>TREASURY MANAGEMENT OUTTURN 2020/2021</u></p> <p>Consideration was given to the report of the Chief Officer Resources.</p> <p>At the invitation of the Chair, the Chief Officer Resources spoke to the report which provided Members with an opportunity to consider</p>	

the Treasury Management activities carried out in 2020/2021 financial year, in accordance with the CIPFA Treasury Management Code of Practice.

A summary of the Treasury Management activities undertaken during the year were detailed in paragraph 5.1.6 of the report and these included:

- £166m in short term loans had been raised resulting in an interest payment on these temporary borrowings of £265,000 at an average interest rate of 0.83%. This interest rate was lower than the benchmark rate (based on market forces) of 1.00%.
- £400,000 of short term investments had been made which had generated £8,000 in investment returns.
- Long term debt outstanding as at 31st March, 2021 amounted to the value of £170m.
- Short term debt outstanding as at 31st March, 2021 amounted to the value of £65.315m.
- The debt included the loan associated with the Ebbw Valley Railway project – a specific interest free loan from the Welsh Government.

The Council had complied with the Local Government Act 2003, and in accordance with the CIPFA Treasury Management Code of Practice and Welsh Government guidance in carrying out its Treasury Management activities and in doing so had strived for effective risk management and control, whilst at the same time pursuing best value as far as possible. In addition, the Authority had effectively managed credit risk throughout the period, thereby ensuring that it had not been subjected to any financial loss as a result of the credit crisis.

The Chief Officer Resources concluded by advising that the Corporate Services Scrutiny Committee had considered the report on 21st September, 2021 and had endorsed Option 1.

Members were then given to the opportunity to raise questions/comment on the report. These comments were summarised as follows:

- The Leader of the Labour Group referred to the 'Operational Boundary for External Debt' contained in Appendix 1 of the report and alluded to comments and concerns he had made previously relating to the timing of the Ebbw Valley Rail loan. He pointed out that budgets were becoming increasingly stretched as a result of the pandemic and the effect and the impact that this would have on local government, who had a duty to provide social care, was currently unknown going forward. In addition, he expressed his concern regarding the Council's ability to borrow in the future (it was noted that in previous years prudential borrowing had to be used to maintain some of the core services) and asked the Chief Officer whether she was confident that the Operational Boundary limit was appropriate for the authority.

The Chief Officer Resources advised that she was confident that the operational boundary was correct for the authority. The officer explained that the operational boundary was set by the Council and was regularly assessed and monitored to ensure that the level of borrowing was affordable. It was noted that the level of estimated borrowing was built into the revenue budget on an annual basis.

The Leader of the Labour Group continued by commenting further as follows:

- Reference was made to the recent Audit Wales Financial Review of Blaenau Gwent and in particular, the liquidity ratio in term of finances and it was pointed out that Blaenau Gwent had been bottom of the league table (i.e. 22nd out of 22 authorities) for the last 5 years and the Council's liabilities had increased by 62% during this period.
- At the time consideration had been given to the Ebbw Valley Rail loan, he had indicated that this burden should have been shared between the relevant authorities – it had recently been reported in the media that these other local authorities, who were not currently involved would accrue the benefits associated with this project before Blaenau Gwent.

- The report relating to the liquidity ratio was of concern and this needed to be shared and scrutinised, because it was felt that the loan was a step too far and there was growing concern how the authority would manage going forward in terms of borrowing opportunities. The authority had received good financial settlements over the last 4 years and during this period should have been planning for the future.
- Reference was made to the Minimum Revenue Provision (MRP) and concern was expressed that this would be storing up debt for future administrations. He pointed out that whilst the Audit Wales report had alluded that short term borrowing could be undertaken, the Leader of the Labour Group requested an assurance that the liquidity ratio would not cause any major issues going forward.

The Chief Officer Resources confirmed that Audit Wales had commented that the authority's liquidity ratio was low in comparison to other local authorities but advised that she did not have any particular concerns relating to this. The Chief Officer explained that liquidity compared the length of time it took to repay a loan, compared to the length of time it took to receive debt owed to the Council. The Chief Officer gave an assurance that the Council repaid its debts as quickly as possible to ensure that businesses in the area were not disadvantaged by cash flow difficulties. This was a measure that would be kept under review and concluded by stating that she had no concerns over the authority's ability to repay any of its debt.

Other Members commented as follows:

- Another Member echoed the concerns and comments made by the Leader of the Labour Group and expressed her concern that the £70m rail loan would affect the authority's ability for long term borrowing (because this was recorded on the Council's balance sheet) and asked how financial resilient the authority was going forward. The Member also advised that she had grave concerns that if the income was not generated on £70m loan, this could possibly result in cuts to services to re-pay the borrowing.

The Chief Officer Resources advised that reports had been presented previously (including Audit Wales reports) relating to financial resilience across Wales and pointed out that a recent report from Audit Wales had indicated that the Council's position in terms of its financial resilience was improving, the level of reserves was increasing and on an annual basis the Council had been able to manage within its annual budget without overspending – these were positive financial resilience measures.

If faced with significant issues whereby further borrowing would be required, this would need to be built into the budget going forward in order that the debt could be repaid. The Chief Officer confirmed that she had no concerns regarding the Council's credit rating nor the ability to be able to generate the income to repay the loans and the Council's balance sheet would support this - the Council was a trusted borrower with the money market and Public Works Loan Board (PWLB).

It was reiterated that all borrowing had to be re-paid and in order to achieve this the Council would have to prioritise its spending. An income stream had been agreed as part of the Quadripartite Agreement with Welsh Government and Transport for Wales and the Council would be guaranteed that income to offset the MRP impact of the Ebbw Valley Rail loan. Therefore, the Council nor council taxpayer would incur no financial liability as a result of this particular loan.

- The Leader of the Labour Group said that the ambition of every single administration was to replenish reserves but pointed out that sometimes it was considerably easier than others, particularly this year with the massive help of £12m hardship funding that had been provided to authorities. He added that previously, in the midst of severe financial austerity with £10m savings having to be identified in one particular year, the Council had still managed to increase the level of funding in its reserves.
- Reference was made to the £235m of outstanding debt accrued and concern was expressed that there would be financial difficulties ahead to recoup the funding that had been spent as a result of the pandemic.

The Chief Officer explained that the figure of £235m was as at 31st March, 2021 and advised that the level of borrowing fluctuated on a daily basis.

- The Leader of the Labour Group for clarification, advised that he was not debating the issue regarding the Ebbw Valley Rail loan. The only point he was pursuing was that this particular debt, which had been included on the authority's balance sheet could have a potential impact on future borrowing and the ability to borrow particularly, with PWLB. It was noted that the £70m loan accounted for 25% of the balance sheet.

In reply to a question regarding whether interest rates would be affected by the size of the debt, the Chief Officer advised that individual loans were negotiated on a loan by loan basis and would be unlikely to have any impact on the current interest rates. The vast majority of the Council's borrowing was with PWLB (a proportion with other authorities and the money markets) and those interest rates were applicable to all local authorities. Whilst the best interest rates were taken at the time a loan was required, interest rates could increase as well as decrease but the amount borrowed on the balance sheet should not impact upon the interest rates paid and would not affect the Council's credit rating.

The Leader of the Council commenced by stating that he welcomed the concerns that had been raised regarding the liquidity ratio and appreciated that the debate around the Ebbw Valley Railway was not being re-energised because all the assurances that Members had sought relating to this issue had already been provided in the previous two Council meetings.

Whilst acknowledging the concerns raised, he pointed out that he had raised the same questions as part of his portfolio remit and said that Members had to have faith and confidence in the chief officers and the accountants. Whilst borrowing levels and interest rates fluctuated, he was confident that the authority was in good financial position going forward.

The Leader continued by advising that this particular report sought views whether Members were satisfied with the financial management of the authority for the 2020/2021 financial period and

its appropriateness. The Leader confirmed that he had every confidence in the report and proposed that Option 1 be endorsed.

It was, thereupon, unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Treasury Management activity undertaken during the 2020/21 financial year be accepted and the record of performance and compliance achieved during the year be accepted.

22. ASSESSMENT OF PERFORMANCE 2020/2021

Consideration was given to the report of the Service Manager Performance & Democratic.

The Managing Director commenced by stating that this report had been considered and endorsed by both the Corporate Overview Scrutiny Committee and Executive Committee. This statutory report was required to be produced and published by 31st October annually. However, the new Local Government & Elections (Wales) Act 2021 had changed the reporting arrangements going forward and in future, the Council would be required to develop reports on the progress made against the Corporate Plan priorities and the Well-being of the Future Generations (Wales) Act. Therefore, this would be final report that would be produced in its current format.

The report recognised that 2020/2021 had been an incredibly difficult year for Council's and communities and it was acknowledged that some priorities had been delayed as resources were directed into critical services and as the Council's response focussed on the pandemic and subsequently, the recovery phase.

At this juncture, the Managing Director paid tribute and expressed her appreciation to staff who had worked so tirelessly during this period. The report detailed the progress made within areas of Council activity and this tremendous achievement during such a difficult time was a credit to the workforce, Members, communities and partners.

Members were then given to the opportunity to raise questions/comment on the report. These comments were summarised as follows:

- The Leader of the Labour Group commenced by highlighting that this was the Council's own assessment of its own performance and said he felt that report read too positively and did not highlight sufficiently, the improvements that were required. An example of this was the recent Estyn Thematic Review which, had highlighted positive areas but had focussed less on the required improvements.

The report was overly optimistic and a far more balanced report should have been provided for the public because it portrayed the opposite view to what members of the public perceived i.e. litter and in particular, animal trespass was increasing in all parts of the County Borough – it was pointed out that requests had been made for a new service to be established to address this issue. In addition, as part of the previous year's budget, a proposal to enhance the CCTV service had been presented – again, it was pointed out that Blaenau Gwent was the only authority in Gwent that did not have a manned CCTV service.

The Leader of the Labour Group continued by referring to consultation and said that the Council had failed on this aspect and cited recent topics whereby he felt that there had been a lack of engagement i.e. Festival Park, General Offices and Rail Car Parks and the Ebbw Valley Rail Investment.

However, with regard to the Covid-19 emergency response, the Council had been magnificent and the Social Services Department and staff had been fantastic - this had been qualified in a recent Care Inspectorate Wales Report.

The Leader of the Labour Group concluded by stating that whilst there were areas of good work within Blaenau Gwent there needed to be a focus on less positive areas - previously the Council had been criticised by Audit Wales with regard to being too optimistic and said a far more balanced report would have sufficed.

Other Members commented as follows:

- The work undertaken by the Council and staff throughout the course of the pandemic was commended.
- A Member echoed the comments of the Leader of the Labour Group and said that the Council was going through challenging times as a result of the pandemic and commended the authority on its response. She continued by referring to CCTV and said that she had had extensive consultation with Gwent Police previously and pointed out that the report had failed to mention that Gwent Police would be willing to pay for cloud storage (images would then be able to viewed live at Police Headquarters) if the Council provided a CCTV control operator. The report had also omitted to mention that the Blaenau Gwent was the worst performing Council in Gwent with regard to CCTV.

With regard to animal trespass, there was a considerable amount of work still to be done with regard to fencing and this was an area that was under-resourced.

The Managing Director on a point of accuracy and clarification advised that no offer of funding had been made for CCTV to the authorities from Gwent Police. This service was fully funded by the Council.

The Member confirmed that the Office of the Police & Crime Commissioner had offered to pay for cloud storage when a CCTV operator was in post to monitor the cameras. Blaenau Gwent was the only authority in Gwent not operating in this manner.

The Managing Director welcomed proposals around cloud storage to improve Police access to footage and said that whilst early discussions had taken place, no firm proposal had been provided. However, the Council was willing to participate with the Office of the Police and Crime Commissioner and other authorities on this initiative.

- The level of public engagement and participation had deteriorated since the pandemic. It was pointed out that there were incidences whereby residents were still travelling to the

Civic Centre because they were not aware the building had closed.

- A Member commented in terms of straying animals, that farmers should take more responsibility for their animals and look after them in a reasonable and safe manner.

The Leader of the Labour Group agreed that it was a duty on farmers to take more responsibility for their animals. Whilst the impounding service had ceased in previous years, this had been as a result of £32m direct cuts during that period and at the time this decision had been taken, impounding incidents had decreased. However, each time a proposal had been made to reinstate this service, financially the Council had been in a far better position and, therefore, the service should have been reinstated.

Another Member referred to particular issues with horses on a site in his area which, had been the subject of several meetings and said that there was still a need to consider reinstatement of the impounding service sooner rather than later. Another Member said that the Council had to take responsibility for straying animals as they were straying onto the highway and estates and causing public safety issues. It was noted that in addition to sheep, there had been incidences of large horses and cows straying.

- Blaenau Gwent was the only authority in Wales that had not erected signage in town centres during the pandemic advising people to 'keep safe a safe distance and maintain 2m apart' and a Member asked the reason why this decision had been taken because he had received complaints from retailers regarding the lack of signage. With regard to car parking, this situation had not improved since the Council had taken over the Civil Parking Enforcement powers from the Police because vehicles were still parking dangerously in town centres and the Member had received numerous complaints regarding the lack of enforcement activity in this area.

The Corporate Director of Regeneration and Community Services confirmed that upon receipt of the town centre Covid funding, it had been agreed in discussions with traders, to focus the funding on business activity. A view was taken that

people were well aware of social distancing rules through media channels and the considerable amount of public messaging, which was reinforced with an enforcement presence in areas, including town centres.

With regard to civil parking enforcement this was a new service being operated by the Council which had been passported to the authority from the Police. With the level of resources provided, the service was effective in terms of what it could deliver and a number of tickets had been issued pre Covid-19 and the enforcement activity had started to manage the 'hotspots'.

However, if Members had particular concerns about certain areas, the Corporate Director requested that the relevant details be forwarded and resources would be targeted accordingly. However, if additional activity or changes to the service was required, this would require a separate discussion.

- As Education continued to remain a priority in order to improve standards in schools so that all children were able to reach their full potential, the following two questions were posed to the Executive Member for Education and Corporate Director of Education:

Question 1 – As a result of the pandemic, GCSE examinations had been cancelled and had been replaced by teacher assessments and in addition, there had also been a relaxation to report results of the local authorities. The Executive Member was asked whether she was confident that education standards in Blaenau Gwent were improving, especially within the two particular schools that that were currently in an Estyn category and whether these schools would be removed from these measures.

The Executive Member commenced by stating that it would not be for her to decide if the two schools would be removed from the categories, this would be a decision for Estyn to make. However, she was satisfied that the schools causing concern were making very good progress and there was a rigorous process in place to check and balance the progress that schools were making.

Question 2 - Performance at the Blaenau Gwent Learning Zone. Concern was expressed regarding the number of young people taking 'A' level courses because according to the previous year's data, that this number had decreased. The Corporate Director was asked if he was aware of the percentage of young people attending further education in Blaenau Gwent, as a percentage of young people that had enrolled for 'A' Level courses compared to other schools and colleges in other local authority areas. The following concerns were also raised by the Member:

There were a number of young people who were choosing to attend other establishments rather than attend the Blaenau Gwent Learning Zone, for example Merthyr College and Crickhowell High School.

In a year when no school should be aware of each other's results, one school had circulated a letter to prospective parents indicating that it had the best results in Blaenau Gwent.

Correspondence was being circulated to children attending secondary schools in north Gwent asking them to consider Crickhowell High School as a destination for a secondary education.

The Corporate Director commenced echoing the comments of the Executive Member that the two schools currently in Estyn categories did feature as part of the regional schools causing concerns discussions and he did have confidence that both schools were making real progress.

With regard to the Blaenau Gwent Learning Zone, the data was encouraging in terms of the performance at 'A' Level – A* to E grades were 99.1% pass rates and this performance was in line with the Welsh national average across the country. Further work was being undertaken with the Learning Zone moving forward to make further progress on A* - A grades for the more able and talented learners.

It was noted that one of the main reasons that the Learning Zone had been established was to create a balance between

academic and vocational learning opportunities and parity of esteem and the Learning Zone was holding its position in terms of the amount of 'A' Levels offered and there were more post 16 learners attending the college than ever before. In addition, the amount of vocational learning was also increasing. In terms of the proportion of learners taking 'A' Levels, this had stabilised this year and there were circa 324 'A' Levels results in 2021.

With regard to learning establishments, it was a matter of parental and learner choice to decide which establishment to be educated at. However, the Strategic Post 16 Partnership Board was currently working with headteachers and Coleg Gwent to identify the reason that learners were choosing alternative establishments and to ensure a smooth transition from Year 11 to Post 16. It was noted that discussions had already taken place with the headteacher in Tredegar as a number of the learners from that establishment had decided to attend Merthyr College.

The Corporate Director undertook to have a separate discussion with the Member regarding the letter that had been issued by a school regarding its results because he had not been sighted on this correspondence.

In terms of Crickhowell High School being a destination school, currently there were 3 of 4 secondary schools in the County Borough that were experiencing capacity issues in terms of admissions arrangements. This was an indicator that parents were choosing secondary schools in the County Borough, that the levels of confidence were improving and gave an assurance in terms of secondary performance across the County Borough.

- Concern was expressed regarding members of the public exercising their animals on playing fields and the amount of dog fouling in communities.

The Corporate Director of Regeneration & Community Services advised that enforcement activity on public open spaces and for littering had been reintroduced from the start of September. Although the areas where dogs were prohibited were clearly marked, further messaging would be

released into communities to remind people not to exercise their animals on public spaces and enforcement activity within these areas would continue.

A Member proposed that Option 1 be supported. This proposal was seconded.

The Leader of the Council confirmed his support for Option 1. In recognising that Members had taken the opportunity to highlight some issues, he pointed out that each administration had to make decisions based on circumstances and in the public's best interest. However, it was the intention that reports which would address some of the concerns raised, would be considered and discussed through the democratic process in due course.

With regard to the issue of engagement issue, he accepted that some of the communication of late had not met the required standard, however, the Council had collectively engaged over the last 4 years, and Audit Wales had commented that this engagement had been 'as well as any and maybe better than previous Councils'. However, unfortunately the engagement within town centres and supermarkets via the highly successful roadshows, which had been attended by politicians from all groups had been unable to continue as in previous years, due to the pandemic.

The Leader of the Council said that the report set out the key activities, measured against the improvement plan on a portfolio basis and highlighted notable service activity and the report was very much balanced in this regard.

The Leader of the Labour Group requested that in future the Leader, Deputy Leader and Executive Members participate in the whole debate and not just sum up at the end of the discussion. This was a political report and should be defended and led by Members and not officers. He concluded by advising that he took an alternative view regarding consultation and engagement.

It was, thereupon, unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely, the retrospective progress made and included within the Council's Assessment of Performance for

2020/2021 which also fulfilled all statutory legislative requirements, be approved.

23. DIVERSE COUNCIL DECLARATION – ACTION PLAN

Consideration was given to the report of the Service Manager Performance and Democratic.

At the invitation of the Chair, the Chief Officer Commercial and Customer advised that the Council had already signed up to becoming a diverse Council at its July Meeting and at that time it was agreed that an action plan be developed to support diversity in the democratic process and that the action plan be considered by the Democratic Services Committee, prior to Council approval.

The action plan, attached as an appendix to the report, followed the WLGA format and had incorporated the findings from the work undertaken with 16 – 25 year olds with regard to interaction around democracy. Discussions had also taken place with key officers and equality leads to ensure that the correct connections were made in order that some of the proposed actions could be progressed. It was noted that the action plan set out the intended activity ahead of the 2022 local elections and post elections - there was a longevity to the document and it could be built on and added to as it moved forward.

The Chair of the Democratic Services Committee advised that the report had been welcomed by the Committee but a few points had been raised regarding some of the wording that had been used in terms of the political make up of groups and parachute payments for Members who lost their seats at an election.

The Leader of the Labour Group referred to Item No. 30 contained within the action plan and more specifically the final bullet point, namely “support the Welsh Government’s and IRPW’s commitment to explore Resettlement grants or ‘parachute payments’ for Members who lose their seats at election” and advised that both the Labour Group and Minority Independent Group could not support this proposal.

In reply to a question raised, the Chief Officer confirmed that the action plan was a ‘live’ document and would be reviewed at regular

intervals to ensure that the document included any salient and pertinent points over time. The action plan would be monitored through the Democratic Services Committee as part of the forward work programme.

A further discussion ensued regarding the use of the terminology 'political parties' within the document and it was requested that this be amended to read 'political groups'.

The Chief Officer advised that the points raised at Democratic Services Committee regarding terminology had been captured in the covering report. With regard to parachute payments, this was being considered by the Independent Remuneration Panel for Wales on a national basis and was currently under discussion across Wales. As there would be further iterations of this proposal, Council could consider this in the future as part of the live review of the action plan.

A Member referred to paragraph 6.1 of the report and in particular, the point that Blaenau Gwent continued to have significantly above average levels of disability with a total of 31.6% of working age people being defined as disabled (EA core or work-limiting disabled) compared to 22.8% for Wales. As Blaenau Gwent had one of the highest rates in this category across Wales, the Member asked whether an action could be incorporated in the plan for the Aspire Team to engage with this group and provide support and assistance into gainful employment.

The Chief Officer Commercial and Customer advised that across the Council work was being undertaken with this cohort to help and provide support, wherever possible. However, in terms of the context of this report, this particular reference related to the support that could be provided to encourage participation in the democratic process.

It was proposed that the terminology 'political parties' within the document be amended to read 'political groups'.

It was unanimously,

RESOLVED, subject to the foregoing amendment, that the report be accepted and Option 2 be endorsed, namely, that the action plan be approved for implementation, subject to the above comments and amendment being noted.

24. AMENDMENTS TO THE CONSTITUTION

The report of the Head of Legal and Corporate Compliance was submitted for consideration.

At the invitation of the Chair, the Head of the Legal and Corporate Compliance advised that the purpose of the report was for Council to approve and adopt proposed changes to the Constitution. It was noted that the document had not been updated since 2019 and no updates had been undertaken the previous year as focus was responding to the pandemic. Therefore, this document incorporated 2 years of amendments, both procedural and updated changes.

The Constitution Working Group had considered and approved the proposed amendments at a meeting held on 2nd September, 2021. Correspondence had also been forwarded to absent Members asking for their views and key officers for further amendments. However, no further proposals or comments had been received.

A Member referred to the proposed schedule of amendments to the Council Constitution, in particular the following two proposals:

- Part 4 – The Register of Members Interests – proposal to increase the material benefit of value from £10 to £20.
- Section 20 – Officer’s Code of Conduct – proposal to increase the value of gifts from under to £10 to under £20

The Member continued by stating that in the interests of openness and transparency the above proposals should not be increased but either reduced to zero or the status quo remain.

The Head of Corporate and Legal Compliance confirmed that a recent benchmarking exercise had been undertaken at the All Wales Monitoring Officer’s Group regarding the threshold level of material gifts, at which Members and officers would be obliged to legally record any gifts received. It was pointed out that the setting of the threshold was currently at the discretion of Council and it was evident was from the benchmarking exercise that Blaenau Gwent had set the lowest level in Wales.

The Head of Legal and Corporate Compliance continued by advising that the level of £10 had been in place for over 30 years and most other authorities in Wales had increased their levels to £25-30 because it was quite common for Members and officers to receive gifts at Christmas. Therefore, an increase to £20 in the threshold level would make the process less onerous for Members and a more realistic amount, bearing in mind this had not been revalued for a considerable number of years.

It was noted that some Members disclosed all gifts received irrespective of their value but were not legally obliged to do so unless it fell over the threshold level, which was currently £10. Therefore, this proposal would bring the Council in line with other councils across Wales and the Constitution Working Group had considered £20 to be a reasonable level.

A Member said that he had received gifts previously and had been advised by the then Legal Officer to accept these but make a donation the face value of the gift to the Mayor's Appeal.

Another Member said that he appreciated that inflation had increased and the Council should congratulate itself about being one of the more onerous councils in Wales but said that he would propose an amendment that in the interests of openness and transparency the above proposals should not be increased but either reduced to zero or the status quo remain. He, thereupon, proposed a vote being taken in respect of the following options:

Option 1:

Consider and approve the suggested amendments and incorporate these into the existing Constitution.

Option 2:

Do not approve some or all of the amendments and revert back to the Constitutional Working Group for further consideration.

Option 3:

The value be reduced to 'zero' for the above proposals relating to the Members Register of Interest and the Officer's Code of Conduct.

Option 4:

The limit of '£10' remain for the above proposals relating the Members Register of Interest and the Officer's Code of conduct.

Another Member proposed that Option 1 be approved. This was seconded.

For clarity in terms of the voting procedure, the Head of Legal and Corporate Compliance suggested that an initial vote in respect of Options 1 and 2 be taken and should Option 2 be carried, a further vote in respect of Options 3 and 4 be undertaken.

A vote in respect of Options 1 and 2 was, thereupon taken:

In Favour of Option 1 – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, J. P. Morgan, L. Parsons, K. Rowson, B. Summers, B. Thomas, G. Thomas and J. Wilkins.

In Favour of Option 2 – Councillors D. Bevan, P. Edwards, L. Elias, H. McCarthy, J. Millard, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire and B. Willis.

The vote on Option 1 was, thereupon carried.

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely, the suggested amendments be approved and incorporated into the existing Constitution.

25. MEMBERSHIPS REPORT

Consideration was given to:

(a)

Aneurin Bevan Community Health Council

- appointing two representatives to the above.

The Leader advised that he had received no nominations for these positions at this point in time.

(b)

Ebbw Valley Railway Liaison Committee

- appointing a representative to the above.

RESOLVED that the Executive Member Regeneration & Economic Development be appointed to the above Liaison Committee.

<p>(c)</p>	<p><u>Education & Learning Scrutiny Committee & Safeguarding Scrutiny Committee – Co-opted Member</u></p> <p>To confirm the appointment of Mr. Tim Pritchard, St. Mary’s RC Primary as a co-opted Member on the above Scrutiny Committees.</p> <p>RESOLVED accordingly.</p>
<p>26.</p>	<p><u>EXEMPT ITEM</u></p> <p>To receive and consider the following report which in the opinion of the proper officer was an exempt item taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reasons for the decisions for the exemptions was available on a schedule maintained by the proper officer).</p>
<p>27.</p>	<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 15th September, 2021.</p> <p>The Managing Director advised that the Appointments Committee had met and interviewed candidates for the role of Head of Governance and Partnerships on 28th September, 2021 and confirmed that Miss Sarah King had been the successful candidate and had been formally offered the post. It was noted that this role also carried the statutory responsibility of the Head of Democratic Services and it had been confirmed at a recent meeting of the</p>

Democratic Services Committee that this statutory designation should remain with the post of Head of Governance and Partnerships.

The Chief Officer Commercial & Customer in her capacity as the out-going Head of Democratic Services, expressed her appreciation to Members for the opportunity given to her to undertake this role since 2013. She continued by stating that it had been a privilege to work alongside Members in this role and looked forward to continuing working with Members in her new role, as part of the senior leadership team.

The Chair expressed her best wishes to the Chief Officer Commercial & Customer in her new role.

It was unanimously,

RESOLVED that the report which related to staffing matters be accepted and the decisions contained therein be noted.