

**COUNTY BOROUGH OF BLAENAU GWENT**

<b>REPORT TO:</b>	<b><u>THE CHAIR AND MEMBERS OF THE COUNCIL</u></b>
<b>SUBJECT:</b>	<b><u>ORDINARY MEETING OF THE COUNCIL – 25<sup>TH</sup> NOVEMBER, 2021</u></b>
<b>REPORT OF:</b>	<b><u>DEMOCRATIC OFFICER</u></b>

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

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

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 Resources  
 Head of Legal & Corporate Compliance  
 Head of Organisational Development  
 Service Manager - Accountancy  
 Service Manager – Performance and Democratic  
 Communications and Marketing Manager  
 Organisational Development Manager – Payroll, Health & Safety  
 Team Manager – Trading Standards

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><b><u>SIMULTANEOUS TRANSLATION</u></b></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><b><u>APOLOGIES</u></b></p> <p>Apologies for absence were received from Councillors L. Elias, M. Holland, T. Sharrem, B. Thomas and the Chief Officer Commercial &amp; Customer.</p>	

**3. DECLARATIONS OF INTEREST AND DISPENSATIONS**

The following declarations of interest were reported:

**Item No. 30: Planning, Administration and Cost of Local Elections – 5<sup>th</sup> May, 2022**

- Michelle Morris – Managing Director (Returning Officer)
- Rhian Hayden – Chief Officer Resources (Deputy Returning Officer)
- Andrea Jones – Head of Legal and Corporate Compliance (Deputy Returning Officer)

It was noted that following receipt of advice, the officers would remain in the meeting unless a detailed debate/questions were raised relating to specific payments. In this event, the officers would then leave the meeting.

**Item No. 31: Annual Report of the Director of Social Services 2020/2021**

- Councillor Wayne Hodgins

**Item No. 35: Non-Executive Role**

- Michelle Morris – Managing Director

The Managing Director confirmed that she would leave the meeting whilst this item of business was considered.

**4. CHAIR'S ANNOUNCEMENTS**

**(a) Condolences**

Condolences were expressed to:

- The family of Moira Wilcox (wife of former Councillor Don Wilcox) who had sadly passed away.
- The family of Eileen Davies (wife of former Councillor Des Davies) who had sadly passed away.

Members and officers paid their respects with a minute's silence

RESOLVED that appropriate letters be sent to the families.

(b)

**Illness**

- It was reported that Councillor Lyn Elias had recently undergone surgery.

RESOLVED that an appropriate letter be sent.

(c)

**Congratulations**

Congratulations were expressed to:

- Cymru Creations who had undertaken fantastic work to bring the Children's International Film Festival to Blaenau Gwent.

The Children's International Film Festival of Wales had celebrated the best and brightest in International film programmes for children, students, and professional film makers from across the world. This included, short films, feature films, animations, and films that inspired younger generations.

The festival had been held over 2 days at Bedwellty House, Tredegar on 14<sup>th</sup> – 16<sup>th</sup> October, culminating in a red carpet event to celebrate the winners.

RESOLVED that an appropriate letter be sent.

**5 – MINUTE BOOK – JULY – NOVEMBER, 2021**  
**24.**

The Minute Book for the period July – November, 2021 was submitted for consideration.

It was unanimously,

RESOLVED that the minutes be approved and confirmed as a true record of proceedings.

**25. MEMBERS QUESTIONS**

There were no questions submitted by Members.

**26. PUBLIC QUESTIONS**

There were no questions submitted by members of the public.

**27. MINIMUM REVENUE PROVISION (MRP) – POLICY REVISION**

The report of the Chief Officer Resources was submitted for consideration.

At the invitation of the Chair, the Chief Officer Resources spoke to the report which proposed a change to the Minimum Revenue Provision (MRP) policy and explained the impact this would have on the MRP going forward.

The Chief Officer, thereupon, highlighted the following salient points contained therein:

- During February/March 2021, the Council had engaged Treasury Advisors, to conduct a review of the current MRP policy. The review had identified the opportunity to change two elements of the current policy, which would provide positive benefits to the Council by reducing the annual MRP charge until 2031/32 for unsupported borrowing and 2057/58 for supported borrowing.

The proposed changes were detailed in Section 6 of the report and comprised of:

- a change in the supported borrowing element of the MRP from 2% straight line to a 50-year annuity basis; and
  - a change in the unsupported borrowing element of the MRP from an annuity basis to a weighted average annuity basis.
- It was noted that the annuity method provided a fairer charge than equal instalments because it took account of the time

value for money for example, paying £100 in 10 years' time was less of a burden than paying £100 now.

- It was also proposed an alternative simplified method which would use an average asset life methodology on an annuity basis for all unsupported borrowing capital projects each year rather than on individual projects.
- The Council was required to determine a level of MRP it considered to be prudent, whilst having regard to MRP guidance issued by Welsh Government. It was noted that the proposed changes were in line with examples provided within the Welsh Government Guidelines on the MRP and these were detailed in Appendix 1 of the report.
- The table at paragraph 5.1.1 of the report illustrated the impact on the MRP charge the methodology would have and if agreed, the revised policy would expect to reduce the MRP charge from 2022/23 onwards.
- It was highlighted that under the current policy the 2022/23 MRP charge which was £4.47m would reduce to £1.74m under the revised policy and would increase incrementally in future years. Therefore, based on the current MTFS assumptions, the proposed change in policy would have a positive impact of in excess of £750,000. However, Members were advised that since the report had been considered at the Corporate Overview Scrutiny Committee in July, further detailed analysis had subsequently been undertaken and the positive impact was now estimated to be £1.3m.
- Whilst the MRP charge was estimated to increase in subsequent years this charge would be lower than current estimates and would mitigate some of the cost pressure previously identified and reduce the currently assessed budget gaps. It was important to note that these changes were prospective and it was not proposed to amend any previous year's calculation and whilst the MRP was a requirement of the CIPFA Code of Practice, the Council was still required to charge a prudent amount to the income and expenditure account to cover the payments on outstanding debt. It was noted that this change would not impact the actual debt

repayments the Council made but merely on the provision that was required to be set aside.

The Leader of the Labour Group commenced by expressing his view that if the MRP policy revision was agreed, this would, at the very least pass on debt to future generations. Therefore, he felt that a dedicated Cross Party Member Working Group should be established in order that Members could gain a greater understanding and discuss the implications of the policy revision and debate options on the way forward. He pointed out that the previous MRP policy had been agreed in 2017 and promises had been made that during the lifetime of that policy, that ways of repaying the monies would have been identified to reduce future cost pressures.

The Leader of the Labour Group continued by alluding to the rail project loan that could also have potentially MRP implications and said that there was a need for greater clarity on all the implications detailed within the report. He agreed that whilst it was correct to revise and review the MRP policy (Council's had taken the same action in previous years including 2015/16 due to severe financial austerity), however, the Council at that time in 2015/16 had identified pathways out of the constraints (i.e. a proposed amalgamation with another local authority) but said that this current Council had not identified any routes forward. The Leader of the Labour Group concluded by reiterating his concern that this debt would be passed onto future generations and advised he was, therefore, unable to endorse Option 2.

The Leader of the Council commenced by advising that the debt of the Council would not alter, it was the level of provision that would be adjusted and used to offset the debt. During 2017 the Council had an opportunity, in accordance with the rules and regulations to review the MRP and backdate the policy which, had benefitted the authority by over £15.5m over a 5-year period. If this policy had not been adopted, there could have been every likelihood that consideration would have had to be given to cuts to services and in some instances ceasing services, jobs losses and increasing council tax levels and he did not believe that any administration would not have taken this same opportunity.

With regard to the future, the policy would be revised 4 years hence and would provide a more positive position, however, if this revision

was not adopted then the Council would revert to the MRP pre 2017 position and this would impact the budgetary position by over £3.5m. This was a sensible approach and advised that debt would not be pushed into future administrations – it was pointed out that debt needed to be repaid regardless and the majority of debt could not be repaid in the lifetime of one administration and historically debt was passed over from one administration to another but the debt remained same, it was the provision which would be altered.

The Leader continued by stating that he firmly believed that the Managing Director and Chief Officer Resources would not have considered submitting a report if it was felt it would have a long term detrimental effect on the authority and if this was the case, he would not be supporting the proposal and added that the potential implications of not revising the policy could create further problems for future administrations. The financial position within the authority both from budget setting position and the position regarding reserves needed to be reset and this was being achieved and he was confident that this would be achieved in future authorities.

The Leader of the Council concluded by pointing out that the £70m rail project loan which had been agreed and discussed on several occasions would have no impact on the MRP policy - the income from that investment would offset the loan and have a negative impact on the MRP policy.

The Leader of the Labour Group said that the key point to note (as outlined in the Medium Term Financial Strategy report which was next to be considered on the agenda) was that the funding the Council had received on a cash basis from Wales Government had increased overall by £11.1m between 2016/17 and 2021/22 and due to the cost implications of the pandemic (which would have to be repaid at some point in time), the Council was only existing because of Welsh Government Hardship funding. He continued by stating that the Council should be planning for the future as there may come a point when the Council may not be able to deliver services. The Leader of the Labour Group proposed that Option 1 be endorsed and a Cross Party Member Working Group be established to consider the options going forward.

The Leader of the Council reiterated that if the Council had not taken the approach it had in 2017 then there could have potentially been cuts to services and an impact on service delivery. With regard

contingency plans, over £10m had been saved in this period of time which was more than adequate to offset any MRP issues and mitigate any council tax increases and cuts to services. He pointed out the level of cost pressures outside of the MRP affected all authorities and these would continue to be dealt with. He reiterated that the proposal would not have been presented to Council if it was to have a detrimental effect on the financial position moving forward - he wanted to be part of a Council that continued to move forward financially, pragmatically and responsibly and said that revising the MRP policy was the responsible thing to do.

The Leader of the Labour Group said that he was pleased that there had been an opportunity at the start of the term to place the Council on a better financial footing but expressed his concern that during 'easier' times, decisions were not being made for the long term future and the next administration may have to face cuts in services and would have to use the MRP to mitigate these issues. He concluded by requesting that the option be revisited by a Cross Party Member Working Group in order to prevent debt being pushed onto future administrations.

A Member also said that he was pleased that there had been no cuts services thus far but agreed that a Working Group should be established to consider the options going forward – he pointed out Working Groups previously were convened when there were any proposed major financial changes and this was one such change.

The Leader of the Council proposed that Option 1 be endorsed. This Option was seconded.

The Leader of the Labour Group expressed his view that if policy revision was agreed, this would at the very least pass on debt to future generations. Therefore, a dedicated Cross Party Member Working Group should be established in order that Members could gain a greater understanding and discuss the implications of the policy revision and debate options on the way forward, in line with the anticipated Welsh Government announcement on the Local Government Settlement on 22<sup>nd</sup> December, 2021. He, thereupon, proposed that Option 1 be endorsed. This proposal was seconded.

A recorded vote was then taken in respect of the two Options.

**In Favour of Option 1** – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, K. Hayden, H. McCarthy, M. Moore, J. C. Morgan, K. Pritchard, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis, L. Winnett.

**In Favour of Option 2** – 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, C. Meredith, J. P. Morgan, L. Parsons, G. Paulsen, K. Rowson, B. Summers, G. Thomas, J. Wilkins.

**The vote on Option 2 (preferred option) was, thereupon, carried.**

It was noted that Councillor J. Millard joined the meeting during the voting process so, therefore, did not participate in the vote.

RESOLVED, subject to the foregoing, that the report be accepted and Option 2 be endorsed, namely that the change of the supported borrowing element of the MRP calculation from 2% straight line to a 50-year annuity basis and changing the unsupported borrowing element of the MRP calculation from an individual asset annuity basis to a weighted average annuity basis, be agreed. This change to be applied from 1<sup>st</sup> April, 2021.

The calculation of the MRP proposed in Option 2 was in line with the examples provided in the Welsh Government guidance on MRP.

**28. MEDIUM TERM FINANCIAL STRATEGY 2022/23 to 2026/27**

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources spoke briefly to the report which provided an update on the Medium Term Financial Strategy (MTFS) and the latest assessment of the Council's financial position over the next 5 years.

The MTFS brought together all known factors affecting the Council's financial position and formed the basis for decision making and included a forward look over the next five years to assess the spending requirements the Council was likely to face to deliver the

priorities set out in the Corporate Plan and highlighted the level of cuts (reducing or stopping services) that would need to be made to ensure the Council could set a balanced budget each year.

The proposed MTFS was an iterative process and approach, one that would develop and be refined as the funding position from Welsh Government became clearer and strategic business reviews were further developed and implemented.

It was noted that based upon the assumptions in the MTFS and the cost pressures identified in Appendix 2 of the report, a budget gap of £21m over the next 5 years was forecast and based on the current estimated achievement from the Strategic Business Reviews compared to the budget gap identified in the MTFS, there was a residual funding gap of £4m in 2022/23 and this ranged between £2.3m and £2.7m in subsequent years.

The Council's current MTFS contained a number of assumptions which impact on the level of its income and expenditure. Changes in these assumptions could have a fundamental effect on the budget gap over the next 5 years. The impact of a 1% change on the main assumptions had been calculated and were detailed in paragraph 5.2.2 of the report.

The Chief Officer concluded by stating that the MTFS was used by the Council for planning purposes to provide an indication of the financial assessments for the next 5 years and formed part of the Council's financial management framework. This would be followed by the development and agreement of the annual budget which would commence following confirmation of the provisional Local Government Settlement which was expected from Welsh Government settlement on 22<sup>nd</sup> December, 2021.

A Member referred to the spending requirements over the next 5 years and asked whether financial provisions had been made within the MTFS regarding CCTV and for the health, safety and equality works that had been identified at Cwmcelyn Nature Reserve. These were both areas that would require financial investment in the next 5 years.

The Chief Officer Resources advised that the draft budget had included provision for CCTV based on the current funding provision which had been increased incrementally by a 2% inflationary uplift.

It was noted that a report would be submitted via the democratic process in the next few months regarding CCTV provision and if there were further requirements that needed to be considered, this would be built into the cost pressures and budget once the announcement from Welsh Government had been received. With regard to Cwmcelyn Nature Reserve the officer was unaware of any specific allocation that had been set aside for these works.

The Member said she had been informed that the works relating to the Cwmcelyn Nature Reserve had been considered by CLT and a sum of £70-80,000 had been quoted as being required to repair the bridge. However, if the health, safety and equality issues needed to be addressed in terms of the pathways, this would significantly increase the monies required to bring the Nature Reserve up to standard.

The Chief Officer Resources advised that this would be iterative process and if new or additional cost pressures were identified these would be considered as part of the budget setting process going forward.

In reply to a question, the Chief Officer said she was not expecting Council to agree any council tax increase at this meeting, this would be for a future meeting to determine but advised for planning purposes only, the MTFs had assumed an annual 4% increase in the level of council tax.

The Leader of the Labour Group said whilst this was an important report it contained assumptive information at this stage due to the pending announcement on the provisional Local Government Settlement on 22<sup>nd</sup> December. He, thereupon, proposed that Option 1 be endorsed.

The Leader of the Council commenced by stating that this was an assumptive document that was used for modelling proposals only by the accountants and senior officers to calculate a baseline figure. It was also a key document for financial planning and the strategic framework which, was revised on a regular basis and the assumptions contained therein were based on a cash flat budget. A final budget would be produced once the settlement had been received from Welsh Government on 22<sup>nd</sup> December. The Leader concluded by proposing that Option 1 be endorsed. This proposal was seconded.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that:

- the MTFS be approved and the following be noted:
- the forecast funding gap for the period of the MTFS;
- the cost pressures identified at Appendix 1 of the MTFS; and
- the forecast financial achievement for the Strategic Business Reviews attached at Appendix 2 of the MTFS.

**29. DRAFT REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) 2022/23**

Consideration was given to the report of the Head of Organisational Development.

At the invitation of the Chair, the Organisational Development Manager – Payroll, Health & Safety spoke to the report which contained the main proposals included within the 2022/23 draft report of the Independent Remuneration Panel for Wales (the Panel) as they related to Blaenau Gwent County Borough Council. The officer continued by highlighting the following points:

- The Local Government (Wales) Measure 2011 required the Panel's Annual Report to take effect from 1<sup>st</sup> April and in most years this was in line with financial and administrative arrangements of all authorities. However, when new councils were elected some of the Panel's determinations were to become effective for the new municipal term.

On 9<sup>th</sup> May, 2022, new municipal arrangements would come into effect following local government elections. This Annual Report, therefore, had two different effective dates as set out below:

For the period 1<sup>st</sup> April, 2022 to 8<sup>th</sup> May, 2022, all of the determinations contained in the Independent Remuneration Panel for Wales' Annual Report 2021/2022 would continue to apply in respect of principal councils and community and town councils.

With effect from 9<sup>th</sup> May, 2022, (the new municipal year) the determinations set out in Sections 3 and 13 of the report would apply to principal councils and community and town councils.

- It was noted that the basic salary of councillors of principal councils elected in the May 2022 local elections would be reset to align with the 2020 Annual Survey of Hourly Earnings (ASHE) and this sum would be £16,800.
- Table 2.3.3 detailed the payment of basic & senior salaries for 2022/23. The proposed increases varied from 10.5% to 19%.

The Organisational Development Manager – Payroll, Health & Safety concluded by outlining the options contained in paragraph 3 of the report.

The Chair of the Democratic Services Committee advised that the Committee had considered the draft report and had debated it at length on 8<sup>th</sup> November, 2021. The Committee felt strongly that it could not support the proposed excessive increases in the levels of remuneration as set out in the draft IRPW report for 2022/23 (apart from the recommendation relating to the contributions towards the cost of care and personal assistance) in this current climate of austerity as a result of Covid-19, the Government's low pay offer to Council staff of 1.75% and to NHS workers who had put themselves at risk throughout the pandemic and due to the situation that some key workers were still earning the minimum wage.

In reply to a question, the Organisational Development Manager advised that the take up was very low in terms of claims for the cost of care and personal assistance.

The Leader of the Labour Group echoed the comments made by the Chair of the Democratic Services Committee and advised that the view of the Labour Group and Minority Independent Group was that this was not the right time to propose any increases to remuneration levels and said that Members needed to support the workforce at this current time.

He continued by referring to a Chair of Committee that had been allowed to take a special responsibility allowance with an outside body and expressed his concern that whilst this was not in breach

of the rules he reiterated his comments from a previous meeting that from a morale standpoint this was not right. In addition, he took the opportunity raise the 'stealth' appointments of two Members on Silent Valley Waste Services Board and expressed his concern that there had been insufficient transparency around these appointments (from a public perspective), a point that he had been consistently making for the last 4 years.

The Leader of the Labour Group continued by stating that Members had been advised at the commencement of the process, that when review of Silent Valley had concluded that these Member appointments would end, however, he felt that these Members had been allowed to remain in these positions until the Council term concluded because this was another mechanism in which to pay two additional senior responsibility allowances. He also added that he had yet to have sight of a report from the Board Members with regard to their role and responsibilities.

A Member advised that he had raised at the recent Democratic Services Committee the payment of two senior responsibility allowances because at the original Council meeting that this had been discussed, a number of claims had been made about repayment of those monies. There had also been some confusion at this meeting that this was in breach of the rules but this had been confirmed that this was permissible within the IRPW rules and regulations.

Another Member said that openness and transparency in public life was extremely important and pointed out that the Leader of the Labour Group undertook two roles but only received payment for one.

The Leader of the Council commenced by stating with regard to the National Park Authority appointment, as stated in a previous meeting, he advised that the Member was the best individual for the role and part of the stipulation in terms of appointments to a National Park Authority and which would be reinforced by the Welsh Government Minister, was that unless there were extenuating circumstances, any member of the National Park Authority should come from a ward that sat within the boundary of the National Park. This Member had been appointed to the role from the commencement of the term office and, therefore, there was a solid

argument for continuity and this appointment was completely permissible within the rules.

With regard to Silent Valley, the Council was complying with what had been agreed in 2017 whereby a review of the organisation was to be undertaken and the Council had agreed unanimously to appoint two Members to the Board as directors – there had been no lack of transparency regarding these appointments and nothing underhand being undertaken. The Silent Valley Waste Services Board appointments had been approved at Annual Council and were included annually within the list of outside bodies, therefore, there had been no lack of transparency with regard to these appointments.

Regarding the comment made about the Leader of the Labour Group undertaking two roles, this had always been the case and was appropriate as the Leader of the Opposition Group who was paid a senior responsibility allowance, took responsibility for chairing a Scrutiny Committee as other Opposition Group Leader had done in the past.

The Leader of the Labour Group advised this was not the case in other authorities across Wales and he had agreed to Chair a Scrutiny Committee in order to save the Council having to pay a further special responsibility allowance. He reiterated that Silent Valley were 'stealth' appointments and expressed his concern regarding the length of time it had taken to undertake the review of the organisation and said he firmly believed that this was another mechanism that was being used in which to pay two additional senior responsibility allowances to the end of the term of the Council.

A Member commented that Trefil which formed part of the Sirhowy Ward also sat within the boundary of the National Park Authority. The Member who had also been appointed to the Park Authority previously whilst undertaking a Chair of Scrutiny Committee role advised that he had had to resign from the Park authority as a matter of principle, due to the amount of work and time commitments that was required to undertake the role of Chair of a Scrutiny Committee.

In reply to a question whether it was a pre-requisite of the appointment that the appointee's ward sits within the park boundary, the Leader advised that it had been strongly suggested that the ward of the appointed representative should sit within the National Park

boundaries and his understanding was that the appropriate Minister at Welsh Government would be making a strong recommendation to that effect.

The Leader of the Labour Group advised that in previous year's representatives had been appointed to the National Park Authority whose wards sat outside the park boundary. He felt that this was ridiculous and that the Leader was misleading Council and asked to have sight of a definite statement to that effect.

The Leader of the Council assured the Member that he had never had or never would mislead Council and reiterated that this was a strong recommendation i.e. that the ward of the Member appointed to the National Park Authority should sit within the park boundary.

A discussion ensued when the Chair of the Democratic Services Committee proposed that Option 2 be endorsed subject to the comments of Democratic Services Committee as outlined above i.e. that the Committee felt strongly that it could not support the proposed excessive increases in the levels of remuneration as set out in the draft IRPW report for 2022/23 (apart from the recommendation relating to the contributions towards the cost of care and personal assistance). This proposal was seconded.

It was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and Option 2 be endorsed, namely that the comments above on the determinations in the draft IRPW report for 2022/2023 be submitted to the IRP as part of the consultation process that would conclude on 26<sup>th</sup> November, 2021.

The Managing Director on a point of clarification regarding the reporting of information regarding Silent Valley Waste Services advised that the overview of the company had been strengthened since 2017 and there had been reports into Scrutiny, most recently in October 2021 and this information was then subsequently, considered by the Executive Committee.

The Leader of the Labour Group advised that whilst reports had been received via the scrutiny process relating to Silent Valley Board, no updates had been provided to Council by those individual Members who had been appointed as Board Directors.

30. **PLANNING, ADMINISTRATION AND COST OF LOCAL ELECTIONS – 5<sup>TH</sup> MAY, 2022**

Michelle Morris, Managing Director (Returning Officer); Rhian Hayden, Chief Officer Resources (Deputy Returning Officer) and Andrea Jones, Head of Legal and Corporate Compliance (Deputy Returning Officer) declared an interest but remained in the meeting whilst this item of business was considered, on the understanding that they would leave if Members wished to discuss the issue of fees.

Councillor T. Smith left the meeting at this juncture.

Consideration was given to the report of the Managing Director (in the role of Returning Officer for Local Government Elections).

The Managing Director (in the role of Returning Officer for Local Government Elections) spoke to the report which sought approval for the resourcing and funding requirements in respect of the forthcoming local elections in May 2022. The report also sought approval for staff payments and gave an explanation of the main accountabilities in the administration of efficient local elections.

Reference was made to Section 2 of the report and Members were advised that that in terms of the Count and Declaration of results for both the County Borough and Town/Community Council elections, that in common with most other Welsh Councils, this would take place on the day after the Poll i.e. on Friday, 6<sup>th</sup> May, 2022.

In addition, once the Notice of Election was published on 18<sup>th</sup> March, 2022 it was proposed that thereafter, formal Council business would cease during the pre-election period i.e. no council or committee meetings would be held, unless there was urgent business that needed to be attended to.

The Managing Director continued by advising that since the preparation of the report confirmation via a Ministerial Statement had been received that Blaenau Gwent would be one of four authorities along with Torfaen, Caerphilly and Bridgend that would

participate an Early Voting Pilot for the local government elections in the Spring.

Work was currently being undertaken with Coleg Gwent targeting 16-17 first time voters and to establish an early polling station on the Tuesday and Wednesday ahead of the normal day of voting on the Thursday, 5<sup>th</sup> May. It was noted that early voting would be extended to all residents who was eligible to vote in the County Borough and a communication to that effect would be released at the appropriate time. Whilst the cost of the pilot was additional to the £140,000 budget, this additional expenditure would be met by Welsh Government so, therefore, this would not have any financial impact on the Council's budget.

In reply to a question regarding Councillor engagement, the Managing Director referred to the report which set out the main areas of action and advised that one of these elements included candidates and agents' briefings. Briefings would be held early in the new year with prospective candidates in addition, following close of nominations a further candidates briefing would be undertaken. Therefore, there would be a number of opportunities for candidates to receive briefings on the pilot and how early voting would operate in practice.

In reply to a question, it was confirmed that 18 was the minimum age that an individual needed to be to stand as a candidate at an election.

In reply to a further question regarding the policing of electoral register at the college polling station, the Managing Director advised that a system called Modern Democracy was used and this enabled presiding officers to access the live electoral register via electronic tablets across the County Borough. These registers would need to be updated at the end of polling on the Tuesday and Wednesday i.e. before the polls opened on the Thursday in order to ensure that an individual could not vote twice. A further challenge was that ballot papers would need to be available for every single ward for early voting, however, the purpose of the pilot was to ascertain the issues and potential solutions for introducing early voting as a more standard part of voting in the future and work was being undertaken with colleagues in Welsh Government and other local authorities to identify these solutions.

It was unanimously,

RESOLVED that the report be accepted and Option 3 (a) be endorsed, namely that:

- the information provided be noted; and
- Council agreed to resource and fund the Election and associated costs, as set out in the report.

31. **ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES 2020/21**

Councillor W. Hodgins declared an interest in this item but remained in the meeting whilst it was considered.

Members considered the report of the Corporate Director of Social Services.

The Corporate Director advised that the Social Services and Well-being (Wales) Act 2014 placed a statutory duty on all local authorities to produce an annual report on the discharge of its social services functions. The usual practice was for quarterly performance reports to be considered by the Social Services Scrutiny Committee but this reporting mechanism had been disrupted due to the pandemic. In addition, the 2019/20 information had only been reported in early autumn as this had also been delayed due to the pandemic.

The Corporate Director continued by advising that the report covered the period April 2020 – March 2021 and detailed how social services continued to perform its functions during the pandemic and the progress made in a number of areas. It was noted that the detail contained within the report had previously been provided to Members as part of the Directorate's response to the pandemic.

The Corporate Director added that the work of the directorate had been validated positively by the Care Inspectorate Wales Backward Looking Assurance Check that had taken place on 17<sup>th</sup> – 21<sup>st</sup> May and in their letter of 11<sup>th</sup> June, 2021. This visit had considered how well the local authority had discharged its statutory functions to keep people needing care and support and carers who needed support safe and promoting of wellbeing during the pandemic. The Social

Services Scrutiny Committee had considered the report on 7<sup>th</sup> October, 2021 and endorsed Option 1.

A Member welcomed the report and expressed his appreciation to the staff and officers of the Social Services Directorate who had worked tirelessly throughout this 2-year period supporting the less abled in the County Borough.

The Executive Member for Social Services said that the report highlighted and demonstrated the willingness, flexibility and resolve of staff working in partnership across the department which, had safeguarded the majority of services during the pandemic and safeguarded the vulnerable in the community. This work had continued under continuing pressures and challenges which changed daily and he expressed his personal appreciation to everyone involved. He, thereupon, proposed that Option 1 be endorsed. This proposal was seconded.

It was unanimously,

RESOLVED that the report be accepted and Option 1 be endorsed, namely the Annual Report of the Director of Social Services 2020/21 be approved and submitted to the Care Inspectorate Wales.

**32. GAMBLING ACT 2005 – REVIEW OF STATEMENT OF GAMBLING POLICY**

Consideration was given to the report of the Service Manager Public Protection.

The Corporate Director of Regeneration and Community Services spoke briefly to the report and advised that at review of the Gambling Policy was undertaken every three years. It was noted that the Statutory Licensing Committee on 28<sup>th</sup> October, 2021 had considered and endorsed the revised policy. If approved, the policy would be implemented on 31<sup>st</sup> January, 2022.

In reply to a question, it was confirmed that only one comment relating to a minor administrative amendment was requested. It was noted that amendments were usually highlighted within the policy document but on this occasion no amendments had been received.

It was unanimously,

RESOLVED that the report be accepted and Option 1 be endorsed, namely that the reviewed Gambling Policy be approved.

**33. MEMBERSHIPS REPORT**

Consideration was given to:

**(a) Aneurin Bevan Community Health Council**

- appointing two representatives to the above.

No nominations for these positions had been received.

**(b) Advisory Panel for Local Authority Governors**

The following recommendations were made by the Panel on 12<sup>th</sup> October, 2021 to appoint:

**Beaufort Hill Primary School – Mr Rhion Hollister**

**Sofrydd Primary School – Mr Paul Maddy**

The following recommendations were made by the Panel on 15<sup>th</sup> November, 2021 to appoint:

**The River Centre – Mr. Richard Barrett; Ms. Lesley Bush;  
Ms. Jenna Underrey; Ms. Hannah Moncreiff**

**Coed-y-Garn Primary School – Mr. Raffi Abbas**

**Ebbw Fawr Learning Community – Councillor D. Davies**

**Bryn Bach Primary School – Ms. Diane Rowberry**

A discussion ensued relating to the terms of reference of the Advisory Panel for Local Authority Governors and the voting process that had been adopted at the Panel meeting on 15<sup>th</sup> November, 2021 for appointing additional governors to a particular school that had been issued with a statutory warning notice.

	<p>It was confirmed that these applications did not necessarily need to be presented to the Panel but had been shared for information, for Members to understand the approach that was being taken. The Corporate Director of Education noted the comments made and would clarify the position of these appointments for future arrangements i.e. whether these needed to be formally shared for information or a vote taken. However, his understanding from advice received from the Governor Support Section at the Education Achievement Service was that the authority was within its right to appoint additional governors without a vote being taken.</p> <p>It was, thereupon unanimously,</p> <p>RESOLVED, subject to the foregoing, that the above appointments be endorsed.</p>	
<p><b>34.</b></p>	<p><b><u>EXEMPT ITEMS</u></b></p> <p>To receive and consider the following reports which in the opinion of the proper officer was exempt items 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><b>35.</b></p>	<p><b><u>NON-EXECUTIVE ROLE</u></b></p> <p>The Managing Director declared an interest in this item and left the meeting at this juncture.</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 &amp; 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p>	

	<p>Consideration was given to the report of the Head of Organisational Development.</p> <p>Following a discussion, it was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and Option 1 be endorsed, namely that the Managing Director's application to take the non-executive role of an Independent Member on the Joint Audit Committee for Dyfed Powys Police and Crime Commissioner, be supported.</p>	
<p>36.</p>	<p><b><u>APPOINTMENTS COMMITTEE – JNC OFFICERS</u></b></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 &amp; 13, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p>Consideration was given to the report of the meeting held on 28<sup>th</sup> September, 2021.</p> <p>It was unanimously,</p> <p>RESOLVED that the report which related to staffing matters be accepted and the post be offered to Sarah King on a salary in accordance with JNC 3 (£63,742 - £70,115).</p>	