

# Minutes



## Council

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Date: 28 April 2015

Time: 5.00 pm

Present: Councillors M Al-Nuami, O Ali, R Bright, P Cockeram, M Cornelious, K Critchley, D Davies, V Delahaye, C Evans, C Ferris, D Fouweather, E Garland, G Giles, J Guy, D Harvey, P Huntley, R Hutchings, R Jeavons, C Jenkins, M Kellaway, C Maxfield, D Mayer, S Mlewa, A Morris, J Mudd, R Poole, M Rahman, J Richards, M Spencer, C Suller, T Suller, H Thomas, K Thomas, E Townsend, R Truman, T Watkins, M Whitcutt, R White, K Whitehead, D Wilcox and D Williams

Apologies: Councillors D Atwell, T Bond, E Corten, P Hannon, I Hayat, M Linton, R Mogford and N Trigg

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### 1. Preliminaries

#### Mayor's Announcements

##### **Councillors Hannon and Trigg**

Members of the Council joined the Mayor in passing on best wishes to Councillors Paul Hannon and Noel Trigg who had both been in hospital recently.

##### **British Empire Medal**

The Mayor stated that he had been delighted last week to attend a ceremony where the Lord Lieutenant awarded the British Empire Medal to Mrs Mary Alice Leech of Clevedon Road, Newport for her voluntary and charitable services, mainly for Toc H in Newport

At the same time Mr Thomas Lewis from Risca also received the British Empire Medal from the Lord Lieutenant for his services to music in the community

All Members passed on their congratulations to Mrs Leach and Mr Lewis

#### Declarations of Interest

Councillors H Thomas and K Thomas declared a pecuniary interest in Minute 7 at this stage

### 2. Minutes

The Minutes of the meeting held on 24 February 2015 were confirmed as a true record and signed by the Mayor

### 3. **Appointments**

The following appointments were agreed:

Audit Committee: Cllr John Guy to replace Cllr Omar Ali  
Appeals Panel: Cllr Kate Thomas to replace Cllr Ibrahim Hyatt on the panel  
Community Health Council: Elaine Bryant was nominated

Governors:

Malpas Court Primary: To re-appoint Cllr David Mayer and Mr Bill Langsford  
Millbrook Primary School: Stephanie Davies and Leah Stannard were appointed  
St Julian's High School: Sarah Banwell was appointed

The Leader of the Opposition raised the issue of non – Council members being appointed to outside bodies when there may be opportunities for elected members from other parties to be appointed on occasions. He said he would be willing to discuss this with the Business Manager following the AGM

### 4. **Police Issues (30 minutes)**

The Mayor welcomed Superintendent Glyn Fernquest to the meeting.

Superintendent Fernquest updated members on action taken on some long – standing issues. He also thanked Councillors and other partners for their assistance and support. He also updated members about forthcoming events that will increase activity.

Superintendent Fernquest shared the concerns of Councillor Harvey about the use of very young children by drug dealers and other criminals. He described action being taken and what was being done to not to criminalise young children by working with parents.

Councillor Al Nuaimi was concerned about the significant rise in antisocial behaviour in the Stow Hill ward as recently reported. He asked what action was being taken to alleviate problems. Councillor Cockeram was concerned about the range of activity that was classed as anti-social behaviour and felt that a breakdown of figures would be useful. Superintendent Fernquest agreed anti-social behaviour was a wide –ranging category. With this in mind the Police had made efforts to categorise activities and tried to identify root causes.

Councillor Wilcox was concerned about recent incidents of grass fires in the Gaer Ward. She praised the work of the Police and Fire and Rescue Service for their actions. Superintendent Fernquest was also concerned and described action being taken which meant the situation was improving. He was also concerned about sightseers that cause problems at the scene. Councillor Whitcutt shared concerns about the extent of arson attacks in the area. Superintendent Fernquest mentioned an all- Wales seminar that was being held to discuss these problems. Councillor Morris stated that signs should be on site warning about the dangers of fires

Superintendent Fernquest reassured Councillor Guy that local businesses and the Council were working with the police to try to alleviate problems caused by alcohol use.

In response to Councillor Whitehead, Superintendent Fernquest described support to schools and to PTA's from drugs officers as part of the Education programme relating to drugs use. He agreed there had been a seasonal high of non- dwelling house burglaries and described action being taken locally.

Superintendent Fernquest informed Councillor Williams that the police would investigate any reports of criminal activity in a local woodland area. The police however would not take a side on a local issue.

Councillor Tom Suller thanked the Police for recent success in the ward in relation to drug related issues and engagement by the local police team

Superintendent Fernquest described to Councillor Chris Evans action taken by the Police, including a restructure, to mitigate against the effect of budget cuts. The restructured organisation was organised to make sure front line services are protected.

Superintendent Fernquest responded to Councillor Morris by updating members on the outcome of enquiries and actions in relation to a recent local incident involving members of the travelling community

The Mayor thanked Superintendent Fernquest for his attendance and for answering questions

## 5. **Welsh Government White Paper "Power to Local People"**

The Leader of the Council informed Members that the White Paper set out the Minister's vision for the future of local government in Wales.

The White Paper and accompanying documents can be found at the following link:

<http://gov.wales/consultations/localgovernment/power-to-local-people/?status=open&lang=en>

Very early in this process the Cabinet had taken the decision that this was such an important issue for the Council that this matter should be discussed by the full Council meeting, allowing a cross party response.

The White Paper was a very detailed document which sets out the Welsh Government's vision for the future of local government in Wales, with an underlying principle of giving 'power to local people' through policies of participative democracy whereby communities can better engage and participate in decision making, service development and delivery.

The Leader said that the Cabinet broadly supported the concept of reform of local government but matters of detail needed to be carefully considered.

Cabinet Members considered the WLGA response as outlined in the report was broadly consistent with the view of Newport City Council.

Detailed responses to the specific points were set out in the report identifying which proposals were supported and which were not supported.

One amendment to the proposed response was agreed across the parties. On the point about the reduction in elected members in Wales, it was agreed the response should now read: "Whilst a reduction is supported this should not be done through a rigid formula based on a ratio of members to constituents "

The Leader stated that the Cabinet did not feel the structure of the consultation questionnaire allowed enough scope for comment or reflection. Cabinet Members considered the questionnaire did not give residents the opportunity to provide a view on how current arrangements work. There was a lack of free text space in the questionnaire. The Cabinet had asked for an independent view of the questionnaire should be sought and this was being done.

A significant number of elected members contributed to the debate. The main issues raised included the following:

- Completion of the consultation questionnaire was a difficult and lengthy process and did not allow members and members of the public to comment on a very important proposal
- The questionnaire was weighted towards favourable answers or comments about the Welsh Government proposals
- The proposal to reduce the number of Councillors was not matched with any proposals in relation to the number of politicians in other bodies
- Councillors are the first layer of engagement with local people and were known to local people who contacted them on a wide range of issues within the communities. More so than the Assembly Member or MP.
- Councillors would be more remote from their communities
- The concept of reform was supported but needed to be reasonable, sensible and measured
- Local Government should be treated with respect and in the same manner as other democratic institutions
- There was a need to balance the powers of the various institutions
- The Council supported diversity of engagement in all its forms
- There would be significant transition costs arising from the proposals in the White Paper
- The restricted terms of office for elected members were proposed only for unitary authorities and not AM's or MP's
- The proposed restricted terms were inherently ageist and discriminated against a specific group of people.
- Reducing remuneration for Councillors would restrict the individuals who could afford to stand for election
- The proposed increase in AM's and their pay when judged against these proposals was hypocrisy
- Limiting terms of Councillors would mean that young councillors' careers would end when they were still relatively young
- The timing of the proposals at a time of austerity was unhelpful
- The view that Leaders can do the job part time is unreasonable and, when couples with a fixed term as Leader, restricts opportunities for Leaders to be sufficiently experienced
- It is important to take the opportunity to get it right with full details and costs forming part of the debate
- There are no details about the future role of local government
- Money will need to be diverted from services to pay for a reorganisation
- As the city expands, the ratio of local residents to councillors will increase
- The inevitable outcome is full-time members
- The radio advertisement sets out to make out that local government is failing
- Devolution should be about drawing powers down from Westminster and not adopting local powers from local councils
- It is important not to miss the opportunities this White Paper provides, albeit in a clumsy manner

The Leader of the Council in summing up stated that the Council agreed that reform was needed and that there was support for diversity. The main concern was the process which was flawed, complex and directed to produce a specific result.

The Leader said that this was about centralist system of government or a truly localist system. The Williams proposals would produce local government that would be the most remote in Europe. He referred to examples throughout Europe that illustrated this point. If a

pattern of 10 councils was adopted the ratio of councillors to electors would be 4,133 per Councillor. This compared, for example, to the French system with a ratio of 1784 electors to Councillor.

The message needs to be that we are not prepared to accept the centralist proposals, controlled by Welsh Government. There was no doubt that local councils would pay the cost of the reform. There was a need for meaningful discussion on the proposals.

The Leader pointed out that there is a need to improve the way we diversify and create wealth in Wales.

The Leader referred to comments by the Fairness Commission specifically on the as follows:

“Separate from considerations regarding the content of the White Paper and the proposed reforms to Local Government in Wales, Newport’s Fairness Commission (NFC) has very serious concerns about the process of consultation being implemented by the Welsh Government (WG) over these reforms. There are fundamental flaws in the design of the questionnaires for public consultation, most especially, but not exclusively, in the questionnaire designed for young people. First, before respondents are asked questions there is often a justification made for the WG reforms without any case against these reforms being presented, or at least any case which critically evaluates the WG’s policy intentions (i.e. assessing their strengths *and* weaknesses). It is the NFC’s view that this highly biased form of presentation will likely skew the results as respondents are not fully informed of the arguments both for *and* against the reforms. Secondly, many of the questions are very ‘leading’ as the language used is designed to sway the respondent in certain ways, effectively prompting the respondent to provide an answer which is consistent with the WG’s policy intentions. Again, it is the NFC’s view that this form of questions will undermine the validity of the surveys, and the fair process of transparency and accountability in the WG’s decision-making on these matters.”

The Leader of the Council asked the Head of Law and Regulation for advice on the issue of terms of office and the potential conflict with the Bill of Rights and Age discrimination.

The Head of Law and Regulation advised that any restriction on Members’ terms of office would be potential age discrimination unless there was an overriding and compelling justification for the requirement. Therefore, the Welsh Government would need to be careful that any legislation did not conflict with European Conventions and Equalities legislation.

## **Resolved**

- I. To agree the proposed response, as amended.
- II. To submit the agreed, amended response to the Welsh Government
- III. To also submit the views of the Fairness Commission as described above
- IV. To also inform the Welsh Government of the views of the Council’s Head of Law and Regulation on the issue of on Members’ terms of office and the potential conflict with European Conventions and Equalities legislation.

## 6. **Improvement Plan**

The Leader of the Council introduced a report which set out the Cabinet's recommended eight priority areas in which improvement should be demonstrated during 2015/16.

The Improvement Objectives relate directly to the priorities of the Corporate Plan. They were selected by Cabinet in January 2015 after consideration of consultation responses.

Scrutiny Committees had played a big part in developing the objectives and their work was appreciated. There was also a public consultation exercise.

The Leader stated the importance of having clear criteria used for setting targets and stated the Council would move forward on the following basis:

- Never to be in the fourth quartile;
- Never to be below Welsh average; and
- Improvement year on year.

The Leader of the Opposition referred to the need to monitor the budget that relates to Social Services and how pressures can arise; that the squeeze in admissions would work its way through the Education system; that action take on young people not in employment, education or training was supported and there was a need to achieve recycling targets

The Leader of the Council thanked the Leader of the Opposition for the comments

### **Resolved**

To adopt the Improvement Plan

## 7. **Member's Remuneration 2015 - 2016**

The Council was provided with the main remuneration details for its Members in 2015/16, as directed to it by the Independent Remuneration Panel for Wales.

The Council is not required to approve a "Scheme of Allowances" nor can it vary the level of the allowances payable to Members, with the exception of the remuneration of the city's Mayor and Deputy Mayor. Section 153 of the Local Government Measure requires relevant authorities to comply with the requirements imposed on it by the Independent Remuneration Panel for Wales.

There were no changes recommended for 2015/16 from current level of remuneration and the Council agreed the banding of the remuneration for the city's Mayor and Deputy Mayor for the 2014/15 financial year, the first year that a local decision was required for this. No change to the current banding was recommended.

### **Resolved**

- i. To note the key details of the 2015/16 Member's remuneration, which are those directed to it by the Independent Remuneration Panel for Wales
- ii. To maintain the current banding on the remuneration of the City's Mayor and Deputy for 2015/16.
- iii. To note the publicity and information Schedules requirement

8. **Questions to the Chair of the Cabinet**

There were no questions to the Chair on this occasion

9. **Questions to Cabinet Members**

There was one question to the Cabinet Member for Education and Young People. The question and response are set out in the appendix to these minutes

10. **Questions to Chairs of Committees**

There were no questions to Committee Chairs on this occasion.

Councillor Allan Morris wished to express his appreciation of the work of the Council's Trading Standards team but it was explained by the Mayor that this could not be done without a formal question.

11. **Standards Committee**

The minutes of the meeting of the Standards Committee held on 24 March 2015 were received

12. **APPENDIX: QUESTION TO CABINET MEMBER**

**Appendix:**

<b><i>COUNCIL MEETING : 28 April 2015</i></b>
<b>Question to: Cabinet Member for Education &amp; Young people</b>
<b>Question from: Cllr M Rahman</b>
<b>Subject: Welsh Medium Education</b>
Question 1
<b>Question:</b> Can the Cabinet Member update Council on the progress of the delivery of the Welsh-medium secondary school?"
<b>Answer:</b> The Council has been successful in securing regional WG funding to meet demand for school places for the city of Newport and the south Monmouthshire Welsh-medium primary schools. There are two strands which are now progressing and are on track to deliver a Welsh-medium secondary school in Newport: <ul style="list-style-type: none"><li>• Legal process: The formal consultation period to establish a new WM secondary School in Newport concluded on 14th April 2015. The next stage includes a statutory notice consultation period of one month before a final determination is taken on this proposal in around June / July this year.</li><li>• Financial process: A regional Full Business Case was submitted to WG on time on 31st March 2015 and has now been entered on the Agenda for the WG Capital Panel meeting today. As soon as I have knowledge of the outcome of that meeting, I will update members.</li></ul>