

Minutes



Council

Date: 24 November 2020

Time: 5.00 pm

Present: Councillors J Cleverly, P Cockeram, D Davies, M Al-Nuaimi, C Evans, M Evans, C Ferris, D Fouweather, G Giles, J Guy, D Harvey, I Hayat, Councillor R Jeavons, M Kellaway, M Linton, D Mayer, R Mogford, Councillor J Mudd, M Rahman, J Richards, M Spencer, T Suller, H Thomas, K Thomas, C Townsend, Councillor R Truman, T Watkins, M Whitcutt, R White, K Whitehead, D Wilcox, D Williams, G Berry, J Clarke, V Dudley, Y Forsey, R Hayat, T Holyoake, P Hourahine, J Hughes, J Jordan, L Lacey, S Marshall, W Routley, H Townsend and J Watkins

Apologies: Councillor Critchley and Cornelious

1. Preliminaries

i. To receive any apologies for absence

The Monitoring Officer reported apologies for absence (noted above)

ii. To receive any declarations of interest

There were no declarations of interest at this stage.

iii. To receive any announcements by the Mayor

The Mayor asked all members to join with him in observing a minute's silence as a mark of respect for a former Mayor, Noel Trigg, and also former Caerleon Councillor Adam Cox both of whom had sadly passed away.

The Mayor congratulated Councillor Matthew Evans on the award of his MBE.

The Mayor also expressed his sincere thanks to all concerned for organising and participating in the Remembrance Day and Merchant Navy Day commemorations that he attended. Although it was not possible to have the usual parade and public services due to the Covid-restrictions and the need for social distancing, it was important that we still remembered and recognised the sacrifice made by so many people.

2. Minutes

The Minutes of the Council meeting held on 29 September 2020.

Resolved:

That the Minutes of 29 September 2020 were a true record.

3. Appointments

To consider the proposed appointments set out in the report

Councillor Harvey moved the appointments set out in the Report, as agreed by the Business managers, subject to the additional appointments set out below.

Resolved:

That the following appointments be agreed.

Internal Appointments

None.

Appointments to External Organisations

None.

Governing Body Appointments

Organisation	Nominations Received	Number of Vacancies/Replacements
Caerleon High School	Brett Childs	LEA Governor
Llanmartin Primary School	Richard Dale	LEA Governor
Bassaleg High School	John Jones	LEA Governor
Pentrepoeth Primary School	John Jones	LEA Governor
Tredegear Park Primary School	Derek Ross	LEA Governor
Ringland Primary School	Shahinoor Alom	LEA Governor
Maesglas Primary School	Bev Perkins	LEA Governor
Caerleon Lodge Hill Primary School	Councillor Gail Giles Caroline McLachlan Paul Huntley	All re appointed
Tredegear Park Primary School	Miqdad Al-Nuaimi	LEA Governor

4. Police Issues

Due to technical difficulties, Superintendent Mike Richards was not able to join the meeting to discuss Police Issues. The Mayor agreed that this item should be deferred until the next Council meeting.

5. Notice of Motion: Reduce the Impact of Fireworks to Support RSPCA

The Council considered the following motion, for which the necessary notice had been given. The motion was moved by Councillor Truman and seconded by Councillor Harvey

That this Council Resolves:

To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for the animals and vulnerable people.

To promote actively a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people - including the precautions that can be taken to mitigate risks.

To write to the Welsh Government urging them to utilise any levers at their disposal to mitigate any negative impacts on animals and vulnerable people of the hosting of firework displays.

To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.

To encourage local supplies of fireworks to stock 'quieter' fireworks for public display.

A number of members spoke in favour of the motion.

Resolved:

It was unanimously resolved to support the motion.

6. Pay and Reward Policy 2020/21

The Leader presented the above report to Council highlighting that the Pay and Reward Policy required adoption and publication by Council on an annual basis to meet the statutory requirements of the Localism Act 2011. The policy set out the internal mechanisms for remunerating Council officers and supporting employment data.

There were two changes to the proposed Pay and Reward Policy compared with the 19/20 policy. Firstly, the Policy proposed removal of the car-block allowance for Chief Officers, altering the way in which mileage expenses were incurred and bringing Chief Officers in line with the rest of the workforce who were required to claim for the journeys they made as opposed to receiving a fixed payment.

Secondly, restricting re-employment to those who took voluntary redundancy or settlement agreements which meant that public funding towards severance packages was applied appropriately and that due diligence on staffing structures was thoroughly applied before any decision to agree severance packages was taken.

In addition to these proposals, the policy reported the annual gender pay gap, which was also published on the Council's website. The mean gap had decreased to 3.6% from last year's reported 4.8%. The Leader was pleased to report that the median gap had now closed as the analysis of the data showed that the median point of hourly pay was the same for both men and women. The Council's gender pay gap compared favourably with other Councils across Wales and the UK average of 17%.

In conclusion, the Leader advised that the Council would continue to review and monitor the gender pay gap to find ways of closing the mean pay gap through the objectives published in the Council's annual gender pay gap report and by undertaking a second equal pay audit in 2021 to identify any further areas for improvement.

Resolved:

That the Pay and Reward Policy 2020/21 be approved and adopted.

7. Democratic Services Committee Annual Report 2019/20

Councillor Ferris presented the 2019/20 Democratic Services Committee Annual Report to Council.

The Local Government (Wales) Measure 2011 required the Committee to report annually to the Council on the work carried out in the past 12 months as well as its future work programme.

The report covered the period from November 2019 to November 2020, where Councillor Ferris resumed the role as the Chair of the Committee in July 2020. The Committee was previously chaired by Councillor David Fouweather from May 2019 until July 2020 during the time that Councillor Ferris was serving as Deputy Mayor. The Committee was a politically

balanced group, working together in a non-partisan to consider various aspects of the Constitution and other matters that impacted on the governance of the Council.

The report highlighted the important work carried out by the Committee last year, despite the disruptions caused by the Covid-19 lock-down restrictions. The Committee considered options for the appointment of a Presiding Member/Chair of Council and recommended to Council that the current arrangements continue. The Committee considered the IRP annual reports and agreed that a summary of the IRP supplementary report be circulated to all members for their information to publicise the availability of care allowances. The Committee completed a review of the officer Scheme of delegation, to include new sustainable drainage powers, and we completed the review of support for members in their ward work, and recommended that the current arrangements for ward meetings should continue.

Finally, the Committee completed a significant piece of work in relation to the Boundary Commission Review, and it was gratifying to see that the Boundary Commissioners took on board the comments of the Committee when they published their final electoral proposals in August 2020 and agreed to retain 3 ward members in Bettws and Beechwood.

The Committee was satisfied that adequate resource continued to be made available to fulfil the roles and responsibilities under the Measure, although we stressed the importance of recruiting to the vacant Democratic Services Manager and Scrutiny Adviser posts as soon as possible.

Resolved:

That the Committee's annual report be received in order to meet the requirements of the Local Government Measure.

That the content of the Head of Democratic Services Annual Report be noted, as supporting evidence that the Committee carried out its responsibility to review the adequacy of staff to support members

8. Standards Committee Annual Report 2019/2020

Councillor Hourahine was happy to present the 2019/20 Standards Committee Annual Report to Council.

This was the seventh annual report covering the period from November 2019 to November 2020, and followed on from the last report presented to Council in November 2019. The Committee met on two occasions during the last twelve months. Unfortunately, the scheduled meetings in April and July were cancelled because of the Coronavirus lock-down but our meetings had now resumed remotely.

This year had again seen no formal findings of misconduct in the past 12 months. Five complaints were referred to the Ombudsman about City Councillors in 2019-20, but only one of them has been accepted for formal investigation. One complaint was referred to the Ombudsman about a local community councillor in 19/20 but the Ombudsman did not consider that the failure to declare a personal interest was a sufficiently serious breach as to warrant formal investigation and sanction.

One complaint was successfully resolved under the Local Resolution Protocol. This demonstrated that the Protocol was successful in dealing with these "low level" complaints locally, without the need for any referral to the Ombudsman or the Standards Committee. The Committee was grateful to the officers and members concerned for their co-operation in resolving these complaints amicably.

Finally, the Standards Committee carried out an ethical standards audit of members and senior officers and, although the number of responses was disappointing, the responses

received were very encouraging in terms of the perception of ethical standards and behaviour within the Council.

Resolved:

That the Standards Committee Annual Report for 2019/20 be received and the forward work programme noted.

9. **Questions to the Leader of the Council**

The Leader announced the following before proceeding with Questions.

▪ **Business grants**

The Leader stressed that supporting businesses during these challenging times was a priority for the council and shared some of the latest figures with colleagues:

A number of grants were administered by the council through the Council's Business Services, Rates and Childcare teams. Almost 4,000 grants were awarded, to a value of £34.5m. In addition, financial support and information was provided to over 5,500 Newport businesses.

▪ **Christmas**

The traditional Christmas lights switch on looked very different this year with an online event coordinated by Newport Now. The Leader was very pleased, as part of that event, to announce free weekend parking in council car parks during December and January.

This would support local businesses during a key period and would be complemented by the Council and Newport Now's campaigns encouraging people to shop locally.

▪ **Healthy Travel Charter**

At the start of this month, the Council and 21 partners from across Gwent launched the Healthy Travel Charter.

Through 15 ambitious commitments, the charter promoted walking, cycling, agile working and the use of public transport and ultra-low emission vehicles, supporting and encouraging staff to travel in a sustainable way to and from work.

The Council was already making very positive advances in Newport with electric buses, more electric charging points, improvement in active travel routes, to name a few and this was another demonstration of our commitment to creating a healthier city.

▪ **White Ribbon Day**

25 November was White Ribbon Day. An annual event that marked the United Nation's International Day for the Elimination of Violence against Women.

In 2018, 149 women were killed by men in the UK. More than half were killed by a former spouse or partner, and almost all of them were committed by a man known to the victim.

Normally there was a community walk of one mile in Gwent to mark White Ribbon Day; however, due to Covid-19, this will not be possible this year. Instead, it was being replaced with the #149Challenge

The Leader urged members to get involved, by setting a personal challenge focusing on the number 149 and sharing achievements online. This could be seconds, minutes or whatever you liked, such as baking 149 cakes, climbing 149 stairs or writing a 149-word poem.

The important part was that this message was shared to support others to take a stand against violence against women, and encourage anyone experiencing abuse to speak out – not to suffer in silence because help was available.

- **Terrence Higgins Trust**

1 December marked the anniversary of the HIV/AIDS pandemic and the victims that suffered from the stigma of Aids. One of the founders of Terrence Higgins Trust was Martin Butler, from Newport and Cllr C Evans was also a member of the Trust.

- **Compliments, comments and complaints**

Earlier this month we published our annual Compliments, Comments and Complaints report which examined the positive and negative feedback received from residents during the last financial year.

Improvements made to the 'My Newport' platform made it easier for residents to submit feedback to us this was a positive step in two-way communication.

This and the implementation of a number of major changes to service delivery such as civil parking enforcement and waste collection resulted in an increase in the overall number of comments received. There was an eight per cent reduction in the number of complaints progressing from stage one to stage two, and an 11% reduction in the number of complaints being referred to the public services ombudsman for Wales.

The complaints model was also revised, and the complaints standards authority cited our model to other local authorities as an example of best practice.

The Council also worked to implement a number of changes following feedback from residents. This included amending our self-service platform to help us process requests for bin and recycling containers more quickly, and consulting residents for their views on how we make decisions regarding parking permits following requests for more consistency.

- **Dogs home award**

Finally, the Leader congratulated Newport City Dogs Home for achieving the gold award at the 2020 RSPCA Cymru PawPrint awards for their work with stray dogs.

PawPrints was an annual award scheme that recognised good practice from public bodies in relation to animal welfare.

Well done to all the team.

Leader's Questions

Councillor M Evans thanked the Leader for her updates and also supported the Terrence Higgins Trust and wore his White Ribbon in support of those victims, both male and female of domestic violence.

- Councillor Evans walked into Friars City Centre after the Sunday Parade and was disappointed to see that after the end of a local lockdown the city centre was quiet. A Tweet he received also mentioned that Spytt Retail Park was busy and the Bridgend Outlet was completely full with traffic queuing to enter the shops. It was therefore felt that free parking for the first two hours should be introduced. Councillor Evans also asked why did a spokesperson defend the decision and not the Leader or Cabinet Member.

The Leader replied that she had also walked through the city centre that Sunday and was pleased that there was a significant number of shoppers and that the previously

empty units were put in use. Free parking had a cost and the Council could not support this as a permanent fixture however we could try to do whatever we could to support families and business. It was therefore hoped that the limited period of free parking during December and January to help with this.

Councillor M Evans referred to his second question and asked whether the Leader should be responsible for delivering both good and bad news rather than a Council spokesperson.

The Leader agreed that all individuals should take responsibility for their actions as well as every elected member. In relation to free parking this matter had been debated many times and with the previous Leader it was decided that the Council could not as a continuous gesture, provide free parking.

Councillor K Whitehead took the opportunity to thank the Leader for responding to his request regarding a domestic violence portal adding that she had listened, reacted and acted on the request.

- Councillor Whitehead referred to the ongoing issues with the SDR which had seen many dangerous incidents and more recently a tragic incident involving a young man. Social media had been active regarding crashes and incidents. Councillor Whitehead therefore asked if the Leader had any plans to prevent such serious incidents happening in the future.

The Leader expressed her heartfelt sympathy to family at this time and stressed that there was an investigation ongoing. The Council was actively working Capita in undertaking a review but would have to await findings from Police and Coroner before making any long term adjustments to the speed limit. The Leader wanted to reiterate that the Council was listening and responding.

- Councillor C Townsend referred to a recent question on homelessness and rough sleepers in Newport. The current figure of 180 people that were homeless seemed a lot higher than at previous council meeting therefore the Leader was asked to clarify these figures.

The Leader advised that the number of homeless people increased during pandemic and presented a challenge to the Council. Some of those 180 people were repeat presentations this was often due to problems at home, relationship break downs, mental health or substance issues or other complex reasons. This meant that they would need to present themselves again and go through the process of being re homes. The Council had seen however, a high number of homeless people and were able to help them during this time.

Questions Ballot

- Councillor Y Forsey congratulated the Leader on her first year anniversary and proceeded to ask for further information on the Gwent Sustainable Travel Charter.

The Leader was pleased to share with members some background information on the Charter. As members knew, the Council was part of the One Newport PSB that worked alongside other public sector groups as well as attendees that were invited to as external members to this board. The PSB also linked into the work of G10 group, who were a collective of five Local Authorities, Police, Fire Service and the Regional Partnership Board. One in three people were collectively employed in the Gwent area and had the G10 had a responsibility to provide sustainable travel for these employees which was why a Charter was developed. There were 15 commitments outlined in the Charter to enable to try and ensure meeting attendees could attend in a sustainable manner. This was a

serious issue because the levels of emissions in Gwent was high and it was a priority to ensure we reduced the carbon foot print to contribute to saving the planet.

10. **Questions to the Cabinet Members**

Councillor Joan Watkins put the following question to the Cabinet Member for Education and Skills.

Part one

Is there a disparity between funding for schools provided to Councils across Wales from the Welsh government

Response:

All Councils' total funding is made up of (i) a share of the total Revenue Support Grant (RSG) which is determined by Welsh Government (WG) and (ii) Council Tax which is determined locally.

So each Council receives a proportion of the available RSG set out by WG, based on a complex methodology and many different data-sets such as number of pupils by pupil age, number of free school meals and the sparsity of the region. As you can see pupil numbers only form part of the calculation. As no two Local Authorities and no two schools are the same therefore funding will not be the same.

How is the calculation for the process formulated and where does Newport sit on the scale across the whole of Wales?

Response:

The formula based methodology is driven by a needs based assessment which is applied consistently across Wales and utilises, for the schools' element, additional to pupil number data. All Councils are treated equally but use of various datasets point to different 'measured needs' such as pupil ages, sparsity, number of free school meals. Therefore the needs between Councils differ and therefore funding support.

The WG RSG distribution process is based on measuring a Council's 'need to spend' driven by 52 relevant data-sets across 15 service blocks, with school's being one. These are applied against the funding available and provides the distribution to each Council. The process, including the data-sets used are reviewed regularly by Welsh Government and Local Government officials and data is updated annually.

The funding that is passported onto service areas (including schools) is a local decision for Council based on their own spending priorities, including specifically, the availability of funding coming from their own decisions on council tax.

Part two:

If so how much per pupil does Newport receive as opposed to other cities like Cardiff, Swansea and Wrexham?

Response:

Each Local Authority sets a school funding formula which must be based around a prescribe range of factors set by WG including funding for energy costs and the number of pupils within a school. This funding is agreed by the local authorities Schools Forum comprised of Head teachers, Governors and School Business Managers

If disparity exists what is this Council doing about it?

Response:

The data used for the funding formula is ambiguous and does not give a clear explanation of how the total schools budget is delegated for specific issues, for example to pupils with Special Educational Needs. If we were to consider the total school budgets given per local Authority you will note that Newport provided approximately £114 million pounds to its 57 schools in 2019/20, including £4068 per pupil but, nonetheless, was ranked in 21st place across Wales. In comparison another local authority which has 100 schools provided £163 million. Proportionately, that demonstrates that Newport is providing more to its schools despite another local authority being ranked higher for pupil funding. As previously mentioned, the data is ambiguous!

Cabinet provided an additional £10 million of funding to schools in this financial year. All school pressures were met for 1920/21 including pay awards, pension and the cost of new and growing schools.

Individual Head teachers and Governing Bodies are responsible for the management of a school budget. Additional support is being provided to Newport schools in a deficit position. A range of work has been undertaken to ensure that schools are using their finances in the best way possible and maximises teaching and learning. This has included curriculum reviews, benchmark comparisons of sickness levels and staffing and the impact of the Pupil Deprivation Grant.

Over the last year there have been a number of schools which have improved their forecast in- year financial position due to this support; Caerleon Comprehensive and Newport High School are two good examples.

It is important to note that only one local authority in Wales had no schools in a deficit position at the end of March 2020. One local authority had 52 schools in a deficit position. This is quite a contrast to Newport's which has 13 schools in deficit and is working with great strides to return to balanced budgets.

Despite the severe financial situation as a result of years of austerity measures by the UK Government, we will continue to provide all possible support to all our schools, teachers, pupils and governing bodies

11. **Questions to the Chairs of Committees**

12. **Part 2 Exempt or Confidential Items**

It was moved and duly seconded that the Council should resolve to exclude the press and public before consideration of the next item

Resolved:

To exclude the Press and Public during consideration of the following item on the grounds that it will involve the likely disclosure of exempt or confidential information as defined in schedule 12A of the Local Government Act 1972 and exclusion outweighs the public interest in disclosure.

13. **Council Representation on the Board of Newport Transport**

The Chief Executive outlined the report and letter attached as an appendix, written by the Company Secretary on behalf of the Board of Newport Transport to the Chief Executive requesting that a Councillor Director be removed from the Board, following an independent internal investigation.

The Leader Moved option 1 of the report, that the member concerned be removed and replaced. The Leader then proceeded to explain that this was a serious matter as the Board

had lost trust and confidence in the member concerned and, therefore, it was no longer appropriate for the Councillor to represent the Council, as shareholder, on the Board. Councillor Lacey seconded the motion.

The Monitoring Officer advised that it was not open to the Council to review the internal investigation carried out by the Board or their decision that the Councillor concerned had breached his duties to the Company. That was entirely a matter for the Company. The Council had to consider, as shareholder, whether the member concerned should continue to represent the authority on the Board.

After lengthy discussion by all parties on the matter, Cllr Mayer moved a closure motion in accordance with Standing Order 6.12. The closure motion was seconded and put to the vote without further debate. A recorded vote was requested by more than 5 members in accordance with Standing Order 7.4. A roll-call was therefore undertaken by the Monitoring Officer which showed the following: 25 members were For the closure of motion, 11 were Against and there were five Abstentions.

Councillor Name		For	Against	Abstain
Al-Nuaimi, Miqdad				1
Berry, Graham		1		
Clarke, James	Absent			
Cleverly, Jan				1
Cockeram, Paul		1		
Cornelious, Margaret	Absent			
Critchley, Ken	Absent			
Davies, Deb		1		
Dudley, Val			1	
Evans, Chris		1		
Evans, Matthew			1	
Ferris, Charles			1	
Forsey, Yvonne		1		
Fouweather, David			1	
Giles, Gail		1		
Guy, John		1		
Harvey, Debbie	Absent			
Hayat, Ibrahim		1		
Hayat, Rehmaan		1		
Holyoake, Tracey	Absent			
Hourahine, Phil		1		
Hughes, Jason		1		
Jeavons, Roger		1		
Jenkins, Christine	Disqualified			
Jordan, Jason				1
Kellaway, Martyn			1	
Lacey, Laura		1		
Linton, Malcolm		1		
Marshall, Stephen		1		
Mayer, David		1		
Mogford, Ray			1	
Morris, Allan	Absent			
Mudd, Jane		1		

Rahman, Majid		1		
Richards, John		1		
Routley, William	Absent			
Spencer, Mark	Absent			
Suller, Tom			1	
Thomas, Herbie		1		
Thomas, Kate		1		
Townsend, Carmel			1	
Townsend, Holly				1
Truman, Ray		1		
Watkins, Joan			1	
Watkins, Trevor		1		
Whitcutt, Mark		1		
White, Richard			1	
Whitehead, Kevin				1
Wilcox, Debbie		1		
Williams, David			1	
		25	11	5

The closure motion was duly carried and members of the Council proceeded to vote on the substantive motion. A further recorded vote was requested by more than 5 members in accordance with Standing Order 7.4

The Monitoring Officer therefore proceeded with a second roll-call to take a decision on the substantive motion to remove the Councillor as a Director of Newport Transport Company.

Councillor Name		For	Against	Abstain
Al-Nuaimi, Miqdad		1		
Berry, Graham		1		
Clarke, James	Absent			
Cleverly, Jan				1
Cockeram, Paul		1		
Cornelious, Margaret	Absent			
Critchley, Ken	Absent			
Davies, Deb		1		
Dudley, Val			1	
Evans, Chris				1
Evans, Matthew			1	
Ferris, Charles			1	
Forsey, Yvonne		1		
Fouweather, David			1	
Giles, Gail		1		
Guy, John		1		
Harvey, Debbie	Absent			
Hayat, Ibrahim		1		
Hayat, Rehmaan				
Holyoake, Tracey	Absent			
Hourahine, Phil		1		

Hughes, Jason		1		
Jeavons, Roger		1		
Jenkins, Christine	Disqualified			
Jordan, Jason				1
Kellaway, Martyn			1	
Lacey, Laura		1		
Linton, Malcolm		1		
Marshall, Stephen		1		
Mayer, David		1		
Mogford, Ray			1	
Morris, Allan	Absent			
Mudd, Jane		1		
Rahman, Majid		1		
Richards, John		1		
Routley, William	Absent			
Spencer, Mark	Absent			
Suller, Tom			1	
Thomas, Herbie		1		
Thomas, Kate		1		
Townsend, Carmel				1
Townsend, Holly			1	
Truman, Ray		1		
Watkins, Joan			1	
Watkins, Trevor		1		
Whitcutt, Mark		1		
White, Richard			1	
Whitehead, Kevin				1
Wilcox, Debbie		1		
Williams, David			1	
		24	11	5

The roll call showed that the majority of 24 members were For the first option, with 11 Against and five Abstentions.

Resolved:

That the member concerned be removed as Council-appointed Director of Newport Transport Limited and replaced by another Council representative.

14. Date of Next Meeting: 26 January 2021