MINUTES of a MEETING of the PEMBROKESHIRE COUNTY COUNCIL held in the COUNCIL CHAMBER, COUNTY HALL, HAVERFORDWEST on THURSDAY, 9 MAY 2019 at 10.00a.m.

Present:

Councillors Aden Brinn (Chairman), Dr Simon Hancock (Vice-Chairman), David Simpson (Leader), Jamie Adams, Phil Baker, Tony Baron, Michelle Bateman, Paul Harries, Joshua Beynon, Rod Bowen, David Bryan, Aaron Carey, Mark Carter, Di Clements, John Cole, John Davies, Pat Davies, Vic Dennis, Kevin Doolin, Paul Dowson, Michael Evans, Tim Evans, Lyndon Frayling, Huw George, Brian Hall, Jon Harvey, Tessa Hodgson, David Howlett, Stanley Hudson, Michael James, Mike John, Stephen Joseph, Phil Kidney, Bob Kilmister, Samuel Kurtz, Pearl Llewellyn, David Lloyd, Paul Miller, Peter Morgan, Elwyn Morse, Reg Owens, Myles Pepper, Jon Preston, Neil Prior, David Pugh, Paul Rapi, Rhys Sinnett, Michael Stoddart, Viv Stoddart, Cris Tomos, Alison Tudor, Thomas Tudor, Tony Wilcox, Jacob Williams, Guy Woodham and Steve Yelland.

Apologies for Absence:

Apologies for absence were received from Councillors Margot Bateman, Ken Rowlands, Rob Summons and Michael Williams.

Officers in attendance:

Mr I Westley, Chief Executive
Ms K Evan-Hughes, Director for Children and Schools
Mr J Griffiths, Director of Social Services and Housing
Mr J Haswell, Director of Resources
Dr S P Jones, Director of Community Services
Mr C Davies, Head of Human Resources
Mrs C Incledon, Head of Legal and Democratic Services
Miss C Jones, Monitoring Officer
Mrs S Sanders, Committee Services Manager
Miss L Evans, Committee Clerk

In attendance for part of the meeting:

Mr H Jones, Planning Places and Admissions Manager
Mrs S Morris, Development Places and Conservation Manager
Mr D Popplewell, Interim Head of Planning
Mrs C Evans, Employee Relations Manager

119. Chairman’s Announcements/Personal Matters

In welcoming everyone to the meeting, the Chairman made the following announcements:

Former Members of Pembrokeshire County Council – The Chairman announced that two former Members had recently passed away. Firstly, Mr Norman Parry who had represented Carew from 1995 until 2004; and, secondly, Mr Williams Rees who had been a Member on the Pembrokeshire Shadow Authority from 1995 to 1996. Both Members had served on the South Pembrokeshire District Council.
Council: 09.05.2019

Council then stood for a minute’s silence in their memory.

Ysgol Cae’r Elen – The Chairman reported that in March he had welcomed Education Minister, Kirsty Williams AM, to officially open the new Welsh-medium school for three to 16-year-olds in Haverfordwest. The £28 million school represented the first ever investment in Welsh language secondary education in that particular part of Pembrokeshire. He stated that the school was the latest addition to the growing portfolio of new schools funded jointly with the Welsh Government under the 21st Century Schools and Education Programme. Council was advised that the school had recently been shortlisted for Project of the Year (Schools) at this year’s Education Building Wales Awards in June.

Professional Teaching Awards Cymru – The Chairman announced that two teachers and one school had been named as finalists for the prestigious event to be held later this month in Flintshire. Mary Immaculate’s Robert Aldridge would be up against two others for the Teacher of the Year award while the Council’s Catrin Phillips had been shortlisted in the Inspirational use of the Welsh Language category. Pembroke Dock’s Community School had been nominated for Promoting Wellbeing, Inclusion and relations with the Community.

Adult Social Care Team – The Chairman stated that the Team had been shortlisted for a national award being one of eight local authorities from England and Wales competing for the Best Council Services Team title in the 2019 Municipal Journal Achievement Awards. The nomination was in respect of an ambitious project to insource a private care service. The Chairman acknowledged that it was a fantastic recognition for the hard work that many teams across the Authority had undertaken on this project and a great example of collaborative working. The result would be announced in June.

Mr Malcolm Hayes – The Chairman announced that Mr Hayes, an Environmental Services Operator with the Authority since 2007, had been presented with a Civic Award by Pembroke Town Council for his services to the community. The Chairman also extended his congratulations to Mr Hayes.

Saundersfoot New Year’s Day Swim – The Chairman concluded his Announcements by advising that he had raised £170 for the Pembrokeshire-based charity, the DPJ Foundation, which supported those in the rural community with mental health issues. The Chairman announced that he would be participating in the forthcoming 10k run in Cardiff to raise further money for the charity. He thanked all those who had supported him in his fund raising.

120. Declarations of Interest

The following declarations of interest were made:

Agenda Item No. 5 - Notice of Motion relating to Commercial Property Grant Scheme in Pembroke Dock

Councillor Michelle Bateman declared a personal and prejudicial interest by virtue of a close family member having worked in the Professional Standards
Division at the time of the original complaint and currently being employed in a senior role in Dyfed Powys Police.

**Agenda Item No. 6 - Notice of Motion relating to the Professional Standards Division of Dyfed Powys Police**

Councillor Michelle Bateman declared a personal and prejudicial interest by virtue of a close family member having worked in the Professional Standards Division at the time of the original complaint and currently being employed in a senior role in Dyfed Powys Police.

Councillor John Davies declared a personal and prejudicial interest by virtue of a close family member being a Police Officer for Dyfed Powys Police.

**Agenda Item No. 7 - Review of Education Provision in the Preseli Cluster of Schools**

Councillor John Davies declared a personal interest by virtue of being a Governor of Ysgol y Preseli and Ysgol Cilgerran appointed by the Authority.

Councillor Huw George declared a personal interest by virtue of being a Governor of Ysgol y Preseli and Ysgol Brynconin appointed by the Authority. A declaration of interest was also raised by virtue of a close family member being employed as an exam invigilator at Ysgol y Preseli.

Councillor Rod Bowen declared an interest by virtue of being a Governor of Ysgol Clydau.

Councillor Michael James declared an interest by virtue of being a Governor of Ysgol Llandudoch and Ysgol y Frenni.

Councillor Paul Harries declared a personal interest by virtue of being a Governor of Ysgol Bro Ingli appointed by the Authority.

Councillor Paul Rapi declared a personal and prejudicial interest by virtue of his children attending Ysgol Hafan y Mor; and a personal interest by virtue of being the Vice-Chairman of the Governing Body.

Councillor Cris Tomos declared an interest by virtue of being a Governor at Ysgol y Preseli and Ysgol Eglwyswrw; and one of his children attending Ysgol y Preseli.

Councillor Elwyn Morse declared a personal interest by virtue of being a Governor of Narberth Community Primary School appointed by the Authority.

Councillor Jonathan Preston declared a personal interest by virtue of being a Governor of Ysgol Hafan y Mor.

**Agenda Item No. 8 - ALN Provision at Milford Haven School**
Councilor Guy Woodham declared a personal interest by virtue of being a Governor and Chairman of Milford Haven Community Primary School appointed by the Authority which was a feeder school for Milford Haven School.

Councillors Rhys Sinnett and Reg Owens each declared a personal interest by virtue of being a Governor of Milford Haven School appointed by the Authority.

Councillor Dr Simon Hancock declared a personal interest by virtue of being a member of the Pembrokeshire Learning Centre at Neyland appointed by the Authority.

Councillor Tessa Hodgson declared an interest by virtue of being a member of the Management Committee of Pembrokeshire Learning Centre at Neyland appointed by the Authority.

**Agenda Item No. 9 - Pembrokeshire Local Development Plan 2 (2017-2033) - Feedback from Pre-deposit Consultation**

Councillor Myles Pepper declared a personal and prejudicial interest by virtue of a father and son whom he knew personally had put forward a candidate site under the Local Development Plan.

**Agenda Item No. 12 - Development Management Policy Issue: Planning Application 17/0879/PA - Change of use of Land, 30 Touring Units to be replaced by 30 Static Units and Ecological Enhancement - Trefalun Caravan Park, Devonshire Drive, Tenby**

Councillor Steve Yelland declared a personal and prejudicial interest by virtue of knowing the owner and visiting the camp site on a regular basis.

**Agenda Item No. 13 – Members Remuneration 2019-20**

Councillor Dr Simon Hancock declared a personal interest by virtue of being the incoming Chairman.

121. **Minutes of Previous Meeting**

Council considered the Minutes of the Meeting held on 21 February 2019 for approval as a correct record.

Moved by Councillor Aden Brinn; Seconded by Councillor Brian Hall

**RESOLVED**

That the Minutes of the Meeting held on 21 February 2019 be approved as a correct record.

122. **Notice of Motion relating to Commercial Property Grant Scheme in Pembroke Dock**
[Having previously declared a personal and prejudicial interest in this item of business, Councillor Michelle Bateman withdrew from the Chamber during consideration of this item of business.]

Council considered a report by the Head of Legal and Democratic Services on the recommendation of the Corporate Overview and Scrutiny Committee arising out of a Notice of Motion submitted by Councillor Michael Stoddart in the following terms:

**At its meeting on March 8 2018 council resolved to make a complaint to the Independent Office of Police Conduct (IOPC) regarding the long delay in concluding the police investigation into irregularities in the Commercial Property Grant Scheme in Pembroke Dock.**

**At the time of that meeting, it was almost four years since the council handed a detailed dossier to Dyfed Powys Police (8 April 2014).**

**Since then almost a year has elapsed without any discernible progress, and this council resolves to make a further complaint regarding this unacceptable delay.**

The report considered by the Committee on 21 March 2019 was appended to the report.

The Committee’s decision was to recommend to Council that the Notice of Motion be adopted.

Councillor Brian Hall, Chairman of the Corporate Overview and Scrutiny Committee, introduced the report and he pointed out that although Members considered that the Notice of Motion should have been considered by the Partnerships Overview and Scrutiny Committee or the Audit Committee, following a brief discussion the Committee had supported the Notice of Motion. He also drew Council’s attention to an error in the report to Council which stated that the Notice of Motion had been considered by the Partnerships Overview and Scrutiny Committee rather than Corporate Overview and Scrutiny Committee.

Councillor Hall then Moved the Recommendation that the Notice of Motion be adopted; Seconded by Councillor Michael Stoddart.

**RESOLVED**

That the Notice of Motion be adopted.

123. **Notice of Motion relating to the Professional Standards Division of Dyfed Powys Police**

[Having previously declared a personal and prejudicial interest, Councillors Michelle Bateman and John Davies withdrew from the meeting for this item of business.]

Council considered a report by the Head of Legal and Democratic Services on the recommendation of the Corporate Overview and Scrutiny Committee arising
out of a Notice of Motion submitted by Councillor Michael Stoddart in the following terms:

*In a letter dated 2 May 2018 – but e-mailed to the Council on 10 May 2018 – DPP dismissed the Council’s complaint relying heavily on a letter written by Detective Inspector Cameron Richie (DICR) on 12 March 2018 in response to a complaint dated 22 February 2018 by the, then, Audit Committee Chairman, Cllr Tony Baron.*

On 15 May 2018 Cllr Baron, who was unaware of DPP’s rejection letter dated 10 May 2018, wrote to DPP pointing out material inaccuracies in DICR’s letter of 12 March 2018.

*These inaccuracies were acknowledged in Detective Chief Superintendent Shane Williams’ letter to Cllr Baron in June 2018.*

This Council resolves to complain to the IOPC that its initial complaint dated 10 April 2018 was not properly resolved by Dyfed Powys Police Professional Standards Division in that its rejection of the complaint relied heavily on DI Cameron Ritchie’s inaccurate letter. And that, once it had been accepted by DPP that DICR’s letter contained serious inaccuracies, the Professional Standards Division had a duty to review its rejection decision and failed to do so.

The report considered by the Committee on 21 March 2019 was appended to the report to Council.

The Committee’s decision was to recommend to Council that the Notice of Motion be adopted.

Councillor Brian Hall, Chairman of the Corporate Overview and Scrutiny Committee, introduced the report and he pointed out that the Committee had dealt with this Notice of Motion in the same way as the previous item.

Councillor Hall then Moved the Recommendation that the Notice of Motion be adopted; Seconded by Councillor Michael Stoddart.

**RESOLVED**

That the Notice of Motion be adopted.

124. **Review of Education Provision in the Preseli Cluster of Schools**

Council considered a report by the Director for Children and Schools on proposals to review education provision in the Preseli area.

Councillor David Lloyd, the relevant Cabinet Member, presented the report and he stated that in view of the significant ongoing changes to Welsh medium provision in Pembrokeshire, the report sought approval to undertake a review of education in the Preseli cluster of schools, particularly Ysgol y Preseli and its feeder schools. Subject to approval, Councillor Lloyd stated that it was envisaged that engagement meetings with school stakeholders would take place...
in June and July and a report submitted to Council for consideration in the Autumn.

Moved by Councillor David Lloyd; Seconded by Councillor John Davies

RESOLVED

That commencement of preliminary engagement on education provision in Ysgol y Preseli and all its feeder schools be approved.

125. ALN Provision at Milford Haven School

[Councillor Michael John declared an interest during the discussion on this item of business by virtue of being a Governor of Haverfordwest High School, appointed by the Authority.]

Council considered a report by the Director for Children and Schools which sought approval to undertake statutory consultation on establishing a Learning Resource Centre (LRC) at Milford Haven School.

Councillor David Lloyd, the relevant Cabinet Member, presented the report and he stated that the facility would provide classroom based provision within the mainstream school for pupils with complex needs and would provide a highly differentiated broad and balanced curriculum to support learners to achieve their full potential. He stated that such a provision already existed in Fishguard and Pembroke but there was no permanent provision in the Mid County area.

Council was advised that the introduction of such provision constituted a regulated alteration within the context of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code and that, subject to approval by Council, the necessary statutory process would need to be followed.

Councillor Lloyd then Moved the Recommendation to authorise the statutory consultation to be undertaken; Seconded by Councillor Stanley Hudson.

Members then took the opportunity to discuss the proposals and the key points were noted as follows:

- Support was expressed for the consultation; however, disappointment was expressed with the level of detail provided in the report in relation to the impact that the proposal to consult on an LRC would have on the refurbishment of Milford Haven Secondary School. It was pointed out that some local Members had been provided with information that had not been made available to all Members and had not been outlined in the report to enable an informed decision to be made.
- Concerns were expressed that the delay would lead to an escalation of costs for the project which would impact on the budget for refurbishing Milford Haven School.
- Members’ attention was drawn to the point that local Members had been assured in February that good progress was being made and clarification
was now sought on what had occurred since then to bring the issue of the LRC to light.

- Assurance was sought that the concerns raised would be addressed. In response, the Cabinet Member advised that the consultation would involve a delay to the refurbishment of Milford Haven School. Council was advised that the funding for the LRC had not been included in the £23m refurbishment fund and that it was intended that Cabinet would lobby Welsh Government for the funding to be raised separately.

- In terms of why the matter of the LRC had been delayed, the Cabinet Member stated that the 21st Century Programme was the second largest in Wales and as such had issues and the LRC appeared to be one of those projects that had suffered under the process. However, he stated that the timeline for the decision of the siting of the LRC was not in his possession and would need to await the return of the Director for Children and Schools for an answer. Concerns were expressed that Members were not provided with an explanation for the delay.

- Reference was made to the need for parity of educational investment between Haverfordwest and Milford Haven and it was suggested that the funding for the LRC had been allocated to the Haverfordwest High School project for the delivery of that provision and as such was now lost.

- Consequently, it was suggested that the funding should be transferred from the Haverfordwest High School Budget for the LRC at Milford Haven School and that the Schools and Learning Overview and Scrutiny Committee be requested to look into the matter. There was general support for this; however, caution was expressed in terms of any potential delay to Haverfordwest High School by supporting the review. In response, it was pointed out that the consultation and review would need to occur simultaneously.

- Clarification was sought on whether the cost of the LRC could be bolted on to the main project cost to avoid any delay.

- Reference was also made to the sixth form numbers in Milford Haven School which Welsh Government had queried and the fact that no mention had been made in the report. The Cabinet Member responded that he acknowledged sixth form numbers had decreased at the school; however, he gave an undertaking that he and his Cabinet colleagues would support the retention of sixth form provision and he expressed his confidence that the school would experience a transformation within three years.

- In response to a point made that Milford Haven had received a poor deal in comparison to Haverfordwest, the Cabinet Member gave assurance that was not the case on the basis that Milford Haven School was structurally sound and that substantial amounts of the building could be refurbished and he further assured Council that there would be no reduction in standards.

Councillor Jamie Adams Moved an Amendment to the effect of approving the Recommendation and that the Learning Resource Centre provision at Milford Haven School and associated matters be referred to the Schools and Learning Overview and Scrutiny Committee for further consideration; Seconded by Councillor John Davies.
For clarity, Councillor Alison Tudor requested that the words ‘complex learning needs’ be added to the Recommendation and this was accepted.

The Amendment with the additional wording as above was put to the vote and carried.

To avoid any further delay or inflationary costs that could impact on the main refurbishment project, a further Amendment to the effect that Cabinet explore the possibility of the Learning Resource Centre being treated as a separate project to the main school project was Moved by Councillor Michael Stoddart; Seconded by Councillor Rhys Sinnett. On a point of clarification, it was pointed out that the intention would be for the Centre to be sited on the footprint of Milford Haven School.

The further Amendment was put to the vote and carried.

The Substantive Motion was then put to the vote and carried.

**RESOLVED**

(a) That the Director for Children and Schools be authorised to undertake statutory consultation on establishing a Learning Resource Centre for pupils with Complex Learning Needs and Autistic Spectrum Condition at Milford Haven School.

(b) That the Learning Resource Centre provision at Milford Haven School and associated matters be referred to the Schools and Learning Overview and Scrutiny Committee for further consideration.

(c) That Cabinet explore the possibility of the Learning Resource Centre being treated as a separate project to the main school project.

126. **Pembrokeshire Local Development Plan 2 (2017-2033) - Feedback from Pre-deposit Consultation**

[Councillor Myles Pepper reiterated his personal and prejudicial interest in this item of business and he withdrew from the Chamber during consideration thereof.]

Council considered a report by the Director of Community Services on the outcome of feedback on the Pembrokeshire Local Development Plan 2 and endorsement for the recommended approaches to developing the Full Deposit Plan.

Councillor Phil Baker, the relevant Cabinet Member, introduced the report and he stated that Plan set out the framework for determining planning applications and directing growth in Pembrokeshire and would shape planning and development in Pembrokeshire for the next 15 years. He advised Council that the public
consultation had been wide ranging and a total of 126 organisations and individuals had responded, raising over 200 comments (representations).

The key challenges received to the Preferred Strategy were identified in the report, together with recommended approaches. Council noted that full versions of responses received, together with a track changes version of the Preferred Strategy were included in the Appendices of the report. Councillor Baker highlighted the main issues as outlined in the report.

Members were advised that the Deposit Plan would include a full list of detailed policies and all settlement boundaries and allocations which would be considered by Full Council in December this year and a Members’ Seminars to discuss progress would be held in the Autumn.

Members took the opportunity to raise the following key points on the report:

- Clarification was sought on the mechanism for arriving at the projected housing levels of 425 per annum. It was argued that the information was flawed as it was based on historical information.
- It was considered that the projected increase of 6,800 new dwellings was substantial for Pembrokeshire and it was suggested that officers be asked to revisit the matter. In response, the Cabinet Member advised that discussions were taking place with Welsh Government and that the matter could be looked at again in December when the final plan was considered.
- Council was advised that the population projections for Pembrokeshire included the National Park Authority area and it was pointed out that the projections for the Authority’s planning area was expected to grow until 2033. Consequently, the 425 housing allocation per annum provided an 11% growth in line with household projections.
- It was noted that revised population predictions were expected in July and that figures might need to be revised based on those assumptions.
- There was general support for the 60:40 urban/rural split and it was noted that the National Park Authority also supported the strategy. Council noted that evidence was being gathered to support the proposal.
- Reference was made to the importance of key sites being progressed and deliverable.
- Clarification was sought on consultation on Welsh language provision and the importance of assessing the impact of the language on communities. Assurance was given that the Authority consulted with the Education Service regarding development sites and that existing education and language provision was taken into consideration.
- Concerns were raised regarding one planet developments and the importance of parity of monitoring for all projects was raised.
- In terms of small site deliverability, Council was advised that a target for this was included in the plan as well as identifying which sites were required to support self-build. The Cabinet Member pointed out that the Programme for Administration contained an ambitious building programme for housing and schools which would support local construction companies. On a point of clarification on whether the Authority had a self-build register, Members were advised that Housing Officers were responsible for maintaining such a register.
The importance of house building to sustaining economic activity was highlighted especially in rural areas. Support was expressed for the level of growth identified in the plan.

Moved by Councillor Phil Baker; Seconded by Councillor Brian Hall

RESOLVED

That the recommended approaches by officers in response to the Pre-Deposit consultation, as identified in the report and its appendices, be endorsed.

127. Revised Overview and Scrutiny Model

Council considered a report by the Director of Community Services on proposals to introduce a revised Overview and Scrutiny Committee model.

Councillor Paul Rapi, Chairman of the Democratic Services Committee, presented the report and he stated that a Scrutiny Working Group had been established to undertake the detailed exploratory work to support the changes to the model, and in particular to produce new or amended Terms of Reference for each Committee as appropriate.

Council was advised that the Democratic Services Committee had considered the report from the Scrutiny Working Group and draft Terms of Reference at its meeting on 12 April 2019. The Committee had agreed a number of amendments to the Terms of Reference proposed by the Working Group, mainly in the interests of greater clarity and accuracy, as set out in the report. Councillor Rapi stated that the main discussion point involved removing the word “Health” from the title of the Social Care Overview and Scrutiny Committee and the Democratic Services Committee had supported the point given that the Council had no authority to scrutinise Health services.

The Democratic Services Committee’s decision was to recommend to Council that the Terms of Reference as set out in Appendix 1 of the report be adopted, and that the revised scrutiny model come into effect from this date.

Councillor Rapi Moved the Recommendation as set out in the report; Seconded by Councillor David Bryan.

Councillor Viv Stoddart proposed an Amendment to the effect that the addition of Whistleblowing be added to the remit and scope of the Corporate Overview and Scrutiny Committee to send the message that the Council took its responsibilities seriously; Seconded by Councillor Jacob Williams.

Councillor Williams then proposed that the revised model be reviewed in twelve months’ time.

Council agreed to deal with the two Amendments separately.

The first Amendment was put to the vote and carried.
On a point of clarification regarding the second Amendment, the Director of Community Services explained the context for the review and he pointed out that the review of Overview and Scrutiny Committees had been on-going for three years and the model now before Council concluded that process. Council was advised that the biggest concern with the former structure had been in relation to scrutiny of education and social care which related to 70% of the Council’s budget and the scrutiny of the Pembrokeshire Services Board; and the review had now addressed those concerns. Assurance was given that the Democratic Services Committee would be responsible for monitoring the structure annually. On that basis Councillor Williams withdrew his Amendment.

The Substantive Motion was then put to the vote and carried.

RESOLVED

That the Terms of Reference for Overview and Scrutiny Committees, as set out at Appendix 1, be approved as the basis for a revised Overview and Scrutiny model with effect from May 2019, subject to the addition of Whistleblowing to the remit and scope of the Corporate Overview and Scrutiny Committee.

128. Development Management Policy Issue: Planning Application 18/0287/PA - relocation of 12 existing static caravans and 20 additional static caravans and associated infrastructure (in retrospect) as an amended scheme to that granted planning permission by Application No. 14/0521/PA at New Minerton Leisure Park, St Florence, Tenby

Council considered a report by the Director of Community Services on a development management policy issue relating to a proposal for the relocation of 12 existing static caravans and 20 additional static caravans and associated infrastructure at New Minerton Leisure Park, St Florence, Tenby.

Councillor David Howlett, Chairman of the Planning Committee, introduced the report and he advised that the application was considered to be a departure from the policy set out in the Local Development Plan; and, accordingly, the final decision was a matter for Council. He reported that the Planning Committee of 6 November 2018 had resolved to defer the consideration of the planning application, following negotiations with the applicant with a view to reaching a financial contribution to off-site highway infrastructure. Council was advised that this had now been agreed with a joint contribution of up to £25,000 agreed from both this application and the Trefalun caravan site application (the next item of business).

Council noted that the financial contribution would deliver pedestrian refuge facilities along Devonshire Drive and a pedestrian refuge island on the B4318 and that the joint offer was considered to be acceptable.

Councillor Howlett then Moved the Recommendation; Seconded by Councillor Peter Morgan.
Concern was raised in regard to the term ‘up to £25,000’ and it was suggested that the sum should be more specific. In response, the Acting Head of Planning advised that the scheme required had been costed by the Highways Officer at that value. He further stated that the works would be itemised in the legal agreements between the operator and the Authority and it was pointed out that a specific sum was preferred as it would avoid confusion and that any remaining money would be refunded if the scheme was provided at a lesser cost.

Local Members expressed their support for the proposal.

RESOLVED

That the resolution of the Planning Committee be endorsed, subject to the conditions outlined in the report and a Section 106 legal agreement securing a financial sum towards the provision of transport mitigation works in the amount of up to £25,000.

129. Development Management Policy Issue: Planning Application 17/0879/PA - Change of use of Land, 30 Touring Units to be replaced by 30 Static Units and Ecological Enhancement - Trefalun Caravan Park, Devonshire Drive, Tenby

Council considered a report by the Director of Community Services relating to a development management policy issue relating to Application No. 17/0879/PA at Trefalun Caravan Park, Devonshire Drive, Tenby for the change of use of land, 30 touring units to be replaced by 30 static units and ecological enhancement.

As Chairman of the Planning Committee, Councillor David Howlett, introduced the report and he pointed out that the application had been previously considered at the Council meeting of 10 May 2018 where Members had resolved to endorse the Planning Committee’s resolution in relation to the application, subject to a number of planning conditions and a section 106 legal agreement towards transport mitigation measures.

Council was advised that an agreement had now been reached with a joint contribution of up to £25,000 from both this application and the New Minerton caravan site application. The financial contribution would deliver pedestrian refuge facilities along Devonshire Drive and a pedestrian refuge island on the B4318. It was noted that the joint offer was considered to be acceptable.

Councillor Howlett then Moved the Recommendation; Seconded by Councillor Peter Morgan.

The local Member expressed his support for the application.

RESOLVED

That the applicant’s offer be accepted.

130. Members Remuneration 2019-20
[Having previously declared an interest in this item of business, Councillor Dr Simon Hancock withdrew from the meeting.]

Council considered a report by the Head of Legal and Democratic Services which outlined the determinations from the Annual Report of the Independent Remuneration Panel for Wales (IRPW).

The Leader of Council presented the report and he stated that the IRPW’s report had been circulated to Members in draft and also in final format, and reported to the Democratic Services Committee.

In relation to each Elected Member’s basic salary, the Leader stated that as of 1 April 2019 there would be an increase of £268, which increased all basic salaries to £13,868 for the 2019-20 financial year; and that Cabinet Members would receive an increase of £800 inclusive of the basic salary increase. The Leader explained that the salaries were set by the IRPW and as such were matters on which Council had no discretion.

However, the Leader stated that Council was being asked to endorse the retention of civic salaries at the level determined by the IRPW, namely £22,568 for the Chairman and £17,568 for the Vice-Chairman of Council for 2019-20; and to decide on the maximum number of days in any one year for which co-opted members may be paid.

The Leader then Moved the Recommendation; Seconded by Councillor Phil Baker.

Some concern was expressed in regard to the increase in allowance at a time of austerity but accepting that the levels had been set by an independent body.

RESOLVED

(a) That the Chairman and Vice-Chairman’s civic salaries be set at £22,568 and £17,568 respectively for the 2019-20 municipal year.

(b) That Co-opted Members be limited to a maximum of ten full days for the 2019-20 Municipal Year for each Committee to which an individual is co-opted.

131. Appointment of Community Council Representative on Standards Committee

[Councillors Thomas Tudor and Tony Wilcox each declared a prejudicial interest in this item of business by virtue of knowing the nominee, Community Councillor David Edwards, and withdrew from the Chamber.]

Council considered a report by the Monitoring Officer on a recommendation from the Appointments Panel.

The Leader of Council presented the report and he stated that the Appointments Panel had met on 30 April 2019 to interview applicants for the vacant Community
Councillor seat on the Standards Committee and following the process the Panel had unanimously resolved to recommend the appointment of Community Councillor David Edwards to the post.

The Leader then Moved the Recommendation; Seconded by Councillor Phil Baker.

Members of Council then took the opportunity to consider the report and the following points were noted:

- Clarification was sought on the make-up of the Panel, the advice given to the Panel in regard to declaring interests and the details of any interests declared. In response, the Monitoring Officer apprised Council of the membership of the Panel; and in terms of the advice given, she stated that standard advice had been given both in writing and orally with regard to close personal associates as well as any specific advice requested. She further stated that it was a matter for Members to consider any relationships and to act in accordance with their conscience when declaring interests and she pointed out that Members were accountable for their decisions. Furthermore, Council was advised that no interests had been declared at the Panel meeting.

- Council was reminded that the Panel had been appointed by the full Council and it was pointed out by a Member of the Panel that the nominee had been the strongest candidate.

- Concerns were expressed in relation to perceived interests between Members on the Panel and the nominee; and it was suggested that those concerns called into question the legitimacy of the process. Those perceived relationships were refuted. Members were advised that if there were concerns then it was a matter for those Members to refer them to the Ombudsman for investigation.

RESOLVED

That Community Councillor David Edwards be duly appointed as the Community Council Member to the Standards Committee for the period up until the next ordinary election for community councils.

132. Approval of Severance Payments

Council considered a report by the Chief Executive seeking approval of applications submitted under the Voluntary Severance Scheme.

Councillor Bob Kilmister, the relevant Cabinet Member, introduced the report and he advised that there were three applications which exceeded the threshold for reporting requirements set by the Council and as such needed to be determined by Council.

For clarification, Councillor Kilmister explained that the pension strain element was the actual amount paid into the Dyfed Pension Scheme rather than the amount paid to individuals.
Councillor Kilmister then Moved the Recommendation; Seconded by Councillor Neil Prior.

With regard to the post in the Children and Schools Directorate, reassurance was sought that there was capacity internally to take over the functions of the post holder. In response, the Chief Executive gave assurance that the process and procedures applied under the scheme ensured that continuity of service was maintained in all cases.

**RESOLVED**

That the Severance Payments, as detailed in the report, be approved to support delivery of the Medium Term Financial Plan.

133. **Question submitted by Councillor Reg Owens under Council Procedure Rule 4.10 - Task and Finish Group report on Mik Smith**

Councillor Neil Prior, the relevant Cabinet Member, responded to a question submitted by Councillor Reg Owens prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

*In the recent report prepared by the task and finish group which looked into the Mik Smith affair it states that other youth workers in addition to Susan Thomas expressed concerns about Smith.*

*Can the leader or appropriate cabinet member confirm how these concerns from “other youth workers” were communicated were they in writing or verbally and to whom?*

In response, Councillor Prior stated that the Task and Finish Group had met frequently and had held nine meetings; and had set their own terms of reference and had been assisted by officers throughout their meetings. As a consequence, he stated that the Group had been able to look into matters that they considered needed to be looked into. Subsequently, he stated that Cabinet had received a report and had accepted the findings with a series of recommendations and he stated that he considered that the process had been properly concluded and that it was time the Authority moved on.

Following a request for a fuller answer on how officers had expressed their concerns and how they had been dealt with, Councillor Prior advised that there had been a previous report which the Group had access to and had considered. The detail of the reports produced by Ruth Forrester and Cheryl Beach which specifically discussed concerns raised by ‘other youth workers’ in the service at that time had been dealt with by the Group. Reference to concerns from other youth workers were therefore dealt with as far possible within the scope of the reports and the work of the Task and Finish Group. Councillor Prior stated that the Group had looked into the matter comprehensively and had answered questions according to their terms of reference which had been adopted by Cabinet with a series of recommendations.
In response to a supplementary question on whether he considered the report fell short of what Members expected the outcome to be, Councillor Prior reiterated the point that the Task and Finish Group had set its terms of reference and had invited a number of people and of those some had come forward but nobody could be forced to come forward to be interviewed.

Finally, he stated that Cabinet had received the report and had accepted the recommendations and would act upon them to enable the Authority to move forward.

134. Question submitted by Councillor Di Clements under Council Procedure Rule 4.10 - Consultation on Sporting Events

Councillor Phil Baker, the relevant Cabinet Member, responded to a question submitted by Councillor Di Clements prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

In light of the increased, privately run, cycle and sporting events now taking place on Pembrokeshire roads, does the Cabinet member for infrastructure believe the current process of consultation is robust enough and fit for purpose to take into consideration the paramount importance of safety for both participants and road users and to take into account the needs of existing local businesses and residents that may be affected by such events?

Councillor Baker thanked Councillor Clements for her question and her discussions in regard to the forthcoming event and how it impacted on her community. He stated that consultation was an important element and in the case of events, the organiser for road closure, provided the lead on this. He further stated that it was important therefore that those affected were notified of the proposals as soon as possible in order that any access issues could be raised and addressed. He pointed out that it was for the applicant to demonstrate that consultation had taken place and what arrangements had been put in place. The closure notice issued in the press he stated was not a substitute nor should be seen as a means of providing advance notification to affected businesses and communities.

As the popularity of events in Pembrokeshire had grown, Councillor Baker stated that a number of such consultations had been positive and it was recognised that there were always lessons to be learnt. Organisers had generally carried out a huge amount of engagement, inviting comments and meeting with Community representatives and businesses, to demonstrate to the Council that concerns had been considered and mitigated wherever possible.

However, in terms of lessons learnt, Councillor Baker stated that it was important that the consultation was an engagement process where the community felt their voices were being heard. He pointed out that the Ironman event, as an example, now had a long track record, and over the years a number of adjustments had been made to the event, albeit every year there remained tweaks and adjustments. He pointed out that the forthcoming Long Course Weekend was receiving particular attention at this time as it was the first instance of a full road closure for the cycling element and he referred to the on-going discussions and mitigation measures being considered with businesses and members of the
public. In the case of Long Course Weekend, Councillor Baker stated that a key learning lesson was to review the timing of the event, to ensure it was complementary to other aspects of Pembrokeshire life including tourism, accommodation, food outlets, and the like.

With regard to the process for the road closure and the advertising of the Order, Members were advised that the Authority only needed to state that it had been made, the date it came into effect and closure details in a schedule. The administration process for temporary closure Order was different to permanent Traffic Orders, with the latter involving a formal consultation organised by the Council. In the case of a road closure, the view of the local Councillor was sought in respect of the temporary closure, rather than asking for support and agreement to advertise.

As with any Major Event, Councillor Baker advised that the County Council engaged with the Organiser extensively and hosted a pre-event safety group meeting and a lessons learned meeting afterwards. In terms of whether the consultation could be more robust, Councillor Baker acknowledged that could always be the case for any event; and he stated he would be working with officers to produce an event protocol to assist. He then put on record his thanks to the team for the hard work they put in to those events and he referred to the huge benefit to Pembrokeshire in hosting the events.

In response to a supplementary question on consultations regarding next year’s Tour de Shane Williams event which referenced road closures for the event the following year, Councillor Baker advised that he had not been involved in any consultations on those events. He further stated that the protocol would ensure that those matters were picked up in future and that it was recognised how far in advance arrangements had to be put in place.

135. **Question submitted by Councillor Di Clements under Council Procedure Rule 4.10 - Destination Pembrokeshire - one-stop shop**

Councillor Paul Miller, the relevant Cabinet Member, responded to a question submitted by Councillor Di Clements prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

*Can the relevant Cabinet Member please inform me if this administration has the ambition for the development of a one-stop-shop for ‘Destination Pembrokeshire’ and if so what progress has been made to date to achieve such an ambition?*

In responding Councillor Miller confirmed that the Administration did have the ambition and was working towards creating a single body in Pembrokeshire to deliver a range of tourism functions, including tourism strategy, advocacy, Destination Marketing etc.

He stated that the Destination Pembrokeshire Partnership had recently been successful in an application for European LEADER funding to enable it to commission specialists to undertake that feasibility study and business plan to support that model. He stated that there had been similar aspirations back in 2015 and he referred to a number of issues that had clouded the process in his view which he stated no longer applied; and as such it was very much the
intention to engage proactively with those appointed consultants to develop that business plan. Personally, he stated that was what he wanted to see delivered but recognised that there were other partners involved, namely the National Park Authority and the trade. He referred to the need to consider carefully the business plan to understand exactly how it would work. He stated that there was an ambition and at present it was intended to proceed on that basis.

In response to a supplementary question on the importance of making progress with the plan, Councillor Miller gave assurance that he supported the need to make progress and to get a detailed plan together to enable progress.

136. **Question submitted by Councillor Di Clements under Council Procedure Rule 4.10 - Advice and guidance on reporting Safeguarding concerns**

Councillor Tessa Hodgson, the relevant Cabinet Member, responded to a question submitted by Councillor Di Clements prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

*Does the relevant cabinet member believe that there is currently satisfactory, impartial advice and guidance given to those who bring safeguarding concerns to the notice of Pembrokeshire County Council, either for themselves or for someone they are responsible for, to navigate through, what could be described as a difficult and complex process, especially to a vulnerable individual?*

In response, Councillor Hodgson stated that safeguarding was everyone's business and she stressed the importance of Councillors and Officers being fully aware and trained in the safeguarding policy and process. Councillor Hodgson pointed out that the Authority had recently rolled out a new Tier 1 safeguarding training module and undertaken Members' seminars to ensure full awareness of Members' responsibilities. Also, in November 2018, she reported that Cabinet had approved a new Corporate Safeguarding Policy including arrangements for the Corporate Safeguarding Group which included herself and Councillor Ken Rowlands as the safeguarding Champion.

Councillor Hodgson advised that she was also informed that external regulators, namely CIW and Wales Audit Office both of whom had recently reviewed the Authority’s approach to safeguarding, had provided reassurance that processes were robust. However, she did accept that on occasions situations for individuals could be challenging and that it was important to ensure that the Authority supported people through the process and the outcomes of reporting safeguarding concerns. She acknowledged that whilst this was not the forum for discussing individual cases, she would welcome any feedback from Councillor Clements on how the guidance, advice and support could be improved for those bringing safeguarding concerns to the notice of the Authority and that she would be happy to discuss the matter further.

In response to a supplementary question on the possibility of having someone to provide and independent advocacy role rather than going through a local Member or Officer, Councillor Hodgson stated that she welcomed the opportunity to discuss the matter in more detail with Councillor Clements and to receive feedback.
Questions submitted by Councillor Mark Carter under Council Procedure Rule 4.10 - Waste Services for Second Homes and Holiday Lettings

Councillor Cris Tomos, the relevant Cabinet Member, responded to questions submitted by Councillor Mark Carter prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

Following another rise in Council Tax it is very probable that more second homes and properties used for holiday lettings will be transferred to Non Domestic Rates. It has been noted that many former domestic properties now used for holiday letting are still presenting black bags for kerbside collection and hence are cheating the system by not having a waste agreement in place with the Council or other company acting as a refuse collector.

Q1 - Can the relevant Cabinet member provide a figure for how many holiday lets are disposing of their refuse in the correct manner as a percentage of the whole number of former domestic properties that have transferred in recent years to NNDR?

In response, Councillor Tomos stated that in 2017-18 there had been 369 dwellings which had transferred to NNDR; and in 2018-19 it was a further 286 dwellings which gave a total of 655 properties which had transferred for the two years in question. However, Councillor Tomos stated that it was a difficult task to know what percentage of those properties that had transferred. However, he stated that the Authority was looking at how to identify that proportion for collating the difference.

He further stated that it was the Authority’s intention over the year to move from black bag collection to a three-weekly designated bag collection that the Council provided to each property which would be rolled-out during the year. He stated that with the roll-out, the Authority would be able to identify domestic properties which would have the replacement black bags and how many of those properties were second homes and would have to engage with the Authority for an agreement or to have an independent company provide refuse collection for non-domestic activity. Accordingly, he stated this would provide the opportunity during the year to identify a detailed breakdown of compliance.

Q2 What strategy Pembrokeshire County Council has to increase the percentage of properties that dispose their waste in the correct manner?

Councillor Tomos responded that during this year the Authority would have in place a more robust system of identifying domestic households and those that were not. As such, he stated that it would be a very significant year whereby the Authority could hopefully increase the level of compliance of non-domestic properties to either use the Authority’s service or the service of companies who could take their waste.

Q3 - Considering this loss of revenue, how much revenue does Pembrokeshire County Council lose each year by providing a “free trade waste service” to these properties?
In response, Councillor Tomos stated that to date the statistics had not been collected as the Authority had not been able to identify households; but going forward with the new waste service, he stated that the Authority would have in place the opportunity of collating that information. He stated that the Authority was moving into a new regime where the old Civic Amenity Centres would now be identified as Waste and Recycling Centres. Council was advised that individuals on holiday or taking up residence in non-domestic properties would have to pay to take their waste to a recycling centre; and during this next six to 12 months more robust measures would be put in place to identify non-domestic properties. Accordingly, he stated that it was an important year as the Authority would be putting in place systems that would ensure increased revenue collection from non-domestic households.

In response to a supplementary question on whether an update could be provided in two months’ time on progress, Councillor Tomos stated that the new regime would be in operation from 14 October 2019 with new lorries and technology in place and more detailed accounting of the housing breakdown; and he agreed to a two months’ review going forward.


Councillor Phil Baker, the relevant Cabinet Member, responded to a question submitted by Councillor Michael Stoddart prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

One of my constituents initiated a stage two complaint against the authority’s planning department. The complaint was upheld, but the letter accompanying the decision contained the following paragraph.

"Note that the report has been commissioned by Pembrokeshire County Council and therefore remains the property of Pembrokeshire County Council and is not to be shared with anyone else save the Public Services Ombudsman for Wales."

That meant that my constituent was unable to fully apprise her elected representative of the outcome of her complaint.

Can the Leader tell council whether he thinks this method of dealing with complaints accords with the spirit of openness and accountability which his administration claims to embrace?

Councillor Baker responded that Stage Two Complaint Reports always included the following standard paragraph: “Note: the content of the report is confidential and not for further publication save to the Public Services Ombudsman for Wales.” He stated that the paragraph did not preclude a constituent from sharing the outcome of a complaint with their elected representative. He then pointed out that the categorisation of the data by the Council was that the report would be treated as confidential and would not be publicised by the Council. If the Complainant referred the complaint to the Public Service Ombudsman for Wales, the Ombudsman would request a copy of the complaint report and would publish summarised anonymised details of the complaint as part of the their quarterly casebook.
In responding to a supplementary question seeking clarity on the terms of the answer given regarding debarring the sharing of the outcome of the complaint, Councillor Baker stated that he would investigate the matter and revert back to Councillor Stoddart.

139. Question submitted by Councillor Michael Stoddart under Council Procedure Rule 4.10 - Publishing Minutes of Governing Body Meetings

Councillor David Lloyd, the relevant Cabinet Member, responded to a question submitted by Councillor Michael Stoddart prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

In May 2018 Cabinet resolved that “in the interests of openness and transparency, this Council encourages and provides support to the Authority’s School Governing Bodies to enable them to provide easy access to the Minutes of Full Governing Body meetings; specifically, to promote and publish these public documents on the schools’ websites; and to generally make it known that Minutes are readily available to the public.”

Will the Cabinet Member for education tell members which schools have adopted the procedures recommended by the council?

Councillor Lloyd reported that this matter had been included on the agenda for all governing bodies in the autumn term with a decision to be made no later than the spring term. He stated that those Governing Bodies that did not resolve the matter in the autumn had it on their spring term agenda. He further stated that all Governing Bodies had now discussed the matter and the item had been supported by a briefing paper for Governors and guidance on the procedure to be followed in publishing.

Councillor Lloyd advised that three Governing Bodies had elected to publish their Minutes, those being Croesgoch, Spittal and Portfield Schools; furthermore, that three or four other schools had initially decided to publish but very shortly after, for reasons that he was not aware of, had decided no longer to continue with the practice.

Councillor Lloyd advised that all Governing Bodies had been provided with the Cabinet’s resolution and advised of the following:

- Governing Bodies and Headteachers should consider the nature of information that was discussed by the Governing Body meeting to reduce the need for redaction;
- The Governing Body should consider during the meeting what items they wished to be recorded in confidential Minutes;
- The Governing Body should consider the benefits of publicising their Minutes; and
- If a Governing Body decided not to do so, it should state on its website that Minutes could be made available to the public by request.

Councillor Lloyd advised that those Governing Bodies who had resolved to publish the Minutes had been supported on how they might do this. He pointed
out that Governing Bodies were a corporate body and that the Authority could not instruct them to publish their Minutes. He stated that the Authority would ask Governing Bodies to consider annually whether or not to publish them.

Finally, Councillor Lloyd pointed out that in respect of those schools on which members of the Schools and Learning Overview and Scrutiny Committee sat as Governors and therefore would presumably be advocates of publishing Minutes, that none of those schools had elected to do so.

In response to a supplementary question on whether he agreed that he had very limited influence with school Governing Bodies, Councillor Lloyd stated that he did not agree on the basis that Governing Bodies were autonomous bodies and he would not presume to bear upon them in anyway.

140. Question submitted by Councillor Michael Stoddart under Council Procedure Rule 4.10 - Redevelopment of Motorworld Building in Milford Haven

Councillor Pat Davies, the relevant Cabinet Member, responded to a question submitted by Councillor Michael Stoddart prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:

Can the Cabinet member for housing tell members when the redevelopment of the Motorworld building in Charles Street Milford Haven is likely to commence?

In response, Councillor Davies stated that she had updated the local Member, Councillor Steve Joseph on the development and that she understood that the community of Milford Haven wanted to know what was happening on the site. She acknowledged that the proposal to redevelop the old Motorworld site had taken some considerable time to materialise but she advised that the development was proceeding. Councillor Davies stated that the site had been planned for quite some time for sheltered housing accommodation with the potential for 17 apartments; that the initial plans had been developed and discussions were taking place with the Planning Department. Councillor Davies reported that due to the size of the development a pre-application consultation would be required followed by a full detailed planning application. She stated that when proposals were ready to be submitted to the Planning Department there would be an opportunity for Officers to meet with local Members and all interested bodies to discuss the development.

Council was advised that the construction would then need to be put out to tender and there would be a lead-in time for the successful tender. Furthermore, she stated that the anticipated start date would be November this year.

141. Questions submitted by Councillor Viv Stoddart under Council Procedure Rule 4.10 - Flooding in Milford Haven’s Havens Head and Lower Priory

Councillor Phil Baker, the relevant Cabinet Member, responded to questions submitted by Councillor Viv Stoddart prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:
Q1 - In the aftermath of November’s disastrous flooding in Milford Haven's Havens Head and Lower Priory, will the Cabinet Member for Planning and Infrastructure confirm that Pembrokeshire County Council have investigated if the SuDS (Sustainable Drainage Systems) at the Persimmon Homes development on the Dale Road, and the Morgan/stone development at Thornton, are fit for purpose?

In response, Councillor Baker confirmed that the Dale Road site operated on a positive drainage system with a large attenuation tank and a hydro brake which met the outfall flow requirements. He pointed out that the tank and hydro brake were adopted by Welsh Water; and that Welsh Water technically approved all infrastructure as part of their S104 Agreements and he stated that the systems were checked.

With regards to the Morgan/Stone Development, Councillor Baker reported that there were two elements: the surface water drainage on the site, the SUDs system was shown on the approved plans and a road adoption agreement was in place that included the soakaways required to drain the highways within the site. In terms of the surface water from dwellings, Councillor Baker reported that this would be disposed to soakaways and be subject to Building Control approval, albeit that the developer was using an Approved Inspector as opposed to the Council’s Building Control Officer.

In response to a supplementary question on what checks had been made by Welsh Water on the SUDS systems along the development on Dale Road, Councillor Baker advised that in the lead-up to the events, the SUDS should have been checked and he gave an undertaking to check this matter with Welsh Water.

Q2 - Milford Haven Port Authority commissioned consultants Atkins to produce a report on the events leading up to and following the flood which was due to be completed by March. Will the Cabinet Member for Planning and Infrastructure advise if he or any officer in the authority has had sight of the report?

Councillor Baker responded that the Port Authority had confirmed today that they had now received a draft copy of the report. He confirmed that neither he nor Officers had had sight of the report and he advised that the Port Authority had confirmed that they would share the report with the Authority when available.

Q3 - During February’s extra-ordinary meeting of the Partnership Overview and Scrutiny meeting held to scrutinise the events leading up to the flooding of two Milford Haven communities, (Lower Priory and Haven's Head,) members heard that the Council could take action against the adjoining landowner, Milford Haven Port Authority, if the Authority was creating a flood risk.

Will the Cabinet Member for Planning and Infrastructure advise if the Council have investigated the build-up of silt deposits and encroachment of river banks within the two lakes (pills) with a view to using the council’s powers under the Land Drainage Act 1991 to ensure the Port Authority act as responsible landowners?
In response, Councillor Baker advised that the Officer’s professional view was that the build-up of silt above normal water level would only have a minimal impact in improving flood risk if it was removed. The large volume of water that was flowing in the watercourses during the November flood were such that any additional increase in storage volume created by the removal of silt above normal water level would have been taken up in a relatively short period of time and would only have provided a relatively short lag. He stated that the culverts were in the ownership of Milford Haven Port Authority and there had been accusations that they had not been maintaining the culverts and trash screens. However, he stated that Officers had no evidence that was the case and were aware that the culvert outlet at the docks had been viewed on 5 December 2018 following heavy rain and the culvert appeared to be running virtually full-bore. A further survey of the culvert had been undertaken by the Port Authority in January 2019 and no obstructions were found.

Councillor Baker also advised that the Authority was aware that the trash screen at Havens Head had been renewed by the Port Authority prior to the flooding event in November, and the trash screen at Hubberston Pill had been replaced more recently. With regard to the permissive Section 25 powers (powers to require works for maintaining flow of an ordinary watercourse) under the Land Drainage Act 1991, Councillor Baker advised that there was no evidence that there were obstructions to the culverted ordinary watercourse in the ownership of the Port Authority that required this Authority’s intervention.

Councillor Mrs Stoddart posed a supplementary question to the effect that for a long time Goose Pill, the biggest lake which flooded into Lower Priory, had been used for the deposit of rubble waste. In 1992, she stated that it was on record that this was unauthorised and she was in possession of a letter to the effect that Preseli District Council had not been aware of this dumping. Councillor Stoddart stated that she thought the concern of residents was that this dumping had reduced the reservoir capacity of Goose Pill in particular. Consequently, she requested that the Planning Department be asked to research the planning consents that were given when the retail park was built as this would reassure residents in terms of whether the culverts etc had been properly authorised. Councillor Stoddart stated that there was a perception that the culverts were very old and possibly the easiest way to carry on with the development of the retail park was simply to add culvert pipes; and that providing some documentary evidence of the consents might reassure residents and she asked for that action to be undertaken.

In response, Councillor Baker undertook to take the matter forward with the Planning Department and he pointed out that matters would depend on the content of the Atkins report.


Councillor Phil Baker, the relevant Cabinet Member, responded to the following questions submitted by Councillor Rhys Sinnett prior to the meeting in accordance with the provisions of Council Procedure Rule 4.10 as follows:
Q1 - Would the Cabinet Member for Planning and Infrastructure please give an update on actions taken by the authority and its partners following the floods in November 2018 affecting the Lower Priory and Havenshead areas of Milford Haven?

Councillor Baker reported that the actions taken by the Authority and its partners following the floods in November 2018 were as reported in detail to the Partnerships Overview and Scrutiny Committee on 14 February and 26 March 2019.

In response to a supplementary question on the concerns raised over the manner in which partners had been addressing the consequences of the floods, Councillor Baker stated that the calibre of the officers involved would give assurance to Members that the Authority would look into the issues raised; and he gave a personal undertaking to ensure answers were provided. He stated that a Working Group would be established to review what the expectations of the public were in terms of the events last November and what the Authority’s responses should be following such an event.

Q2 - Would the Cabinet Member for Planning and Infrastructure comment on the level of engagement received from the Port of Milford Haven in addressing the root causes and aftermath of the November 2018 floods affecting the Lower Priory and Havenshead areas of Milford Haven?

Councillor Baker advised that the Authority had held several meetings and telephone conversations with the Port Authority with regard to the 2019 culvert survey. With regard to the Atkins report, he stated that the Authority would review the report now that it was in the possession of the Port Authority.

In response to a supplementary question on whether he was prepared to intervene to bring together the Port Authority and the community and to facilitate constructive dialogue, Councillor Baker gave an assurance that he was happy to do so following receipt of the Atkins Report.

143. **Notice of Motion relating to School Governing Bodies Introducing Term Limits**

A Notice of Motion was submitted by Councillor Joshua Beynon in the following terms:

*That this Council resolves to encourage school governing bodies to introduce term limits for all governors serving on school governing bodies.*

Upon the terms of Council Procedure Rule 10.4, the Motion having been Moved by Councillor Joshua Beynon; Seconded by Councillor Vic Dennis then stood referred to the Schools and Learning Overview and Scrutiny Committee.

144. **Notice of Motion relating to Recorded Votes**

A Notice of Motion was submitted by Councillor Joshua Beynon in the following terms:
This Council resolves that every vote taken during all public meetings of council, cabinet, scrutiny, regulatory and other committees is formally recorded both in the minutes and on a section on the website with the members decision against it.

Upon the terms of Council Procedure Rule 10.4, the Motion having been Moved by Councillor Joshua Beynon; Seconded by Councillor Lyndon Frayling then stood referred to the Corporate Governance Committee.

145. Notice of Motion relating to Climate Change

A Notice of Motion was submitted by Councillor Joshua Beynon in the following terms:

There is global consensus that climate change poses significant risk to our health, our economy, our environment, and endangers the wellbeing of future generations. On 8th October 2018, the Intergovernmental panel on Climate Change (IPCC) released a vital report on the state of climate science. They warned that if the planet warmed by 1.5C there would be some devastating consequences, such as the loss of most coral reefs, and increased extreme weather such as heatwaves and floods. Yet the consequences of allowing 2C warming would be truly catastrophic. Given that the planet is currently heading for 3-4C warming, keeping to 1.5C requires a radical shift across energy, land, industrial, urban and other systems to reduce emissions, unprecedented in history for its speed. Cities, Local Authorities and communities across Wales and the UK are becoming frustrated by governments that are unwilling to take the urgent steps needed, to deal with these issues. Humanity’s future depends on today’s bold and brave leaders to make the necessary decisions now in order to safeguard the environment, our future and those of generations to come.

Therefore, Pembrokeshire County Council resolves to:
1. Declare a Climate Emergency;
2. Commit to making Pembrokeshire County Council a net zero carbon local authority by 2030;
3. Develop a clear plan for a route towards being net zero carbon within 12 months which is then reported back to council;
4. Call on Welsh and UK Governments to provide the necessary support and resources to enable effective carbon reductions;
5. Work with the Public Services Board and Swansea Bay City Deal partners to develop exciting opportunities to deliver carbon saving;
6. Collaborate with experts from the private sector and 3rd sectors to develop innovative solutions to becoming net zero carbon.

Under the terms of Procedure Rule 4.11.4 (e), the Chairman advised that he considered it essential and conducive to the despatch of business to allow Council to consider points 1 and 4 above of the Notice of Motion, with the remaining points being referred to the Corporate Overview and Scrutiny Committee.

In responding to a point of order, the Chairman advised that a copy of the written supporting statement had been received in accordance with the terms of Procedure Rule 4.11.4 (f) and the Chairman read out the details as follows:
Every single human is responsible for taking action against climate change but public sector organisations such as the local authority should take responsibility and lead on action. As a coastal county we should be prepared for the worst and also be responsible and take bold, decisive action against climate change and do all we can to mitigate our impact on global emissions.

Some Members expressed concern in regard to considering the Notice of Motion without having given Members prior notice to enable them time to prepare for the debate and without any supporting papers and, as such, called for the Motion to be referred to the relevant Overview and Scrutiny Committee for consideration and to have a more meaningful debate on the merits of the Motion at the next Council meeting. Other Members expressed support for considering the Notice of Motion on the basis that any delay should be avoided and to send out the message that the Authority took the matter seriously. Reference was also made to other occasions where important Notice of Motions had been considered on the day of meeting.

In addressing Council in support of his Notice of Motion, Councillor Joshua Beynon stated that he considered that points 1 and 4 could be debated but he accepted that the other points would benefit from more consideration by an Overview and Scrutiny Committee. Councillor Beynon provided Council with details of evidence provided by the Intergovernmental Panel on Climate Change in relation to the impact of climate change.

Councillor Beynon then Moved consideration of points 1 and 4 of the Notice of Motion with the remaining points being referred to the Corporate Overview and Scrutiny Committee; Seconded by Councillor Jon Harvey.

Members of Council took the opportunity to discuss the Notice of Motion and the following key points were noted:

- Mixed views were expressed both in support of and against the Notice of Motion.
- It was noted that other authorities and governments had already made the declaration.
- It was suggested that the Authority could assist in carbon reduction by thinking global but acting local in terms of its procurement of goods and services; provision of good quality housing; and the support of alternative energy solutions.
- Reference was made to the importance of protecting the natural environment and the protection of biodiversity through the planning function and the Local Development Plan.
- Clarification was sought on what the implications would be for the County. It was pointed out that the Authority should look at what could be done immediately and put in place measures to address the other issues raised in the Motion.
- Reference was made to the significant challenge required to decarbonisation the planet along the lines quoted nationally and it was argued that the timescales were unlikely to be achieved.
Members’ attention was drawn to the importance of the Well-being and Future Generations Act and the responsibility to act in accordance with the Act.

On a point of clarification, Members were advised that the Notice of Motion sought recognition that there was a problem and called on the Authority to send a message that it took the matter seriously. Furthermore, that details could be discussed at the Overview and Scrutiny Committee on what action to take and how the Authority could commit to making itself zero-carbon and developing a clear plan.

On the basis that Council had not been given advance notice of the decision to debate the Notice of Motion and not being provided with sufficient background information to make an informed decision, Councillor Michael Stoddart Moved that points 1 and 4 of the Notice of Motion be referred to the Corporate Overview and Scrutiny Committee; Seconded by Councillor Jon Preston.

A Motion that the matter be now put was Moved by Councillor Paul Miller; Seconded by Councillor Pat Davies.

Consequently, points 1 and 4 of the Notice of Motion were put to the vote and carried.

RESOLVED

(a) That a Climate Emergency be declared.

(b) That Welsh and UK Governments be called upon to provide the necessary support and resources to enable effective carbon reductions.

[Councillors Michael Stoddart and Jacob Williams wished that their votes against the above decision be recorded.]

Upon the terms of Council Procedure Rule 10.4, the following points were referred to the Corporate Overview and Scrutiny Committee for consideration:

That Pembrokeshire County Council resolves to:

1. Commit to making Pembrokeshire County Council a net zero carbon local authority by 2030;
2. Develop a clear plan for a route towards being net zero carbon within 12 months which is then reported back to council;
3. Work with the Public Services Board and Swansea Bay City Deal partners to develop exciting opportunities to deliver carbon saving;
4. Collaborate with experts from the private sector and 3rd sectors to develop innovative solutions to becoming net zero carbon.

146. Notice of Motion relating to the banning of Mobile Phones during School opening hours
A Notice of Motion was submitted by Councillor Reg Owens in the following terms:

This Council strongly recommends to all School governing bodies in our schools that they implement a policy banning pupils from being in possession of mobile phones during school opening hours. An exception would be students attending six form.

Upon the terms of Council Procedure Rule 10.4, the Motion having been Moved by Councillor David Lloyd; Seconded by Councillor Dr Simon Hancock then stood referred to the Schools and Learning Overview and Scrutiny Committee.

147. Notice of Motion relating to Procedure Rule for the right of the originator of a Motion to speak first

A Notice of Motion was submitted by Councillor Jacob Williams in the following terms:

Motion to amend the authority’s constitution by adding in the following new provision – numbered 4.11.6 and titled ‘Right of the motion’s originator to speak first’ – to 4.11 (Notices of Motion) of Section Three (The Council) of Part Two (Governance Arrangements.)

4.11.6 Right of the motion’s originator to speak first

The member in whose name a motion has been submitted will be given the first opportunity to speak to that motion at any meeting at which he or she has a right to speak. For a motion submitted in the name of multiple signatories, the right to speak first shall be granted to one of those members nominated from among, and by, those members for that purpose.

Upon the terms of Council Procedure Rule 10.4, the Motion having been Moved by Councillor Jacob Williams; Seconded by Councillor Joshua Beynon then stood referred to the Corporate Governance Committee.

The meeting ended at 2.20p.m.