

MINUTES OF A MEETING OF TORFAEN COUNTY BOROUGH COUNCIL
held on Tuesday 24 September 2013 at 10.00am till 3.10pm approx.
in the Council Chamber at the Civic Centre, Pontypool

*NB the agenda for and the reports presented to this meeting are available to view
by searching for the name and date of the meeting at
[http://www.torfaen.gov.uk/en/CouncillorsAndCommittees/Committees/CommitteeDirectory.a
spx](http://www.torfaen.gov.uk/en/CouncillorsAndCommittees/Committees/CommitteeDirectory.aspx)*

Following prayers led by Canon Brian Phippen, the Mayor formally opened the meeting, welcomed everyone, reminded everyone present that the meeting was being filmed for webcasting trial and training purposes (and being shown in the Ceremony Room for people watching the meeting from there) and outlined the usual procedural arrangements, such as the need to use microphones and sit when speaking, muting noisy devices, the emergency evacuation procedures and the need for motions or amendments in writing

1. ATTENDANCE

Councillors

Neil Mason (Mayor)

Stuart Ashley	David Daniels	Brian Mawby
Mary Barnett	Giles Davies	Raymond Mills
Huw Bevan	Stuart Evans	Mandy Owen (Deputy Mayor)
Stephen Brooks KSS JP	Alun Furzer	Norma Parrish
Ron Burnett	Maria Graham	Jessica Powell
Pamela Cameron	Kelvin Harnett JP	Jeff Rees
Glyn Caron	Mike Harris	Philip Seabourne
Gwyneira Clark	Elizabeth Haynes	Graham Smith
Richard Clark	Anthony Hunt	Barry Taylor JP
Leonard Constance	Mike Jeremiah	Colette Thomas
Veronica Crick JP	Alan Jones	Neil Waite
John Cunningham MBE KSG	Lewis Jones	Bob Wellington (Leader)
	Robert Kemp	David Yeowell

Officers on the dais

Nigel Aurelius	Assistant Chief Executive (Resources)
Richard Gwinnell	Lead Officer, Council and Member Support
Tim James	Principal Solicitor (for agenda item 12)
Lynda Willis	Chief Legal Officer and Monitoring Officer
Alison Ward	Chief Executive

Other officers attending or observing from the gallery for parts of the meeting

David Congreve	Assistant Chief Executive (Communities)
Julian Davenne	Play Service Manager (for item 6)
Richard Edmunds	Head of Strategic and Democratic Services
Sue Evans	Chief Officer, Social Care and Housing
Christina HARRY	Chief Officer, Neighbourhood Services
Delyth Harries	Asst. Chief Legal Officer & Deputy Monitoring Officer
Neil Jones	Head of Communications
Victor Mbvundula	Principal Valuer, Asset Management
Duncan Smith	Chief Officer, Planning and Public Protection
John Tushingham	Education Services
Alan Vernon-Jones	Welsh Language Officer
Suzanne Williams	Accountancy
Public Services Support Unit	Lyndon Puddy, Steve J Williams
Democratic Services:	Ros Gwynn, Liz Monk
Webcasting Team	Geraint Thomas, Caroline Genever-Jones
Development Control Team (for item 12):	Rebecca McAndrew, Norman Jones, Richard Lewis, Craig Mead, Paul Wheeldon, Steve Williams,

Other people attending

25 members of the press and public (in the public gallery and the Ceremony Room)
Canon Brian Phippen – Mayor’s Chaplain (for pre-meeting prayers only)
Huw Jakeway – Chief Fire Officer and Andrew Thomas – South Wales Fire and Rescue
Police Constable (in the public gallery)

2. APOLOGIES FOR ABSENCE – COUNCILLORS:

Cynthia Beynon MBE	David (Keith) James	Wayne Tomlinson
Fiona Cross	John Marshall	

3. DECLARATIONS OF INTEREST

- 3.1 The Chief Legal Officer and Monitoring Officer (CLO&MO) advised and the following interests were declared by members:
- personal but not prejudicial interests in agenda item 12 (the planning application on the site of the former Trevethin School) as they were Pontypool Community Councillors:
 - Councillors Parrish, Taylor, Smith, Mills and Davies

Action

- personal but not prejudicial interests in agenda item 5 (the South Wales Fire and Rescue Service (SWFRS) presentation) as they were Council-appointed SWFRS members:
 - Councillors Davies and Seabourne
- personal but not prejudicial interests in agenda item 13 (the bus turning area at Pontypool Active Living Centre, Trosnant Street) as they had children or grandchildren who attended St Albans School:
 - Councillors Graham, Mawby, Davies and Seabourne
- Councillor Cunningham: personal but not prejudicial interest in agenda item 13 (the bus turning area at Pontypool Active Living Centre, Trosnant Street) as he was a Council appointed governor of St Albans School
- Councillor Cameron: personal but not prejudicial interest in agenda item 14 (communications strategy) as her son-in-law was the officer presenting the report
- personal but not prejudicial interests in agenda item 20 (the Cabinet decision re Pontnewynydd School) as they wished to ask questions on the issue and were Council-appointed governors on that school:
 - Councillors Taylor and Lewis Jones
- personal but not prejudicial interests in agenda item 13 (the bus turning area at Pontypool Active Living Centre, Trosnant Street) as they were Torfaen Leisure Trustees (NB these interests were declared later in the meeting):
 - Councillors Davies and Lewis Jones
- Councillor Seabourne: personal but not prejudicial interest in agenda item 13 (the bus turning area at Pontypool Active Living Centre, Trosnant Street) as his wife was a Torfaen Leisure Trustee (NB interest declared later in the meeting)
- Councillor Rees: personal but not prejudicial interest in his question (para 18.31 below) about Llantarnam School, as he was a Council-appointed governor of that school (NB this interest was declared later in the meeting)
- Councillor Rees: personal but not prejudicial interest in his question (para 18.35 below) about Ysgol Gwmraeg Cwmbran, as he was a Council-appointed governor of that school (NB this interest was declared later in the meeting).

3.2 Councillor Brooks asked whether he should declare an interest in agenda item 13 (the bus turning area at Pontypool Active Living Centre, Trostnant Street) as he was an invigilator at St Albans School. The Chief Legal Officer and Monitoring Officer advised that declaring an interest was not necessary in that case.

4. **COUNCIL MINUTES – 23 JULY 2013**

4.1 **Council CONFIRMED** the minutes of the Council meeting held on 23 July 2013 as a correct record and agreed that they be signed by the Mayor.

5. **SOUTH WALES FIRE AND RESCUE SERVICE (SWF&RS) – REVIEW OF FIRE COVER IN TORFAEN**

5.1 Huw Jakeway, Chief Fire Officer commented:

- on the changing economic and industrial climate, roads and demographic situation in South Wales over recent years
- on the large area of South Wales covered by SWF&RS
- on the many different types of service model in operation, including 50 fire engines and different working patterns of full time, retained fire fighters and corporate support staff
- on the different locations from which fire fighters worked and emergency response times
- on the successful prevention and education programmes run by the SWF&RS, such as those with young offenders and at risk groups, to reduce the number of fires and other emergency incidents
- that SWF&RS funding was predicted to fall in line with local authority settlements; by 4% this year and 4% next year
- on the annual revenue and capital budgets of SWF&RS (approx. £70 million and £5 million respectively)
- that funding came directly from the ten local authorities in the area served by SWF&RS
- that the SWF&RS was working hard to seek efficiencies, with several transformation projects and consultation with staff, councils and the public underway
- the Fire Cover Review took a holistic view of the whole area with a view to making sure the right people were in the right place at the right time to protect the public most effectively
- Phase 1 of the review (Cardiff, the Vale of Glamorgan and Bridgend) had recently been completed
- Phase 2, covering Torfaen, Blaenau Gwent, Monmouth and Newport was now the subject of consultation
- Fire Service Emergency Cover (FSEC) computer modeling was undertaken to help analyse data on population numbers, risks and incident history

- alongside known plans (such as local development plans) and professional judgement, this enabled the service to identify what resources should best be deployed when and where
- this process had identified that one retained duty fire appliance could be removed from Cwmbran, with little or no risk – this would save in the region of £200,000 and may involve the loss of some jobs, depending on circumstances
- the SWF&RS would be consulting the affected communities extensively, including talking to the public on street, and report the results back to the Fire Authority in December
- staff would also be consulted
- every comment received would be reported to the Fire Authority, to enable them to make a fully informed decision
- the Fire Service national dispute expected to be held on 25 September was a national dispute with the UK and Welsh Governments about pension reform.

5.2 Andrew Thomas, Assistant Chief Fire Officer, informed members that they would be seeing staff out on street in the next few weeks to gain face to face engagement with the public.

5.3 Mr Jakeway answered questions from members about various matters including attacks on firefighters, the reduction in hill fires and the way in which fire crews were paid. Specifically in relation to the Fire Service Cover Review, he replied to members that:

- 80% of fires were deliberately set
- the closest fire appliances would attend incidents, no matter where they were situated at the time; local authority area boundaries were not a factor in tackling fires
- 64 fire appliances were available today, fitted with automatic vehicle location systems, to ensure the closest appliance attended
- the SWF&RS was well versed in juggling resources to provide cover wherever it was needed, whether the engine came from Cardiff, Caerphilly or Monmouth for example
- public consultation would be far and wide – and it would be targeted to wherever most people were; events would take place on high streets, not back streets
- the Fire Authority would make their decisions based on the recommendations of officers, as well as the results of the public consultation
- at an incident last week in Cwmbran, the second Cwmbran fire appliance arrived at the same time as appliances from New Inn and Malpas
- the number of fatalities in the South Wales area was relatively low but even one was one too many; the aim was zero fatalities

- the review was regional, covering a very large area, so that the effect on the whole area was taken into account; there were no fire service cover changes proposed in Newport or Monmouthshire at the present time
- the proposals to build an M4 Relief Road south of Newport would have an effect on the location of stations in future
- the Blaina Fire Station was also proposed for closure, and this would be discussed with Blaenau Gwent Council
- lines on maps were immaterial in allocating emergency response resources
- the service had approximately 620 retained fire fighters, paid on a salary basis (not an hourly rate), which ensured the most efficient and effective cover was available at the right time.

5.4 Concern was expressed by several members about the proposed loss of the second Cwmbran fire appliance. Members were encouraged to take an active part in the consultation process.

5.5 Councillors Seabourne and Davies (the Council's representatives on the SWF&RS) stated that meetings of the North and South Community Action Teams had been requested, with Mr Jakeway, to discuss this issue. Members were encouraged to attend.

6. TORFAEN PLAY SERVICE DVD

6.1 Julian Davenne, Play Service Manager, described the work of the Torfaen Play Service during the school summer holidays, with:

- play schemes in 32 locations and settings across Torfaen, from Ponthir to Garn yr Erw and at Shepherds Hill
- 52 paid workers and 142 volunteers
- more than 140 children and young people with disabilities had been supported on various sites, with specialist nurses at some venues
- two Welsh Language and two bilingual play schemes, one of each in the north and the south of Torfaen
- over 70 partners working on various aspects of planning and delivery of the play schemes
- very positive feedback from children, parents, carers and other community members
- 1600 to 2000 children and young people provided with this service per day.

6.2 Mr Davenne showed a DVD of the Torfaen Play Schemes. The DVD showed:

- some of the playschemes in action
- children and young people playing and undertaking various indoor and outdoor activities

- children and young people giving their opinions of and thanks for the various playschemes
- carers and parents expressing their views and thanks and
- volunteers and playscheme workers commenting on their experiences of the playschemes.

6.3 Members commented in summary:

- that the Play Service did a fantastic job for young people, which everyone in the County Borough appreciated
- without this service, vastly more money would have to be spent, for example on supporting parents with respite care for children and young people with disabilities
- on the importance of engaging children and young people in active sport and other outdoor activities, rather than them staying indoors and playing on screens
- on the best practice displayed by the Torfaen Play Service, for very little funding
- on the enormous value of the play schemes, economically and for the lives of the children and young people involved
- with particular thanks from TOGS (Torfaen Opportunities Group) and for the work done in Two Locks ward
- encouraging members to attend the Torfaen Play Service Thank You Awards in December.

6.4 In answer to a question, the Play Service Manager stated that there had been a small number of accidents, the most serious of which was missing teeth, as a result of someone falling over. All activities were fully risk assessed.

6.5 Members applauded the efforts of the Torfaen Play Service and asked that their thanks be passed on to everyone involved.

7. UPDATES ON ACTIONS

7.1 Councillor Mawby (Executive Member for Children and Young People) updated Council on action taken in relation to:

- the decision made on 23 July 2013 to delegate power to him to finalise the Post Inspection Action Plan (PIAP): the authority had now received feedback on the draft PIAP from Estyn - this was mostly positive - it was hoped that the PIAP would be finalised in the next two weeks or so - and he would notify members when it had been finalised
- his commitment made on 23 July 2013 to provide members with data on homophobic bullying in schools; this had been done – he had emailed all members earlier in September.

7.2 **Council NOTED** the updates listed in the agenda and above.

8. CONSULTATION MONITOR

8.1 The Leader of the Council explained that the consultation monitor listed consultations being undertaken by other agencies which may be relevant to the Council and whether or not a response was intended (and if so, who was due to respond).

8.2 **Council NOTED** the content of the consultation monitor.

9. RECEIPT OF PETITIONS

9.1 No petitions were received for this meeting.

10. PUBLIC QUESTION TIME

10.1 The Mayor announced that he had rejected two questions from a Mr Jones of Varteg. The questions were about a grant for a particular property, they would have involved the disclosure of confidential information and they were about the conduct of named individuals.

10.2 No other questions had been submitted for this meeting.

11. ANNOUNCEMENTS

11.1 The Leader made two announcements:

(1) that he was disappointed with the decision of the Welsh Language Commissioner to investigate the Council over the new automated customer telephone service, given the work the Council had done to promote the Welsh language. The Council had always intended to provide the system in Welsh and English at the same time but had experienced technical difficulties in doing so. The new self-serve system was needed to reflect reducing staff numbers and the rise in the number of calls due to the recent welfare reforms. The Council now intended to have the system available in Welsh (as well as English) from October; the Welsh Language Commissioner would receive every assistance necessary; and he looked forward to the results of the investigation

(2) that he was surprised to read details in local newspapers of a request made by Councillor Haynes for information on the number of consultants used by the Council, as well as the answers to those questions, which had been given straight to local newspapers, with no advance notice. There was no problem with people asking questions, but he wished to remind Council that a fundamental review of all spending and priorities was being conducted in light of the

unprecedented cuts in funding being faced by public services. Spending on consultants would be a part of that review. He looked forward to receiving views from members and stated that any views should be fed in through the appropriate channels, to ensure a proper understanding.

11.2 The Chief Executive had no announcements.

12. FORMER TREVETHIN SCHOOL SITE, PENYGARN ROAD: PLANNING APPLICATION 13/P/00014

12.1 Council considered a report of the Chief Officer, Planning and Public Protection, detailing the above planning application for the demolition of the existing chapel and construction of 124 residential units and associated highways, drainage and landscaping works.

12.2 Rebecca McAndrew (Principal Planning Officer) outlined the key messages contained in the report and displayed slides, maps, plans, level drawings, street scene drawings and photographs. In particular she highlighted:

- the history and ownership of the site
- the nature and components of the application
- that extensive public consultation had been undertaken, including two public meetings
- that full public consultation had also been undertaken in 2008, when the development brief was adopted
- that the Development Brief had been reviewed in 2011, due to the economic climate having changed significantly
- the proposed layout of the site and the different housing units and types
- the proposed road access, egress and onsite layouts
- the proposed play areas and public open space
- the intended retention of mature trees on the site
- the intended demolition of the former chapel building
- the proposed replacement bat house details and design
- the significant amount of local feeling on the application
- the potential loss of views across and beyond the site from Old Penygarn, which could not be controlled in planning terms
- that overlooking of properties would not cause significant harm, as the proposed new residences were more than 21 metres (the normal limit) away from existing properties
- that other “residential amenity” objections were addressed in the report
- the substantial level of local objection to the application on the grounds of highway concerns

- the extensive traffic mitigation measures proposed as part of the application, including new “table junctions”, footpath and pedestrian safety improvements, road narrowing, other traffic speed reduction measures, “rat running” prevention measures and speed indicator devices
- that there were other objections based on the wider road network (away from the immediate area)
- Highways had not objected to the scheme
- that the chapel was not considered to be worthy of listing but efforts would be made to retain/conservate any important features (e.g. stained glass windows)
- that there had been no objections from Natural Resources Wales or the Council’s Ecologist
- the main components of the Section 106 agreement:
 - £91,470 for play areas on the site
 - £200,000 for off site highway improvements
 - £220,000 for improvements to recreational facilities in the area
 - £27,000 for the maintenance of play areas
 - £110,000 for the maintenance of on site public open space
 - £10,000 for speed indicator devices and
 - £25,000 for the maintenance of the bat house
- that 25% of the residential units (31 of the 124) would be “affordable housing” units
- the description of development should not include the dates and amended plans currently referred to in the report
- an additional delegation was sought so that the Chief Officer Planning and Public Protection could add, remove or change conditions as necessary and
- delegated powers would be needed to add conditions, to deal with such issues as the bat house design and timing, construction management, construction traffic routing and control of Japanese Knotweed on the site.

12.3 A copy of the presentation is available from the author of these minutes or the Democratic Services Team on request.

12.4 The Council then received the following public speakers, who raised the issues listed (in summary) under each:

A. Mr Philip Davies – local objector

- the lack of feedback to the significant local objection
- the disruption which would be caused by the development, which could take up to 6 years
- the inadequacy of the local highway network
- that the measures proposed would do little to help the traffic problems already experienced on Penygarn Road

- the dangers of construction lorries using the existing roads, as well as the redesigned roads, which were too narrow – there would be 1500 extra Heavy Goods Vehicle (HGV) movements a year
- traffic access and egress hazards on Old Penygarn due to restricted sightlines
- that the traffic statement contained numerous errors and inaccuracies, including on the number of trips to school by car when the school was open; most children walked to school from the local area
- Barratts had scored themselves 9 out of 10 against the standard car parking provision criteria – this should be 3 out of 10 given the errors referred to – the number of parking spaces proposed was therefore insufficient
- there was no local demand for these houses – they would be too expensive for local people to afford
- the site had been vacant for six years and had reverted to nature – the Council should be doing all it could to protect the site's ecological value (e.g. for pollinating insects)
- the 12 metre buffer zone had been breached on the plans, with some houses proposed to be built under tree canopies.

B. Mr Derek Thomas – local objector

- Highway problems: Penygarn, Trevethin and St Cadocs were all affected
- the effect on Channel View, which was already congested, with problems caused by cars parked on the street and by school buses in particular
- the effect of coaches parked on Penygarn Hill
- this development would result in at least an extra 120 cars using Channel View
- pedestrian safety issues and lack of adequate pavement widths on Penygarn Road; accidents were inevitable
- that improvements were planned for the highway at Old Penygarn but there was nothing planned for Channel View
- the need for a Highways Site Meeting before approval was given.

C. Mr Simon Watts – local objector

- that the responses to the consultation were not detailed in full in the report; there was inadequate detail – this was poor and unfair to the residents concerned
- no notice had been taken of local concerns and no feedback had been given to residents
- highway safety, capacity and congestion were the main concerns
- Highways officers recognised the infrastructure was not ideal but then concluded that the roads were capable of coping with the extra traffic from this development

- the proposals would add nearly 8% more traffic movements at Channel View, which was already congested
- the traffic modelling was flawed
- 47 more trips per hour at peak time were predicted in the traffic model – this was unrealistic – most of the 124 houses would have at least one car and would use them at peak times for school or work journeys
- the closure of Pontnewynydd School would result in up to 125 more children attending Penygarn School, putting more pressure on the road system
- a developer could not be expected to put right all the road problems but the wisdom of allowing further development when the road infrastructure was so poor was questionable
- the report referred to the fall-back position of a school on the site – this was irrelevant under the Council's own policy: the school closed 6 years ago
- the bat survey was deficient and failed to recognise that bats foraged on the eastern boundary of the site, which they would not be able to do after the development
- Natural Resources Wales had not objected because they were given inaccurate surveys on which to comment
- Barratts priority was maximising commercial returns, not local considerations
- residents had suggested bungalows on the eastern boundary, to reduce the impact and integrate the scheme better with the existing area – this had not been done as Barratts had said this was not economically viable
- a more sustainable and locally integrated development was needed, with fewer dwellings and existing open spaces protected.

D. Mrs Diane Jenkins – local objector

- Traffic impact concerns on Leigh Road, Lower Leigh Road, Hospital Road and Freeholdland, which people would use to go north or avoid the traffic problems on Penygarn Hill
- the lack of pavements and street lighting in this area and the consequent dangers for pedestrians in particular from the increased traffic produced by this development
- the lack of public transport in this area (the buses using the road were school buses), which meant residents had to walk on the road itself
- the narrow width and sharp bends on Leigh Road and Lower Leigh Road, especially where hedges overgrew and buses had to mount the kerb
- the position of the sun, which dazzled drivers at certain times of the day and reduced pedestrian safety
- speed bumps forced drivers to use the edges of the road, where pedestrians would be
- serious accidents were inevitable

- the development of 124 houses would add more residents' and construction traffic to an already dangerous situation
- the development should only be allowed if the roads were made safe first, for existing and future residents.

E. Mr Don Marsh – local objector (representing Lower Penygarn Community)

- Traffic problems on Penygarn Hill – he had tried for two years to meet highways/planning/safety/neighbourhood services officers without success
- this was an opportunity to prove that a decision had not already been made
- he appreciated that the site was a brownfield site, and houses were needed, but there were many other sites in better locations (e.g. the former hospital site, the dancers club site, Hanbury Road, the Clarence etc)
- concern was around access to and from Penygarn, given the number of people and community facilities in the locality
- Penygarn and Trevethin were becoming an island, with very poor road access
- Penygarn Hill was very congested and dangerous
- better signage, additional double white lines and markings on the road, new kerbs, more speed reduction measures and safe crossings were needed
- these were essential works which should be funded from the Section 106 monies
- if money could be found for a bus turning area at PALC for St Albans School pupils, then it should be found here
- the application should be deferred pending more work on the traffic impact.

F. Mr Sam Courtney – on behalf of Barratt Homes:

- the consultation process undertaken by the Council and by Barratts had been extensive
- a series of public meetings had been held
- the consultation exceeded the statutory requirements
- residents concerns were taken seriously and the proposals had been changed to take many concerns into account
- not everyone could be satisfied however
- some people were opposed fundamentally to development or had unreasonable expectations of what could be done
- highway safety had been extensively considered
- traffic studies and traffic flow modelling had taken place to assess the impact of the development on the local roads
- this identified that there would be fewer traffic movements from the development than from the former school and that the road network could cope with the extra traffic generated by the development

- the existing roads were problematic but this development was an opportunity to improve the situation in the area
- the proposals would provide new junctions and pavements, narrow roads, reduce speeds, improve pedestrian safety and discourage heavy goods vehicles and rat running
- construction traffic would be managed carefully to minimise any local disruption and was covered by conditions
- with the conditions proposed, neither Natural Resources Wales nor the Council's Ecologist objected to the proposals to relocate the bats from the former chapel
- the officer report was clear; this was a properly planned development of 124 new homes, on a derelict site, including infrastructure improvements and affordable housing, which should be supported.

12.5 Paul Wheeldon (Highways Development Control Team Leader) responded to the points raised by each speaker in turn. In summary he commented that:

- the issues raised by the public speakers had been dealt with comprehensively already in the report
- roads in the area were narrow and poorly aligned, with a lack of passing space in some places, but they were already deficient
- the provision of new pavements and other safety features would improve the situation, not make it worse
- the proposals would discourage traffic from using the area and reduce the speed of traffic continuing to use it
- the alternative, or fall-back position (a school on the site) did need to be taken into account; this was the correct approach and complied with national guidance
- the wider road network was deficient in many respects, as were the roads in many South Wales valleys
- the concerns were legitimate; there were issues of access, infrastructure, traffic weight and speed, congestion etc and relocating school pupils would have a greater effect
- nevertheless, one planning application could not put right all the ills of the existing network or address all concerns
- the recommendation was in line with planning policy
- the proposal was for 124 homes; the local roads already served very large populations, and significant harm as a result of this development could not be demonstrated
- people would take a variety of routes to and from the site
- Mr Marsh had been in touch several times before and had always been responded to
- residents were welcome to write in with their concerns and meet on site when appropriate
- the statistics showed very few accidents in the area
- he accepted there were deficiencies in the road network, but this application could not solve all the problems and it would not cause significant harm

- it was extremely difficult therefore to object to the proposals on highways grounds.

12.6 Rebecca McAndrew (Principal Planning Officer) also responded to the public speakers (in summary) that:

- the public consultation undertaken had gone way beyond the normal levels and included public meetings, home visits and other publicity
- all public comments had been taken into account and summarised in the report
- the scheme had been amended in numerous ways already as a result of local residents' concerns; for example the site access and egress had both been moved or realigned and boundaries and hedges had been protected
- there was encroachment on the buffer zone between trees and houses in some places
- Condition 9 would prevent digging up of tree roots
- members had already undertaken a site visit; the draft notes of that visit had been circulated to members in the Council Chamber (and a copy of the final notes is attached as **appendix A** to these minutes).

12.7 Steve Williams (Senior Ecologist) also responded to the issues raised, in summary, that:

- the bat survey had been carried out in line with normal industry standard criteria
- such a survey was only ever reflective of a snapshot in time
- the survey was sufficient, it identified key bat corridors, and he and Natural Resources Wales were satisfied with it
- the site had been surveyed from an ecological point of view
- the grassland on the site was of poor quality
- the number of pollinating insects was consequently low
- a condition had been proposed, to ensure appropriate management of the public open space, so the application should in fact improve the ecological situation on the site.

12.8 Members commented and/or questioned and the various officers replied (in summary) as shown below:

Member comment or question	Officer response
The level of "affordable housing" on the site	25% (i.e. 31 houses)
25% was too little	This was in line with the Council's policy
That one development could not solve all the problems on the roads; roads were never designed to take the current levels of traffic	One development could not solve all the road network problems
There must be a responsibility on developers however to improve parts of the road system	A Section 106 agreement made sure the local impact of a development was offset

Whether the Section 106 could be adjusted to better take account of local people's concerns	The Council had agreed the Section 106 content and Supplementary Planning Guidance previously so was bound by that
With concerns about the effect on Penygarn Road and the Highway Officer's response	The measures recommended were as a direct result of residents concerns (e.g. traffic calming, table junctions, speed reduction, pedestrian safety etc). Section 106 monies had to be spent locally
That 124 new houses could have two cars each or more; this, added to the additional lorries generated, was very significant	Peak hour trips was the key issue. The site previously was a school – with many more peak hour trips than this development
The roads were already too narrow; a new footpath would make things worse	These concerns were acknowledged but an application could not be refused unless significant harm was demonstrated. In this case it was not and refusal could not therefore be recommended
72 buses a day went up and went down Penygarn Hill: a bus every 10 minutes	
In addition, 20 school buses went up and down every day	
The closure of Pontnewynydd School and relocation of children to Penygarn would add further to the traffic	
Road widening should take place before any development	
Who was responsible for eradicating the Japanese Knotweed on the site	The developer – this would be subject to a condition
Local Development Plan Policy G5 was clear – a development proposal would not be acceptable if it was not compatible with the existing local road network; this application did not appear to be compatible with the road network and could not therefore be supported	
The location of the “affordable housing” units	The site layout was displayed
Whether the “affordable housing” units could be “peppered” throughout the site rather than bunched together and segregated from other housing	Locating the “affordable housing” units together enabled better management and was recommended by Housing Strategy colleagues
Whether the exact location of the “affordable housing” units could be subject to condition	Their location did not matter from a planning viewpoint – it was housing professionals who recommended that they be located together. Their advice should be followed
The application should not be refused unless there were sound planning reasons to do so	See paragraph 12.9 below
Whether new footpaths or street lights would help given the existing traffic problems	
The type and spread of the trees on the site, which was difficult to control and one plot in particular, where the dwelling would be very close to a mature tree	
With further concerns about the traffic on Park Road and Penygarn Hill, including buses mounting kerbs, lack of kerbs, the number of cars and the risk of accidents	

The development of the site was part of the Council's strategy and intention when the school was closed	
The Council would face significant costs at appeal if the application was turned down without sufficient planning grounds; this could potentially threaten the viability of the 21 st Century Schools Programme and go against the Council's own long term plans	
This was not about sentiment; there did not appear to be any sound planning grounds on which to refuse the application	
There was a need for new housing	
One development could not solve all the problems on the road network	
Locating all the "affordable housing" units together may "ghetto-ise" that community	
Would there be a material detriment if they were moved?	Not in planning terms. A house was a house in planning terms, no matter who lived there or for how long. Those houses were located together on Housing experts' advice
Whether there were any or sufficient material planning grounds on which to refuse the application	No – the recommendation was clear - the application should be approved
How the location of the community housing units within the site could be pursued	It should not be pursued on this application – Housing colleagues were content with the location and so in planning terms it was acceptable. Discussion could take place on the issue for future developments if members desired
Whether discussions had been undertaken with Education on the suitability of the site for a new build school in the future	There was no suggestion of a new school on the site in future. A school was the default position in traffic generation terms

12.9 The Chief Officer, Planning and Public Protection concluded his comments, in summary that:

- the recommendation was clear – the application should be approved
- settlement patterns in the north of the County Borough were often of Victorian design
- if the Council decided to refuse applications on the basis of the inadequacy of the wider road network, this effectively would mean there could be no further development in the north of Torfaen; the Council would be "shutting up shop" and drawing a line at Pontymoile
- there was a shortage of new housing in the north of Torfaen, with the conditions difficult for volume builders
- this development would help with the regeneration of the area

- the Highways advice was clear; the highway network was not perfect and improvements could be achieved through this development, but it could not fix everything
- the road network may never be improved to the level some people wanted it to be: there was insufficient funding
- the Section 106 funding could not be spent solely on roads – it was also needed to fund improvements to open space, play, recreational and other facilities
- this site was in the Local Development Plan
- the Council had decided previously that the site is suitable for housing and
- there were no sufficient grounds on which to refuse it.

12.10 A member moved that the motion be put, given the length of the debate which had taken place.

12.11 The Chief Officer, Planning and Public Protection was asked to and clarified the amended recommendations.

12.12 A recorded vote was requested and supported by the required number of members. The vote was taken and the names recorded as follows:

	FOR	AGAINST	ABSTAIN
Councillor Ashley	√		
Councillor Barnett	√		
Councillor Bevan	√		
Councillor Brooks	√		
Councillor Burnett	√		
Councillor Cameron	√		
Councillor Caron	√		
Councillor Gwyneira Clark	√		
Councillor Richard Clark	√		
Councillor Constance	√		
Councillor Crick	√		
Councillor Cunningham	√		
Councillor Daniels	√		
Councillor Davies	√		
Councillor Evans	√		
Councillor Furzer	√		
Councillor Graham	√		
Councillor Harnett		√	
Councillor Harris		√	
Councillor Haynes		√	
Councillor Hunt	√		
Councillor Jeremiah		√	
Councillor Alan Jones	√		
Councillor Lewis Jones	√		
Councillor Kemp	√		

Councillor Mason	√		
Councillor Mawby	√		
Councillor Mills	√		
Councillor Owen	√		
Councillor Parrish	√		
Councillor Powell	√		
Councillor Rees		√	
Councillor Seabourne	√		
Councillor Smith	√		
Councillor Taylor	√		
Councillor Thomas	√		
Councillor Waite	√		
Councillor Wellington	√		
Councillor Yeowell	√		
TOTAL	34	5	0

NB any councillor not listed above was absent for this vote

12.13 The result of the vote was announced.

12.14 **COUNCIL had AGREED that:**

upon completion of an undertaking under Section 106 of the Town & Country Planning Act concerning the matters referred to in the report, the Chief Officer (Planning and Public Protection) be authorised to grant permission subject to the conditions set out in the report or any amendments, additions or deletions of those conditions which he may deem necessary.

COP&PP

12.15 The Council adjourned at this point (1pm) for a 30 minute break.

12.16 All members returned after the break except Councillors Caron, Cunningham, Furzer and Haynes.

13. BUS TURNING AREA, PONTYPOOL ACTIVE LIVING CENTRE (PALC) CAR PARK, TROSNANT STREET

13.1 The Council considered a report of the CO,NS (Chief Officer, Neighbourhood Services), which she outlined, seeking funding to progress a construction scheme to create a bus drop off and pick up area within the above site.

13.2 The CO,NS responded to questions from members, stating that:

- approximately 20 spaces would be lost from the PALC car park as a result of the new bus drop off and pick up area

- the new car park on the opposite side of Trosnant Street could accommodate these 20 or so cars
- if approved today, work should commence on site within approx. one month.

13.3 A question was asked about how much remained in the capital contingency fund after this commitment was made. The Assistant Chief Executive (Resources) (ACER) agreed to provide members with this figure after the meeting.

ACER

13.4 **COUNCIL APPROVED** the allocation of £66,000 from the 2013/14 capital programme contingency to progress the scheme as detailed in Appendix 2 to the report, to provide a facility for a bus drop off and pick up area within the PALC car park.

CO,NS

14. COMMUNICATIONS STRATEGY 2013-15

14.1 The Council considered a report of the Head of Communications, which he outlined, seeking approval of the above strategy and the adoption of the Council's current communications arrangements.

14.2 **Council APPROVED** the Communication Strategy for 2013-2015 and formally adopted the council's current arrangements.

15. WEBCASTING OF TORFAEN MEETINGS

15.1 The Council considered a report of the Head of Strategic and Democratic Services (HoS&DS), which he outlined, seeking to establish which of Torfaen's public meetings should be webcast and from when.

15.2 Councillor Mawby proposed a change to recommendation (2) so that it would read:

“delegate authority to the Leader of the Council, in consultation with the Head of Strategic and Democratic Services and the Chair of the Democratic Services Committee, to decide which Members Seminars will be webcast, due to the level of public interest in the subject matter”

15.3 Councillor Mawby moved the recommendations, with that change.

15.4 The motion was seconded.

15.5 **Council AGREED to**

- 1) webcast all meetings of Torfaen Council and Torfaen Cabinet from 25 September 2013 onwards

HoS&DS

- 2) delegate authority to the Leader of the Council, in consultation with the Head of Strategic and Democratic Services and the Chair of the Democratic Services Committee, to decide which Members Seminars will be webcast, due to the level of potential public interest in the subject matter and
- 3) receive a report from the Head of Strategic and Democratic Services in January 2014, reviewing progress and recommending next steps as appropriate.

**Leader, HoS&DS
and Chair of the
DSC**

HoS&DS

16. STATEMENT OF ACCOUNTS 2012/13

16.1 The Council considered a report of the Assistant Chief Executive (Resources) (ACER), which he outlined briefly, seeking approval of the Statement of Accounts 2012/13 following the conclusion of the external audit.

16.2 The Executive Member for Resources (Councillor Hunt):

- welcomed the timeliness of the accounts
- welcomed the Council's compliance with accounting codes of practice and good governance arrangements
- welcomed the fact that the external auditor was able to issue an unqualified audit opinion and
- thanked everyone concerned for a job well done.

16.3 Council AGREED

- (i) to note the successful conclusion of the external audit;
- (ii) to approve the Authority's 2012/13 Statement of Accounts;
- (iii) to authorise the Mayor to sign the Statement of Accounts for 2012/13
- (iv) that the Letters of Representation, in respect of the Council and the Pension Fund, be approved for authorisation by the appropriate Members; and
- (v) to approve the Annual Governance Statement for authorisation by the Leader and the Chief Executive.

ACER (all below)

17. MOTIONS ON NOTICE

17.1 Councillor Davies presented the following:

Motion

This Council agrees to block access to payday loan websites through the public PCs in libraries and other Council buildings in Torfaen and from its employees' computers.

Rationale

Whilst continuing to strongly support recognised Credit Unions within our County Borough, this Council is deeply concerned at the impact of payday loans on its citizens and at some of the practices of the payday loan industry. It therefore resolves to block access to payday loan websites through public PCs and WiFi in libraries and other Council buildings in Torfaen and from its employees' computers unless and until the industry, including its advertising practices, is effectively controlled.

17.2 The motion was seconded.

17.3 The Chief Legal Officer and Monitoring Officer advised that a report on this matter was being prepared for the Cabinet, as any such ban would have to be a policy decision and this issue would fall within the executive functions. The Council needed to proceed with caution, as payday loans were a lawful and regulated activity. Other factors would also have to be considered if access to such sites was blocked from the council's computer systems, such as the need to advise people of and signpost them to the options available to them. The Cabinet would therefore have to take all this into account before implementing any such block. Council members could if they wished express a view on this matter for Cabinet to take into account, but it should be a Cabinet decision.

17.4 Various members commented, with the main points raised on both sides of the debate summarised below.

17.5 Comments in favour of the proposal:

- the Council discouraged people from other lawful activities (e.g. legal highs) and encouraged them to undertake others (e.g. health improvement): why could it not therefore take action to discourage people from taking out payday loans
- people were driven to despair by payday loans, with rates of interest in the thousands of per cent and small loans taking many years to pay off
- lottery, gambling, pornography and other websites had been blocked – so should payday loan websites
- the Council had a responsibility to look after citizens
- payday loans capitalised on people's desperation
- many people were having to use these loans to pay for food and other essentials
- many people were using payday loans to pay off multiple earlier loans, with interest rates continually increasing and people getting ever deeper into debt.

17.6 Comments against the proposal:

- this could be seen as a dictat from the Council

- the Council's IT was available to all – it should not be used to prevent access to things people may want or need
- payday loans were legal and regulated – restricting access was not something a free society should do
- libraries were places to give information, not withhold it – they should be places for education and learning
- a block would not be effective; people who may need a loan could access payday loans anyway
- if people could not get access to legal, regulated loans, they may go to loan sharks instead; this would be far worse
- the Council could steer people towards other options (e.g. credit unions) if it wished by displaying public information materials – not by blocking access to payday loans
- this could open up the possibility of having to prevent access to other publications, such as newspapers and magazines, which advertised payday loan websites.

17.7 Councillor Mawby moved an amendment, to the effect that:

- Council supports the proposed block in principle and
- Council refers this matter to the Cabinet, for them to decide on the detailed implementation of such a block.

17.8 The amendment was seconded.

17.9 Councillor Davies stated that he supported the amendment. He did not support a “nanny state” and people could of course use their own computers or phones to access whatever sites they chose. Nevertheless, he did not feel the Council should be enabling people to get into debt, using the Council's IT systems.

17.10 Another member commented in summary that:

- the motion was hypocritical and smacked of a “nanny state”
- there were many shops in Pontypool and Cwmbran already charging high interest rates over long periods of time (e.g. electrical retail stores), as well as gambling shops and others, and until recently a loan company which was closed down for unscrupulous practices
- the Council had recently endorsed another unscrupulous loan company in Torfaen Talks.

17.11 The Chief Legal Officer and Monitoring Officer warned members not to make accusations of this nature in the Council Chamber.

17.12 The Leader also referred to the accusations as scandalous.

17.13 A member moved that the vote be put, given the length of debate.

17.14 The amendment was put to the vote and, with 27 members voting in favour and 5 members voting against, it was declared carried.

17.15 The substantive motion was then put to the vote and

17.16 **COUNCIL AGREED** (with 27 members voting in favour and 5 voting against):

- (1) in principle to block access to payday loan websites through the public computers in libraries and other Council buildings in Torfaen and from its employees' computers
- (2) to refer this matter to the Cabinet, for them to decide on the detailed implementation of such a block.

**Assistant Chief
Executive
(Communities)**

17.17 A recorded vote was requested, but the request was made after those in favour had been asked to show their hands. The request was therefore denied.

17.18 Clarification was sought on the timing of a request for a recorded vote. The Lead Officer Council and Member Support stated that members could be advised further in writing after the meeting.

**Chief Legal Officer
and Monitoring
Officer**

17.19 Members asked for their names to be listed individually as follows:

For the motion

Councillors Ashley, Barnett, Brooks, Burnett, Cameron, Gwyneira Clark, Richard Clark, Constance, Crick, Daniels, Davies, Evans, Graham, Harnett, Hunt, Lewis Jones, Mawby, Owen, Parrish, Powell, Rees, Seabourne, Taylor, Thomas, Waite, Wellington and Yeowell

Against the motion

Councillors Bevan, Harris, Kemp, Mills and Smith

Any members not listed above were absent from the meeting at this point.

17.20 Councillor Rees presented the following motion:

MTAN2 (Jan 2009) includes the presumption of a 500m buffer zone between an Open Cast mining application site and sensitive buildings, such as residences and primary schools.

This Council could be placed into a position whereby it may have to sign a Section 106 agreement in contravention of MTAN2 (Jan 2009), allowing Open Cast mining operations on the Farteg. A position that is unacceptable.

Therefore this Council resolves to write to the First Minister today, urging him to introduce a Bill, using the emergency procedure if necessary, putting the content of MTAN2 (Jan 2009) onto a statutory footing, thereby protecting the community of the Farteg from the ravages of Open Cast mining.

- 17.21 The motion was seconded.
- 17.22 The Chief Officer, Planning and Public Protection advised that he would not recommend this proposal to Council, and thought it a bad idea. Turning guidance into law would remove any flexibility in its application and may have unintended negative consequences elsewhere, which would not be in the Council's interests.
- 17.23 A member asked why Councillor Rees had used the term "the Farteg" in his motion to describe the Varteg, when he knew there was a public consultation ongoing and that local people were overwhelmingly opposed to the change of name of their area. He was asked when he had last visited and spoken to people locally.
- 17.24 Councillor Rees stated that he used that spelling and others did too, including the Welsh Government. That was not the issue he had raised in his motion however.
- 17.25 He responded to the officer advice, stating in summary that:
- this guidance, and particularly the 50 metre buffer zone between mining operations and sensitive buildings, such as houses and schools, should be enshrined in law
 - it was being interpreted as planning guidance, not law, by the planning inspector
 - the Minister was minded to approve the opencast mining application, but may not be if MTAN2 had legal force
 - MTAN2 was designed to ensure the views of local people were respected; the views of local people had been ignored in respect of the Varteg application
 - it had taken 10 years to get the buffer zone into the MTAN
 - legislation was the quickest way to ensure the buffer zone would be enforced
 - the Council's priority must be to protect communities
 - new laws could be made very quickly if there was political will to do so and
 - the Council should therefore seek enshrinement of MTAN2 in law.
- 17.26 The motion was put to the vote and, with 6 members voting in favour, 24 against and 2 abstaining, the motion was declared lost.
- 17.27 Councillors Evans and Bevan asked for their votes (in favour of the motion) to be recorded.

18. MEMBER QUESTION TIME

- 18.1 Councillor Haynes was absent from the meeting. She had asked for a written answer to her question (shown overleaf). Councillor Evans asked for that answer to be circulated to all members:

“What is the budget for the installation of Park/play equipment for 2013/2014, how much of that budget has been spent and where has it been spent. What are the criteria for deciding which parks/open spaces these items are installed in?”

18.2 The Mayor agreed to the question being dealt with in writing.

18.3 Councillor Daniels asked:

Could the Executive Member for Corporate Governance and Community Safety please outline what actions are being taken to ensure that school pupils throughout the Borough are being made aware of the dangers of psychoactive substances (otherwise known as legal highs)?

18.4 The Executive Member for Corporate Governance and Community Safety (EMCG&CS) (Councillor Yeowell) replied:

The Local Service Board and Community Safety Partnership have commissioned a substance misuse service for children and young people in Torfaen called “Choices”. The Choices Team offers a range of services to young people, their families and relevant professionals. The service includes:

- support, training and consultancy on “substance misuse and young people” to all staff working in Torfaen schools
- treatment and support interventions to young people with or at risk of a substance misuse issue and their families
- development of information resources for young people and professionals.

In May this year, one of our schools contacted “Choices” re the issue of synthetic cannabinoids, particularly a very nasty substance known as “Clockwork Orange” (and sometimes known as “herbal essence”), which had caused serious illnesses in a number of young people elsewhere in the country, who had been hospitalised for several days. A day of informal workshops was subsequently delivered in the school. This work was well received. Choices also received a self referral from one young person who was having difficulties with these substances and is now engaging well in structured support. The team has also identified three young people who wished to take part in the peer education programme and are now working with Choices to put together an awareness raising film on synthetic cannabinoids. The Choices team is continuing to work closely with the school and Choices are happy to work with all schools in Torfaen.

**Exec Member
Neighbourhood
Services (EMNS)**

18.5 Councillor Kemp withdrew his previously submitted question (about the performance outcomes of the enforcement contract with the company XFOR/Kingdom Services Ltd) as, he stated, this matter was due to be scrutinised in the near future and all members would have a chance to be involved at that point.

18.6 The Executive Member for Neighbourhood Services was absent from the meeting. Councillor Ashley therefore asked for his question (shown overleaf) to be answered in writing:

“Can you explore the practical and lawful use of cycling routes through the main parks in Torfaen (e.g. Pontypool Park, Cwmbran Boating Lake, South Fields etc) to link up the cycle network and access the facilities in the main parks in Torfaen?”

18.7 With the permission of the Mayor, Councillor Ashley also submitted the following supplementary question:

Can you look at projects or schemes in our parks which would benefit from safe and protected environments? There are similar schemes in parks in other areas.

18.8 The Mayor agreed to both questions being dealt with in writing.

EMNS

18.9 Councillor Graham asked:

What action can the Executive Member for Children and Young People take to engage with the disaffected youths that are congregating on the grounds of Llantarnam School and the immediate area, so putting a stop to their potentially destructive behaviour?

18.10 The Executive Member for Corporate Governance and Community Safety (EMCG&CS) (Councillor Yeowell) replied:

The Detached Youth Service could enter the area to engage with young people as they do with the Youth Offending Service. Together they can signpost young people away from anti-social and potentially criminal behaviour. This would lead to a reduction in the level of nuisance being experienced by residents. However, a full investigation would need to be undertaken prior to any interventions being put in place.

Following investigation and intervention the level of nuisance would be monitored. Any escalation of nuisance would lead to an escalation of sanctions.

Only one complaint about youths gathering in this area has been received, from a local resident. The police attended several times and found a group of youths camping out on the site. The Fire Service also attended as a camp fire had been lit, but it had been disposed of properly. The only nuisance identified was litter. This did not constitute anti-social behaviour and was not seen as a police priority.

I know Councillor Graham has spoken to the police before but no formal approach has been made to the Community Safety Team or the Detached Youth Service about this issue. If the matter had been reported sooner, we may well have been on the way to resolving the matter already. We work with the police very closely and they do not consider this nuisance serious enough to warrant their involvement. We take our lead very much from them.

18.11 Councillor Graham asked for reassurance that the Council was speaking to local residents about the actions being taken, as many people were concerned about the issue.

18.12 The EMCG&CS reiterated that the authority worked closely with the police and that they and the Fire Service had classed this as low level activity. There was litter on the site but nothing more. He undertook to do whatever could be done to reduce any nuisance, to discuss this further with the Community Safety Team and to get back to Councillor Graham as soon as possible. He also agreed to provide his replies in writing.

EMCG&CS

18.13 Councillor Rees asked:

When was the last time the Leader met with representatives of local business to discuss the challenges they face?

18.14 The Leader of the Council (Councillor Wellington) replied:

As you know, the Regeneration Service, under the auspices of Economy and Enterprise provide the focal point for local business and engage with new and existing organisations on a daily basis. The Regeneration portfolio is divided into two parts; Strategic Regeneration, which sits with me, and Operational Regeneration, which has recently transferred to the Deputy Leader's portfolio.

In my roles as Leader of the Council and Leader of the WLGA, I am involved in many discussions with business leaders from across the region, all of which are designed to try and smooth the way forward for a strong local economy. Local events such as the recent Digital Festival in Blaenavon have provided an excellent opportunity for me to engage with local businesses on key issues such as the opportunities afforded by the digital economy and knowledge industries here in the Borough.

On an operational basis, I believe the Deputy Leader remains keen to meet with representatives of local businesses as and when the opportunity arises. He is also kept apprised of the issues facing local businesses through regular briefings with the Head of Economy, Enterprise and Environment.

18.15 Councillor Rees stated that Business Improvement Districts had a good track record of bringing people together to improve local environments and that grants of up to £25,000 were available from the Welsh Government to employ consultants to work on this initiative. He stated that the deadline to apply for funding was 29 November and asked whether the Leader would instruct officers to apply for this funding.

18.16 The Leader confirmed that he would do so and that he was confident that officers were fully aware of the BID details and met business representatives daily.

18.17 Councillor Daniels asked:

“Does the Executive Member for Children and Young People believe that young people are sufficiently engaged in the workings of this Council?”

18.18 The Executive Member (Children and Young People) (EMC&YP) (Councillor Mawby) replied:

Torfaen has an active County Youth Forum, known as Torfaen Young People’s Forum, which has a membership taken from a wide range of youth groups, including school councils, looked after young people, substance misuse services, young carers, Gypsy and Traveller forum, and other youth groups. The forum also links with other sector forums such as the Registered Social Landlords youth forums.

The forum is actively engaged in the Single Plan outcomes and currently working on ‘People in Torfaen are Safe’ and how the forum can contribute to this outcome. Other activity includes working with officers from Neighbourhood Services to support a ban on smoking in playgrounds in Torfaen and most recently working with local safeguarding boards to develop a booklet for professionals who work with young people at risk of self-harm or suicide.

In order to support participation by young people in decision making, officers from the Public Services Support Unit, the Education Service, schools and Youth Services, in partnership with young people, have developed the website “Flex”, the young people’s online consultation website, where services are able to upload questionnaires to gain the views of young people.

The website has been successfully piloted in one secondary school and will be rolled out to others during the Autumn and Spring terms. Torfaen Young People's Forum will be working with officers to develop an action plan of consultation, linking to priority areas for uploading to the Flex website.

The forum meets on the first Wednesday of each month and all members are always welcome to come along and see the forum in action.

So - the short answer is "yes".

18.19 Councillor Daniels asked whether the Executive Member could assure members that engagement with young people would receive great emphasis and that there would be efforts to further engage with young people.

18.20 The EMC&YP replied: "yes".

18.21 Councillor Rees asked:

What assurances can the Executive Member for Health, Social Care, Wellbeing and Equalities provide about the quality of Foster Care in Torfaen?

18.22 The Executive Member for Health, Social Care, Wellbeing and Equalities (EMHSCWB&E) (Councillor Richard Clark) replied:

Firstly I would like to thank all those in the community for their dedication and commitment in performing foster caring roles. They are not thanked enough.

Foster Care in Torfaen is subject to annual inspection by one of the regulatory arms of Welsh Government, CSSIW (the Care and Social Services Inspectorate for Wales). The service was inspected in 2013 and was found to be generally satisfactory with just two administrative areas requiring attention. Both these issues were dealt with immediately and CSSIW have been formally notified. The service offers a wide range of placements including emergency, long term, short term, respite and short breaks. The majority of children are placed with Torfaen foster carers but when this is not possible the authority has written delegated agreements under regulation 40(4) with independent fostering services, although we are one of the lowest users of independent placements in Wales.

We have approximately 60 children placed with *Kinship carers*. Most of the assessments completed this year have been kinship care assessments, evidencing the drive to place children within their extended families. There are approximately 53% mainstream carers and 47% kinship which evidences Torfaen's

policy of placing with family and friends where possible. Over the past year, we have had changes in staff and some serious sickness absence in the team. This did impact on the level of support to foster carers. The team is now fully staffed and this support is improving. Children placed however, are subject to *Looked After Children* procedures and are supported by their own social worker outside of the fostering service, who follow the statutory guidance around monitoring the child in placement.

18.23 Councillor Rees stated that the All Wales Private Fostering Week was held last week, and that local authorities should be aware of private fostering arrangements, to ensure children were properly safeguarded. There was no mention of Private Fostering Week on Torfaen's website or Facebook page. He asked why that was.

18.24 The EMHSCWB&E stated that he would provide the answer to the supplementary question in writing. However he reiterated his earlier answer about the preference for children to be placed with their wider families where possible and about the high quality of foster caring in Torfaen, which may mean there was little need for private fostering.

EMHSCWB&E

18.25 Councillor Rees asked:

What assurances can the Executive Member for Housing, Planning and Public Protection provide that Communities First is working?

18.26 The Executive Member for Housing, Planning and Public Protection (EMHP&PP) (Councillor Gwyneira Clark) replied:

As Members will know, the Welsh Government has recently published its approach to tackling poverty – “Building Resilient Communities – taking forward the tackling poverty Action Plan”.

This strategy addresses one of the previous criticisms of CF (Communities First) – that it has been difficult to measure the impact and outcomes from the programme, and so provide some assurances that investment is actually making a difference.

At a local level, we have taken those targets for the three main programme areas (Healthy, Learning and Prosperous Communities) and used them to set local level targets for the 14 projects that we have put in place within Torfaen.

Progress against these targets is monitored monthly, together with additional information in the form of case studies which help me to appreciate the impact and the difference that our programme is making.

At the September meeting, a total of 9 projects were on target, which is below the previous levels that we have been reporting, but taking the year to date figures, we are confident that CF will achieve “our share” of the national impact that Welsh Government (WG) is expecting from their investment.

I will circulate a summary of that performance information for all Members, but it is important to add that figures only tell half the story: I have now visited many of the projects and seen first hand how they complement and work with other projects in our communities.

EMHP&PP

There will be a Members Seminar on 21 October in order to inform members of the structure and function of the Cluster Forums. It will also include real life case studies from a range of people that have been supported through the CF programme.

To summarise, I am confident that we can demonstrate that CF, and indeed Families First and Flying Start, are working well. However, we all need to appreciate that adequately tackling poverty in our communities requires much more than one CF programme.

18.27 Councillor Rees referred to the emphasis of the programme on helping the most vulnerable people in Wales rather than focusing on area boundaries. He asked whether CF was working with people who needed help outside its immediate boundaries.

18.28 The EMHP&PP replied that CF was working with people outside its immediate boundaries. 53 residents were being directly supported at present, plus over 200 more online. She would be happy to supply further details to members on request.

EMHP&PP

18.29 Councillor Rees asked:

Is the Executive Member for Children and Young People satisfied with the service the EAS (Education Achievement Service) provides to this Authority?

18.30 The Executive Member (Children and Young People) (EMC&YP) (Councillor Mawby) replied:

Yes – but it is important to continue to monitor the quality of their services.

18.31 Councillor Rees stated that he was a governor of Llantarnam School. He referred to the recent poor exam results at Llantarnam School and that the education authority was unaware beforehand that there was a problem. He stated that the EAS must therefore have failed to inform the Council, or that the EAS did not know about the problem. He asked what the Executive Member would

do to prevent another such failure in future.

18.32 The EMC&YP stated that this was a very complex issue. In fact, 75% of pupils at Llantarnam had gained 5 As to Cs at GCSE. This result was better than most schools' results. However, only 27% had gained 5 GCSE As to Cs when English or Welsh and Maths were included. This performance was worse than all other Torfaen schools and was very disappointing. Something must be going well at the school, for 75% of pupils to get 5 GCSE As to Cs, so the results including English or Welsh and Maths were puzzling. Under the old system of reporting results, the school and the authority would have been seen as extraordinarily good. The lack of clarity could be for many reasons and it was for the authority, working with the EAS, to find out why - and why there were no warning signs. This work was ongoing and the issue was certainly not being ignored.

18.33 Councillor Rees asked:

When will the Executive Member for Children and Young People announce his solution to meet demand for reception places starting September 2014 in the Welsh Medium sector?

18.34 The Executive Member (Children and Young People) (EMC&YP) (Councillor Mawby) replied:

I will announce a solution when there is one, in short.

Torfaen Council has committed to ensuring that every child whose parents wish them to receive a Welsh Medium Education is awarded with a place at one of our schools. The Council has a statutory responsibility to provide Welsh Medium Education where it is required and will continue to seek to ensure this is the case.

Demand for Welsh Medium Education continues to rise and has resulted in the opening of a third school, Ysgol Panteg, in September 2010. The increase in demand across Torfaen is monitored and this is particularly the case in mid Torfaen, which has resulted in the plans to build a new 420 place Ysgol Panteg on the former Avesta Steelworks site. Negotiations continue with Welsh Government (WG) on this proposal. The new school is planned to open in September 2015 and further information on this is expected from WG in the next few weeks.

There are currently about 150 pupils on roll (excluding nursery) at Ysgol Panteg and the school is nearing capacity. To ensure there are sufficient places for September 2014, the Council is reviewing current accommodation this term to identify the options to provide additional places, whether temporary accommodation on site is provided, or off site accommodation is used.

This would clearly be a temporary short term arrangement so will not add to surplus places in the medium term once the new school is opened, which as I said will hopefully be in September 2015. If needed, proposals will be advanced in early 2014 following the closing date of the reception admissions round for that year. Arrangements for September will be shared with school governing bodies and parents/carers early in the new year and I am happy to provide it for members too.

18.35 Councillor Rees stated that he was a governor of Ysgol Gwmraeg Cwmbran (YGC). He stated that parents of 62 children (so far) wanted their child to go to YCC in September 2014 but there was insufficient room, with the school having exceeded its admission numbers for two years running. 62 children could not fit into 47 places. He stated that other Welsh Medium (WM) schools were full already. He asked whether the Executive Member agreed that there should be new WM provision within Cwmbran to meet the demand there.

18.36 The EMC&YP stated that he did not agree and that this needed to be assessed properly. More surplus places would be contrary to WG's expectations. The authority would continue to work hard to meet parental preference wherever possible. Admission numbers were not necessarily limits on numbers admitted to the school in one year, given the appeal process, and he hoped all 62 children could be admitted into YGC. More would be known on the actual numbers and contingency plans later in the year but he did not envisage another new WM school in Cwmbran being brought forward before Ysgol Panteg opened.

18.37 Councillor Rees asked:

Mae Gwobrau Dewi Sant yn gynllun unigryw i Gymru, ac yn cydnabod llwyddiannau pob math o bobl, beth bynnag eu cefndir neu wreiddiau. Bydd y Gwobrau blynyddol yn anrhydeddu pobl sy'n gwneud pethau eithriadol, gan ysbrydoli eraill a gwneud gwir wahaniaeth i ansawdd bywyd pobl Cymru. Arweinydd, pwy fyddwch chi'n eu enwebu?

NB English translation:

The St David Awards scheme is unique to Wales and recognises the achievements of people from all walks of life, regardless of their origin or background. The Awards will be an annual feature of Welsh life celebrating those people who do exceptional things, inspiring others and making a real difference to the quality of life in Wales. Leader, who will you nominate?

- 18.38 The Leader of the Council (Councillor Wellington) replied (in summary) that he had met very many clever people in Wales over many years, including most recently in his role as Leader of the Welsh Local Government Association. These included doctors, professors, politicians, local government officers and all sorts of other people who made a real difference to people's lives.

For the way in which people's lives were changed for the better however, no-one deserved an award as much as Julian Davenne, the Council's Play Service Manager. Julian faced his own personal challenges but managed through his innovative, creative, bright, caring, compassionate and thoughtful approach to deliver the Play Service as demonstrated earlier in the meeting.

With Julian Davenne's help and guidance, he reminded members, many events and projects took place around Torfaen, including awards ceremonies for young people and events at the Boating Lake for example. He reiterated that 2000 children and young people a day (many of whom were disabled) had been able to play during the summer holidays, at 32 play schemes, as a result of Julian's efforts. Julian was probably the only person he knew who was working with approximately 70 different partners and 145 volunteers, to make all this happen.

The Leader stated that Julian was a very special officer and that he would therefore be nominating Julian for a St Davids Award.

- 18.39 Members applauded the Leader's choice.

19. DATE OF NEXT MEETING

- 19.1 **COUNCIL NOTED** that its next ordinary meeting was scheduled for Tuesday 22 October 2013 at 10am in the Council Chamber at the Civic Centre, Pontypool.

20. CABINET DECISIONS – 13 AUGUST and 10 SEPTEMBER 2013

- 20.1 The Executive Member for Children and Young People (Councillor Mawby) commented on the decision of Cabinet (made on 10 September 2013) to start consultation on the possible closure of Pontnewynydd School with effect from August 2014. He stated that, since that decision had been made, further information had come to light on promises made to the school about the timing of any potential closure, during the 21st Century Schools process. Due to the school's move from Band B to Band A, the timing had changed, but it was not fair to bring potential closure forward to 2014 in his view, given the shortage of notice and the consequent lack of preparation by the school and parents, especially in light of the assurances made previously. He was going to seek a further

report to Cabinet therefore, to seek a change in the decision – from August 2014 to August 2015. This change was for Cabinet to decide. He was announcing it today for members' information.

- 20.2 Councillors Lewis Jones and Taylor thanked Councillor Mawby for his statement. Both expressed their objection to the proposed closure of the school. Mention was made of the need to allow as much time as possible to enable people to adjust, if ultimately it was to close, the excellent education provided by the school and the problems with the road network in the local area if children were to be transported to Penygarn Primary.
- 20.3 **COUNCIL NOTED** the Cabinet decisions, which were set out in the agenda, and the update provided by Councillor Mawby.

The Mayor closed the meeting at 3.10pm approximately.

Signed as a correct record by the Mayor

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Explanatory notes

- 1. The minutes do not generally list councillors leaving the meeting early, arriving late, or briefly leaving the room during a particular debate or decision. Councillors are only listed as having left or returned to the meeting if they were absent due to a declared personal and prejudicial interest (or specifically announced their departure or arrival for some other reason).*
- 2. Councillors' first names are used to identify their gender in the attendance and voting registers. They are normally referred to by surname only in the remainder of the minutes – unless there are two people with the same surname.*
- 3. Where quotations are shown above, any clear typographical or grammatical errors (including proper names) have been corrected and/or abbreviations explained.*
- 4. The minutes provide a summary of the meeting and the flavour of the discussions which took place, leading to the decisions made. They are not a verbatim record.*

Minutes produced by Richard Gwinnell, Lead Officer, Council and Member Support

<p>ALL MEMBERS SITE INSPECTION TREVETHIN SCHOOL SITE</p> <p>WEDNESDAY 26 JUNE 2013</p>	
<p>DEMOLITION OF EXISTING CHAPEL AND CONSTRUCTION OF 124 RESIDENTIAL UNITS AND ASSOCIATED HIGHWAYS, DRAINAGE AND LANDSCAPING WORKS - 13/P/00014</p>	
Councillors	Norma Parrish (Chair), Pam Cameron, Gwyneira Clark, David Daniels, Stuart Evans Maria Graham, Mike Jeremiah, Lewis Jones, Robert Kemp, John Marshall, Philip Seabourne, Barry Taylor JP, Neil Waite and David Yeowell.
Ward Member	Councillor Neil Mason, St. Cadoc's and Penygarn
Apologies	Councillors Mary Barnett, Huw Bevan, Cynthia Beynon MBE, Stephen Brooks KSS JP, Ron Burnett, Glyn Caron, Richard Clark, Len Constance, Veronica Crick JP, Fiona Cross, John Cunningham MBE KSG, Giles Davies, Alun Furzer, Kelvin Harnett JP, Mike Harris, Elizabeth Haynes, Anthony Hunt, Keith James, Brian Mawby, Raymond Mills, Mandy Owen, Jessica Powell, Jeff Rees, Graham Smith, Colette Thomas, Wayne Tomlinson and Bob Wellington.
Officers	Ros Gwynn, Lead Officer Regulatory Support Rachel Standfield Senior Planner Norman Jones, Area Team Leader Rebecca McAndrew, Principal Planner Duncan Smith, Chief Planning and Public Protection Officer Mia McAndrew, Workplacment Trainee

1. The site visit panel met outside the old Trevethin School Site in Penygarn and the Chair welcomed everyone to the site visit and reminded all members to declare any personal interests in the application.

2. The Principal Planner demonstrated access to the site on the map that was displayed to all present. She explained that members were standing at the main access to the site of the proposed housing development of 124 dwellings. Members were told that there would be a one-way system at the bottom part of the site, the rest of the site would be two-way and the wall near the entrance would be demolished and rebuilt in a revised position to form an entrance feature.

3. The site panel was told of the following issues:
 - There had been a lot of objections from residents who were unhappy with the proposal
 - There were no footpaths on the existing one way system
 - Highways officers were happy with the proposed highways measures
 - Two table junctions were proposed to help slow down traffic and the highway would be narrowed at the chapel to three metres, with a footpath

being created on the eastern side of Old Penygarn Road which would have a traffic calming effect therefore it would be more difficult for larger vehicles to use the road as a 'rat run'

- A comparison had been made with the number of trips to a residential estate compared to the number of trips to the school
- The residents living next to the access point had complained about the effect on their amenities and other residents had raised concerns about car parking. The developer had undertaken to provide a new rear pedestrian access for these properties
- Further objections had been received from occupiers of the detached bungalows adjacent to the site as they felt the proposed houses would obscure their view.
- The proximity of the new houses would exceed the 21 metres normal guidance distance between properties and would be in the region of between 30 To 45metres from the bungalows
- Residents of the bungalows had queried who would maintain the existing mature hedgerow after construction and had originally requested rear access to their properties but this was not feasible
- Barratts had proposed to erect a 1.8m high wooden fence between the site and residents properties

4. In response to members' questions, the Principal Planner explained that when the school was demolished, a bat licence had been obtained to move the bats from the school to the chapel. She said that Barratts wanted to remove the chapel and the bats into a bat house. No formal observations had yet been received from National Resources Wales yet but objections were expected from them and this issue still needed to be resolved.

5. The Principal Planner informed members of the following points:

- The development would have two play areas and a link through would provide pedestrian access
- The adopted Supplementary Planning Guidance (SPG) adopted in 2008 contained the principles of development and it was then re-adopted in 2011. The S.106 agreement would make allowance for the loss of playing fields which would be located elsewhere and it would also contain details of highways improvements
- The S.106 was currently being discussed but not yet settled
- The SPG has set the basis for the sale of the site and there was quite a planning history to the site
- A management plan for the site would be developed to minimise disturbance and also deal with surface water drainage
- A lot of negotiation had taken place over the past few months but some resolution had taken place

6. Cllr Jeremiah commented on the amount of traffic that had already passed the site during the duration of the site visit and expressed concern at the amount of traffic that could be generated at peak times. He felt that the number of houses proposed for the site might be too large.

7. The site panel was told that the number of dwellings had already been agreed in the SPG. Cllr Lewis Jones said that he agreed with all points made by Cllr Jeremiah. He also expressed concern with the amount of construction traffic and the extra traffic generated by the houses that would have to go through Penygarn, especially as there was no footpath on the road near the site.
8. Members commented as follows:
 - The housing on the site did not look particularly dense on the plan
 - Did the Ecologist object to the development?
 - Who would be responsible for looking after the new fence?
 - If it was identified that the chapel would be the best place for the bats to remain, who would have responsibility for the upkeep of the chapel?
 - Who would take ownership of the lane at the rear of the properties if it was not at an adoptable standard
9. The Principal Planner responded to the questions as follows:
 - A footpath had been included in the traffic management plan and as a result the road would be narrowed and it was hoped that this would help reduce the speed of vehicles travelling through the area
 - The Ecologist had not objected to the proposal and Barratts had been asked to provide an ecological survey of the site. Conditions could be added to the application if necessary
 - The new fence was felt to be the best way to define the boundary and its upkeep would be the responsibility of the owners of the new properties
 - If the Chapel had to be retained then it might remain the responsibility of the Authority or a management company might be set up to look after it
 - The issue of maintaining the lane would be clarified
10. The site inspection panel then walked to the area where it was proposed to build a second table junction which would improve visibility on that road. The site inspection panel then entered the site and were shown the positioning of properties in relation to the site. The Principal Planner demonstrated the properties that would have their views obscured by the development. She explained that residents had asked whether bungalows could be built instead of houses but Barratts had said this was not possible due to economical reasons
11. In response to the Ward Members' question, the ground level of the land could not be lowered as it would then alter the levels for the rest of the site.
12. The Principal Planner advised the site panel that most trees would be retained but there were no trees with existing Tree Protection Orders (TPO) as they were currently under Torfaen's ownership. She added that TPOs would usually be in place when the site was sold. The site panel was told that proposed parking spaces on the site met guidelines and Highways were happy with that and the off-street parking proposals on the development as they met the standards of the policy.
13. Members then walked to view the chapel and it was explained that Barratts would like to demolish the building. The Principal Planner explained if it the chapel had to stay then a maintenance scheme would be required.

14. Cllr Neil Mason, Ward Member, suggested that if the chapel was demolished then the stained glass window should be put in Pontypool Museum including those boarded up at the rear of the chapel. Members were informed that if the chapel was demolished then it would be replaced by a house and its position was shown on the site map. The Principal Planner explained that no assessment had been carried out yet but the matter would need to be resolved.
15. Members also viewed the road conditions on Channel View and Cllr. Mason requested that these should be taken into account when members made their decision, pointing out existing on-street conditions and highlighting a recent occasion of gridlock on the road system.
16. The Chair thanked all members and officers for attending the site visit.

Site notes written by Ros Gwynn, Lead Officer Regulatory Support on Monday 8 July 2013.