



FULL COUNCIL REPORT

Date Written	18 th April 2018
Report Author	Ann Taylor
Service Area	Democratic Services
Exempt/Non Exempt	Non Exempt
Committee Date	2 nd May 2018

To: Mayor, Ladies and Gentlemen

Ffos-y-Fran Liaison Committee Constitution and Orders of Reference

1.0 SUMMARY OF THE REPORT

- 1.1 Elements of the Ffos-y-Fran Liaison Committee's (the Committee) Constitution and Orders of Reference (the Constitution) may be altered in accordance with the wishes of the Committee subject to the agreement of the Council and Miller Argent both acting reasonably.
- 1.2 A recommendation has been put forward to add a condition to the terms of a Resident Members' role within the committee in relation to non-attendance at three consecutive meetings.
- 1.3 The resident would be contacted by the Chair and required to explain the reason for their absence. The decision as to whether or not to expel that resident would be made by the Committee based on the resident's response.

2.0 RECOMMENDATION that

- 2.1 Council agree to the inclusion of a new condition in the Ffos-y-Fran Liaison Committee's Constitution and Orders of Reference relating to non-attendance of Resident Members as outlined at 4.1 below.

3.0 BACKGROUND

- 3.1 Section 11 of the Constitution states that "Elements of the Constitution may be altered in accordance with the wishes of the Committee subject to the agreement of the Council and Miller Argent both acting reasonably".

- 3.2 In response to the non-attendance of some members it has been requested that an additional condition be included in the Constitution to provide the Committee with a means of ensuring that resident members maintain an active role.
- 3.3 A copy of the proposed amended Constitution is attached at Appendix One.

4.0 AMENDMENT TO THE CONSTITUTION

- 4.1 The additional condition would read:

Resident members must maintain an active role within the Committee. Failure to attend three consecutive meetings will result in a letter being sent by the Chairman, requesting the resident explain the reason for their absence. It will be for the Committee to decide whether to expel that resident from the Committee.

In the event of a Resident Representative either leaving, or being expelled for non-attendance, the vacancy will be promoted on both the Council and CCBC websites for a period of four weeks. Committee members may also promote the position. Resident Representatives shall be selected and agreed by Councillor Members based on their geographical location, living in the vicinity of Ffos-y-fran.

Interested parties will be asked to submit, in writing to the Liaison Committee Secretary, the reasons they should be considered to become a member of the Committee. The Committee shall select a new resident representative from the list of applications at the next Liaison Committee meeting.

5.0 FINANCIAL IMPLICATION(S)

- 5.1 There are no additional financial implications associated with this report.

6.0 EQUALITY IMPACT ASSESSMENT

- 6.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

GARETH CHAPMAN
CHIEF EXECUTIVE

COUNCILLOR ANDREW BARRY
CABINET MEMBER FOR GOVERNANCE AND
CORPORATE SERVICES

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
No Background Papers		
Does the report contain any issue that may impact the Council's Constitution?		No

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.

THE FFOS-Y-FRAN LAND RECLAMATION SCHEME
LIAISON COMMITTEE

PROPOSED CONSTITUTION AND ORDERS OF REFERENCE

The constitution of the Ffos-y-fran Land Reclamation Scheme Liaison Committee (“the Committee”) shall be as follows:

1. **MEMBERSHIP OF THE COMMITTEE**

- (a) Two members from Miller Argent (South Wales) Limited (“Miller Argent”)
- (b) Additional two members from Miller Argent’s site management team
- (c) Six Councillors from Merthyr Tydfil County Borough Council (“the Council”); being two from the Dowlais Ward, two from the Town Ward, one from the Plymouth Ward and one from the Bedlinog Ward
- (d) One Councillor from Caerphilly County Borough Council (“CCBC”)
- (e) The Committee shall be authorised to co-opt up to eight representatives from residents living in the vicinity of the Ffos-y-fran site from either Merthyr Tydfil or Caerphilly county boroughs
- (f) Two representatives from Natural Resources Wales.

The Chairman and Vice-Chairman of the Committee shall be a Councillor of the Council. No Councillor shall be entitled to attend a meeting of the Committee after he or she ceases to be a member of the Council or CCBC.

Miller Argent shall be responsible for setting the criteria for the appointment of members from the general public. The Council and CCBC shall be responsible for the appointment of its members of the Committee.

Miller Argent, in consultation with the Council, shall have the right to dismiss members of the Committee in the event of unbecoming and/or unruly behaviour/conduct.

In the event of a member of the Committee resigning or otherwise being unable to participate in future meetings Miller Argent may consider replacements under its selection process.

Resident members must maintain an active role within the Committee. Failure to attend three consecutive meetings will result in a letter being sent by the Chairman, requesting the resident explain the reason for their absence. It will be for the Committee to decide whether to expel that resident from the Committee.

In the event of a Resident Representative either leaving, or being expelled for non-attendance, the vacancy will be promoted on both the Council and CCBC websites for a period of four weeks. Committee members may also promote the position. Resident Representatives shall be selected and agreed by Councillor Members based on their geographical location, living in the vicinity of Ffos-y-fran.

Interested parties will be asked to submit, in writing to the Liaison Committee Secretary, the reasons they should be considered to become a member of the Committee. The Committee shall select a new resident representative from the list of applications at the next Liaison Committee meeting.

2. CHAIRMAN AND VICE CHAIRMAN

The Chairman and Vice Chairman of the Committee shall be appointed by the Committee for a term of one year from among the Council members of the Committee and may be re-appointed.

3. QUORUM

The quorum shall be 5 members - with at least one member from the Council and one from Miller Argent in attendance.

4. SUBSTITUTE COUNCILLORS

The Council and CCBC may appoint substitute councillors to attend any meeting of the Committee where the appointed councillor is unable to attend the Committee meeting.

5. OTHER REPRESENTATIVES

The Chairman of the Committee shall be authorised to invite any person to attend the Committee meeting to give advice as and when necessary. Any such person or other representative or officer of the Council or CCBC shall attend the Committee in an advisory capacity only.

6. CYCLE OF MEETINGS

Ordinary meetings of the Committee shall be held at three monthly intervals. The Secretary to the Committee shall call an extraordinary meeting of the Committee within fourteen days of a written request to do so, signed by five or more members. The Chairman of the Committee shall also have the authority to call an extraordinary meeting of the Committee.

7. TERMS OF REFERENCE

The terms of reference of the Committee shall be to discuss matters pertaining to the site and the development and to inform and liaise with the community about such matters through the appointed members. The Committee will have no decision making powers but will be a forum for discussion. The notes of the Committee shall be referred by the Secretary to the Committee of the local authorities referred to in 1 (c) to (d) above for such action as they may consider necessary.

8. AGENDA

(a) The agenda for the ordinary meetings of the Committee shall be determined by the Chairman of the Committee.

(b) The agenda for any extraordinary meeting of the Committee shall include any item specified in the written request referred to in (6) above.

9. RECOMMENDATIONS

The Committee may recommend a course of action or procedure within the remit of the Committee only if the recommendation is approved by a majority of the representatives attending the meeting at which the matter is considered.

10. SECRETARY

The servicing and secretarial support of the Committee will be undertaken by Miller Argent following the inaugural meeting, which will be convened by the Council.

11. CONSTITUTION AMENDMENTS

Elements of the Constitution may be altered in accordance with the wishes of the Committee subject to the agreement of the Council and Miller Argent both acting reasonably.

12. DELEGATED RESPONSIBILITY

Where in this document the word "Council" is used in reference to an action, this is not intended to be interpreted as the full Council of Elected members, it means the officers acting on behalf of the Council or the councillors who are members of the Committee, whichever is the most appropriate to the circumstances.

Issue 6 – [date]