



## **CABINET**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 12TH DECEMBER 2018 AT 10.30 A.M.**

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#### **PRESENT:**

Councillor D. Poole – Chair

#### **Councillors:**

C. Cuss (Social Care and Wellbeing), N. George (Neighbourhood Services), C.J. Gordon (Corporate Services), Mrs B.A. Jones (Finance, Performance and Governance), P. Marsden (Education and Achievement), S. Morgan (Economy, Infrastructure and Sustainability), L. Phipps (Homes and Places) and E. Stenner (Environment and Public Protection).

#### **Together with:**

C. Harray (Interim Chief Executive), D. Street (Corporate Director - Social Services and Housing), M. S. Williams (Interim Corporate Director - Communities) and R. Edmunds (Corporate Director – Education and Corporate Services).

#### **Also in Attendance:**

S. Couzens (Chief Housing Officer), R. Kyte (Head of Regeneration and Planning), K. Peters (Corporate Policy Manager), S. Wolfe-Williams (Health Challenge Wales Co-ordinator), J. Carpenter (Finance Manager (Revenues), S. O'Donnell (Principal Council Tax and Non-Domestic Rate Officer), C. Adams (Acting Highway Operations Group Manager), H. Jones (Waste Strategy and Operations Manager) and A. Dredge (Committee Services Officer).

#### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

#### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the commencement or during the course of the meeting.

#### **3. CABINET - 28TH NOVEMBER 2018**

RESOLVED that the minutes of the meeting held on 28th November 2018 (minute nos. 1 - 6) be approved and signed as a correct record.

## **MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**

### **4. COUNCIL TAX BASE 2019/20.**

The report sought Cabinet approval for the calculation of the Council Tax Base for 2019/20 for tax setting purposes and the collection percentage to be applied.

Cabinet were advised that the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995 as amended set out the rules for the calculation of the Council Tax base. This is the amount required by the Local Government Finance Act 1992 to be used in the calculation of the Council Tax. The Council Tax base for discounted chargeable dwellings expressed as Band D equivalents has been calculated at 61,727.14 for 2019/20. This figure is used by Welsh Government in calculating the Revenue Support Grant. The in-year collection rate for Council Tax has been maintained around 97% over the past few years, with 97.1% in 2016/17 being the best ever performance for Caerphilly CBC. This has been achieved against the backdrop of reducing budgets and staffing levels. The Authority actively pursues all Council Tax arrears which results in the collection rate of 97% being regularly exceeded over time. This generates a Council Tax surplus at the end of the financial year; for 2017/18 the Council Tax surplus was £1.61m. It was noted that the surplus is used to support the Authority's base budget.

Officers explained that the collection rate is regularly exceeded over time and it is proposed that the budgeted collection rate be increased for 2019/20 from 97% to 97.50%. The increase will be offset by a corresponding reduction in the Council Tax surplus generated. This means that there will be no change in the overall level of budgeted Council Tax income. The Council Tax base for 2019/20 is 61,727.14 x 97.50%, which equates to 60,183.96. Members were referred to paragraph 4.5. in the report that lists the Community Council areas within the Borough with the associated figures for Band B properties. Officers advised that increases in Band D equivalents can result in a reduced Revenue Support Grant when the final settlement announcement is made later this financial year.

Members thanked the Officers for the report and noted the excellent current collection rate of 97% to date and were pleased to support the recommendations that would determine the Council Tax base for 2019/20.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

- (i) the Council Tax collection rate is increased to 97.50% for 2019/20;
- (ii) the Council Tax Base for the year 2019/20 be 60,183.96, with the Council Tax Base for each Community Council area as outlined in Paragraph 4.5.

### **5. HOMELESSNESS STRATEGY AND ACTION PLAN 2018-2022.**

The report sought Cabinet approval of the Gwent Regional Homelessness Strategy 2018-2022.

Cabinet were advised that the Housing (Wales) Act 2014 requires all Welsh local authorities to undertake a review of their homelessness services and produce a four year homelessness strategy to address the issues identified. The five local authorities in Gwent have responded to the requirement by working together to produce a regional strategy, delivered through local and regional action plans. A regional approach was approved by Welsh Government and this takes into account the need to consider more partnership and cross boundary working. The strategy has been developed from the findings of an extensive regional consultation and

review. Local Authorities across Wales are required to implement their homelessness strategies by 31st December 2018. A copy of the Strategy and supporting documentation was appended to the report for Members' information.

Officers explained that the Gwent Homelessness Review 2018 (an extract of which was appended to the report) that defines the scale of the issue across the region and within Caerphilly, and analyses the nature and extent of homelessness in Gwent. The strategy document (attached at Appendix 2) contains four key priorities and ten strategic objectives. A regional action plan has been developed which in Caerphilly's case, also contains the local actions that the Council intend to deliver through the term of the strategy period (attached at Appendix 3). Cabinet were reassured that the strategy and action plan is the result of a thorough review of homelessness in Gwent to establish the scale, trends, causes, availability of accommodation, support and practice. This review has resulted in a 160 page document which will be made available in the Members' library. Included in the strategy is a commitment to working with social and private rented landlords to sustain tenancies and increase access to housing to prevent incidents of homelessness occurring. It also includes actions aimed at reducing the number of rough sleepers, including a regional review of accommodation. The Equalities Impact Assessment for the Strategy (at Appendix 4) outlined the extensive consultation that has been undertaken with relevant Council Officers and online surveys with service users who have experienced homelessness.

Officers advised that the Strategy had been presented to the Policy and Resources Scrutiny Committee on the 13th November 2018 and the Caerphilly Homes Task Group on the 6th December 2018. Whilst the strategy was recommended to Cabinet for approval at each of those meetings, Members raised queries in relation to how Caerphilly assess and allocate properties to homeless persons. In response, it was suggested that a Members' Seminar be arranged in the new year to explain the process and combine this with an update on the roll out of Universal Credit.

Cabinet thanked the Officer and his Team for the work undertaken in developing the strategy and action plan that will allow Caerphilly County Borough Council to work collaboratively with the neighbouring authorities across the Gwent area in moving forward.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report, the Gwent Regional Homelessness Strategy 2018-2022, be approved.

**6. UNIT 21 LAWN INDUSTRIAL ESTATE RHYMNEY - LEASE RENEWAL TO GROUNDWORK CAERPHILLY T/A THE FURNITURE REVIVAL.**

The report sought Cabinet approval for the Council to enter into a new 10 year lease with Groundwork Caerphilly (trading as The Furniture Revival) for Unit 21 Lawn Industrial Estate. The unit comprises 13,103 sq. ft and attracts a peppercorn annual rental of £1 per annum. The report had originally been considered and endorsed by Cabinet on 7th June 2017. Since then, there has been a change of legal entity from GC Enterprises (Wales) Ltd to Groundwork Caerphilly in order to achieve the tax benefits afforded to a charity.

The Officer explained that Groundwork Caerphilly trading as The Furniture Revival and predecessor organisations has been in occupation of Unit 21 Lawn Industrial Estate since May 2001 when a 10 year lease was granted and subsequently the company has held over on the existing agreement by virtue of the Landlord and Tenant Act 1954. The lease is on fully repairing and insuring terms at an annual rental of £1 per annum. The Furniture Revival is a social enterprise which, through minimising waste for disposal by reuse and recycling supports the community and alleviates poverty by providing access to household furniture, electrical items and household paint whilst providing a hub for volunteers and facilitating

training to enhance employability and skills. The report sets out how the request for a new lease meets the requirements of the Council's Protocol for the Disposal of Property and details the financial implications if the new lease is agreed and how the Council would comply with the EC regulations on State Aid. It was noted that by entering into a new 10 year lease with Groundwork Caerphilly trading as The Furniture Revival at less than the best price that could potentially otherwise be achieved will maintain the best service interests of the Authority.

Cabinet thanked the Officers for the excellent report and discussed the positive impact this facility provides within Rhymney and the surrounding areas.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report, the Council enter into a new 10-year lease, at a rental of £1 per annum and on the same terms, with Groundwork Caerphilly trading as The Furniture Revival for Unit 21 Lawn Industrial Estate.

## **7. INDUSTRIAL AND OFFICE PROPERTY PORTFOLIO - PROPOSED CHANGES TO LETTINGS CRITERIA AND PROCEDURES.**

The report sought Cabinet approval for proposed changes to the lettings procedure for the Council's industrial and office property portfolio. The portfolio comprises 235 industrial units, 15 office buildings and two individual small units mainly located in 13 industrial estates and business parks across the County Borough.

Cabinet were advised that the existing lettings process includes procedures that can take some months to conclude, resulting in periods of time when units are unoccupied, which have an adverse effect on income generation and can result in reduced customer satisfaction with the service provided. The report sets out the existing processes and procedures and suggests two key improvements that would reduce the time involved in processing new applications for tenancy. Members were referred to paragraphs 4.8 to 4.10 in the report that sets out the proposed revisions to the procedures. The benefits of the proposed changes were discussed that will improve income generation capacity of the Council's industrial office portfolio and ensure that a better service is provided to persons and businesses requiring industrial and office premises. In addition, the changes will continue to comply with the Council's Protocol for Disposal of Property and Officers will monitor the effectiveness and impact of the proposed new procedure in respect of jobs growth within the local economy.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

- (i) the proposed changes to the lettings process set out in paragraphs 4.8 - 4.10, be approved;
- (ii) further to its implementation, this new process will be monitored to ensure that it remains effective, and adjustments be made as and when appropriate, in consultation with the Cabinet Member for Economy, Infrastructure, Sustainability and Well Being of Future Generations;
- (iii) all future leases prepared under the proposed new procedure include a requirement for information to be provided annually to the Council in respect of the job created/accommodated.

## **8. SUDS APPROVAL BODY (SAB) SERVICE LEVEL AGREEMENT WITH LOCAL AUTHORITIES**

The report sought Cabinet approval to deliver Sustainable Drainage Approval Body (SAB) technical services and functions for other neighbouring local authorities by establishing Service Level Agreements (SLA's). Cabinet approved the Implementation of the Sustainable Drainage Systems Approval Body (SAB) on 25th April 2018.

Members were reminded that Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with mandatory National Standards for Sustainable Drainage systems (SuDs). It also requires surface water drainage systems to be approved by a SuDs Approving Body (SAB) before construction work with drainage implications may begin. The responsibility for delivery of the SAB functions rests with the 22 local authorities in Wales alongside their duties as Lead Local Flood Authority (LLFA); the SAB function will commence on 7th January 2019.

Members were pleased to note that Caerphilly County Borough Council is seen as a lead authority across Wales and England with regard to SAB implementation and operation and working collaboratively with a regional approach to SAB delivery. Officers have recently been invited to a seminar in London to share the Team's experience and expertise with other organisations. The Officer explained that the income generation from the SAB is predicted to cover all salary costs and overheads associated with supplying this statutory function for Caerphilly CBC. Any income generation from other authorities will produce efficiencies within the service which can further reduce the risk in supplying these self-funded services; however, additional resources may also be procured to meet service demands if the income generation and business case require.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

- (i) the Head of Infrastructure be authorised to enter into discussions with other Local Authorities with a view to Caerphilly CBC delivering technical SAB services and functions in accordance with service level agreement(s);
- (ii) the approval of formal terms and Implementation of each SLA be delegated to the Head of Infrastructure in consultation with the relevant Cabinet Member and Head of Legal Services.

## **9. PROOF OF RESIDENCY AT HOUSEHOLD WASTE RECYCLING CENTRES**

The report sought Cabinet approval to restrict the use of the Council's Household Waste Recycling Centres (HWRCs) to Caerphilly County Borough residents only and for the introduction of arrangements to require proof of residency.

Cabinet were advised that a considerable number of residents living outside the County Borough are using Caerphilly's (HWRCs). A recent survey undertaken at the HWRCs indicated that non-resident usage accounts for between 15 – 50% of all site traffic. This is largely dependent on the location of the site and the time of day. It is evident that since the implementation of strict user rules at some neighbouring Authority's disposal facilities there has been a significant influx of cross border traffic into Caerphilly sites. The additional traffic has put a considerable burden on resources and disposal costs have increased significantly.

The Officer advised that by implementing a 'proof of residence' check system will effectively control the matter and ensure that material received and disposed of arises from residents of the County Borough. This situation cannot be sustained by current operational budgets and it

threatens to compromise statutory recycling performance. Following a review of options, it was proposed that users of Caerphilly Council HWRCs will be required to prove that they are a resident of the county borough by production of a valid driving licence (that includes address details and a photograph) before being allowed to use the HWRC. Other local authorities that have adopted this approach have seen significant reductions in disposal costs. A communication plan will be developed and implemented in order to minimise disruption to residents in advance of the proposed changes. This will include website updates and signage and leaflets on sites. Technical Assistants will assist site operatives for the first 2 weeks following implementation to engage with users and answer any queries that may arise. Neighbouring local authorities will also be notified. It is proposed that this approach will be implemented on the 1st April 2019.

Cabinet supported the proof of residence proposal, however expressed concerns that by limiting identification to a valid driving licence may exclude other individuals from accessing the service. It was therefore suggested that an additional recommendation be included that would extend to Caerphilly CBC issued bus passes incorporating the Caerphilly CBC logo and photographic ID also being included as valid proof of residence. Clarification was sought in relation to the proposals and queried if Officers were concerned that there may be an increase in fly-tipping incidents as a consequence. The Officer confirmed that other Local Authorities had not experienced any increases following the implementation of the strict user requirements. Officers also clarified that the cross-border visits are largely due to the fact that 4 of the Caerphilly sites are located on the boundaries of the borough. Members of the Regeneration and Environment Scrutiny Committee are currently undertaking a Scrutiny Waste Management Review that will consider the approach and strict guidelines undertaken by other Authorities.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that subject to an additional recommendation that *Caerphilly CBC issued bus passes incorporating the Caerphilly CBC logo and photographic ID will also be included as valid proof of residency*, and for the reasons contained in the Officer's report:

- (i) the implementation of the proof of residency requirement for users at all of the Council's Household Waste Recycling Centres as set out in Paragraph 4, be approved;
- (ii) Caerphilly CBC issued bus passes incorporating the Caerphilly CBC logo and photographic ID, will also be included as valid proof of residency.

## **10. THE NATIONAL TRAINING FRAMEWORK ON VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE**

The report provided Cabinet with an update on the progress made on the training programme for Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV). The report also sought Cabinet approval to communicate a policy with Welsh Ministers that sets out how Caerphilly intends to deliver the elements of the statutory National Training Framework. Any deviation from the National Training Framework requires that a policy statement is communicated.

Cabinet were advised that the training covers six levels of knowledge ranging from Level 1 (Basic Awareness) to Level 6 (Leaders). The legislation and Welsh Government direction expected that all responsible authorities would train 100% of their staff to Level 1 by the 1st of April 2018. This will equate to just under 8000 staff for Caerphilly, including school staff, with over 2000 of those unable to access the Level 1 e-learning package, not being computer users. Officers advised that none of the local authority's in the Gwent area met the target. At

the end of Sept 2018 37% of all staff had completed Level 1 (2,382 electronically and 550 in taught face-to-face sessions), totalling 2932 staff. The Gwent regional arrangements determined that no more than 12 participants could be trained in a classroom session. This is an unsustainable model for such large numbers of staff, some of whom do not work a 9-5 pattern. However, since this report was drafted there has been some movement on this regional requirement.

Members noted that the Gwent area is a pilot for Level 2 training, those staff that require enhanced knowledge and the ability to 'Ask and Act' if they notice the signs and indicators of violence and abuse. That is, all staff with a front-facing role. The National Training Framework requires specialist sector trainers to be present when this form of face-to-face training is delivered to answer questions if necessary. This is also unsustainable model due to financial and availability barriers in the specialist sector hampering arranging training sessions for the numbers of staff concerned. It is estimated that 1700 staff in teams such as housing, social services and education will require enhanced knowledge. The Caerphilly CBC and Blaenau Gwent Social Services Workforce Development Team have the capacity and knowledge to deliver Level 2 without specialist sector support in the room. Officers explained that staff within the teams have received the train the trainer input and are able to implement the training programme. In respect of Level 2, with Level 3 to follow, Caerphilly CBC would wish to notify Welsh Ministers that the authority intends to use the Workforce Development Team to deliver training in house. Where there is available specialist sector capacity they will be included in training sessions. The training, even when provided in house, is at cost.

Members were advised that since the report was drafted, the Gwent Regional Team have recognised that the limit on the number of Level 1 staff at face-to-face sessions is untenable and have agreed that larger cohorts of staff can be trained. It was proposed that the draft policy statement (appended to the report) is amended prior to communication with Welsh Ministers to remove the elements that relate to restricting the numbers at Level 1 sessions. The report also recognised that appropriate governance arrangements are required to deliver the National Training Framework in the authority and that these should be aligned to the wider safeguarding agenda. The report proposed that the Corporate Safeguarding Policy is amended to align with the VAWDASV agenda.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that subject to an amendment to paragraph 10.1 (b) *that the elements that relate to Level 1 training being removed*, and for the reasons contained in the Officer's report: -

- (i) the progress made against the Council's Training Plan, be noted;
- (ii) the draft Policy Statement for submission to Welsh Government (subject to the elements that relate to Level 1 training being removed), be approved;
- (iii) the alignment of VAWDASV Safeguarding Board for internal Governance, be approved.

## 11. EXEMPT MATTER

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information. By show of hands it was unanimously agreed.

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

**12. BRYN BRITHDIR, OAKDALE BUSINESS PARK - RENEWAL OF CCBC AND WG JOINT VENTURE AGREEMENT**

The report sought Cabinet approval to renew the joint venture agreement for Units 1-4 Bryn Brithdir, Oakdale Business Park with Welsh Government (WG) for 10 years under revised terms.

Following consideration and discussion it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report, the recommendations at paragraph 10.1 to 10.4, be endorsed.

The meeting closed at 11.40 a.m.

Approved and signed as a correct record subject to any corrections made at the meeting held on 16th January 2019.

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CHAIR