



## CABINET

### MINUTES OF THE SPECIAL MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON THURSDAY, 1ST AUGUST 2019 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), B.A. Jones (Finance, Performance and Governance) and E. Stenner (Environment and Public Protection).

#### Together with:

C. Harry (Interim Chief Executive), D. Street (Corporate Director - Social Services and Housing), M. S. Williams (Interim Corporate Director - Communities)

#### Also in Attendance:

R. Hartshorn (Head of Public Protection, Community & Leisure Services), L. Lane (Deputy Monitoring Officer and Head of Democratic Services) C. Edwards (Environmental Health Manager), M. Godfrey (Team Leader, Pollution Control) and A. Brown (Environmental Health Officer) and E. Sullivan (Senior Committee Services Officer).

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from P. Marsden (Education and Achievement), S. Morgan (Economy, Infrastructure and Sustainability), L. Phipps (Homes and Places), R. Edmunds (Corporate Director – Education and Corporate Services) and R. Tranter (Head of Legal Services and Monitoring Officer).

#### 2. DECLARATIONS OF INTEREST

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

#### MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

#### 3. HAFOD-YR-YNYS AIR QUALITY FEASIBILITY STUDY – FINAL PLAN

In February 2018 Welsh Government issued an Air Quality Direction to Caerphilly County Borough Council to undertake a feasibility study for the area to determine a preferred option or basket of options which would achieve compliance with the Ambient Air Quality Directive air quality limited value for nitrogen dioxide in the shortest time possible.

At its meeting on the 27th March 2019 Cabinet expressed strong concerns at the prospect of residents being pushed into financial hardship by any compulsory purchase process and had not wanted to see young families or older people facing a negative equity position. Having completed a public consultation exercise on the 'Do Minimum' option and taking into account the views of the Environment and Sustainability Scrutiny Committee, on the 26th June 2019 Cabinet endorsed the final plan which was then submitted to Welsh Government.

The Cabinet Member for Environment and Public Protection confirmed that the response from the Minister for Environment, Energy and Rural Affairs had been received and its content was detailed. It was noted the Minister considered that the preferred option required further work to ensure that the plan would deliver compliance with the limit value in the shortest time possible and made the following additional requirements:

The demolition option should proceed immediately on the basis assessments completed to date show this is the most likely option to achieve the legal requirement with strong modelled reductions in nitrogen dioxide and the potential to reduce below the threshold. However, further modelling and assessment of the demolition option and complementary measures should be undertaken.

Further modelling of a Clean Air Zone option should be undertaken to more convincingly assess its potential to achieve the legal requirement.

Complementary measures should be modelled to increase certainty the legal requirement can be met.

Caerphilly County Borough Council should satisfy the additional requirements in the soonest time possible and in any event within 7 calendar months.

NO<sub>2</sub> concentrations measured at Hafodyrynys automatic monitoring site should be assessed regularly to ensure plans in place are on course to achieve compliance.

Officers confirmed that a further meeting with Welsh Government would be held on the 6th August 2019 regarding the required measures and advised that they were on the whole comfortable with the content of the Direction and authority to commence demolition. However Officers were disappointed with the Minister's view that the final plan did not fully comply with the Direction, as they were of the opinion that final plan had been compliant and requested that this position be reflected in the response from the Interim Chief Executive.

Cabinet were advised that Officers had contacted residents either by telephone or by letter posted to their homes with regard to the Minister's response and there would be further one to one discussions organised.

The Leader and Cabinet wished to place on record their thanks and appreciation to C. Edwards, M. Godfrey and the Environmental Health Team for their hard work and dedication throughout this complicated and emotive process and paid tribute to their commitment and the compassionate way in which they worked with residents.

The Interim Chief Executive formally thanked Officers for their effort on what was a very complex and hard piece of work and in particular, how they had been very mindful of the impact on residents throughout the entire process.

In response to the decision of the Welsh Ministers and for the reasons outline above, it was moved and seconded that the following recommendations be approved. By a show of hands this was unanimously agreed.

RESOLVED that: -

1. the decision of the Welsh Ministers be noted and the implementation of the demolition option in accordance with the timetable set out in the Final Plan be approved;
2. Officers to commence negotiations in accordance with the parameters in the final approved plan with a view to achieving voluntary sale/acquisition of the properties and to progress with the resultant plans for demolition and re-alignment of the footpath and the approval of the detailed terms in respect of the acquisitions is delegated to the Interim Head of Property Services in conjunction with the Cabinet Member for Homes and Places;
3. Cabinet to receive a further report to initiate the making of a Compulsory Purchase Order, which will operate in parallel to the favoured approach of purchasing properties by agreement in order to minimise any delays in the project timescales;
4. Officers to undertake further modelling in accordance with the Air Quality Direction 2019 issued by Welsh Government;
5. The Interim Chief Executive to submit a written response to Welsh Ministers.

The meeting closed at 10:45

Approved and signed as a correct record subject to any corrections made at the meeting held on 18th September 2019.

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CHAIR