



## **CABINET**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 16TH OCTOBER 2012 AT 2.00 PM**

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#### **PRESENT:**

Councillor H.A. Andrews - Chairman

#### **Councillors:**

Mrs C. Forehead (HR & Governance/Business Manager), D. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), G. Jones (Deputy Leader and Cabinet Member for Housing), R. Passmore (Education and Lifelong Learning), D.V. Poole (Community and Leisure Services), K.V. Reynolds (Deputy Leader and Cabinet Member for Corporate Services), T.J. Williams (Highways, Transportation and Engineering), R. Woodyatt (Social Services)

#### **Together with:**

A. O'Sullivan (Chief Executive), N. Barnett (Deputy Chief Executive), A. Heaney (Corporate Director Social Services), S. Aspinall (Corporate Director Education and Lifelong Learning)

#### **Also present:**

R. Hartshorn (Head of Public Protection), N. Scammell (Head of Corporate Finance), C. Jones (Head of Performance and Property), C. Campbell (Transportation Engineering Manager), S. Couzens (Chief Housing Officer), S.M. Kauczok (Committee Services Officer).

#### **61. DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

#### **62. MINUTES**

RESOLVED that the minutes of the Cabinet meeting held on 2nd October 2012 (minute nos. 53-60; page nos. 25-28) be approved and signed as a correct record.

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

#### **63. MEMORANDUM OF UNDERSTANDING FOR THE ISSUE OF FIXED PENALTY NOTICES BY COMMUNITY SUPPORT OFFICERS FOR DOG FOULING AND LITTERING**

The report sought approval to enter into a Memorandum of Understanding with Gwent Police for the issue of fixed penalty notices by Community Support Officers for dog fouling and littering.

Suitably authorised officers of the Council are currently able to serve fixed penalty notices for dog fouling and littering. The Clean Neighbourhoods and Environment Act 2005 allows Local Authorities to enter into arrangements with other agencies so as to enable other persons to issue such notices.

The Council will be responsible for the ongoing administration and processing of any Fixed Penalty Notice that has been issued, including any decision to prosecute and the preparation of any file of evidence required for court purposes.

RESOLVED that for the reasons contained in the officer's report, the Council enter into a Memorandum of Understanding with Gwent Police for the issue of fixed penalty notices by Community Support Officers for dog fouling and littering.

**64. CHIEF MEDICAL OFFICER FOR WALES ANNUAL REPORT 2011**

The Chief Medical Officer for Wales, Dr Tony Jewell, published his Annual Report for 2011 in July 2012. It was his last Annual Report as Chief Medical Officer for Wales before retirement. Dr Jewell reports that the health of the population of Wales continues to improve. This is reflected by record low levels of infant death and increased life expectancy at birth. Inequalities in health still exist however and more needs to be done to ensure fairer outcomes for all.

RESOLVED that for the reasons contained in the officer's report, the summary of the Chief Medical Officer for Wales Annual Report 2011 be noted.

Cabinet requested that the report be presented to the Regeneration and Environment and the Health Social Care and Scrutiny Committees for information and that the full version of the Chief Medical Officer's Annual Report 2011 be made available electronically.

**65. OPERATIONAL POLICY FOR VEHICLE RESTRAINT SYSTEMS**

The report was considered by the Regeneration and Environment Scrutiny Committee on 18th September 2012.

The report recommends an evidenced based approach for the assessment of the need for Vehicle Restraint Systems to more effectively manage the Council's statutory obligations to identify and respond to real, as opposed to perceived, hazards and risks on the highway network.

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

1. The proposed Vehicle Restraint Systems Operational Policy be approved.
2. Officers review the operational policy after 12 months of implementation and advise Members should any changes be considered necessary.

**66. LAND AT OAKFIELD STREET, LLANBRADACH**

The report was considered by the Policy and Resources Scrutiny Committee on 2nd October 2012. Approval was sought to make a Compulsory Purchase Order in respect of the land identified on the plan attached to the report, adjacent to 27 Oakfield Street, Llanbradach.

The following amendments to the report were noted:-

- (i) the start of paragraph 4.4 should read, "The site of No's 29-35 (odds) ..."
- (ii) the date of the Acquisition of Land Act as contained within paragraph 9.2 should be 1981.

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

- (a) In pursuance of the powers contained within Section 226(1)(a) of the Town and Country Planning Act 1990 and all other enabling powers, a Compulsory Purchase Order relating to the area of land identified on the plan displayed at the meeting, to be known as the Caerphilly County Borough Council (Llanbradach Renewal Area) Compulsory Purchase Order 2012, be made and sealed by the Council and that notice thereof be given and published and that the same be submitted to the Welsh Government for confirmation.
- (b) In pursuance of the powers contained in Section 6(4) of the Acquisition of Land Act 1981 and all other enabling powers, all documents required or authorised to be served in respect of land in unknown ownership be served under the Act by leaving a copy of any such document on or near the land.
- (c) Once the Order is confirmed by the Welsh Government, the area of land be sold to United Welsh Housing Association to facilitate its development as outlined within the Scrutiny Committee report.

## **EXEMPT MATTERS**

Members considered the public interest test and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and it was:-

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 defined in paragraphs 12 and 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

## **67. REVIEW OF LEASING ARRANGEMENTS - PLAZA CAFÉ**

The report updated Members on the current position relating to the Plaza Café and sought Cabinet approval to review the leasing arrangements as outlined in the report.

RESOLVED that for the reasons contained in the officer's report, the recommendations in the report be approved.

The meeting closed at 2.52 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 30th October 2012.

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CHAIRMAN