



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN, ON WEDNESDAY, 18TH SEPTEMBER 2013 AT 2.00 P.M.

PRESENT:

Councillor H.A. Andrews - Chairman

Councillors:

D.T. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), 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:

S.A. Rosser (Interim Chief Executive), S. Aspinall (Acting Deputy Chief Executive), N. Scammell (Acting Director of Corporate Services and Section 151 Officer) and D. Street (Acting Corporate Director Social Services).

Also present:

R. Hartshorn (Head of Public Protection), Mark S. Williams (Head of Community and Leisure Services), R. Barrett (Committee Services Officer).

199. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Mrs C. Forehead (HR and Governance/Business Manager), G. Jones (Deputy Leader and Cabinet Member for Housing) and Councillor Mrs R. Passmore (Cabinet Member for Education and Lifelong Learning).

200. DECLARATIONS OF INTEREST

In relation to Agenda Item 4.1 Improving Governance Action Plan, Councillor D.T. Hardacre queried whether he was required to declare a prejudicial interest in this item and leave the meeting in light of the fact that a family member is a senior employee within HR. He was advised that he did not need to declare a prejudicial interest as the report did not require a formal decision, and his personal interest was noted.

201. MINUTES – 4TH SEPTEMBER 2013

RESOLVED that the minutes of the Cabinet meeting held on 4th September 2013 (minute nos. 195-198; page nos. 98-99) be approved and signed as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

202. IMPROVING GOVERNANCE ACTION PLAN

Mr S. Rosser, Interim Chief Executive, presented the report, which updated Members of progress made against the Improving Governance Action Plan.

Phase 1 of the Action Plan was prepared as a response to the Public Interest Report from the Wales Audit Office in relation to Chief Officers Pay. The report covered five key areas and work is underway on all five aspects of the plan. As a result of subsequent work on the Action Plan, a number of additional areas have been identified where there is an opportunity to strengthen processes and procedures and streamline the business operations of the Council. The additional areas of Performance Management, Risk Management, and Scrutiny have now been added to the Action Plan and identified separately as Phase 2.

Members discussed the importance of effective scrutiny in ensuring that all recommendations in the Action Plan are achieved. Members were pleased to note that good progress is being made with the Action Plan and it is anticipated that all actions in Phase 1 will be completed by December 2013.

It was moved and seconded that 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 progress against the Action Plan be noted.

203. USE OF ENVIRONMENT DIRECTORATE RESERVES 2012-2013

Mr M.S. Williams, Head of Community and Leisure Services, presented the report, which sought approval for investment of the Environment Directorate reserves resulting from the 2012/13 closure of accounts.

Members were advised of the Corporate financial reserves and provisions protocol, whereby directorate underspends at the end of a given financial year have resulted in an appropriation of 50% to the corporate centre, with the other 50% being retained by the Directorate for investment in the services it delivers. The 50% retained by the Environment Directorate for 2012/13 was £207,000, and a range of proposals were outlined for utilising the reserve to enhance and extend front line service provision/delivery and invest in DSO operations.

Members discussed the proposals and the current financial reserve and protocol arrangements regarding the split of directorate underspends. It was moved and seconded that 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 investment proposals detailed in paragraph 4.3 of the report be endorsed.

204. SCRAP METAL DEALERS ACT 2013

Mr R. Hartshorn, Head of Public Protection, presented the report, which informed Members of new statutory legislation relating to scrap metal dealers, and the implications of this legislation on Licensing and Trading Standards Officers.

Members were advised of the reasons for the introduction of the Scrap Metal Dealers Act 2013, which acts to address theft of scrap metal and replaces the existing registration scheme. Members were informed that the Act may initially be an Executive function, with disputed applications or applications where the applicant has convictions for relevant offences being determined by a Cabinet sub-committee.

The lack of a recommendation to set up a sub-committee was queried, and it was confirmed that further Regulations are anticipated in the near future, which will enable the Act to become a Council function that can be delegated to the Licensing Committee. Members clarified transitional arrangements for existing traders when the Act comes into force on 1st October 2013. Members queried the fee structure for scrap metal licenses, and it was clarified that fees were calculated in accordance with statutory guidance. It was also confirmed that training on the Act would be arranged for Members.

Members welcomed the introduction of the Act, stating that many communities are currently affected by scrap metal thefts, and it was moved and seconded that 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: -

1. The implementation of the Scrap Metal Dealers Act 2013 be noted.
2. Licensing Officers be given delegated authority to issue licences under the Scrap Metal Dealers Act 2013 in accordance with paragraph 4.7 of the report.
3. Trading Standards Officers be authorised and given delegated powers to take enforcement action under the Scrap Metal Dealers Act 2013.
4. The fee structure set out at paragraph 4.15 of the report be approved.
5. The Scheme of Delegation and Council's Constitution be varied as necessary by the Council's Monitoring Officer to reflect the implementation of the Scrap Metal Dealers Act 2013.

In accordance with the Council's Constitution, the Mayor had been consulted and had agreed that this matter should be treated as urgent and exempt from call in.

The meeting closed at 2.40 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 2nd October 2013.

CHAIRMAN