



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN, ON WEDNESDAY, 16TH OCTOBER 2013 AT 2.00 P.M.

PRESENT:

Councillor H.A. Andrews - Chairman

Councillors:

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

Together with:

S. A. Rosser (Interim Chief Executive), N. Scammell (Acting Director of Corporate Services & Section 151 Officer), D. Street (Acting Corporate Director Social Services), T. Maher, (Assistant Director Planning & Strategy).

Also present:

G. Hardacre (Head of Workforce and Organisation Development), R. Hartshorn (Head of Public Protection), L. Jones (Head of ICT & Customer Services), E. Lucas (Head of Procurement), G. Evans (Interim Manager Community Education), K. Williams (Private Sector Housing Manager), J. Jones (Corporate Information Governance Manager), S. Pugh (Communications Manager), E. Sharma (Public Engagement Officer), S.M. Kauczok (Committee Services Officer).

217. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor D.T. Hardacre (Cabinet Member for Performance & Asset Management) and Mrs S. Aspinall (Acting Deputy Chief Executive).

218. DECLARATIONS OF INTEREST

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

219. MINUTES

RESOLVED that the minutes of the Cabinet meeting held on 2nd October 2013 (minute nos. 205-216; page nos. 103-109) be approved and signed as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**220. RESULTS OF THE JUNE 2013 HOUSEHOLD SURVEY**

Members were advised of the key findings of the 2013 Household Survey, which is undertaken every two years. In June 2013 a detailed questionnaire was distributed to approximately 10,000 households across the County Borough. Results from the survey were very positive and in general show that residents are satisfied with the services provided by the Council. Eighty two per cent of respondents are satisfied with the overall service provided by the Council, compared to 77% in 2011. This exceeds the Improvement Plan target for 2013 of 78%. Services generating high levels of satisfaction include refuse and recycling, parks and play areas, libraries, leisure, learning, local town centres, bus services and Newslines.

Members found the results of the survey very encouraging and following 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: -

1. The findings of the 2013 Household Survey be noted.
2. Detailed analysis of the results be provided to each Scrutiny Committee for information.
3. The Household Survey will feed into the Corporate Improvement Plan of the Council by helping to:
 - Identify perceived areas of strength and weakness in the provision of Council services.
 - Highlight areas of change in the level of service provision over the last two years.
 - Provide data for further comparison in future years.
 - Help determine future priorities.

221. SCRAP METAL DEALERS ACT 2013

The Act, which came into force on 1st October 2013, aims to regulate the sector via a local authority-licensing regime, which will support legitimate dealers but provide powers to effectively tackle unscrupulous operators.

In accordance with the decision of Cabinet on 18th September 2013 the majority of applications are being dealt with by officers under delegated powers and will be determined by officers in accordance with the Act. However, this does not extend to the determination of disputed applications and those where the applicant has convictions for relevant offences.

It was proposed in the previous report to Cabinet that determination of these applications could be dealt with by a Cabinet Sub-Committee. Officers have reviewed this proposal and for the reasons contained in paragraph 4.8 of the report, now recommend that the responsibility to determine disputed applications and those where the applicant has convictions for relevant offences, is delegated to the Head of Public Protection and the Head

of Legal and Democratic Services or his representative in consultation with the relevant Cabinet Member.

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: -

1. Disputed applications and where applicants have convictions for relevant offences, offences be determined by the Head of Public Protection and Head of Legal and Democratic Services or his representative in consultation with the relevant Cabinet Member.
2. The Scheme of Delegation and Council's Constitution be varied as necessary to reflect recommendation 1 above.

222. AMENDMENTS TO AUTHORISATION OF OFFICERS WITHIN THE PUBLIC PROTECTION DIVISION

Officers within the Public Protection Division require additional authorisation under the Food Hygiene Rating (Wales) Act 2013 in order to enforce the legislation and carry out their duties.

The Act and associated regulations establish a mandatory Food Hygiene Rating Scheme for Wales. The scheme provides for food authorities in Wales to inspect and produce food hygiene ratings for food business establishments in their areas and also introduces mandatory display of food hygiene ratings within those businesses. Adding the Act to the Council's Constitution will enable officers to fully carry out these duties.

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: -

1. The Interim Monitoring Officer incorporate the relevant changes to the Council's Constitution and terms of reference.
2. The Council's Constitution and terms of reference be amended by adding the following: Food Hygiene Rating (Wales) Act 2013.

223. IMPROVING GOVERNANCE PROGRAMME UPDATE

The report outlined progress made against the WAO Public Interest Report Action Plan and the wider Improving Governance Programme.

Members were advised that significant progress has been made on all five aspects of Phase 1 of the Public Interest Report Action Plan. In particular 67% of the actions within the plan have been completed and considerable progress has been achieved on others. It is anticipated that all actions will be completed by December 2013 and each recommendation will have a date identified for follow up and monitoring to ensure that changes put in place as a result of improving governance are sustained. It was noted that some of the work streams will be fed into the review of the Constitution which is to be undertaken by the Cross Party Working Group set up at Council in June 2013.

Alongside the recommendations in the WAO PIR, the wider Improving Governance Programme aims at addressing other areas of improvement in governance in order to strengthen processes and procedures and streamline the business operations of the Council. At this stage of the Programme, the additional areas are Performance Management; Risk Management; Scrutiny and Human Resources. The Interim Chief Executive advised that good progress was being made in all these areas.

Members requested that consideration be given to including refresher training for officers on managing conflicts of interest and to adopting a formal way of disseminating the requirement that Terms of Reference should be agreed at the first meeting of any new committee or panel.

The Interim Chief Executive indicated that these issues would be referred back to the Project Board for consideration.

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 set out in the officer's report, progress against the WAO Public Interest Report Action Plan and the wider Improving Governance Plan, be noted.

224. PRIVATE SECTOR HOUSING RENEWAL STRATEGY - HOME IMPROVEMENT GRANTS

The report was presented to the Policy and Resources Scrutiny Committee on 1st October 2013. Approval was sought for a formal review to be undertaken of the Authority's Private Sector Housing Renewal Strategy and for a moratorium in respect of Home improvement grants to be implemented until such time as a revised Strategy is formally adopted.

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, Option 3 - To operate the existing strategy with a moratorium on Home Improvement Grants as outlined in paragraph 4.6 of the report, whilst also undertaking a formal review - be approved.

225. INFORMATION GOVERNANCE POLICIES - RECORDS MANAGEMENT AND INFORMATION RISK MANAGEMENT

The report was presented to the Policy and Resources Scrutiny Committee on 1st October 2013. Approval was sought to implement two new policies to improve information governance within the Council - a Records Management Policy and an Information Risk Management Policy. Significant progress is being made on the governance of Council information as a whole and these two policies will ensure that all staff are aware of methods by which information should be managed and protected.

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 content of the report be noted and the two policies be approved.

226. PUBLIC LIBRARY STANDARDS IN WALES - ANNUAL LIBRARY UPDATE REPORT 2012-2013

The report was presented to the Education for Life Scrutiny Committee on 24th September 2013. It informed Members of progress made by the County Borough Library Service in seeking to meet the 4th Framework of Welsh Government Public Library Standards and Performance indicators during 2012-2013.

Members were advised that CBC Library Service met or exceeded 6 of 9 Welsh Government Public Library Standards in 2012-2013. The County Borough's performance is deemed as average when compared to Wales as a whole. For the purpose of comparison, the average number of Standards achieved by Welsh Library Authorities in 2012-13 was 6 the highest number achieved by an Authority was 8 and the lowest was 3. Welsh Government Standards assessors commended the Authority's 2012-13 Annual Return for the clarity of its detail and the coherence of the Council's approach to the planning and delivery of its Library Service.

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:-

1. The information received from the County Borough Library Service with regard to its performance for 2012-2013 in working towards achieving the 4th Framework of Welsh Government Public Library Standards and Performance Indicator Set, 2011-14, be noted.
2. The Welsh Government's Public Library Standard Reference Group assessment of this performance, also be noted.
3. The Welsh Government Public Library Standards Annual Report 2012-2013 be approved.

227. TIME OFF FOR RESERVISTS POLICY

The report was presented to the Policy and Resources Scrutiny Committee on 1st October 2013.

The Council introduced a revised Time Off For Reservists Policy on 1st September 2012 to reflect the changes that have been made in legislation in recent years. Since the introduction of the policy a request has been made to improve the aftercare that is available to reservists when they come back to work after a period of deployment. The policy has been updated to improve the aftercare section providing advice and guidance to managers and colleagues on what reactions a reservist may experience.

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 amended Time Off for Reservists Policy be approved.

228. REDEPLOYMENT SCHEME

The report was presented to the Policy and Resources Scrutiny Committee on 1st October 2013.

In January 2012, Cabinet approved the principles that were to be used to redeploy any employees who became displaced as a result of a restructuring, the end of a fixed term contract or because they could not continue in their post due to a medical condition. These principles have been used ever since to ensure that they were workable and fit for purpose. It is now time to translate these principles into a working scheme for employees and managers to follow when faced with a redeployment situation. Members were requested to consider the amended scheme attached as an appendix to the report.

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 amended Redeployment Scheme be approved.

RECOMMENDATIONS TO COUNCIL

229. AMENDMENTS TO COUNCIL'S STANDING ORDERS FOR CONTRACTS; ADOPTION OF CAERPHILLY COUNTY BOROUGH COUNCIL PROCUREMENT POLICY AND STRATEGY AND WELSH GOVERNMENT PROCUREMENT POLICY

The report was presented to the Policy and Resources Scrutiny Committee on 1st October 2013.

The report sets out a number of proposals to update the current Standing Orders for Contracts. The proposed amendments are summarised in Appendix A together with Standing Orders as amended. The amendments are minor in detail but will allow a secure operational guide to procuring in an open, fair and transparent manner whilst maintaining all the principals of the EU Procurement Legislation. Appendix B sets out the WG Policy to Procurement, much of which is already embedded as operational working practices within the Authority. Appendix C details a Procurement Policy and Strategy for Caerphilly.

Members sought assurances that the Council has a process in place to ensure that anyone who is employed to act on its behalf in relation to any procurement, adheres to the Council's Standing Orders for Contracts and Financial Regulations. Officers agreed to consider the wording of an additional recommendation to Council that would address this concern.

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.

RECOMMENDED that for the reasons contained in the officer's report,

1. Standing Orders for Contracts be amended in line with proposals set out within Appendix A.
2. All Heads of Service and Authorised Officers receive a copy of the full amendments via email. Detailed training from the Procurement Team will be available upon request. All revised documentation to be available via the intranet and internet.
3. No Officer will be allowed to conduct or form part of any procurement without formal training.
4. The adoption of the WG Procurement Policy at Appendix B, be recommended to Council.

5. The adoption of Caerphilly County Borough Council Procurement Policy and Strategy as set out in Appendix C, be recommended to Council.
6. Members note that the EU Procurement Legislation will change within the next 2 years and will receive the necessary report at the appropriate time.
7. Any further changes to Standing Orders for Contracts must be subject to Council approval.

The meeting closed at 2.55 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 30th October 2013.

CHAIRMAN