



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 11TH DECEMBER 2013 AT 2.00 P.M.

PRESENT:

Councillor H.A. Andrews - Chairman

Councillors:

Mrs C. Forehead (HR & Governance/Business Manager), G. Jones (Deputy Leader and Cabinet Member for Housing), Councillor D.T. Hardacre (Cabinet Member for Performance & Asset Management), 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), Mrs S. Aspinall (Acting Deputy Chief Executive), Mrs N. Scammell (Acting Director of Corporate Services and Section 151 Officer), D. Street, (Corporate Director of Social Services)

Also present:

R. Hartshort (Head of Public Protection), M.S. Williams (Head of Community & Leisure Services), D. Lucas (Principal Planner), C. Evans (Committee Services Officer).

254. APOLOGIES FOR ABSENCE

There were no apologies for absence.

255. DECLARATIONS OF INTEREST

Councillor R. Woodyatt declared an interest in agenda item 4(3). Further details are recorded under the relevant item and in the Declarations of Interest Register.

256. MINUTES

RESOLVED that the minutes of the Cabinet meeting held on 27th November 2013 (minute nos. 246-253; page nos. 125-128) be approved and signed as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**257. COUNCIL TAX BASE 2014-2015**

The report provided Members with details of the Council Tax Base for 2014/15 for tax setting purposes and the collection percentage to be applied.

Members were informed that the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995 sets out the rules for the calculation of the Council Tax base.

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 following recommendations be approved: -

1. The Council Tax collection rate of 97% remain unchanged for 2014/15
2. CTRS funding is increased by the same percentage as the council tax for 2014/15. This will be funded by setting aside funding from anticipated council tax income as outlined in paragraph 4.4 of the report.
3. The Council Tax Base for the year 2014-2015 is 59,011.54, with the Council Tax Base for each community council area as outlined in paragraph 4.6 of the report.

258. WRITE OFF OF DEBTS OVER £20K NNDR ARREARS FOR LTD COMPANIES

The report outlined details of amounts of business rates that the Authority is required to write off as bad debts. Members were informed that on 15th September 2009, Cabinet approved a revised write-off procedure for debts that are material, where the individual debt is greater than £20,000. Approval was sought to write off three NNDR debts where, in each case, the individual debt is greater than £20,000.

Members were informed that, due to debtors absconding, declaring themselves insolvent through bankruptcy/ liquidation or other proceedings, ceasing to trade, dying with no estate, and because of limited means there are inevitably circumstances when debts cannot be collected. After all legal means have been exhausted a decision is made to write-off debts. Policy and Resources Scrutiny Committee receive a report every 6 months summarising the value of debts written off by the Authority.

Members questioned the procedure if a company goes into liquidation and whether the Authority becomes a creditor. Officers informed Members that in circumstances in which there are assets and the Authority could recover funds, it would do so and Members would be informed of this by means of a report.

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 debts detailed in paragraphs 4.3, 4.4 and 4.5 of the report be written-off on the grounds that they are irrecoverable.

259. COMMUNITY FURNITURE ENTERPRISE

Councillor R. Woodyatt declared an interest in this item and left the meeting during its consideration.

The report updated Members on the existing and future funding and support provided by the Authority to the Community Furniture Social Enterprise (CFE). The Authority has, for many years, paid the CFE to undertake bulky collections on its behalf. During the financial year 2012/13 a total of 83 tonnes was reused, which contributes to the overall reuse and recycling achievements of the Authority and most importantly, diversion of these materials from landfill.

Members were informed that the CFE have proposed to develop a Community Repaint Reuse Project where water based paints, which have been deposited will be collected and offered for sale to the public at the CFE outlet. It is anticipated that the scheme could make savings on hazardous waste disposal costs.

Members thanked Mr Williams for the report and felt that the service would prove valuable to both the Authority and the community.

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 following recommendations be approved: -

1. The continued payment of £14,000 pa to the CFE for the collection of furniture for reuse.
2. The funding of the £6,000 required to run the community re-paint scheme in year 1 and the continued funding thereafter where the savings in hazardous waste disposal are equal to or greater than this amount.

260. FOOD HYGIENE RATING (WALES) 2013

Mr R Hartshorn presented a report, which sought Members approval of a fee for food business establishments submitting re-rating applications under the Food Hygiene Rating (Wales) Act 2013 and associated Regulations.

Members were provided with background information to The Act and Regulations, which introduced a mandatory Food Hygiene Rating Scheme from the end November 2013. The scheme places a mandatory requirement on establishments to display their Hygiene Ratings, which are awarded following an unannounced inspection. The Act states that an operator of a food business establishment must pay the reasonable costs of the re-rating as determined by the Local Authority. Members were asked to approve a fee of £150 per re-rating.

Members thanked Mr Hartshorn for the report and queried the expected income from the scheme. Officers confirmed that the income is expected to be minimal, as there are a number of factors to be taken into consideration on inspection and it is anticipated that many establishments would await the next inspection.

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 following recommendations be approved: -

1. A fee of £150 for each re-rating.
2. That payment will be required in advance of the re-rating being carried out.

261. IMPROVING GOVERNANCE PROGRAMME UPDATE

Mr Rosser, Interim Chief Executive, informed Members that following the Wales Audit Office Public Interest Report (PIR) in March, A Programme Board (the Improving Governance Programme Board) was established to address the 5 recommendations made by the Appointed Auditor. Regular progress reports have been provided to CMT and Cabinet.

The work of the Board has now been expanded to cover other areas of governance identified within the Council for further improvement. Significant progress has been achieved in most areas of the recommendations included in the PIR and work is also well underway to address the additional areas of improvement identified and included in Phase 2 of the wider Improving Governance Programme.

While the wider programme includes activities that are expected to come to an end during next year, the outstanding actions in the PIR are currently the focus of the Programme Board to enable their completion by the end of 2013 where possible.

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 progress against the WAO Public Interest Report Action Plan and the wider Improving Governance Plan be noted.

262. INTEGRATION OF MENTAL HEALTH SERVICES WITH ANEURIN BEVAN HEALTH BOARD

The report was presented to the Health, Social Care and Well Being Scrutiny Committee on 3rd December 2013. The report provided Members with a position statement in respect of mental health integration, offering a summary of progress to date, current deliberations, timescales and next steps.

Members noted the total value of investment in non-specialist services in Gwent and were informed that there are currently seven services, which should sit within an integrated management structure. This proposal was made to the Mental Health and Learning Disability Partnership Board on 18th October 2013. This was the same week that organisations had learned of their position relating to financial allocations, and set a different context for the debate than had previously been considered. As a result, the Partnership Board were reluctant to 'lock in' budgets to a Section 33 Agreement and suggested an alternative phased approach of achieving integration within the timescales as agreed for securing the collaborative bid. Work has commenced on the development of the Memorandum of Understanding.

Members thanked Mr Street for his report and noted that it highlights a robust service provision. Members queried whether the Memorandum of Understanding was the best option. Officers confirmed that Section 33 would be the best option but due to financial concerns the board was reluctant to commit at this time.

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 progress made to date and in particular the revisions to the project scope and timeframes, be noted.

263. DEPOSIT CARDIFF CITY LOCAL DEVELOPMENT PLAN - CONSULTATION

Mr Lucas, Principal Planner, Strategic and Development Plan Team highlighted the key points within the report, which provided Members with an overview of the Deposit Cardiff City Local Development Plan Strategy and Policies and identifies where the plan impacts on Caerphilly County Borough interests.

Members were informed that Cardiff City Council had formally published the Deposit Version of its Local Development Plan (Deposit LDP) on Tuesday 15th October and it was subject of a six-week consultation period concluding on 26th November 2013. Caerphilly County Borough Council have been formally consulted on the Deposit LDP as part of the Deposit Plan process.

The Deposit LDP makes provision of land for 41,000 new dwellings and 40,000 new jobs, of which eight Strategic Sites have been allocated. Members were asked to note that two of these sites are located close to the Caerphilly County Borough Council administrative boundary. The close proximity of the two sites could lead to adverse impacts on the development market within the Caerphilly Basin and raising concerns around the increase in traffic movements from outside the city, particularly in respect of commuting to new job opportunities.

Following consideration and discussion, it was moved and seconded that the recommendations contained 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 following comments on respect of the Cardiff Deposit LDP were agreed: -

1. No objections are raised in respect of the housing and employment requirements set out in Key Policy KP1
2. Concerns are raised in respect of the potential adverse impacts to the Caerphilly Basin development market for the allocation of 4,500 new dwellings at North East Cardiff (West Pontprennau). It is suggested that a phasing policy be included in the masterplan for the site to address this issue.
3. No objections are raised in respect of the designation of a Green Belt under Key Policy KP3 (A).
4. Significant concerns are raised in respect of the lack of reference to the potential cross-boundary and City-Region wide impacts from transport related issues associated with the provision of 41,100 new dwellings and 40,000 new jobs.
5. Significant concerns are raised in respect of the commuting related impacts from the housing and, in particular, employment allocations and the potential effects that the traffic generation will have on the Caerphilly Air Quality Management Area.
6. The Cardiff City SINC's should be shown either in the Constraints or Proposals Map to ensure that developers have access to all of the relevant information from one source.

7. The Reasoned Justification to Policy EN7 should include reference to the list published by the Welsh Government under the Natural Environment and Rural Communities Act 2006. This list should also be referred to, as this is the definitive list for priorities in Wales, and those habitats and species listed that occur in Cardiff should be protected by the policy
8. The comments are forwarded to Cardiff City Council as the formal comments of Caerphilly County Borough Council.

264. EXEMPT MATTER

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 100(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 paragraph 14, part 4 of Schedule 12A of the Local Government Act 1972.

265. SALE OF OUTSTANDING LANDSBANKI CLAIM

The report outlines additional information in relation to the proposed sale of Caerphilly CBC's outstanding claim in the failed Icelandic Bank, Landsbanki.

Following detailed consideration of the report and recommendations, it was moved and seconded that the recommendation at paragraph 9.1 of the report be endorsed. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the officer's report, the recommendation at paragraph 9.1 of the report be approved.

The meeting closed at 2.43 pm.

Approved and signed as a correct record, subject to any amendments made at the meeting held on 22nd January 2014.

CHAIRMAN