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For all enquiries relating to this agenda please contact Charlotte Evans  
(Tel: 01443 864210 Email: [evansca1@caerphilly.gov.uk](mailto:evansca1@caerphilly.gov.uk))

**Date: 31st August 2016**

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 7th September, 2016** at **2.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

|                                     | Pages |
|-------------------------------------|-------|
| 1 To receive apologies for absence. |       |
| 2 Declarations of Interest.         |       |

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on the agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- 3 Cabinet held on 27th July 2016.

1 - 8

A greener place Man gwyrddach



To receive and note the minutes of the following meeting(s): -

4 Future Generations Advisory Panel held on 9th June 2016. 9 - 12

To receive and consider the following reports on which executive decisions are required: -

5 Land at Upper Cefn Road, Deri. 13 - 18

To receive and consider the following report, which requires a recommendation to Council: -

6 Authorisation of Officers - Community/Partnership Grant Schemes. 19 - 22

**Circulation:**

Councillors D. Havard, Mrs C. Forehead, N. George, D.T. Hardacre, K. James, Mrs B. A. Jones, D.V. Poole, K.V. Reynolds, T.J. Williams and R. Woodyatt,

And Appropriate Officers.

# Agenda Item 3



## CABINET

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 27TH JULY 2016 AT 2.00 P.M.

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PRESENT:

Councillor K. V. Reynolds – Chair

Councillors:

C. Forehead (Human Resources and Governance/Business Manager), N. George (Community and Leisure Services), D. Havard (Education and Lifelong Learning), K. James (Regeneration, Planning and Sustainable Development), D.V. Poole (Housing), T. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Social Services).

Together with:

C. Burns (Interim Chief Executive), N. Scammell (Acting Director of Corporate Services & S151) and C. Harry (Corporate Director Communities).

Also in Attendance:

S. Harris (Interim Head of Corporate Finance), M.S. Williams (Head of Community & Leisure Services), J. Reynolds (Sports & Leisure Facilities Manager), K. Cole (Chief Education Officer), L. Donovan (Acting Head of Human Resources and Organisational Development), S. Couzens (Chief Housing Officer), P. Smythe (Housing Repair Operation Manager) and C. Evans (Committee Services Officer).

S.J. Byrne (Wales Audit Office (WAO)) and A. Rees (Wales Audit Office (WAO))

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor D.T. Hardacre, Mrs B. Jones and D. Street.

**2. DECLARATIONS OF INTEREST**

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

**3. CABINET – 13TH JULY 2016**

RESOLVED that the minutes of the meeting held on 13th July 2016 (minute nos. 1 - 5) be approved and signed as a correct record.

#### **4. PROVISIONAL OUTTURN FOR 2015/16**

The report provided Cabinet with details of the provisional outturn for the 2015/16 financial year prior to the annual audit by the Authority's External Auditors Grant Thornton.

In advance of the Statement of Accounts being audited and presented to Council on the 28th September 2016, the report provided an overview of the Council's performance against the budget for the 2015/16 financial year.

The report detailed the Service Directorates underspends, which have been achieved as a result of Officers mindfulness of the continuing programme of austerity and expenditure has been curtailed in a number of areas in order to support the Medium-Term Financial Plan (MTFP). This prudent approach has resulted in a number of savings being achieved in advance and underspends being higher than would normally be the case.

It was noted that, after adjusting the earmarked reserves, 50% of underspends are carried forward by Directorates and are available to meet the requirements of these service areas. The remaining balance is transferred to the General Fund.

Members were reminded that the forecast General Fund balance was reported to Council on 24th February 2016 at £10.105m, however, as a result of prudent planning, the projected balance as at 31st March 2017 is anticipated to be £11.155m. In order to prepare for the significant financial challenges that lie ahead, it would be prudent to maintain the minimum General Fund balance at £11.155m, ensuring a small buffer to support the delivery of the MTFP in future years.

Members thanked the Officer for the report and extended their gratitude to all staff on their efforts during the past year to ensure a more secure position for the Authority during unprecedented financial times.

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 Officers report Cabinet note the provisional 2015/16 outturn position and the forecast balance on the General Fund as set out in Appendix B.

#### **5. RESERVES STRATEGY**

The report, which was considered by Policy and Resources Scrutiny Committee on 12th July 2016, outlined details of the Council's draft reserves strategy document and sought the approval of Cabinet.

Members noted that the creation of use of both general and earmarked reserves are key tools to assist Authorities in delivering services over a period of longer than one financial year. They are an essential part of good financial management and help Councils cope with unpredictable financial pressures, help them smooth the impact of known spending requirements over time, and help to fund any in-year overspending.

Usable reserves held by Local Authorities have been subject to increased scrutiny in recent years, and in February 2015, after reviewing details of reserves held by all Councils in Wales, the Minister for Public Services referred to a lack of consistency in applying protocols for the establishment, review and discharge of reserves. He also expressed a particular concern over the apparent lack of opportunity for Elected Members to engage in and scrutinise the use of reserves held by their Authorities. In April 2015 the Wales Audit Office (WAO) published a report on the financial resilience of Councils in Wales, which recommended that "Councils should ensure that they have a comprehensive reserves strategy that outlines the specific purpose of accumulated usable reserves as part of their Medium-Term Financial Plan".

It was explained that the draft reserves strategy (detailed at Appendix 1 of the Scrutiny Committee report) consolidates existing arrangements for the establishment and subsequent management and the use of reserves within the Authority. One significant change to existing arrangements is a proposed 3% cap on the amount Directorates can hold in reserve from accumulated revenue budget underspends. Full details were outlined in the report, together with the reporting procedure to be followed in cases where the 3% limit is exceeded. It was noted that as part of the reserves strategy, an annual report on usable reserves will be prepared for the Policy and Resources Scrutiny Committee, which will contain detailed information and ensure there is effective scrutiny of the balances held and their intended purpose.

Members were asked to note that one key change to existing arrangements is a proposed cap on the amount Directorates can hold in reserve from revenue budget underspends. Directorates are currently permitted to hold 50% of revenue budget underspends in their own general reserves with the balance being transferred to the General Fund Reserve, however it is now proposed that the cumulative balance should not exceed 3% of the net revenue budget for each Directorate.

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 Officers report the draft Reserves Strategy, as appended to the report be approved.

## **6. FINANCIAL RESILIENCE REPORT**

The report, which was presented by S.J. Byrnes (WAO), provided Cabinet with the Wales Audit Office (WAO) report on its financial resilience assessment of Caerphilly CBC.

Members noted the detailed report, which outlined that “The Council has effective financial control arrangements and a track record of achieving savings in advance. However, it does not have a comprehensive medium term financial plan, and monitoring progress of savings is fragmented”.

The Proposals for improvement were outlined, which recommended that “The Council should strengthen its financial resilience by:

- Developing more explicit links between the Medium Term Financial Plan (MTFP) and its corporate priorities;
- Developing a longer term MTFP with comprehensive multi-year savings plans to cover the period of the MTFP;
- Continuing to develop a more strategic asset management plan which is aligned to its MTFP;
- Reporting a ‘Whole Council’ financial and savings progress reports to Members on a regular basis; and
- Developing income generation/charging policies.

In response, S. Harris, Interim Head of Corporate Finance provided Cabinet with details of the Officers response. It was noted that The Acting Director of Corporate Services and Section 151 Officer will maintain a dialogue with the WAO regarding the most effective way to demonstrate a link between the MTFP and corporate priorities. Members were reminded that in February 2016; Council approved an updated Medium-Term Financial Plan covering the five-year period 2016/17 to 2020/21. In addition, Members noted that Asset Management will continue to be dealt with through the Strategic Asset Management Group and an Asset Management Strategy will be presented to the Policy and Resources Scrutiny Committee on 4th October 2016. A 2016/17 ‘Whole Authority’ mid-year budget monitoring report will be

presented to Cabinet outlining projected expenditure for the year and details of progress in achieving savings targets, which will be in addition to the budget monitoring reports that are already prepared for individual Scrutiny Committees and the 'Whole Authority' budget monitoring report that is currently prepared in January each year for the Policy and Resources Scrutiny Committee. Finally, a Corporate Policy on income generation/charging will be progressed once the WAO produces a final report on its "All Wales Local Government Improvement Study: Strategic approach to income generation and charging".

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 Officers report:

- (i) the content of the Wales Audit Office (WAO) report be noted;
- (ii) the Officer response to the WAO proposal for improvement, as detailed in paragraph 4.5 of this report be noted.

## **7. WALES AUDIT OFFICE REVIEW OF THE DEVELOPMENT OF A SPORT AND LEISURE STRATEGY**

The report, which was presented to Regeneration and Environment Scrutiny Committee on 28th June 2016, updated Cabinet on the outcome of a recent Wales Audit Office (WAO) review of the development of a Sports and Leisure Strategy and the next steps to be taken by the Council in addressing the recommendations made by the WAO.

A. Rees and S.J. Byrne (WAO) introduced the report. Members noted the two reports previously considered at Scrutiny Committee: Strategic Review of Leisure Facilities (28th October 2014) and Strategic Review of Outdoor Recreation Facilities (31st March 2015). Both of which summarised work that had been completed in undertaking a robust assessment of the facilities across the Authority and setting a strategic vision for the provision of facilities in the future. The latter review also progressed to Cabinet where the review recommendations were agreed.

The final quarter of 2015/16, the WAO held discussions with Caerphilly County Borough Council and included a review of Sports and Leisure Services in its 2015/16 programme of work with the Council. The scope of the review was limited to "the development of a Sport and Leisure Strategy" and consequently did not examine the wider aspects of Sports and Leisure Services such as regional working, National Exercise Referral, outdoor adventures/education and sports development. A final report was published by the WAO in May 2016 (attached at Appendix 1 of the Scrutiny Committee report) which sets out the recommendations in the WAO Report and the Authority's next steps.

To build on the substantial review work already undertaken and in response to the WAO findings, the development of the Sport and Leisure Strategy has been designated as one of the 13 Improving Services Programmes which are subject to formal project management arrangements and regular reporting to the new Improving Services Programme (ISP) Board. The Board has agreed to the appointment of a Consultant to review all existing plans, strategies, policies and other documents and to work with key Authority personnel in developing an over-arching Sport and Leisure Strategy for the Council. In addition, the ISP Project Team has developed a brief for the ISP Board (draft timescales are detailed in Appendix 2 of the Scrutiny Committee Report). Developments are at an early stage and future updates will be provided to the ISP Board and Scrutiny Committee upon completion of the consultancy work.

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 Officers report, the outcome of the Wales Audit Office Review be noted and the Authority's adopted approach be endorsed.

## **8. ISLWYN HIGH SCHOOL – INSTRUMENT OF GOVERNMENT**

The report sought Cabinet approval on the Instrument of Government for Islwyn High School, the process to appoint the Governing Body and to confirm the name as Islwyn High School.

All proposals are made, having regard to the statutory Instruments 2005 No 2912 (W209) Education, Wales, The New Maintained Schools (Wales) Regulations 2005.

Members noted that the size of the Governing Body and those persons responsible for making the appointment is specified within legislation and the constitution of the Governing Body has been based upon a Community Secondary School with 600 or more pupils. It was proposed that the composition of the Governing Body consist of 6 Parents, 5 Local Authority Representatives, 2 Teachers, 1 Staff, 5 Community Governors and the Headteacher, which will provide a total of 20 Governors. Members noted that there would not be automatic transfer of governors from the temporary to permanent Governing Body, all appointments would be made in accordance with the regulations, as outlined in 4.3 of the 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 Officers report the Governing Body is constituted in line with the proposals contained in the report.

## **9. PROPOSED NEW FEE STRUCTURE FOR ADDITIONAL SERVICES**

The report, which was presented to Regeneration and Environment Scrutiny Committee on 28th June 2016, sought the approval on the introduction of a new scale of charges for additional service provision across the Community and Leisure Service division.

The report set out new fee structures for additional services provided across the Parks and Bereavement Service and Fleet Management. The report proposed that new pre-cast burial vaults for the interment of cremated remains at Bedwellty and Rhymney Cemeteries be offered for sale for a period of 50 years at an initial cost of £1498.00 per unit. The report also proposed that Class 5 (minibus) MOT tests be offered by Fleet Management at a cost of £50.00 per vehicle. These proposed charges for additional services will ensure the divisional services will ensure the division has the adequate resources to deliver services and meet specific priorities in light of the Council's Medium Term Financial Plan.

Members noted that the Scrutiny Committee sought clarification on the £505.00 interment fee for the interment of cremated remains in re-opened graves, together with the 50-year period for the Grant of Exclusive Right of Burial. Subsequently a further information report was circulated to the Scrutiny Committee following the meeting, however a Member has requested that Officers bring forward a review report relating to the charges for interment of cremated remains in plots where an initial interment has been carried out (i.e. interment of cremated remains in re-opened plots). However, this report and subsequent debate has no effect on the fees relating to the sale of new cremated remains vaults.

Cabinet thanked the Officer for the report and sought clarification on the Cremated Remains Vaults. The Officer confirmed that the vaults will be in addition to what is currently available at the cemeteries.

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 Officers report, the proposed new charges for additional services as detailed in the report be endorsed.

## **10. HR STRATEGY DOCUMENT**

The Report, which was considered at Policy and Resources Scrutiny Committee on 12th July, sought the approval of Cabinet for the draft HR Strategy 2016-20.

Following a review of the Council's Human Resources (HR) arrangements in 2012, Wales Audit Office (WAO) raised the need for the improvements in strategic HR and Workforce Planning, and subsequently made the statutory recommendation that the Council 'ensures that the actions identified to improve the HR function and workforce planning are implemented'. The WAO follow-up of the Special Inspection report of January 2015 concluded that a number of improvements were awaiting completion but noted the significant progress made by the Council in developing HR-related policies to facilitate the implementation of the Council's medium-term financial plan. The HR strategy document has been developed to address an outstanding proposal for improvement from WAO, which stated that the Council should prioritise the development of a HR Strategy and workforce plan to form key elements of the Councils strategic planning framework.

Members were advised that this will be the first HR Strategy for Caerphilly CBC, and in view of the potential future challenges and changes faced by the Authority, it was proposed that the HR Strategy (attached in draft form at Appendix 1 of the Scrutiny Committee report) be reviewed 12 months after implementation and updated if considered necessary.

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 Officers report: -

- (i) the HR Strategy, as appended to the report, be approved;
- (ii) the HR Strategy be reviewed 12 months after implementation to ensure it is current and fit for purpose.

## **11. HOUSING REPAIR OPERATIONS ANNUAL PERFORMANCE UPDATE**

The report provided Cabinet with an update on the annual performance of the Housing Response Repair Service undertaken by Housing Repairs Operations (HRO) Team and sought approval of the integrated approach between housing repairs and WHQS and that this approach should be developed further.

Members noted the information on the performance achieved against each of the Response Repair categories in order to deliver the housing repairs service and the levels of customer satisfaction obtained following telephone and face to face customer satisfaction surveys.

The report also highlighted some of the other achievements, including working in close partnership with the Repairs & Improvement Group, the integrated approach adopted to support the delivery of the WHQS programme and where HRO were finalists in the Association of Public Services Excellent (APSE) UK, Best performing Authority for Building Maintenance, 2015 Awards.



Members thanked Officers for the report and congratulated the department of the level of excellence provided to tenants across the borough.

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 Officers report the contents of the report be noted and the integral approach between housing repairs and WHQS be approved and that this approach be developed further.

The meeting closed at 3.22pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 7th September 2016.

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CHAIR

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## FUTURE GENERATIONS ADVISORY PANEL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN,  
ON THURSDAY, 9TH JUNE 2016 AT 5.00 PM

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PRESENT:

Councillor K. James - Chairman

Councillors:

K. Dawson, C. Elsbury, C.P. Mann, L. Jones, J.A. Pritchard.

Together with:

R. Hartshorn (Head of Public Protection), K. Peters (Corporate Policy Manager), P. Cooke (Senior Policy Officer)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received for Councillors D. Havard, S. Kent and M. Adams.

### 2. DECLARATIONS OF INTEREST

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

### 3. MINUTES

As this was the first meeting of the Future Generations Advisory Panel there were no previous minutes to consider.

### 4. ELECTION OF VICE CHAIR

The Chair confirmed that it had been agreed at the previous Council meeting that Councillor D. Havard should be Vice Chair of the Panel.

### 5. CHANGING FROM THE SUSTAINABLE DEVELOPMENT ADVISORY PANEL TO THE FUTURE GENERATIONS ADVISORY PANEL

Rob Hartshorn, Head of Public Protection, outlined the recent restructure which had resulted in the creation of a new Corporate Policy Unit, managed by Kath Peters, within his Division.

The new unit includes Performance, Community Safety (Partnership staff), Equalities & Welsh Language and a new Policy Team, managed by Paul Cooke. This restructure was, in part, in response to the new Well-Being of Future Generations Act (WFG) which requires a more joined up approach to corporate policy.

RH outlined that the WFG Act places duties on the Authority itself as a public body, and also places duties to collaborate as part of a Public Services Board (PSB). There will be a requirement to demonstrate that future generations are considered in our processes and decision making. Scrutiny committees will have a role in this process, and P & R Scrutiny Committee will have specific responsibility to scrutinise the PSB.

RH outlined that although the FGAP will not be a formal scrutiny committee, it is anticipated that it will play an important role in ensuring that the Authority discharges its duties by advising and acting as a “sounding board”. RH confirmed that the minutes and recommendations of the FGAP would go to Cabinet.

RH suggested that Members of the Panel could receive e mails between meetings seeking their views and comments on relevant issues and reports.

The Chair thanked RH for his presentation, and stated his hope that the good work undertaken by the Sustainable Development Advisory Panel would continue through the transition to the FGAP.

## **6. TERMS OF REFERENCE**

Kath Peters, Corporate Policy Manager, presented the draft Terms of Reference for the Panel. She confirmed that these had been developed in consultation with the Chair of the Panel and Democratic Services. KP confirmed that the new ToR had been based on those of SDAP, but amended to incorporate the new duties under the Well-Being of Future Generations Act.

Members asked to have a stronger emphasis on future generations included in the ToR, including a reference to the “SD principle” in the Act.

It was noted that the Cabinet Member with responsibility for Sustainable Development was also designated as the “Future Generations Champion”. It was agreed that Members of FGAP should have a role to act as advocates and to promote sustainable development as part of their activities across the Authority.

It was agreed that the ToR should include an aim to support officers and Members to make sustainable decisions, and to understand their role in ensuring the Authority complies with its duties under the Well-Being of Future Generations Act.

It was agreed that the Policy Team would amend the draft ToR as discussed and circulate for comment/agreement.

## **7. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 – CCBC’S ORGANISATIONAL AND COLLABORATIVE DUTIES**

Kath Peters, Corporate Policy Manager, provided a presentation on the Well-Being of Future Generations (Wales) Act 2015 (WFG Act) and the Authority’s duties under this new legislation. She confirmed that the WFG Act places a duty on public bodies, including local authorities, to improve the economic, social, environmental and cultural well-being of Wales in accordance with sustainable development principles, and to report on how we are complying with the Act from April 2016.

KP outlined the 7 Well-Being Goals included in the Act; a more prosperous Wales; a resilient Wales; a healthier Wales; a more equal Wales; a Wales of cohesive communities; a Wales of vibrant culture and thriving Welsh language; and a globally responsible Wales –

The Act puts in place a ‘sustainable development principle’ which tells organisations how to go about meeting their duty under the Act. The principle is made up of five key ways of working that public bodies are required to take into account when applying sustainable development. These are:-

- Looking to the **long term** so that we do not compromise the ability of future generations to meet their own needs;
- Taking an **integrated** approach so that public bodies look at all the well-being goals in deciding on their priorities;
- **Involving** a diversity of the population in the decisions that affect them;
- Working with others in a **collaborative** way to find shared sustainable solutions;
- Understanding the root causes of issues to **prevent** them from occurring.

KP confirmed that the Act establishes public services boards (PSBs) which replace former Local Service Boards. PSBs member organisations have a duty to collaborate and to maximise their contributions to the Well-being Goals.

PSB’s must undertake and publish a local well-being assessment (LWBA) by May 2017, then publish a local well-being plan by May 2018.

The LWBA must assess the state of well-being NOT need in the area. It should consider the state of the economic, social, environmental and cultural well-being of the whole local authority area, and identify “community areas”. The LWBA should consider the views of people living in the area, and engage with vulnerable and disadvantaged groups, people with protected characteristics, children, looked after children, people who need care and support

KP explained that the work to gather the evidence and analysis of data sources had begun with the Data Unit Wales providing assistance. A Gwent-wide group has been established to co-ordinate collaborative work. The LWBA must consider the identified 9 statutory assessments, National Indicators for Wales, and include predictions of likely future trends

KP confirmed that a programme of engagement events was being planned over the summer period, with the work being led on behalf of the Public Service Board by the Corporate Policy Unit

### **Corporate Responsibilities**

KP confirmed that from the 1<sup>st</sup> April 2016 the Act places new duties on 44 public bodies in Wales. Each organization has a responsibility to meet the legally binding common purpose to contribute towards 7 Well-being Goals for Wales

CCBC must set its own Well-being Objectives that define how we will meet the Well-being Goals by the 31<sup>st</sup> March each year. At the same time we must publish a Well-being Statement that sets out how our objectives meet the national goals, how we have acted sustainably in selecting our objectives, how we will govern ourselves, how we will review, how long it is going to take and how we will allocate resources.

KP explained that the statutory guidance that accompanies the Act lists a core set 7 organisational activities that are common to the corporate governance of public bodies. The guidance identifies that applying the Act to those activities is likely to most effectively secure the type of change it is attempting to achieve. Core guidance references the 7 Core Organisational Activities and the expectation associated with each:

- Expectation that **Corporate Planning** is the mechanism to set Well-being Objectives and that it links to the PSB's Well-being Plan
- Expectation that **Financial Planning** will consider the '5 Ways of Working' particularly when considering delivering for the long-term
- Expectation that **Workforce Planning** will support the cultural change needed
- Expectation that **Procurement** will apply the Wales Procurement Policy definition of sustainable procurement and encourage other organisations to contribute to the Well-being Goals
- Expectation that **Asset Management** will be for the benefit of communities over the long-term
- Expectation that **Risk Management** will frame risks against the Well-being Goals and the '5 Ways of Working' over the short, medium and long-term
- Expectation that **Performance Management** will track progress towards the Well-being Goals

## 8. WELL-BEING OF FUTURE GENERATIONS TIMELINE

Kath Peters circulated a copy of the timeline for activities identified as part of the work required to comply with the Act. In particular the Act requires the LWBA to be completed by the end of March 2017.

She highlighted the events over the summer to build the evidence base and to engage with residents. The draft of the LWBA would be going to the meeting of the PSB on the 6th December, and to P&R Scrutiny on the 17th January.

## 9. FORWARD WORK PROGRAMME

Rob Hartshorn suggested that the Corporate Policy Unit prepare an initial outline for a work programme for the Panel based on the requirements of the Act and discussed in the agenda item on the timeline. This was agreed. It was also agreed that the forward work programme should be a standard agenda item for future meetings.

Members identified that future meetings should include reports and presentations on key topics, including those from external organisations, as they felt that this had been an important element supporting the work of SDAP in the past.

The meeting closed at 6.30 pm.

Approved and signed as a correct record subject to any amendments being recorded in the minutes of the meeting held on 27th July 2016.

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CHAIRMAN



## CABINET – 7TH SEPTEMBER 2016

**SUBJECT: LAND AT UPPER CEFN ROAD, DERI**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek approval to dispose of land at Upper Cefn Road, Deri (as shown edged black on the plan at Appendix 1 – “the land”).

### **2. SUMMARY**

- 2.1 The land was acquired by the former Rhymney Valley District Council in January 1980. A playground was established on the land under a General Improvement Area scheme funded by the Welsh Office.
- 2.2 The play equipment was removed in the 1980s but the Council has continued to maintain the area under the grounds maintenance contract as an area of informal open space.
- 2.3 Consideration has been given to the sale of the land as a residential building plot but the Darran Valley Community Council has objected to this proposal.
- 2.4 In line with the agreed procedure, the matter is being referred to Cabinet for a decision.

### **3. LINKS TO STRATEGY**

The contents of this report link to the following key strategic objectives:

#### **3.1 Housing Focus**

“Encourage the development and maintenance of high quality, well designed and efficient, sustainable homes and environments which can meet all needs.” (*Community Strategy: Living Environment – Objective 1*)

“Ensure an adequate and appropriate range of housing sites are available across the County Borough in the most suitable locations to meet the housing requirements of all sections of the population” (*Local Development Plan –Objective 9*)

“Meet housing requirements through the provision of a range of good quality, affordable housing options.” (*Aim 5: Affordable Housing – Local Housing Strategy*)

“Promote sustainable and mixed communities that are located in safe and attractive environments.” (*Aim 11: Community Regeneration - Local Housing Strategy*)

It will be seen from the foregoing, that the proposal contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:

- A sustainable Wales
- A prosperous Wales
- A more equal Wales

- 3.2 Under its approved Asset Management Objectives, the Authority aims to manage its land and buildings effectively, efficiently and economically and provide a safe, sustainable and accessible living and working environment for all users.
- 3.3 The Authority has a medium term financial plan (MTFP), which includes cost saving targets resulting from the disposal of assets.

#### **4. THE REPORT**

- 4.1 The land was acquired in January 1980 and a playground was established on the land under a General Improvement scheme funded by the Welsh Office. The Council maintained the metal play equipment and the grass from the early 1980s. The formal play equipment was removed in the late 1980s but the Council has continued to maintain this grassed area under the grounds maintenance contract.
- 4.2 The land is surplus to the requirements of the Parks division.
- 4.3 **Planning Issues**
- 4.3.1 The land lies within the settlement limit and is an area of informal open space. The disposal of the land has been considered against policy CW7 (Protection of Open Space) and planning officers consider that its release would be acceptable in principle.
- 4.3.2 In view of its location, there may be potential to develop a single dwelling on the land, subject to careful consideration being given to its relationship with neighbouring properties and the impact on the character of the street, along with other normal development control matters.
- 4.3.3 If the site is developed for housing, the developer will need to investigate options for the capture/discharge of surface and foul water. Whilst there are concerns about drainage in the area, as the quantity of effluent arising from the plot is unlikely to be large, the problems are not insurmountable.
- 4.4 Since the land forms open space, section 123(2A) of the Local Government Act 1972 prohibits its disposal unless, before the disposal, the Council causes notice of the intention to do so to be advertised for 2 consecutive weeks in a newspaper circulating in the area and considers any objections to the disposal that may be made.
- 4.5 Such advertisements appeared in a copy of the Campaign newspaper on 7th and 14th October 2015 with a final date for any objections to the sale being Friday 23rd October.
- 4.6 Notices were also posted on the site.
- 4.7 No objections were received to the public open space advertisements.

#### **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This proposal does contribute to the Well-being Goals as set out in Links to Strategy above. However, the proposal is a very minor one, being the disposal of land for the development of a single dwelling, so its consistency with the five ways of working set out in the sustainable development principle, as defined in the Act, is limited. The proposal looks to the long term so



that we do not compromise the ability of future generations to meet their needs in that it enables the provision of a dwelling. Implementation of the proposal involves a diversity of the population in the decisions that affect them by offering a 'self-build' opportunity to home ownership.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An Equalities Impact Assessment (EqIA) screening has been completed in accordance with the Council's Equalities Consultation and Monitoring Guidance. No potential for unlawful discrimination and/of low level or minor negative impact have been identified and, therefore, a full EqIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The sale of the land will produce a capital receipt.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications arising out of this report.

## **9. CONSULTATIONS**

- 9.1 Darran Valley Community Council objects to the sale on the basis of "historical problems with access, both for vehicles and materials, and issues relating to water and an adjacent brook/stream". These are issues that will be considered as part of any future planning application.
- 9.2 Other than this objection by Darran Valley Community Council, there are no views expressed as a result of consultation that differ from the recommendation.
- 9.3 However, given the elapsed time since the original advertisements, the disposal will be re-advertised in accordance with paragraph 0 above. If the responses are materially different to the original responses a further Report will be brought to Cabinet.

## **10. RECOMMENDATION**

- 10.1 That the land be sold on the open market for residential development.

## **11. REASONS FOR THE RECOMMENDATION**

- 11.1 The land is not required operationally and is regarded as surplus.
- 11.2 There is sufficient open space nearby to serve the needs of the community.
- 11.3 The sale of the land will produce a capital receipt and release the Council from future maintenance obligations.

## **12. STATUTORY POWER**

- 12.1 Section 123 of the Local Government Act 1972 (as amended). This is a Cabinet function.

Author: Colin Jones Head of Performance and Property Services  
[jonesrc@caerphilly.gov.uk](mailto:jonesrc@caerphilly.gov.uk)

Consultees:

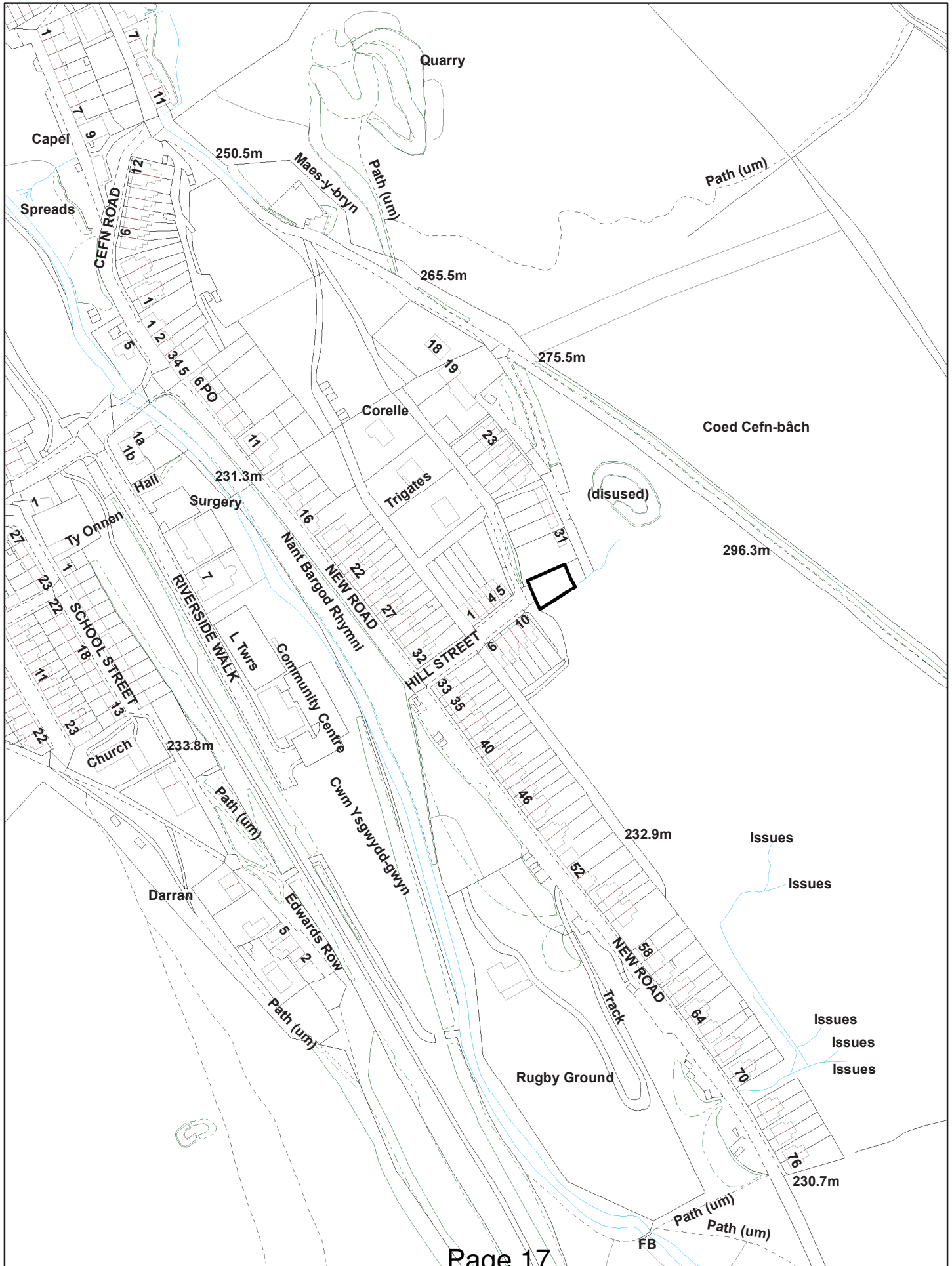
|                              |  |
|------------------------------|--|
| Chris Burns                  | Interim Chief Executive<br><a href="mailto:burnsc@caerphilly.gov.uk">burnsc@caerphilly.gov.uk</a>  |
| Nicole Scammell              | Acting Director of Corporate Services<br><a href="mailto:scammn@caerphilly.gov.uk">scammn@caerphilly.gov.uk</a>  |
| Mark S Williams              | Head of Community & Leisure Services<br><a href="mailto:willims@caerphilly.gov.uk">willims@caerphilly.gov.uk</a>   |
| Richard Crane                | Senior Solicitor<br><a href="mailto:craner@caerphilly.gov.uk">craner@caerphilly.gov.uk</a>   |
| Tim Stephens                 | Development Control Manager<br><a href="mailto:stepht@caerphilly.gov.uk">stepht@caerphilly.gov.uk</a>  |
| Rhian Kyte                   | Team Leader Strategic & Development Planning<br><a href="mailto:kyter@caerphilly.gov.uk">kyter@caerphilly.gov.uk</a>                                     |
| Clive Campbell               | Transportation Engineering Manager<br><a href="mailto:campbc@caerphilly.gov.uk">campbc@caerphilly.gov.uk</a>   |
| Mike Headington              | Principal Officer Outdoor Facilities & Bereavement Services<br><a href="mailto:headim@caerphilly.gov.uk">headim@caerphilly.gov.uk</a>                    |
| David A Thomas               | Senior Policy Officer (Equalities & Welsh Language)<br><a href="mailto:thomada@caerphilly.gov.uk">thomada@caerphilly.gov.uk</a>                          |
| Kevin Fortey                 | Housing Development Officer<br><a href="mailto:fortek@caerphilly.gov.uk">fortek@caerphilly.gov.uk</a>  |
| <i>Councillor D Hardacre</i> | <i>Cabinet Member for Performance and Asset Management (and Ward Member)</i><br><a href="mailto:hardadt@caerphilly.gov.uk">hardadt@caerphilly.gov.uk</a> |
| Geraint Williams             | Clerk, Darran Valley Community Council   |

**Background Papers:**

Responses to Notices of intention to dispose of the land can be viewed on Corporate Property IDOX file ID 6381

**Appendices:**

Appendix 1 Plan showing the land



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## CABINET – 7TH SEPTEMBER 2016

**SUBJECT: AUTHORISATION OF OFFICERS – COMMUNITY/PARTNERSHIP GRANT SCHEMES**

**REPORT BY: CORPORATE DIRECTOR, SOCIAL SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek Cabinet approval to authorise officers in relation to the operation of community/partnership grant schemes within the Public Protection Division
- 1.2 To seek Cabinet endorsement of a subsequent change to the Council's Constitution prior to presentation to Council for approval for the Council's Interim Head of Legal Services and Monitoring Officer to incorporate the changes, if approved.

### **2. LINKS TO STRATEGY**

- 2.1 The Council's Constitution promotes and supports the ethical standards of the Council and elected Members and ensures that the Council operates efficiently and with transparency in relation to its decision making.

### **3. SUMMARY**

- 3.1 This report outlines proposed changes to the Council's Constitution following organisational changes whereby the Head of Public Protection is now responsible for the Corporate Policy function including the administration of the following grant funding schemes:

- Technical Assistance Fund
- Greener Caerphilly Small Grants Fund.

### **4. THE REPORT**

#### **Background**

- 4.1 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures, which are followed to ensure that these are efficient, transparent and accountable to local people.
- 4.2 The Constitution is a "living document" in that it is continuously being updated and revised to reflect new legislation, improvement in procedures and changes to working practices. As a result of recent organisational changes the Corporate Policy function is now within the Public Protection Division. The Corporate Policy team administer the following 2 grant schemes:

- 1) Technical Assistance Fund – this fund has been established to help voluntary organisations and community groups in the borough meet the costs of pre-application professional fees, technical or legal, for capital projects.
- 2) Greener Caerphilly Small Grants Fund – Up to £10,000 is available for partnership projects. Funding is dependent on partner match funding on a £1 for £1 basis. Projects must demonstrate collaborative working with other partner organisations and deliver tangible environmental improvement and benefits to the community.

4.3 For the Technical Assistance Fund a Panel chaired by the Cabinet Member for Regeneration, Planning and Sustainable Development considers applications and makes recommendations to the relevant Head of Service which, following organisational changes, is now the Head of Public Protection. In the case of the Greener Caerphilly Small Grants Fund, the Greener Caerphilly Partnership considers applications and makes the recommendations.

4.4 As a result of organisational changes the Corporate Policy function now sits with the Head of Public Protection. This report seeks Members’ approval to amend the Council’s Constitution following organisational changes at Part 3, Section 4, headed ‘Responsibility for Executive Functions, paragraph (f) to add the delegation for the approval or refusal of applications for funding under the Technical Assistance Fund and Greener Caerphilly Small Grants Fund and add the Corporate policy function to the list of functions.

The proposed amendment will read as follows:

| <u>FUNCTION</u>   | <u>RESPONSIBLE</u> | <u>DELEGATION</u>   |
|---|--------------------|---|
| (f) Corporate Policy<br>To approve or refuse applications for funding under the following:<br>Technical Assistance Fund<br>Greener Caerphilly Small Grants Fund | The Cabinet        | The Cabinet, or the Chief Executive or any Director or the Head of Public Protection. |

## **5. EQUALITIES IMPLICATIONS**

5.1 The Council’s Constitution takes account of all equality related issues.

## **6. FINANCIAL IMPLICATIONS**

6.1 None arising from the Report.

## **7. PERSONNEL IMPLICATIONS**

7.1 None arising from the Report.

## **8. CONSULTATIONS**

8.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

## **9. RECOMMENDATIONS**

9.1 It is recommended:-

- (i) That Cabinet approve the authorisation of any Director or the Head of Public Protection to approve or refuse applications under the grant schemes detailed in paragraph 4.2 above.
- (ii) That Cabinet recommend to Council approval of the proposed changes to the Council's Constitution set out in paragraph 4.4 of the Report and that the Council's Monitoring Officer be given delegated authority to make the necessary amendments to the Council's Constitution.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To enable the effective operation of the grant schemes.
- 10.2 To ensure that the Council's Constitution is updated to reflect current arrangements.

## **11. STATUTORY POWER**

- 11.1 Local Government Act 1972 and 2000.

Author: Rob Hartshorn, Head of Public Protection  
Consultees: Councillor Ken James, Cabinet Member for Regeneration and Planning  
Dave Street, Corporate Director  
Gail Williams, Interim Monitoring Officer  
Kath Peters, Corporate Policy Manager  
Paul Cooke, Senior Policy Officer  
Vicki Doyle, Policy Officer

Background Papers:  
Council's Constitution (not attached) (see Council's website) (hard copy in Members Library)

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