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For all enquiries relating to this agenda please contact Madia Afzal
(Tel: 07738 263933 Email: afzalm@caerphilly.gov.uk)

Date: 6th April 2022

Dear Sir/Madam,

A digital meeting of the **Cabinet** will be held via Microsoft Teams on **Wednesday, 13th April, 2022 at 10.30 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Cabinet will be publicly available to all via the recording on the Council website at www.caerphilly.gov.uk

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Christina Harrhy'.

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

	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.

A greener place Man gwyrdach



To note the Cabinet Forward Work Programme.

3 Cabinet Forward Work Programme. 1 - 2

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

4 Withdrawal From Crumlin Institute. 3 - 6

5 Welsh Government Cost of Living Support Scheme. 7 - 12

6 Home To School/College Contracts - Contract Variation. 13 - 16

7 Public Interest Test. 17 - 18

8 21st Century Schools Band B Proposal - Update Ysgol Gymraeg Cwm Gwyddon. 19 - 24

Circulation:

Councillors S. Cook, N. George, C.J. Gordon, P.A. Marsden, J. Pritchard, Mrs E. Stenner, A. Whitcombe and R. Whiting

And Appropriate Officers

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13/04/2022 10:30	Withdrawal from Crumlin Institute	The purpose of the report is to update Cabinet on the current position regarding dilapidation costs linked to the termination of the lease for Crumlin Institute, and to seek approval to settle with the landlord with additional costs being funded from the projected underspend in the 2021/22 Education & Lifelong Learning revenue budget.	Southcombe, Jane; Harris, Stephen R;	Cllr. Stenner, Eluned; Cllr. Whiting, Ross;
13/04/2022 10:30	Cost of Living Support Scheme	To provide details of the WG cost of living support scheme and proposals for the discretionary element of the fund.	Harris, Stephen R;	Cllr. Stenner, Eluned;
13/04/2022 10:30	Home to school / college bus contracts – contract variation	The purpose of the report is to seek approval from Cabinet to vary the existing rates for home to school contracts to reflect the increased fuel costs being experienced by the transport industry to ensure there is no disruption to the service for the remainder of the 2021/22 academic year.	Campbell, Clive;	Cllr. Pritchard, James;
13/04/2022 10:30	21st Century Schools Band B Proposal - Update Ysgol Gymraeg Cwm Gwyddon	Cabinet Members are asked to approve additional funding in respect of a potential increased financial contribution required for the construction of Ysgol Gymraeg Cwm Gwyddon as part of the 21st Century Schools Band B programme.	Richards, Sue; West, Andrea;	Cllr. Whiting, Ross;

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CABINET – 13TH APRIL 2022

SUBJECT: WITHDRAWAL FROM CRUMLIN INSTITUTE

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to update Cabinet on the current position regarding dilapidation costs linked to the termination of the lease for Crumlin Institute, and to seek approval to settle with the landlord with additional costs being funded from the projected underspend in the 2021/22 Education & Lifelong Learning revenue budget.

2. SUMMARY

- 2.1 On the 9th of June 2021 Cabinet supported a recommendation to progress withdrawal from the lease agreement relating to the Crumlin Institute building. This approval supported the necessary lease withdrawal deadline of 25th June 2021. To support this exit, funding of £195k was earmarked (Cabinet 7th July 2021 / Council 13th July 2021 as part of the Outturn Report 2020/21), as due to the terms of the lease the Authority would be liable to undertake dilapidation works or secure a cash settlement arrangement in lieu of the dilapidation work.
- 2.2 A surveyor has been engaged to assess the value of the settlement to be agreed with the Landlord to enable Caerphilly CBC to exit the lease agreement and return the building to the Landlord. Following assessment and negotiation between the parties, a sum of £300k is proposed. This is an additional cost of £105k to the initial estimate.

3. RECOMMENDATIONS

- 3.1 That Cabinet approves the settlement sum of £300k with the additional cost of £105k being funded from the Education & Lifelong Learning revenue budget projected underspend for 2021/22.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The Service has considered its requirements for service delivery and concluded that the building is no longer required and a decision to withdraw from the lease was approved by Cabinet in June 2021. Following the departure of the service, the building management transferred to the non-operational portfolio as an interim measure. The on-going rent, building management and repair liabilities remain the responsibility of the Service. CCBC is still contractually bound by the terms of the lease until a surrender is agreed and executed by our solicitors.
- 4.2 Having considered the proposed settlement sum, the acceptance of the offer will enable the Authority to return the building to the landlord, removing the on-going rent, building management and repair liabilities.

5. THE REPORT

- 5.1 Crumlin Institute is occupied via a 25-year lease which commenced on 25th December 2011. The terms of the lease allow Caerphilly CBC, as tenant, to determine the lease at the end of the 10th, 15th, and 20th year with at least 6 months' notice as long as the terms of the lease are met. The terms of the lease place responsibility for repairs and maintenance on CCBC.
- 5.2 Cabinet, on 9th June 2021, resolved the following: that the proposed withdrawal from the lease arrangement be approved, a notice issued to the landlord to exercise our opportunity to surrender and that the dilapidations costs be funded from the Education and Lifelong Learning reserves (estimated at between £185k and £195k when reporting to Cabinet in June 2021). To support this exit, funding of £195k was earmarked (Cabinet 7th July 2021 / Council 13th July 2021 as part of the Outturn Report 2020/21).
- 5.3 Notice was issued to the Landlord and the Service vacated the building prior to the surrender date. The Landlord challenged the validity of the break notice on the basis that the property has not been kept in repair in accordance with the terms of the lease. However, they advised that they are prepared to negotiate a settlement to allow CCBC to surrender by agreement.
- 5.4 A surveyor has been appointed to negotiate the terms of the settlement and following the review of the condition schedules and negotiation between the relevant parties, the sum of £300,000 has been proposed. This settlement offer relates to the Tenants failure to comply with the full repairing obligations of the lease.
- 5.5 **Conclusion**
- 5.5.1 Having considered the proposed settlement sum, acceptance of the offer will enable the Authority to return the building to the landlord, removing the on-going rent, building management and repair liabilities.
- 5.5.2 Full details are contained in the body of this Report.

6. ASSUMPTIONS

6.1 Financial details contained in the body of this report represent the proposed settlement figure for the withdrawal from the lease arrangement.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

7.1 An IIA is not necessary for this Report. An IIA was included as part of the Report to Cabinet 9th June 2021.

8. FINANCIAL IMPLICATIONS

8.1 To support the withdrawal from the existing lease agreement, an additional sum of £105k is required. This will take the Authority's total withdrawal cost to £300k. The Authority has already ear-marked £195k to support the costs associated with this withdrawal. It is proposed that the additional cost of £105k is funded from the Education & Lifelong Learning revenue budget projected underspend for 2021/22.

9. PERSONNEL IMPLICATIONS

9.1 None specifically related to this report.

10. CONSULTATIONS

10.1 There are no consultation responses that have not been reflected in this report.

11. STATUTORY POWER

11.1 Local Government Act 1972 and 2000.

Author: Jane Southcombe, Finance Manager (Education, Lifelong Learning & Schools) southj@caerphilly.gov.uk

Consultees: Richard Edmunds, Corporate Director, Education and Corporate Services
Keri Cole, Chief Education Officer
Sue Richards, Head of Education Planning & Strategy
Paul Warren, Strategic Lead for School Improvement
Paul O'Neil, Senior Youth Service Manager
Brodie Thomson-Payne, Property Review Officer
Mark James, Principal Valuer Corporate Services
Cllr Ross Whiting, Cabinet Member for Learning and Leisure
Cllr Eluned Stenner, Cabinet Member Performance, Economy and Enterprise
Cllr Teresa Parry, Chair of Education Scrutiny Committee
Cllr Carol Andrews, Vice Chair of Education Scrutiny Committee
Steve Harris, Head of Financial Services & S151 Officer
Lynne Donovan, Head of People Services
Rob Tranter, Head of Legal Services and Monitoring Officer

Background Papers:

Cabinet 9th June 2021
Institute

Cabinet 7th July 2021
Council 13th July 2021

Youth Service Removal from Lease and Use of Crumlin

Provisional Revenue Outturn Budget 2020/21

Provisional Revenue Outturn Budget 2020/21



CABINET – 13TH APRIL 2022

SUBJECT: WELSH GOVERNMENT COST OF LIVING SUPPORT SCHEME

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To provide Cabinet with details of the Welsh Government Cost of Living Support Scheme and to present proposals for consideration in respect of the discretionary element of the Scheme.

2. SUMMARY

- 2.1 The Welsh Government (WG) has announced a package of measures to help people with support towards the cost of living. The package includes £152m to provide a £150 cost-of-living payment to eligible households (the Main Scheme) and £25m to provide discretionary support for other purposes related to living costs.
- 2.2 The Discretionary Scheme funding can be used by each local authority to support other households it considers to be in need of assistance with their living costs. Each local authority will determine its use of discretionary support as it deems appropriate to address local needs.
- 2.3 This report provides details of the Main Scheme and proposals for Cabinet consideration in respect of the Discretionary Scheme.

3. RECOMMENDATIONS

- 3.1 Cabinet is asked: -
 - 3.1.1 To note the details of the WG Cost of Living Support Scheme.
 - 3.1.2 To consider and approve the proposals in the report in respect of the discretionary element of the Scheme.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To provide details of the WG Cost of Living Support Scheme and to ensure that the funding for the discretionary element of the Scheme is targeted appropriately.

5. THE REPORT

5.1 The Cost of Living Support Scheme funding for Caerphilly CBC consists of 2 elements: -

Element	CCBC Funding (£)
Main Scheme	10,151,400
Discretionary Scheme	1,669,964
TOTAL: -	11,821,364

5.2 In addition to the above there is an administration grant of up to £338,380 which will be paid at the end of the Scheme.

5.3 A payment of £150 can be made to a household under the Main Scheme if the householder(s) meets one of the following conditions: -

Council Tax Reduction Scheme Entitlement Condition - If the householder(s) was in receipt of support through the Council Tax Reduction Scheme (CTRS) on 15th February 2022, they are automatically assessed as being entitled to a payment of £150 regardless of the valuation band in which their property is placed.

Council Tax Band Condition - Households occupying properties in Council Tax Bands A to D are assessed as being entitled to a payment of £150 provided they were: -

- Liable for Council Tax on a property on 15th February 2022;
- Not in receipt of an exemption for that property on 15th February 2022;
- Living in the property as their main or primary residence on 15th February 2022; and
- Responsible for paying the associated utility and other regularly incurred bills for the property on 15th February 2022.

5.4 Local authorities administering the Scheme will be able to make the reasonable assumption that household(s) liable to pay Council Tax are also responsible for paying the utility and other regularly incurred bills.

5.5 Households living in properties which attract a disability adaptation band reduction are eligible for a payment, for example, a property which has been valued as Band E, but which receives a disability adaptation band reduction to Band D is eligible.

5.6 Households are eligible for a payment if their property's band as recorded in the council tax banding list on 15th February 2022 is amended retrospectively after this date to fall within an eligible category, for example, because of a successful banding challenge made to the Valuation Office Agency (VOA) that concluded after this date. Households living in newbuilds awaiting a banding from the VOA are also eligible for a payment if the band subsequently allocated by the VOA, effective on 15th February 2022, meets the eligibility criteria for the Scheme. Any disputes about property banding should be resolved through the VOA's usual processes. However, for operational reasons, payments will no longer be made in these respects after the Scheme has closed on 30th September 2022.

5.7 Only one £150 payment is to be made in relation to any single dwelling under the Main Scheme. In cases of joint and several liability, only one payment is to be made and it should be paid to the first named person on the Council Tax bill. Where this is not possible, local authorities have discretion to identify the most appropriate person to whom the payment should be made.

The estimated number of eligible households for the Main Scheme in Caerphilly CBC are shown below: -

Main Scheme	CCBC Households/ Payments	CCBC Value (£)
£150 to all households in receipt of CTRS	16,330	2,449,500
£150 to all households not in receipt of CTRS in Bands A to D	51,346	7,701,900
TOTAL: -	67,676	10,151,400

5.8 As already mentioned, each local authority can use the funding provided under the Discretionary Scheme as it chooses to support households it considers to be in need of assistance with their living costs. This support may take the form of a payment to a household, or it may cover the cost of essential services provided to households to alleviate their living costs.

5.9 Cabinet is asked to consider the following proposals for utilising the Discretionary Scheme funding of £1,669,964 that has been allocated to Caerphilly CBC: -

Proposal	Amount £
Payment of £100 to all eligible households in Council Tax Bands E and F not in receipt of support through the CTRS. Based on data held on 15 th February this would cover 8,458 households.	845,800
Payment of £150 to occupied and some unoccupied households covered by a statutory council tax exemption. A payment will only be made for unoccupied households where the liable person is either in a long-stay hospital or a nursing/care home or is away receiving or providing personal care elsewhere. There are currently circa 770 cases that would be eligible for payment under this proposal.	115,500
Payment of £150 to around 330 households in Houses in Multiple Occupation (HMOs) or temporary accommodation/supported housing where they are either responsible for energy bills directly or pay a service charge for energy costs.	49,500
Purchase of fuel vouchers for pre-payment top up vouchers for residents in fuel poverty.	50,000
Creation of a crisis fund for residents who require financial support but do not meet eligibility criteria of existing schemes, for example, a resident leaving employment has to wait 5 weeks before a Universal Credit payment is made.	50,000
<p>Top up of the funding received from the Department for Work and Pensions for Discretionary Housing Payments (DHPs). DHPs help people who are struggling with housing costs and in some situations, payments can also be made to help with rent arrears and can be used to prevent people becoming homeless. The Local Authority decides how much and how often any DHP is paid, and it is a crucial tool.</p> <p>The proposed additional funding would allow Caerphilly CBC to widen its criteria to assist more tenants (private and social landlord) who are struggling with the ever-increasing cost of living crisis. Many of these tenants are seeking support for the first time. The proposed increase would allow us to: -</p> <ul style="list-style-type: none"> • Provide longer awards to protect our tenants and offer stability. • Offer support to more residents by relaxing our criteria. 	397,839

<ul style="list-style-type: none"> • Provide more assistance for claimants to move to cheaper or more appropriately sized accommodation. • Ensure the fund has budget to cope with the expected increase in claims due to the cost of living crisis. 	
Funding for Caerphilly Cares Community Engagement & Well-being Projects to help facilitate the engagement of communities as we emerge from the pandemic across the borough.	30,000
Additional fixed-term staffing capacity in the Caerphilly Cares Team for a period of 12 months. This would be 3 Grade 8 Regeneration Support Officers. We anticipate that our communities will suffer from economic, health and other social challenges as a result of the pandemic for years to come. To date, due to COVID-19, the focus for Caerphilly Cares has been on supporting the most vulnerable directly impacted by the pandemic. Now as we are moving out of the pandemic, the Team needs to further invest in its support to respond to the recovery and build on the work undertaken to date to support our communities to become more resilient. Demand is increasing and will continue to increase as the gap between the most deprived and the most affluent continues to widen. Caerphilly Cares caseloads are already extremely high, and the proposed additional fixed-term posts will provide the capacity required to respond to this increasing demand.	131,325
TOTAL: -	1,669,964

Conclusion

- 5.10 The WG Cost of Living Support Scheme will provide £177m to households across Wales to help with the increasing cost of living that is being experienced by many families in Wales and across the UK.
- 5.11 The amount of funding allocated to Caerphilly CBC is £11.8m which will provide support to households at a time when it is most needed.

6. ASSUMPTIONS

- 6.1 There are no assumptions within this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An Integrated Impact Assessment has not been completed because the Cost of Living Support Scheme is being administered on behalf of the Welsh Government.
- 7.2 The funding provided under the Scheme will impact positively on household budgets at a time when it is most needed.

8. FINANCIAL IMPLICATIONS

- 8.1 As detailed throughout the report.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no direct personnel implications arising from this report.

10. CONSULTATIONS

10.1 All consultation responses are reflected in the report.

11. STATUTORY POWER

11.1 Section 31 of the Local Government Finance Act 2003.

Author: Stephen Harris, Head of Financial Services & S151 Officer
(E-mail: harrisr@caerphilly.gov.uk Tel: 01443 863066)

Consultees: Cllr Philippa Marsden, Leader
(Email: marsdp@caerphilly.gov.uk)
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CABINET – 13TH APRIL 2022

SUBJECT: HOME TO SCHOOL / COLLEGE CONTRACTS – CONTRACT VARIATION

REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek approval from Cabinet for additional funds to support the variations of the Council's home to school transport service contracts. These contracts will be varied in accordance with UK Public Contract Regulations and the Council's Standing Orders for Contracts.

2. SUMMARY

- 2.1 Transport industry costs are currently increasing at a fast pace, with the price of fuel seeing the biggest percentage increase. Costs of fuel have increased by approximately 25% since the beginning of the new academic year in September 2021.
- 2.2 The Council's Integrated Transport Unit (ITU) is currently receiving representation from home to school transport operators for an increase in their contract rates due to the increasing costs that they are having to bear, with one operator stating that the fuel bill associated with their home to school contracts has increased by approximately £5,000 per month.
- 2.3 Global fuel issues are currently impacting all Public sector bodies within the UK. There are currently discussions with WG and WLGA on global supply chain issues and how they impact commodity areas such as home to school transport. In relation to Caerphilly contracts it is vital to ensure that we maintain a robust supply chain that we work with local operators to meet the challenges that the fuel crisis presents and to ensure continuation of service provision

3. RECOMMENDATIONS

- 3.1 Cabinet is asked to agree additional funds to support the necessary contract variations in relation to home to school transport.
- 3.2 Cabinet are asked to approve a one-off in-year virement of £172k from the RCCO

budget in Miscellaneous Finance for 2022-23.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To safeguard the Council's home to school/college transport services for the remainder of the 2021/22 academic year during a difficult financial period.

5. THE REPORT

- 5.1 To ensure there is no disruption to the service for the remainder of the 2021/22 academic year, agreement is being sought to vary the existing rates for home to school contracts to reflect the increased costs being experienced by the transport industry.
- 5.2 In January 2021 the Council applied an inflationary increase of 6.13% to all the mainstream bus contracts that were extended beyond their contract term of the 31 December 2020. Twelve (12) contracts were not subject to this increase as they were either new (re-tendered as not extended) or not due to expire. The methodology for this inflationary increase was based on indexation rates supplied by the Confederation of Passenger Transport (CPT) and the Office of National Statistics for the previous two financial years (2018/19 was 3.59% and 2019/20 was 2.54%).
- 5.3 If the Council were to adopt the same methodology for an inflationary increase for contracts that are over one year old in recognition of the increase in operating costs since January 2021, a 9.46% figure would apply (note that all of the Council's mainstream bus contracts expire in July 2022, therefore this payment will cease at that point). However, there is a possibility of contract prices increasing more significantly (possibly by 20% or more) following the re-tender for September 2022. It is recommended that the Council apply a 10% increase rather than 9.46% as it will safeguard against future small variations in contract and would be backdated to commence from 1st March 2022.
- 5.4 There remains an issue for contracts that have been awarded since January 2021, especially for the large number of taxi contracts that were tendered and awarded from September 2021, as the prices submitted would be more up to date (excluding the 25% increase in fuel costs since September 2021).
- 5.5 According to the CPT weightings, 12.9% of transport contract costs are attributable to fuel costs. In this case if fuel costs have increased by 25%, the Council could apply this percentage to the 12.9%, resulting in a proposed increase of 3.23% contract increase. It is recommended that the Council applies a 5% increase rather than 3.23% as it will safeguard against future small variations in contract. This should be backdated to commence from 1st March 2022 and be reviewed at the end of this academic year.
- #### **5.6. Procurement Implications and EU Legislation**
- 5.6.1 The contract variations will be completed in accordance with UK Public Contract Regulations and the Council's Standing Orders for Contracts.

5.7 Conclusion

- 5.7.1 The additional funding requested to support the proposed contract variations is deemed necessary to ensure there is no disruption to the home to school / college transport service for the remainder of the 2021/22 academic year.

6. ASSUMPTIONS

- 6.1 The report has assumed that no further Covid restrictions that will impact the service will be reintroduced for the foreseeable future and that there will be no further significant increases in fuel prices before the end of the 2021/22 academic year.

7. SUMMARY OF INTEGRATED IMPACT ASSESMENT

- 7.1 An EqIA screening was completed during the establishment of the DPS (Dynamic Purchasing System) in accordance with the Council's Strategic Equality Plan and supplementary guidance, and no potential for unlawful discrimination and/or low level or minor negative impacts were identified. Therefore, a full EqIA/IIA has not been carried out.

8. FINANCIAL IMPLICATIONS

- 8.1 Based on the proposal of the percentage increase as outlined in paragraphs 5.3 and 5.5 of this report, the overall increase in home to school transport contract costs from 1st March 2022 for the remainder of the 2021/22 academic year is as follows:

Buses: 88 days @ £1,462.59 = £128,707.92

Taxis: 88 days @ £1,185.88 = £104,357.44

Total: £233,065.36

The £233k equates to £61k in financial year 2021/22 and £172k for financial year 2022/23.

- 8.2 The Council has supported the mainstream bus contractors during the Covid pandemic with an additional £8.50 per bus per day to help with the associated PPE and vehicle cleaning costs. With Welsh Government guidelines eased from Monday 28th March 2022, this payment can now cease.
- 8.3 The additional £61k for the financial year 2021/22 would be affordable within the latest Education outturn forecast.
- 8.4 The £172k for £2022/23 can be funded by a one-off in year virement from the RCCO budget in Miscellaneous Finance.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications associated with this report.

10. CONSULTATIONS

10.1 The report reflects the views of the listed consultees.

11. STATUTORY POWER

11.1 The following enabling statutory powers apply to the ITU service:

- Transport Act 1985
- Transport Act 2000
- Transport (Wales) Act 2006
- Learner Travel (Wales) Measure 2008

Author: Clive Campbell, Transportation Engineering Manager

Consultees: Christina Harray, Chief Executive
Mark. S. Williams, Corporate Director for Economy and Environment
Cllr James Pritchard, Deputy Leader and Cabinet Member for Infrastructure & Property
Marcus Lloyd, Head of Infrastructure
Liz Lucas, Head of Customer & Digital Services
Robert Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris, Head of Financial Services & S151 Officer
Sue Richards, Head of Transformation
Keri Cole, Chief Education Officer
Jane Southcombe, Finance Manager, Education, Lifelong Learning & Schools.
Dave Roberts, Interim Finance Manager, Communities & Corporate Services.
Derek Morris, Contracts Manager
Helen Sellwood, Principal Procurement Officer
Geraint Roberts, Team Leader Integrated Transport Unit

Appendices:
None

Background Papers:

CCBC/PS1698/18/HS
CCBC/PS1275/14/HS
CCBC/PS1340/15/HS
Standing Orders for Contracts
Public Contract Regulations 2015



CABINET – 13TH APRIL 2022

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PARAGRAPH 14 OF SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

**SUBJECT: 21ST CENTURY SCHOOLS BAND B PROPOSAL - UPDATE YSGOL
GYMRAEG CWM GWYDDON**

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14).

FACTORS IN FAVOUR OF DISCLOSURE:

It is of interest to the public how councils spend public money on building contracts.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains details of the potential increase in costs to build the new school. Each contractor that tendered for the work originally will be contacted for an expression of interest in the contract and for an updated breakdown of costs to build the school. If the costs were in the public domain at this stage, that may affect the submission of the costs information from each contractor.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 14 should apply. Whilst the public should know how much the council spends on building schools, the information contained within the report should not be public yet as that could affect the submission of tenders from the interested contractors.

On that basis, I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:


On the basis set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed: 

Dated: 4 April 2022

Post: Head of Legal Services and Monitoring Officer

I accept the recommendation made above.



Signed: _____
Proper Officer

Date: 4th April 2022

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Agenda Item 8

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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