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**Date: 11th February 2015**

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 18th February, 2015** 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 4th February 2015.	1 - 6

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

A greener place Man gwyrddach



4	Scrap Metal Dealers Licensing Fees 2015/16.	7 - 10
5	Cabinet Forward Work Programme.	11 - 16

**Circulation:**

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

All other Members not listed above.

And Appropriate Officers



## CABINET

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 4TH FEBRUARY 2015 AT 2.00 PM

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#### PRESENT:

Councillor G. Jones - Deputy Leader (Presiding)

#### Councillors:

Mrs C. Forehead (HR and Governance/Business Manager), D.T. Hardacre (Performance and Asset Management), Mrs B. Jones (Deputy Leader and Cabinet Member for Corporate Services), K. James (Regeneration, Planning and Sustainable Development), D.V. Poole (Community and Leisure Services), T.J. Williams (Highways, Transportation and Engineering), R. Woodyatt (Social Services).

#### Together with:

C. Burns (Interim Chief Executive), Mrs S. Aspinall (Acting Deputy Chief Executive), N. Scammell (Acting Director of Corporate Services and S.151 Officer), D. Street (Corporate Director Social Services).

#### Also in Attendance:

C. Jones (Head of Performance and Property), B. Hopkins (Assistant Director 21st Century Schools), E. Pryce (Challenge Adviser, EAS), K. Cole (Manager, Learning, Education and Inclusion), P.G. Davy (Head of Programmes), S. Couzens (Chief Housing Officer), L. Allen (Group Accountant, Housing), S. Harris (Interim Head of Corporate Finance), S.M. Kauczok (Committee Services Officer).

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs R. Passmore and K.V. Reynolds.

#### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 3. CABINET

RESOLVED that the minutes of the meeting held on 21st January 2015 be approved and signed as a correct record.

## **MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**

### **4. LAND AT HENDREDENNY, CAERPHILLY**

The report sought Cabinet's views on the sale of land at Hendredenny for access purposes.

Following consideration and discussion, it was moved and seconded that the report be deferred for further consideration and consultation. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons given at the meeting, the report be deferred for further consideration and consultation.

It was noted that Councillor Mrs M. Sargent had been granted permission to address Cabinet in respect of this item. In view of the decision to defer, she withdrew her request to speak at this meeting.

### **5. 17TH EDITION ELECTRICAL WORKS IN SCHOOLS**

In 2011 statutory electrical inspections of schools were undertaken in line with the Institution of Electrical Engineers (IEE) Regulations - 17th Edition. The inspections were undertaken by specialist contractors who identified a number of electrical faults and advised on a prioritised list of schools for rewiring. The report apprised Members on developments since the inspection in 2011, outlined the financial implications and recommended a way forward for the next 2 years.

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, developments since the last electrical inspections in 2011 be noted and the way forward for the next 2 financial years, be agreed as follows: -

- Re-testing and fault rectification works in accordance with Appendix 1.
- The electrical works process, as set out in Appendix 2.
- Consultation on the proposed arrangements for future testing, as proposed in the report.

### **6. PUPIL ATTAINMENT AT FOUNDATION PHASE, KEY STAGE 2, KEY STAGE 3 AND KEY STAGE 4 (2014)**

The report informed members of pupils' attainment in teacher assessment at Foundation Phase, Key Stage 2, Key Stage 3 and final Key Stage 4.

Performance in the foundation phase continues to improve with 88.5% pupils achieving the foundation phase indicator (FPI), an increase from 85.0% in 2013. Caerphilly currently ranks 6th in Wales for the FPI when compared with other local authorities. At KS2 85.8% pupils achieved the core subject indicator (CSI) in 2014, an increase from 84.2% in 2013. Caerphilly is ranked 15th in Wales, which is higher than could be expected given the LA's free school meals (FSM) ranking.

At KS3, performance continues to improve with 77.6% achieving the core subject indicator (CSI), an increase from 73.5% in 2013. KS4 results indicate continued progress in 2014 with increases in all indicators. The proportion of pupils achieving the Level 2 threshold inclusive

of English/Welsh first language and mathematics has improved from 46.3% in 2013 to 50.0% in 2014. This is supported by increases in the Level 1 and 2 thresholds overall, the CSI, Capped Points Score and in English, Welsh (first language), mathematics and science.

Following consideration and discussion, during which information was sought on the impact of the deprivation grant and the introduction of the Flying Start programme, 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 content of the report and progress made, be noted.

## **7. REVIEW OF WHQS INVESTMENT STRATEGY AND HRA CAPITAL PROGRAMME 2015/2016**

The report was considered by the Policy and Resources Scrutiny Committee on 20th January 2015, having previously been considered by the Caerphilly Homes Task Group on 11th December 2014. The report advised Members of the revised WHQS investment strategy and set out the HRA capital programme budget for 2015/2016.

Major slippage during the 2014/15 financial year had necessitated a review of the investment strategy over the remaining five years of the programme. The slippage will cause additional pressure due to the increase in the volume of properties that will need to be completed over a short timescale. Due to the factors outlined it had been necessary to revise the work programme. Discussions were underway to explore what additional measures may need to be implemented to complete the work by 2020.

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 revised investment strategy and the capital programme for 2015/16 that flows from the strategy, be approved.

## **8. HOUSING REVENUE ACCOUNT CHARGES 2015/2016**

The report, which provided details of the proposed increased charges intended to be effective for the Housing Revenue Account in 2015-16, was considered by the Policy and Resources Scrutiny Committee on 20th January 2015. Whilst endorsing the recommendations contained in the report Members requested that a further report on the letting and use of Council-owned garages be prepared for presentation to the Policy and Resources Scrutiny Committee.

It was noted that the average Welsh increase proposed by Welsh Government is 2.7% with a minimum increase of 3.5% necessary for the Authority in order to meet the Welsh Housing Quality Standard and ensure that the Council's business plan remains viable.

Following consideration and discussion, it was moved and seconded that the recommendations in the report and the additional recommendation from the Policy and Resources Scrutiny Committee, be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the officer's report: -

- (i) A minimum rent increase of 3.5% per property be applied from April 2015 to ensure compliance with the new rent policy and to maintain the viability of the current business plan;

- (ii) The variable service charge at sheltered complexes with communal facilities be set at £27.63 (bronze service), £30.03 (silver service) and £33.53 (gold service) over a 48 week basis from April 2015;
- (iii) The variable service charge in the four declassified sheltered schemes without communal facilities be set at £10.11 (bronze service), £12.51 (silver service) and £16.01 (gold service) over a 48 week basis from April 2015;
- (iv) The service charge payable by residents of Tredegar Court be increased to £63.98 over a 48 week basis from April 2015;
- (v) The meal cost at Tredegar Court be increased to £35.19 based on a 48 week basis from April 2015;
- (vi) The guest room charge for sheltered housing complexes be not increased from April 2015;
- (vii) The charges at Ty Croeso be determined by the Local Housing Allowance rates that are yet to be announced;
- (viii) The garage charges for Council and non-Council tenants be increased to £7.80 based on a 48 week basis from April 2015;
- (ix) A report regarding the letting and use of Council-owned garages be prepared for presentation to the Policy and Resources Scrutiny Committee.

## 9. REVIEW OF NNDR DISCRETIONARY RATE RELIEF POLICY

The report, which provided details of proposed changes to the Authority's Discretionary Rate Relief Policy, was considered by the Policy and Resources Scrutiny Committee on 20th January 2015.

The report outlined the proposed changes that will address some anomalies in the existing policy and also provide the potential to generate savings to support the Authority's Medium Term Financial Plan (MTFP).

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: -

- (i) As outlined in paragraphs 4.3.1 to 4.3.3 of the report, the 'Miscellaneous Organisations' category be re-categorised and the suggested policy amendments be actioned;
- (ii) As outlined in paragraph 4.4 of the report, the Policy be updated to include details of the appeals process;
- (iii) Top-Up Discretionary Relief be removed where an organisation occupies one or more rating assessments within the Authority's area, which cumulatively amount to a total rateable value exceeding £100,000;
- (iv) The potential savings as outlined in paragraphs 4.5.2 to 4.5.4 of the report be not supported at this stage in the MTFP process.

## RECOMMENDATIONS TO COUNCIL

### 10. BUDGET PROPOSALS 2015/2016 AND MEDIUM TERM FINANCIAL STRATEGY 2015/2018

The report sought Cabinet endorsement of the budget proposals contained in the report prior to consideration and determination by Council on 25th February 2015.

The Interim Head of Corporate Finance highlighted the key issues within the report, which provided an updated position based on the Final 2015/16 Local Government Financial Settlement announced by Welsh Government on 10th December 2014. together with feedback on the further consultation undertaken.

At its meeting on 29th October 2014 Cabinet endorsed draft 2015/16 savings proposals totalling £12.208m and a recommended increase of 3.9% in the Council Tax to deliver a balanced budget. However, the change in the AEF between the Provisional and Financial Settlement and some other variations since that time provided some headroom, as demonstrated in Table 3, paragraph 4.2.3 of the report. In light of this and having regard to the consultation process on the proposed savings, it was recommended that some of the 2015/16 savings proposals should be withdrawn, as set out in paragraph 4.4.1 of the report. Table 7, paragraph 4.4.4 summarised the proposed changes to the draft 2015/16 savings proposals.

Attention was also drawn to the proposed Capital Programme for the period 2015 to 2018, as set out at Appendix 8 and summarised in Table 9 of the report. Details of the projected movement on General Fund balances are provided in Appendix 9.

Significant challenges lie ahead and further detailed work will be undertaken to identify the further savings proposals required bearing in mind the principles that were agreed with Members at a seminar on 3rd November 2014 (paragraph 4.2.5 of the report).

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RECOMMENDED that for the reasons contained in the officer's report, the following recommendations be endorsed prior to consideration and determination by Council on 25th February 2015: -

- (i) The Revenue Budget proposals for 2015/16 of £325.613m as set out in the report and summarised in Appendix 1.
- (ii) The proposed Capital Programme for the period 2015/16 to 2017/18 as set out in Appendix 8.
- (iii) The proposed use of the General Fund balances as detailed in Appendix 9.
- (iv) The general principles for considering savings options for future years as detailed in paragraph 4.2.5 of the report.

The meeting closed at 2.45 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 18th February 2015.

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CHAIR

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## CABINET - 18TH FEBRUARY 2015

**SUBJECT: SCRAP METAL DEALERS LICENSING FEES 2015/16**

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

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

- 1.1 To note the review of fees for Scrap Metal Dealers licences and to seek approval for a revised fee structure for 2015/16

### **2. SUMMARY**

- 2.1 The Scrap Metal Dealers Act 2013 ("the Act") was enacted on the 1st of October 2013 and introduced a new licensing system to control site operators and itinerant collectors.
- 2.2.1 The Act and supporting Regulations are silent upon the issue of the responsibility for exercising the function under the Act. Consequently the provisions of S 9 (D) of the Local Government Act 2000 are triggered and by default the function is exercised by the Executive.
- 2.2.2 Fees for Scrap Metal Dealer licences were set by Cabinet on the 18th of September 2013 and are due for review.

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

- 3.1 Public protection is a statutory duty of the authority and contributes to the Prosperous Caerphilly and Safer Caerphilly Priorities within the Caerphilly Local Service Board single integrated plan, Caerphilly Delivers, and Objective 1 of the Council's Strategic Equality Plan 2012.

### **4. THE REPORT**

- 4.1 The Act, which came into force on the 1st of October 2013 and supporting Regulations, are silent upon the issue of the responsibility for exercising the function under the Act. Consequently the provisions of S 9 (D) of the Local Government Act 2000 are triggered which provide if an Act is silent on this issue then by default the function will be exercised by the Executive.
- 4.2 It was anticipated that further Regulations would be implemented making it a Local Choice function, in other words a function that can be exercised by the Council or the Executive. Ideally this regime should be administered in the same way as the other licensing functions of the Authority, a Council function delegated to the Licensing Committee. To date such regulations have not been implemented so the function remains the responsibility of the Executive.

- 4.3 The Act requires that each local authority set fees on a cost recovery basis for each category of Scrap Metal Dealer licences. Cabinet set current fees on the 18<sup>th</sup> of September 2013.
- 4.4 Local Authorities must have due regard to the guidance on fee setting issued by the Secretary of State in July 2013. The guidance states that the costs of a licence should reflect the time spent assessing and administering applications, processing them, having experienced licensing officers review them, storing them, consulting on the suitability of an applicant, reviewing relevant offences, the decision on whether to issue a licence, as well as the cost of issuing licences in a format that can be displayed. Consulting the local authority's enforcement records in order to determine the suitability of the applicant is chargeable within the licence fee costs, as are costs associated with contested licence applications.
- 4.5 Registering authorities should review fees regularly to check whether they remain appropriate. Existing fees have been reviewed in line with the guidance and the following levels are proposed in order to cover the cost of providing the function. The increase is mainly due to the review of on costs and incorporation into the hourly rates applied of officers involved in the process. The licences are for a three-year period.

<b>Scrap Metal Licences</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Site Operator 3yr licence	354.00	389.00
Collector 3yr licence	249.00	277.00
<b>Variation -</b>		
Change of name, site details	28.00	32.00
Change of site manager	47.00	53.00
Change of type of licence	47/28	53/32

## **5. EQUALITIES IMPLICATIONS**

- 5.1 An Equalities Impact Assessment on Locally set Licensing Fees has been completed as part of the Medium Term Financial Planning process and is available on request.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The new fee if agreed will only apply to new applications. The majority of the trade applied for licences on implementation in 2013, which last for three years. Numbers of new applications or variations are expected to be low. The proposed fees will enable the authority to recover the costs associated with issuing the licences.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 None.

## **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 That Cabinet consider the contents of this report and approve the fee structure set out at paragraph 4.5 of the report.

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

- 10.1 In order to comply with statutory guidance and to recover a reasonable level of costs incurred by the Council in administering the licensing function.

## **11. STATUTORY POWER**

- 11.1 The Scrap Metal Dealers Act 2013. This is an Executive Function.

Author: Jacqui Morgan, Trading Standards, Licensing and Registration Manager  
Consultees: Cllr Dave Poole, Cabinet Member for Community & Leisure Services  
Dave Street, Director of Social Services  
Rob Hartshorn, Head of Public Protection  
Myra McSherry, Licensing Manager  
Mike Eedy, Finance Manager  
Gail Williams, Interim Head of Legal Services and Monitoring Officer  
Sian Phillips, Personnel Manager  
David A. Thomas, Senior Policy Officer (Equalities and Welsh Language)

Background Papers:  
Cabinet Report Scrap Metal Dealers Act 18<sup>th</sup> September 2013  
Scrap Metal Dealers Act 2013 Fees Guidance

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## CABINET – 18TH FEBRUARY 2015

**SUBJECT: CABINET FORWARD WORK PROGRAMME**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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### 1. PURPOSE OF REPORT

1.1 To seek Cabinet endorsement of the Forward Work Programme for the period February to May 2015.

### 2. SUMMARY

2.1 The report outlines a proposed Forward Work Programme of future Cabinet reports.

2.2 The Forward Work Programme is updated on a monthly basis to reflect any amendments that are made to it since it was first agreed on 22nd January 2014.

### 3. LINKS TO STRATEGY

3.1 The Council is required to publish a Cabinet Forward Work Programme to assist in open and transparent decision-making.

### 4. THE REPORT

4.1 The Cabinet Forward Work Programme sets out the key reports that Cabinet expects to receive in the coming months. It is a legal requirement that such programmes are published. The programme is an important way of tracking progress against targets set in the Council's Improvement Plan.

4.2 Appendix 1 to this report sets out details of the Cabinet Forward Work Programme for the period February to May 2015.

4.3 It should be noted that urgent and unanticipated reports could be added to the Cabinet Work Programme.

### 5. EQUALITIES IMPLICATIONS

5.1 None.

### 6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications associated with this report.

## **7. PERSONNEL IMPLICATIONS**

7.1 There are no personnel implications associated with this report.

## **8. CONSULTATIONS**

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

## **9. RECOMMENDATIONS**

9.1 It is recommended that Cabinet approve the Forward Work Programme as outlined in Appendix 1.

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

10.1 To satisfy legislative requirements and to ensure more transparent and effective decision-making.

## **11. STATUTORY POWER**

11.1 Local Government Acts 1972 and 2000.

Author: Jonathan Jones, Democratic Services Manager  
Consultees: Corporate Management Team  
Cabinet Members  
Gail Williams, Interim Head of Legal Services and Monitoring Officer  
Angharad Price, Interim Deputy Monitoring Officer

Appendices:  
Appendix 1 Cabinet Forward Work Programme

## CABINET FORWARD WORK PROGRAMME: FEBRUARY TO MAY 2015

<b>4TH FEBRUARY 2015</b>	
Review of NNDR Discretionary Rate Relief Policy	Cllr Mrs B. Jones
Budget Proposals 2015/2016	Cllr Mrs B. Jones
17th Edition Electrical Testing	Cllr Mrs R. Passmore
Pupil Attainment at Foundation Phase, Key Stage 2, Key Stage 3 and key Stage 4 (2014).	Cllr Mrs R. Passmore
Review of WHQS Investment Strategy & HRA Capital Programme	Cllr G. Jones
Housing Revenue Account Charges 2015/2016	Cllr G. Jones
Land at Hendredenny, Caerphilly.	Cllr D. Hardacre
<b>18TH FEBRUARY 2015</b>	
Scrap Metal Dealers Licensing Fees 2015/16	Cllr D. Poole
Cabinet Forward Work Programme	Cllr Mrs C. Forehead
<b>25TH FEBRUARY 2015 (SPECIAL)</b>	
Budget Proposals 2015/2016	Cllr Mrs B. Jones

## CABINET FORWARD WORK PROGRAMME: FEBRUARY TO MAY 2015

<b>4TH MARCH 2015</b>	
Public Protection Enforcement Policy	Cllr D. Poole
Mobile Homes Act 2013	Cllr D. Poole
<b>18TH MARCH 2015</b>	
The Gwent Trading Standards Project Full Business Case	Cllr D. Poole
Gwent Substance Misuse Area Planning Board Memorandum of Understanding	Cllr D. Poole
Rechargeable Repairs Policy	Cllr G. Jones
Response Repairs Policy	Cllr G. Jones
Shared Parental Leave	Cllr Mrs C. Forehead
Abertysswg/Pontlloftyn Primary: Outcome of Consultation Process	Cllr Mrs R. Passmore
<b>1ST APRIL 2015</b>	
Capital Programme	Cllr Mrs R. Passmore
Proposed Schools Admission Arrangements 2016/2017.	Cllr Mrs R. Passmore



**CABINET FORWARD WORK PROGRAMME: FEBRUARY TO MAY 2015**

<b>15TH APRIL 2015</b>	
Littering and Anti Social Behaviour Fixed Penalty Notices.	Cllr D. Poole
Anti Poverty Strategy	Cllr D. Poole
<b>29TH APRIL 2015</b>	
No reports scheduled at present.	
<b>20TH MAY 2015</b>	
No reports scheduled at present.	

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