



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 17TH FEBRUARY 2016 AT 2.00 P.M.

PRESENT:

Councillor K. V. Reynolds – Chair

Councillors:

C. Forehead (HR and Governance/Business Manager), N. George (Community and Leisure Services), D.T. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), B. Jones (Corporate Services), R. Passmore (Education and Lifelong Learning), D.V. Poole (Housing), T.J. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Social Services).

Together with:

C. Burns (Interim Chief Executive), C. Harry (Corporate Director - Communities), N. Scammell (Acting Director of Corporate Services and S151 Officer) and D. Street (Corporate Director – Social Services).

Also in Attendance:

S. Couzens (Chief Housing Officer), P. Davy (Head of Programmes), J. Dix (Policy and Research Manager), M. Jennings (Housing Strategy Officer), J. Morgan (Trading Standards, Licensing and Registrars Manager), S. Harris (Interim Head of Corporate Finance) and C. Evans (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

Councillor R. Woodyatt declared an interest in the item relating to Groundwork Wales Update. Details are minuted with the respective item.

3. CABINET – 3RD FEBRUARY 2016

RESOLVED that, subject to a matter arising in relation to the WHQS Compliance Policy, in which amendments are highlighted in bold below, the minutes of the meeting held on 3rd February 2016 (minute nos. 1 - 10) be approved and signed as a correct record.

WHQS Compliance Policy (Minute No. 6.)

There will be a separate environmental programme that will address Part 6 of the WHQS. Consultation will be undertaken with residents to identify community aspirations **and to gauge priorities. The consultation will be informed by proposals prepared by the Council, based on information assembled by the WHQS Environmental Officers, from research and discussion with housing staff knowledgeable about issues raised in respect of the housing estates.** Project implementation is likely to commence during 2016 and will be phased through to the end of the programme in 2020. Improvements may include landmarks/gateways, street furniture, traffic calming, street lighting, rationalising pedestrian routes, landscaping, safe play areas, car parking, defensible space and demarcation of boundaries. **This is an indicative list and projects will very much depend on site circumstances, opportunities and the outcome of consultations.**

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

4. WHQS EXTERNAL WORKS FOR UPPER PENLLWYN AND SPRINGFIELD ESTATES

The report provided Cabinet with details of the current limitations of the small lots contractor list and the scale of the works based on the pre-tender estimates and therefore proposed a single contract approach for each estate (Upper Penllwyn and Springfield).

It was noted that, the Upper Penllwyn and Springfield estates form part of the external works programme for 2015/16 which is being undertaken through the small lots contract arrangements. A recent report to Cabinet agreed some changes for this part of the WHQS Programme from 2016/17 onwards. However this did not address difficulties being encountered within the current financial year, with a limited number of contractors tendering for work and with other small lots contracts being tendered there is a risk that the contractor list will be exhausted. Furthermore the pre-tender estimates for the 2 estates exceed the maximum threshold for a small lot contract which would require the work to be broken down into multiple contracts. This is not cost effective and will increase management requirements at a time when staff resources are stretched.

Members noted that the Savills cost plan estimate for external works on the Upper Penllwyn estate was £354,648. Based on the figure it was envisaged the work could easily be phased to fit within the value bands established for the small lots. However following re-survey of the estate utilising the revised specification agreed by the Project Board the new estimate for the work is £1.7m. The surveys have identified there is significant window renewal work that is required.

The Savills cost plan estimate for external work on the Springfield estate was £312,023. The re-survey of the estate utilising the revised specification agreed by the Project Board has resulted in a new estimate for the work of £800,000.

Since January 2016 the maximum value of any small lot cannot exceed £785,530. The current arrangements enable contracts to be awarded within three value bands (£50,000-£200,000; £200,001 - £400,000; £400,001 - £785,530).

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 external works for the Upper Penllwyn and Springfield Estates be the subject of a separate single procurement based on 2 lots to award one contract for each estate.

5. GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (G.T.A.A)

The summary report provided Cabinet with details of the requirement placed on local authorities, by Welsh Government to undertake an accommodation needs assessment of Gypsies and Travellers living in or travelling through the County Borough, and, where a need is identified, make provision for mobile home pitches, either permanent or transit, and to consider the use of temporary stopping places. The G.T.A.A has been undertaken in accordance with guidance issued by Welsh Government.

The main aims of the G.T.A.A were to:

- Ensure compliance with the local authority duties under Part 3 of the Housing (Wales) Act 2014;
- Understand the accommodation needs of Gypsies and Travellers living in or travelling through the borough; and
- Provide an evidence base to underpin the review of the Council's Local Development Plan (LDP).

The duty to undertake G.T.A.As, under Part 3 of the Housing (Wales) Act 2014, rests with individual authorities, but such assessments are also required to be submitted to W.G for approval by Welsh Ministers.

Members noted that, having conducted the assessment in compliance with Welsh Government guidance, the assumptions made in the G.T.A.A are based on a very low sample size, despite the best endeavours of the Council to engage with members of the Gypsy and Traveller community. Based on the analysis of the information drawn together as part of the G.T.A.A, the Council concludes that there is currently insufficient evidence to support the provision of a permanent or transit site in the borough, although, consideration will be given to the use of temporary stopping places.

Members thanked the Officers for the report and sought further information on the submission deadline to Welsh Government. Officers explained that, whilst the submission date is 26th February 2016, Welsh Government officers have indicated that feedback may be delayed until after the Welsh Assembly elections in May.

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 full report, attached at Appendix 1 of the Officers report, be approved for submission to Welsh Government;
- (ii) a copy of the report be placed on the Council's website and the current website content be reviewed;
- (iii) it be agreed that all instances of unauthorised encampment in the County Borough be entered onto the new Welsh Government recording system;
- (iv) it be agreed that the Council continues to monitor the ongoing accommodation requirements of members of the Gypsy and Traveller community through bi-annual meetings of the Working Group;
- (v) the findings from the Gypsy and Traveller Accommodation Assessment be used to inform the revision of the Local Development Plan;

- (vi) the ethnicity of all applicants on the common housing register be recorded using the 2011 Census ethnicity classifications;
- (vii) participation in the all-Wales Gypsy and Traveller Accommodation Forum continue;
- (viii) active participation in any future Welsh Government led review of the Gypsy and Traveller Accommodation Assessment process be agreed;
- (ix) participation in the Gwent Police led development of regional protocol for managing unauthorised encampments be agreed.

6. GROUNDWORK WALES UPDATE

Councillor R. Woodyatt declared an interest in this item as Director of Groundwork Caerphilly and did not participate in the discussion or voting of this item.

The report sought the approval of Cabinet for CCBC to resign from the Board of Groundwork Caerphilly.

Members noted that on 12th November 2014, Cabinet authorised Officers to progress the merger of Groundwork Caerphilly into Groundwork Wales. At the time of the Cabinet report it was envisaged that Groundwork Caerphilly would close upon novation of all contracts into Groundwork Wales. However, there are contracts that have proved impossible to transfer into Groundwork Wales in the short term. Groundwork Wales has requested that Caerphilly County Borough Council now resign as a member of Groundwork Caerphilly, which would allow the company to become a wholly owned subsidiary of Groundwork Wales.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands (and noting Councillor Woodyatt abstained from consideration of the item) this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report the Council resign from Groundwork Caerphilly.

RECOMMENDATION TO COUNCIL

7. BUDGET PROPOSALS 2016/17 AND MEDIUM-TERM FINANCIAL STRATEGY 2016/2021

The report sought Cabinet endorsement of the 2016/17 budget proposals prior to final determination at Special Council on the 24th February 2016.

It was noted that during the summer of 2015 the UK Government undertook a Comprehensive Spending Review and indicated that savings of between 25% and 40% may be required for non-protected areas. As a consequence of this, it was anticipated that the financial outlook for Local Government in Wales was likely to worsen and that this would be exacerbated by the likelihood of WG continuing to offer a degree of protection to the NHS.

The Spending Review outcome was not due to be announced until the 25th November 2015 and as a result, details of the WG 2016/17 Provisional Local Government Financial Settlement were not expected until the 9th December 2015. However, in light of the messages coming from the UK Government, Cabinet was presented with a report on the 14th October 2015 which included an updated MTFP covering the three-year period 2016/17 to 2018/19. This was based on a range of revised assumptions, the most significant of which was an assumed reduction in WG funding of 4.3% for 2016/17 and 2017/18 and a further reduction of 3% for

2018/19. The updated MTFP also assumed an indicative increase in Council Tax of 3.9% for each of the three years. The net result of these changes was an anticipated savings requirement of £35.2m for the three-year period.

Significant work had already been undertaken during 2015 to identify savings proposals and the report presented to Cabinet in October included details of potential savings proposals totalling £21.3m, consisting of £14.4m for 2016/17 and £6.9m for 2017/18. The savings proposals had been subject to an impact assessment to determine whether there would be an impact on service users and/or the public. £8.7m of the 2016/17 proposals and £3m of the 2017/18 proposals were assessed as having nil impact.

At the meeting on the 14th October 2015, Cabinet endorsed the proposed package of savings for 2016/17 and agreed that those assessed as having an impact on service users and/or the public should be subject to a further period of extensive consultation prior to final budget proposals being presented to Cabinet and Special Council in February 2016. Cabinet also supported the proposal to increase Council Tax by 3.9% for 2016/17 to ensure that a balanced budget could be achieved.

Details of the Comprehensive Spending Review were announced on the 25th November 2015 and the outcome was much better than anticipated. This in turn led to the ensuing cut in the 2016/17 Provisional Local Government Settlement being much less than feared. The average cut across Wales is 1.4% but this does vary by Authority due to the funding formula. The cut for Caerphilly CBC is 0.9%. Two other significant matters within the Settlement are that the Outcome Agreement Grant has now been transferred into the RSG and Local Authorities are expected to honour the schools "pledge".

Cabinet noted the further updated MTFP which reflected the 2016/17 Provisional Settlement and a further range of revised assumptions, and that the revised potential savings requirement for the three-year period 2016/17 to 2018/19 is now £24.5m instead of the £35.2m reported to Cabinet in October 2015. However, the savings requirement for the five-year period 2016/17 to 2020/21 is £36.3m. This means that all of the £21.3m savings proposals identified in the October Cabinet report will still be required and further savings proposals will need to be identified. On a positive note, the Authority now has more time to agree and deliver the savings required.

The report detailed revised savings proposals for 2016/17 totalling £11.1m. Of this total, £1.9m reflects the full-year impact of 2015/16 savings and £8.7m relates to 2016/17 savings proposals that will have no impact on service users and/or the public. The remaining proposed savings totalling £476k will have some impact on service users and/or the public and further details of these proposals are set out in Appendix 5 of the report.

To ensure that a balanced budget is achieved for 2016/17 a Council Tax increase of 1% is proposed. This will increase the Caerphilly CBC Band D precept from £992.02 to £1,001.94 i.e. an annual increase of £9.92 or weekly increase of £0.19.

Section 4.8 of the report and Appendix 6 provide details of the proposed Capital Programme for the next three years. Cabinet noted the inclusion of £7.9m that can be transferred to an earmarked capital reserve. This has been made available through the release of General Fund balances, capital underspends in previous years and 2015/16 capital receipts. This earmarked reserve is required to enhance the Authority's Leisure Centres and to generate additional 21st Century Schools match-funding which will likely be targeted at the primary phase. There are also some unfunded liabilities that may require the release of some of this reserve. Cabinet will need to be presented with the details of specific projects or liabilities, along with business cases where appropriate, prior to approving the release of these funds.

Section 4.9 of the report and Appendix 7 set out details of projected movements on the General Fund. It was noted that, if endorsed, these movements will result in a projected General Fund balance of £10.1m as at the 31st March 2016. This is circa 3% of the proposed 2016/17 revenue budget, which is consistent with the approach adopted in recent years.

Members were reminded that significant financial challenges still lie ahead. Section 4.7 of the report stresses that if we focus on the four-year period 2016/17 to 2019/20 to tie in with a potential Local Government Reorganisation, the anticipated savings requirement is £32.2m. This means that additional savings of £10.9m will be required over and above the £21.3m of proposals presented in the October Cabinet report. Work on future year's savings requirements remains as work-in-progress at the present time but regular updates will be provided to Members.

Members expressed their gratitude to all staff and departments for their hard work to deliver the budget, which would provide minimal impact to the public and continues to protect staff from compulsory redundancies where possible.

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

RESOLVED that for the reasons contained in the Officers report, it be recommended to Council that: -

- (i) the grants passported into/out of the Financial Settlement be passed directly to those services that they relate to (as set out in paragraphs 4.2.2 and 4.2.3 of the report);
- (ii) the Outcome Agreement Grant of £1.876m transferred into the RSG continues to fund core base budgets as in previous years;
- (iii) the proposed savings for 2016/17 totalling £11.117m as set out in paragraph 4.6.3 of the report be agreed;
- (iv) the proposal to transfer £1.6m into an earmarked reserve for dry recyclable waste and the setting aside of one-off funding of £215k for carbon management initiatives (as set out in paragraph 4.6.2 of the report) be agreed;
- (v) the Revenue Budget proposals for 2016/17 of £324.384m as set out in the report and summarised in Appendix 4 be agreed;
- (vi) the proposed Capital Programme for the period 2016/17 to 2018/19 as set out in Appendix 6 of the report be agreed;
- (vii) the proposed use of General Fund balances as detailed in Appendix 7 of the report be agreed
- (viii) the use of service reserves to smooth the impact of the reduction in hours in the Catering Service to avoid compulsory redundancies (as set out in paragraph 7.3 of the report) be agreed.

8. ANIMAL WELFARE (BREEDING OF DOGS) (WALES) REGULATIONS 2014

The report provided Cabinet with details of the new statutory legislation to licence Dog Breeding Establishments in Wales and outlined proposals for determining the licence applications received by the Authority and to set a licence fee under the above legislation. In addition, the report sought recommendation to Council to authorise the Council's Monitoring Officer to make the necessary changes to the Constitution to reflect the implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

It was noted that the Breeding of Dogs Act 1973 has been replaced within Wales by the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 which came into force on the 30th April 2015. The Regulations were brought into force under the Animal Welfare Act 2006 ("the 2006 Act") and therefore, any person wishing to breed dogs in Wales must obtain a licence from their local authority in compliance with the new regulations and relevant licence conditions.

The 2006 Act and Regulations are silent upon the issue of the responsibility for exercising the function under the Act. Consequently the provisions of Section 9 (D) of the Local Government Act 2000 and/or the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 are triggered giving responsibility for exercising the function to the Executive.

Members thanked the Officer for the report and sought further information on illegal dog imports and interbreeding of dogs. It was noted that, checks are made on dog importations by A.P.H.A (Animal and Plant Health Agency) who then inform local authorities if there are any concerns regarding dog passports or illegal imports. In reference to interbreeding of dogs, it was noted that, the authority's Dog Breeding Conditions and the new Legislation required licensees to keep detailed records of the Sire, Dam and puppies, which could be checked and investigated by officers. In response to a question on Licensing Officers workload, Members were assured that, the impact would be low as licensed dog breeders were few in number. The monitoring of possible breeders by enforcement officers to assess compliance with the law and licensing requirement was however very time consuming.

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 implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 be noted;
- (ii) Licensing Officers be given delegated authority to determine Licences under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 as set out in paragraph 4.3 of the report;
- (iii) the revocations and disputed decisions referred to in paragraph 4.3 of the report be determined by the Trading Standards, Licensing and Registrars Manager;
- (iv) the fee structure set out at paragraph 4.10 of the report be approved for implementation from 1st April 2016.

RECOMMENDED that the report be presented to Council to authorise the Council's Monitoring Officer to make the necessary amendments to the Constitution to reflect the implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

The meeting closed at 2.50pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 2nd March 2016.

CHAIR