



## **CABINET**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 18TH JANUARY 2017 AT 2.00 P.M.**

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#### **PRESENT**

Councillor K. V. Reynolds – Chair

#### **Councillors:**

C. Forehead (Human Resources and Governance/Business Manager), D. Havard (Education and Lifelong Learning), K. James (Regeneration, Planning and Sustainable Development), B. Jones (Corporate Services), D.V. Poole (Housing), T. 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 & S151) and D. Street (Corporate Director – Social Services).

#### **Also in Attendance:**

J. Elias (Service Manager – ALN), S. Couzens (Chief Housing Officer), S. Harris (Interim Head of Corporate Finance), R. Hartshorn (Head of Public Protection), K. Peters (Corporate Policy Manager), K. Williams (Private Sector Housing Manager), and C. Evans (Committee Services Officer).

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors N. George (Community and Leisure Services) and D.T. Hardacre (Performance and Asset Management).

#### **2. DECLARATIONS OF INTEREST**

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

#### **3. CABINET – 14TH DECEMBER 2016**

RESOLVED that the minutes of the meeting held on 14th December 2016 (minute nos. 1 - 7) be approved and signed as a correct record.

#### **4. FUTURE GENERATIONS ADVISORY PANEL HELD ON 29TH SEPTEMBER 2016.**

RESOLVED that the minutes of the Future Generations Advisory Panel held on 29th September 2016 (minute nos. 1 - 5) be noted.

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

#### **5. OUTCOME OF INFORMAL CONSULTATION ON THE PROVISIONS TO BE INCLUDED IN A PUBLIC SPACES PROTECTION ORDER RELATING TO DOG CONTROL.**

The report was considered by the Special Health Social Care and Wellbeing Scrutiny Committee on 12th December 2016.

The Head of Public Protection introduced the report which detailed the outcome of the informal consultation on the provisions to be included in a Public Spaces Protection Order (PSPO's) relating to dog control.

Public Spaces Protection Orders (PSPO's) were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and can be used to regulate activities, in particular public places to ensure that the law-abiding majority can use and enjoy public spaces safe from anti-social behaviour. As such, they provide an opportunity to enhance the Council's enforcement ability to respond to public opinion regarding dog fouling. This opinion manifested itself through complaints to officers and Members, the Council's Household Survey, and concerns raised through Your Voice process. As a result, an informal consultation was conducted and provided support for action against irresponsible dog owners, even though the majority of responses received were from dog owners themselves. There was strong agreement with the of the proposals put forward, with the exception of excluding dogs from sports pitches where opinion was more divided.

It was noted that a total of 456 questionnaires were completed online, along with a number of additional written responses from individuals and stakeholders. Of the respondents to the survey, 92% identified themselves as residents, and 65% of the respondents were dog owners.

From there survey, there was a greater support for the proposals to enforce the exclusion of dogs from playgrounds/multi-use game areas, dogs on leads in Enclosed Memorial Gardens, Dog Fouling, Carrying an appropriate receptacle, Dogs on Leads by Direction and Additional Requirements for putting dogs on leads at all times in certain areas. However, there was less support for the proposal to Exclude dogs from all council owned marked sports/playing pitches (54% for, 46% against). A number of local sports clubs were in favour of the proposal, however, representations against the proposal were received from older and disabled people due to accessibility and a lack of alternative space.

Members discussed the report and reiterated their own concerns in relation to irresponsible dog ownership within their wards, and across the Borough.

In noting the amended recommendation from the Special Health Social Care and Well-being Scrutiny Committee, Cabinet requested an additional amendment in relation to the provision at paragraph 4.15 of the Scrutiny report, to exclude dogs from all council owned marked sports/playing pitches on a seasonal basis according to use, and that this proposal be omitted from the next stage of the process and be revisited within a 12 month period and once the impact of the other provisions can be established and consideration be given to implementing an awareness raising campaign in relation to sports pitches and responsible dog ownership.

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 having consideration for the recommendations from Policy and Resources Scrutiny Committee and for the reasons contained in the Officers report and as outlined at the meeting: -

- (i) the following restrictions be included in the draft order, and the statutory order making process (including formal consultation) be commenced: -
- Excluding dogs from enclosed children's play and multi-use game areas;
  - A requirement to place dogs on a lead in all enclosed memorial gardens within the County Borough;
  - A requirement to pick up after their dogs on all public land within the County Borough;
  - A requirement for dog walkers to carry an appropriate receptacle for dealing with the waste that their dog/s produce within the County Borough;
  - A requirement to place a dog on a lead by direction of no more than 2 metres in length when directed to do so by authorised officer, which could include local authority officers, police officers and/or PCSOs.
- (ii) the restriction excluding dogs from all council owned marked sports/playing pitches on a seasonal basis be omitted at this stage of the process, and be reviewed after a period of 12 months and once the impact of the other provisions can be established, and consideration be given to implementing an awareness raising campaign, in relation to sports pitches and responsible dog ownership.

## **6. PRIVATELY OWNED PROPERTIES AT LANSBURY PARK**

The report sought Cabinet approval to deploy funds from the Private Sector Housing Capital Programme, to assist private owners at Lansbury Park to partake in the scheme of External Wall Insulation, planned for council properties during 2016/17 and 2017/18.

The council is currently undertaking a scheme of external wall insulation (EWI) to the council owned properties at Lansbury Park as part of the overall WHQS programme. The scheme for 2016/17 is being undertaken by way of a partnership arrangement with EON Energy, but is currently only planned to tackle properties within council ownership. There are around 700 properties at Lansbury Park of which 526 are in council ownership. The remainder are in private ownership, either owner occupied or privately rented.

Officers, having studied the area, feel that a far more successful outcome, in terms of the physical regeneration of Lansbury Park, would be achieved if private owners also took part in the EWI scheme. Realistically, however, to encourage meaningful participation by private owners it would inevitably warrant the offer of financial assistance in the form of grant aid.

The report outlined the potential to offer support to private owners at Lansbury Park in the form of 75% grant aid and identified a potential funding source to facilitate such an offer.

Cabinet thanked the Officer for the report and discussions ensued. A Member, in noting that there has been recent publicity around the review of the Energy Conservation Grant from the Welsh Government, sought further information on the Council's eligibility. Officers explained that the eligibility criteria is unclear at present, however, should there be an opportunity, bids would be submitted to this grant funding stream.

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, if Welsh Government funding is not made available as outlined in paragraph 4.12 of the Officers report:

- (i) financial support for those homeowners at Lansbury Park who wish to partake of the CCBC planned External Wall Insulation scheme, be offered in the manner outlined at paragraph 4.11 of the Report;
- (ii) for 2016/17 funding for the initiative be made available from existing Private Sector Housing Capital budgets.
- (iii) for 2017/18 funding be made available from any 2016/17 Private Sector Housing budget underspends, with any additional funding which may prove necessary being deployed from the 2017/18 Private Sector Housing Capital budget.

## **7. ROWAN PLACE, RHYMNEY – PROPOSED DEMOLITION OF FLATS – BLOCK 65-68**

The report sought Cabinet approval to demolish an additional block of flats in Rowan Place, Rhymney in conjunction with the improvement of the physical condition of the estate.

Following the identification of severe damp and external defects to the external fabric of the properties in Rowan Place a major investment programme is currently being undertaken to bring the properties up to the WHQS. Following the demolition of one block of four flats of the remaining 68 Council owned stock, 44 of the properties are 2 bedroom flats comprising 11 blocks. This is a large concentration in a very small area.

Following Cabinet approval to demolish one block of flats to reduce the density of the estate, and in recognition that there remain a large number of two bedroom flats, the report sought approval to demolish a further block due to ongoing low demand in the area, to enhance the environmental aspect of this estate and to achieve financial savings.

Members thanked the Officers for the report and discussion ensued regarding the void issues in Rowan Place. It was noted that there has been extensive work undertaken to improve the overall aesthetics of the estate, and a number of events held, such as fun days, open days and barbeques to raise the profile and encourage further lettings, to no avail.

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) the proposed demolition of 65-68 Rowan Place and the making of a formal application to Welsh Government for consent to transfer two new leases as outlined in paragraph 4.8 of the report be approved;
- (ii) to avoid further delays as a consequence of migratory bats, Officers pursue options for undertaking the work prior to the end of March 2017;
- (iii) as required by Welsh Government, a report be requested from the District Valuer on the open market value of the two leasehold flats.

## **8. NEWBRIDGE SCHOOL SPECIALIST RESOURCE BASE**

The report was presented to Education for Life Scrutiny Committee on 11th January 2017, at which a further discussion at Scrutiny was requested. As such, Cabinet noted that the Consultation Timeline within the report has been amended, and an updated copy was tabled at the meeting.

A report was presented to the Education for Life Scrutiny Committee on 3rd November 2015 which detailed the progress of the Additional Learning Needs (ALN) Review. Members noted the progress made and that a separate behaviour review would consider arrangements for specialist provision to meet the needs of children with behavioural, emotional and social needs (BESD).

In February 2016 the Governing Body of Newbridge School informed the Local Authority that due to increasing number of pupils on roll it no longer wished to host the Key Stage 3 Specialist Resource Base (SRB), which the school refers to as the Inclusion Centre. The report provided Cabinet with an update on the status of the review of provision for children with BESD and sought approval to commence a consultation on the closure of the SRB at Newbridge School.

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 the Officer's report, the report be noted and the commencement of the consultation process be approved.

## **RECOMMENDATIONS TO COUNCIL**

### **9. REVIEW OF MINIMUM REVENUE PROVISION POLICY**

The report was presented to the Special Policy and Resources Scrutiny Committee on the 7th December 2016 and provided Members with options for proposed changes to the Council's Minimum Revenue Provision (MRP) policy.

The MRP is the method by which Local Authorities charge their revenue accounts over time with the cost of their capital expenditure that was originally funded by debt. From 2007/8 onwards, Local Authorities have been free to set their own policy on calculating MRP, with the sole legislative proviso being that the amount calculated must be one that the Council considers to be "prudent".

It was noted that many Local Authorities have reviewed their MRP policies to generate significant savings to support their Medium-Term Financial Plans, due to increasing pressures on budgets. In Wales, such reviews have already been undertaken by Torfaen, Merthyr Tydfil, Conwy, Denbighshire, Flintshire, Rhondda Cynon Taff and Monmouthshire Councils.

The 2017/18 Draft Budget Proposals presented to Cabinet on 30th November 2016 included a savings proposal of £3.5m to be achieved through a review of the Council's MRP policy.

The Council's current policy for capital expenditure funded from supported borrowings is for MRP to be charged to revenue at 4% in accordance with the Capital Financing Requirement (CFR) Method on a reducing balance basis. Based on an opening supported borrowing CFR of £175.746m as at the 1st April 2016, the 2016/17 MRP charge for supported borrowings is £7.030m.

The Council currently adopts the Asset Life approach using the Equal Instalment Method for capital expenditure funded by unsupported (prudential) borrowing. This allows a charge to

revenue over a 25 year period, which is deemed to be the estimated useful life. The charge is applied on a straight-line basis. Based on an opening unsupported borrowing CFR of £16.073 as at the 1st April 2016, the 2016/17 MRP charge for unsupported borrowings is £0.831m.

Members were asked to consider 2 alternative options available for charging the MRP on supported and unsupported borrowings i.e. the Straight Line Method and Annuity Method, based on the following: -

- Historic debt liability as at the 31st March 2007 and subsequent capital expenditure funded from supported borrowings to be charged to revenue over 50 years.
- The MRP charge for individual assets funded through unsupported borrowing to be based on the estimated life of each asset or 25 years where this cannot be determined.
- An assumed annuity rate of 2% for supported borrowing.
- The annuity rate for unsupported borrowing to be based on the average PWLB interest rate for new annuity loans in the year that an asset becomes operational.

An immediate recurring saving of circa £3.5m is available to support the 2017/18 revenue budget through adopting either of the proposed options. In addition to the revenue budget saving the straight-line approach will generate additional one-off sums of circa £3.8m in 2016/17 and £0.232m in 2017/18 to support the Capital Programme. The annuity approach will generate an additional one-off sum of circa £5.5m in 2016/17 and additional annual one-off sums to support the Capital Programme for a number of years as detailed in paragraph 4.6.8 of the report. The total MRP charge required to fully extinguish the CFR is the same under both the straight-line and annuity methods.

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 having consideration for the comments of Cabinet and Special Policy and Resources Scrutiny Committee, and for the reasons contained in the Officer's report, it be recommended to Council that changes the MRP Policy, in favour of the annuity approach being applied to both supported and unsupported borrowing, be endorsed.

## **10. WELSH LANGUAGE STRATEGY 2017-2022**

The report sought the endorsement of Cabinet for the draft 5-year Welsh Language Strategy as required by Standards 145 and 146 of the Welsh Language Standards (No1) Regulations 2015, prior to presentation to Council for approval.

The Authority is required to develop a 5-year strategy that sets out how it proposes to promote the Welsh language and facilitate the use of the Welsh language in the area. The strategy must include a target for increasing or maintaining the numbers of Welsh speakers and a statement setting out how the target is intended to be reached. The strategy must be reviewed and revised on a 5-yearly cycle.

Cabinet discussed the report at length, and concerns were raised regarding the additional cost and workload pressures on the Authority, as a result of the Standards. Officers clarified that the Welsh Language Strategy is a requirement of the Standards and positively promotes the Welsh Language by way of offering opportunity to increase the number of Welsh Speakers within the Borough. In addition it was explained Caerphilly CBC has made a number of representations to Welsh Government with regards to concerns over a number of the Standards and implications to the Authority. It was however noted that there is a review anticipated on the Welsh Language Standards, and further information would be provided to Cabinet when available.

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

RESOLVED that for the reasons contained in the Officer's report the Welsh Language Strategy 2017-2022 be submitted to Full Council for approval.

The meeting closed at 3.30pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 1st February 2017.

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CHAIR