



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 25TH APRIL 2018 AT 2.00 P.M.

PRESENT

Councillor Mrs B.A. Jones – Chair

Councillors:

C. Cuss (Social Care and Wellbeing), N. George (Neighbourhood Services), C.J. Gordon (Corporate Services), P. Marsden (Education and Achievement), S. Morgan (Economy, Infrastructure and Sustainability), L. Phipps (Homes and Places) and E. Stenner (Environment and Public Protection).

Together with:

C. Harray (Interim Chief Executive), D. Street (Corporate Director - Social Services), S. Richards (Head of Strategy Service – Education, Planning and Strategy), M. Lloyd (Head of Infrastructure), M. Headington (Open Spaces and Transport Manager), F. Wilkins (Public Sector Housing Manager), A. West (21st Century Schools, Admissions and Exclusions Manager) and A. Dredge (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D. Poole (Leader), Mrs N. Scammell (Acting Director Corporate Services and Section 151 Officer) and M. S. Williams (Interim Corporate Director - Communities).

2. DECLARATIONS OF INTEREST

Councillors N. George and Mrs B. A. Jones declared personal and prejudicial interests at the commencement of the meeting in relation to agenda item 4 – *Review of the Rechargeable Repairs and Appeals Panel*. Details of which are recorded with the respective item.

3. CABINET MINUTES - 11TH APRIL 2018

The minutes of the Cabinet meeting held on 11th April 2018 were approved.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

4. REVIEW OF THE RECHARGEABLE REPAIRS AND APPEALS PANEL

Councillors N. George and Mrs B. A. Jones declared personal and prejudicial interests in relation to this item as they are both Council Tenants. They left the room when the report was presented and did not take part in the debate.

Cabinet were advised that the Rechargeable Repairs Policy allows tenants to request an independent review of their recharge if they have good reason to disagree with a previous decision made by Officers/Managers. The review process comprises of three stages; an informal review by officers, a first stage formal review by a Manager, and a second stage formal review by the Rechargeable Repairs and Appeals Panel, who make a recommendation to the Chief Housing Officer (who has the final decision) on whether the recharge should be upheld. The second stage review replaced the second stage of the Corporate Complaints Procedure with regards to recharges only. The Panel was suggested by the Repairs and Improvements Group in August 2014 and was considered an opportunity to involve tenants and Members in reviews.

It was proposed that due to the extensive additional resources required in facilitating the panel, cost implications, consequential delays in decision making and the limited number of cases being brought forward, the use of a panel for second stage reviews be replaced with a procedure to mirror the second stage of the Corporate Complaints Procedure. The final decision would then be made by the Chief Housing Officer or Public Sector Housing Manager. This alternative approach would ensure that the quality and consistency of decision making in relation to reviews is maintained (including regular meetings with Senior Officers) and arrangements would be put in place to keep tenants informed about decision making. It was noted that in the last 18 months there had been only 9 review cases.

Clarification was sought in relation to the make-up of costs involved and the Officer confirmed that the cost of convening a panel is approximately £660. This figure is associated with Officers time, producing and distributing documentation, reports, redacting information and copies of all documentation for all panel members and travelling expenses for both Officers and Tenants for each meeting. To date these costs have outweighed the actual cost of the recharges being reviewed.

Following consideration and discussion, it was moved and seconded that subject to the foregoing, 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 and subject to an additional recommendation to paragraph 10.1. to include, decisions made in respect of second stage reviews be taken in consultation with the Cabinet Member following investigation by the Public Sector Housing Manager or Chief Housing Officer: -

- (i) the Rechargeable Repairs and Appeals Panel be discontinued;
- (ii) all second stage reviews of rechargeable repairs be investigated using a process that mirrors the second stage of the Corporate Complaints Procedure;
- (iii) monitoring of consistency of implementation of the Rechargeable Repairs Procedure in relation to requests for review and the application of discretion be undertaken by a Housing Manager Panel on a quarterly basis;
- (iv) an annual report be provided to the Repairs and Improvement Group on the number, nature and outcome of second stage review of rechargeable repairs considered under the revised procedure, together with decision taken in respect of informal and stage 1 formal reviews;

- (v) decisions made in respect of second stage reviews be taken in consultation with the Cabinet Member following investigation by the Public Sector Housing Manager or Chief Housing Officer.

5. BEDWELLY SCHOOL PLAYING FIELDS

The report sought Cabinet approval on a proposal to declare two football fields situated within the grounds of the former Bedwellty Comprehensive School, Aberbargoed shown hatched red on the Plan attached at Appendix 1, as surplus. It also proposes to undertake a statutory consultation as required by the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 and associated Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015. The outcome of which could allow the sale of the site for residential development. This will be the subject of a further report to Cabinet.

Cabinet were advised that Bedwellty Comprehensive School was closed in 2005 and subsequently demolished. The playing fields were initially unused but more recently have been used by Fleur-de-Lys Senior AFC. The adjacent site has been sold for housing and the pavilion that serves the playing fields must be removed or relocated no later than 31st May 2018. In addition, provision would need to be made for car parking, which is particularly problematic within the retained site and this could cost a further £50,000. An alternative and more conveniently located home ground is available for Fleur-de-Lys Senior AFC at Trelyn Park. If the playing field site is sold for residential development a capital receipt of circa £500,000 could be achieved.

Members discussed the alternative playing provision and it was explained that both Fleur-de-Lys Senior AFC and the current users of Trelyn Park have positively engaged with the Authority in relation to the proposal (with improved changing room provision). This will ensure the current provision at Trelyn Park will be fully utilised and the football team will be relocated back to the heart of the village. Trelyn Park currently has 2 rugby pitches and the proposal is that 1 will remain as a rugby pitch and the second will be a dual-use pitch. A small cost will be incurred by the Council in relation to the second pitch.

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 playing fields shown hatched red on the plan attached at Appendix 1 are taken out of use at the end of the current season (20th May 2018) and declared surplus;
- (ii) the process of complying with the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 and Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015 is commenced;
- (iii) a further report be brought back to Cabinet with the outcome of the consultation which will contain recommendations on the reallocation of the land or to undertake the process required to dispose of the playing fields.

6. IMPLEMENTATION OF THE SUSTAINABLE DRAINAGE SYSTEMS APPROVAL BODY (SAB)

The report sought Cabinet approval to deliver the new statutory function for the Council to establish a Sustainable Drainage (SuDs) Approval Body (SAB) under Schedule 3 of the Flood and Water Management Act 2010.

Cabinet were advised that Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with mandatory National Standards for Sustainable Drainage systems (SuDs). It also requires surface water drainage systems to be approved by a SuDs Approving Body (SAB) before construction work with drainage implications may begin. The responsibility for delivery of the SAB functions rests with the 22 Local Authorities in Wales alongside their duties as Lead Local Flood Authority (LLFA), and this function will commence in May 2018 with a proposed transition period of 6 months.

It was explained that the SAB, as an independent body within the Local Authority, will deal with a technical statutory approval process and be able to charge for services within this process. Examples of chargeable aspects were detailed within the report. A business case is currently being prepared in view of the additional staff resources and posts required to meet the statutory function, and it is anticipated that income generation from the SAB is predicted to cover all salary costs and overheads associated with supplying this function. In addition there is a potential for further income generation through regional working and collaboration with neighbouring authorities that have fewer resources and technical knowledge to deliver this statutory function.

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 required Sustainable Drainage Systems Approval Body (SAB) with Caerphilly County Borough Council (CCBC) be established, together with the additional self-funded posts which will allow CCBC to undertake this statutory function and keep the local engineering knowledge and expertise within CCBC.

7. 21ST CENTURY SCHOOLS AND EDUCATION BAND B PROPOSALS

The Cabinet Member for Education and Achievement placed on record her appreciation for the phenomenal amount of work undertaken by Officers in producing the report. It sets out bold ambitious Band B proposals in an equitable way that will afford all learners fantastic opportunities. This was echoed by Cabinet and the Interim Chief Executive.

The report sought Cabinet approval in principle to deliver the Band B 21st Century Schools Programme, subject to funding being confirmed for individual projects, business cases being approved by Welsh Government (WG) and the outcome of individual consultations.

The Welsh Government 21st Century Schools and Education Programme required all Local Authorities to submit Band B Strategic Outline Programmes (SOP) for consideration by 31/07/17. Due to the tight timescale stipulated it was not possible to obtain Member approval prior to the submission of the SOP. However, the proposals were endorsed by the School Strategy Board and discussed in detail with the Cabinet Member. It was made clear to WG that the submission had yet to receive Member approval, and could be subject to change.

Cabinet were advised of the key aims of the Programme that include reducing the number of poor condition schools, ensuring that the right size schools are in the right location and providing enough places to deliver Welsh and English medium education. Also, to ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community. The school condition surveys, undertaken in 2014, classified schools in categories A to D (A being the best condition and D being the worst condition). The surveys did not identify any condition category D schools within Caerphilly; however there are 53 category C condition schools (which is a very broad categorisation), 16 of which are also category C for suitability. Any significant changes to school buildings since 2014 i.e. new builds have been taken into account within this categorisation.

It was noted that the proposed projects will significantly reduce both backlog maintenance and on-going energy costs. WG have indicated that they may also take into account other factors such as flexibility of assets, efficiency of the education estate and deprivation when prioritising projects.

It was explained that following agreement by the Education for Life Scrutiny Committee held on 26th September 2017, a Cross Party Working Group of 10 Members was established to discuss the proposals. The group met on 10/11/17 and 26/11/17 and the report summarises the deliberations and recommendation of the Cross Party Working Group with regard to the individual projects outlined in the Council's SOP submission to WG. The Strategic Outline Programme contributes to the Well-being Goals within the Well-being of Future Generations Act (Wales) 2015.

An overview was provided in relation to each of the 9 proposed projects and details of the benefits and group discussions were set out in paragraph 4 in the Report. The value of the Programme submitted by Caerphilly was £78 million of capital funding (50% to be met by the Council) and £32 million of revenue funding via the Municipal Investment Model (MIM- 25% to be met by the Council). WG has subsequently confirmed approval in principle of the programme envelope for this sum, subject to the approval of individual project business cases.

Members were advised that the Band B Programme is due to run from April 2019 to March 2026. It is anticipated that costs will be incurred prior to April 2019 in respect of design, scoping and surveying of school sites, etc. WG have indicated that, subject to business case approval, Authorities would be able to access 50% match funding prior to the 2019 commencement date. A detailed plan identifying proposed timescales for each project over the 7 year period is being developed to assist officers in ensuring all statutory consultation obligations can be met and build timescales are achievable. It was noted that all Band A projects came in within budget.

Cabinet discussed the proposed projects and in particular Project 6 that relates to the refurbishment and upgrades to both Primary and Secondary Schools. Clarification was sought as to the standard to be achieved and Members were informed of the recent upgrade to Blackwood Comprehensive School. This included improvements such as heating, flooring, 4 new Laboratory's and the roof which has improved the visual impact significantly.

A Member referred to the newly opened Idris Davies 3-18 School and the benefits of having the Flying Start Provision linked to the facility and queried if this option would be available to the proposed new build Schools. Officers advised that Flying Start funding is allocated from a different budget to 21st Century Schools and should funding be made available then this could be considered as part of the proposals in moving forward.

Members discussed the Municipal Investment Model and it was confirmed that the model is not a Private Finance Initiative (PFI) agreement, as the only school services that will be provided under the MIM contract will be building maintenance. Other school contracts, such as catering, cleaning, grounds, ICT, etc., will be provided by organisations determined by the Governing Body. Officers confirmed they will ask Sara Humber, Programme Director MIM 21 Century Schools (Local Partnerships LLP) to attend a future Policy Development Meeting to share her experience in this area, with Members.

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) in principle, the proposals to deliver the Band B 21st Century Schools Programme be agreed, subject to funding being confirmed for individual projects, business cases being approved by Welsh Government and the outcome of individual consultations.

The meeting closed at 3.00 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 16th May 2018.

CHAIR