



## **CABINET**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 3RD OCTOBER 2018 AT 10.30 A.M.**

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#### **PRESENT:**

Councillor D. Poole – Chair

#### **Councillors:**

C. Cuss (Social Care and Wellbeing), C.J. Gordon (Corporate Services), Mrs B.A. Jones (Finance, Performance and Governance), 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. Harrhy (Interim Chief Executive), D. Street (Corporate Director - Social Services), and R. Edmunds (Corporate Director – Education and Corporate Services).

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

R. Hartshorn (Head of Public Protection, Community and Leisure Services), S. Harris (Interim Head of Business Improvement Services), R. Tranter (Head of Legal Services and Monitoring Officer), R. Kyte (Head of Regeneration and Planning), M. Williams (Interim Head of Property Services), K. Peters (Corporate Policy Manager), A. Cullinane (Senior Policy Officer - Equalities and Welsh Language), M. Godfrey (Team Leader - Environmental Health) and A. Dredge (Committee Services Officer).

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

Apologies for absence had been received from Councillor N. George (Neighbourhood Services) and M. S. Williams (Interim Corporate Director - Communities).

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

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

#### **3. SPECIAL CABINET – 12TH SEPTEMBER 2018**

RESOLVED that the minutes of the meeting held on 12th September 2018 (minute nos. 1 - 7) be approved and signed as a correct record.

#### **4. CABINET – 19TH SEPTEMBER 2018**

RESOLVED that the minutes of the meeting held on 19th September 2018 (minute nos. 1 - 7) be approved and signed as a correct record.

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

##### **5. STRATEGY FOR THE DISPOSAL OF SELECTED LAND WITH RESIDENTIAL DEVELOPMENT POTENTIAL**

The report sought Cabinet approval in relation to a strategy for the disposal of five key parcels of land all of which are suitable for residential redevelopment. The Authority has significant tranches of surplus land, a proportion of which is suitable for residential development.

Cabinet were advised that the delivery of affordable homes within the Borough is behind target. As of the 1st April 2017 4,523 units (52% of the requirement) had been built and it is therefore clear that the housing requirement figure will not be achieved by 2021. Where the Authority sells land there is an opportunity to ensure affordable housing is included and to increase the proportion of affordable housing above Local Development Plans (LDP) targets where appropriate, albeit with the potential for a reduction in the associated capital receipt.

It was explained that the Authority's Protocol for the Disposal of Property (Land and Buildings) recommends that the disposal of the various small tranches of land (where the development potential is less than 20 dwellings) continues in accordance with the Protocol. It is further recommended that the Authority considers the disposal strategy for the larger tranches of current and future surplus land and in particular to determine whether an increased allocation of affordable homes is justified. The surplus land with residential development potential has been reviewed and assessed in terms of barriers to development and location factors. The five medium or large parcels of land, that would be commercially attractive to housing development companies, were set out in the report that also included the considerations relating to each of the sites with a recommended way forward.

Cabinet discussed the proposed sites and sought clarification as to the consideration of health provision in the Blackwood area due to the increase in housing development. Officers explained that as part of the proposed Local Development Plan (LDP) the Authority had to consider the capacity of schools and GP surgery's in the catchment areas. Where there was an identified need for new provision land is identified within the LDP to enable that provision to be delivered. Cabinet were advised that the delivery of that provision is then a matter for the relevant body, e.g. the Health Authority, the Education Authority. A Member referred to Site A - Ty Darren, Risca and the response to the Consultation that was undertaken. Cabinet were advised that a local elected Member suggested refurbishing the building and utilise the same to provide respite or elderly, mentally and Infirm (EMI) beds to ease the bed blocking issue. Officers confirmed that this facility is not considered necessary as there are currently 113 vacant residential and nursing beds available across the Borough.

In terms of achieving local affordable Housing targets, Members were assured that the percentages will be achieved as the terms will be specified within the Contract of Sale. Cabinet were pleased to support the report and felt that the proposed housing sends out a positive message across the region. This will allow children to grow up and live in the County. Emphasis was placed on the economic benefits that will be created on the back of high quality Housing.

Following consideration and discussion and subject to an amendment at paragraph 10.5 to include a decision to defer a decision on Pontllanfraith Comprehensive until a decision on the future of Pontllanfraith Leisure is taken, it was moved and seconded, that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that subject to an amendment at paragraph 10.5 to include “and a decision on the future of Pontllanfraith Leisure Centre is taken” and for the reasons contained in the Officer's report, the following be approved: -

- (i) Site A - Ty Darren, Risca. If it is confirmed that Caerphilly Homes wish to build sheltered accommodation on the site then the site be sold to them. Otherwise it is recommended the site is sold on the open market for housing with a contractual requirement that 10% of the homes are affordable in accord with the LDP requirement;
- (ii) Site B - Bedwellty School Playing Fields. Assuming the site is declared surplus when the current consultation process is concluded, the Interim Head of Property Services in consultation with the Cabinet Member for Homes and Places negotiate a sale to Llanmoor Developments. However, if the current market value cannot be achieved then the site shall be sold on the open market via a competitive tender process. In either case, the sale to include a contractual commitment that 15% of the homes are affordable;
- (iii) Site C - Pontllanfraith House. A scheme is developed with an RSL to include broadly equal proportions of social rented, shared ownership and market sale dwellings, and commercial terms are established for both outright sale and the Lease models for further consideration and approval by Cabinet;
- (iv) Site D - Pontllanfraith Comprehensive School. A final decision on the way forward for this site is deferred until the proposals for Pontllanfraith House (Site C) are further developed and a decision on the future of Pontllanfraith Leisure Centre is taken. It is confirmed that demolition of the disused school buildings can proceed once a decision on the future of Pontllanfraith Leisure Centre is taken;
- (v) Site E - Oakdale Comprehensive School. The site is sold on the open market with the sale contract requiring that the LDP target of 25% of the dwellings affordable is achieved.

## **6. STRATEGIC EQUALITY PLAN – ANNUAL MONITORING AND IMPROVEMENT REPORT 2017-2018**

The report sought Cabinets' endorsement of the progress made during the financial year 2017-2018 against targets in the Council's current Strategic Equality Plan, and approval for submission to the Equality and Human Rights Commission and publication on the Council's website.

Cabinet were advised that the Council has a statutory duty to produce an annual monitoring report on Equalities issues under current legislation. The requirements are very detailed as to what relevant information must be included in the annual monitoring and improvement report 2017/18 (appended to the report). The amount of information presented is therefore in order to ensure that the regulatory body involved (the Equality and Human Rights Commission) are provided with full evidence of the Council's compliance and commitment to those statutory duties. In order to comply with the Public Sector Equality Duty in Wales, an annual report on the Strategic Equality Plan must be published within 12 months after the end of the financial year that is covered by that report.

Members were referred to paragraph 4.3. in the report that summarises the performance information obtained during the financial year 2017/18. In 2016 the Authority made its first annual submission to the Stonewall Education Equality Index where special recognition was received for the work that was undertaken to tackle homophobic, biphobic and transphobic bullying in schools. The Authority was also ranked 1st in Wales and 21st across the whole of

the UK. Last year's submission saw these rankings maintained. The Council published its first Gender Pay Gap Statement for 2017. The data showed the Mean Gender Pay Gap for the year was 8.9%. The Council is confident that its gender pay gap does not stem from paying male and female employees differently for the same or equivalent work. The gender pay gap is the result of roles in which males and females currently work and the salaries that these roles attract. The gender pay gap is also reflective of the causes of gender pay gap at a societal level where although parents are increasingly flexible, the responsibility of childcare still falls disproportionately upon women. It is a fact that within this data the vast majority of part time posts are held by females and that these are the posts that attract salaries in the lower quartiles. £104,000 of funding was used to support disability access improvement works. This included access into swimming pools, installing automatic doors and ramps to education buildings and purchasing accessible picnic benches in country parks. A contribution was also made to assist with the improvement works to provide accessible toilets in Morgan Jones Park. Rhiw Syr Dafydd Primary became the first school in the County Borough to be awarded with a Dementia Friendly Award from the Alzheimer's Society. Officers advised that a number of promotional activities were undertaken including Diwrnod Shwmae, LGBT History Month, Black History Month, Holocaust Memorial Day and International Women's Day.

Cabinet extended their thanks to Officers for undertaking the prescriptive report. It evidences the amount of positive work and good practice the Council is achieving to benefit those individuals and groups who fall under one or more of the protected characteristics and wider Equalities issues. The Chair was pleased to note that he has recently appointed a LGBT Champion who will in turn appoint an advisor to raise awareness. In terms of gender statistics Cabinet has a 50%/50% male/female split and in relation to Management Network it was confirmed that the split is 55 female, 49 male.

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 Strategic Equality Plan - Annual Monitoring and Improvement Report 2017-2018 be endorsed and submitted to the Equality and Human Rights Commission and published on the Council's website.

## **7. FIELDS IN TRUST - CENTENARY FIELDS PROGRAMME**

The report sought Cabinet approval for the formal dedication of the War Memorial Garden at Cwmfelinfach as part of the Fields in Trust, Centenary Fields Programme. Officers explained that in July 2014, Fields in Trust (FiT) launched a new initiative called Centenary Fields. This is a UK wide project which aims to protect in perpetuity war memorial fields, green space that include war memorials across the UK and provide a fitting commemoration for the Centenary of World War I. FiT has established a partnership with the Royal British Legion who has adopted Centenary Fields as one of three flagship initiatives that form their portfolio of work commemorating World War I.

Cabinet were advised that the Centenary Fields initiative aims to secure recreational space in perpetuity to honour the memory of the millions of people who lost their lives in World War I. Through this programme, landowners across the UK are being encouraged to dedicate recreational space as a Centenary Field. The programme will commemorate this significant milestone in history and create a tangible local legacy that will be valued by communities for generations to come. The Authority has 38 war memorials across the County Borough which commemorates those who fell in World War I, World War 2 and other conflicts. Members were referred to the plan, appended to the report which indicates the Memorial Garden in Cwmfelinfach. The site has been identified as a suitable location to be dedicated as the Authority's contribution towards the Centenary Fields initiative.

Local Ward Members had been consulted as part of the exercise that supported the proposal to provide a commemorative legacy of the First World War conflict of 1914-18 and to support the Fields in Trust and British Royal Legion's Centenary Fields Programme. This was echoed by Cabinet.

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 subject to the reasons contained in the Officer's Report: -

- (i) the dedication of the War Memorial Garden at Cwmfelinfach as a Centenary Field, be approved;
- (ii) following the successful application, the Authority enters into a Deed of Dedication with the Fields in Trust Organisation.

## **8. HAFOD-YR-YNYS AIR QUALITY DIRECTION**

The report sought Cabinet approval for the Initial Plan for achieving compliance with the Ambient Air Quality Directive at Hafod-yr-ynys in accordance with the Air Quality Direction issued to the Authority by Welsh Government.

Cabinet were advised that the national nitrogen dioxide air quality objectives are being exceeded at receptor locations on Hafod-yr-ynys Road. The local authority is required to designate any area failing the national air quality objectives as an Air Quality Management Area (AQMA) and produce an Air Quality Action Plan (AQAP) which details measures to bring the pollutant back within acceptable limits. The AQAP was approved by Cabinet and subsequently Welsh Government in March 2018. In addition to providing results which inform the Local Air Quality Management regime and action planning process, the continuous nitrogen dioxide monitor at Hafod-yr-ynys also forms part of DEFRA's national Automatic Urban and Rural Network (AURN). The AURN is a network of continuous monitors throughout the UK that inform a national Pollution Climate Model which is used for air quality reporting purposes to the EU to demonstrate compliance with the Ambient Air Quality Directive. Hafod-yr-ynys and Cardiff are two areas in Wales showing non-compliance with the Ambient Air Quality Directive.

In February 2018 Welsh Government issued an Air Quality Direction to Caerphilly Council to undertake a feasibility study for the area and to produce a preferred option or basket of options which will achieve compliance with the Ambient Air Quality Directive air quality objectives in the 'shortest possible time'. Reference was made to the Stage 2 report (appended to the report) and contains the detail on the air quality modelling of the options. It was explained that the final requirement of the Air Quality Direction is the production of a Final Plan (the WelTAG Stage 3 Assessment), which must be submitted to Welsh Government by no later than 30th June 2019. The Final Plan will include a fully costed business case of the preferred option / basket of options for achieving compliance with the EU Air Quality Directive at Hafod-yr-ynys.

The process requested by WG involves the production of three reports consisting of the WelTAG Stage 1 report that sets the scene in terms of the study area and discusses some of the traffic monitoring recently undertaken. The report also considers the options that came forward from a stakeholder workshop and discounts the options that did not satisfy the assessment (based on 3 key criteria namely, effectiveness, timescales and deliverability) bringing the list of proposals down from 30 to 10. The objective of the WelTAG stage 2 report is to consider the proposals deduced from stage 1 and to model the outcomes of the proposals both in terms of traffic and air quality and conclude a preferred option or basket of options to be taken forward to WelTAG Stage 3. The Stage 2 report for Hafod-yr-ynys has considered the options in terms of air quality. The Stage 3 report (which is the Final Plan) will include all relevant traffic and air quality modelling which will provide quantifiable outcomes in order to determine whether the options are appropriate in reducing levels of NO<sub>2</sub> at Hafod-yr-ynys to

bring the area back in to compliance with the EU Air Quality Directive. The proposals that have been ruled out during the stage 2 assessment are set out in paragraph 4.6. in the report.

Officers advised that amendments were required within the agenda pack under the heading: Other Issues - (Technical, Operational and Financial Feasibility) that should read on page 271 - ruled out on effectiveness, page 274 – ruled out on feasibility, page 275 – ruled out on feasibility and page 278 – ruled out on timescales. The area at Woodside Terrace to also include numbers 1 and 2 Woodside Shops and Yr Adfa (detached dwelling).

Cabinet discussed the report in detail and thanked the Officers for the amount of work that has been undertaken in producing the First and Second Stage Reports. Cabinet requested that Officers explore the feasibility of a seventh option in moving forward, by assessing the impact on emissions of reducing the speed limit of the road between Woodside Terrace and the Swffryd Junction to 30 mph, together with removal of the overtaking lane, to allow a constant speed limit for the full stretch of road. Officers advised that the Highways Department had been consulted as part of the process when considering the proposals and it was not considered that vehicles would be any more efficient by a reduction in speed. The A472 runs through Hafod-yr-ynys which is a strategic valley link. Conversely, concerns were expressed in relation to the impact this additional proposal may have to HGV drivers and the potential problems this may cause to those road users.

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 subject to the aforementioned amendments under the heading: Other Issues - (Technical, Operational and Financial Feasibility) that should read on page 271 - ruled out on effectiveness, page 274 – ruled out on feasibility, page 275 – ruled out on feasibility and page 278 – ruled out on timescales. The area at Woodside Terrace to include numbers 1 and 2 Woodside Shops and Yr Adfa (detached dwelling). Cabinet requested that Officers explore the feasibility of a seventh option in moving forward, by assessing the impact on emissions of reducing the speed limit of the road between Woodside Terrace and the Swffryd Junction to 30 mph, together with removal of the overtaking lane, to allow a constant speed limit for the full stretch of road, subject to this and for the reasons contained in the Officer's report: -

- (i) the Initial Plan for working towards compliance with the Ambient Air Quality Directive at Hafodyrynys in accordance with the Air Quality Direction issued to the Authority by Welsh Government, be approved;
- (ii) a further report (with the addition of Option 7 above) be presented to Cabinet on the Final Plan for achieving compliance with the Ambient Air Quality Directive at Hafodyr-Ynys prior to its submission to Welsh Government in June 2019.

## **RECOMMENDATIONS TO COUNCIL**

### **9. ANNUAL PERFORMANCE REPORT 2017/18**

The report sought Cabinet approval of the Annual Performance Report for 2017/18 prior to its presentation to Council on the 9th October 2018 and publication by 30th October 2018. The Performance Report is a statutory requirement under the Local Government (Wales) Measure 2009 and an important part of the Council's Performance Framework. The Council is required to assess its own performance and provide the public with a balanced picture of that performance. In addition, the report must show how the council performed against the Well-being Objectives it set itself for 2017/18. The Council has a statutory duty to publish its Performance Report no later than the 30th October each year on the Council's website and made available in hard copy at key council offices and libraries. The report includes the Leader and the Interim Chief Executive's summary of the year, financial statements, progress and achievements made

against the 5 Well-being Objectives, and performance summary comparison against national Public Accountability Measures for 2017/18 for Local Authorities.

Cabinet were advised that detailed reports and dashboards of the Council's performance against its Well-being Objectives were scrutinised at this year's performance Scrutiny Meetings. These will be placed on the website at the same time as the Performance Report to provide more detail and keep the report to a manageable size; as such the main report provides key points of the performance of the Well-being Objectives. Members were referred to paragraph 4.4.2. in the report that set out the Council's Well-being Objectives (WBOs) for 2017/2018. Three of which were judged as partially successful, namely: Improve outcomes for all learners, particularly those vulnerable to under achievement, Carbon Management: Reduce our carbon footprint and Investment in council homes to transform lives and communities. WBO 1 and 3 were judged as successful, namely: To help people make the best use of their household income and manage their debts and Close the gap in life expectancy for residents between the most and least deprived areas in the borough.

The judgements were made based upon whether the individual WBOs had delivered the outcomes set. It was explained that in the main, indicators within the all Wales ranking have had limited movement compared to last year, with those indicators in the lower quarters staying there and those that are in the upper quarters continuing to do well. Details of Caerphilly County Borough's performance in comparison with other local authorities in Wales for all 20 indicators can be found on the internet or at [www.mylocalcouncil.info](http://www.mylocalcouncil.info). The 2017/18 Well-being Objectives were closed in April 2018 and the Council formally adopted a new set of Well-being Objectives for the period 2018-2023 within its Corporate Plan. The first year of progress against the 2018-2023 Corporate Plan will be reported in the summer of 2019.

Officers advised that an amendment was required at page 14 of the Annual Performance Report (appended to the report). The icon for all pupils who leave compulsory education without an external qualification should state that a 'lower' number is preferred. The indicator at the bottom of the page should relate to pupils in local authority care only and should reflect that the indicator improved down from 18.8% to 8%.

Cabinet discussed the objectives and indicators covering the public accountability measures quarter and ranking positions over 3 years. They considered that overall the 'journey' is one of improvement and that the Council is moving forward in the right direction.

RESOLVED that subject to the aforementioned amendments to page 14 of the Annual Performance Report (Appendix 1), the icon for all pupils who leave compulsory education without an external qualification should state that a 'lower' number is preferred. The indicator at the bottom of the page should relate to pupils in local authority care only and should reflect that the indicator improved down from 18.8% to 8%, and for the reasons contained in the Officer's report, the Annual Performance Report 2017/18, be recommended to Council.

The meeting closed at 11.20 am.

Approved and signed as a correct record subject to any corrections made at the meeting held on 17th October 2018.

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CHAIR