



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 10TH JULY 2019 AT 10.30 A.M.

PRESENT:

Councillor D. Poole - Chair

Councillors:

N. George (Neighbourhood Services), C.J. Gordon (Corporate Services), Mrs B. 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), M. S. Williams (Interim Corporate Director - Communities), S. Harris (Interim Head of Business Improvement Services and Interim S. 151 Officer).

Also in Attendance:

L. Lane (Head of Democratic Services and Deputy Monitoring Officer), S. Richards (Head of Education, Planning and Strategy), M. Lloyd (Head of Infrastructure), M. Johnson (Senior Engineer), K. Peters (Corporate Policy Manager), R. Roberts (Performance Manager), A. Dallimore (Team Leader – Urban Renewal) and A. Dredge (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C.J. Cuss, R. Edmunds (Corporate Director for Education and Corporate Services), D. Street (Corporate Director for Social Services and Housing) and R. Tranter (Head of Legal Services and Monitoring Officer).

2. DECLARATIONS OF INTEREST

Councillor D. V. Poole declared a personal interest at the commencement of the meeting in relation to Agenda item 5 – Federation of Schools – Consultation Response Report. Details of which are recorded with the respective item.

3. CABINET – 26TH JUNE 2019

RESOLVED that the minutes of the meeting held on 26th June 2019 were approved as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

4. REVIEW OF CORPORATE PLAN (2018-2023) 2019

The report presented Cabinet with the updated Corporate Plan 2018-2023 following a review to consider whether the Plan is still fit for purpose.

The Council's Corporate Plan was endorsed by Council on the 17th April 2018 and published thereafter. The Plan has six Well-being Objectives which are long term and set within the Sustainable Development Principle (the five ways of working). Following the review they are still judged 'relevant', fit for purpose and critical to improving quality of life for the Local Authority's citizens. Under the Local Government Measure (2009) there is an 'expectation' (section 15.2 and 15.3) that an 'Improvement Plan' will be published every year. However, as most authorities now publish longer term plans in keeping with the Well-being of Future Generations (Wales Act) 2015 and / or in the life of an Administration, reviewing the Plan annually to check it is still fit for purpose, meets this requirement. It was noted that Wales Audit Office (WAO) is required to check whether an Authority has complied with their statutory duty as noted in paragraph 4.1 and to issue a 'certificate of compliance' in response.

Cabinet noted the substantive changes highlighted within the plan and reflect the addition of the Transformation Strategy, what this means in terms of vision and an update to the Performance, Planning and Improvement Framework which underpins it.

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 amendments to the reviewed Corporate Plan 2019 (Appendix B) for its re-publication, be endorsed.

5. FEDERATION OF SCHOOLS - CONSULTATION RESPONSE REPORT

Councillor D. V. Poole declared an interest at the commencement of the meeting in relation to this item as he is an LEA appointed Governor at both Fleur de Lys Primary School and Pengam Primary School. As the interest was personal only he was not required to leave the meeting when the report was presented and could take part in the debate and vote.

The report, which had been presented to the Education Scrutiny Committee on the 2nd July 2019 provided details of the outcome of the formal consultation process and sought Cabinet approval to formally federate the following groups of schools from 1st September 2019:

Gilfach Fargoed Primary School and Park Primary School
Fleur de Lys Primary School and Pengam Primary School
Bedwas Junior School and Rhydri Primary School
Cwmfelinfach Primary School and Ynysddu Primary School.

Cabinet noted that the Governing Bodies of the schools have already been working on a collaborative basis for a number of years and requested that the Authority support them in the process to move to formal federation. The request to proceed to formal consultation in partnership with the Governing Body of each school was agreed by Cabinet on the 11th July 2018. The formal consultation period for each school ran between 22nd October 2018 and 10th December 2018. On 6th November 2018 Education Scrutiny Members were consulted on the proposal to formally federate the 4 groups of schools and were unanimously in support. A summary of the responses, which are detailed in the main body of the report, have been discussed in detail with each Governing Body and have all unanimously confirmed their agreement to proceed with the proposal to federate. At its meeting of the Education Scrutiny

Committee held on the 2nd July 2019, Members unanimously supported the recommendation to federate the 4 groups of Schools.

It was noted that should Cabinet approve the recommendation then the new Instrument of Governance for each federated Governing Body will be drafted and the separate Governing Bodies will be dissolved and the new Governing Bodies will be established in readiness for the start of the new school year.

Cabinet discussed the report and in particular the resilience and sustainability this process provides for these schools. The Cabinet Member for Education and Achievement acknowledged that this has been a learning process for all concerned. She added that Caerphilly is the only Local Authority in Wales to have 4 groups of federated schools and felt this will be a useful model in moving forward. Cabinet thanked the Officers within the Authority, Staff in the Schools and the Governors for their involvement and input during the engagement process.

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, Officers proceed to formally federate the groups of schools identified in paragraph 1.1, as follows:

Gilfach Fargoed Primary School and Park Primary School;

Fleur de Lys Primary School and Pengam Primary School;

Bedwas Junior School and Rhydri Primary School;

Cwmfelinfach Primary School and Ynysddu Primary School.

6. 21ST CENTURY SCHOOLS AND EDUCATION BAND B PROGRAMME

The report which had been presented to the Education Scrutiny Committee on the 2nd July 2019 updated Cabinet on the 21st Century Schools and Education Band B programme which runs between 2019 and 2026. The Band B proposals were agreed by Cabinet on 25th April 2018 and Council agreed on 21st February 2019 to allocate £5.475 million to the 21st Century Schools and Education programme match funding. The priority schemes identified for Phase 1 of the programme are an expansion of provision at Trinity Fields School and relocation and expansion of Ysgol Gymraeg Cwm Gwyddon on the former Cwmcarn High. The Scrutiny Committee fully endorsed this recommendation on the 2nd July 2019.

It was noted that the intervention rates for the programme have changed, as outlined in the body of the report. This has resulted in a reduction in the Council's contribution to the overall programme from £39.15 to £26.8 million. The initial specification of the expansion proposed for Trinity Fields has led to a recommendation to increase the allocation for this project from £5 million to £10 million. This money would be transferred from the refurbishment programme and is in line with WG's expectation for projects to be innovative and to be seen as a "once in a lifetime opportunity". In order to achieve this and "future proof" the school the increase in investment to £10 million is essential.

Cabinet noted that both projects outlined in paragraph 2.3 in the report are in the early developmental stage and Officers will ensure that Members are updated on a regular basis in relation to all aspects of the proposal e.g. financial, business case, consultation process etc. The Council's current projected match funding contribution to deliver both schemes is currently estimated at £5.1 million. If the increase for Trinity Fields is agreed this would reduce the Council's overall contribution from £26.8 million to £26.3 million.

Cabinet were pleased to support the recommendation and acknowledged this is a significant step forward with the increase in intervention rate representing substantive 'value for money' for both proposals. Members thanked Officers for their comprehensive report. In respect of Trinity Fields School, Officers added that this proposal is a 'once in a lifetime opportunity' and Caerphilly will be a leading Authority in moving forward by creating a Centre of Excellence. Officers are working together with Health and Social Services with this project and this will continue beyond the completion stage creating further amazing opportunities for children within the 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 in the Officer's Report, the contribution for Trinity Fields School be increased from £5 million to £10 million.

7. REGENERATION BOARD - PROJECT PROPOSALS (TRANCHE 3)

The report sought Cabinet approval for Tranche 3 projects identified by the Regeneration Project Board and assessed by the Assessment Panel to be endorsed and funded through the Regeneration Board Project Development Fund.

At its meeting on 30th May 2018, Cabinet agreed that the Regeneration Project Board be set up with a cross party political representation of Councillors to include key Officers. This group is supported by a Regeneration Assessment Panel consisting of Officers from a range of service areas. The Regeneration Assessment Panel and Regeneration Project Board have met to consider the first seven projects which have been identified by the Board to progress to Assessment Stage. It was noted the first tranche of these projects (four in number) were approved at Cabinet on 13th February 2019 whilst the second tranche were approved on the 29th May 2019.

Cabinet discussed the four projects that have been assessed and considered, namely, Masterplan for Public sector land in Ystrad Mynach, Viability work for the Powerhall (former Penallta Colliery), Coach drivers facilities, Caerphilly castle and Ty Du – additional employment additional units. Officers advised that the first two projects did not score highly enough in the assessment process to be advanced for Cabinet Approval and further work is required to fully scope out these projects. The second two projects scored well and the Regeneration Project Board recommends that Regeneration Development Funding be awarded to these projects to further their development. Details of each of the projects considered and assessed are set out in paragraph 5 of the Officer's 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.

RESOLVED that for the reasons contained in the Officers Report:

- (i) the progress of the Tranche 3 Projects, be endorsed;
- (ii) £90,000 of the remaining Regeneration Board Project Development Fund of £1.21m be allocated to the Tranche 3 Priority schemes, identified by the Regeneration Project Board.

8. INFRASTRUCTURE DEVELOPMENT - COMMUTED SUMS

The report outlined proposals relating to the charging of commuted sums payable by developers for future maintenance and associated works of eligible infrastructure assets (not privately owned) offered for adoption for the lifetime of the development.

Cabinet were advised that in view of the current variation in the use and application of commuted sums by different services within the Council, it was recommended that a consistent approach be adopted for calculating commuted sum payments from developers for the future maintenance and replacement of adopted assets. Given the increasing emphasis on providing sustainable development and sustainable places to live, local authorities and other public bodies are facing increased pressures which would normally preclude such enhanced developments from being maintained to the appropriate standard unless payment is sought from the developer for the costs involved.

It is intended for both the local authority and developers to use the commuted sum methodology, which will provide a transparent and consistent approach to the calculation of commuted sums, and will place no unacceptable burden on CCBC maintenance budgets or the public purse. The clarity of approach will help remove the uncertainty and risk for developers at an early stage in the development process, and will also provide a sustainably funded mechanism for local authority departments, enabling development to progress with much more certainty regarding the overall requirements and commitment. The methodology for commuted sums has been developed in line with industry standard guidance prepared by the CSS (County Surveyors Society) and has also been recommended by the Welsh Government through the statutory guidance document as part of the statutory Sustainable Drainage Approval Body (SAB) function.

The report had been considered by the Environment and Sustainability Scrutiny Committee on 25th June 2019 and Members unanimously supported the recommendations within paragraph 3 of the Officer's report.

Cabinet acknowledged and supported the need to introduce a consistent approach for the calculation of these sums in order to improve clarity for both developers and the various departments across the Local Authority. Members were pleased to note that Officers from the Engineering Team have been shortlisted for an award as Susdrain SuDS Champions 2019. They have pioneered the interpretation of Welsh sustainable drainage solutions for Caerphilly County Borough Council who is at the forefront of establishing innovative SuDS. In addition Welsh Government (WG) has requested that the team develop a model that can be delivered to all Local Authorities across Wales, which will also need to be managed and maintained.

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) a consistent approach to the calculation and implementation of charges to developers in relation to commuted sums be implemented, which will cover the future maintenance costs of all eligible infrastructure assets offered for adoption for the lifetime of the development;
- (ii) a requirement be placed on all developers entering into SAB (Sustainable Drainage Approval Body), s.38 and s.278 Highway Agreements, and s.106 Planning Agreement or any other type of Legal Agreement entered into with Caerphilly CBC, to be charged commuted sums for the future maintenance and replacement requirements of the works constructed by them and adopted by the Council;

- (iii) utilisation of a discount rate of 2.0% and lifetime of development of 60/12 years depending on the asset proposed for adoption, be approved;
- (iv) Officers report to the Policy and Resources Scrutiny Committee on a 6 monthly basis in relation to all commuted sums received by the Authority;
- (v) the agreed process be reviewed after 2 years of operation and where alterations are required, a future report be presented to Scrutiny and Cabinet.

9. **CONSIDERATION OF CALL-IN REQUEST - PROPOSED CHANGES IN FEES AND CHARGES**

Cabinet were reminded that at their meeting on the 27th March 2019, Members considered a report on Proposed Changes in Fees and Charges, and unanimously supported the recommendations contained in the Officer's report:

- (i) the services where fee and charge changes need to be applied be noted, and authorisation be given to the relevant Head of Service in consultation with the Director, relevant Cabinet Member and Head of Corporate Finance to implement changes in line with inflationary and/or commercial conditions prevailing for the service; and
- (ii) the relevant Head of Service records and posts any increases in fees and charges in accordance with the Authority's scheme or delegation.

The report was subsequently called-in and considered by the Policy and Resources Committee at its meeting on the 28th May 2019. Following consideration of the report and in supporting the call-in request, the Policy and Resources Scrutiny Committee unanimously recommended to Cabinet that:-

- (i) the report on the Proposed Changes in Fees and Charges be reconsidered alongside the views of the Policy and Resources Scrutiny Committee; and
- (ii) that a cap equating to the previous September's Consumer Price Index level in respect of any proposed fee increases be implemented, and that any increases above this level be referred to the Policy and Resources Scrutiny Committee and thereafter Cabinet for determination, with any changes below this level being authorised under the delegated powers as set out in the original report to Cabinet on 27th March 2019.

Cabinet was asked to consider the report and the above recommendations and take into account the views of the Policy and Resources Scrutiny Committee, and to note that the imposition of a cap will need to be incorporated into the financial regulations.

Cabinet fully considered the concerns expressed by the Scrutiny Committee as set out within paragraphs 1.5 to 1.8 in the covering report. In terms of paragraph 1.7, it was confirmed that the Finance Team had explored the amount of revenue that could be generated for the service areas where delegation is proposed and confirmed that each 1% increase equated to circa £79k. Clarification was provided in that service charges are competing with the commercial sector and examples of service areas were provided such as commercial waste, merchandise and catering which are competitive and it was noted that many of these are discretionary services.

Following consideration and discussion, it was moved and seconded that the original recommendations in the report considered by Cabinet on the 27th March 2019, be approved and that an additional recommendation be added *that the wider approach across the Council in respect of increases in fees and charges should be reviewed and proposals for future years*

be incorporated into the Commercial and Investment Strategy that will be considered by Cabinet in October 2019. By a show of hands this was unanimously agreed.

RESOLVED that subject to the foregoing:

- (i) the services where fee and charge changes need to be applied be noted, and authorisation be given to the relevant Head of Service in consultation with the Director, relevant Cabinet Member and Head of Corporate Finance to implement changes in line with inflationary and/or commercial conditions prevailing for the service(s), and
- (ii) the relevant Head of Service records and posts any increases in fees and charges in accordance with the Authority's scheme of delegation;
- (iii) that the wider approach across the Council in respect of increases in fees and charges should be reviewed and proposals for future years be incorporated into the Commercial and Investment Strategy that will be considered by Cabinet in October 2019.

10. ARMED FORCES - GUARANTEED INTERVIEW SCHEME

The report sought Cabinet approval to implement a Guaranteed Interview Scheme for Armed Forces Service leavers, reservists, veterans and spouses if they meet the vacancy essential criteria and to agree to engage with Career Transition Partnership (CTP) in the recruitment of service leavers.

It was noted that Caerphilly County Borough Council is a signatory to the Armed Forces Covenant, launched in 2011 by the UK Government, to promote and support the Armed Forces Community. The Armed Forces Covenant places an expectation on signatories that they will ensure that the Armed Forces Community are treated fairly and not disadvantaged as a result of their service. CCBC became a voluntary signatory to the Covenant in 2013. The Defence Employer Recognition Scheme (ERS) comprises of Bronze, Silver and Gold awards for employers (including local authorities) that pledge, demonstrate or advocate support to defence and the Armed Forces Community, and inspire others to do the same. CCBC are currently holding the Silver Award. A supportive measure of this award, although not an essential requirement, is to implement the Guaranteed Interview Scheme for the Armed Forces Community. Members were pleased to note that an application for the Gold Award has been submitted.

Cabinet noted that the Scheme does not guarantee appointment to a vacant position and that selection procedures will still ensure the best candidate is appointed to the vacancy. Members were proud to support this excellent scheme which also demonstrates the Council's commitment to defence and the Armed Forces Community.

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) a Guaranteed Interview Scheme for service leavers, veterans, reservists and spouses, be implemented;
- (ii) Officers to work with the Career Transition Partnership (www.ctp.org.uk), a no cost recruitment service for organisations seeking highly motivated and experienced veterans, who are leaving the Armed Forces.

11. CABINET FORWARD WORK PROGRAMME

The report sought Cabinet's endorsement of the Forward Work Programme for the period July to September 2019. The Forward Work Programme is updated on a weekly basis to reflect any amendments that are made to it since it was first agreed on 22nd January 2014.

Cabinet were advised that 3 further dates had been populated to the Programme since its publication, namely, 16th October 2019 to consider the Corporate Volunteering Report, and the 30th October 2019 to consider the Heads of the Valleys Masterplan Report. In addition, the Cabinet Forward Work Programme has been scheduled for the meeting on the 11th December 2019.

Following consideration and discussion and subject to the foregoing, 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 following updates and for the reasons discussed at the meeting, the Cabinet Forward Work Programme be published to the Council's website:

- (i) a meeting of Cabinet to be held on 16th October 2019 to consider the Corporate Volunteering Report;
- (ii) a meeting of Cabinet to be held on 30th October 2019 to consider the Heads of the Valleys Masterplan;
- (iii) the Cabinet Forward Work Programme Report be added to the meeting of Cabinet on the 11th December 2019.

The meeting closed at 11.20am.

Approved and signed as a correct record subject to any corrections made at the meeting held on the 4th September 2019.

CHAIR