



## COUNCIL

### MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON TUESDAY, 5TH OCTOBER 2021 AT 5.00PM

#### PRESENT:

Councillor C. Andrews - Mayor  
Councillor J. Gale - Deputy Mayor

#### Councillors:

M. Adams, E.M. Aldworth, A. Angel, P.J. Bevan, C. Bezzina, C. Bishop, A. Collis, S. Cook, D. Cushing, C. Cuss, W. David, D.T. Davies, M. Davies, K. Dawson, N. Dix, K. Etheridge, M. Evans, A. Farina-Childs, C. Forehead, J.E. Fussell, A. Gair, N. George, C. Gordon, R. Gough, L. Harding, D. Havard, A. Higgs, A. Hussey, M. James, L. Jeremiah, G. Johnston, B. Jones, S. Kent, G. Kirby, A. Leonard, P. Leonard, C. Mann, P. Marsden, B. Miles, S. Morgan, B. Owen, T. Parry, L. Phipps, D.W.R. Preece, J. Pritchard, J. Ridgewell, J. Roberts, R. Saralis, M.E. Sargent, G. Simmonds, S. Skivens, E. Stenner, J. Taylor, A. Whitcombe, R. Whiting, L. Whittle, T.J. Williams, W. Williams, B. Zaplatynski

#### Together with:-

R. Tranter (Head of Legal Services and Monitoring Officer), D. Street (Corporate Director Social Services and Housing), R. Edmunds (Corporate Director Education and Corporate Services), M.S. Williams (Corporate Director Economy and Environment), S. Harris (Head of Financial Services and S151 Officer), G. Jenkins (Assistant Director - Head of Children's Services), J. Williams (Assistant Director Adult Services), L. Donovan (Head of People Services), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), S. Richards (Head of Education Planning and Strategy / Head of Transformation), S. Pugh (Communications Manager), L. Lane (Head of Democratic Services and Deputy Monitoring Officer), E. Sullivan (Senior Committee Services Officer), R. Barrett (Committee Services Officer)

### RECORDING, FILMING AND VOTING ARRANGEMENTS

The Corporate Director for Social Services and Housing reminded those present that the meeting was being filmed but would not be live streamed, however a recording would be available following the meeting via the Council's website – [Click Here to View](#). He advised that decisions would be made by Microsoft Forms.

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan, C. Elsbury, E. Forehead, D. Hardacre, D. Harse, V. James, G. Oliver, Mrs D. Price, J. Scriven, J. Simmonds and C. Thomas, together with Mrs C. Harry (Chief Executive)

## **2. MAYOR'S ANNOUNCEMENTS**

The Mayor referred to the many events and visits that she has undertaken since the last meeting. It was with great pleasure that the Mayor attended the Olympic Celebration at the Centre of Sporting Excellence to honour local athletes Lauren Price and Lauren Williams following their success at the Tokyo Olympic Games 2020.

The Mayor recently opened the very first Dementia Peer Support Group, which is run by people with dementia for people with dementia, and is situated in the White Rose Centre in New Tredegar. The Group is supported by Caerphilly Cares and the Greater Bargoed Dementia Friendly Community.

In addition, the Mayor also attended afternoon tea with the residents and staff at Abbeyfield Care Home in St Martins Road Caerphilly and she expressed her thanks for the invitation and an enjoyable afternoon.

## **3. TO RECEIVE PETITIONS UNDER RULE OF PROCEDURE 28(3)**

Councillor Kevin Etheridge presented the following petitions:-

- (1) A petition requesting the abolition of car parking charges within the whole of the county borough town centres;
- (2) A petition from local residents calling for the Bedwellty Show to return to Blackwood Showfield;
- (3) A petition to open Caerphilly day centres and undertake engagement on this matter.

The Mayor accepted the petitions which would be actioned in accordance with the Council's Constitution.

Following presentation of the petitions, the Corporate Director for Economy and Environment advised Council that in relation to the Bedwellty Show petition, the decision to relocate the show to Llancaiach Fawr a number of years ago had been made by the organising committee of the Bedwellty Show, and that the Authority had played no part in this decision.

## **4. PRESENTATION OF AWARDS**

### **Catering Team – APSE Awards**

Members were advised that the Council's Catering Team have gained national recognition as the 'Best Service Team' in the Catering category at the recent APSE Awards evening held earlier this month. They have also been highly commended at the Municipal Journal Awards and have also been shortlisted for the Local Authority Education Awards which take place next week.

For the APSE Award, the judges heard that since the start of lockdown, the Catering team, together with services from across the Council, have delivered more than 1.5 million meals, at a staggering rate of 30,000 meals per week. This sophisticated and bespoke home delivery model was built in-house by the Catering team, to cater for the thousands of pupils who are in receipt of free school meals, and impressively they managed to gain the highest ever uptake from eligible families during the height of the pandemic. This model truly embodies the Team Caerphilly ethos where, when faced with an impossible task during a

crisis, the Team led the charge, joining forces with services across the Authority and local suppliers to ensure that local children were fed during the pandemic.

Council were extremely pleased to recognise the success of the Catering Team at these recent national award ceremonies and congratulated Marcia Lewis and her team who were in attendance at the meeting, together with all of the departments that have played a vital role in delivering the much-needed service to families throughout the Covid-19 pandemic. Council also wished Catering the very best of luck for next week's Local Authority Education Awards.

## **5. DECLARATIONS OF INTEREST**

Mr David Street (Corporate Director Social Services and Housing) declared an interest in Agenda Item No. 11 – Temporary Appointments to Corporate Management Team as he is directly affected by the report and left the meeting during consideration of this item.

## **6. MINUTES - COUNCIL HELD ON 13TH JULY 2021**

Subject to the inclusion of Councillor M. Davies being recorded as present for the meeting it was

RESOLVED that the minutes of the Council meeting held on 13<sup>th</sup> July 2021 (minute nos. 1-14) be approved as a correct record and signed by the Mayor.

## **7. MINUTES - SPECIAL COUNCIL HELD ON 27TH JULY 2021**

RESOLVED that the minutes of the Special Council meeting held on 27<sup>th</sup> July 2021 (minute nos. 1-3) be approved as a correct record and signed by the Mayor.

## **8. STATEMENT FROM THE LEADER OF COUNCIL**

Councillor P. Marsden, Leader of Council, delivered a statement in relation to the Nine Mile Point waste recycling plant in Cwmfelinfach.

Members were advised that as Leader of Caerphilly Council and local ward member for Ynysddu, Councillor Marsden wanted to assure the whole community that she recognises and fully understands the real concerns about the new waste recycling plant at Nine Mile Point Industrial Estate. Indeed, the Leader shares many of these concerns, as none of us want to see any harmful impacts on the lives of residents or on the local environment.

Council were advised that a local resident recently attempted to undertake a judicial review of the planning decision but, having considered the legal arguments put forward by both sides, the challenge was refused by the High Court.

The Leader stated that whilst she understands the frustration that the challenge was refused, it does mean that the original planning permission granted in 2015 cannot be challenged any further, and that the developer Hywel NMP have the right to build the facility and to seek the necessary permit from Natural Resources Wales (NRW).

Council were also reminded that the Leader was not an elected member of this Council when the decision was taken, and that both Councillor Ridgewell and Councillor Marsden have been involved in the Lower Sirhowy Valley Residents' Group for many years, focusing

their attention on external bodies to ensure that modelling and evidence was accurate and reflected the particular topography within the valley, given the occurrence of temperature inversion, and that they as locals see year in year out, season to season. Both Members campaigned to ensure that monitoring of the site was appropriate and offered the right level of assurance on health grounds. The Members were also instrumental in having air quality monitors strategically located to provide a base level understanding of the impact of air quality should the plant go ahead.

The Leader emphasised that her statement was to put in context the commitment to the place we live in, not only for us, our families, the current residents, but for future generations too.

The Leader referred to correspondence received by Members, from the resident who made the challenge, following the refusal of the judicial review by the High Court. The correspondence asks a series of further questions of the Council, in relation to the exchange that took place at the hearing and the decision-making process itself, as well as making a number of allegations. The Chief Executive has also received separate correspondence from two other residents asking very specific questions about the decision-making process.

As this is such a sensitive issue for all residents of the Lower Sirhowy Valley, it is important that the Authority are open, honest and transparent about the decision-making process undertaken to date. Therefore, the Leader has instructed senior officers, who are independent of this matter, to carry out an investigation in line with the Council's official complaints procedure. Members were advised that this is a formal prescribed process which will allow all the concerns raised by the community to be fully explored. If the outcome of this investigation is not satisfactory then the matter can be ultimately referred to the Public Ombudsman for Wales.

The Leader hoped that this gives reassurance to the community that there will be a full and thorough investigation of the facts. The Leader will ensure that the outcome of this process is shared with all Elected Members, as well as the Lower Sirhowy Valley Residents' Group, as soon as it is concluded. The Leader emphasised that as a resident of the area herself, not only does she want to establish the facts, but is also extremely keen to ensure that the development at Nine Mile Point is subject to the necessary environmental control measures. It is also important that all activity at the site remains closely regulated and monitored by NRW.

Members were advised that the Leader met with senior officers from Natural Resources Wales on the 27th September 2021 to set out those requirements and to seek reassurance directly from the regulator about the plans for the facility. The meeting was positive and the information that was shared by NRW about plans for the site was encouraging. The Leader has also asked senior officers to meet representatives from Hywel NMP, the owners of the site. The meeting took place yesterday afternoon and the Leader was informed that the meeting was positive.

Council were advised that the company themselves recognise the sensitive nature of the development and are extremely keen to begin meeting with residents to develop a partnership that is based on mutual trust. It may take some time for the Authority to establish trust, particularly from the current position, so officers have asked that they begin to work directly with the community and for an initial meeting to be held within the coming weeks.

The Leader advised that she will update Members again as further information emerges.

## 9. TO RECEIVE AND TO ANSWER QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(2)

1. Question to the Leader of Council from Councillor K. Etheridge.

To ask the Leader of Council to make a statement on the former Hazrem Site in Cwmfelinfach which should include correct planning procedures followed, environmental assessments, proceedings, consultation with stakeholders, and cost of legal advice to the ratepayers of the county borough following the conclusion of judicial proceedings which has now ended.

Response from the Leader to Councillor K. Etheridge.

Turning to the specific points raised in Cllr Etheridge's question, the decision to grant planning permission was made by the Local Planning Authority in December 2015 following a deferral from the original November date. The associated documentation is available on the Council's website and the minutes of the relevant meetings are also publicly available.

A screening opinion that was undertaken at the time determined that an Environment Impact Assessment was not required. The Local Planning Authority in determining the application deemed that the development fell within Schedule 2 of the EIA Regulations. The original planning application did, however, include an Odour and Air Quality Assessment along with a Transport Statement, a Noise Impact Statement and a range of other supporting documents, all of which are publicly available on the Council's website.

Following advertisement to neighbouring properties, advertisement in the press and a site notice being posted, 28 objections were initially received, with that rising to 57 objections prior to the December determination. A petition including the signatures of 1456 people was also submitted along with three letters of support.

The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, which are all set out within the November report, that the application was considered acceptable and the Officer's recommendation was that permission should be granted.

Turning to the costs associated with the recent Judicial Review, the decision to bring and defend Court proceedings is a matter delegated to officers. The Judicial Review as members will know was unsuccessful. The Council's total costs (barrister's fees) for defending the JR were £5,212.50 plus VAT. The resident was ordered to pay costs of £2,192.50. The net costs to the Council are therefore £3,020.00, excluding VAT.

In conclusion, I'm sure I don't need to remind Members of the sensitive nature of this development. Some specific concerns have been raised by residents which have given rise to this question being put before Council. The Council's complaints process, which is a formal, prescribed process, will allow those concerns to be fully explored. If the outcome of that investigation is not satisfactory, the matter can then be referred to the Public Service Ombudsman for Wales who can provide a further independent view to be further explored.

Supplementary question to the Leader of Council from Councillor Etheridge.

A number of weeks ago, about a month ago, I did table a Notice of Motion, which is going to Scrutiny in November regarding this matter, asking for a public inquiry. I noticed to date that not one Labour Councillor has signed the Notice of Motion, so I would like the Leader to confirm, as she has now announced there will be an inquiry into this, that her and her political party will be signing the Notice of Motion to support the Independents and Plaid Cymru?

Response from the Leader to Councillor Kevin Etheridge.

I think I've set out my position quite clearly here in terms of taking this matter forward and taking the concerns of the community very seriously, so the fact that we've already put this into chain in terms of making this inquiry through the complaints procedure which is a formal process that we all know is open and transparent, Councillor Etheridge. So I think that brings that matter to a conclusion and I think until that complaint procedure and process has concluded, I think we should only then determine from there where we go from that outcome.

2. Question to the Leader of Council from Councillor B. Miles

Can the Leader update Councillors on how the Local Authority has re-shaped the delivery of Free School Meals through the COVID-19 Pandemic?

Response from the Leader to Councillor B. Miles

I'm sure every Councillor on this call this evening will agree that our Free School Meal response during the pandemic has been one of the stand-out achievements of Team Caerphilly. The support we provided to some of the most vulnerable families in our communities was second to none and our approach has been held up as an example of excellence across the UK, which we've just heard this evening. Indeed, our amazing Catering team have enjoyed recent award success in recognition of the invaluable service they provide to the community day in day out.

Around 1.5 million free school meals have been delivered to date, a massive achievement I'm sure you will all agree. This was made possible thanks to the mobilisation of an army of drivers from all parts of the Authority, including staff diverted from services affected by Covid and many Elected Members. These deliveries continue during school holidays and for those FSM children required to self-isolate.

Another positive outcome of this hugely impressive effort is that the team also succeeded in increasing customer satisfaction and meal uptake from 70% to over 95%. Our scheme is still operational 18 months on and is as successful today as it was when it started back in March 2020. I have asked Officers to prepare a detailed overview of our Free School Meals activity in response to the question from Councillor Miles, and this will be circulated to Members so you can all appreciate the size and scale of the amazing achievements.

Supplementary question to the Leader of Council from Cllr B Miles

The free school meals that were distributed for the summer holidays, at the time they were sent around, I remember seeing some social media comments around some of these meals ending up in food banks, which itself is not a bad thing because the food obviously didn't go to waste. But I wondered were parents given the option to opt out of receiving free school meals if they didn't feel that it was appropriate to their needs?

Response from the Leader to Councillor B. Miles

Absolutely, we worked really hard with the recipients of the free school meals, and they were given the options to delay or not have them in particular weeks, but maybe Sue Richards wants to comment on that?

Sue Richards (Head of Education Planning and Strategy / Head of Transformation): Just to add to what the Leader has already explained, in addition to the option to delay or cancel

deliveries, there was also the ability for parents to pick up their meals if the delivery times didn't suit, so it was a wide range of options open to our communities.

Leader: If I could come back Mayor and just add further to that, Councillor Miles, I think it was at Penyrheol, I was out delivering to a number of residents and had an in-depth conversation with the lady on the doorstep after I carried all the boxes from my car, and she actually said "You know, if my children don't like them, I do give them out to people that may want them or are in need of them". So I think it's important to understand that people don't want to see waste in this area and it's really important that people get what they need in their time of need and make sure that we're delivering the best quality food that we can to them and to their doorsteps. Just to add that people were very appreciative of what they received through that time.

## **10. TO RECEIVE AND TO ANSWER QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(4)**

1. Question to the Cabinet Member for Waste, Public Protection and Street Scene from Councillor G. Simmonds.

Will the Cabinet Member make available to Councillors, copies of any laboratory investigations into the leachate presently emanating from Ty-Llwyd Quarry? Together with a circulation list of recipients and the date any sampling took place.

Further to asking his question, Councillor Simmonds stated that he had received the answer but had not received any details on the content of the leachate.

Response from the Cabinet Member for Waste, Public Protection and Street Scene

The results of any laboratory investigation into the leachate have been made available to Ward Members in the past. Presently there is nothing coming off the tip and it has not been for a while. Over the years there have been a number of investigations carried out if there was an outbreak, and we would make that information available to anyone who requests it.

2. Question to the Cabinet Member for Housing from Councillor G. Kirby.

Will the Cabinet Member for Housing provide an update to Members on the Housing New Build Programme?

Response from the Cabinet Member for Housing

The Cabinet Member displayed a Powerpoint presentation to accompany her response.

Thank you Councillor Kirby for your question. I am delighted to be able to provide you with an update on the Council's New Housing Build Programme. As you can see on the screen, this is one of our first sites in Trecenydd and I am pleased to advise that work on this site and our other site in Trethomas, which has been funded in the main via the Welsh Government's Innovative Housing Programme and Caerphilly Homes, is progressing well. In Trecenydd, where six units are being delivered, the steel frame provided by Caradan Ltd who are based on Penallta Industrial Estate, has been erected and is almost complete. The roof trusses for the innovative roof should be installed this week, and next week the roof sheets will be fitted. Internal works will hopefully begin the week commencing 25<sup>th</sup> October 2021, and here is an artist's impression of what the finished product should hopefully look like.

Moving onto Trethomas, where twelve units are being delivered, the slabs for Blocks A and B were poured last week, and the scaffolding has now been erected. The Caradan frame for Block A will be installed week commencing 11<sup>th</sup> October 2021, and for Block B week commencing 22<sup>nd</sup> November 2021. These homes are highly efficient, climate resilient and manufactured locally, thereby ensuring that the majority of our investment is kept within the county borough. They are being built to Passive House-certified standards and are therefore in-keeping with the Council's ambition of delivering a zero-carbon borough by 2030.

On the former Oakdale School site, we are hoping to deliver between 85 and 95 new homes. The Council have signed a pre-construction service agreement with Wilmott Dixon to undertake the necessary detailed site investigations and testing on the site in order to assess its suitability for residential development. This site is incredibly complex with various levels and plateaus but equally it provides a very exciting opportunity to create a flagship Caerphilly Homes development. Outline planning permission will be submitted by the end of the financial year in order for Caerphilly Homes to access social housing grant funding for the acquisition of the site.

At Ty Darran in Risca, numerous ecological, transport, flood, and other site investigations have taken place during the last 12 months. The constraints on the sites are such that only 60% of the site is developable. This has impacted significantly on the number of homes that can be accommodated, and also the type and nature of the development that can be delivered. Current studies indicate that between 40 and 44 apartments for older people could be accommodated within this site. It is Caerphilly Homes' intention to submit an application for outline planning permission this calendar year in order to apply for social housing grant funding to acquire the site.

As well as the above sites, there are also plans to build at Crosskeys and Bargoed, and Caerphilly Homes have recently appointed consultants to take forward land appraisals on all HRA land and potential general fund development sites identified as part of the LDP Candidate Site process. One of the next sites to be explored in more detail will be the Brooklands site in Risca. The land appraisal work will underpin the formulation of an ambitious development strategy which will set out over a five-year time frame where Caerphilly Homes will build, how, and when.

As well as making progress with building our own Council properties, I am pleased that Caerphilly Homes has recently purchased its first homes via a Section 106 agreement. In total, eight homes were purchased at the Llanmoor Homes Bedwellty Field development. This includes six apartments for social rent and two houses that will be marketed as low-cost home ownership opportunities. A further seven homes will be purchased as a result of the Section 106 agreement on Phase 2 of that development.

I hope that the information I have provided demonstrates that the Caerphilly Homes Team is entirely focused on delivering the Council's target of 400 new homes by 2025.

## **REPORTS OF OFFICERS**

Consideration was given to the following reports.

### **11. TEMPORARY APPOINTMENTS TO CORPORATE MANAGEMENT TEAM**

Mr D. Street (Corporate Director Social Services and Housing) declared an interest as he is directly affected by the report and left the meeting during consideration of this item.



Consideration was given to the report which sought Council's approval to appoint David Street, Corporate Director Social Services and Housing, in to the post of Acting Chief Executive during the absence of the substantive postholder. Council was also asked to agree an acting appointment to cover Mr Street's substantive post of Corporate Director Social Services and Housing.

The Council is required by law to have in place a Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive. The Chief Executive, Christina Harray, reported absent due to sickness on Monday, 20th September 2021, and has a fit note that certifies her absence from work until the end of the calendar year.

Section 5a of the Council's constitution confirms for *the 'Determination of any urgent matter in the purview of the Council, the Cabinet or any committee of these where it is impractical to convene a meeting of that body to consider the matter' power is delegated to the 'Chief Executive or in his/her absence any Director.'*

David Street, Corporate Director, Social Services and Housing, has undertaken this responsibility in the Chief Executive's absence. It is not practically possible for Mr Street to undertake the post of Acting Chief Executive in addition to his substantive post of Corporate Director. Members were therefore referred to the report recommendations which sought approval to appoint Mr Street to the post of Acting Chief Executive, for the period of time that the substantive postholder is absent due to sickness, and that a Head of Service be appointed to the post of Acting Director, Social Services and Housing whilst Mr Street is undertaking the Acting Chief Executive role.

The recommendations were made to ensure that the Council is complying with its statutory duty to have in place a Head of Paid Service and to ensure that the Council has effective leadership to provide ongoing continuity for the organisation to deliver services to the residents of the County Borough.

Council discussed the report and a Member, in referring to employee health and wellbeing, highlighted that the new Head of Housing would not be commencing the post until November 2021, and sought assurances that there would be adequate staffing in place to assist Mr Street in his role. Assurances were given that the Council is doing everything possible to make sure everyone's health and wellbeing is being taken care of. A query was received regarding potential appointments to the Acting Director of Social Services, and it was confirmed that Members will be advised once the decision on the appointment is made.

A Member suggested a need for the Council to have a Deputy Chief Executive in post to cover such situations. It was confirmed that discussions have taken place on this matter and a review of the Corporate Management Team structure will be carried out in the near future.

Following consideration and discussion it was moved and seconded that the recommendations contained within the Officer's report be approved and by way of Microsoft Forms (and in noting there were 57 for, 0 against and 0 abstentions,) this was unanimously agreed.

RESOLVED that:-

- (i) The appointment of David Street in to the post of Acting Chief Executive, for the period of time that the substantive postholder is absent due to sickness, be approved;

- (ii) A Head of Service be appointed to the post of Acting Director, Social Services and Housing whilst Mr Street is undertaking the Acting Chief Executive role.

## **12. NOTICE OF MOTION - ABOLISH CAR PARKING CHARGES IN TOWN CENTRE CAR PARKS**

Consideration was given to the Notice of Motion which had been received from Councillor K. Etheridge and was supported by Councillors A. Farina-Childs, R. Gough, N. Dix, B. Owen and G. Simmonds. It was noted that the Notice of Motion had been considered by the Environment and Sustainability Scrutiny Committee at its meeting on 14<sup>th</sup> September 2021, where Members voted by majority not to support the motion.

Councillor Etheridge outlined his Notice of Motion, which called on the Council to abolish charges within the Town Centre Car Parks in order to help traders and businesses within our Towns when a review is conducted in September. He explained that this Notice of Motion had been tabled prior to the announcement by Cabinet that free parking would be extended to September 2022. A 440-signature petition had also been presented to Council in relation to the matter.

Council were provided with details of the discussions at the Scrutiny Committee meeting, and the reasons for its Members not supporting the motion were confirmed to Council.

Members discussed the Notice of Motion and noted that Cabinet has extended free parking arrangements across Council car parks until 30th September 2022 to assist in the Covid recovery programme. A new cross-party Car Parks Task and Finish Group is also in the process of being set up which, as part of its work, will look at the issues and scenarios already raised by Members, and examine all the options available. All Members were encouraged to join in and contribute to the work of this Task and Finish Group and it was noted that several expressions of interest have already been received.

During the course of the debate, Members referred to the impact on local economy and trade already arising from a lack of parking spaces in town centre car parks, particularly in some locations where the majority of spaces are utilised by local employees and are therefore lost to shoppers. Discussion took place regarding the need to encourage the use of public transport, with it feared that bus usage and demand for services would reduce if free parking was permanently extended. A Member also expressed the need for Council to consider the environmental impact that could potentially result from increased car usage if free parking became permanently available.

Following debate on the Notice of Motion, and with it having been moved and seconded that the Notice of Motion be supported, voting took place by way of Microsoft Forms. In noting there were 11 for, 37 against and 10 abstentions, the Motion was declared lost.

RESOLVED that the Notice of Motion not be supported.

## **13. NOTICE OF MOTION - REAL NAPPIES**

Consideration was given to the Notice of Motion which had been received from Councillor A. Farina-Childs and was supported by Councillors A. Angel, N. Dix, K. Etheridge, J.E. Fussell, G. Simmonds, C. Mann, J. Roberts, C. Bishop and B. Owen. It was noted that the Notice of Motion had been considered by the Environment and Sustainability Scrutiny Committee at its meeting on 14<sup>th</sup> September 2021, where Members voted by majority to support the motion.

Councillor Farina-Childs outlined his Notice of Motion, which asked that Caerphilly County Borough Council implement a voucher system to encourage families to switch from disposable nappies to reusable nappies.

Council were provided with details of the discussions at the Scrutiny Committee meeting, and the reasons for its Members supporting the motion were confirmed to Council.

Members discussed the Notice of Motion and expressed their support for the scheme and the environmental benefits that could be achieved. Council were advised that if the motion was supported, the Communications Unit could promote the message around the re-usable aspects of the nappy scheme.

Following debate on the Notice of Motion, and with it having been moved and seconded that the Notice of Motion be supported, voting took place by way of Microsoft Forms. In noting there were 50 for, 3 against and 2 abstentions, this was agreed by the majority present.

RESOLVED that the Notice of Motion be supported.

#### **14. ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES AND HOUSING**

Consideration was given to the reports which had been presented to the Social Services Scrutiny Committee at its meeting on 13<sup>th</sup> September 2021. The reports provided Council with the key messages that have been identified in the preparation of the Annual Report of the Director of Social Services and Housing for both 2019/20 and 2020/21.

It is a requirement of the Social Services & Wellbeing (Wales) Act 2014 for Directors of Social Services in Wales to publish an annual report about the exercise of the local authority's social services functions. Two Annual Reports had been prepared this year (for 2019/20 and 2020/21) as local authorities had been given permission by Care Inspectorate Wales to defer their 2019/20 reports by 12 months due to the ongoing pandemic.

The Annual Report for 2020/21 centres very much around the Directorate's response to the pandemic to ensure that critical front-line delivery was able to be maintained to support the Authority's most vulnerable children and adults. Reference has also been made to the progress achieved on some of the Council's other key priorities and it is a great credit to staff that these priorities have been progressed at the same time as responding to the challenges of the pandemic.

Key points of note include work with the local health board to identify and vaccinate all frontline care staff to enable them to continue providing services to vulnerable people, the issuing of over 10million items of PPE across the sector, and work with local health boards to develop a discharge passport to allow people to be safely discharged from hospital and admitted to a care home. The report also highlighted the impact of Covid-19 on services such as day centres, with these having to be closed down during the initial lockdown and staff redeployed elsewhere. However the Council has moved to provide sessional support in the community and only recently were able to reopen two day centres and are hoping to reopen another two in the coming weeks. Covid-19 remains a real threat and so unfortunately day centres cannot be reopened in the same way as before the pandemic. The Council will provide updated information on day centres and answers to frequently asked questions on its website.

The Covid-19 pandemic continues to pose unprecedented challenges for Social Services, and it is to the great credit to all Council staff and partners, independent and third sectors that they have been able to respond as effectively as they have. The next few months will

be very challenging as the Council balances its response to the pandemic with a focus on recovery.

During the course of the debate, a Member sought assurances that all requests in users care plans will be met, together with clarification on the current day centre position in Powys and Merthyr Tydfil. He also enquired about the implications for staff, visitors and day care users if all day centres were to reopen, and the risk factors involved if these were to reopen, given the current levels of staff sickness and those self-isolating.

Mr Street explained that in relation to the day centre position across other local authorities, Officers from Social Services are currently collating this information across all authorities in Wales in readiness for a report to Social Services Scrutiny Committee on 1st November 2021. Powys have not recommenced day centre provision and Merthyr Tydfil are not operating as normal either. The vast majority of local authorities are operating in a very similar manner to Caerphilly and operating a hybrid model of day care provision.

Council were advised that it is not possible for the Authority to reopen all day care centres at this time, as despite Wales operating at Covid-19 Alert Level 0, there are specific Covid regulations that remain in health and social care settings and the Council continues to adhere very strongly to the guidelines set out by WG, as it has throughout the pandemic. Social Services are looking to see if they can re-open another two day centres in some form, but Members were reminded that the situation remains precarious due to ongoing Covid outbreaks. It was emphasised to Council that despite society operating in a relatively normal way elsewhere, this is simply not the case for health and social care facilities. Staffing levels continue to be impacted by Covid-19 and a significant number of staff are ill, self-isolating or trying to manage their childcare arrangements as a result of schools impacted by pandemic. It was reiterated that the impact on carers have been significant and that Social Services are operating under extremely trying circumstances whilst operating in a way which is safe for staff and service users.

A Member asked if Mr Street was satisfied with communication around Social Services provision during the pandemic. The Member explained that he had received feedback suggesting that communication had been poor, and he suggested the need for communication to be a partnership arrangement between the local authority, service user, social worker, the carer and the family. In response, Mr Street reminded Council of the difficulties faced by Social Services, particularly in the early stages of the pandemic, and whilst some things could have been done differently with the benefit of hindsight, he did not accept that communication was poor. He acknowledged the Member's comment in terms of partnership communication and confirmed that the Council are continuing to do this.

Mr Street explained that a consultation will be re-run in terms of day service proposals and arrangements moving forward. A Member asked if in hindsight the Council would have delayed the consultation carried out during the pandemic and Mr Street explained that this was a genuine decision taken at that time and the Council firmly believed that they were doing the right thing at the right time in the circumstances that they faced.

Council thanked Mr Street for his reports and placed on record their gratitude to all staff for their hard work and commitment during this exceptionally challenging time and all the support they had provided in delivering Social Services. Members also expressed their thanks to all staff involved in the vaccination programme.

Following consideration and discussion, it was moved and seconded that the recommendation contained in the Officer's report be approved and by way of Microsoft Forms (and in noting there were 52 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the Annual Reports of the Director of Social Services and Housing for 2019/20 and 2020/21 be endorsed and adopted, prior to their submission to Welsh Government, Care Inspectorate Wales and publication on the Authority's website.

#### **15. AUDIT WALES ENQUIRIES RETURN 2020-21**

Consideration was given to the report, which presented Council with responses to Audit Wales in relation to enquiries around the Authority's management processes relating to the prevention and detection of fraud, and compliance with laws and regulations in respect of disclosures in the 2020/21 Financial Statements.

Each year the external auditor contacts the Section 151 Officer requesting assurance on issues that may affect the Financial Statements for the year being audited. The questions asked by Audit Wales are standard for bodies being audited and are not specific to Caerphilly Council. Members were asked to note no queries have been raised by Audit Wales in relation to the responses provided. At the request of Audit Wales, the responses have already been endorsed by the Leader and were presented to Council for noting prior to the audited 2020/21 Financial Statements being considered by the Governance and Audit Committee on 12th October 2021 and then Full Council on 14th October 2021.

During the course of the debate, clarification was sought on a HMRC penalty referenced at page 85 of the report. Officers explained that this is for a total of £11,743.74 which has been disclosed in the response to Audit Wales for completeness and transparency. The cost has been recharged to the school involved in the IR35 issue who will meet the cost.

Following consideration and discussion, it was moved and seconded that the recommendation contained in the Officer's report be approved and by way of Microsoft Forms (and in noting there were 53 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the response to Audit Wales as appended to the report be noted.

#### **16. CAERPHILLY COUNTY BOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL).**

Consideration was given to the report, which sought Council approval to delegate power to the Regeneration Project Board to determine the priorities for the charging authority's Community Infrastructure Levy (CIL) spend in line with the Council's Strategic Priorities and to present them to Cabinet for decision. The report also sought Council approval to delegate power to the Regeneration Project Board to determine the priorities for CIL expenditure in non-Community Council areas in line with the Council's Strategic Priorities.

During the course of the debate, a Member sought clarification on the assistance given to community/town councils in determining project types and spends, given the often substantial amounts of CIL funding involved, and asked whether Officers could provide a list of potential ideas and works for these community areas. Officers explained that when the CIL was introduced, the Council set up an agreement with the community/town councils in question to advise and guide them in terms of spend. Under the regulations, the community/town councils can spend this CIL money as they see fit, but the Council have worked with community/town councils to ensure that in the spirit of the CIL regulations, the spend is on infrastructure that is required within these areas. Council were advised that Table 5 of the Annual Monitoring Report for the Local Development Plan (which was next on the agenda) outlined the spend for the past financial year and that previous spends are contained in previous AMRs. However the Officer confirmed that they could also circulate a

list to Members following the meeting containing the total CIL expenditure spend to date by Community and Town Councils

The Member expressed reservations over whether some community/town councils are able to spend the funding and suggested that it would be helpful for Council to provide a steer in this regard. He also asked if the CIL funding is returned to the developers or the Council if it is not spent in full. Officers confirmed that support is available to community/town councils in terms of where they want to spend and assist them in implementing schemes. They explained that if the CIL funding is not fully utilised within the given period, it has to be returned, but unlike Section 106 monies, the funding is not lost and will be returned to the Council pot for use elsewhere.

A Member sought clarification on the total amount of spend by the Regeneration Project Board and the amount of funding it has been able to leverage. Officers explained that the total amount set out in the previous Regeneration Project Board report is in the region of £97m, and since that time the Board have been able to secure more funding. Officers confirmed that they would arrange to circulate an up-to-date leverage figure to Members.

Discussion took place regarding the communication around the activities of the Regeneration Project Board. Council were reminded that the Board comprises cross-party membership of councillors and that regular attendance by Members is vital in order to participate in the proper running and functioning of the Board and to relay the outcome of these meetings to their respective groups. Officers also emphasised that the Regeneration Project Board does not have decision-making powers and only has the ability to recommend, and so every decision not delegated to the Board is reported to and taken through Cabinet, which includes decisions for large amounts of spend. The report suggested delegation to the Board for schemes under £20k and the Board has delegated powers for tri-grant approval for WG schemes under £50k. However all other schemes come before Cabinet for decision and so they are transparent and available for everyone to see and are reported regularly. It was also noted that those proposals that are sensitive and confidential in nature would still be reported to Cabinet but may not be publicly available to view.

Reference was also made to discussions that had taken place within the Board around dissemination of information, with a view to placing this on the agenda for a recent meeting. It was confirmed that the matter had been delayed but that the Corporate Directors for Economy and Enterprise and Education and Corporate Services are currently preparing a report in this regard, which will focus on the governance arrangements of the Regeneration Project Board and how it links in with the Team Caerphilly Transformation Board.

Following consideration and discussion, it was moved and seconded that the recommendations contained in the Officer's report be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 51 for, 0 against and 2 abstentions) this was agreed by the majority present.

RESOLVED that:-

- (i) Council delegates power to the Regeneration Project Board to determine the priorities for the Charging Authority's CIL spend in line with the Council's Strategic Priorities and CIL regulation 123 List for subsequent consideration by Cabinet;
- (ii) Council delegates power to the Regeneration Project Board to determine the priorities for CIL expenditure in non-Community Council areas in early consultation with the ward member as outlined in paragraph 5.21 and in line with the Council's Strategic Priorities;

- (iii) Council delegates power to the Regeneration Project Board for approval of schemes in non-Community Council areas of under £20,000.

**17. CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN UP TO 2021 - ANNUAL MONITORING REPORT 2021 (INCLUDING THE ANNUAL COMMUNITY INFRASTRUCTURE LEVY REPORT)**

Consideration was given to the report, which asked Council to consider the recommendations of the Caerphilly County Borough Local Development Plan 2021 Annual Monitoring Report, to approve the 2021 Annual Monitoring Report, and to recommend that the 2021 AMR Report be submitted to the Welsh Government by 31st October 2021 in order to satisfy the Council's statutory requirements.

During the course of the ensuing debate, a Member referred to Section 5.39 of the report and asked what could be done to encourage developers to develop brownfield schemes and to develop land in the north of the borough. The Member also asked if the Council could incentivise smaller local house builders or self-build groups to develop the land. Officers explained that they are working closely with Welsh Government and Cardiff Capital Region on a host of funding mechanisms as it is recognised that the viability of house builds are struggling in this particular area. Three schemes have been put forward for the Housing Investment Fund, one of which is in the Heads of the Valley and is on the reserve list, another is in the mid-Valleys corridor and the third is in the Aber Valley. Two of these sites are brownfield sites for which the Council is looking to unlock the potential.

In terms of small-scale development, there are other initiatives and funding available and the Council is carrying out work in terms of lobbying and incentivising development as this is a key issue for the Authority. It has been noted that many single-house self builds have been developed in the Heads of the Valley by builders and by people who want to build their own home in that area and the Council will continue to lobby WG and CCR to incentivise low-viability development, particularly across the Heads of the Valley and brownfield sites.

The Member also asked if consideration had been given to working with other governments to attract builders to the northern part of the county borough. Officers explained that they are working very closely with councils from across the UK and through the Council's partnership with the Industrial Alliance and this is a standing agenda item on the meetings that the Council attends, as this issue is also being felt in other northern regions right across the UK with similar issues of deprivation and industrial legacy. The Council are also actively lobbying the UK government to look at this issue under the Shared Prosperity Fund.

Following consideration and discussion, it was moved and seconded that the recommendation contained within the Officer's report be approved. By way of Microsoft Forms (and in noting there were 47 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that:-

- (i) the findings of the 2021 Annual Monitoring Report be considered and noted and the 2021 Annual Monitoring Report be approved;
- (ii) The 2021 Annual Monitoring Report (including the Annual Community Infrastructure Levy Report) be submitted to the Welsh Government before the deadline of 31 October 2021.

**18. FREEDOM OF BOROUGH - OLYMPIC MEDALLISTS**

Consideration was given to the report, which had been considered by Cabinet on 15th September 2021 and who unanimously supported a recommendation to Council to award the Freedom of the Borough to the Caerphilly Olympic Medallists. Therefore, Council were asked to admit as Honorary Freeman of the Borough, Lauren Price and Lauren Williams, who were successful in achieving medals at the Tokyo Olympics 2020.

Members congratulated Lauren Price and Lauren Williams on their impressive achievements at the Tokyo Olympic Games.

During the course of the debate, Members referred to several athletes who were former residents of the county borough and had achieved major success at past and present Paralympic Games. It was asked if the Freedom of the Borough could also be conferred upon these athletes. Members were advised that they could submit a future proposal for consideration of these athletes if they so wished, but that the purpose of this particular report was for Council to consider awarding the Freedom of the Borough to the two named recipients.

Following consideration and discussion, it was moved and seconded that the recommendation contained within the Officer's report be approved. By way of Microsoft Forms and verbal confirmation (and in noting there were 48 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that in pursuance of Section 249 (as amended) of the Local Government Act 1972 the Council confers upon the following athletes, the Freedom of the County Borough of Caerphilly:

Lauren Price Gold Medallist - Boxing Women's Middleweight (75kg)  
Lauren Williams Silver Medallist - Taekwondo Women's - 67kg

**19. MONTCLAIRE AVENUE STREAM WORKS FUNDING BID**

Consideration was given to the report which had been considered as an urgent item by Cabinet on 29th September 2021.

The Constitution requires that any decision taken as a matter of urgency must be reported to the next available meeting of Council, giving the reason for its urgency. Therefore, the report was presented to Council for Members' information.

Members noted the reasons for the urgency and the decision taken by Cabinet.

RESOLVED that the report be noted.

The meeting closed at 7.39 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 16th November 2021 they were signed by the Mayor.

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MAYOR