



## CABINET

### MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY 5<sup>TH</sup> OCTOBER 2022 AT 1PM

#### PRESENT:

Councillor S. Morgan – Chair

#### Councillors:

J. Pritchard (Cabinet Member for Prosperity, Regeneration & Climate Change), C. Andrews (Cabinet Member for Education & Communities), E. Forehead (Cabinet Member for Social Care), N. George (Cabinet Member for Corporate Services & Property), S. Cook (Cabinet Member for Housing), P. Leonard (Cabinet Member for Planning & Public Protection) and C. Morgan (Cabinet Member for Waste, Leisure & Green Spaces), Cllr. J. Simmonds (Cabinet Member for Highways & Transportation).

#### Together with:

C. Harray (Chief Executive) and R. Edmunds (Corporate Director – Education and Corporate Services).

#### Also in Attendance:

R. Tranter (Head of Legal Services and Monitoring Officer), L. Lane (Head of Democratic Services and Deputy Monitoring Officer), R. Hartshorn (Head of Public Protection, Community and Leisure Services), L. Donovan (Head of People Services), J. Morgan (Trading Standards Manager), A. Lewis (Transformation Officer), A. West (21<sup>st</sup> Century Schools), S. Richards (Head of Education Planning and Strategy) and E. Sullivan (Senior Committee Services Officer).

## RECORDING AND VOTING ARRANGEMENTS

The Leader reminded those present that the meeting was being live streamed, and a recording would be made available to view via the Council's website, except for discussions involving confidential or exempt items. [Click Here To View](#).

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from D. Street (Corporate Director Social Services and Housing) and M.S. Williams (Corporate Director Economy and Environment)

### 2. DECLARATIONS OF INTEREST

During the course of debate Councillor S. Morgan and E. Stenner as they are both Landlords and Councillor E. Forehead as her partner is a Landlord declared a personal interest in relation to Agenda Item No. 8 - Amendments to Authorisation of Officers within the Public Protection Division and Approval of Reciprocal Arrangements for Enforcement between Newport City Council and Caerphilly County Borough Council

As this was a personal interest only there was no requirement for them to leave the meeting and they could take full part in the debate and vote.

### **3. CABINET FORWARD WORK PROGRAMME – TO NOTE**

Cabinet was provided with the Cabinet Forward Work Programme, which detailed the scheduled reports until 25<sup>th</sup> January 2023.

Members were reminded that the Cabinet Forward Work Programme is a working document and thus subject to change. The Leader thanked Officers for populating the forward work programme so far in advance and Cabinet accepted that as a live document it would be subject to change.

Following consideration and discussion, it was moved and seconded that the Forward Work Programme be noted. By a show of hands this was unanimously agreed.

### **4. SUSTAINABLE COMMUNITIES FOR LEARNING PROGRAMME – TRINITY FIELDS SCHOOL EXPANSION REPORT**

Cabinet noted that the report had been presented to the Education Scrutiny Committee at its meeting on the 26<sup>th</sup> September 2022.

Consideration was given to the report which sought to update Cabinet on a proposed amendment to the Sustainable Communities for Learning Programme Band B for the expansion of the Trinity Fields School and Resource Centre and also sought to amend the previously endorsed decision by Cabinet on the 7<sup>th</sup> April 2021 to expand the school on to the Council owned sports pitch adjacent to the existing school site.

Cabinet noted that the proposal in its original form would enable the school to provide first class learning facilities for existing learners, as well as creating a wide range of additional facilities for an extra 80 pupils. The school provides vital services to our most vulnerable learners, many of whom have a wide range of learning difficulties and physical and medical needs. As the school's reputation had grown so too had the demand for places and although the strategies to cope with this additional demand were already being deployed, something more significant needed to be done to address this demand as soon as possible.

Cabinet was advised that without this additional capacity being made available, there was a risk that vulnerable children would not be able to have their needs met locally and out of county provision might be required.

Cabinet noted the significant community opposition to the original scheme which had focused on the loss of green space and the loss of the adjacent sport pitch. It was confirmed that the project had been on hold for a year and the school is facing acute pressures and a proposal now needs to progress at pace. Based on the urgent demand and the community opposition a compromise solution is now being proposed that would enable the addition of 80 places whilst addressing the community concerns.

The revised proposal would see the development of a two-storey extension on part of the school's car park creating 10 additional classrooms without the loss of the sports pitch, which would therefore be more likely to be acceptable to the community. Cabinet was advised that designs for the proposal were continuing to be refined but had received unanimous support from the school and its governing body and Welsh Government had also verified that no further consultation for this proposal would be required for it to progress.

Cabinet welcomed the revised proposal which addressed both community concerns and the needs of vulnerable learners.

Clarification was sought on the drainage issues at the Sue Noakes site and Officers confirmed that this had been a concern for some time, regardless of the expansion and advised that they had been working closely with Welsh Water who have worked incredibly hard to get this resolved. It was noted that it appeared that 2 of the sewer lengths below Sue Noakes towards the combined sewer overflow, were 50% blocked up with silt and so during periods of inclement weather, water that should be getting to the overflow wasn't getting there and with Sue Noakes being at the low point of the sewer it was breaching at this position. The silt has now been removed and Welsh Water are confident that the problem has been resolved.

Cabinet referenced the Band C proposals and if there was any progress identifying prospective development sites. The Officer confirmed that Band C proposals would be the subject of a future report to Cabinet, potential sites would be investigated at some point in the latter stages of the Sustainable Communities for Learning Programme and brought to Members for decision.

Assurances were sought that Parents would be regularly updated on the progress of the development and Officers confirmed that there would be regular communication with parents and a letter was about to go out from the Corporate Director for Education and Corporate Services and the School to set out exactly what the proposal entails and the next steps for the development and how they would be kept informed of progress.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

1. The information contained in the report be considered.
2. The recommendation to expand Trinity Fields School and Resource Centre via a two storey extension on part of the School Car Park be approved.
3. Officers to investigate a longer-term option to create a 2nd Special School in the Borough under Band C of the Sustainable Communities for Learning programme.

## **5. CWM IFOR SOLAR FARM**

Consideration was given to the report which sought Cabinet approval for an outline business case to develop a solar farm at Cwm lfor in Penyrheol, Caerphilly.

Cabinet noted that the potential development of a 20MW Solar Farm would, if approved, be the largest public authority owned solar farm in Wales. It was anticipated that the development would cost between £12-16m, would have a lifespan of 35 years and an expected Investment Rate of Return (IRR) of 4.52% annually. The project would also generate between £669,000PA and £892,000PA during its lifetime with payback in approximately 18 years, although with prices of energy rising so much recently, this could reduce significantly.

Cabinet further noted that the proposal would generate 40 'green jobs' and would during its lifetime produce CO2 savings circa 55,300t CO2 or approximately 1,580t CO2 per year this would be enough to power approximately 6000 homes.

It was explained that the project had been classified as a 'Development of National Significance' and Cabinet sought clarification as to what this meant in terms of the planning process. The Officer confirmed that Welsh Government would determine any planning application, however the Council would be a consultee.

Cabinet welcomed the proposal as part of the Authority's commitment to being Net Carbon Zero by 2030 and a vital step forward for renewable energy targets and sought clarification as to how community benefits would be brought forward locally. Officers explained that they would be working extensively with communities to identify ideas for investment, support, and development.

Cabinet emphasised the important role that Local Ward Members would have in this space and Officers confirmed that Ward Members had been engaged with throughout the project development and had visited the site along with the Leader and Cabinet Members.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

1. The outline business case attached at Appendix 1 be approved.
2. The submission of the planning application to Planning and Environmental Decisions Wales (PEDW) be agreed.
3. Authority be delegated to the Head of Legal Services in consultation with the Cabinet Member to sign the option agreement and lease with the landowner for the land at the solar farm.
4. On approval of the planning application the Council will obtain full costings through a full procurement process to prepare the Full Business Case for consideration by Cabinet be agreed.

## **6. UPDATE ON AGILE WORKING**

Cabinet noted that the report had been considered by the Policy and Resources Scrutiny Committee at its meeting on the 27<sup>th</sup> September 2022.

Consideration was given to the report which sought update Cabinet on the progress that has been made in respect of the embedding Agile Working principles across the organisations and to outline the steps necessary to formalise these practices.

Cabinet noted that recent staff surveys had included specific questions on agile working with 80% of staff preferring to 'mostly' work from home or split themselves equally between work and home. In terms of attendance levels, it was further noted that following the relaxations on staff access the Council's buildings there had only been a small increase in numbers attending buildings. With the attendance level at Penallta House peaking at around 22%, which clearly demonstrated that many administrative jobs can be delivered from a range of locations, if suitable tools and connectivity are available. A further capacity planning exercise asked Heads of Service to work with staff to establish working patterns and capacity requirements against the needs of our service users and this once again confirmed the surplus capacity being experienced at most of the buildings would likely continue moving forward. This surplus capacity provides a range of opportunities for the Council in terms of its overall requirements for premises, its operating expenditure, service resilience, its position as an employer of choice, its carbon footprint and capital receipts. Therefore, before a broader

rollout across all Council buildings the establishment of the an Agile Hub at Ty Penallta was being proposed.

It was noted that conversations were ongoing with staff and projects and work streams would be reviewed and developed as the potential benefits are formalised and all the necessary policies and practices of agile working are formally embedded as a core principle of Council service delivery.

Cabinet welcomed the report and the benefits that agile working would bring not only in terms of work/life balance but also productivity, the environment and health and wellbeing. Reference was made to continuing recruitment and retention issues, and it was hoped that agile working would also benefit this area, particularly as the private sector were already moving into this space.

Following consideration and discussion it was moved and seconded that subject to the inclusion of an additional recommendation at 3.1(5) to read that Cabinet note that the Council will continue to consult with the Trade Unions and Staff throughout the process going forward and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

1. The progress of the Agile Working Corporate Review to date be noted.
2. The strategic intent and proposed Outcomes for the Agile Working Corporate Review be noted.
3. Comments be received and noted on the intention to develop Ty Penallta as an Agile Working Hub.
4. The progress against the workstreams to support this development be noted.
5. That the Council would continue to consult with the Trade Unions and staff throughout the process going forward be noted.

## **7. SHAPING THE POLICY ON CASH COLLECTION**

Cabinet noted that the report had been considered by the Policy and Resources Scrutiny Committee at its meeting on the 27<sup>th</sup> September 2022.

Consideration was given to the report which sought to update Cabinet on the payment methods currently utilised by residents and sought Cabinet approval of the future policy on cash payments.

Cabinet noted that Covid-19 had made a significant impact on the various methods available to residents to make payments to the Council, which had seen a shift away from cash payments to alternative payment methods. As a result, it was proposed that this change to alternative methods should be maintained and encouraged in the longer term. Cabinet was referred to section 5.11 of the Officers report and were advised that cash payments would continue to be accepted in Tourism Venues, Leisure Centres, Libraries and Social Services establishments but this would be subject to review and where opportunities arise to move to cashless approaches be considered.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report : -

1. Due to the move to alternative payment methods experienced during the Covid-19 pandemic, it be agreed that cash payments will not be re-introduced in Customer Services Offices.
2. That cash payments will continue to be accepted in Schools, Tourism Venues, Leisure Centres, Libraries and Social Services establishments be noted, and that opportunities to move to alternative payment mechanisms will be fully explored wherever possible.

**8. AMENDMENTS TO AUTHORISATION OF OFFICERS WITHIN THE PUBLIC PROTECTION DIVISION AND APPROVAL OF RECIPROCAL ARRANGEMENTS FOR ENFORCEMENT BETWEEN NEWPORT CITY COUNCIL AND CAERPHILLY COUNTY BOROUGH COUNCIL**

During the course of debate Councillor S. Morgan and E. Stenner as they are both Landlords and Councillor E. Forehead as her partner is a Landlord declared a personal interest in respect of this report. As this was a personal interest only there was no requirement for them to leave the meeting and they could take full part in the debate and vote.

Consideration was given to the report which sought to inform Cabinet of the new legislation for regulatory services. Cabinet noted that Officers within the Public Protection Division require additional authorisation in order to carry out their duties, namely the Offensive Weapons Act 2019, the Medicine and Medical Devices Act 2021, Energy Act 2011 and the Leasehold Reform (Ground Rent) Act 2022. It was noted that the Energy Performance of Buildings (England and Wales) Regulations 2021 also requires that local Weights and Measures authorities transfer enforcement duties for local authority owned buildings or controlled buildings to another local Weights and Measures authority which is why the report sought the approval of reciprocal arrangements with Newport City Council and Caerphilly County Borough Council Weights and Measures Authorities.

Reference was made to section 5.4 of the report and Landlord compliance with the minimum energy efficiency requirements for domestic and non-domestic properties and whether this requirement would be met through enforcement or on a help and advice basis. The Officer confirmed that non-compliance would be dealt with on a proportional basis with help and advice provided in the first instance. Should the Landlord refuse or ignore the advice then there were avenues open to Officers for enforcement action. Cabinet was reassured that Landlords would be given ample time to bring about any improvements.

Reference was then made to section 5.6 of the report in relation to the collection of peppercorn rents and enforcement. Officers confirmed there were a series of penalties that can be applied if there is sufficient evidence of a breach of the act including financial penalties.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report : -

1. That the Head of Public Protection, Community and Leisure Services be authorised under the legislation detailed in this report, so that relevant officers within the division can utilise delegated powers to carry out their duties.
2. That the Council's Monitoring Officer make the necessary amendments to the Constitution.

The establishment of reciprocal transfer agreements for enforcement of the Energy Performance of Buildings (England and Wales) Regulations 2012 as amended between Caerphilly and Newport City Council's Weights and Measures authorities be approved.

## **9. SAFER CAERPHILLY COMMUNITY SAFETY PARTNERSHIP**

Consideration was given to the report which sought to inform Cabinet of the work of the Safer Caerphilly Community Safety Partnership and to seek their endorsement of the updated Terms of Reference and approval for the Cabinet Member with responsibility for community safety, currently the Cabinet Member for Planning and Public Protection, as the voting representative for Caerphilly Council on the Safer Caerphilly Community Safety Partnership.

Cabinet noted that responsible authorities, including the Council are required to work together as a Community Safety Partnership to address crime and disorder, the misuse of drugs, alcohol and other substances and to reduce reoffending.

Cabinet noted the various initiatives developed by the Community Safety Partnership and noted that the Gwent Public Services Board has established a working group to conduct its own review of community safety in the region.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved and by way of Microsoft Forms this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report : -

1. The work of the Safer Caerphilly Community Safety Partnership be noted.
2. The updated Terms of Reference of the Safer Caerphilly Community Safety Partnership be endorsed.
3. The Cabinet Member with responsibility for community safety, currently the Cabinet Member for Planning and Public Protection be approved as the voting representative for Caerphilly Council on the Safer Caerphilly Community Safety Partnership.

The meeting closed at 1.45pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 19<sup>th</sup> October 2022.

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CHAIR