



## CABINET

### MINUTES OF THE MULTI-LOCATIONAL MEETING HELD AT PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON WEDNESDAY 16<sup>TH</sup> NOVEMBER 2022 AT 1PM

#### PRESENT:

Councillor S. Morgan – Chair

#### Councillors:

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

#### Together with:

C. Harray (Chief Executive), R. Edmunds (Corporate Director Education and Corporate Services), D. Street (Corporate Director Social Services and Housing) and M.S. Williams (Corporate Director Economy and Environment).

#### Also in Attendance:

R. Tranter (Head of Legal Services and Monitoring Officer), M. Lloyd (Head of Infrastructure), S. Harris (Head of Financial Services and S151 Officer), N. Taylor-Williams (Head of Housing), J. Roberts-Waite (Strategic Coordination Manager), R. Hartshorn (Head of Public Protection, Community and Leisure Services), P. Griffiths (Green Space Strategy and Cemeteries Manager) and S. Hughes (Committee Services Officer).

Also present to speak on the Notice of Motion: Councillors J. Reed and J. Jones (Ynysddu Ward) and Mrs J. Jones (Local Resident).

#### 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

There were no apologies for absence.

## **2. DECLARATIONS OF INTEREST**

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

## **3. MINUTES – 19<sup>TH</sup> OCTOBER 2022**

It was noted that Councillor E. Stenner (Cabinet Member for Finance and Performance) was present at the Cabinet meeting held on 19<sup>th</sup> October 2022.

RESOLVED that the minutes of the meeting held on the 19<sup>th</sup> October 2022 be approved as a correct record.

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

Cabinet was provided with the Cabinet Forward Work Programme, which detailed the scheduled reports until 22<sup>nd</sup> March 2023.

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.

## **5. NOTICE OF MOTION – RE-EVALUATE THE CABINET DECISION OF THE 9<sup>TH</sup> FEBRUARY 2022 – B4251 YNYSDDU TO WYLLIE HIGHWAY IMPROVEMENT**

Consideration was given to the Notice of Motion, as set out in paragraph 5.1 of the report, in order to make an appropriate recommendation. Cabinet noted that the Notice of Motion had been received from Councillors J. Reed and J. Jones and was supported by Councillors K. Etheridge, A. Farina-Childs, B Owen, and N. Dix. Cabinet further noted that the Notice of Motion was considered by the Environment and Sustainability Scrutiny Committee at its meeting on the 26<sup>th</sup> October 2022 and was supported by the majority present.

Councillor J. Jones addressed Cabinet and focused on reasons why night lighting should be reinstated on the Wyllie Bends. Councillor J. Jones asked Cabinet to consider the 32 recorded incidents between 1991 to 2021 and the additional 3 incidents that have occurred in recent months. Councillor J. Jones advised that no reference was made to street lighting in the report to Cabinet on 9<sup>th</sup> February 2022 or in the AMEY report and as such felt that Cabinet was prevented from making an informed decision. Councillor J. Jones asked Cabinet to consider the Notice of Motion and support the request for an independent re-evaluation of the safety of Wyllie Bends.

Councillor J. Reed addressed Cabinet and using photographs outlined the road in question and the boundary fence. Cabinet was asked to note that the AMEY safety report did not recommend the installation of a chain link fence, which was detailed in the Cabinet report as being most appropriate safeguard for this section of the road and in accordance with relevant design standards, might reduce the risk of vehicles leaving the road and protect pedestrians. However, a mere boundary fence was installed, which Councillor J. Reed considered would not provide the same level of protection to road users as a Vehicle Restraint System (VRS).

Reference was then made to the AMEY report and although it stated that a VRS would be disproportionate to the benefits it would achieve, Cabinet was informed that there had been 3 further accidents this year on Wyllie Bends, where all three vehicles have left the carriageway. Councillor J. Reed asked Cabinet to consider why there are similar roads to the Wyllie Bends with regards to speed and topography throughout the borough that have VRS installed, but not Wyllie Bends.

Councillor J. Reed asked Cabinet to support the Jones family and concerned local communities by recommending a reassessment of the road and the installation of a Vehicle Restraint System (VRS) at strategic places along this dangerous road.

The Leader expressed condolences to Mrs J. Jones on the tragic loss of her daughter.

Mrs J. Jones, mother of Ms. L. Jones, who tragically lost her life in an accident on Wyllie Bends in October 2019 addressed Cabinet and detailed the circumstances and road conditions that led to her daughter's death. She outlined areas where she believed appropriate consultation had not taken place and inaccuracies that she felt required addressing as they were not included in the report considered by Cabinet in February 2022.

Officers stated that Cabinet was provided with details of the independent safety report that was commissioned and undertaken by AMEY Consulting for the section of highway between Ynysddu and Switchgear. These were clearly set out in the Cabinet report of 9<sup>th</sup> February. The Officer advised that all the report recommendations have been considered and those necessary implemented following a review of the report findings.

Cabinet sought clarification on a number of issues and the Officer responded to the points raised. Cabinet was advised that both concrete posts and metal posts comply with highway specifications. An Officer delegated decision was taken, in consultation with the Cabinet Member, to use metal posts due to the long lead time for the concrete posts. It was acknowledged further discussion with the family could have taken place.

Cabinet was further advised that following a review of the safety report the most beneficial intervention identified was to reduce the speed limit of the road to 40mph as recommended by the safety consultant. Comparisons to other roads are not meaningful as each has its own unique characteristics that need consideration. It was noted that authority also has a Vehicle Restraint Policy which is used to determine if a Vehicle Restraint System (VRS) is required and this did not recommend a VRS as it only scored as a medium priority as detailed within the Cabinet report. The safety report further highlighted that the installation of VRS can itself cause a hazard; this is because it is designed and tested to be impacted at a certain angle at a certain speed. The use on particularly tight radii can cause the impact angle to be far too steep which will then become a hazard in itself to the occupier of an errant vehicle.

The Chief Executive explained that there are national guidelines and legislative requirements as a highway authority that must be fulfilled and it was pointed out that following the review of the safety report the most beneficial intervention identified was to reduce the speed limit of the road to 40mph, as recommended by the safety consultant. The Chief Executive suggested that as the main characteristics of the road had changed since the last assessment Cabinet may consider it appropriate to commission a further independent safety assessment of the road.

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 the notice of motion be supported to the extent that a further independent road safety report is obtained on the B4251 between Ynysddu and Switchgear.

## **6. STREET LIGHTING REVIEW**

Consideration was given to the report which sought to update Cabinet on a high-level review of street lighting undertaken in lieu of the employment of LED and Part Night Lighting which was fully introduced across the County Borough in February 2021 and the Climate Change Emergency that has been declared by the Council. The report also sought to provide Cabinet with feedback and recommendations from the Environment and Sustainability Scrutiny

Committee held on 25<sup>th</sup> October 2022 and sought a Cabinet decision on the future street lighting strategy for the County Borough.

Cabinet noted that the report had been considered by the Environment and Sustainability Scrutiny Committee at its meeting on the 25<sup>th</sup> October 2022 including the suggested recommendations outlined in section 10 of the report.

Cabinet noted that to meet the challenges of the carbon reduction commitments and rising energy costs, in May 2018 the installation of LED lighting and implementation of a Part Night Lighting (PNL) Strategy was recommended by the Regeneration and Environment Scrutiny Committee. This was subsequently approved by Cabinet and rolled out across the County Borough between April 2019 and February 2021 and the system has been operational since with full LED infrastructure and PNL between the hours of midnight and 5.30am. The strategy has resulted in carbon savings of circa 2836 tonnes per annum as well as significant/future cost avoidance savings as detailed in Section 8 of the Officer's report.

Reference was made to Section 5.5 of the Officer's report and clarification was provided in relation to the number of complaints received by the Authority. Following the implementation of the change to LED streetlights and the reduction in street lighting operating hours policy, a total of 316 complaints from CCBC residents have been received, which equates to 0.18% of residents. It was noted that Highways Managers and Senior Officers from Gwent Police meet regularly to review crime statistics for the hours of reduced street lighting operation, and these meetings provide an opportunity for police to request temporary night-time switch on where crime investigations are underway or where CCTV infrastructure is being introduced. To date there is no correlation between the occurrence of crime and the reduction in street lighting operation hours policy.

The Central Management System (CMS) and dimming was detailed and Cabinet noted the additional costs associated with its implementation and were conscious that 7,400 existing lanterns would not be compatible and would require upgrading at a cost of £1,645,000. Costs associated with additional base stations were explained as was the annual maintenance fee which would give CMS an overall installation cost circa £3.5m.

Cabinet noted the review options compared to status quo detailed in section 5.14 of the report. The options examined by Officers which resulted in various carbon and financial impacts were outlined and it was recommended that Cabinet support the existing policy.

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 comments and recommendations of the Environment and Sustainability Scrutiny Committee be considered.
2. The existing street lighting policy be maintained.
3. Officers continue to work with their colleagues in Gwent Police in accordance with the existing, agreed protocol relating to crime.
4. Issues relating to fear of crime are recognised by the Authority and where these issues are considered to be significant an individual response be offered through the Community Safety Partnership which will include a number of wider interventions, such as security advice and guidance.

## **7. CAERPHILLY HOMES – DEVELOPMENT PROGRAMME**

Consideration was given to the report which sought to update Cabinet on the progress being made towards delivering the 400 new home ambition that was agreed in January 2020 and to obtain agreement to move to the next stage of the development process, thereby undertaking detail site investigation work to determine whether the sites noted in the report were deliverable and viable.

Cabinet noted that having secured funding to support the delivery of two highly innovative pilot schemes in Trecenydd and Trethomas via the Welsh Government Housing Programme the emphasis has now been to learn from the implementation of both schemes in order to inform the delivery of new homes at Ty Darran and the former Oakdale at scale and pace. It was noted that both the Ty Darran and former Oakdale Comprehensive School had received outline planning permission and subsequent reports detailing the contract arrangements, cost plan, marketing and commercial strategy and social value plan would follow in due course. The focus now is to identify potential development sites that follow on from Ty Darran and the former Oakdale Comprehensive School site thereby ensuring a continuous supply of development sites are brought through the system to help meet the 20,000 new low carbon affordable home commitment made by Welsh Government.

Cabinet noted that the report set out the next 5 sites that have been identified following a robust exercise to determine which are most suitable, taking into consideration the potential developable area, the number of units that may be accommodated and any known constraints. It was highlighted that subject to approval being obtained, further in-depth site investigations to ensure the suitability of the proposed sites for residential development will be undertaken.

Clarification was sought on inflation in relation to the development of new homes. The Officer confirmed that inflation is going to have a high impact on the Housing Revenue Account as it will put extra financial pressure on delivery, materials and labour. Cabinet was informed that the Annual Business Plan Review will be presented in the new year, which will further detail the impact of inflationary pressures within the Housing Revenue Account. Cabinet was further informed that Welsh Government are looking at introducing a fluctuation clause into the grant agreement to reflect the upward pressure of inflation in relation to new build.

Reference was made to the consultation responses detailed in the Officer's report and it was confirmed that Local Ward members have been consulted on all the sites identified in the report.

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 proposal to bring forward a suite of Caerphilly Homes development sites that offer a positive contribution to the Council's policy decision to increase affordable Council housing stock be considered and views offered.
2. The proposal to the commissioning of intrusive site investigations and the commencement of a detailed development appraisal for each site be approved.

## **8. TY DARRAN DEVELOPMENT – PRE-CONSTRUCTION SERVICES AGREEMENT (PSCA) INCLUDING ENABLING WORKS**

Consideration was given to the report which advised Cabinet of the progress made towards delivering a net zero carbon ambition for a 46 unit later living scheme at the former Ty Darran

Care Home, Risca and to obtain approval to enter into a Pre-Construction Services Agreement (PCSA) with Willmott Dixon via the SCAPE Public Sector National Construction Framework Agreement. The report also sought approval to commence detailed site investigations and enabling works on the Ty Darran site in order for the demolition and sewer diversion to commence in January 2023 with a view to commencing construction on site in Autumn 2023, subject to the receipt and approval of a detailed Delivery Agreement (DA), cost plan and viability appraisal.

The Cabinet Member for Education and Communities, as the Age Friendly Champion, was really pleased to see that there will be an opportunity for co-production with future residents in designing the communal spaces of this development.

With regards to mitigating the impact of climate change, clarification was provided on the Passivhaus schemes delivered by the Council and funded by the Welsh Government's Innovate Housing Programme. Cabinet noted that the aim of this programme was to pilot new construction methods and materials to mitigate the impact of climate change, lower energy costs and increase the energy efficiency of homes.

Cabinet was advised of an amendment to the report. The figure for enabling works is as quoted in 5.1.14, however the PCSA figure has increased to £673,748, which has resulted in an increase of £42,436 and therefore the total cost of the PCSA (including the enabling works) is £1,150,888. It was explained that this is largely due to a request from Caerphilly Homes to include additional legal fees and contingency costs.

Clarification was provided on the benefit of having a local manufacturer involved in the development. Cabinet was advised that it has resulted in benefits to the circular economy by ensuring that the investment in new homes delivers wider benefits and opportunities for the local population and community.

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 challenges and merits of developing the Ty Darran site against the demand for such accommodation be considered and views on the proposals to develop the site be offered.
2. The signing of a pre-construction agreement with Willmott Dixon via the SCAPE public sector compliant framework be approved to ensure the demolition of the existing building and the start of the enabling works in January 2023.

## **9. CAERPHILLY BIODIVERSITY REPORT 2022.**

Consideration was given to the report which sought Cabinet approval for the Council's Biodiversity Report for 2022 and its subsequent submission to Welsh Government. Cabinet was advised that the Council has a legal duty to maintain and enhance biodiversity and in so doing, promote the resilience of ecosystems under the Environment (Wales) Act 2016. It was noted that under section 6(7) of the Act all public authorities were required before the end of 2019 and before the end of every third year thereafter to publish a report on what they have done to comply with this duty.

Cabinet noted that the report had been considered by the Environment and Sustainability Scrutiny Committee as its meeting on the 25<sup>th</sup> October 2022.

Cabinet was referred to Appendix 1 of the report which demonstrated how the Council fulfils that duty and acts as a driver for ensuring that all service areas consider biodiversity and actively enhance biodiversity when carrying out their day-to-day activities.

Cabinet referred to section 5.4 of the report which detailed the actions and projects delivered in the County Borough of Caerphilly to halt the decline of biodiversity, and further information was sought in relation to support for voluntary groups, particularly in relation to tree planting. The Officer outlined a number of initiatives currently taking place and Cabinet was advised that discussions are taking place with the Gwent Association of Voluntary Organisations and Groundwork Wales. A number of issues around identifying suitable sites for tree planting was also outlined.

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 content of the report and the recommendations of the Environment and Sustainability Scrutiny Committee as detailed in Section 11 of the Officers report be considered and the Council's Biodiversity Report for 2022, at Appendix 1, and subsequent submission to Welsh Government be approved.

The meeting closed at 2.21 pm.

Approved and signed as a correct record subject to any corrections made at the meeting held on 30<sup>th</sup> November 2022.

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CHAIR