

# CABINET

**MONDAY 16<sup>TH</sup> OCTOBER 2023**

**PRESENT:** Councillor D. Price [Chair] (In Person)

**Councillors (In Person):**

C.A. Davies	G. Davies	L.D. Evans	A. Lenny
E.G. Thomas	J. Tremlett	A. Vaughan Owen	

**Also in attendance as an observer (Remotely):**

Councillor D.M. Cundy

**Also in attendance in respect of Agenda Item 6 (In Person):**

Councillor J.D. James

**Also Present (In Person):**

W. Walters, Chief Executive  
C. Moore, Director of Corporate Services  
J. Morgan, Director of Community Services  
G. Morgans, Director of Education & Children's Services  
A. Williams, Director of Place & Infrastructure  
R. Griffiths, Head of Place & Sustainability  
L.R. Jones, Head of Administration and Law  
N. Evans, Practice Support Manager  
C. Higginson, Media Manager  
L. Jenkins, Cabinet Support Officer  
E. Evans, Principal Democratic Services Officer  
K.J. Thomas, Democratic Services Officer

**Also Present (Remotely):**

J. Morgan, Head of Housing  
M. Runeckles, Member Support Officer

**Chamber, County Hall, Carmarthen and remotely : 10.00 am - 10.33 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H.A.L. Evans and P.M. Hughes.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interests.

Note: These minutes are subject to confirmation at the next meeting.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 18TH SEPTEMBER, 2023**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 18<sup>th</sup> September, 2023 be signed as a correct record.

**4. QUESTIONS ON NOTICE BY MEMBERS**

The Chair advised that no questions on notice had been submitted by members.

**5. PUBLIC QUESTIONS ON NOTICE**

The Chair advised that no public questions had been received.

**6. TASK & FINISH GROUP FINAL REPORT - REVIEW OF THE MANAGEMENT OF FLYTIPPING IN CARMARTHENSHIRE**

Cabinet considered the final report of the Task & Finish Group established by the Place, Sustainability and Climate Change Scrutiny Committee to undertake a review of the management of Flytipping in Carmarthenshire.

The Chair welcomed to the meeting Councillor J.D. James, Chair of the Task & Finish Group, who presented the report and outlined the recommendations contained within which were formulated by the Group following consideration of a range of evidence over a series of meetings held between December 2022 and June 2023.

The Place, Sustainability and Climate Change Scrutiny Committee, at its meeting held on 21st July 2023, considered and endorsed the final report recommending that Cabinet consider the report and the recommendations therein.

Councillor James and the members of the Task & Finish Group were thanked for their work in undertaking the review.

**UNANIMOUSLY RESOLVED** that the report and seven recommendations of the Task & Finish Group be endorsed.

**7. APPLYING INTENTIONALITY TO PRIORITY NEED (HOMELESSNESS ORDER)**

The Cabinet considered a report detailing changes to homeless legislation. The Housing (Wales) Act 2014 came into force on 27th April 2015 and in July 2015 the Authority approved a report to enable intentionality to be applied across the original 10 categories of Priority Need.

Local Authorities apply the intentionality test to consider whether a person presenting as homeless has done or failed to do something which could be considered to have caused the loss of their settled accommodation and could therefore be deemed to have caused their homelessness 'intentionally'. Where a

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person has become homeless intentionally, the Authority does not have a statutory duty to secure permanent accommodation for that person.

In October 2022 the Homelessness (Priority Need and Intentionality) (Wales) Regulation 2022 came into force which added a new category of Priority Need known as Street Homelessness. Since this introduction, the Authority has been unable to apply the intentionality test to any household that presents as Street Homeless thus allowing them to be owed the full housing duties under the legislation. A decision was therefore required, based on the information included within the report, as to whether the Authority should continue applying the intentionally homeless test across the current categories and also to the additional category of Street Homeless.

**UNANIMOUSLY RESOLVED that intentionality be retained for all 10 priority need categories listed under the Housing (Wales) Act 2014 and that intentionality also be applied to the additional 11th category of Street Homeless.**

**8. CARMARTHENSHIRE COUNTY COUNCIL ANNUAL REPORT 2022-23.**

The Chair advised Cabinet that this report had been withdrawn.

**9. OMBUDSMAN'S ANNUAL LETTER 2022/23 - CARMARTHENSHIRE COUNTY COUNCIL.**

The Cabinet considered the Ombudsman's Annual Letter 2022/23 along with the fact sheet and accompanying data.

It was noted that each year the Public Services Ombudsman for Wales provided every Welsh Local Authority with a letter in the form of a fact sheet and accompanying data to assist them in reviewing performance.

**UNANIMOUSLY RESOLVED that the Public Services Ombudsman for Wales Annual Letter 2022/23 be received.**

**10. ANNUAL MONITORING REPORT 2022/23 - ADOPTED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN (2006-2021)**

The Cabinet considered the Annual Monitoring Report 2022/23 relating to the Adopted Carmarthenshire Local Development Plan (2006–2021) which had been prepared in accordance with the provisions of the Planning and Compulsory Purchase Act 2004 and the Local Development Plan (LDP) Regulations 2005.

In accordance with the Council's statutory duty the Annual Monitoring Report would be submitted to the Welsh Government and published on the Council's website by 31st October 2021. This would be accompanied by an informal consultation which would afford interested parties the opportunity to comment on the key issues raised. Whilst not a statutory requirement, such a consultation provided an important opportunity for views to be submitted and, where appropriate, for those views to contribute to the content of subsequent Annual

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Monitoring Reports. The content of the current Annual Monitoring Report, along with that of the previous three documents, would be used to inform the preparation of the Revised LDP 2018–2033 and its associated evidence base.

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the Annual Monitoring Report for the adopted Carmarthenshire Local Development Plan (LDP) be endorsed and officers be authorised to make typographical or factual amendments as necessary to improve its clarity and accuracy.**

## **11. CAPITAL PROGRAMME 2023/24 UPDATE**

The Cabinet received a report which provided an update on the latest budgetary position for the 2022/23 capital programme, as at the 30<sup>th</sup> June 2022 and detailed new projects for noting and Cabinet approval. The report indicated a forecasted net spend of £85,865k compared with a working net budget of £145,604k, giving a -£59,739k variance.

The net budget included the original H.R.A. and General Fund capital programmes approved by Council on 1st March and slippage from 2022/23. Some of the budgets have also been amended to account for differences in actual grant allocations compared with the anticipated allocations at the time the programme was approved and new grant awards received during the year to date.

Appendix B to the report detailed the main variances within each department.

**UNANIMOUSLY RESOLVED that:**

- 11.1 the capital programme update report 2022/23 be received;**
- 11.2 the new projects as detailed within the report be noted and agreed.**

## **12. COUNCIL'S REVENUE BUDGET MONITORING REPORT**

The Cabinet considered the revenue budget monitoring report which provided the latest budgetary position as at 30<sup>th</sup> June 2022 in respect of 2022/2023.

Overall, the monitoring report forecast an overspend for the year at departmental level of £7,399k, with a forecast overspend on the Authority's net revenue budget of £4,504k

**UNANIMOUSLY RESOLVED that:**

- 12.1 the Budget Monitoring report be received and the budgetary position and appropriate corrective action taken be noted;**
- 12.2 in respect of significant overspends on specific budget areas Chief Officers and Heads of Service critically review options available to them to address the ongoing impact.**

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**13. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972**

The Chair advised that there were no items of urgent business.

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CHAIR

\_\_\_\_\_  
DATE

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