

# EXECUTIVE BOARD

Monday, 20 January 2020

**PRESENT:** Councillor L.M. Stephens (Chair)

**Councillors:**

C.A. Campbell, G. Davies, H.A.L. Evans, L.D. Evans, P.M. Hughes, P. Hughes-Griffiths, D.M. Jenkins and J. Tremlett

**Also in attendance:**

Councillor D.M. Cundy, D. Jones and K. Madge

**The following Officers were in attendance:**

W. Walters, Chief Executive

J. Morgan, Director of Community Services

C. Moore, Director of Corporate Services

Mrs R. Mullen, Director of Environment

L.R. Jones, Head of Administration and Law

P.R. Thomas, Assistant Chief Executive (People Management & Performance)

I. Jones, Head of Leisure

J. Jones, Head of Regeneration

S. Pilliner, Head of Transportation & Highways

A. Rees, Head of Curriculum and Wellbeing

D. Hockenhull, Marketing and Media Manager

L Morris, Senior Press Officer

K. Thomas, Democratic Services Officer

**Chamber, County Hall, Carmarthen. SA31 1JP. - 10.00 - 10.50 am**

**1. APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor E. Dole (absent on alternative Council Business)

**2. DECLARATIONS OF PERSONAL INTEREST.**

Councillor	Minute Number	Nature of Interest
G. Davies	12 – Appointment of Local Authority Governor	Personal

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 6TH JANUARY 2020**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Executive Board held on the 6<sup>th</sup> January, 2020 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. CROSS HANDS COMMUNITY HEALTH AND WELLBEING CENTRE

The Executive Board considered a report on proposals for the authority to purchase its Joint Partners 50% interest in 3 acres of land at the former West Tip Site at Cross Hands for subsequent onward sale to the Hywel DDa University Health Board for the provision of a Community Health and Wellbeing Centre (as detailed in the plan at Appendix 2 to the report). If approved, the cost of acquisition was £315k with the subsequent onward land sale to the Health Board, including the Council's existing 50% interest, being in the sum of £630k.

The Executive Board was advised that the onward sale of the land to the Health Board would be subject to the Welsh Government's approval of both the Health Board's Outline, and Full, Business Cases for financial support to deliver the proposed Centre together with the granting of planning consent for the proposed development. It was noted that whilst there would be some risk to the Council in proceeding with the land acquisition on the above basis, the risk was mitigated in terms of the planning condition as the land was currently allocated within the LDP for the proposed use and, in the unlikely event the proposed scheme did not proceed, the Council would be able to dispose of the land for alternative use, subject to planning.

The Executive Board Member for Resources referred to the above statement regarding the Health Board seeking planning consent for the proposed development and advised that, subsequent to the despatch of the agenda for the meeting, outline planning consent had been granted

The Chief Executive advised that prior to the commencement of the meeting she had been approached by Councillor D. Jones, one of the local ward members who, whilst supportive of the scheme, had requested she be able to speak with officers to gain more insight into the proposal. She confirmed those arrangements would be made.

**UNANIMOUSLY RESOLVED that the Council agrees to purchase its Joint Venture Partner's 50% interest in the above land at the former West Tip Site at Cross Hands in the sum of £315,000 and that officers be authorised to simultaneously progress the sale of the whole of the land to the Hywel Dda University Health Board**

## 7. PRESS AND MEDIA PROTOCOL

The Executive Board considered a report on proposals for updating and strengthening the Council's existing Press and Media Protocol, adopted by Council in June 2015. The new protocol, if adopted, reflected changes in the media environment and would assist the Marketing and Media Team to manage press and media communications and relationships on behalf of the Council whilst also providing guidance to all staff and members. It would also assist the Council in providing information, promoting its services and developing its image as an open and transparent organisation accountable to the local community.

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the new Press and Media Protocol be adopted**

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

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 31<sup>st</sup> October 2019, in respect of the 2019/2020 financial year.

Overall, the monitoring report forecasted an end of year overspend of £3,512k on the Authority's net revenue budget with an overspend at departmental level of £5,035k. The HRA was predicting a £33k underspend to the year end.

The Executive Board was advised that one of the major overspends, in the sum of £3m, related to the Schools Delegated Budgets and that the Directors of Corporate Services and Education and Children, together with other officers, were working closely with the affected schools Head Teachers and Governors to introduce corrective measures to address their deficits

In light of the current forecast of a potential significant overspend at departmental level, the report recommended that Chief Officers and Heads of Service continue to critically review their budgetary positions and implement appropriate mitigating actions to deliver their services within their allocated budgets as a matter of urgency.

**UNANIMOUSLY RESOLVED that:**

**8.1 the Revenue Budget Monitoring Report be received;**

**8.2 Chief Officers and Heads of Service continue to critically review their budgetary positions and implement all necessary and appropriate actions to deliver their services within their allocated budgets as a matter of urgency.**

## **9. CAPITAL PROGRAMME 2019-20 UPDATE**

The Executive Board considered a report which provided an update of the latest budgetary position for the 2019/20 capital programme as at the 31<sup>st</sup> October 2019.

Departmentally, a net spend of £63,753k was forecasted compared with a working net budget of £64,304k giving a £551k variance. The net budget had been re-profiled by £4.848m 2019/20 to future years in order to take account of the updated spend profile information. Furthermore, the budget slippage from 2018/19 had also been included within the figures appended to the report.

In addition, the Executive Board noted that an Education and Capital Spend budget re-profiling exercise was currently being undertaken to reflect the progress of schemes within the 5 year capital programme on the MEP programme.

**UNANIMOUSLY RESOLVED that the capital programme update report be received.**

## **10. CONSIDERATION OF OBJECTIONS TO THE COUNTY OF CARMARTHENSHIRE (OFF-STREET PARKING PLACES) (VARIOUS CAR PARKS, CARMARTHENSHIRE) CONSOLIDATION (VARIATION NO. 4) ORDER**

The Executive Board was advised that the Executive Board Member for Environment at a Decisions Meeting held on the 10<sup>th</sup> May 2019 had considered proposals for the introduction of the above Parking Order. At that meeting, it was resolved to approve part of the Order in respect of the off street car parks at Parc Myrddin North, Carmarthen, Parc Myrddin Registrars, Carmarthen, Selwyn Samuel Llanelli and Dafen Row, Llanelli and for the proposals in respect of the following car parks to be subject to further consideration:

- a) Burry Port Harbour
- b) Woodlands, Burry Port
- c) Shoreline, Burry Port
- d) Festival Fields, Llanelli
- f) Rotary Way, outside Pembrey Country Park
- g) Mynydd Mawr, Woodlands, Tumble
- h) Mynydd Mawr woodlands, Cefneithin
- c) North Dock, Llanelli
- d) Sandy Water Park, Llanelli
- f) Llyn Llech Owain
- g) Pendine
- h) Bynea

The Executive Board thereupon considered the outcome of the consultations on the proposals for the above car parks identified above and the objections received thereto together with the officers' recommendations in response to those objections, as detailed in the report.

### **UNANIMOUSLY RESOLVED**

- 10.1 That the car parks referred to in paragraphs 3.4.1 (Shoreline car park, Burry Port), 3.7.1 (Woodlands car park, Mynydd Mawr, Tumble) and 3.8.1 (Woodlands car park, Cefneithin) of the report summary be removed from the proposed Off Street Car Parking Order and the situation at those car parks be monitored;**
- 10.2 that with the exception of the car parks referred to in paragraphs 3.4.1, 3.7.1 and 3.8.1 of the report summary, the proposals as described in the Draft Order detailed in Appendix 1 to the report in relation to the remaining car parks specified in paragraphs 1(i) and 1(ii) of the report summary be implemented**

## **11. FARE PAYING SCHOOL BUS SERVICES**

The Executive Board received an update report on the Council's Fare Paying School Bus Service on the impact of the change in government legislation on the Council's school bus transport provision, including its spare seat policy. The Executive Board Member referred to the reports' three recommendations being presented for the Boards consideration and proposed that recommendations 1 and 3 be amended to read:

- 1) An amendment to the Authority's Spare Seats Policy to waive the current annual £50 charge, with effect from the 1<sup>st</sup> September, 2019.
- 3) An Executive Board Advisory Panel be established comprising 6 members, on a cross party basis, together with the Executive Board Member for Environment, to look at all issues relating to Home to School Transport to report back to the Executive Board

Reference was made to a recent news programme where it had been stated by Lee Waters A.M. that Carmarthenshire County Council had interpreted the government's legislation differently to other local authorities and clarification was sought on the accuracy of that statement. The Head of Transportation and Highways confirmed the Authority had not interpreted the legislation differently to any other local authority.

Councillor D. Cundy, in accordance with CPR 11, referred to the impact the change in legislation was having on some 500 pupils within Carmarthenshire and asked "Would the Executive Board Member not agree with me that the review mentioned as a recommendation in this report, must start immediately with all councillors consulted and working together, supporting the parents of whatever ward and make some swift impact to ensure that we eradicate the unsafe routes and help to provide suitable and safe transportation as well as look to a new future of an in house transport delivery for all our children"

The Executive Board Member for Environment in response reminded the Board of both the history of the current position with fare paying school bus services that had arisen as a result of the Department for Transport's decision to remove the full exemption from the Disability Discrimination Act (DDA) and the Public Service Vehicle Access Regulations (PSVAR) compliance for school transport vehicles, and to the efforts being made nationally and locally to the Welsh Government and the Department for Transport seeking the exemption's full reinstatement. She also referred to her amendment to the report seeking the establishment of an advisory panel to the Executive Board to look at all issues relating to Home to School Transport that would report back to the Executive Board.

**UNANIMOUSLY RESOLVED** that should the on-going dialogue between the Welsh Local Government Association and the Welsh Government fail to result in the re-instatement of the current full exemption for DDA/PSVAR compliance on school transport services, the Council approves the following measures:-

1. An amendment be made to the Authority's Spare Seats Policy to waive the current annual £50 charge, effective from the 1<sup>st</sup> September, 2019;
2. The Authority continues to pursue the Welsh Government and the Department of Transport for a change in the application of the Public Service Vehicle Access Regulations to allow bus operators to continue using coaches on school bus routes operated on a commercial basis;
3. An Executive Board Advisory Panel be established comprising 6 members, on a cross party basis, together with the Executive Board Member for Environment to look at all issues relating to Home to School Transport and to report back to the Executive Board.

## 12. APPOINTMENT OF LA GOVERNOR

[NOTE: Councillor G. Davies, earlier declared an interest in this item]

The Board was advised that, in accordance with the Local Authority's appointment policy for LA Governors, where LA Governor vacancies exist or are due to arise, nominations are invited from the Governing Body Chairperson, the Headteacher and the local Elected Member. Subsequently, all nominations are considered by the Executive Board Member for Education & Children, who makes the appointments.

It was reported that nominations had recently been received for vacancies at Brynamman School and as Councillor Glynog Davies, being the Executive Board Member for Education and Children, was one of the nominations received, the local Elected Member and the current Chair of Governors at Brynamman School, it would not be appropriate for him to consider those nominations. Accordingly the Executive Board would need to determine the nominations received. It was also noted that the reference in the report to Mr Pedrick, as one of the nominees, being a community councillor was incorrect and that he was in fact a Town Clerk.

**UNANIMOUSLY RESOLVED that in order to meet statutory obligations for filling vacancies on School Governing Bodies County Councillor Glynog Davies and Mr A. Pedrick be appointed governors at Brynamman School.**

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.**

There were no items of urgent business.

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CHAIR

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DATE