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WEDNESDAY, 3 FEBRUARY 2021

TO: ALL MEMBERS OF THE COUNTY COUNCIL

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **COUNTY COUNCIL** WHICH WILL BE HELD **AT 10.00 AM, ON WEDNESDAY, 10TH FEBRUARY, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Martin S. Davies
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Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

A G E N D A

- 1. APOLOGIES FOR ABSENCE.**
- 2. DECLARATIONS OF PERSONAL INTERESTS.**
- 3. CHAIR'S ANNOUNCEMENTS.**
- 4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 13TH JANUARY 2021.** 5 - 16
- 5. CWM ENVIRONMENTAL LTD LANDFILL AFTERCARE LIABILITY.** 17 - 24
- 6. TO RECEIVE THE REPORT OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE FOLLOWING DATES:**
 - 6 .1 18TH JANUARY 2021;** 25 - 28
 - 6 .2 25TH JANUARY 2021.** 29 - 32
- 7. TO CONSIDER THE FOLLOWING NOTICES OF MOTION:-**

7.1 NOTICE OF MOTION SUBMITTED BY COUNCILLOR LOUVAIN ROBERTS

“Fireworks are used by people throughout the year, to mark different events.

Whilst they can bring much enjoyment to some people, they can cause significant anxiety and fear for some individuals and also Animals (both Pets and livestock).

Animals affected not only suffer Psychological distress but can also cause them to Self Harm”.

I Therefore call on CCC to....

1. Require all organised Public Displays within the Local Authorities Boundaries to be Advertised in Advance of the Event, allowing Residents to take necessary precautions for their Animals and Vulnerable Peoples

2. To actively promote a Public Awareness Campaign-about the impact of Fireworks on Animal Welfare and Vulnerable people.

Including the precautions that can be instigated to mitigate the Risks. Along with detailing the existing regulations.

3. To encourage Local Suppliers of Fireworks to only Stock a “Quieter Version “of Fireworks than used for Public Displays.

4. To write to both UK and Welsh Governments. Urging them to review and consider the Existing Legislation and to limit the Maximum noise level of Fireworks to 90 dB that can be sold to the members of the Public for Private use.”

7.2 NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROB JAMES

“That Carmarthenshire Council:

- Notes that communities in Carmarthenshire are currently dealing with the biggest medical and financial crisis in recent years, as the Coronavirus pandemic continues to impact families and businesses.
- Believes that it is not appropriate for school consultations on matters such as education provision to be carried out during the pandemic.
- Calls on the Executive Board to halt all schools consultations, other than proposals to lower the starting age to 3, until the September term and to produce a report on the viability of Carmarthenshire schools, outlining any future school footprint changes.”

8. PUBLIC QUESTIONS (NONE RECEIVED).

9. QUESTIONS BY MEMBERS:-

9.1 QUESTION BY COUNCILLOR GARETH JOHN TO COUNCILLOR EMLYN DOLE, LEADER OF THE COUNCIL

“Could the Leader please elaborate on the Executive Board’s decision to support the BID (Business Improvement District) in Carmarthen and Llanelli for a second term, and how will that benefit the two town centres?”

9.2 QUESTION BY COUNCILLOR ALUN LENNY TO COUNCILLOR GLYNOG DAVIES, EXECUTIVE BOARD MEMBER FOR EDUCATION AND CHILDREN

“Does the Executive Board Member for Education and Children's Services believe that there's a future for small rural schools in Carmarthenshire, and in order to get a fuller picture is it possible for him to reveal how many primary and infant schools were closed during the period of the previous administration (2004-2015)?”

10. MEMBERSHIP OF COMMITTEES:-

10.1 TO NOTE THAT THE INDEPENDENT GROUP HAS NOMINATED COUNCILLOR ANTHONY DAVIES TO REPLACE COUNCILLOR ARWEL DAVIES ON THE POLICY AND RESOURCES SCRUTINY COMMITTEE;

10.2 TO NOTE THAT THE INDEPENDENT GROUP HAS NOMINATED COUNCILLOR SUE ALLEN TO REPLACE COUNCILLOR ARWEL DAVIES ON THE EDUCATION AND CHILDREN SCRUTINY COMMITTEE.

11. MINUTES FOR INFORMATION (AVAILABLE TO VIEW ON THE WEBSITE)

11.1 MEMBERS APPOINTMENTS COMMITTEE - 13TH JANUARY, 2021;

11 .2 PLANNING COMMITTEE - 7TH JANUARY, 2021;

**11 .3 EDUCATION AND CHILDREN SCRUTINY COMMITTEE -
6TH JANUARY, 2021.**

COUNTY COUNCIL

WEDNESDAY, 13 JANUARY 2021

PRESENT: Councillor I.W. Davies (Chair)

Councillors:

S.M. Allen	L.R. Bowen	K.V. Broom	C.A. Campbell
J.M. Charles	D.M. Cundy	S.A. Curry	C.A. Davies
W.R.A. Davies	T.A.J. Davies	G. Davies	H.L. Davies
J.A. Davies	K.Davies	S.L. Davies	E. Dole
D.C. Evans	H.A.L. Evans	L.D. Evans	R.E. Evans
W.T. Evans	S.J.G. Gilasbey	C.J. Harris	P. Hughes-Griffiths
A.D. Harries	T.M. Higgins	J.K. Howell	J.D. James
R. James	D.M. Jenkins	J.P. Jenkins	G.H. John
C. Jones	B.W. Jones	D. Jones	G.R. Jones
H.I. Jones	A. Lenny	M.J.A. Lewis	K. Lloyd
K. Madge	A.S.J. McPherson	E. Morgan	A.G. Morgan
D. Nicholas	B.D.J. Phillips	J.S. Phillips	D. Price
J.G. Prosser	B.A.L. Roberts	E.M.J.G. Schiavone	H.B. Shepardson
A.D.T. Speake	L.M. Stephens	B. Thomas	D. Thomas
E.G. Thomas	G.B. Thomas	G. Thomas	J. Tremlett
A.Vaughan Owen	D.T. Williams	D.E. Williams	J.E. Williams

Also Present:

W. Walters, Chief Executive
 J. Morgan, Director of Community Services
 C. Moore, Director of Corporate Services
 P.R. Thomas, Assistant Chief Executive (People Management & Performance)
 G. Morgans, Director of Education & Children's Services
 L.R. Jones, Head of Administration and Law
 L. Quelch, Head of Planning
 I.R. Llewelyn, Forward Planning Manager
 T. Boothroyd, Development Management Officer for Minerals and Waste
 G. Morgan, Head of Democratic Services
 E. Evans, Principal Democratic Services Officer
 M. Evans Thomas, Principal Democratic Services Officer
 S. Rees, Simultaneous Translator
 J. Corner, Technical Officer
 J. Hawker, Digital Support Officer
 C.J. Warwick, Digital Support Engineer
 M.S. Davies, Democratic Services Officer
 K. Thomas, Democratic Services Officer
 E. Bryer, Democratic Services Officer

Virtual Meeting - 10.00 am - 12.40 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J.S. Edmunds, P.M. Edwards, A.L. Fox, P.M. Hughes, A. James, T.J. Jones and S. Najmi.

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute Number	Nature of Interest
D.C. Evans	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Operates a holiday home.
K.V. Broom	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Operates a holiday home.
S.M. Allen	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Operates an Airbnb and has friends who operate holiday lets.
S.J.G.Gilasbey	8.2 - To Receive the Report of the Meeting of the Executive Board Held on the 21st December, 2020	One of her relatives works at Ysgol Gwenllian. Standards Committee has granted dispensation to speak but not vote on this subject.
S.J.G.Gilasbey	12 1 - Education and Children Scrutiny Committee -23rd November 2020 (Minutes for Information)	One of her relatives works at Ysgol Gwenllian. Standards Committee has granted dispensation to speak but not vote on this subject.
R. James	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Relatives are landlords.
J.A. Davies	7.4 - Revised Carmarthenshire Local Development Plan 2018 -2033 Representations Received and Focused Changes	Owns land detailed within the Local Development Plan.
H.A.L. Evans	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Member of family has a holiday home.

J.G. Prosser	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Owns a second home.
K. Lloyd	7.4 - Revised Carmarthenshire Local Development Plan 2018 -2033 Representations Received and Focused Changes	Hold shares in Carmarthenshire Energy Limited. Standards Committee has granted dispensation to speak but not vote on this subject.
K. Lloyd	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Close personal associate has a holiday home.
S.A. Curry	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Relative has a holiday home.
B. Thomas	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Close personal associate has a holiday home.
D.M. Cundy	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Relative has a second home.
E. Dole	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Has a holiday home on his land.
A. Vaughan-Owen	8.1 - To Receive the Report of the Meeting of the Executive Board Held on the 30 th November, 2020	Has received grant funding from the Authority.
J. K. Howell	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Member of family has a holiday home.
G.R. Jones	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Member of family has a holiday home and he uses an Airbnb in Carmarthenshire.
B.D.J. Phillips	7.4 - Revised Carmarthenshire Local Development Plan 2018 -2033 Representations Received and Focused Changes	Son has a candidate site within the Local Development Plan.

B.D.J. Phillips	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Has a holiday home.
L.D. Evans	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Close relative owns a holiday home.
L.D. Evans	8.2 To Receive the Report of the Meeting of the Executive Board Held on the 21st December, 2020	Her son-in-law teaches at Heol Goffa school.
S.L. Davies	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Relative has holiday home.
G.B. Thomas	7.4 - Revised Carmarthenshire Local Development Plan 2018 -2033 Representations Received and Focused Changes	Relative had land within the Local Development Plan.
G. Davies	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Close relative has an apartment that is let.
J. Tremlett	7.4 - Revised Carmarthenshire Local Development Plan 2018 -2033 Representations Received and Focused Changes	Close relative had a candidate site.
A.D.T. Speake	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Has a time-share in Carmarthenshire.
A.S.J. McPherson	9.4 - Notice of Motion Submitted by Councillor Cefin Campbell	Has relatives and friends who have second homes.

3. CHAIR'S ANNOUNCEMENTS.

- The Chair extended his congratulations to Lisa Randell, Senior Support Worker at Llys y Bryn Residential Home, Llanelli who had been awarded the British Empire Medal (BEM) for services to health and social care during the Covid 19 pandemic.

- The Chair also extended his congratulations to Mr Huw Owen, Owens Group, Llanelli who had been awarded an MBE and to Sandra May Morgan, who was awarded a BEM.
- Councillor Jean Lewis congratulated Emma Bolom, a member of the team who had been responsible for the Oxford vaccine. Councillor Lewis stated that they were extremely proud of her success and extended thanks to her and the team on developing the vaccine.
- The Leader provided a statement on the Covid 19 situation in the County stating that Carmarthenshire was now below the Welsh average for infection but that it was imperative that we all adhered to the restrictions. It was stated that vaccinations were being successfully rolled out across the County. Concern was expressed about the guidance provided by Welsh Government regarding vaccinations in care homes and that the Authority would be lobbying Welsh Government for a National Policy. Assurance was given that robust safety measures were being taken to ensure the safety of both residents and staff. The Leader extended his thanks to the team for their hard work and dedication in meeting the demand on the service.

4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 9TH DECEMBER, 2020

UNANIMOUSLY RESOLVED that the minutes of the meeting of Council held on the 9th December, 2020 be signed as a correct record.

5. COUNCIL TAX REDUCTION SCHEME 2021-22

The Council considered a report on the Council Tax Reduction Scheme for 2021/22 and was advised that in 2013, the Westminster Government replaced the national Council Tax Benefit Scheme with a localised scheme. It was reported that following that change, the Welsh Government had introduced in 2013/14 a standard scheme and (with minor amendments) in subsequent years a uniform all-Wales scheme, albeit with limited areas of local discretion available to local authorities as detailed in the report. Although the scheme had been established on an all-Wales Basis, each Welsh local authority was required by Prescribed Requirements Regulations to formally adopt a Council Tax Reduction Scheme by 31st January each year.

Since the scheme's introduction, Carmarthenshire had, in common with most Welsh Authorities, used its discretionary powers and fully disregarded any Disablement Pensions, War Widows Pensions and similar payments when calculating entitlement. It was highlighted that by accepting the recommendations contained in the report, Carmarthenshire would continue to disregard those payments.

RESOLVED that for 2021/22 the Council:

- 5.1 Formally adopts the standard all-Wales Council Tax Reduction Scheme provided for in the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013;**
- 5.2 Implements the annual up-rating figures (used in entitlement calculations) and other technical amendments included in the**

Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2021, due to come into effect in January 2021 and these regulations apply in relation to a Council Tax Reduction Scheme made for the financial year beginning on 1st April 2021;

- 5.3 Continues to exercise its discretion with regard to the limited discretionary elements of the prescribed scheme as outline in the report's Executive Summary.**

6. ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Chair welcomed to the meeting Mrs Mary Dodd, Vice-Chair of the Standards Committee, who had been invited to present to Council the Annual Report of the Standards Committee for the 2019/20 period.

Mrs Dodd thanked the Council for the opportunity of presenting the Annual Report on behalf of the Standards Committee and proceeded to provide an overview of the issues addressed by the Committee during 2019/20. Those included Code of Conduct Complaints, Applications for Dispensation, Code of Conduct Training for Town and Community Councils and Whistle-Blowing.

The Leader thanked Mrs Dodd for her presentation and for the work undertaken by the Standards Committee.

RESOLVED that the Annual Report of the Standards Committee for the period 1st April, 2019 to 31st March 2020 be received.

7. TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE BOARD IN RESPECT OF THE FOLLOWING ITEMS:-

7.1. MID-YEAR TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT 1ST APRIL 2020 TO 30TH SEPTEMBER 2020

Council was informed that the Executive Board, at its meeting held on the 30th November 2020, had, in accordance with the 2020/21 Treasury Management Policy and Strategy (adopted by Council on the 19th February 2020 – Minute 8 refers), approved an update on the treasury management activities from the 1st April 2020 to the 30th September 2020.

The Executive Board Member for Resources stated that the fall in GDP in the first half of 2020 was -21.8%), however, this was to be expected as the economy relies heavily on consumer-facing services which was badly hit during lockdown. The authority's investments during the period returned an average return of 0.28% and Gross interest earned on investments amounted to £0.209m and interest paid on loans was £8.96m.

RESOLVED that the following recommendation of the Executive Board be adopted

‘that the Mid-Year Treasury Management and Prudential Indicator Report for 1st April 2020 to 30th September 2020 be adopted’.

7.2. PROPOSAL TO SHORTEN THE INTERNAL SCHOOL ORGANISATION DECISION MAKING AND DETERMINATION PROCESS

The Council was informed that the Executive Board, at its meeting held on the 21st December, 2020 (minute 6 refers) had considered a report on proposals to shorten the current Internal School Organisation Decision Making and Determination Process following its approval by the Executive Board Member for Education and Children in September 2018. The current proposal had been developed in response to the impact of the Covid-19 pandemic on the work of the Modernising Education Provision (MEP) Team and the subsequent delays in its work programme of approximately 6 months

The Executive Board Member for Education & Children advised Council that if it were to adopt the Executive Board recommendation it would result in the removal of consultation with the Education and Children Scrutiny Committee from Stages 2 and 3 of the process on the Executive Board was able to approve Stage 2 and County Council Stage 3. If adopted, the revision would reduce the consultation process by approximately 2 months. The new process would then be:-

Stage 1 – Education and Children Scrutiny Committee and Executive Board
Stage 2 – Executive Board
Stage 3 – Executive Board and Council

It was noted that the Education and Children Scrutiny Committee had endorsed the proposal at its meeting held on the 23rd November 2020.

RESOLVED that the following recommendations of the Executive Board be accepted:-

“That the proposal to shorten the Internal School Organisation Decision Making and Determination Process be approved and that the Education and Children Scrutiny Committee be removed from Stages 2 and 3 of the consultation process”.

7.3. REGIONAL TECHNICAL STATEMENT FOR AGGREGATES - SOUTH WALES - SECOND REVIEW (RTS2)

The Council was informed that the Executive Board, at its meeting held on the 21st December, 2020 (minute 13 refers) had considered a report on the review undertaken of the Regional Technical Statement for Aggregates – South Wales, produced in accordance with the requirements of Minerals Technical Advice Note 1: Aggregates (MTAN 1). It was noted that the purpose of the RTS2 was to provide a strategy for the future supply of construction aggregates within each region (North and South Wales) taking into account the latest information in relation to the balance of supply and demand and current notions of sustainability as enshrined in the Wellbeing of Future Generations (Wales) Act 2015.

RESOLVED that the following recommendation of the Executive Board be accepted:-

“that the Regional Technical Statement for Aggregates – South Wales – Second Review (RTS2) be endorsed”.

7.4. REVISED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN 2018 - 2033 REPRESENTATIONS RECEIVED AND FOCUSED CHANGES

[NOTE: Councillors J.A. Davies, K. Lloyd, B.D.J. Phillips, G.B. Thomas and J. Tremlett had earlier declared an interest in this item. None were required to leave the meeting as the debate did not focus on any matters involved in the interests declared by them].

The Deputy Leader informed Council that the Executive Board, at its meeting held on the 21st December, 2020 (minute 12 refers) had considered a report detailing representations received on the Deposit Revised Carmarthenshire Local Development Plan 2018-2033 in response to the Council’s decision on the 10th January 2018 to formally commence the preparation of a Revised (Replacement) LDP. That resolution included an eight week public consultation undertaken between the 29th January 2020 and, following an extension of over two weeks, closed on the 27th March 2020. That was subsequently supplemented by a further 3 week consultation closing on the 2nd October 2020 to reflect the impact of the closure of public buildings during the final few weeks of the consultation due to the Covid-19 pandemic.

The Deputy Leader advised that the report set out the responses received to the consultation and sought to set out a series of Focused Changes proposed in response to recommendations received along with those which may have emerged as a result of changes in legislation, guidance, evidence or in the interest of clarity and meaning. They also provided an opportunity to incorporate and respond to issues arising from Covid-19, as reported to Council in the Covid-19 Assessment in association with the Revised Delivery Agreement on the 22nd October, 2020.

RESOLVED that the following recommendation of the Executive Board be accepted:-

- 7.4.1 to endorse the officer recommendations on the consultation responses received to the Deposit Revised LDP, Sustainability Appraisal, Habitat Regulations Assessment and Supplementary Planning Guidance;**
- 7.4.2 to agree to the presentation of the schedule of Focused Changes to Executive Board for approval for a minimum 6-week public consultation;**
- 7.4.3 to approve the submission of the Deposit LDP and its supporting documents, evidence and background documents as required to the Welsh Ministers for Examination;**
- 7.4.4 to grant officers delegated authority to respond to recommendations and requests arising from the Inspector as part of the Examination and hearing sessions;**
- 7.4.5 to resolve to adopt the SPG in relation to Caeau Mynydd Mawr SAC and the Burry Inlet (subject to the outcome of the Examination) concurrent with the adoption of the Revised LDP;**

7.4.6 to grant officers delegated authority to make non-substantive typographical, cartographical and/or factual amendments to improve the clarity and accuracy of the Revised Local Development Plan and its supporting documents”.

8. TO RECEIVE THE REPORT OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE FOLLOWING DATES:

8.1. 30TH NOVEMBER, 2020

[NOTE: Councillors A. Vaughan Owen had earlier declared an interest in this item. Cllr. Vaughan Owen was not required to leave the meeting as the debate did not focus on the matter involved in the interest declared by him].

UNANIMOUSLY RESOLVED that the report of the meeting of the Executive Board held on the 30th November 2020 be received.

8.2. 21ST DECEMBER, 2020

[NOTE: Councillors S.J.G. Gilasbey and L.D. Evans had earlier declared an interest in this item. Neither member was required to leave the meeting as Cllr. Gilasbey had a dispensation, and the debate did not focus on the matter covered by Cllr. Davies Evans' interest].

UNANIMOUSLY RESOLVED that the report of the meeting of the Executive Board held on the 21st December 2020 be received.

9. TO CONSIDER THE FOLLOWING NOTICES OF MOTION:-

9.1. NOTICE OF MOTION SUBMITTED BY COUNCILLOR LOUVAIN ROBERTS

The Chair reported that Councillor Louvain Roberts had requested that her Notice of Motion be withdrawn from the meeting.

The Council noted the withdrawal of the Notice of Motion.

9.2. NOTICE OF MOTION SUBMITTED BY COUNCILLOR ROB JAMES

The Chair reported that Councillor Rob James had withdrawn his Notice of Motion.

The Council noted the withdrawal of the Notice of Motion.

9.3. NOTICE OF MOTION SUBMITTED BY COUNCILLOR DARREN PRICE

Council considered the following Notice of Motion submitted by Councillor Darren Price:-

“Carmarthenshire County Council:

1. recognises the distressing fact that 30% of children in Wales live in poverty, while only 17% have free school meals, mainly because their parents are in low-paid jobs which take them over the eligibility threshold;
2. notes that England and Scotland have universal infant FSMs, with all pupils in the reception class, years 1 and 2 eligible, whereas Wales doesn't;
3. calls on the Welsh Government to cost, as a matter of urgency, the extension of FSMs to any child in any family receiving universal credit or equivalent benefit, and any child in a family with no recourse to public funds;
4. agrees that this should be a step towards the aim of rolling out universal FSMs, as called for by various groups in Wales, including the Child Poverty Action Group (CPAG) and the People's Assembly”.

The motion was duly seconded.

The proposer and seconder of the Motion were afforded the opportunity of speaking in support thereof and outlined the reasons for its submission, as set out in the Motion.

A number of statements were made in support of the Motion. It was also stated the importance of the cross-party agreement that was in place to support this Motion.

Council was advised that if the motion was supported it would be referred to the Executive Board and point 3 referred to Welsh Government.

UNANAMOUSLY RESOLVED that the Notice of Motion be supported and referred to the Executive Board and point 3 referred to Welsh Government.

9.4. NOTICE OF MOTION SUBMITTED BY COUNCILLOR CEFIN CAMPBELL

[NOTE: Councillors D.C. Evans, K.V. Broom, S.M. Allen, R. James, H.A.L. Evans, J.G. Prosser, K. Lloyd, S.A. Curry, B. Thomas, D.M. Cundy, E. Dole, J. K. Howell, G.R. Jones, B.D.J. Phillips, L.D. Evans, S.L. Davies, G. Davies and A.S.J. McPherson earlier declared interests in this item and were not present during consideration of the item. Cllr. A.D.T. Speak had also declared an interest but remained in the meeting as the Notice of Motion did not relate to the type of interest declared by him].

Council considered the following Notice of Motion submitted by Councillor Cefin Campbell:-

“Notes that 1,118 homes in Carmarthenshire are defined as second homes. A second home is defined as a property that is not the sole or main dwelling of the owner.

Further notes that there has been a recent increase across Wales in the number of houses being bought as second homes or holiday homes for rent or letting as AirBnB (including Carmarthenshire). In some parts of the country as much as 40% of the housing stock is a second home. As a result local people (especially young people) find it difficult if not impossible to buy a property as they are too often

priced out of the housing market. This obviously has a detrimental effect on the demography of the area, social cohesion and the Welsh language.

Although Carmarthenshire County Council welcomes Welsh Government's intention to add a 1% increase in Land Transaction Tax on the purchase of a second home we do not believe it goes far enough to meet the housing crisis facing some of our rural communities. We therefore call on Welsh Government to:

- Change planning laws to ensure that planning permission must be sought for the change of use of a primary dwelling into a second home / holiday accommodation;
- Allow local authorities, in consultation with the local community, to set a 'cap' on the number of second homes in each ward, and allow the use of Section 106 agreements to prevent new properties from being used as second homes in wards with an unacceptable proportion of second homes;
- Introduce a licensing system for managing the conversion of a residential property into a commercial unit such as a holiday unit / house or AirBnB;
- Close the loophole that allows second homes to register as businesses in order to opt out of paying domestic rates and Council Tax Premiums, and take advantage of business rate relief;
- Introduce legislation to further increase the Land Transaction Tax (LTT) on the purchase of second properties.

Once these policy changes have been approved by Welsh Government, Carmarthenshire County Council will then consider charging a Council Tax Premium of at least 200% on second homes.

The motion was duly seconded.

The proposer and seconder of the Motion were afforded the opportunity of speaking in support thereof and outlined the reasons for its submission, as set out in the Motion.

A number of statements were made both in support of and against the Motion.

RESOLVED that the Notice of Motion be supported and referred to Welsh Government.

10. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

11. QUESTIONS BY MEMBERS

The Chair advised that no questions from Members had been received.

12. MINUTES FOR INFORMATION

[Note: Councillor S.G.J. Gilasbey had earlier declared an interest in item 12.1 Education and Children Scrutiny Committee - 23rd November 2020].

The Chair stated that the minutes outlined on the agenda 12.1 – 12.10 were available for information on the Council website.

CHAIR

DATE

COUNTY COUNCIL 10th February 2021

CWM ENVIRONMENTAL LTD LANDFILL AFTERCARE LIABILITY

The purpose of this report is to secure Council's agreement to the structure of new agreements with Natural Resources Wales to guarantee the aftercare liability for the landfill site at Nantycaws.

Recommendations / key decisions required:

To agree to a Local Authority Performance Bond as follows:

1. Council enter into a Local Authority Performance Deed with National Resources Wales in respect of the aftercare liability of the Nantycaws Landfill Site which is operated by CWM Environmental Ltd.
2. That the funds totalling some £1.514m currently held in an ESCROW account between CWM and NRW be in future held in a joint ESCROW account between CCC and CWM.
3. Council levy a premium of 2.4% on CWM in recognition of the security provided, and that this sum be then transferred to the joint ESCROW account annually to increase the actual cash available to meet actual liabilities
4. Approval of the release of funding from the joint ESCROW account be delegated to The Chief Executive and Director of Corporate Services with the balance only to be utilised solely to meet one or more of the following aftercare costs:
 - Environmental monitoring
 - Capping
 - Cap maintenance
 - Leachate management
 - Landfill gas management
 - Surface water management
 - Security (e.g. gates and fencing)
 - Production of site reports (if not included in monitoring)
 - Specified events
5. The conclusion of the Local Authority Performance Deed with National Resources Wales to be delegated to the Head of Administration and Law and Director of Corporate Services

Reasons

To agree to the entering of the Local Authority Performance Deed with Natural Resources Wales to guarantee the aftercare liability for the landfill site at Nantycaws.

Relevant scrutiny committee to be consulted No

Exec Board Decision Required	NO
Council Decision Required	YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr David Jenkins, Executive Board Member for Resources, Cllr Hazel Evans, Executive Board Member for Environment

Directorate: Corporate Services Name of Director: Chris Moore	Designations: Director of Corporate Services	Tel No. 01267 224121 E Mail Addresses: CMoore@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY
COUNTY COUNCIL
10th February 2021

CWM ENVIRONMENTAL LTD – LANDFILL AFTERCARE LIABILITY

Background

As part of its permit obligations for operating the Nantycaws site, CWM Environmental Ltd (CWM), which is a wholly owned subsidiary of the authority, must have in place 'adequate' financial provisions to discharge the obligations of the permit for as long as the landfill poses a hazard. This means that the provision has to be:

- sufficient (in monetary terms),
- secure, and
- available when required.

It is considered appropriate to provide for an aftercare period of 60 years from the date of ceasing of the depositing of waste at the site, with a contingency fund available thereafter to finance the following:

- Environmental monitoring
- Capping
- Cap maintenance
- Leachate management
- Landfill gas management
- Surface water management
- Security (e.g. gates and fencing)
- Production of site reports (if not included in monitoring)
- Specified events

The current estimated aftercare provision for CWM Environmental Ltd's landfill operation to the conclusion of Cell 7 is £4.675m, and to date the company has made provision through £1.514m cash held in a joint account (ESCROW) with National Resources Wales (NRW) with the balance of £3.2m covered through a Performance Bond provided by the Company's bankers, this bond being secured against the assets of CWM.

At renewal in February 2020 the cost of the Performance bond was £34,203.

Current position

Since February 2020 discussions have been taking place with the CWM's bankers regarding both the pricing of the bond and in particular the security that they would require from the Council, as the parent company of CWM, for them to renew the bond arrangement.

The bank has confirmed that there have been significant changes since they initially agreed the bond arrangements in 2011. Both the counterparty risk (risk grading of CWM itself driven by financial performance) and more critically, the banking industry's internal and regulatory factors (changes to regulatory driven risk models and credit policy) have impacted on the risk weightings and hence the capital that they need to set aside, which in turn impacts on the returns that they generate on the facility. To continue with the current bond arrangements they are both making losses on the provision of the facility annually, and this as well as the departure from their credit policy (for example around the provision of security for performance bonds for commercial entities) is driving the requirement from their perspective

to have the liability underwritten by Carmarthenshire County Council if the facility is to be renewed.

The bank has proposed two ways of achieving this:

1. The Bond is renewed by CWM, with the Council providing a guarantee for the liability of CWM and they have indicated that this would be priced at a margin of 2.4% (which would equate to a premium of £76,000)
2. The bonding line is novated directly to the Council which issues in the name of CWM, and they have indicated that this is priced at a margin of 1% ((which would equate to a premium of £32,000)

Discussions have also been held with Marsh Ltd., Council's insurers to see whether they could propose alternative options, but the position of their Surety providers seems to be the same as the Company's bankers as neither are prepared to offer terms on an indemnity basis with just CWM due to its credit strength, and therefore terms could only be provided if Carmarthenshire County Council, as the parent of the company, would indemnify.

Considerations

The balance sheet net worth of CWM as at 31st march 2020 was £3.9m, of which £1.513m relates to the joint ESCROW account so from the Bank's position it sees insufficient net worth in the company that it could liquidate to cover its outlay should the performance bond be called upon. It is therefore seeking additional security from the Council, as the company parent, to underwrite the bond which is a common approach.

Pricing of the bond. As outlined above the risk grading of CWM as a Limited Company is greater than the Council and this is reflected in the pricing margins of 2.4% and 1% respectively.

It is important to note that a Performance bond is not an insurance product. As has been outlined above, the provider of a performance bond will only do so if they can secure sufficient security from the assets of the company (or its parent) that they could liquidate to cover the costs of any claim, costs or expenses that they would incur should the bond be called upon.

The main consideration therefore is that if Carmarthenshire County Council is required to provide the security for the bond arrangement, then it would be more effective to provide the security directly to National Resources Wales, under which arrangement the cost of the premium can be utilised either within the Council or to annually increase the cash balance held to meet future liabilities.

CWM Environmental Ltd is a separate legal entity so as such there is no legal obligation on the Authority to step in should the company at some stage not be able to meet its liabilities, but members will need to consider the negative publicity that would arise and any moral obligation that may be imposed. It must also be recognised that to continue operations at Nantycaws CWM is required to meet the terms of its permit, to which end it must have in place 'adequate' financial provisions to discharge the obligations.

Discussions with NRW

Discussions have taken place with NRW and they are agreeable to entering into a deed of Agreement with the Council where the Council undertakes to meet the aftercare costs up to

the calculated liability of £4.675m. On conclusion of an agreement NRW will then make arrangements to release the monies held in the ESCROW account to the company.

Discussions with Wales Audit Office

There are no particular audit implications if Council was to guarantee the obligation. Council would need to document the potential for the obligation to crystallise (i.e. CWM to stop trading and therefore not meet the obligations re aftercare). If this assessment was probable, the Council would need to provide in full for the aftercare liability as if they owned the sites directly. If the crystallising of the guarantee was possible, a contingent liability disclosure would be required and if remote, no recognition or disclosure would be required. This assessment would need to be updated annually.

Recommendations:

1. Council enter into a Local Authority Performance Deed with National Resources Wales in respect of the aftercare liability of the Nantycaws Landfil Site which is operated by CWM Environmental Ltd.
2. That the funds totalling some £1.514m currently held in an ESCROW account between CWM and NRW be in future held in a joint ESCROW account between CCC and CWM.
3. Council levy a premium of 2.4% on CWM in recognition of the security provided, and that this sum be then transferred to the joint ESCROW account annually to increase the cash available to meet actual liabilities
4. Approval of the release of funding from the joint ESCROW account be delegated to The Chief Executive and Director of Corporate Services with the balance only to be utilised solely to meet one or more of the following aftercare costs:
 - Environmental monitoring
 - Capping
 - Cap maintenance
 - Leachate management
 - Landfill gas management
 - Surface water management
 - Security (e.g. gates and fencing)
 - Production of site reports (if not included in monitoring)
 - Specified events
5. The conclusion of the Local Authority Performance Deed with National Resources Wales to be delegated to the Head of Administration and Law and Director of Corporate Services

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Chris Moore Director of Corporate Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NO	YES	YES	NO	YES	NO	YES

2. Legal

The EU rules on State aid no longer apply in the UK and have been replaced by the rules on subsidies found in Part Two, Title XI, Article 3 of the Trade and Cooperation Agreement between the UK and the EU (the TCA Subsidy Rules). The UK intends in time to develop legislation setting out in detail a new set of UK rules on public subsidies but, for the time being, the TCA Subsidy Rules in the Trade and Cooperation Agreement have legal effect. The new TCA Subsidy Rules prohibit certain 'subsidies' and they broadly cover the same ground as the EU's rules prohibiting State aid.

The TCA Subsidy Rules seek to ensure that subsidies are not granted where they have or could have a material effect on trade or investment between the EU and the UK. 'Subsidy' is defined as financial assistance which (amongst other things) confers an economic advantage on an entity which is engaged in economic activity by offering goods or services on a market.

CWM is a wholly owned subsidiary of the Council and is a 'controlled legal person' (i.e. a Teckal company) within the meaning of regulation 12 of the Public Contracts Regulations 2015. Some 83% of its activities are carried out for the Council and relate to municipal waste collection and disposal and so they are non-commercial activities not carried out on a market. The remaining 17% of Cwm's activity relates to the collection of commercial waste, an activity which CWM does carry out on the market.

CWM no longer operates the landfill at Nantycaws with any commercial waste therefore being treated and either being sent to be made into refuse derived fuel (RDF) or to other landfill sites. As such, there is no direct link between CWM's operation of the Nantycaws landfill site and the aftercare liabilities in relation to the same on the one hand and its commercial operations on the other. The commercial collections could be run in exactly the same way even if CWM did not own the Nantycaws landfill site. It is therefore the prices it obtains in the RDF market or from other landfill operators (rather than any pricing relating to disposal to its own landfill) which are factored into the Company's pricing for its commercial waste disposal service.

In light of the above analysis, the proposed arrangement with NRW will not involve the Council providing Cwm with a subsidy as that term is defined in the TCA Subsidy Rules.

3. Finance

CWM Environmental Ltd. was originally set up in accordance with the Environmental Protection Act 1990 for the purpose of Waste Disposal and is a wholly owned subsidiary company of the Authority with a share capital of £329,000.

The current estimated aftercare provision for CWM Environmental Ltd.'s landfill operation to the conclusion of Cell 7 is £4.675m, and to date the company has made provision through £1.514m cash held in a joint account (ESCROW) with National Resources Wales (NRW) with the balance of £3.2m covered through a Performance Bond provided by the Company's bankers, this bond being secured against the assets of CWM. To renew the bond in 2021 the bank has indicated that they would be seeking an increase in the annual premium to £76,000 plus they would require CCC to underwrite the bond.

If the Council is required to provide the indemnity for the bank or others to provide the bond, then it is more cost effective to provide the indemnity directly to National Resources Wales and thereby making the cost of an annual premium (of circa £78k) available to build up the cash balances to meet the aftercare costs.

The aftercare liability is for 60 years after the ceasing of depositing waste at the site and would become a potential liability on the Council if CWM Environmental Ltd was to stop trading. The joint ESCROW balance would be the first call for any aftercare costs.

5. Risk Management Issues

Failure to have in place a mechanism for making financial provision for the aftercare liability for the Nantycaws site would put the company in breach of its permit obligations and thereby its ability to continue trading.

7. Physical Assets

CWM Environmental Ltd. is a wholly owned subsidiary company of the Authority with a share capital of £329,000. The balance sheet of the company as at 31st March 2020 reflected net assets of £3.9m of which £1.514m relates to the joint ESCROW account.

It must be noted that the net book value does not reflect the ‘market value’ as applied between a hypothetical willing vendor and a hypothetical willing buyer in the open market.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Chris Moore Director of Corporate Services

- 1. Scrutiny Committee** N/A
- 2. Local Member(s)** N/A
- 3. Community / Town Council** None
- 4. Relevant Partners** None
- 5. Staff Side Representatives and other Organisations** None

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
CWM Environmental Ltd 2020 Business Plan		www.carmarthensire.gov.uk

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EXECUTIVE BOARD

Monday, 18 January 2021

PRESENT: Councillor E. Dole (Chair);

Councillors:

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

Also in attendance:

Councillor D.M. Cundy and K. Lloyd;

The following Officers were in attendance:

W. Walters, Chief Executive

C. Moore, Director of Corporate Services

J. Morgan, Director of Community Services

R. Mullen, Director of Environment

G. Morgans, Director of Education & Children's Services

L.R. Jones, Head of Administration and Law

J. Morgan, Head of Homes & Safer Communities

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

D. Hockenull, Marketing and Media Manager

M. Evans Thomas, Principal Democratic Services Officer

S. Rees, Simultaneous Translator

L. Jenkins, Executive Board Support Officer

J. Corner, Technical Officer

E. Bryer, Democratic Services Officer

M.S. Davies, Democratic Services Officer.

Virtual Meeting: 10.00 am - 11.20 am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interests.

3. MINUTES - 21ST DECEMBER 2020

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 21st December, 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. FOOD AND FEED SERVICE DELIVERY 2020-21

The Executive Board considered a report detailing a proposed plan for food and feed advisory/official control work based on Food Standards Agency (FSA) guidance up to the 31 March 2021. As a result of COVID-19 officers from the Food Safety and Health section, who, ordinarily, would have been implementing the food and feed official controls (inspections), had, over the last six months, been involved in implementing the COVID relevant legislation. They had also been deployed/seconded into the Infection Prevention and Control Team. The Food, Safety and Health team was now, however, in a position where advisory/official controls for food and feed could be reinstated and implemented. The FSA had recently provided guidance for the delivery of official food controls in the context of the ongoing response to the COVID -19 pandemic.

UNANIMOUSLY RESOLVED that the proposals for the advisory/official controls at food and feed businesses up to 31 March 2021 be approved.

7. TRANSITIONAL HOMELESSNESS PLAN

The Executive Board considered a report which provided an update on the continued impact of COVID-19 on homelessness provision, particularly in relation to single people, a bid to Welsh Government for funding to assist in developing plans to tackle additional demand and plans to re-house and support single homelessness people particularly over the next 12 months and into the future. Welsh Government had agreed to continue to fund additional B & B provision from the Emergency Homelessness Provision. This would amount to approximately £350,000 by the end of March 2021.

UNANIMOUSLY RESOLVED

7.1 to note the continued impact of Covid-19 on homelessness provision;

7.2 to note the outcome of a bid to Welsh Government for additional support and progress made regarding the Authority's homeless plans;

7.3 to approve a variation of the Access to Social Housing Policy to undertake a pilot exercise to help re-house single homeless households in Council stock including:

- **Using 6 vacant upper floor two-bedroom flats for single people; and**
- **Using 3 vacant houses where two single people are given the opportunity to share a tenancy;**

7.4 that investigation be undertaken with a view to buying single person accommodation in the private sector as part of the Authority's general plans to increase stock numbers.

8. REVENUE BUDGET STRATEGY 2021/22 TO 2023/24

The Board considered a report providing an overview of the Revenue Budget Strategy for 2021/22 and the following two financial years. The report provided details of the budget process, the current Welsh Government provisional settlement and the Final settlement timetable and identified the validation and budget pressures that needed to be considered by members in setting next year's revenue budget. The report would form the basis of the budget consultation process which would be undertaken during January and February 2021.

The report indicated that, after adjustments for WG identified transfers, the increase in the provisional settlement for Carmarthenshire was 3.8% (£10.466

million). The Aggregate External Finance (AEF) had therefore increased to £284.820 million in 2021/22 which included £244k in respect of Teachers pay.

It was noted that whilst significant work had already been undertaken in preparing the budget, this report was only an initial position statement which would be updated over the coming months as the budget was further developed, council members were engaged, public consultation took place and the final settlement was expected to be received from Welsh Government on 2nd March 2021.

The Leader thanked all Council staff for their dedication and hard work in maintaining care and support for communities in Carmarthenshire during the current Covid pandemic. He added that whilst he recognised the reasons, both in terms of prudence and fiscal responsibility, why officers were recommending a Council Tax of 4.89% in the report he proposed a motion, given the circumstances surrounding Covid 19 and its effect on so many people in the county, that the Council Tax be reduced to 4.48%. The motion was duly seconded.

It was clarified by the Director of Corporate Services that the proposed reduction in Council Tax to 4.48% would be considered as part of the budget finalisation process over the next month in conjunction with the consultation feedback where final budget proposals and options will be presented to Executive Board late February, therefore ensuring a balanced budget is presented to County Council.

UNANIMOUSLY RESOLVED that the contents of the report be noted and, subject to the Council Tax being reduced to 4.48% [rather than 4.89% as set out in the report], the 2021/22 to 2023/24 budget strategy be approved as a basis for consultation specifically seeking comments from consultees on the efficiency proposals detailed within Appendix A to the report.

9. FIVE YEAR CAPITAL PROGRAMME (COUNCIL FUND) - 2021/22 TO 2025/26

The Executive Board considered a report detailing the latest proposals for the Five-Year Capital Programme (Council Fund) 2021/22 to 2025/2026 which would form the basis of the budget consultation process with members and other relevant parties. Feedback from this consultation process, along with any updates on the settlement figures and grant applications, would inform the final Capital Programme budget report which would be presented to the Executive Board in February 2021 and County Council in March 2021.

The proposed gross expenditure on the capital programme for 2021/22 was £127.1m with the projected funding being £63.854m from the county council's own resources through the use of borrowing, capital receipts, reserves and general capital grant and the balance of funding of £63.239m coming from external sources. These figures included projects delayed in 2020/21, mainly because of Covid-19 restrictions, that had been carried over and build into the budgets of future years.

The capital programme was projected to be fully funded over the five years. It included projected expenditure on the Swansea Bay City Region Deal projects against which the authority would borrow, with the funding being returned from both Welsh and UK governments over a 15 years period (from 2018/19).

Whilst disappointment was expressed over the proposal to reduce Council funding for the Towy Valley Path due to the difficulties of securing external funding the Leader gave an assurance that the Authority remained firmly

committed to the project, particularly in terms of safe travel, and would continue to make the case to Welsh Government for support.

UNANIMOUSLY RESOLVED to endorse the report as a provisional capital programme for consultation purposes, including consideration by the Policy and Resources Scrutiny Committee at its meeting on 3rd February.

- 10. 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.

CHAIR

DATE

Executive Board

Monday, 25 January 2021

PRESENT: Councillor E. Dole (Chair);

Councillors:

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

Also in attendance:

Councillor D.M. Cundy and R. James;

The following Officers were in attendance:

W. Walters, Chief Executive;

C. Moore, Director of Corporate Services;

J. Morgan, Director of Community Services;

R. Mullen, Director of Environment;

G. Morgans, Director of Education & Children's Services;

J. Jones, Head of Regeneration;

S. Pilliner, Head of Transportation & Highways;

L.R. Jones, Head of Administration and Law;

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

D. Hockenull, Marketing and Media Manager;

M. Evans Thomas, Principal Democratic Services Officer;

E. Bryer, Democratic Services Officer;

K. Thomas, Democratic Services Officer;

J. Corner, Technical Officer;

L. Jenkins, Executive Board Support Officer;

S. Rees, Simultaneous Translator;

M.S. Davies, Democratic Services Officer.

Virtual Meeting: 10.00 am - 10.40 am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

Member	Minute Number	Nature of Interest
E. Dole	5 – Renewal Ballot of the Llanelli Business Improvement District (BID)	Has represented the Council on the BID Group.

3. QUESTIONS ON NOTICE BY MEMBERS

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

4. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

5. RENEWAL BALLOT OF THE LLANELLI BUSINESS IMPROVEMENT DISTRICT (BID)

[NOTE: Councillor E. Dole had earlier declared a non prejudicial interest in this item.]

The Executive Board considered a report seeking support for 'Ymlaen Llanelli' to undertake a renewal ballot for the Llanelli Business Improvement District (BID) for a new 5-year term from 1st April 2021 to 31st March 2026.

Since its inception the BID had sought to improve Llanelli as a place for people to live work and visit. Over the proposed second five-year delivery period of the BID it was estimated that £456,095 would be collected via a 1.25% levy on the rateable value of commercial properties within the BID delivery area which would be reinvested in projects and services that benefited businesses within the town centre.

UNANIMOUSLY RESOLVED

- 5.1 to support the holding of a formal ballot by 'Ymlaen Llanelli' on whether or not the town's eligible rateable businesses wish to renew the Llanelli Business Improvement District for a second 5-year term to run from 1st April 2021 to 31st March 2026;**
- 5.2 to support the principle of the proposed BID's second term and voting in respect of its 24 affected Council owned rateable properties within the BID zone (estimated annual levy charge of £14,841.25 plus inflation at 2% pa);**
- 5.3 to agree to the principle of undertaking the BID levy collection as detailed in the Operational Agreement on behalf of 'Ymlaen Llanelli' at a cost of circa £3,494.98 per annum;**
- 5.4 to approve the Statement of Baseline services to the BID company appended to the report;**
- 5.5 that Cllr. E. Dole be nominated to sit on the BID Company Board;**
- 5.6 to agree to manage the BID ballot process at no fee on behalf of 'Ymlaen Llanelli'.**

6. WALES GOVERNMENT BUS EMERGENCY SCHEME 2

The Executive Board considered a report setting out the wider context, the background to, and reasons for the Wales Government' Bus Emergency Scheme (BES) and seeking its agreement to sign up to the BES2 scheme. The scheme was required to ensure services were sustained. Any reduction in BES2 funding not covered by an uptake in farebox revenue would place pressure on any Council subsidised bus contracts. It was emphasised that without BES2 support the bus industry would not survive the crisis and many public transport routes would be lost.

UNANIMOUSLY RESOLVED

- 6.1 to agree to the principles of the BES2 agreement to secure (conditional) financial support for the bus sector and to establish a relationship with their regional lead authority and signatory, that ensures that the ongoing emergency funding meets the authority's priorities and is delivered on its behalf.**

6.2 that the requirement for the current legal agreement for the Bus Services Support Grant to be updated to reflect the requirements for the BES2 agreement be noted;

6.3 that a further report be considered in due course on wider bus reform proposals relating to the future management of bus services in Wales following the WLGA meeting with Executive Board Members and the Minister early in 2021.

7. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 31st October 2020, in respect of 2020/2021. The budget position recognised the substantial additional pressures that had been placed on the Authority in responding to the Covid 19 pandemic.

Overall, the monitoring report forecasted an end of year overspend of £1,226k on the Authority's net revenue budget with an overspend at departmental level of £2,426k. The Executive Board noted that the unprecedented position was due to a combination of additional irrecoverable costs due to the Covid-19 activity, the foregone income from services which had closed during the national lockdowns and continued to experience reduced revenue which may not be fully recompensed by Welsh Government (WG) and planned savings proposals which had either been reduced or delayed due to the pandemic or may be undeliverable due to current service operations.

The Authority continued to submit a monthly hardship claim to Welsh Government for additional Covid-19 expenditure. Whilst the majority of costs were being refunded, some were deemed ineligible, particularly those linked to local decisions.

In light of the significant forecasted overspends at departmental level, Chief Officers and Heads of Service had been asked to critically review options available to them to limit the forecasted overspend of budgets, whilst recognising the pressure Covid-19 had placed on the Authority's overall budget.

The Chair advised that Councillor R. James had sought permission in accordance with CPR 11.1 to ask a question in relation to this item.

Councillor James referred to the proposal in the draft budget to save in the region of £1m within the school rationalisation programme and asked when more details on the future of education provision in Carmarthenshire be available.

The Executive Board Member for Resources responded that the report before the Board related to the current year's budget and that the draft budget was presently the subject of consultation during which period members would have the opportunity to raise issues such as the above. The Director of Education & Children's Services explained that numerous schemes were being explored which involved investment in school buildings across the county. Proposals currently forming part of the budget consultation exercise included a review of the county's primary school footprint and investment in the delivery of more sustainable education provision.

UNANIMOUSLY RESOLVED that:

7.1 The Budget Monitoring report be received, and consideration given to the budgetary position and appropriate corrective action.

7.2 Chief Officers and Heads of Service critically review options available to them to limit the forecasted overspend of budgets, whilst recognising the pressure Covid-19 has placed on the Authority's overall budget.

8. CAPITAL PROGRAMME 2020/21 UPDATE

The Executive Board considered a report which provided an update of the latest budgetary position for the 2020/21 capital programme as at the 31st October, 2020 and detailed a set of virements which sought Executive Board approval.

It was reported that departmentally, a net spend of £51,198k was forecasted compared with a working net budget of £114,351k giving a -£63,153k variance.

The report highlighted one virement that required approval and the following additional Schemes, which had received direct funding, to the Capital Programme:-

- Public Sector Housing;
- Rights of Way Access Improvement Grant;
- Llyn Llech Owain Country Park.

UNANIMOUSLY RESOLVED that:

8.1 The capital programme update report be received.

8.2 The virement detailed in the report be approved.

9. 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.

CHAIR

DATE