

CABINET

13 MARCH 2023

PRESENT: Councillor D. Price (Chair)

Councillors (In Person):

C.A. Davies, L.D. Evans, G. Davies, P.M. Hughes,
G.H. John, A. Lenny, J. Tremlett, A. Vaughan Owen.

Also in attendance (Virtually):

Councillor D.M. Cundy

Also Present (In Person):

W. Walters, Chief Executive;
J. Morgan, Director of Community Services;
C. Moore, Director of Corporate Services;
G. Morgans, Director of Education & Children's Services;
A. Williams, Director of Place and Infrastructure;
L.R. Jones, Head of Administration and Law;
C. Harrison, Head of Strategic Joint Commissioning;
S Charles, Transport Strategy and Infrastructure Manager;
C. Higginson, Media Manager ;
S. Rees, Simultaneous Translator;
M. Runeckles, Members Support Officer;
J. Owen, Democratic Services Officer.

Also Present (Virtually):

S. Hendy, Member Support Officer.

Chamber, County Hall, Carmarthen, SA31 1JP and remotely: 10:00am - 10:20am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor E. Thomas.

2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Number	Nature of Interest
A. Davies	Item 10 - Tywi Valley Shared Use Route - Land Acquisition and the use of Compulsory Purchase Order Powers to Support the Acquisition of Land and Rights	Councillor Davies owns land which crosses the path of the Tywi Valley route.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON THE:-

3.1. 13TH FEBRUARY 2023

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 13th February 2023 be signed as a correct record.

3.2. 20TH FEBRUARY 2023

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 20th February 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. REGIONAL ADULT ADVOCACY STRATEGY

The Cabinet considered a report which included a new Regional Adult Advocacy Strategy for Cabinet endorsement. The strategy that had been developed with stakeholders through the Advocacy Working Group which comprised of the membership of three Local Authorities, Health board and third sector.

The draft Regional Adult Advocacy Strategy aimed to shape the commissioning arrangements to meet requirements to ensure good quality advocacy is readily and equitably available to those who want, or need it, in the West Wales region of Ceredigion, Carmarthenshire and Pembrokeshire.

The strategy outlined five priority areas which all aimed to improve the outcomes for people who require advocacy. The priorities were defined in the light of co-productive activity to date, engagement, the Regional Population Assessment, and in response to legislative requirements.

UNANIMOUSLY RESOLVED that the **Regional Adult Advocacy Strategy** which seeks to shape the commissioning arrangements of Hywel Dda University Health Board, Carmarthenshire County Council, Ceredigion County Council and Pembrokeshire County Council in order to meet their statutory duties, be endorsed.

7. ANY OTHER ITEMS OF BUSINESS

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

8. EXCLUSION OF THE PUBLIC

UNANIMOUSLY RESOLVED, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the reports contained exempt information as defined in paragraph 14 of Part 4 of Schedule 12A to the Act.

9. CARMARTHENSHIRE SUSTAINABLE COMMUNITIES FOR LEARNING (CSCFL) (FORMERLY THE MODERNISING EDUCATION PROGRAMME) YSGOL GWENLLIAN, KIDWELLY

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 8 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would significantly undermine the commercial interests of the Council in future property negotiations.

The Cabinet considered a report which set out a proposal in respect of the purchase of land and virement in the capital programme to proceed with a new replacement Welsh medium school for Ysgol Gwenllian, Kidwelly.

UNANIMOUSLY RESOLVED:

- 9.1 to proceed with the purchase of land to support the development of a new replacement Welsh medium primary school for Ysgol Gwenllian, Kidwelly;**
- 9.2 That a virement in the capital programme, as detailed in the report, be approved in order to allow the purchase to be completed as soon as possible.**

10. TYWI VALLEY SHARED USE ROUTE - LAND ACQUISITION AND THE USE OF COMPULSORY PURCHASE ORDER POWERS TO SUPPORT THE ACQUISITION OF LAND AND RIGHTS

[Note: Councillor Ann Davies, having earlier declared a personal interest in this item, left the meeting prior to the consideration and voting thereof.]

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 8 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would undermine the Council's position in any continuing negotiations to purchase outstanding land pieces which will run alongside the CPO process.

The Cabinet considered a report which sought approval to continue land negotiations and to approve the use of Compulsory Purchase Powers (CPO) to acquire land and interests.

UNANIMOUSLY RESOLVED:

- 10.1 To take all necessary action to secure the making, confirmation and implementation of the Tywi Valley Shared Use Route Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990, Section 13 of the Local Government(Miscellaneous Provisions) Act 1976 and the Acquisition of land Act 1981 to acquire all or part of the land shown tinted pink on the Plans attached together with the acquisition of easement rights over the areas coloured blue thereon all of which are described generally in Appendix A for the purpose of delivering the shared use route.**
- 10.2 In tandem with 10.1 above, the Corporate Property department to continue negotiations to acquire the land required for the Shared Use Route by agreement, if possible, including, where relevant, those parcels of land which currently do not have the benefit of planning consent for the delivery of the Scheme.**
- 10.3 To confirm that the shared use route once constructed will be designated a 'highway maintainable at the public expense'.**
- 10.4 That the Director for Place and Infrastructure be authorised to:**
 - i. Settle the final form and content of the CPO and all associated documentation (including the Statement of Reasons) including minor amendments to the plans and schedules identifying the land.**

- ii. Take all action needed to pursue the making of a CPO and secure its confirmation including the publication and service of all notices and the presentation of the Council's case at any public inquiry;
- iii. To acquire interests in the land within the CPO either by agreements or compulsorily; and
- iv. Approve agreements with landowners setting out the terms for the withdrawal of objections to the CPO including where appropriate seeking exclusion of land or new rights from the CPO.
- v. Following confirmation of the CPO, implement the CPO powers and General Vesting Powers to acquire title to and / or take possession of the land.

CHAIR

DATE