

EXECUTIVE BOARD

MONDAY, 22 OCTOBER, 2018

PRESENT: Councillor E. Dole [Chair]

Councillors:

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

Also in attendance:

Councillors R. James, J.M. Charles and D.M. Cundy

The following Officers were in attendance:

C. Moore, Director of Corporate Services

J. Morgan, Director of Community Services

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

Mrs R. Mullen, Director of Environment

W. Walters, Director of Regeneration & Policy

L.R. Jones, Head of Administration and Law

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

N. Daniel, Head of I.C.T.

L. Quelch, Head of Planning

I.R. Llewelyn, Forward Planning Manager

J. Owen, Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 am - 10.55 am

1. APOLOGIES FOR ABSENCE AND OTHER MATTERS

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

The Chair provided an update to the Board on the activities that took place in relation to Storm Callum. Carmarthenshire bore the brunt of the storm and was hit by the worst flooding in 30 years.

Condolences were extended to the family of Corey Sharpling who died in a tragic incident on the A484 at Cwmdud between Carmarthen and Cardigan during Storm Callum.

[The Board observed a minutes silence in tribute to Mr Sharpling]

The Chair reported that Carmarthenshire County Council had been instrumental in providing valuable assistance to both residents and businesses affected by the storm.

It was reported that around 160 homes had been affected by the floods. The Council had provided the following support:

- Council Housing Officers had re-housed seven families directly, many of those affected had found their own alternative temporary accommodation or had been supported by their insurance companies.

- A flood recovery relief fund of £100,000 had been set up which offered a £200 advance to anyone in need. Residents were encouraged to apply, online and in person, with teams going out to the worst affected areas using the Councils 'Hwb Bach y Wlad' mobile customer service for rural communities.
- Practical assistance had been provided by collecting damaged furniture and household items, supporting with the completion of insurance claims, carrying out free electrical safety testing, and more.
- The Council worked with Xcel Furniture in Johnstown, Carmarthen, to launch a furniture donation appeal to help people who had lost much of their household items.
- Dehumidifiers provided to as many homes as possible.

It was reported that the Council had provided the following support to businesses:

- Damaged furniture, fittings and equipment had been collected and road sweepers had attended badly affected sites;
- £200,000 of CREF funding allocated to support businesses in need;
- Business Support Officers visited 110 businesses in the affected areas of which 67 businesses continue to receive support. In addition practical help had been provided in order to assist businesses return to normality as quickly as possible.

As result of the devastating affects following Storm Callum, it was estimated that affected businesses had lost in the region of £3-4million, not including loss of earnings.

With regard to highways, infrastructure, cleansing and disposal it was reported that:-

- All road and bridges in affected areas had been inspected, cleared and re-opened with exception to the A484 road at Cwmdud which had been closed due to a landslide.
- Across Carmarthenshire, the initial assessment had estimated that £3million would be required to repair the highway infrastructure alone.
- Specialist teams were being called upon to support crews, including divers to inspect underwater structures.

Further updates would be provided in due course.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 24TH SEPTEMBER 2018

RESOLVED that the minutes of the meeting of Council held on the 24th September, 2018 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS (NONE RECEIVED)

The Chair advised that no public questions had been received.

5. PUBLIC QUESTIONS ON NOTICE (NONE RECEIVED)

The Chair advised that no public questions had been received.

6. CAPITAL PROGRAMME 2017-18 UPDATE

The Executive Board, after noting a correction in the title which should read 'Capital Programme 2018-19 update', considered the report which provided an update of the final budgetary position for the 2018/19 capital programme as at the 30th June, 2018.

Departmentally, a net spend of £62,301k was forecasted compared with a working net budget of £60,757 giving a £1,554k variance. The net budget had been re-profiled by £3.81m from 2018/19 to future years in order to take account of the updated spend profile information. Furthermore, the budget slippage from 2017/18 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.

7. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 30th June 2018, in respect of 2018/2019.

Overall, the monitoring report forecasted an end of year overspend of £3,016k on the Authority's net revenue budget with an overspend at departmental level of £3,918k. The HRA was predicting a £98k underspend to the year end.

In light of the current forecast for a potentially significant overspend, which would utilise around a third of the Council's general fund, the report recommended that Chief Officers and Heads of Service 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.

UNANIMOUSLY RESOLVED that:

- 7.1 the Revenue Budget Monitoring Report be received;**
- 7.2 Chief Officers and Heads of Service 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.**

8. TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT - 1ST APRIL 2018 TO 30TH JUNE 2018

The Executive Board considered an update on the treasury management activities from 1st April 2018 to 30th June 2018.

UNANIMOUSLY RESOLVED that the report be approved.

9. CARMARTHENSHIRE COUNTY COUNCIL - DIRECT PAYMENT POLICY

The Executive Board considered a report on the Carmarthenshire County Council Direct Payment Policy which had been updated in line with changes in legislation, namely the Social Services and Well-being (Wales) Act 2014, the Care and Support (Direct Payments) (Wales) Regulations 2015 and Part 4 of the Code of Practice to the Social Services and Well-being (Wales) Act 2014.

The Executive Board noted the main substantive changes made to the previous 3 Counties policy as outlined within the report. The revised Direct Payment Policy appended to the report had been revised to reflect the changes thereto.

The report outlined that direct payments were a means by which individuals with eligible care and support needs, could purchase their own services to meet those care and support needs. The local authority had a legal obligation to offer direct payments to anyone who were entitled to care and support.

UNANIMOUSLY RESOLVED that the revised Carmarthenshire County Council Direct Payment Policy be approved.

10. INFORMATION SECURITY POLICY

The Executive Board considered a report on the Information Security Policy which had been reviewed and updated to ensure compliance with current legislation (GDPR) and best practices providing a robust policy which aimed to protect the Council's information. Key elements of the Access Control Policy and a Copyright Designs and Patents Act Policy had also been incorporated into the revised Information Security policy.

The Executive Board noted the policies three main objectives:

- The Council's information assets and ICT equipment are adequately protected against any action that could have an adverse effect on the security of information.

- That all information assets must be “owned” by a named officer within the authority. The Council defines all Heads of Service as Information Asset Owners.
- That staff and elected members are aware and comply with all relevant legislation and council policies related to how they conduct their day-to-day duties in relation to ICT.

The report recommended that the policy be published to all staff and elected members via meta-compliance in order to ensure the policy has been read and fully understood.

UNANIMOUSLY RESOLVED that the recommendations as set out in the report be endorsed and the revised Information Security Policy be approved.

11. CORONER PAY ARRANGEMENTS

The Executive Board considered a report on the Coroner Pay Arrangements which provided details of a new national pay framework and guidance for Coroners issued by the Joint Negotiating Committee for Coroners (the JNC).

The guidance provided by the JNC provided assistance to local authorities on the factors to be taken into consideration in order to arrive at a balanced over-arching picture of a Coroner area’s complexity. The JNC-Coroners’ Circular No 61 & 62, were appended to the report at Annex 1 & 2 respectively.

The Executive Board noted that colleagues from Pembrokeshire and Carmarthenshire had met to discuss the Coroner’s salary and had agreed in principle to the new salary which would be paid on the basis of 50:50 by each authority. The report also included the current and the total new proposed salary along with the implication for Carmarthenshire.

In accordance with the guidance and in negotiation with the Coroner a proposed day rate of £440.00 had been determined. The daily rate had been calculated based on the level of complexity of caseload in the county of both Pembrokeshire and Carmarthenshire and the national pay rates set out by the Joint Negotiating Committee (JNC) in January 2018.

The report proposed that the framework set in determining the salary level for both the Coroner and Assistant Coroner be adopted and asked the Executive Board to agree to set the date to backdate the Coroner’s salary.

In accordance with new national framework and guidance, it was;

UNANIMOUSLY RESOLVED that:

11.1 the salary for the Coroner and the Assistant Coroner, as set out in the report, be agreed;

11.2 the related salary for the Coroner be backdated to 25th September 2018.

12. REVISED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN 2018 - 2033

The Executive Board was advised that the County Council at its meeting on 10th January 2018 approved to formally commence the preparation of a Revised (replacement) Local Development Plan (LDP), along with the Welsh Government's approval of the Delivery Agreement on the 28th June 2018 including its timetable for Plan preparation.

In accordance with that recommendation, the Executive Board considered a report on the Revised Local Development Plan 2018 which sets out the Draft Preferred Strategy by identifying the Council's land use Vision, strategic objectives and strategic growth requirements for the County through to 2033. The following supporting documents were appended to the report:

- Draft Pre-Deposit Preferred strategy
- Draft Initial Sustainability Appraisal (which incorporates the Strategic Environmental Statement)
- Population and Household Forecasts – Briefing Paper

The Executive Board noted, that the Draft Preferred Strategy had been prepared to reflect the Council's statutory responsibilities to produce the revised LDP under the Planning and Compulsory Purchase Act 2004.

The report sought Executive Board approval for its publication as part of a formal public consultation for a minimum statutory period of 6 weeks. The Draft Preferred Strategy, as identified within the Delivery Agreement, would be published in December 2018.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL;

12.1 that the content of the Draft Preferred Strategy (and supporting documents) for the Revised Local Development Plan 2018 – 2033 for formal public consultation be approved;

12.2 to grant officers delegated authority to make non-substantive typographical or factual amendments as necessary to improve the clarity and accuracy of the Draft Preferred Strategy.

13. DIGNITY AND RESPECT IN THE WORKPLACE GUIDANCE FOR SCHOOLS

The Executive Board received a report which included the new Dignity and Respect in the Workplace Guidance for Schools.

The guidance defined unacceptable behaviour and identified strategies that could be utilised to overcome the debilitating effects of such behaviour. The key approach and the essence of the guidance, was to expect and promote acceptable behaviour as the best way to prevent unacceptable behaviour.

Members spoke of the need to ensure that all schools have read and understood the guidance, it was therefore proposed that Headteachers be requested to schedule the guidance within their inset days for discussion.

UNANIMOUSLY RESOLVED that:

13.1 the adoption of the Dignity and Respect in the Workplace Guidance for Schools be endorsed;

13.2 Headteachers be requested to schedule the Dignity and Respect in the Workplace Guidance for Schools into their inset days for discussion.

14. FLEXIBLE WORKING POLICY AND PROCEDURE FOR SCHOOLS

The Executive Board considered a report which included the Flexible Working Policy and Procedure for Schools.

The Policy and Procedure had been developed to assist Headteachers in handling applications from employees who had exercised their statutory right to request flexible working. The statutory right aimed to facilitate discussion and encourage both the employee and the Line Manager to consider alternative flexible working patterns and to find a solution that suited both parties.

The Board noted that under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date of application.

The Deputy Leader emphasised that the statutory right did not provide an automatic right to work flexibly.

Reference was made to point 13 in the guidance which listed the 'Business Grounds for Refusing a Request', concern was raised regarding small schools and how they could be at a disadvantage to accommodate the policy due to the decreasing budgets and limited staff. It was acknowledged that whilst it could be difficult for small schools to provide the same level of flexibility as large schools, particularly during teaching hours, however, there was a duty to maintain a high standard of education.

UNANIMOUSLY RESOLVED that the adoption of the Flexible Working Policy and procedure for Schools be endorsed.

15. 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 expressed his sincere appreciation to staff for all their efforts during and following the storm disaster last weekend. The commitment and readiness of staff to react above and beyond the call of duty meant that the Council had been able to

deal with matters effectively and efficiently in order to meet the needs of the people who had been sorely affected.

PLEASE NOTE: THIS DOCUMENT PACK HAS BEEN RE-PUBLISHED DUE TO A MERGING ERROR.

CHAIR

DATE