

# EXECUTIVE BOARD

Monday, 2 November 2015

**PRESENT:** Councillor E. Dole (Chair)

**Councillors:**

H.A.L. Evans, L.D. Evans, M. Gravell, D.M. Jenkins, G.O. Jones, T.J. Jones, P.A. Palmer, L.M. Stephens and J. Tremlett.

**Present as observers:**

Councillors T. Devichand, J.S. Edmunds and P. Hughes-Griffiths

**The following Officers were in attendance:**

Mr M. James	-	Chief Executive
Mr J. Morgan	-	Director of Community Services
Mr C. Moore	-	Director of Corporate Services
Mr E. Bowen	-	Acting Director of Environment
Ms W. Walters	-	Assistant Chief Executive
Ms L. Rees-Jones	-	Head of Administration and Law
Mr J. Fearn	-	Head of Corporate Property
Mr G. Morgans	-	Chief Education Officer
Mr R. Edmunds	-	Trading Standards Services Manager
Ms G Ayers	-	Corporate Policy and Partnership Manager
Ms D. Williams	-	Press Manager
Mr K. Thomas	-	Democratic Services Officer

**Chamber, County Hall, Carmarthen - 10.00 - 10.48 am**

**1. APOLOGIES FOR ABSENCE.**

There were no apologies for absence

**2. DECLARATIONS OF PERSONAL INTEREST.**

<b>Councillor</b>	<b>Minute No.</b>	<b>Nature of Interest</b>
H.A.L. Evans	9. Review of Access to Social Housing Policy	Her sister is Chief Executive of the Bro Myrddin Housing Association
D.M. Jenkins	11. Matter referred from the Education and Children Scrutiny Committee held on the 6th July – Minute 5.2 Carmarthenshire Adult and Community Learning Service – Progress Report – ACL Service Provision 2015-16	Member of Cwmamman Town Council which is in discussion with the County Council on taking over the Cwmamman Community Centre

### 3. COUNTER TERRORISM AND SECURITY ACT 2015 AND PREVENT RESPONSIBILITIES

The Executive Board considered a report outlining the Counter Terrorism and Security Act 2015 and Prevent responsibilities and the statutory duties placed upon local authorities to deliver the Prevent and Channel element requiring them to appoint a Council lead for Counter Terrorism and establish a Channel Panel, being a local authority led, and resourced, multi-agency partnership to provide support to individuals who were at risk of radicalisation. In accordance with those requirements, it was proposed that the appointed lead officer for Carmarthenshire be the Assistant Chief Executive (Regeneration and Policy) with responsibility for ensuring the effective delivery of the Prevent Duty and establishing a Channel Panel, to be co-ordinated by the Community Safety Manager and reporting to the Community Safety Partnership structure, with links to existing safeguarding arrangements.

Reference was made to the Home Office funding of £10k for the current financial year only to support the implementation and awareness raising of the Prevent duty and the fact that, thereafter, all costs incurred in implementing the Act's requirements would fall wholly upon the Council, at a time when its funding was being reduced. Views were expressed that the Authority should make representations to the Home Office with regard thereto.

#### UNANIMOUSLY RESOLVED

- 3.1 that the provisions of the Counter Terrorism and Security Act 2015 and Prevent Responsibilities and the requirements those placed on specified authorities be noted;
- 3.2 that the Assistant Chief Executive (Regeneration and Policy) be appointed the Council's Lead Officer for Counter Terrorism with responsibility for ensuring the effective delivery of the Prevent Duty and a way forward in establishing a Channel Panel;
- 3.3 that representations be made to the Home Office with regard to the £10k funding arrangements to local authorities being payable for the current financial year only.

### 4. DRAFT SUPPLEMENTARY PLANNING GUIDANCE - CARMARTHESHIRE LOCAL DEVELOPMENT PLAN

The Executive Board considered a report on proposals for the adoption of the following Draft Supplementary Planning Guidance (SPG) to support and elaborate on the policies and provisions of the Adopted Carmarthenshire Local Plan, which had been adopted by the Council on the 10th December 2014.

- Placemaking and Design;
- Archaeology and Development;
- Leisure and Open Space Requirement for New Developments;
- Natural Environment and Biodiversity
- Rural Development.

The Board was advised that subject to the adoption of the proposals by the Council, they would be subject to a six week formal consultation period and thereafter, the draft SPG's together with any representations received would be reported to a future meeting of the Council for consideration prior to their adoption.

#### **UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT**

- 4.1 the Draft Supplementary Planning Guidance, as detailed in the report, be approved for formal public consultation for six weeks;**
- 4.2 delegated authority be granted to the Head of Planning to correct typographical, cartographical or grammatical errors and to make amendments in order to enhance accuracy and clarity of meaning.**

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

The Executive Board considered the revenue budget monitoring report for the period up to the 31st August, 2015 which provided an update on the latest budgetary position in respect of the 2015/16 financial year. Overall, the report forecasted an end of year overspend of £186k on the Authority's net revenue budget with an over spend at departmental level of £2,307k.

Reference was made to the current £1,102k cost for payment of school based Early Voluntary Retirement (EVR) and redundancy costs and the possibility those costs could increase further over the current financial year. A view was expressed that the Council should enter into dialogue with the schools and the Education Department to ascertain whether there were any means by which those current, and any potential future costs could be mitigated.

The Chief Executive reminded the Board that whilst budgets were delegated to schools, and they were responsible for making staffing decisions, the financial consequences of them making decisions relating to EVR and redundancy rested with the Council, over which it had no control. He suggested that representations be made to the Welsh Government seeking clarification on the issue, and suggesting that the funding scheme for schools should incorporate responsibility for schools to bear those costs from within their delegated budget.

The Executive Board in endorsing the above suggested that similar representations should be made to the WLGA to address the issue on an all Wales basis.

#### **UNANIMOUSLY RESOLVED**

- 5.1 that the Budget Monitoring report be received;**
- 5.2 that the Chief Officers and Heads of Service critically review their budgetary positions and implement appropriate action to keep within their allocated budgets;**
- 5.3 that representations be made to the Welsh Government on the funding arrangements of school based EVR costs and redundancy payments and suggesting that the funding scheme for schools should**

incorporate responsibility for those payments.

**5.4 that the WLGA be requested to make similar representations to the Welsh Government on 5.3 above on an all Wales basis**

**6. CAPITAL PROGRAMME 2015-16 UPDATE.**

The Executive Board considered a report providing an update on the capital programme spend against budget for 2015/16 as at the 31st August 2015, incorporating details of the main variances.

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

**7. ANIMAL ESTABLISHMENTS - LICENSING CONDITIONS AND FEES**

The Executive Board considered a report on proposals for the introduction of new Licensing Conditions for Animal Establishments and for the Council to undertake formal consultation on the introduction of a new fee structure. The Board was advised that whilst the current fee structure adopted by the Council was insufficient to recover its costs, the proposed new structure, if adopted, would reverse that position with the fees being set at a level in line with the nationally recognised 'toolkit' for fees calculation and phased in over a two year period.

**UNANIMOUSLY RESOLVED THAT IT BE RECOMMENDED TO COUNCIL THAT**

**7.1 the new Licensing Conditions for animal establishments within Carmarthenshire be approved;**

**7.2 formal consultation be undertaken on the revised fee structure for animal establishments within Carmarthenshire**

**8. APPOINTMENT OF PROPER OFFICER**

The Executive Board considered a report on the appointment of Proper Officers from the Health Authority (Public Health Wales) for the purposes of the Public Health (Control of Disease) Act 1984 (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act.

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT**

**8.1 that the Authority appoints the following named consultants from the Health Authority as Proper Officers for the purposes of Health Protection Legislation:-**

<b>Mrs Heather Lewis</b>	<b>Consultant in Health Protection</b>	
<b>Dr Rhianwen Stiff</b>	<b>Consultant in Communicable Disease Control</b>	
<b>Dr Jorg Hoffman</b>	<b>Consultant in Communicable Disease Control</b>	
<b>Mr Sion Lingard</b>	<b>Consultant in Health Protection</b>	

<b>Dr Marion Lyons</b>	<b>Director in Health Protection</b>		
<b>Dr Gwen Lowe</b>	<b>Consultant in Communicable Disease Control</b>		
<b>Dr Graham Brown</b>	<b>Consultant in Communicable Disease Control</b>		
<b>Dr Christine Whiteside</b>	<b>Consultant in Communicable Disease Control</b>		

**8.2 that the appointments take immediate effect and continue until:-**

- the Council revoked the appointment or,**
- the officer provided the Council with 3 months written notice of resignation or,**
- the officer ceased employment with the health authority**

## **9. REVIEW OF ACCESS TO SOCIAL HOUSING POLICY**

The Executive Board considered a report on a recent review undertaken of the Council's Access to Social Housing Policy. It was reported that whilst the policy had been amended on a regular basis in an endeavour to simplify it and reflect changes to the law or statutory guidance, members of the Council had previously expressed frustration with some aspects thereof including its day to day operation. As a result, a number of sessions had been held with members to establish the key policy issues to be included within the review, which also addressed the provisions of the 2014 Wales Housing Act that placed new statutory responsibilities on local authorities especially, on how they dealt with homelessness and requiring that their policy set out priorities and give preference to certain groups including the homeless, people with serious medical issues and people living in poor conditions. If the proposals were to be adopted by the Board, they would be subject to a period of wider public consultation and engagement with the Council's social housing partners.

The Board was further advised that whilst the review and draft amended policy dealt with the allocation of properties rather than lettings (including the issue of informing local members), it was proposed that a further review of the lettings process be commissioned as part of the consultation process to investigate ways of ensuring lettings were conducted timely and efficiently.

### **UNANIMOUSLY RESOLVED**

- 9.1 that the results of the service review be accepted;**
- 9.2 that the draft Amended Access to Social Housing Policy and approach be approved;**
- 9.3 that the consultation approach and plan be approved;**
- 9.4 that the existing policy be considered for information;**
- 9.5 that a secondary review on how the Council let its properties be**

**undertaken in a timely and efficient manner.**

## **10. CHILDREN AND YOUNG PEOPLES PARTICIPATION STRATEGY 2015-18 - ACTION PLAN AND CHILDREN'S RIGHTS PROMISE**

The Executive Board received for consideration the proposed Children & Young People's Participation Strategy 2015-18, Action Plan and Children's Rights Promise produced in response to Article 12, of the United Nations Convention on the Rights of the Child which detailed that involvement in decisions that affected their lives was a fundamental right for all children and young people.

The Board was advised that effective delivery of that commitment required a culture of engaging children and young people to be embedded across the County Council, and that the Young People's Participation Strategy (2015-18) succinctly brought together the key drivers, identified the benefits and set out 10 clear priorities to take the commitment forward, whilst, the action plan, set out the key timings required to deliver those priorities.

Councillor D. Cundy asked the following question:-

“Are there specific provisions regarding the rights of young carers contained within the Action Plan, as I have concerns that they may not be catered for? And, if so, what is the process for them to interact with the Council.

Councillor G. Jones, Executive Board Member for Education and Children in response advised that Councillor Cundy's points were addressed within the report where it was referenced on pages 451 and 453 respectively to 'help improve the quality of life for children and young people by services recognising, understanding and responding to their needs' and 'ensure pupils have meaningful opportunities to influence their school work, education and life'.

Councillor J. Tremlett, Executive Board Member for Social Care and Health also advised on a number of issues being undertaken to assist young carers which included:-

- The provision of an assessment and support service to young carers which was often bespoke or could be generic via group activities
- Young Carer Aware e-learning course developed by the Health Authority and LA's in partnership
- The regional partnership had developed Investors in Carers – an evidence based programme that demonstrated how well various departments and agencies were recognising carers.
- Page 454 of the report referred to the Action Plan being closely monitored and subject to an annual report. She suggested that the report could also include an update on work with young carers

Councillor Tremlett advised that she would provide Councillor Cundy with a written copy of her response.

The Chief Executive in response to the above points advised that point 6 on the action plan would be amended to include a reference to young carers, with the point now reading “Ensure vulnerable children and young people have opportunities to have their say (e.g. Young Carers, LAC, Care Leavers, C&YP

subject to CPR & C&YP with disabilities)

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT**

**10.1 the Children & Young People's Strategy, Action Plan & Promise be adopted**

**10.2 that the Lead Member for Children and Young People (Cllr Gareth Jones) take on the role of Lead person (member) for Children's Rights, as set out in the promise**

**11. MATTER REFERRED FROM THE EDUCATION AND CHILDREN SCRUTINY COMMITTEE HELD ON THE 6TH JULY - MINUTE 5.2 CARMARTHENSHIRE ADULT AND COMMUNITY LEARNING SERVICE - PROGRESS REPORT - ACL SERVICE PROVISION 2015-16 (RELEVANT EXTRACT FROM THE MINUTES ATTACHED**

(NOTE: Councillor D.M. Jenkins had earlier declared an interest in this item)

The Executive Board was advised that the Education and Children Scrutiny Committee, at its meeting held on the 6th July 2015 had requested the Executive Board 'to consider the possibility of finding funding to maintain the Community Education Centres going forward'.

The Executive Board was advised that as a review was currently being undertaken on the usage of the community education centres, it was felt that consideration of the referral should be deferred pending completion of that review.

**UNANIMOUSLY RESOLVED, that consideration of the referral be deferred pending completion of the current review on the usage of the community education centres.**

**12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 28TH SEPTEMBER, 2015.**

**UNIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 28th September, 2015 be signed as a correct record.**

**13. 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 item as the report contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.**

**14. LLANDEILO HUB / LIBRARY RELOCATION**

The Executive Board considered a report on proposals for the establishment of a 'Hub' of council services within the Municipal buildings at Llandeilo involving the relocation of the Llandeilo Library and the disposal of the existing library building.

**UNANIMOUSLY RESOLVED**

- 14.1 that the existing Llandeilo Library be relocated to within the Municipal Buildings;
- 14.2 that the cash receipting facility in Llandeilo be reconfigured;
- 14.3 that the current library building in Llandeilo be disposed of.

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**CHAIR**

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**DATE**