

# EXECUTIVE BOARD

MONDAY, 4<sup>TH</sup> JANUARY, 2016

**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 D.M. Cundy, T. Devichand and J. Williams.

**The following officers were in attendance:**

Mr M. James	-	Chief Executive
Mr C. Moore	-	Director of Corporate Services
Mr J. Morgan	-	Director of Community Services
Ms R. Mullen	-	Director of Environment
Mr R. Sully	-	Director of Education & Children
Mr P. Thomas	-	Assistant Chief Executive
Ms W. Walters	-	Assistant Chief Executive
Mr J. Fearn	-	Head of Corporate Property
Ms L. Rees Jones	-	Head of Administration & Law
Mrs S. Watts	-	Public Health Services Manager
Ms D. Williams	-	Press Manager
Mrs M. Thomas	-	Democratic Services Officer

**Chamber, County Hall, Carmarthen : 10.00 a.m. - 11.20 a.m.**

## 1. APOLOGIES AND OTHER MATTERS

There were no apologies for absence.

Reference was made to the adverse weather conditions and flooding experienced across the county and the Board expressed its appreciation to staff for their efforts in maintaining service delivery and assisting the public under extremely difficult circumstances.

Congratulations were extended to Mr Bruce McLernon, former Director of Social Services with the Authority, who was awarded the O.B.E. in the Queen's New Year's Honours list.

## 2. DECLARATIONS OF PERSONAL INTEREST

COUNCILLOR	MINUTE NO.	NATURE OF INTEREST
E. Dole	5 – Community Asset Transfer Update	He is a member of Llannon Community Council who are undertaking asset transfer.
D.M. Jenkins	5 – Community Asset Transfer Update	He is a member of Glanamman Town Council who are interested in asset transfer.

D.M. Jenkins	13 – Future Provision of Adult Community Learning by the Department for Education & Children	With reference to Glanamman Community Education Centre – he is a member of Glanamman Town Council who are interested in taking over the facility.
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### Officer Declarations

All officers in attendance at the meeting, apart from the Democratic Services Officer, declared personal interests in minute no. 9 – Car Salary Sacrifice Scheme.

### **3. QUESTIONS BY MEMBERS**

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

### **4. PUBLIC QUESTIONS**

The Chair advised that no public questions had been received.

### **5. COMMUNITY ASSET TRANSFER - UPDATE**

[NOTE: Councillors E. Dole and D.M. Jenkins had earlier declared an interest in this item.]

Further to the decision made by the Executive Board at its meeting held on 15<sup>th</sup> December, 2014 (minute 11 refers) in relation to the asset transfer of parks, playgrounds and amenity areas, the Board considered a report providing an update on progress made in relation to community asset transfers including details of transfers which have taken place to date.

The Board was advised that discussions have taken place with the majority of Town and Community Councils and reminders sent to the 5 councils who have not yet responded, reaffirming the timescale of 1<sup>st</sup> April, 2016 for the submission of expressions of interest and 31<sup>st</sup> March, 2018 for final transfer.

Whilst significant progress has been made, the process has suffered a setback with Llanelli and Llandovery Town Councils confirming that neither would be taking on any transfers of assets in their respective areas, although Llanelli Town Council has expressed interest in funding some elements of grounds and other maintenance of facilities.

Recent press articles have reaffirmed the timescales for the submission of expressions of interest and final transfer, following the publication of statutory notices seeking public comments on the proposed transfer of these facilities, as required by Section 123 of the Local Government Act 1972. The articles also reiterated that, where no interest is shown, the appropriate consultation would take place on the future of the assets concerned. This process resulted in the receipt of one objection which was to the proposed asset transfer of Parc Howard.

Details of the current position in relation to all proposed asset transfers, copies of the statutory notices and a copy of the objection were appended to the report for

information.

Councillor D.M. Cundy, in accordance with CPR 11.1, asked whether it was an ideal time to review the policy as he believed that circumstances have changed since the policy was introduced in that the beneficial link between health and exercise was now recognised to the extent that leisure and sport now sit as part of the health portfolio. Keeping people fitter for longer will lead to a reduction in the cost of hospitalisations, social care services, occupational therapy etc. which will vastly exceed any savings made by reducing financial support for our sports venues, some of which could face the risk of closure as they cannot afford to take on the maintenance costs. He referred to particular concerns expressed by the public over the future of Parc Howard and asked whether it could be removed from the asset transfer programme and included in the cultural investment, digitisation and regeneration programme as was the case for other museums and the archive service, bearing in mind that investment would have to be made in Parc Howard to ensure that it is in a fit condition to transfer.

The Executive Board Member for Regeneration and Leisure, in response clarified that the Authority had submitted a successful £5m bid to the Lottery for investment in Parc Howard. Unfortunately, the bid failed due to opposition from local residents.

Councillor Cundy was advised that whilst there had been a change in policy in relation to the join up between leisure and health, the principle has been there all along. It was pointed out that the purpose of the asset transfer programme was not just to do with savings but also to ensure equality across the county in the way assets are maintained.

It was pointed out that Llandyfaelog Community Council was not included on the list and the importance of ensuring that all Town and Community Councils are included was stressed.

## **RESOLVED**

**5.1 that the information be noted;**

**5.2 that the objection received to the proposed asset transfer of Parc Howard be noted and that the Leader meet with the Friends of Parc Howard to discuss proposals for its future maintenance.**

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

The Executive Board considered the revenue budget monitoring report for the period 1<sup>st</sup> April, 2015 to 31<sup>st</sup> October, 2015 which provided an update on the latest budgetary position as at 31<sup>st</sup> October, 2015 in respect of 2015/16.

Overall the report forecast an end of year underspend of £273k on the Authority's net revenue budget with an overspend at departmental level of £1,876k.

## **UNANIMOUSLY RESOLVED**

**7.1 that the Budget Monitoring report be received;**

**7.2 that Chief Officers and Heads of Service critically review their budgetary**

positions and implement appropriate action to keep within allocated budget.

## **7. 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 31<sup>st</sup> October, 2015. The report included details of the main variances.

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

## **8. FIVE YEAR CAPITAL PROGRAMME 2016-17 - 2020/21**

The Executive Board considered a report which provided an initial view of the 5 year capital programme from 2016/17 to 2020/21, which would form the basis of the budget consultation process with members and other relevant parties. Feedback from this consultation process, along with the outcome of the final settlement, would inform the final budget report which would be presented to members for consideration in February, 2016.

The Board was pleased to note the level of investment being made across the Authority on regeneration and infrastructure. The Chief Executive referred to the importance of capitalising on grant funding sources in this regard.

**UNANIMOUSLY RESOLVED that the provisional capital programme be endorsed for consultation purposes.**

## **9. CAR SALARY SACRIFICE SCHEME**

[NOTE: All officers in attendance at the meeting, apart from the Democratic Services Officer, declared personal interests in this item and left the meeting prior to the consideration and determination thereof.]

The Board considered an update report on the implementation of the Car Salary Sacrifice Scheme which was approved as part of a report submitted to the Executive Board on 15<sup>th</sup> June, 2015 (minute 11 refers). At that meeting it was resolved that the Car Salary Sacrifice Scheme be offered initially on a pilot for one year to the same employees who would have been eligible for either the Assisted Car Purchase or Car Contract Hire Scheme and that, following the results of the pilot, the scheme be reconsidered to assess whether it could be widened to include all eligible employees within the Authority.

The Board was advised that, following further investigation and discussion with an external scheme advisor, the recommendation detailed above had been amended and it was now proposed that the scheme be opened to all eligible employees within the Authority.

**UNANIMOUSLY RESOLVED**

**9.1 that the Car Salary Sacrifice Scheme be offered to all eligible employees within the Authority;**

**9.2 the procurement process to continue on implementing the Car Salary Sacrifice Scheme with a view to the scheme starting in 2016.**

## 10. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2013)

The Board was reminded that the current Licensing Policy was adopted by the Authority in January 2011 and the Cumulative Impact Policy (CIP) in respect of Station Road, Llanelli in 2012. Legislation required the Licensing Policy to be reviewed at least every five years to ensure that it reflected feedback from the local community that the statutory objectives were being met.

Since the current Licensing Policy was last reviewed there had been a large number of amendments to the Licensing Act 2003. The Authority's Licensing Section, in conjunction with the legal department, had reviewed the policy document in light of these amendments, revised government guidance and recent case law. These statutory changes had been incorporated into the policy document.

As part of the review the Authority was required to undertake a consultation exercise aimed at Responsible Authorities, local residents, businesses, existing licence holders and their representatives, to ensure that their views could be formally considered by the Authority. The consultation began on the 7<sup>th</sup> July and ended on the 13<sup>th</sup> September, 2015.

It was noted that the policy, if approved, would be effective from 10<sup>th</sup> February, 2016.

### RESOLVED TO RECOMMEND TO COUNCIL

- 10.1 that the amended Statement of Licensing Policy be approved;
- 10.2 that the existing Cumulative Impact Policy be retained for Station Road, Llanelli, as detailed in Section 10 of the policy;
- 10.3 that further evidence be gathered in relation to the possible adoption of a Cumulative Impact Policy for Lammas Street, Carmarthen, as a result of responses to the consultation exercise.

## 11. REVIEW OF GAMBLING POLICY

The Board was reminded that the current Gambling Policy was adopted by the Authority in December 2012 and came into effect on the 31<sup>st</sup> January, 2013. Legislation required the policy to be reviewed at least every three years to ensure that it reflected feedback from the local community that the statutory objectives were being met.

The Authority's licensing section, in conjunction with the legal department, had reviewed the policy document in light of revisions to Gambling Commission guidance. Officers had liaised closely with the Gambling Commission to ensure that the revised document embraced the changes being introduced by the Commission, which included hosting a collaboration meeting with representatives of the Gambling Commission, Pembrokeshire and Ceredigion Licensing Authorities.

As part of the review the Authority was required to undertake a consultation exercise aimed at the Chief Officer of the Police, representatives of gambling businesses and persons representing the interests of residents and businesses in

the area, in order for their views to be formally considered by the Authority. The consultation began on the 7<sup>th</sup> July and ended on the 13<sup>th</sup> September, 2015.

Since the preparation of the report, the Gambling Commission had published a more recent version of their guidance and approval was sought for the Gambling Policy to incorporate and cross-reference with the Gambling Commission's updated guidance.

**RESOLVED TO RECOMMEND TO COUNCIL that the amended Gambling Policy, taking into account the Gambling Commission's updated guidance, be approved.**

## **12. REVIEW OF LOCALLY SET FEES IN ENVIRONMENTAL HEALTH AND LICENSING SECTION**

The Board was advised that the principle of setting locally set fees had been scrutinised recently in a High Court case, the outcome of which had clarified the type of costs that a Council can recover through locally set licence fees. This included the administration, issuing and, where applicable, enforcement of licences. Fee setting must be transparent, must not exceed the cost of the procedure and be open to scrutiny.

As a result of this clarity over costs that may be included in fee setting, "tool kits" had been designed by the Welsh Licensing Expert Panel which allowed for a consistency of approach for Local Authorities when deciding their charges. They also allowed Local Authorities to ensure that all relevant costs are considered during the calculation.

The Board considered a proposed fee structure for the Environmental Health and Licensing section, details of which were appended to the report at Appendix 1. It was noted that the fees, if approved, would be effective from 1<sup>st</sup> April, 2016.

### **UNANIMOUSLY RESOLVED**

**12.1 to advertise the fees in relation to Street Trading, Private Water Supplies, Stray Dogs, Scrap Metal Dealers, Housing Act 2004 Notice Fees, Mobile Home Site Licensing, HMO Selective Licensing Scheme Fees, Grant Agency Fees and Empty Properties/Houses into Homes, as detailed in Appendix 1 to the report, for a period of 28 days and that the reviewed fees be implemented from 1<sup>st</sup> April, 2016;**

### **12.2 TO RECOMMEND TO COUNCIL**

**12.2.1 to advertise the proposed Hackney Carriage and Private Hire fees, as detailed in Appendix 1 to the report, for a period of 28 days as required by the Local Government Miscellaneous Provisions) Act 1976 for persons to submit objections and where there are no objections, the fees shall be implemented from 1<sup>st</sup> April, 2016;**

**12.2.2 to advertise the fees in relation to Sex Establishments, Tattooing and Skin Piercing, Safety at Sports Grounds, Food Hygiene Rescore and Boatman and Pleasure Craft Licences, as**

**detailed in Appendix 1 to the report, for a period of 28 days and that the reviewed fees be implemented from 1<sup>st</sup> April, 2016.**

### **13. FUTURE PROVISION OF ADULT COMMUNITY LEARNING BY THE DEPARTMENT FOR EDUCATION AND CHILDREN**

[NOTE: Councillor D.M. Jenkins had earlier declared an interest in this item.]

The Executive Board considered a report providing details of the current financial position facing the Department of Education & Children's Adult Community Learning Service. This service was not core funded by the Council and was dependent upon Welsh Government (WG) grants to function. Over the past year the service had experienced a £289k reduction in WG grants that fund course provision, staff and related buildings.

In addition to this reduction in grant funding, in September 2015 the management of Coleg Sir Gâr decided that it would not be possible to transfer service staff and course provision from the County Council into the college structure. A detailed budget monitoring exercise highlighted that the service was currently approximately £147k over the allocated budget for community learning in the 2015/16 year. These factors meant that, unless alternative funding from Council budgets to support community learning delivery was identified, the service would not be able to continue to deliver the current range of courses, manage the range of service building and employ the related staff.

In the absence of any identified additional funding to support the service, officers had planned how the Adult Community Learning Service could function using the budget available in the 2016/17 financial year and recommended that the following actions be undertaken:-

1. The Adult Community Learning service budget be prioritised for the delivery of adult basic education, literacy, numeracy, digital literacy courses, English for speakers of other languages (including language provision for refugees) and activities to target the hardest to reach learners and people experiencing the effects of poverty;
2. The Adult Basic Education section of the service is restructured in 2016 to be able to deliver this provision in the most cost effective manner possible;
3. A review of the course fee policy takes place, with fees to be charged for ESOL courses, though Basic Skills (literacy and numeracy) courses will remain free;
4. The provision of other adult community learning classes (e.g. in subjects such as art, crafts, languages, computing and humanities) cease to be provided by the service after 31<sup>st</sup> March, 2016 with the resulting reduction in the number of related staff employed;
5. The service formally relinquishes management and all related running costs of the Cennen Centre in Ammanford, Glanamman Community Education Centre and Felinfoel Community Education Centre as of 31<sup>st</sup> March, 2016;
6. The service retains a presence in Carmarthen town, exploring options for

the location of provision by assessing the viability of utilising space in Carmarthen library, or continuing to use the Carmarthen Education Centre or other premises, and retains the use of rooms in Llanelli library;

7. The Adult Community Learning service retains a role in collating information about courses offered by other organisations and individuals in Carmarthenshire and promotes this information via website listings and a named contact officer.

It was pointed out that this provided an opportunity to encourage the third sector to take up the role of providing non-accredited courses such as crafts like crochet and cross-stitch and also exercise programmes.

#### **UNANIMOUSLY RESOLVED**

**13.1 that the report detailing the need to restructure and refocus the work of the Department for Education and Children's Adult Community Learning Service following significant Welsh Government funding cuts be received;**

**13.2 that the recommendations for the future delivery of the Adult Community Learning Service within the identified budget for the 2016/17 year, as detailed above, be endorsed;**

**13.3 that information about courses offered by organisations and individuals in Carmarthenshire be listed on i-Local.**

#### **14. WELSH IN EDUCATION**

The Board considered a report providing an update on developments on the Welsh in Education Strategic Plan. The report included performance data in relation to the Welsh language in schools, detailed progress on "Codi Caerau Sir Gâr" and marketing materials and provided updates on other developments relating to Welsh in education.

**UNANIMOUSLY RESOLVED that the report be received.**

#### **15. MODERNISING EDUCATION PROGRAMME - PROPOSAL TO DISCONTINUE LLANGENNECH INFANT SCHOOL AND LLANGENNECH JUNIOR SCHOOL AND ESTABLISH LLANGENNECH COMMUNITY PRIMARY SCHOOL**

The Board considered a report detailing a proposal to discontinue Llangennech Infant School and Llangennech Junior School and establish Llangennech Community Primary School. It was proposed that the new school would be a 3-11 Welsh Medium language category with a nursery provision.

Following the retirement of the headteacher of Llangennech Infant School at the end of the Summer term 2013 a soft federation was established with the headteacher of Llangennech Junior School. In September 2014 the Governing Bodies of both schools resolved to pursue a formal federation as from April, 2015. The Authority now wished to proceed with a proposal to create a Community Primary School to replace Llangennech Infant and Junior Schools.



**UNANIMOUSLY RESOLVED** that the proposal to discontinue Llangennech Infant School and Llangennech Junior School and establish Llangennech Community Primary School be endorsed.

**16. PROPOSED DISPOSAL OF LAND AND BUILDINGS HELD IN TRUST SITUATED AT PEMBREY COMMUNITY EDUCATION CENTRE (PREVIOUSLY PEMBREY WAR MEMORIAL HALL), MOUNTAIN ROAD, PEMBREY, BURRY PORT, CARMARTHENSHIRE**

The Board was informed that the Council's Adult Community Learning (ACL) Service has managed Pembrey Community Education Centre since the creation of the Unitary Authority in 1996.

The ACL Service has been subject to on-going cuts to core and grant budgets since 2008 and a review of building utilisation in 2011/12 highlighted that the use of the building for ACL service courses was minimal, however, a range of local organisations including the Pembrey Ysgol Feithrin Group used the centre.

Since the running and upkeep costs for the building were high and included a full-time caretaker it was considered prudent to explore other means of managing this facility in partnership with the local community and following a consultation process, Pembrey and Burry Port Town Council confirmed that they were prepared to take over the management of the building.

**UNANIMOUSLY RESOLVED** that the building be transferred to Pembrey and Burry Port Town Council on the terms identified in the report.

**17. (DRAFT) CARMARTHENSHIRE COUNTY COUNCIL STRATEGIC EQUALITY PLAN 2016-2020**

The Board was advised that the Equality Act 2010 included a new public sector equality duty, replacing the separate duties on race, disability and gender equality.

The aim of the general duty was to ensure that public authorities and those carrying out a public function consider how they could positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities.

The draft Strategic Equality Plan had been prepared to outline how the Council will meet its duties under the Equality Act 2010 and the Specific Duties for Wales. The draft strategy included six key objectives that the Council will work towards achieving, based on its role as an employer, as a provider of services and as a community leader.

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL** that Carmarthenshire County Council's Strategic Equality Plan 2016-2020 be endorsed for implementation from April 2016.

**18. ACTIVE TRAVEL (WALES) ACT - LOCAL AUTHORITY REQUIREMENTS**

The Board was advised that the Active Travel (Wales) Act became a duty in September 2014 and placed a statutory requirement on Local Authorities to continuously improve routes for walkers and cyclists and to prepare maps

identifying current and potential future routes.

By connecting key sites such as workplaces, hospitals, schools and shopping areas with traffic free routes and cycle lanes, the Act aimed to encourage people to rely less on their cars when making short journeys. The Act aimed to make active travel the most attractive option for shorter journeys, on the basis that enabling more people to undertake active travel would mean more people could enjoy the health benefits, help reduce greenhouse emissions, tackle poverty and disadvantage and help the economy to grow.

Currently, the main focus of the Act was the statutory obligation to create and publish Existing Route Maps which must be completed and submitted to the Welsh Government by 22<sup>nd</sup> January, 2016.

It was noted that the Trimsaran had been omitted from the map and would be included as soon as possible.

### **UNANIMOUSLY RESOLVED**

**18.1 that the requirements of the Active Travel (Wales) Act 2013 be noted;**

**18.2 that the actions undertaken by the Council to date with regards to the development of an Existing Route Map for Carmarthenshire be approved.**

### **19. MINUTES**

**UNANIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 30th November 2015 be signed as a correct record.**

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**CHAIR**

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**DATE**