

## Cabinet

Monday, 22 November 2021

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

**Councillors:**

C.A. Davies, 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

**The following Officers were in attendance:**

W. Walters, Chief Executive

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

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

R. Hemingway, Head of Financial Services

S. Rees, Simultaneous Translator

L Morris, Senior Press Officer

L. Jenkins, Executive Board Support Officer

C. Ferguson, Countryside Access Officer

M. Evans Thomas, Principal Democratic Services Officer

E. Bryer, Democratic Services Officer

S. Hendy, Member Support Officer

K. Thomas, Democratic Services Officer

**Virtual Meeting - 10.00 - 10.26 am**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

Councillor	Minute Number	Nature of Interest
L.M. Stephens	3 – To sign as a correct record the minutes of the meeting of the Cabinet held on the 8 <sup>th</sup> November, 2021	Minute no 13 – Empty Property Plan - Has an empty residential property
Mr J Morgan – Director of Community Services	8 – Establishment of a new Regional Education Partnership	Wife works for the regional service

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 8TH NOVEMBER 2021**

(NOTE: Councillor L.M. Stephens having previously declared an interest in this item, re-declared that interest and remained in the meeting during its consideration)

**UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 8<sup>th</sup> November, 2021 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. COUNCIL'S REVENUE BUDGET MONITORING REPORT**

The Cabinet considered the revenue budget monitoring report which provided the latest budgetary position as at 31<sup>st</sup> August 2021, in respect of 2021/2022.

Overall, the monitoring report forecasted an underspend for the year at departmental level of £869k with a forecasted underspend on the Authority's net revenue budget of £399k. It was reported that, at a high level, this was due to a combination of additional COVID-19 related costs and lost income which was largely refunded under the Welsh Government hardship scheme, some services were either paused or impacted by lockdown measures and social distancing during quarter 1 together with the proposed utilisation of some capital financing underspends due to some significant pressure points on in-year capital project budgets, to be considered as part of a separate reports.

Cabinet Members noted that in respect of the April-June budgets, additional expenditure and income loss of approximately £6 million had been claimed under the Welsh Government hardship scheme.

The Housing Revenue Account reported a predicted underspend of £1,159k for 2021/22 details of which were provided within Appendix B appended to the report.

**UNANIMOUSLY RESOLVED that:**

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

**10.2 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 had placed on the Authority's overall budget.**

**7. REINSTATEMENT OF PUBLIC ACCESS AT GILFACH IAGO**

The Cabinet considered a report on proposals for the Council to take responsibility from Celtic Energy to undertake all public access reinstatement works across the former Gilfach Iago opencast site.

The Cabinet noted that in order for the proposal to be progressed, the Authority would need to apply to the Magistrate's Court for the reclassification of three unclassified roads across the former site (not presently navigable) to bridleway status which could then be diverted as necessary 'in-house' by the Countryside Access team to better 'fit' with the restored layout of the land and connect with existing footpaths. Authority would also be required to accept the financial settlement offered by Celtic Energy, in the sum of £320k, on a without prejudice basis, to fund the reinstatement of public access across the site. If accepted, whilst the settlement offered would cover a significant proportion of the projected costs, additional funding of £130k would be required to deliver the project in full, including grant bids.

#### **UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL:-**

- 7.1 To approve the proposal to apply to the Magistrate's court for reclassification of three unclassified roads to bridleway status;**
- 7.2 To accept the financial settlement offered by Celtic Energy to take responsibility for, and to undertake all public access reinstatement works across the former opencast site.**

#### **8. ESTABLISHMENT OF A NEW REGIONAL EDUCATION PARTNERSHIP**

(NOTE: Mr J. Morgan – Director of Community Services, having earlier declared an interest in this item left the meeting during its consideration)

The Cabinet considered a report, together with a draft legal agreement, on the proposed establishment of a new regional partnership to deliver a new model of education provision within the South West Wales footprint between the local authorities of Carmarthenshire, Pembrokeshire and the City and County of Swansea to be known as the 'Partneriaeth'.

It was noted that, if approved, while the partnership would replace the former educational partnership provided by ERW, the ERW Joint Committee would remain in force to wind up its business and establishing all outstanding liabilities. At that point in time, all remaining partners in ERW would withdraw on one week's notice and ERW would dissolve with the ERW Joint Committee legal agreement being varied to provide for those termination provisions. As part of that deed of variation, it had been agreed that all outstanding ERW liabilities should be divided among the existing partners calculated on a pro rata basis, having first taken account of and deducted any liability of Neath Port Talbot and Ceredigion councils pursuant to clauses 15.2 and 15.4 of the ERW agreement.

Appreciation was extended to all the staff involved with establishing the Partneriaeth and setting up the legal agreement.

#### **UNANIMOUSLY RESOLVED:**

- 8.1 To approve the creation of a Joint Scrutiny Councillor Group**

on the basis of the terms of reference set out in the legal agreement, as amended from time to time;

- 8.2 To approve the draft legal agreement (attached at Appendix A) to establish a joint committee for a new regional education partnership known as PARTNERIAETH to support the delivery of school improvement;
- 8.3 To approve the appointment of the Leader as a member of the joint committee;
- 8.4 To delegate to the Joint Committee those functions necessary to support the delivery of school improvement within the Council's area and the region, acknowledging and accepting that the Council and the other local authorities in the region, will each retain statutory responsibility for school performance, together with the responsibility for the exercise of statutory powers, of intervention and organisation of schools in their respective areas;
- 8.5 To delegate authority to the Director of Education in conjunction with the Leader, the Cabinet Member for Education and Children's Services and Head of Administration and Law to make any further necessary amendments to the legal agreement and authorises the Chief Legal Officer to enter into the agreement on behalf of the Council together with any ancillary legal documentation necessary to facilitate the creation and operation of the new partnership;
- 8.6 To approve the provision of services by the Partneriaeth to councils who are not parties to the legal agreement, namely Neath Port Talbot County Borough Council, Ceredigion County Council and Powys County Council in accordance with the clause 14 of the legal agreement with authority delegated to the Partneriaeth Joint Committee to agree the terms upon which such services are to be provided;
- 8.7 To approve the creation of a Joint Scrutiny Councillor Group on the basis of the terms of reference set out in the legal agreement, as amended from time to time.

**9. TO NOTE THAT THE LABOUR GROUP HAS NOMINATED COUNCILLOR ROB JAMES TO REPLACE COUNCILLOR BILL THOMAS ON THE CORPORATE PARENTING & SAFEGUARDING AND THE SCHOOL IMPROVEMENT PANEL**

**UNANIMOUSLY RESOLVED** to note the Labour Group's nomination for Councillor Rob James to replace Councillor Bill Thomas on the Corporate Parenting and Safeguarding Panel and the School Improvement Panel.

**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 \_\_\_\_\_