

# CABINET

14 MARCH 2022

**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 and J. Tremlett.

**Also in attendance:**

Councillors D.M. Cundy and R. James

**The following Officers were in attendance:**

W. Walters, Chief Executive;  
J. Morgan, Director of Community Services;  
C. Moore, Director of Corporate Services;  
P.R. Thomas, Assistant Chief Executive (People Management & Performance);  
G. Morgans, Director of Education & Children's Services;  
L.R. Jones, Head of Administration and Law;  
A. Williams, Head of Waste and Environmental Services;  
M. Roberts, Policy and Strategy Officer, Environmental and Enforcement;  
L. Morris, Senior Press Officer;  
L. Jenkins, Cabinet Support Officer;  
E. Evans, Principal Democratic Services Officer;  
K. Thomas, Democratic Services Officer;  
S. Rees, Simultaneous Translator;  
J. Owens, Democratic Services Officer (Observer);  
J. Owen, Democratic Services Officer (Minute Taker).

**Virtual Meeting:- 10:00am - 10:42am**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

| Councillor    | Minute Number  | Nature of Interest   |
|---------------|--|--|
| Emlyn Dole    | 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2022/23 | He owns a hairdressing salon and a holiday let             |
| Hazel Evans   | 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2022/23 | A close member of her family has a business in the County. |
| Philip Hughes | 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2022/23 | He owns a Bed and Breakfast Guest House in the County.     |

|               |  |  |
|---------------|--|--|
| Jane Tremlett | 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2022/23 | She has a business within the County.                      |
| Linda Evans   | 9 - Business Rates - Retail, Leisure and Hospitality Rates Relief Scheme 2022/23 | A close member of her family has a business in the County. |

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

**3.1. 21<sup>ST</sup> FEBRUARY 2022**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 21<sup>st</sup> February, 2022 be signed as a correct record.

**3.2. 28<sup>TH</sup> FEBRUARY 2022**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 28<sup>th</sup> February, 2022 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. EXTENSION OF PUBLIC SPACE PROTECTION ORDER (CARMARTHENSHIRE DOG ORDERS)**

The Cabinet received a report in respect of extending the current Public Space Protection Order (PSPO) which was due to expire at the end of June for a further 3 years.

The report stated that subject to a number of exemptions and restrictions, the Original Order required that people:-

- Clean up after their dogs on all public land in the County.
- Put and keep their dog on a lead by direction.
- Not to take their dog onto or permits their dog to enter or remain on any enclosed children's play areas in the County.

A targeted consultation period on the extension of the PSPO had taken place with a number of statutory consultees and other relevant stakeholders, a list of which was included within the report. It was reported that 43 responses had been received with 85% of those respondents supporting the extension of the current PSPO for a period of 3 years.

Cabinet Members noted that a number of respondents had made suggestions comments through the consultation exercise and that the comments and responses were appended to the report at Appendix 8 of the report as well as a comprehensive response from the Kennel Club and Dogs Trust which was also appended to the report at appendix 5 & 6 respectively.

The report sought to extend the duration of the 2016 Order whereby a new Extension Order would need to be made, a draft order was appended to the report at Appendix 2. It was reported that the Authority, subject to a separate consultation, would be able to consider additional controls and conditions to be added to the current PSPO in future and that an engagement exercise was currently being carried out to seek wider views.

**UNANIMOUSLY RESOLVED that:**

- 6.1 the duration of the Carmarthenshire County Council (Dog Control) Public Spaces Protection Order 2016 be extended for a further period of 3 years with effect from the 1<sup>st</sup> July 2022;**
- 6.2 the Council makes an Extension Order to give effect to the above extension;**
- 6.3 the 2016 Order with suitable wording to reflect the fact that the duration of the 2016 order has been extended be endorsed.**

**7. 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> December 2021, in respect of 2021/2022. Whilst the scale of Covid-19 response was reducing, the budget position recognised the ongoing financial pressures faced by the Authority as well as the additional funding support provided by Welsh Government.

Overall, the monitoring report forecast an underspend for the year at departmental level of £3,702k with a forecast underspend on the Authority's net revenue budget of £2,901k. At a high level, this was due to a combination of:

- additional COVID19 related costs and lost income being largely refunded under the Welsh Government hardship scheme;
- some services still paused or impacted by lockdown measures and social distancing during Quarter 1;
- Utilisation of some capital financing underspends, due to some significant pressure points on in-year capital project budgets, which was approved as part of a separate report.

Cabinet Members noted that the full year forecast continued to remain sensitive to any future worsening of the pandemic, in particular if any reintroduction of public restrictions were required. Furthermore, during the first half of the year (April-September), additional expenditure and income loss totalling approximately £13 million had been claimed under the Welsh Government hardship scheme.

The Housing Revenue Account reported a predicted underspend of £1,826k for 2021/22, details of which were provided within Appendix B appended to the report.

**UNANIMOUSLY RESOLVED that:**

- 7.1 The Budget Monitoring report be received, and the budgetary position and appropriate corrective action taken be noted.**
- 7.2 Chief Officers and Heads of Service critically review options available to them to limit the forecasted overspend of budgets, whilst recognising the ongoing impact which Covid-19 measures has placed on the Authority's overall budget.**

**8. CAPITAL PROGRAMME 2021/22 UPDATE**

The Cabinet received a report which provided the latest budgetary position for the 2021/22 capital programme, as at the 31<sup>st</sup> December 2021 and detailed new projects for noting and Cabinet approval.

It was reported that departmentally, a net spend of £56,526k was forecast compared with a working net budget of £104,923k giving a -£48,397k variance.

The net budget included the original H.R.A. and General Fund capital programmes approved by Council on the 3<sup>rd</sup> March, 2021 and slippage from 2020/21 and amendments approved by Cabinet on 25<sup>th</sup> October, 2021. It was noted that some budgets had also been amended to account for differences in actual grant allocations compared with the anticipated allocations at the time the programme was approved.

It was noted that Appendix B detailed the main variances within each department.

**UNANIMOUSLY RESOLVED that:**

- 8.1 the capital programme update report 2021/22 be received;**
- 8.2. the new projects as detailed within the report be noted and agreed.**

**9. BUSINESS RATES - RETAIL, LEISURE AND HOSPITALITY RATES RELIEF SCHEME 2022/23**

Note: Councillors E. Dole, H.A.L. Evans, L.D. Evans, P.M. Hughes, J. Tremlett having earlier declared an interest in this item, repeated their declarations and left the meeting throughout the deliberation and voting of this item.]

At this point, as both the Leader and Deputy Leader had left the meeting following their Declarations of Interest, the Cabinet **UNANIMOUSLY RESOLVED to appoint Councillor David Jenkins as the temporary Chair for this item.**

The Cabinet considered a report which provided information on the adoption of a rate relief scheme being made available to billing Authorities by Welsh Government for 2022/23. The report recommended that the Cabinet adopt the 2022/23 Retail Leisure and Hospitality Rates Relief scheme as outlined in the report.

In response to the Coronavirus emergency in 2020/21, the Welsh Government announced that it would introduce the Retail, Leisure and Hospitality Rates Relief scheme to increase the discount to 100%. This scheme also applied in 2021/22 and in addition to retail sector it was extended to include leisure and hospitality sectors for example shops, pubs and restaurants, gyms, performance venues and hotels.

It was reported that for 2022-23 the Welsh Government had confirmed it would provide grant funding to all 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses. The scheme aimed to provide support for eligible occupied properties by offering a discount of 50% on the non-domestic rates bill for a property, to all eligible premises.

The Welsh Government had provided the types of business that they considered appropriate for this relief scheme, as well as those which were not. The non-exhaustive list of business types was appended to the report at Appendix A.

Cabinet Members noted that as this was a temporary measure and that the Welsh Government would be providing the relief by reimbursing Local Authorities that use their discretionary powers under Section 47 of the Local Government Finance Act 1988, it was appropriate for the scheme to be formally adopted.

#### **UNANIMOUSLY RESOLVED THAT**

- 9.1 the Retail Leisure and Hospitality Rates Relief Scheme be adopted for 2022/23;**
- 9.2 the Relief be granted in accordance with the Welsh Government guidelines;**
- 9.3 the applications that are not specifically covered by the guidelines or otherwise require specific consideration, to be determined by the Cabinet Member for Resources.**

#### **10. NATIONAL BOTANIC GARDEN OF WALES**

[Note: From this point, Councillor Emlyn Dole Chaired the remainder of business.]

The Cabinet considered a report which provided information in respect of the existing loan / lease arrangements, which came to an end on 30 September 2021. The report sought the Cabinet approval to extend the arrangements by a further 6 months on the same conditions as existing agreements whilst the National Botanical Gardens finalised the structure for the repayment of the loan.

The Cabinet noted that the County Council's had a long history in support for the Garden since the project's inception in the 1990's. The report provided a list of previous resolutions dating back to 2005 in respect of the financial support including the Welsh Government and the Millennium Commission in securing a viable and long-term future for the Garden and was relevant to today's ongoing discussions.

It was reported that the Gardens in 2020, had engaged dialogue with Welsh Government in respect of finding a sustainable solution to the ongoing long-term future of the Gardens. This dialogue had continued throughout the current period of the loan and was still ongoing, although it had been delayed due to accommodate for the Covid response priorities.

The Loan Agreement, originally signed in 2005, included an additional Conditional option agreement which provided for the farmhouses known as Gorswen, Alltgoch, Pantwgan and Bryncrwys to be transferred (freehold) to the National Botanic Garden of Wales, subject to the repayment of the whole of the loan. Furthermore, in order for the Garden to further develop, the National Botanic Garden of Wales and the Welsh Government were keen to obtain the freehold interest of the farmhouses. It was reported that total loan currently stood at £1,350,000 and was currently interest free.

It was reported that by way of a support package from the Welsh Government, it was likely that the Gardens would be in a position to repay the loan to the County Council in full by the 31<sup>st</sup> March 2022.

The report proposed that the Cabinet formally extend the loan to the 31<sup>st</sup> March 2022, in order to activate the option agreement.

Cabinet members raised that they were in support of further development of the Garden.

#### **UNANIMOUSLY RESOLVED**

- 10.1 to extend the Authority's interest free loan to the Garden for a further 6 months to 31<sup>st</sup> March 2022 (including the option agreement on the farmhouse);**
- 10.2. to allow the Garden to continued occupation of three of the four farmhouses on a tenancy basis for a further 6 months to 31<sup>st</sup> March 2022;**
- 10.3. to note the expected repayment of the Loan in full before the 31<sup>st</sup> March 2022.**

#### **11. ANY OTHER ITEMS OF BUSINESS**

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

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**CHAIR**

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**DATE**