

CABINET

MONDAY, 13 FEBRUARY 2023

PRESENT: Councillor D Price(Chair)(In Person)

Councillors (In Person):

C.A. Davies

L.D. Evans

G. Davies

P.M. Hughes

G.H. John

A. Lenny

J. Tremlett

Councillors (Virtually):

A. Vaughan Owen

Also in attendance (Virtually):

Councillor D.M. Cundy

Councillor R. James

Also Present (In Person):

W. Walters, Chief Executive

J. Morgan, Director of Community Services

C. Moore, Director of Corporate Services

L.R. Jones, Head of Administration and Law

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

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

A. Williams, Director of Place and Infrastructure

D. Hockenhill, Marketing and Media Manager

S. Rees, Simultaneous Translator

L. Jenkins, Cabinet Support Officer

N. Daniel, Head of ICT and Corporate Policy

E. Bryer, Democratic Services Officer

M. Runeckles, Members Support Officer

K. Thomas, Democratic Services Officer

Also Present (Virtually):

S. Hendy, Member Support Officer

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 10.00 - 10.40 am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor E. Thomas

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interests.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 30TH JANUARY 2023

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 30th January, 2023 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that three questions on notice had been submitted by members.

4.1. QUESTION BY COUNCILLOR ROB JAMES TO COUNCILLOR GARETH JOHN CABINET MEMBER FOR REGENERATION LEISURE CULTURE AND TOURISM

‘Can the Cabinet Member for Regeneration provide an update on the Levelling Up Fund Bids for Llanelli and confirm whether it is the intentions of the administration to resubmit the plans during phase 3?.

Response by Councillor Gareth John – Cabinet Member for Regeneration, Leisure, Culture and Tourism:-

Thank you for the question. Since the question is specifically aimed at the levelling up fund, there’s little I can add really to the statement I made at last Council where I announced that we’d been notified that the two applications, or bids, that we had submitted in respect of the fund, in respect of regenerating Llanelli Town centre and the improved transport links and interchange to and from the centre to the railway station and Pentre Awel had been unsuccessful. As I reported, there were apparently 525 applications, of which, 111 were awarded funding in round two, a total amount amounting to just over £2bn, and this amounts to a 1 in 5 success rate. Again, as I indicated at Council, we are, and we remain naturally disappointed with the news particularly given the clear need, the strength and quality of our submission and the vast amount of time and effort and indeed expense invested in submitting the application.

As I reported, we have requested, have been promised, and still await feedback with the aim of supporting future proposals and submissions bearing in mind as we know there will be a promised third round of the levelling up fund in due course. The only thing I would add is at no point was it indicated during any stage of the application process that the authority would be at any disadvantage during the second round of bidding as a result of having been successful in the first. This doesn’t seem to be the case because analysing the awards thereafter it would appear that no authority that had been successful in the first round received bidding in the second round and there are only four local authorities in Wales that have had no success at the both rounds. And, as I indicated to Council, taking both rounds together, Carmarthenshire are second only to Cardiff on the total level of funding allocated to date.

We await the feedback as I indicated and we will then assess prior to resubmitting or amending our submission, if eligible, under the promised third round when we receive that feedback from the announcement. Thank you

Supplementary Question by Councillor Rob James:-

There was no supplementary question

4.2. QUESTION BY COUNCILLOR ROB JAMES TO COUNCILLOR ALUN LENNY , CABINET MEMBER FOR RESOURCES

'Can the Cabinet Member for Resources state whether immediate action is being taken to end months of roadworks on Blue Street, Carmarthen, after businesses have been hit financially by the disruption, and will the Council engage with affected businesses to discuss compensation for loss of business'

Response by Councillor Alun Lenny – Cabinet Member for Resources:-

I'm very grateful to Councillor James for the opportunity to provide an update on the plan to improve Carmarthen bus station, which includes Blue Street, a scheme enabled through Welsh Government Support as part of its strategy to improve public transport infrastructure. The scheme will comply with the new transport strategy that sets out different ways to support public transport. It prioritises passengers and climate change as Lee Waters, MS Deputy Minister for climate change explained Last Wednesday. Once the work is finished, and I'll get to that in a moment, Carmarthen bus station will be a much more welcoming, engaging and safe place for passengers, including larger bus shelters in Blue Street with electronic boards providing bus times, as there are at railway stations. The work has already made Blue Street a more attractive street with new resurfacing of the pavements and safer places for pedestrians to cross the road. It will also be a much better link between the railway station and the Town. I must acknowledge that the development has not been without its difficulties and I fully appreciate that a few shops in Blue Street say it has adversely affected business. Unfortunately, the work was hampered due to late responses from utility providers. In other words, companies that could have wires or pipes underground. Work was also suspended between mid-November and early January so as not to disrupt local businesses over the Christmas period. Free parking was also provided in Blue Street car park during that period in order to alleviate the impact on businesses. It's true there had been some barriers to some businesses entrances for inevitable reasons but, that was probably only for a few hours and the contractor endeavoured to offer interim entrances to customers. Work on the pavement outside the shops has now been finished for a couple of weeks and it looks excellent and the work resurfacing the street itself will begin tonight. The work will take place overnight for four nights, weather permitting. Work will then continue to make significant improvements inside the existing bus station area which is away from the street. That will come to an end this spring. Carmarthen Town will then have a top class bus station and that should attract more passengers to Blue Street for the benefit of the shops there and, indeed, the town itself.

Turning briefly to the second part of the question, namely, the enquiry about compensation, there is no compensation scheme within the Non Domestic Rates system but, if individual businesses can prove they have suffered financial hardship it is possible that the Council could take that into account under what is called Section 13A. Officers would need to see bank accounts etc as evidence that the hardship was a direct result of the development work. But, I am confident that the owners of the shops in Blue Street will soon see that the current development, although temporarily troublesome creates a more thriving future for the businesses.

Thanks again for the question

Supplementary Question by Councillor Rob James:-

Can I thank the Cabinet member for that very detailed information. I'm sure as a local member he has also been contacted by said businesses regarding some of the disruption. Obviously, we welcome the development, it's just obviously, some of the disruption may be caused on some of the businesses. It's important that you highlighted Section 13A. Thank you for that.

Would you meet with myself and businesses that are affected, with Officers, to investigate whether there is opportunity for said businesses to actually apply under Section 13A for that remuneration sorry, compensation, for the disruption. Thankyou

Response by Councillor Alun Lenny – Cabinet Member for Resources

That would be subject to legal clearance I believe by our officers but, I will certainly consider that, if that is acceptable. Thank you

4.3. QUESTION BY COUNCILLOR ROB JAMES TO COUNCILLOR DARREN PRICE, LEADER OF THE COUNCIL

'Would the Leader of Council agree with me that where a business has created accommodation – utilising an annexe, renovating a disused barn on a farm or other means – that this practice is not removing housing stock from local communities nor is it a second home in the traditional sense, and as such, should not be liable to any Council tax premium?

Response by Councillor Darren Price – Leader of the Council:-

Thank you for the question and I think it's a good opportunity really to try and explore some of the issues around this. As you will be aware we are consulting at the moment in terms of introducing a Council Tax Premium on both empty properties and second homes and that consultation continues and there will be a report coming to Cabinet and Council over the next few weeks so, its timely. Obviously, you are aware of the detail around this but, I thought it would be an opportunity just to set some context for others who are listening in and may not be as up to date in terms of the context. So, obviously, as I mentioned we are consulting. We have 2,000 empty properties across the county as things stand. We have around 1,000 second homes / holiday homes across the county as well. So, that means we have 3,000 properties across the county which either are not utilised at all or are under-utilised in some cases. The flip side to that, of course, is we know we have over 3,000 people waiting on the housing list and, I think that morally, there's a duty on us, and national government to try and get to grips with that situation and re-balance the market.

I think there's a unanimous view, I think, nationally that something needs to be done to tackle the problem of empty properties and second homes and, of course the Welsh Government have been clear following discussions with Plaid Cymru, and the inclusion of the Co-operation Agreement, that action needs to be taken on a whole range of issues. Clearly, the Minister, Julie James, is keen to make progress on this and she has been quoted continuously and I will quote her directly, just to provide some context. What she says is 'that the continuing rise of

house prices mean the people, especially younger generations, can no longer afford to live in the communities that they have grown up in. A high concentration of second homes or holiday lets can have a very detrimental impact on small communities and in some areas could compromise the Welsh language being spoken at a community level. That the urgency and gravity of the situation calls for further intervention which means real and ambitious actions are delivered at pace to inject fairness back into the housing system'. I've got to say that I agree whole heartedly with those sentiments. I think it's really important that the Welsh Government is taking action on a number of fronts to try and address this. One of the tools that they have given local authorities of course is the council tax premium. There was previously a decision to ensure that Councils could introduce a 100% council tax premium but that has since been increased to 300%. There are changes in terms of the planning process to ensure that the split and the clarity between a main dwelling, second homes and short-term holiday let is further refined in future and there are moves as well to develop a statutory licensing regime for holiday lets. I think that all of these measures are important, and they can't be looked at separately. They need to be looked at in the round.

I think it's also important to note that obviously local authorities across Wales are now looking at this. A number of Councils, for example Gwynedd and Pembrokeshire have already introduced Council Tax Premiums in these areas and have done for a number of years. But we now have a situation where Councils such as Rhondda Cynon Taf, Monmouthshire, Conway, Bridgend and ourselves of course are looking to introduce similar measures and, it's good to see councils across Wales taking positive action in that regards.

Turning specifically to the details in your question Rob, there are a number of exemptions which apply in terms of Council tax premiums, particularly with regards to second homes. There are seven classes in all which are exempt from a council tax premium:-

- The first one are dwellings being marketed for sale;
- The second one is dwellings being marketed for let;
- The third one, which reflects directly the question that you're posing this morning, is to annexes forming part of or, being treated as part of the main dwelling;
- Class four relates to dwellings which would be someone's sole or main residence were they not residing in armed forces accommodation. I think that's really important;
- Class five relates to occupied caravan pitches and boat moorings. They are exempt;
- Class six refers to seasonal homes where planning conditions prohibit year round occupation and, again, that refers to the reference you have this morning with regards to barns in many cases
- Class Seven relates to job related dwellings

So, there is a range of dwellings and properties which fall outside of the Council Tax Premium Regulations. The definition of a second home is 'a dwelling which is not a persons sole or main home and is substantially furnished. Dwellings where a planning condition prevents occupancy for a continuous period of at least 28 days in any twelve month period such as chalets and purpose built

holiday homes are included in this definition and such dwellings are entitled to as I mentioned Class six exemptions.

Turning to the barn example that you referenced there, you will be aware that there is common practice to grant planning permission for a residential development and restrict its occupancy to holiday accommodation use only. This can often be the case with barn conversions where the permission sought is for its use for holiday let purposes rather than permanent residential accommodation and, as mentioned, those are granted exemption under class three. However, if a barn has been converted, without the holiday accommodation use only restriction or for someone's sole or main residence then it would have to be classed as a second home or holiday let and, as such it would be eligible for a premium charge.

So, all in all, Rob what I'm trying to say it's quite a complex situation. There are lots of things at play here. It's not just a case of the Council Tax Premium. The planning regime is really integral to this as we set out to implement the council tax premium but also as we look to develop the area in future years. I think it's fair to say that this has been an unregulated area for quite some time, but I think that the shape and the structure the Welsh Government are finally putting on the sector is to be welcomed. Finally, I would add that I wouldn't want to pre-empt any contribution in terms of the consultation, which is still on-going but, clearly when we look at this as a Cabinet we will ensure that all of this evidence is taken on board before reaching a decision. Thank you

Supplementary Question by Councillor Rob James:-

Thank you for that information. Over the last few weeks and months, I've been meeting with individuals who have been involved with the agri-tourism sector which, I believe, is an important sector for this Council. I believe we need to be supporting farm holders in diversifying their operations and I think operating holiday lets as part of that is an important step. Now, one of the things that has been told to me is that the changes to the occupancy rates i.e: I think it's 180 days that is needed to be classified as a viable business now by the Welsh Government due to changes recently means that they are liable to a big impact by this change in council tax. So, what I'm looking from you is a Leader, if I may is, just a commitment that we are seeking to protect agri-tourism in this council with any changes that we may look to bring in. Thank you

Response by Councillor Darren Price – Leader of the Council:-

Thank you Rob. The threshold is actually 182 days, not 180, but the point is well made. I think from the outset, it's important to state that our intention is not to have any negative adverse impact on the tourism industry. We absolutely recognise that the tourism sector is vital particularly, in some parts of the county and I think that the proposal that we've got out for public consultation at the moment reflects that. As I mentioned earlier, there is scope to introduce a 300% premium on second homes and we haven't suggested doing that as part of the consultation. We have suggested that a 50% or 100% contribution would be prudent. I think that's based on the learnings and the experience of other authorities that have already implemented this. As I mentioned it's been implemented in Gwynedd and Pembrokeshire for quite some time. Those are

areas that are really dependent on the tourism sector and I don't get the feedback from those areas that the premium at those levels has had a significant adverse impact on the tourism sector. But I think there's a wider point here that we need to be mindful of, and I think that the planning regime offers us an opportunity to get to grips with this over the coming years and that's around the supply of short term holiday let accommodation in the county. If we're finding that businesses across the county are struggling to meet that threshold, I think there's a discussion to be had then in terms of the supply of short term holiday lets and the sustainability of those businesses. But that's something we are keen to engage with the sector over the coming months and years. Thank you

5. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

6. CARMARTHENSHIRE COUNTY COUNCIL CORPORATE STRATEGY 2022-27

The Cabinet considered the Council's Corporate Strategy 2022-2027, that included the Council's well-being objectives and setting out the direction of travel and priorities for the organisation over the period of the current administration, whilst also providing the delivery framework on the Cabinet's vision and commitments during the period. The new strategy would focus on a smaller number of population-based objectives whilst identifying the thematic priorities, service priorities and core business enablers that the Council would aim to progress during that period.

It was noted the proposed new Council well-being objectives were:-

1. Enabling our children and young people to have the best possible start in life (Start Well)
2. Enabling our residents to live and age well (Live and Age Well)
3. Enabling our communities and environment to be healthy, safe and prosperous (Prosperous Communities)
4. To further modernise and develop as a resilient and efficient Council (Our Council)

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the Council's Corporate Strategy 2022-2027 be approved.

7. COUNCIL TRANSFORMATION STRATEGY

The Cabinet considered the proposed Transformation Strategy that aimed to provide the strategic framework to underpin a programme of significant organisational change to support the Council in achieving its wider aims and objectives, as set out in within the Corporate Strategy (Minute 5 above refers). It also aimed to further accelerate the process of modernisation across the Council, thereby allowing it to continue delivering high-quality, cost-effective services within the context of a challenging external environment.

It was noted the Strategy encompassed the following 8 thematic priorities:-

- Workforce,
- Workplace,

- Efficiencies and value for money
- Income and commercialisation
- Service design and improvement
- Digital and customers
- Decarbonisation
- Schools

UNANIMOUSLY RESOLVED that the Transformation Strategy be approved.

8. CARMARTHENSHIRE COUNTY COUNCIL'S SIGNING OF THE EDINBURGH DECLARATION

The Cabinet considered a report on a letter received from Julie James (WG Minister for Climate Change), sent in September 2021, to all Local Authorities in Wales seeking pledges of support for the Edinburgh Declaration that supported the development of the post 2020 global biodiversity framework i.e: “recognises the important role that sub-national governments play in supporting nature and biodiversity”

UNANIMOUSLY RESOLVED

- 8.1 That the Council sign the Edinburgh Declaration on Global Biodiversity and that the Cabinet Member for Decarbonisation, Climate Change and Sustainability sign the declaration;**
- 8.2 That officers ensure the due process for signing the Declaration is implemented and that the signing of the Edinburgh Declaration is publicised by the Council’s Marketing and Communications Team.**

9. HIGHWAY ASSET MANAGEMENT PLAN - MAINTENANCE MANUAL PARTS 4.5, 4.6 & 4.7

The Cabinet considered a report on the adoption of sections 4.5 – 4.7 of the Highway Asset Management Plan – Maintenance Manual. While the Plan had been adopted by the Council’s former Executive Board in July 2018, Cabinet was informed that the maintenance manual which formed part 4 thereof, was being developed as a portfolio of specific manuals covering the management of a range of highway assets. Accordingly, Parts 4.1- 4.4 of the manual had been adopted in 2021, and sections 4.5 – 4.7, if adopted, would cover the aspects detailed below, with further sections being developed in future years:-

- Part 4.5 – Highway Drainage Management
- Part 4.6 – Geotechnical Management
- Part 4.7 – Highway Emergency Response.

UNANIMOUSLY RESOLVED that Parts 4.5, 4.6 and 4.7 of the Highway Asset Management Plan – Maintenance Manual be adopted.

10. PARTNERIAETH BUDGET 2022 -2023

The Cabinet was informed that the Legal Agreement relating to the establishment of the Partneriaeth Regional Education Consortium provided the following reserved matter to each of its constituent authority's "Approving the first Annual budget of the Partneriaeth and any subsequent Annual Budget which would exceed the scope of the authority delegated to the Joint Committee within its terms of Reference"

In accordance with that requirement, the Cabinet considered the Partneriaeth's first Annual budget, as endorsed by the Partneriaeth Joint Committee on the 29th April 2022.

UNANIMOUSLY RESOLVED:-

- 10.1** To note the assumptions and estimates made in compiling the First Annual Budget for 2022-23 and approve the first Annual Budget for Partneriaeth Regional Education Consortium, including the contributions of each Council, which had been calculated in accordance with the terms of the legal agreement;
- 10.2** To note that the Joint Committee had resolved at its meeting held on the 29th April, 2022 that the Lead Chief Finance Officer for Partneriaeth (Section 151 Officer of the Lead Council with responsibility for finance) was authorised to make amendments to the first Annual Budget for 2022-23 as assumptions and estimates were confirmed and that that position be approved.
- 11. 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