

# CABINET

**MONDAY 19<sup>TH</sup> JUNE 2023**

**PRESENT:** Councillor L.D. Evans (Vice-Chair in the Chair) (In Person)

**Councillors (In Person):**

C.A. Davies	G. Davies	P.M. Hughes	G.H. John
A. Lenny	E.G. Thomas	J. Tremlett	A. Vaughan-Owen

**Also in Attendance (In Person):**

Councillor D.M. Cundy

**Also Present (In Person):**

W. Walters - Chief Executive  
J. Morgan - Director of Community Services  
C. Moore - Director of Corporate Services  
G. Morgans - Director of Education & Children's Services  
A. Williams, Director of Place and Infrastructure  
P. Thomas - Assistant Chief Executive  
J. Jones - Head of Regeneration  
L. Rees-Jones - Head of Administration and Law  
L. Jenkins - Cabinet Support Officer  
C. Higginson - Media Manager  
A. Eynon - Simultaneous Translator  
J. Owen - Democratic Services Officer

**Also Present (Virtually):**

M. Evans Thomas - Principal Democratic Services Officer [Note Taker]  
M. Runeckles - Members Support Officer

**Chamber, County Hall, Carmarthen and remotely : 9.30 am to 10.35 am**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor D. Price, Chair, who was engaged in alternative Council business.

**2. DECLARATIONS OF PERSONAL INTEREST**

The following declarations of interest were made:-

Councillor	Minute Number	Nature of Interest
A. Davies	5 – Public Questions on Notice	The cycle path passes through land her family owns and farms. Personal and prejudicial
A. Davies	15 – Sustainable Communities Fund	One of the applications has been submitted by a Group in her ward. Personal and prejudicial
G. Davies	15 – Sustainable	One of the applications has

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	Communities Fund	been submitted by a Group in his ward.
L.D. Evans	11 – Model Teachers' Pay Policy 2022/23	Her daughter is a teacher.
P.M. Hughes	15 – Sustainable Communities Fund	One of the applications has been submitted by a Group in his ward.
A. Vaughan-Owen	11 – Model Teachers' Pay Policy 2022/23	His wife is a headteacher.
A. Vaughan-Owen	15 – Sustainable Communities Fund	He is a member of a number of groups who have made applications.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 22ND MAY, 2023.**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Cabinet held on the 22<sup>nd</sup> May, 2023 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**

[NOTE: Councillor A. Davies, having earlier declared an interest, left the meeting prior to the consideration and determination of this item.]

The Chair advised that one public question had been received.

**5.1. QUESTION BY MR HAVARD HUGHES TO CLLR. EDWARD THOMAS, CABINET MEMBER FOR TRANSPORT, WASTE AND INFRASTRUCTURE SERVICES**

“Welsh Government guidance stipulates that compulsory purchase should be the option of 'last resort' following negotiation for voluntary sale of land. Yet the Council's Compulsory Purchase Order (CPO) in relation to the Towy Valley Cycle Path appears to apply to the whole route from Whitemill to Llandeilo. Without asking for disclosure of individual names, can you provide public assurance that negotiations were entered into in respect of the land required for the Cycle Path and confirm how many - if any - voluntary sales have been secured outside of the CPO.”

**Response by Councillor Edward Thomas, Cabinet Member for Transport, Waste and Infrastructure:-**

“Carmarthenshire County Council is aware of the guidelines issued by the Welsh Government in the making of Compulsory Purchase Orders (CPOs) and acknowledges the expectation by Welsh Ministers that the Acquiring Authorities must demonstrate that they have taken steps to acquire all of the land and rights including the CPO by agreement wherever possible. The assembly of multiple plots and titles benefit from the certainty of timing and the consistency of

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approach that a CPO will bring. Nevertheless, the Council as Acquiring Authority is conscious of the need to adopt good practice by offering the affected parties the opportunity to enter into an agreement to voluntarily sell where they are prepared to do so. A CPO by its very nature is intended to secure the assembly of land needed for the implementation of a scheme where it cannot be acquired by agreement. However, an Acquiring Authority cannot wait for negotiations to break down before starting the compulsory purchase process. Valuable time will be lost. Therefore, having regard to the need to deliver the scheme in a timely manner to comply with the demands of the Levelling Up Funding Office, it is considered sensible, given the amount of time required to complete the compulsory purchase process and having regard to the number of plots of land required to assemble the route for the County Council to initiate formal proceedings. This will run in tandem with continued negotiations. The compulsory purchase process permits the inclusion of land already owned by the Acquiring Authority in a CPO to ensure a full legal title. The Council, prior to commencing the process has been in consultation and negotiation with all landowners including all third parties whose rights might be affected by the proposal. Five parcels of land have already been secured and agreement reached via negotiation on a further six parcels. Initiating compulsory purchase procedure demonstrates the Council's commitment to deliver the scheme from the outset. Public consultation events on the creation of the proposed shared use route demonstrated overwhelming public support for its delivery. The Council is therefore confident that attempts have been made to acquire the land by agreement wherever possible, however, not all land will be acquired in this manner therefore consequently there is no realistic alternative to the use of compulsory purchase powers."

**Supplementary question by Mr Havard Hughes:-**

"Are you confident in meeting the deadline of March next year by which the Levelling Up funding for the cycle path must be spent, given that there is large scale and significant objection by landowners to compulsory purchase, do you think a Public Inquiry is likely and therefore the funds are likely to be lost."

**Response by Mr Jason Jones, Head of Regeneration:-**

"We are as confident as we can be, yes and we are in constant dialogue with UK Government around the Levelling Up funding but there is a process to follow as per the question and the response. There are no guarantees in that regard but we do remain confident. Thank you."

The Chair thanked Mr Hughes for submitting a question and for his attendance at the meeting.

- 6. HEALTH & CARE SYSTEM FOR WEST WALES : HOW FAR, HOW FAST?**  
Cabinet considered a report outlining the response in West Wales to progressing integration. Specifically, the paper outlined an opportunity in Carmarthenshire to develop and implement a health and care system for older people that is based on 'what matters' to this population and will be fit for purpose both now and into

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the future. The paper also considered alignment to the Ministerial Discussion Document known as 'Further, Faster' and its expectations.

#### **UNANIMOUSLY RESOLVED**

**6.1 that the report, opportunity and current state be acknowledged;**

**6.2 that the proposal and high level plan be approved.**

#### **7. THE MID & WEST WALES SAFEGUARDING CHILDREN & ADULTS BOARDS ANNUAL REPORT 2021-2022.**

Cabinet considered the Mid & West Wales Safeguarding Children & Adult Boards Annual Report 2021/22 which outlined the progress made against the outcomes set by CYSUR and CWMPAS as part of a joint Annual Strategic Plan.

The preceding two years have brought unprecedented challenges for the Regional Safeguarding Board and its partners in its endeavours to respond to the challenges of the COVID-19 global pandemic, in ensuring the citizens of Mid and West Wales are protected from experiencing harm, abuse or neglect. This year's annual report outlined some of the key achievements and demonstrated how they have been delivered against the objectives set at the start of the year. This included a continued commitment to deliver against the Violence against Women Domestic Abuse and Sexual Violence (VAWDASV) agenda.

**UNANIMOUSLY RESOLVED that the Annual Report which provides an Overview of the Objectives and Achievements of the Mid and West Wales Safeguarding Children & Adults Board for 2021/22 be received.**

#### **8. PETITION FOR ROAD SAFETY - BLACK LION ROAD, CROSSHANDS.**

Cabinet considered a report detailing the response to the petition presented to Council in December 2022 regarding road safety along Black Lion Road in Crosshands.

At the Council meeting the Cabinet Member for Transport, Waste and Infrastructure Services advised that the issues raised in the petition would be investigated by the department and that a report would be presented to a future meeting of the Council's Cabinet.

An investigation has since been undertaken by officers of the Highways & Transportation Service and the findings are detailed within the report

#### **UNANIMOUSLY RESOLVED**

**8.1 that the contents of the report are noted;**

**8.2 that the petitioners' request for traffic calming on Black Lion Road be declined;**

**8.3 that the petitioners' request for changes to the staggered junction of Black Lion Road be declined;**

Note: These minutes are subject to confirmation at the next meeting.

**8.4 that officers work to influence driver compliance with speed limits along the Cross Hands Economic Link Road;**

**8.5 that a Stage 4 Road Safety Audit be undertaken in due course;**

**8.6 that the petitioners are informed accordingly.**

**9. BURRY PORT HARBOUR PETITION TO FULL COUNCIL - UPDATE POSITION.**

Cabinet considered a report providing an update on the position at Burry Port Harbour, following a petition presented to full Council on the 25th January 2023 by the Friends of Burry Port Marina (FBPM).

It was noted that officers representing the Regeneration, Finance, and Leisure divisions continue to meet regularly with the Managing Director of The Marine Group, where operational concerns have, and continue to be raised and discussed. Officers are also meeting regularly with the Chair of FBPM.

The County Council shares the stated aim of FBPM in wanting a safe, functioning, attractive facility that is a genuine benefit for both the harbour users and the whole community.

**UNANIMOUSLY RESOLVED**

**9.1 that the position regarding the lease obligations of Burry Port Marina Ltd (BPML) in respect of their management of the Harbour be noted;**

**9.2 that Carmarthenshire County Council's position in relation to landlord responsibilities for the lease of the asset and the continued engagement by officers with the management of BPML be noted.**

**10. TACKLING POVERTY PLAN**

Cabinet considered the Tackling Poverty Plan which outlined the Council's approach towards addressing poverty related matters.

This Plan focuses on the wider tackling poverty agenda with key actions identified over the next 12 months which will support the Council's response to the current cost of living crisis. This Plan will be reviewed when the Welsh Government publishes its Child Poverty Strategy which is expected within the next 12 months.

**UNANIMOUSLY RESOLVED that the Council's Tackling Poverty Plan 2023 be approved.**

**11. MODEL TEACHERS' PAY POLICY 2022/23.**

[NOTE:

(1) Councillors L.D. Evans and A. Vaughan-Owen, having earlier declared an interest, left the meeting prior to the consideration and determination of this item.

Note: These minutes are subject to confirmation at the next meeting.

(2) In the absence of the Chair and Vice-Chair it was proposed, seconded and agreed that Councillor A. Lenny chair the meeting during the consideration of this item].

Cabinet considered a report providing details of the updated Model Teachers' Pay Policy 2022/23.

The policy has been updated to reflect the September 2022 pay award as detailed in the School Teachers' Pay and Conditions (Wales) Document 2022. Other changes include the revision of the pro-rata principle for TLR 1 and 2 allowances and the additional Bank Holidays to mark the funeral of Her Majesty Queen Elizabeth and the coronation of His Majesty King Charles III which meant that teachers must be available to work for 193 days / 1258.5 hours instead of the usual 195 days.

In order to comply with the requirements of the School Teachers Pay and Conditions (Wales) Document 2022, which requires every school to have a pay policy setting out how pay decisions are taken, it was

**UNANIMOUSLY RESOLVED to endorse the Model Teachers' Pay Policy 2022/23 prior to circulation to schools for formal adoption by their Governing Bodies.**

**12. 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.

**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 items as the reports contained exempt information as defined in paragraph 14 of Part 4 of Schedule 12A to the Act.**

**14. CARMARTHEN WEST LINK ROAD - LANDOWNER & COMPENSATION AGREEMENT - DEED OF VARIATION**

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 13 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would adversely impact upon public finances by undermining the council's negotiating position in this and other similar transactions.

Note: These minutes are subject to confirmation at the next meeting.

The Cabinet considered a report which provided details of a Deed of Variation in relation to the Carmarthen West Link Road.

**UNANIMOUSLY RESOLVED that the Deed of Variation be approved.**

**15. SUSTAINABLE COMMUNITIES FUND**

[NOTE: Councillors A. Davies, G. Davies, P.M. Hughes and A. Vaughan-Owen, having earlier declared an interest, left the meeting prior to the consideration and determination of this item.]

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 13 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure would have the potential to undermine the position of the organisations concerned in relation to other organisations operating in the same sphere of activity.

The Cabinet considered a report which provided an overview of applications submitted under the Sustainable Communities Fund.

**UNANIMOUSLY RESOLVED:**

**15.1 that the projects detailed in Table 2 be awarded funding as recommended by the Funding Panel;**

**15.2 that funding for the additional 11 projects as detailed in Table 3 be approved, subject to Regeneration Partnership approval.**

**15.3 that additional funding in the sum of £1m be transferred into the Sustainable Communities Fund from other parts of the SPF programme.**

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

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