

# EXECUTIVE BOARD

22 MARCH 2021

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

**Councillors:**

C.A. Campbell, 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;  
Councillor J.S. Edmunds;  
Councillor R. James.

**The following Officers were in attendance:**

W. Walters, Chief Executive;  
J. Morgan, Director of Community Services;  
C. Moore, Director of Corporate Services;  
R. Mullen, Director of Environment;  
P.R. Thomas, Assistant Chief Executive (People Management & Performance);  
J. Jones, Head of Regeneration;  
L.R. Jones, Head of Administration and Law;  
G. Ayers, Corporate Policy and Partnership Manager;  
D. Hockenhull, Marketing and Media Manager;  
M. Evans Thomas, Principal Democratic Services Officer;  
K. Davies, Sustainable Development Manager;  
L. Jenkins, Executive Board Support Officer;  
E. Bryer, Democratic Services Officer;  
R.M. Davies, Strategic Housing Delivery Manager;  
S. Rees, Simultaneous Translator;  
J. Corner, Technical Officer;  
J. Owen, Democratic Services Officer.

**Virtual Meeting – 10:00am - 11:40am**

**1. APOLOGIES FOR ABSENCE.**

There were no apologies for absence.

The Leader of the Council reminded all present that as of today the pre-election period had commenced.

**2. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

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

**3.1. 22<sup>ND</sup> FEBRUARY 2021**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Executive Board held on the 22<sup>nd</sup> February, 2021 be signed as a correct record.

**3.2 1<sup>ST</sup> MARCH 2021**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Executive Board held on the 1<sup>st</sup> March, 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. CARMARTHENSHIRE COUNTY COUNCIL CORPORATE COMPLAINTS POLICY**

The Executive Board considered a report which provided detailed the reasons for the requirement to develop a new corporate complaints policy, which if approved would replace the current complaints and compliments procedure.

The report outlined that on 30th September 2020, the Public Services Ombudsman (PSOW) for Wales and its Complaints Standards Authority (CSA) formally launched a new Model Concerns and Complaints Policy and had been given Local Authorities 6 months to implement a new Policy and submit an updated document to the PSOW.

Whilst the model policy did not represent a significant departure from the Council's existing Complaints and Compliments Procedure and complaints handling processes the report highlighted the key changes.

In addition, arrangements to address the key changes were being progressed and complaints reporting would be included in quarterly performance management reports from April 2021 onwards.

**UNANIMOUSLY RESOLVED** that the new Complaints Policy be approved to replace the previous Complaints and Compliments Procedure.

## 7. CORPORATE STRATEGY 2018/23 - UPDATE APRIL 2021

The Executive Board received a report which provided which provided information on the adjustments that had been made to the Corporate Strategy 2018-23 and the Well-being Objectives which were adopted in June 2018. The adjustments were made to reflect the developing priorities, the impact of the Covid-19 Pandemic, Brexit and climate change.

To underpin the Corporate Strategy, it was reported that the Departmental and Service business plans would be aligned to support the delivery of the Corporate Strategy and Well-being Objectives. Key actions and targets would be identified with the delivery being monitored on a quarterly basis.

**UNANIMOUSLY RESOLVED THAT IT BE RECOMMENDED TO COUNCIL that the Corporate Strategy and Well-being Objectives adopted in June, 2018 be adjusted, as reported, to reflect developing priorities, the impact of the Covid-19 Pandemic, Brexit and climate change.**

## 8. STRATEGIC EQUALITY PLAN ANNUAL REPORT 2019-20

The Executive Board received the Annual Report 2019-20 for the Strategic Equality Plan. The report provided the Board with an opportunity to review, monitor and reflect the ongoing activity around meeting the general and specific duties of the Equality Act 2010. In addition, the annual report included information in relation to employment, training and pay.

The Board noted that Strategic Equality Plans set out how public bodies consider the needs of groups with 'protected characteristics', as outlined in the Equality Act 2010, to ensure that all individuals receive just and equitable treatment in respect of service delivery and strategy/policy formulation.

It was reported that throughout 2020 the Strategic Equality Plan had been revised after having worked partnership with the Local Authorities across Dyfed Powys, both Health Boards, Dyfed Powys Police, Mid and West Wales Fire Service, Wales Ambulance Services NHS Trust, the Brecon Beacons National Park Authority, Pembrokeshire Coastal National Park Authority and the Dyfed Powys Police and Crime Commissioner, to undertake a detailed engagement and consultation exercise.

It was noted that a Diversity and Equality Promotion Calendar and a Flag and illumination protocol had been developed. It was acknowledged that whilst this was an excellent method to raise awareness, it was equally important to continue to promote equality and diversity all year round.

**UNANIMOUSLY RESOLVED that the Strategic Equality Plan Annual Report for 2019-20 be approved.**

## **9. ANNUAL REPORT ON THE WELSH LANGUAGE 2019-20**

The Executive Board, in accordance with the Welsh Language Commissioner's monitoring arrangements, received the Annual Report on the Welsh Language which outlined the implementation work in 2019-20. The report focused on the fourth year of implementing the Welsh Language Standard.

The report provided detailed statistical information in relation to the actions of the Strategy, which included Welsh Language skills audit of the workforce and data in relation to recruitment.

Board members noted during 2019/20 a new impetus had been given to the implementation of the standards within the Council, due to significant progress being made on internal work as well as building on partnerships with other organisations in order to promote the Welsh language across Carmarthenshire. It was acknowledged that an increase of 43% staff undertook a Learning and Development Opportunity to learn or improve their Welsh during 2019/20.

It was reported that the Council had won the 'Employer of the Year' category in the Gwobrau Dysgu Cymraeg 2020 Learn Welsh Awards, an accolade which demonstrated the Council's commitment to the Welsh Language.

**UNANIMOUSLY RESOLVED that the annual report in relation to the Welsh language and compliance with the Welsh Language Standards during 2019-2020 be received.**

## **10. FUTURE SCHOOL IMPROVEMENT PARTNERSHIP**

The Executive Board considered a report which provided information regarding the regional school improvement arrangements.

Due to delays with developing and establishing a replacement partnership model for regional school improvement service (ERW), the report requested that the Executive Board defer withdrawal from ERW from 31<sup>st</sup> March 2021 to 31<sup>st</sup> August 2021.

**UNANIMOUSLY RESOLVED:**

**10.1 to note that since serving notice to withdraw from ERW, the work around a new footprint and model for regional school improvement had not been progressed to enable a smooth transition to a new model by 31<sup>st</sup> March 2021.**

**10.2 to note that any new model for school improvement was likely to need legal changes to governance arrangements which would not be in place by 31<sup>st</sup> March 2021.**

**10.3 to agree to withdraw the notice to withdraw and remain in ERW until 31<sup>st</sup> August 2021 or until such time as new arrangements are in place.**

**10.4 to delegate to the Director of Education and Children's Services and Head of Legal Services authority to enter into any Deed of Variation necessary to ensure any change to withdrawal arrangements or any other necessary amendments approved by the Joint Committee.**

## 11. NET ZERO CARBON PLAN - UPDATE REPORT

The Executive Board received an update report on the Net Zero Carbon Plan which was developed following the approval of the Net Zero Carbon (NZC) Plan by County Council on 12<sup>th</sup> February 2020. The draft Net Zero Carbon Plan update was developed in accordance with Action NZC-28 of the Plan that required performance reports on progress towards becoming a net zero carbon local authority by 2030 to be published annually.

The report comprised of detailed information within following sections:-

- High Level Summary including Progress against Actions
- COVID-19 and Climate Change
- Progress Update
- Future Actions
- Wider Response to Climate Emergency (Appendix 1)

In addition to the report, the Board noted that at its meeting on 5<sup>th</sup> March 2021, the Environmental and Public Protection Scrutiny Committee had resolved to write a letter to the Welsh Government to convey its concern regarding the limited capacity of the local electricity distribution network and to request that Welsh Government work with Local Authorities, and others, to develop a clear plan to address this issue. In addition, in its letter, convey its disappointment that the Wales Carbon Reporting Guidance has not been published to date.

The Board, after considering the Environmental and Public Protection Scrutiny Committee's request that the Executive Board, in a separate letter to the Welsh Government echo and support the Committee's comment, acknowledged the importance of this in order to be able proceed and continue working towards being a Net Zero organisation by 2023 and agreed to honour the request.

**UNANIMOUSLY RESOLVED that:**

**11.1 the Net Zero Carbon Plan - Update Report be approved;**

**11.2 a letter be written to Welsh Government to echo the concerns raised by the Environmental and Public Protection Scrutiny Committee at its meeting on 5<sup>th</sup> March 2021;**

**11.3 delegated authority be granted to Officers to make typographical or factual amendments as necessary to improve the clarity and accuracy of the Net Zero Carbon Plan - Update Report.**

## 12. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 31<sup>st</sup> December 2020, in respect of 2020/2021. The budget position recognised the substantial additional pressures that had been placed on the Authority in responding to the Covid19 pandemic and the support provided by Welsh Government

Overall, the monitoring report forecasted an end of year underspend of £1,325k on the Authority's net revenue budget with an underspend at departmental level of £232k.

The Executive Board noted that whilst reports earlier in the year, have indicated a significant overspend due to the impact of Covid-19, the current projected position had now significantly improved, with the additional Covid-19 related costs and lost income being largely refunded from the Welsh Government hardship scheme.

It was further noted that whilst the overall position is indicated to be far more favourable than previously reported there were some departments still showing significant pressures. In particular both Communities and Environment still indicated an overspend of approximately £500K each. Departments were still challenged by the pressures and response required to Covid-19 and it was expected that this unprecedented position would continue into next financial year.

Commentaries against specific budget variances where assumptions had been made where shown within Appendix A appended to the report.

Executive Board Members noted that the report stated that Council Tax collection remained an area of significant concern. However, in response to a query in relation to future Council tax payments the Executive Board Member for Resources stated that if Council tax was not paid this year then it would be recovered wherever possible next year. The Director of Corporate Services added that this was an area of challenge and that the substantial deferrals made early in the financial year at the start of the pandemic were currently being managed and collected and that Council Taxpayers who were finding it difficult to pay would be a position to apply for the Council Tax Reduction Scheme, he clarified that the that teams were working closely together to ensure help is provided wherever possible.

Carmarthenshire experienced a marked reduction in payments during the first quarter, which was unlikely to fully recover during the year, however initially collection of this debt will continue into next year, but it is anticipated that some will become bad debt and will need to be written off. Welsh Government have provided some funding to support Local Authorities in respect this issue.

The Housing Revenue Account quantified a prediction of underspend by £2,937k for 2020/21. A list of main variances was appended to the report at Appendix B.

#### **UNANIMOUSLY RESOLVED that:**

- 12.1 The Budget Monitoring report be received, and consideration given to the budgetary position and appropriate corrective action.**
- 12.2 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 has placed on the Authority's overall budget.**

### **13. CAPITAL PROGRAMME 2020/21 UPDATE**

The Executive Board considered a report which provided an update of the latest budgetary position for the 2020/21 capital programme as at the 31<sup>st</sup> December, 2020.

Executive Board Members noted that £38m of the -£63,153k variance reported in the October capital monitoring report had been built into future years' budgets as part of the 2021/22 to 2025/26 five-year capital programme. Budgets had been amended to reflect this slippage to future years and was also presented in this report.

Appendix A appended to the report showed a forecasted net spend of £44,717k was forecasted compared with a working net budget of £76,284k giving a -£31,567k variance. The Executive Board Member for Resources reported that the significant variance projected at this time continued to be largely attributed to the restrictions associated with the Covid-19 pandemic and the delay in the start of the City Deal projects.

The report detailed additional Schemes to the Capital Programme which sought Executive Board approval.

The Board considered the main variances detailed within each department appended to the report at Appendix B.

#### **UNANIMOUSLY RESOLVED that:**

- 13.1 the capital programme update report be received;**
- 13.2 the additional projects detailed in the report be approved.**

### **14. 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 Leader of the Council took the opportunity to raise awareness that tomorrow was National Day of Reflection [Tuesday, 23<sup>rd</sup> March 2021] which would be marked by way of illuminating County Hall in order to reflect and remember those who had lost their lives during the pandemic.

The Leader announced that after having received a request to consider an urgent report on 'Affordable housing assisted Living Property Acquisitions', agreed to include it on today's agenda as the matter required an Executive Board decision prior to the deadline of 31/3/2021. The report pursuant to paragraph 14 of part 4 of schedule to 12(A) of the Local Government Act 1972 would be considered in camera.

## 15. 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.

## 16. POLICY AND RESOURCES SCRUTINY COMMITTEE "CALL IN" OF EXECUTIVE DECISION -LAND AT PENPRYS, LLANELLI

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 15 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 put the authority at a material disadvantage in any subsequent negotiations with third parties and potentially harm the public purse.

The Executive Board received a report requesting consideration of a decision that had been made by the Policy and Resources Scrutiny Committee at its meeting on 8<sup>th</sup> March 2021; to refer an Executive Decision made by the Executive Board on Land at Penprys Llanelli back to the Executive Board with specific regard to the Wellbeing and Future Generations Act and the implications for Llanelli Crematorium.

The Executive Board Members, after having re-considered its decision made on 8<sup>th</sup> February 2021:-

**UNANIMOUSLY RESOLVED** to uphold the decision and approve that authority be delegated to the Head of Regeneration, in consultation with the Executive Board Member, to negotiate terms and enter into an option agreement with the adjoining landowner at Penprys, Llanelli.”

## 17. FINANCIAL SUPPORT FOR CHRT/LLANELLY HOUSE

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 15 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 the report contained sensitive financial information relating to the Trust and the project. Although the public would normally favour transparency and openness, this was outweighed by the public interest in maintaining confidentiality in this case because of the need to protect the project's sustainability.



The Executive Board considered a report on the current financial situation of Llanelly House, noting the importance of Llanelly House to Llanelli Town Centre regeneration.

**UNANIMOUSLY RESOLVED** that a support package as stated in the report for a further 2 years be approved.

**18. AFFORDABLE HOUSING ASSISTED LIVING PROPERTY ACQUISITIONS.**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 15 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 put the authority at a material disadvantage in any subsequent negotiations with third parties and potentially harm the public purse.

The Executive Board considered a report which sought permission to purchase affordable homes that would secure nineteen units of accommodation for individuals with learning disabilities or mental health that require support.

**UNANIMOUSLY RESOLVED:**

- 18.1** that the purchase of five properties as stated within the report as part of the affordable housing buying private sector homes programme, on the terms as detailed in the report, be agreed.
- 18.2** that the funding of this acquisition by the WG 2020/21 Integrated Care Fund programme and the 2020/21 HRA capital programme, on terms as detailed in the report, be agreed.

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**CHAIR**

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**DATE**