

CABINET

MONDAY, 3 OCTOBER 2022

PRESENT: Councillor D. Price (Chair)

Councillors (In Person):

C.A. Davies
J. Tremlett

L.D. Evans
A. Vaughan Owen

G. Davies

E.G. Thomas

Councillors (Virtually):

P.M. Hughes

G.H. John

A. Lenny

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
L.R. Jones, Head of Administration and Law
D. Hockenhull, Marketing and Media Manager
S. Rees, Simultaneous Translator
L. Jenkins, Cabinet Support Officer
C. Higginson, Media Manager
K. Thomas, Democratic Services Officer

Also Present (Virtually):

I. Jones, Head of Leisure
H. Pugh, Head of Revenues and Financial Compliance
M. Evans Thomas, Principal Democratic Services Officer

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 10.00 - 11.00 am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence

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:

3.1. 18TH JULY 2022

The Cabinet was informed that prior to approval of the above minutes as a correct record, there was one amendment required to be made thereto to include Councillor Dot Jones within the list of attendees.

UNANIMOUSLY RESOLVED that, subject to the above amendment, the minutes of the meeting of the Cabinet held on the 18th July 2022 be signed as a correct record.

3.2. 25TH JULY 2022

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Cabinet held on the 25th July 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.

4.1. QUESTION BY COUNCILLOR TINA HIGGINS TO COUNCILLOR ANN DAVIES - CABINET MEMBER FOR RURAL AFFAIRS AND PLANNING POLICY

Would you be able to provide me with an update including details of the work undertaken, the outcomes and the next steps of the Black, Asian and Minority Ethnic (BAME) Task and Finish Panel. Please also either supply me with an email copy or provide me with the link to where I can find the finished report.”

Response by Councillor Ann Davies – Cabinet Member for Rural Affairs and Planning Policy

Thank you for your question.

As we know the Task and Finish Panel for BAME was set up in 2020 in response to two Notices of Motion that came before the Council. The Panel had a limited scope and some of it has been completed.

In relation to the work that has already been done, the Panel, the BAME Task and Finish Group had their last meeting during the Summer of 2021, over a year ago and, at that point, the group had agreed on a set of recommendations and they were in the process of organising the draft report with a view to presenting it to Cabinet at the end of that year.

Unfortunately, there was delay for a short period of time and the report had to be postponed until after the start of the year. Because of the start before the election period in March, the report was kept and the work of the Panel was to be considered this new term.

As a matter of process, every administration reviews the Advisory Panels available to them and as part of the report which came through the Cabinet in July of this year it was agreed that the Cabinet would not ask the Panel to reconvene but, it would like to see the report and this report will start its way through the democratic process very soon and I am very confident that I will be presenting it to this Cabinet over the next one or two months.

I should highlight the fact that the interim report by the panel did go through the Cabinet in December 2020 and, it was agreed on those recommendations in that

report and they were put to work a while ago. So, some of its work has already been completed.

In relation to results, some of the recommendations from the report have been included in the Vision Statement of this administration, and the outcomes of them refer to recruitment and representation and continuing with the campaign to make sure that the organisation is inclusive and varied. Some of the recommendations have also been included with changes in national policy

On a national level, we have seen the announcement of the BAME Communities, contributions and Cynefin in the New Curriculum working Group which has already caused changes to the History of Black People which is taught in the curriculum of schools.

We have also seen published the 'Anti Racism Plan of Wales' which notes the steps required over the next two years to achieve the long-term vision of being an anti-racist nation. Addressing Racism is part of the Co-operative Agreement with the Welsh Government and Plaid Cymru and we completely support this vision.

As I mentioned, the next step is for this final report to be published, and I very much look forward to bringing this back to Cabinet over the next two months.

Supplementary question by Councillor Tina Higgins

It's pleasing to hear about the work that has been done and thank you Ann for the answer this morning. It's great to hear what has been achieved already. I would like to ask whether the report is going to come to full Council?

Response by Councillor Ann Davies – Cabinet Member for Rural Affairs and Planning Policy

Yes, thanks Tina. The process is that it will come to Cabinet and then it will go to full Council. So, it won't go to Scrutiny as the Task and Finish Group had come from Cabinet so, immediately to Cabinet and immediately to full Council

5. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

6. REVENUE BUDGET OUTLOOK

The Cabinet considered a report on the Council's Revenue Budget Outlook subsequent to the Council in March 2022 where its Medium Term Financial Plan had been agreed based on estimates and known commitments at that time and formulated in the context of the Welsh Government financial settlement for 2022/23, including settlements and years 2 and 3 of the plan and estimates for other key inputs. Whilst at the time of the budget setting, the risk of inflation was noted and the greatest uncertainty at the time was adjudged to be the unknown impact and on-going costs and reduced income due to Covid 19, the Cabinet noted that, subsequently, there had been a number of significant changes to the external environment which would have a significant bearing on the future budget i.e:-

- Significant higher general inflation, which was expected to last longer leading to sustained cost of living pressures;
- Acute increases in energy prices impacting both transportation costs as well as heating and electricity bills for households and businesses;
- A strong response from national unions on pay awards;
- A full relaxation of the Covid 19 public health restrictions.

The Cabinet Member for Resources informed the Cabinet that having regard to these, and other budgetary pressures, the report detailed a number of key assumptions for its consideration that would frame the Council's budget development. However, given the scale of uncertainty at the present time on demands on the council's budget from issues such as increased fuel costs and pay awards, the standard approach to budget development had been expanded to incorporate a best, as well as a base case scenario.

Cabinet noted that even in a best-case scenario, it had been calculated that a minimum of £6.1million of budget reductions would be required for the next financial year, being £2m more than previously envisaged. Under the base case scenario, the shortfall was estimated to rise to an almost nearly £19 million, and assuming the already planned £3.9m savings were delivered. In that context, it was important the Council focussed its efforts on the next financial year given the scale of the challenge. It was noted that although the full picture would not likely be clear until notification of the draft financial settlement was received from the Welsh Government, which is not expected until December, it was important to recognise that at the current point many of the pressures facing Carmarthenshire were not only outside of its control – such as staff pay agreed nationally and the foundation living wage set externally – but were issues also being faced by all Local Authorities across the country.

The Leader advised that, as outlined above, the severe budget pressures were being faced by all local authorities in Wales and, with that in mind, the issues had been discussed at a recent meeting of the Welsh Local Government Association, attended by the Welsh Government's Finance Minister. The Association had stressed that without additional funding being forthcoming to address the budgetary pressures the next financial year would be extremely challenging with severe cuts being necessary. It was therefore important that the authority worked with other Welsh Local Authorities to lobby both the Welsh and UK Governments on the matter.

UNANIMOUSLY RESOLVED

- 6.1 that the initial budget outlook be received;**
- 6.2 That the proposed approach to identifying the required savings be endorsed;**
- 6.3 that the proposed approach to the budget consultation be noted.**

7. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Cabinet considered the revenue budget monitoring report which provided the latest budgetary position as at 30th June 2022 in respect of 2022/2023.

Overall, the monitoring report forecast an overspend for the year at departmental level of £4,735k with a forecast overspend on the Authority's net revenue budget of £4,767k. At a high level, this was due to a combination of:

- Nationally negotiated pay settlements (as yet unresolved) at much higher levels than budgeted, for which additional governmental funding is currently unknown. High level estimates are that that could be £1.7m above budget;
- Overspends in service areas where budget reductions had been implemented, but progress against delivery was delayed, for example in Learning Disabilities;
- A sustained reduction in commercial income, covering car parks, leisure centres and school meals;
- Capital financing underspends due to scheme delays and a reduced need to borrow

It was noted that as part of the 2022/23 budget setting process, the Authority had agreed a £3m in-year contingency budget which was currently held centrally and provided a partial offset to the above mentioned general pressures.

The Housing Revenue Account reported a predicted overspend of £511k for 2022/23, to be funded through a contribution from reserves details of which were provided within Appendix B appended to the report. That would be reviewed as the significant issues identified became clearer from a financial perspective. It was also noted that nationally negotiated pay offers (as yet unresolved) at much higher levels than budgeted would fall directly on the HRA to fund which, at a high level had been estimated could be £0.5m above budget

UNANIMOUSLY RESOLVED that:

- 7.1 The Budget Monitoring report be received, and the budgetary position and appropriate corrective action taken be noted.**
- 7.2 in respect of significant overspends on specific budget areas Chief Officers and Heads of Service critically review options available to them to address the ongoing impact.**

8. CAPITAL PROGRAMME 2022/23 UPDATE

The Cabinet received a report which provided the latest budgetary position for the 2022/23 capital programme, as at the 30th June 2022 and detailed new projects for noting and Cabinet approval. It was noted that the total capital spend for 2022/23 was £265m gross and £148m nett after taking into account grant allocations and slippages

It was reported that departmentally, a net spend of £140,696k was forecast compared with a working net budget of £147,962k giving a -£7,266k variance.

The net budget included the original H.R.A. and General Fund capital programmes approved by Council on the 2nd March, 2022 and slippage from 2021/22. 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 and, new grant awards received during the year to date.

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

UNANIMOUSLY RESOLVED that:

11.1 the capital programme update report 2022/23 be received;

11.2. the new projects as detailed within the report be noted and agreed.

9. TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT 1ST APRIL 2022 TO 30TH JUNE 2022

The Cabinet considered an update report on the treasury management activities and the prudential indicators for the period 1st April 2022 to June 2022.

UNANIMOUSLY RESOLVED that the update Treasury Management and Prudential Indicator Report for 1st April 2022 to 30th June 2022 be approved.

10. COST OF LIVING

The Cabinet considered a report on the Welsh Government's Cost of Living Support Scheme that included a proposal in respect of the associated Discretionary Scheme, for which the local authorities could determine a use locally.

It was noted that the Welsh Government's scheme included £152M to provide a £150 cost-of-living payment to eligible households (the main scheme) together with £25M to provide discretionary support for other purposes related to living costs, both of which, were intended to provide immediate support as Wales recovered from the pandemic and supported households to deal with the impact of increasing energy and other costs

The Discretionary Scheme funding could be used by each local authority to support households it considered to be in need of assistance with their living costs and, Carmarthenshire had been allocated £1.556 million to spend on a discretionary scheme.

The Cabinet was advised that in relation to the financial initiative detailed in table 12 within the report, which was supposed to be funded from available underspend from the main scheme, recent government guidance meant it was now anticipated there would not be any significant underspend from the main scheme. Consequently, that final proposal would need to be revisited and the allocation of any balance of funding would be undertaken by the Cabinet Member

for Resources and the Director of Corporate Resources under their delegated powers as soon as the Welsh Government's position had been clarified.

UNANIMOUSLY RESOLVED

- 10.1 That the current status of the Mandatory scheme be noted;**
- 10.2 That the Discretionary Cost of Living Scheme be approved**
- 10.3 That delegated authority be granted to the Director of Corporate Services in consultation with the Cabinet Member for Resources for the use of any underspends / virements**

11. EDUCATION & CHILDREN SCRUTINY COMMITTEE TASK & FINISH GROUP REPORT: SCHOOL ORGANISATION CONSULTATION PROCESS

The Cabinet considered a report on the findings of the Education and Children Scrutiny Task and Finish Group established to undertake a review of the current consultation process for school organisation changes, including changes in linguistic provision and closure of schools.

It was noted that the Task and Finish Group, having regard to the fact the Education and Children Department was undertaking a review of both its Welsh in Education and Strategic Plan and its Modernising Education Programme to be subject to public consultation, had produced an Interim Recommendations report which was endorsed by Cabinet on the 27th September 2021. Subsequently, the Group had met on three further occasions and formulated a number of additional conditions for Cabinet's consideration, as detailed within the report.

UNANIMOUSLY RESOLVED that the report and Recommendations of the Education and Children Scrutiny Committee's Task and Finish Group on the Consultation Process for school organisation changes be endorsed.

12. OMBUDSMAN'S ANNUAL LETTER 2021/2022 CARMARTHENSHIRE COUNTY COUNCIL

The Cabinet Considered the Ombudsman's Annual Letter 2021/2022 along with the fact sheet and accompanying data.

It was noted that each year the Public Services Ombudsman for Wales provided every Welsh Local Authority with a letter in the form of a fact sheet and accompanying data to assist them in reviewing performance.

UNANIMOUSLY RESOLVED that the Public Services Ombudsman for Wales Annual Letter 2021/22 (the Letter) be received.

13. 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.

14. 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.

15. RE-ALIGNMENT OF MILLENNIUM COASTAL PATH AT MORFA BACAS, BYNEA, LLANELLI

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 14 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 undermine the Council's position in the procurement process and unfairly prejudice the preferred contractor in the wider marketplace.

The Cabinet considered a report which provided information in respect of a proposed re-alignment of the Millenium Coastal Path at Morfa Bacas, Bynea, Llanelli.

UNANIMOUSLY RESOLVED that the report and recommendations detailed therein be approved.

CHAIR

DATE