

EXECUTIVE DECISION RECORD

CABINET

30 NOVEMBER 2022

Cabinet Members:

Councillors: S.K.Hunt (Chairperson), S.A.Knoyle, N.Jenkins,
D.M.Peters, J.Hurley, S.Harris, J.Hale, A.Llewelyn,
W.F.Griffiths and S.Jones

Officers in Attendance:

K.Jones, A.Jarrett, A.D.Thomas, N.Pearce, C.Griffiths, M.Shaw, H.Jones,
N.Blackmore, A.Hinder, D.Holder-Phillips, J.Merrifield, K. Windsor-Brown,
C.L.John and J.Woodman-Ralph

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.K. Hunt be appointed Chairperson for the meeting.

2. **CHAIRPERSONS ANNOUNCEMENT/S**

Cllr. S.K. Hunt welcomed all to the meeting and asked the Head of Legal and Democratic Services to address Members with advice on pre-determination.

The Head of Legal and Democratic Services addressed Members.

“As you will be aware there is a report on the agenda today regarding the School Strategic Improvement Plan.

This proposal is a new and fresh decision that members will make, so the fact that you may have voted in a particular way at a previous

meeting, will not amount to pre-determination provided you retain a genuinely open mind in respect of this new meeting.

As you will know, when arriving at decisions relating to any of the Councils business, you must do so with an open mind and consider all the information before you objectively, having due regard to the advice of officers. During the decision-making process, you must act fairly and in the public interest. You are required to make your decisions on the basis of the facts in front of you, and not to have made your mind up in advance of the meeting.

If you consider that you have come to a settled view or decision in respect of this matter and are unable or unwilling to take into account any other representations or advice, or a member of the public may feel that in taking into account all matters there is a risk, you will in all likelihood have predetermined the matter. Accordingly if you feel you have predetermined your position you should not be taking part in any vote. Pre-determination could not only invalidate the decision, it could lead to proceedings being brought against the Council and it may also amount to a breach of the Members Code of Conduct. This would be the opportunity for you to declare that.

You are entitled to hold a preliminary view about a particular matter in advance of a meeting (otherwise known as pre-disposition) as long as you keep a genuinely open mind and are prepared to consider the merits of all the arguments and points made about the matter under consideration before reaching your decision.

It should be noted that the determination here is one for members to decide.

For the sake of clarity, manifesto commitments and policy statements which are consistent with a preparedness to consider and weigh relevant factors when reaching the final decision, are examples of legitimate predisposition, not predetermination. In addition, previously expressed views on matters which arise for decision in the ordinary run of events are routine provided you are able to approach this particular decision with an open mind.”

3. DECLARATIONS OF INTEREST

The following Members made Declarations of Interest at the start of the meeting in regard to Agenda Item 6 – Strategic School Improvement

Programme – Proposal to Establish and English-Medium 3 – 11 School to replace Alltwen, Godre’rgraig and Llangiwig Primary Schools.

Councillor S.Harris	Her daughter is a teacher at Ysgol Cwm Brombil School but has dispensation to speak and vote.
Councillor N.Jenkins	She is a school governor at Alltwen Primary School but has dispensation to speak and vote.
Councillor A. Llewelyn	He is a school governor at Ysgol Cymraeg Bro Dur but has dispensation to speak and vote.

The following member made a declaration of interest in regard to Agenda Item 7 – Third Sector Grant Funding – Award of Grants for 2023/2024 at the start of the meeting.

Councillor S.Knoyle	He is a board member of Glynneath Training Centre.
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4. **MINUTES OF PREVIOUS MEETING HELD ON THE 29TH JUNE, 28TH JULY, 19TH OCTOBER AND THE 21 NOVEMBER 2022.**

The minutes of previous meetings held on the 29th June, 28th July, 19th October and the 21st November 2022 were agreed at an accurate record of the meeting.

5. **PUBLIC QUESTION TIME**

No questions were received.

6. **STRATEGIC SCHOOL IMPROVEMENT PROGRAMME - PROPOSAL TO ESTABLISH AN ENGLISH-MEDIUM 3 - 11 SCHOOL TO REPLACE ALLTWEN, GODRE'RGRAIG AND LLANGIWG PRIMARY SCHOOLS**

Decision:

Members considered the proposal to amend the recommendations to avoid the consultation period taking place over the Christmas period suggested by the Cabinet Scrutiny Committee held prior to this meeting. After discussion it was agreed that the Director of Education, Leisure and Lifelong Services in consultation with the Leader and requisite members would be granted delegated authority to consider the extension of the consultation period as detailed below.

Having given due regard to the impact assessments in relation to equality, risk, community usage and Welsh language, and to the Wellbeing of Future Generations Act (Wales 2015), together with the legal implications, approval be granted that, in line with Section 48 of the School Standards and Organisation (Wales) Act 2013, to consult on the proposal to establish an English-medium 3 -11 school with a specialist learning support centre, in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwg Primary, all of which will close on 31st August 2025 and that delegated authority be granted to the Director of Education, Leisure and Lifelong Learning in consultation with the Leader, Cabinet Member for Education and Chair of Cabinet Scrutiny to agree a suitable extension to the consultation period to enable members of the public to respond to the consultation.

With date of implementation to be 1st September 2025.

Reason for Decision:

The decision will enable the Council to comply with the formal consultation requirements imposed on the Council by the School Organisation Code.

Subject to the outcome of consultation, implementation of the proposal will enable the Council to promote high educational standards and the fulfilment of every child's potential. It will also enable the Council to meet its duty to secure efficient education in its area.

Implementation of the Decision:

The decision is proposed for implementation after the three day call in period which ends at 9am, 4th December 2022.

Consultation

The report is asking for permission to consult.

7. **THIRD SECTOR GRANT FUNDING - AWARD OF GRANTS FOR 2023/2024**

Decisions:

1. That approval be granted to award grants to Third Sector organisations as detailed in Appendix 1 to the circulated report.
2. It was agreed not to award grants to the organisations as detailed in Appendix 2 to the circulated report.
3. That the amount of grant payable to each Strategic Partner be approved as detailed in Appendix 3 to the circulated report.

Reason for Decisions:

To enable grants to the third sector organisations to be considered in line with the Council's Scheme.

Implementation of Decisions:

The decision will be implemented after the three day call in period.

8. **PUBLIC PARTICIPATION STRATEGY 2023-2028**

Decision:

Having given due regard to the Integrated Impact Assessment approval be granted to start a 12 week consultation on the Draft Public Participation Strategy as detailed in the circulated report between the 5th December 2022 and the 26th February 2023.

Reason for Decision:

To enable the publication of a final Public Participation Strategy which will ensure the Council meets legal duties set out in The Local Government and Elections (Wales) Act 2021 as they relate to council participation activities.

Implementation of Decision:

The decision will be implemented after the three day call in period which ends at 9am, 4th December 2022.

9. **DELIVERY OF THE WELSH GOVERNMENT'S DISCRETIONARY COST OF LIVING SUPPORT SCHEME - PROPOSALS FOR USE OF REMAINING FUNDING**

Decisions:

1. That the distribution criteria for the remaining balance of the Welsh Government Discretionary Cost of Living Support Scheme be approved as detailed in the circulated report.
2. That delegated authority be granted to the Chief Finance Officer in conjunction with the Leader of Council and the Cabinet Member for Finance, Performance and Social Justice to determine an appropriate distribution method for funding allocated to foodbanks.

Reason for Decisions:

To ensure that all funding available to the Council is utilised in accordance with the terms and conditions of the grant.

Implementation of Decisions:

The decision will be implemented after the three day call in period which ends at 9am, 4th December 2022.

10. **CALCULATION OF COUNCIL TAX BASE FOR 2023-24**

Decisions:

That the 2023/2024 net Council Tax Base be approved:

- Of 48,808.10 for the whole of the County Borough; and
- for each Town and Community Council area the amount shown in paragraph 6 of the circulated report.

Reason for Decisions:

To determine the Council Tax Base for 2023/24.

Implementation of the Decisions:

With the agreement of the Cabinet Scrutiny Chairperson. The decision will be for immediate implementation. There is no all in on this item.

11. **CORPORATE GOVERNANCE IMPROVEMENT ACTION PLAN FOR 2022-2023 PERIOD 1ST APRIL 2022 - 30TH SEPTEMBER 2022 (HALF YEARLY PROGRESS REPORT)**

Decision:

That the report be noted.

12. **QUARTER 2 (1ST APRIL 2022 - 30TH SEPTEMBER 2022)**
CORPORATE INDICATORS AND CHIEF EXECUTIVE'S
DIRECTORATE SERVICE LEVEL KEY PERFORMANCE INDICATORS
2022/2023

Decision:

That the report be noted.

13. **URGENT ITEMS**

Because of the need to deal now with the matter contained in Minute No 14 below, the Chairperson agreed that this could be raised at today's meeting as an urgent item pursuant to Section 100B (4) (b) of the Local Government Act 1972.

Reason:

Due to time element.

14. **PONTARDAWE SWIMMING POOL - EMERGENCY WORKS**
FUNDING.

Decision:

Having given due regard to the Integrated Impact Assessment approval be granted for funds as detailed in the circulated report be allocated to undertake repair works at Pontardawe Swimming Pool.

Reason for Decision:

Without the works being carried out, Pontardawe Swimming Pool would be permanently closed.

Implementation of the Decision:

With the agreement of the Chairperson of Cabinet Scrutiny Committee the decision will be for immediate implementation. No call in on this item.

CHAIRPERSON