

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>SPECIAL MEETING OF THE COUNCIL –</u> <u>2ND MARCH, 2020</u>
REPORT OF:	<u>DEMOCRATIC OFFICER</u>

PRESENT: COUNCILLOR M. MOORE (THE CHAIR,
PRESIDING)

Councillors P. Baldwin
D. Bevan
M. Cook
N. Daniels
D. Davies
G. A. Davies
G. L. Davies
M. Day
P. Edwards
L. Elias
D. Hancock
K. Hayden
S. Healy
J. Hill
M. Holland
J. Holt
J. Mason
H. McCarthy, B.A. (Hons)
C. Meredith
J. C. Morgan
J. P. Morgan
L. Parsons
K. Rowson
T. Sharrem
T. Smith
B. Summers
B. Thomas
S. Thomas
H. Trollope

J. Wilkins
B. Willis
L. Winnett

AND: Corporate Director of Social Services
Corporate Director of Regeneration & Community Services
Chief Officer Resources
Chief Officer Commercial
Head of Legal & Corporate Compliance

<u>No.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from:-</p> <p>Councillors G. Collier, J. Collins, M. Cross, W. Hodgins, G. Paulsen, K. Pritchard, G. Thomas, D. Wilkshire, Managing Director and Corporate Director of Education.</p>	
3.	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Item No. 5 – Fees and Charges Register 2020/2021:</p> <p>A Member referred to the Licensing fees and charges which had been included within the 2020/2021 Fees and Charges Register and acknowledged that Council would only be able to make a recommendation to the Licensing Committee in respect of these particular charges. However, she expressed her concern that should any Member of the Licensing Committee wish to discuss or ask questions relating to these charges (prior to the Licensing Committee taking place) this would result in pre-determination. The Member</p>	

concluded by stating that these fees and charges should have been considered by the Licensing Committee prior to submission to Full Council.

The Head of Legal and Corporate Compliance advised that it was a matter for the Licensing Committee to determine these particular fees and charges. However, the officer confirmed that it would be appropriate for Members of the Licensing Committee to discuss and ask pertinent questions in respect of these charges (as long as no Member expressed a particular opinion) as this would not amount to pre-determination. Any comments made could then be reported to the Licensing Committee to consider when determining the fees and charges.

The Member advised that the questions that she had wanted to pose around the Licensing fees and charges would result in pre-determination and felt that Members should not be placed in a predicament where they had to censor the questions that they wanted to ask for fear of pre-determination. She concluded by stating that going forward the licensing fees and charges should be considered by the Licensing Committee before they were submitted to Council for consideration as part of the Fees and Charges Register.

The Head of Legal and Corporate Compliance confirmed that the ideal scenario would have been for the fees and charges to have been considered by the Licensing Committee in the first instance, however, due to the meeting scheduled this had not been possible. The officer reiterated and concluded by stating that Members of the Licensing Committee were allowed to pose unbiased questions in respect of the Licensing fees and charges but it was the remit of the Licensing Committee to make the decision and not Council i.e. Council would only be able to make a recommendation to the Licensing Committee

The Member advised that she would raise her questions at the Licensing Committee.

The following declaration of interest was, thereupon, reported:

**Item No. 5 – Corporate Fees and Charges Register 2020/2021 –
Commercial Trade Waste & Markets Fees and
Charges**

Councillor P. Edwards

4. **REVENUE BUDGET 2020/2021**

Consideration was given to the report of the Chief Officer Resources.

The Chief Officer Resources spoke to the report which presented the Revenue Budget and Council Tax proposals for Blaenau Gwent County Borough Council for the next financial year 2020/2021 including the precepts approved by other statutory authorities that would impact upon the local level of Council Tax and included the relevant statutory resolutions.

It was noted that the Council Meeting on 6th February, 2020 had considered the provisional Revenue Settlement and since that time details of the final settlement had now been received from Welsh Government. The Chief Officer Resources advised Council that there had been no significant changes to the details between the provisional and final settlement that she needed to specifically draw Members' attention to as the Revenue Settlement Grant remained at £116m. There had been one slight increase in the level of funding for specific revenue grants however, this information was still only available on all Wales basis and the impact of this specifically on Blaenau Gwent was still unknown.

Options for Recommendation

The Chief Officer Resources continued by outlining the options for recommendation contained in Section 3 of the report and advised that:

- Council at its meeting on 6th February, 2020 had agreed a Council Tax increase of 3.9% for the 2020/2021 financial year.
- The term 'special items' related to the precepts for Town/Community Councils and £506,143 was the total value of these precepts.
- Details of the Full Council Tax including Police and Community Precepts for all areas of Blaenau Gwent could be found in the final table of Section 3 of the report.

Implications Against Each Option

The financial implications for the 2020/2021 budget setting process were summarised below:

- A Council Tax increase of 3.9% (Blaenau Gwent element). This was a 1% reduction compared to the current financial year.
- A budget requirement for the Council of £151,732 million (including Community Councils).
- Bridging the Gap efficiencies had been built into the revenue budget of £1,465 million.
- Cost Pressures amounting to £1.16 million and Growth Items amounting to £0.89 million had been built into the revenue budget.

Budget Requirement

- Table 1 attached at Appendix 1 of the report provided a summary of the resulting portfolio estimates taking into account the Bridging the Gap proposals, cost pressures and growth items. In addition, £1.7m would be transferred into the Council's reserves. This resulted in a statutory budget requirement of £151,732,365. Discretionary rate relief of £208,000 needed to be added to the budget requirement to give the total net revenue budget for 2020/2021 of £151,940,365.

Reserves

- The Council had agreed a target level for general reserves, being 4% of the last reported actual net revenue expenditure.
- Assuming the 2019/2020 quarter 3 forecast remained until the year end, the forecast level of general reserves would be £6.079 million (4.5%). This level of reserves was above the 4% target level specified within the reserves protocol.

Section 25, Local Government Act 2003

The above legislation required the Chief Officer Resources to report on the following points:

- ***The robustness of the estimates included in the budget*** - the Chief Officer Resources was able to conclude that the estimates had been compiled with the most up to date information available and were suitably robust. Cost pressures had been considered during the budget setting process and for the medium term.
- ***The adequacy of the Authority's reserves*** - paragraph 5.1.12 demonstrated that the Authority was looking to achieve a sustainable position for the forthcoming year and in the medium term. The reserves protocol would continue to review reserves in order to ensure that General Reserves were kept at a sustainable level in the medium term

Members were then given to the opportunity to raise questions and comment on the report.

The Leader of the Council advised that the 3.9% Council Tax increase had already been agreed by Council at its meeting on 6th February, 2020. Traditionally this meeting received the additional elements that made up the sum total of the Council Tax and for the Chief Officer Resources to provide reassurances to Council in respect of the robustness of the estimates and the adequacy of Council reserves. The Leader concluded by stating that at the appropriate juncture he would propose endorsement of the report.

The Leader of the Labour Group commented on the robustness of the estimates and commended the work undertaken to achieve this.

Town/Community Council Precepts

The Leader of the Labour Group referring to the Town/Community Council precepts detailed on Page 10 of the report and said that clearly the precept level for Abertillery & Llanhilleth was quite substantially higher than the other Town Council precepts. He continued by stating that he was aware that when Tredegar Town Council took over responsibilities for example, Deighton Playing Fields and the Public Conveniences these were separate and distinct areas of service from that which the Council provided and requested an assurance that Abertillery & Llanhilleth Community Council was not duplicating the services provided by the Council.

The Leader of the Council confirmed that Abertillery & Llanhilleth Community Council was not duplicating the services provided by the Council.

Options for Recommendation

The Leader of the Labour Group referred to the considerable number of recommendations contained in Section 3 of the report all of which were prefaced with 'to be noted'. He sought clarity that if the report was supported that the Labour Group that only the factual elements of the report would be supported and this did not negate the proposal of the Labour Group to increase Council Tax by 2.9% at the Council meeting on 6th February, 2020.

The Chief Officer Resources confirmed that Members would be 'noting' all that had been agreed previously at Council on 6th February, 2020 and would be accepting the precepts that had been advised by the police and town/community councils.

The Leader of the Labour Group confirmed that as only points of fact were required to be noted he was content to support the recommendations contained within the report.

Discretionary Council Tax Allowance

A Member referred to the recent flooding of properties in Cwm and Llanhilleth and asked whether there was any possibility that the Council could follow along the similar lines of other authorities and provide a discretionary council tax allowance to those residents who had been affected by these recent events.

The Leader of the Council commenced by stating that specific funding packages were available from the Welsh Government for those residents in affected areas. In terms of Council Tax allowances, he was aware that the Managing Director was having discussions with officers from the Resources Department to ascertain what support could be provided. He said that he had seen the horrific nature that the flooding had caused in both Cwm and Llanhilleth and in some other local authority areas i.e. Rhondda-Cynon-Taff it had been reported that residents would be displaced for a considerable period of time. The Leader concluded by confirming that if the Council could

assist those residents within the affected areas this support would be provided.

A Member said that it was the opportune time to commend the Council on the first class job it had done responding to the flooding incidents in Llanhilleth and said that if any further support could be made available this would be welcomed.

The Leader of the Council proposed that the recommendations contained in the report be endorsed. This proposal was seconded.

Upon a vote being taken it was unanimously,

RESOLVED, subject to the foregoing, that the report be accepted and it was noted that:

- 3.1 The Council agreed at its meeting on 6th February, 2020 a Council Tax increase of 3.9% for the 2020/2021 financial year. As a result, the Blaenau Gwent Council element of the full council tax charge would be:

Valuation Bands (£)								
A	B	C	D	E	F	G	H	I
1,141.24	1,331.45	1,521.65	1,711.86	2,092.27	2,472.68	2,853.09	3,423.71	3,994.33

- 3.2 At its meeting on 2nd March, 2020 the Council calculated the following amounts for the year (2020/2021) in accordance with regulations made under Section 33(5) of the Local Government Act 1992:

- 3.3 The Council Tax base was the number of chargeable dwellings in each area adjusted for a number of items e.g. discounts payable, multiplied by the assumed collection rate which for 2020/2021 was 95%.

- a) The amount calculated by the Council, in accordance with Regulation 3, of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax base for the year was:

20,662.45

b) The amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amount of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate were:

	£
Abertillery & Llanhilleth	4,638.15
Brynmawr	1,689.96
Nantyglo & Blaina	2,695.12
Tredegar	4,704.71

c) For the year 2020/2021 the Gwent Office of Police and Crime Commissioner had stated the following amounts in precepts issued to the Council (totalling £5,640,022), in accordance with Section 40 of the Local Government Act 1992, for each of the categories of dwellings shown:

Gwent Office of Police and Crime Commissioner								
Valuation Bands (£)								
A	B	C	D	E	F	G	H	I
181.97	212.30	242.63	272.96	333.62	394.28	454.93	545.92	636.91

3.4 That the following amounts be now calculated by the Council for the year 2020/2021 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

- a) £217,235,415 - Being the aggregate of the amounts which the Council estimated for the items set out in Section 32(2)(a) to (d) of the Act.
- b) £65,503,050 - Being the aggregate of the amounts which the Council estimated for the items set out in Section 32(3)(a) and (c) of the Act.
- c) £151,732,365 - Being the amount by which the aggregate at (a) above exceeded the aggregate at (b), calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- d) £208,000 - Being the amount the Authority estimated in relation to Sections 47 and 49 of the Local Government Finance Act 1988 as amended by Schedule 1 of the Local Government and Rating Act 1997, for discretionary non-

domestic rate relief.

- e) £116,063,000 - Being the aggregate of the sums which the Council estimated would be payable for the year into its Council fund in respect of redistributed non-domestic rates, revenue support grant and additional grant.
- f) £1,736.36 - Being the amount at (c) above plus the amount at (d) above and less the amount at (e) above, all divided by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.
- g) £506,143 - Being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- h) £1,711.86 - Being the amount at (f) above less the result given by dividing the amount at (g) above by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item related.
- i) The amounts given by adding to the amount at (h) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 3.2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate were:

£

Abertillery & Llanhilleth	1,763.61
Brynmawr	1,737.30
Nantyglo & Blaina	1,743.29
Tredegar	1,741.28

- j) The amounts given by multiplying the amounts at (h) and (i) above by the number which, in the proportion set out in section 5(1) of the Act, was applicable to dwellings listed in a particular valuation band divided by the number which in that

proportion was applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands were:

	The County Borough Tax including Community Precepts								
	Valuation Bands								
	A	B	C	D	E	F	G	H	I
Abertillery & Llanhilleth	1,175.74	1,371.70	1,567.65	1,763.61	2,155.52	2,547.44	2,939.35	3,527.22	4,115.09
Brynmawr	1,158.20	1,351.24	1,544.26	1,737.30	2,123.36	2,509.44	2,895.50	3,474.60	4,053.70
Nantyglo & Blaina	1,162.19	1,355.90	1,549.59	1,743.29	2,130.68	2,518.09	2,905.48	3,486.58	4,067.68
Tredegar	1,160.85	1,354.33	1,547.80	1,741.28	2,128.23	2,515.19	2,902.13	3,482.56	4,062.99
Ebbw Vale	1,141.24	1,331.45	1,521.65	1,711.86	2,092.27	2,472.69	2,853.10	3,423.72	3,994.34

k) That, having calculated the aggregate in each case of the amounts at (c) and (j) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2020/21 for each of the categories of dwellings shown below:

	The Full Tax of the County Borough Tax including Police and Community Precepts								
	Valuation Bands								
	A	B	C	D	E	F	G	H	I
Abertillery & Llanhilleth	1,357.71	1,584.00	1,810.28	2,036.57	2,489.14	2,941.72	3,394.28	4,073.14	4,752.00
Brynmawr	1,340.17	1,563.54	1,786.89	2,010.26	2,456.98	2,903.72	3,350.43	4,020.52	4,690.61
Nantyglo & Blaina	1,344.16	1,568.20	1,792.22	2,016.25	2,464.30	2,912.37	3,360.41	4,032.50	4,704.59
Tredegar	1,342.82	1,566.63	1,790.43	2,014.24	2,461.85	2,909.47	3,357.06	4,028.48	4,699.90
Ebbw Vale	1,323.21	1,543.75	1,764.28	1,984.82	2,425.89	2,866.97	3,308.03	3,969.64	4,631.25

5. **CORPORATE FEES AND CHARGES REGISTER 2020/2021**

Councillor P. Edwards declared an interest in this item (specifically trade waste and markets fees and charges) as he was Chair of the Ebbw Vale Business Forum but remained in the meeting whilst this item was considered.

Members considered the report of the Chief Officer Commercial.

At the invitation of the Chair, the Chief Officer Resources spoke to the report which had been submitted to Members to approve the fees and charges to be applied for the 2020/2021 financial year, including the core fees and charges to be operated by the Aneurin Leisure Trust.

It was noted that the Bridging the Gap Programme had included a Strategic Business Review on Fees and Charges to ensure that the Council was maximising its income by ensuring the fees and charges were set at a level that covered the costs of delivering the goods and services it provided where appropriate.

Fees and charges generate approximately £14m per annum in income and contributed towards funding the cost of delivering Council services, of which £2m related to commercial services. This helped the financial resilience of the Council and the Fees and Charges Register was reviewed on a regular basis in line with the Council's agreed income policy and Medium Term Financial Strategy.

Amendment

The following amendment was made to the Fees and Charges relating to School Meals contained on Page 43 of the report. The charges which had been reduced and should read as follows:

<i>Education – School Meals – Adults Per Meal. Fee Effective from September</i>
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Staff - £3.43

Student - £3.43

Education – School Meals – Children Secondary Age Child (Years 7 to 11) & Primary Age Child (Nursery to Year 6). Fee Effective from September. Fee Per Meal.

Secondary - £2.60

Primary – £2.34

Trade Waste Charges

The Chief Officer Resources advised that further work in the form of a business review needed to be undertaken in respect of charges for Trade Waste in the next few weeks. Once this work had been completed a report would be submitted to the March meeting of the Council for consideration.

Members were advised that the current fees and charges had been reviewed to:

- Ensure all fees and charges included on the register were relevant for 2020/2021.
- Reflect changes in local and national policy and charges.
- Reflect a minimum increase of 2% uplift in line with the Medium Term Financial Strategy.
- Consider if fees and charges could be increased in line with the principles of the Strategic Business Review, and this included considering an annual uplift of 5.5% where applicable.

Impact on Budget

- The Medium Term Financial Strategy and the 2020/2021 budget assumed an inflationary uplift of 2% per annum for fees and charges and the Strategic Business Review assumed an estimated achievement of £200,000 for 2020/2021 of which £95,000 was estimated to be achieved through increasing discretionary fees by 5.5% where there was scope within the market without having a significant impact on demand.
- The fees and charges register proposed 2%, 5.5% uplift for a range of fees which were detailed in Paragraph 5.1.3 (a) and (b) of the report together with other proposed fees at Paragraph 5.1.3 (c):

Members were then given the opportunity to raise questions and comment in respect of the report.

Fees & Charges – Markets/Bulky Waste Collection

The Leader of the Council advised that at the same time a review of the Trade Waste charges was to be undertaken, a similar review would also be undertaken in respect of the fees and charges for

Markets. In addition, he clarified that the 5.5% proposed increase for Bulky Waste Collection should be removed (from paragraph 5.1.3 (b)) because the charge for this service would remain at the 2019/2020 prices as outlined in paragraph 5.1.3(c).

RESOLVED accordingly.

Education – Charges for Out of County Placements within the Special School

A Member advised that upon a recent visit to this particular school he was made aware of capacity issues. He, therefore, requested a guarantee that children from Blaenau Gwent would be prioritised before any vacancies were filled by out of county placements.

The Chief Officer Resources confirmed that Blaenau Gwent children were given priority and it was only if vacancies remained within the establishment that these would be filled by out of county placements.

Hackney Carriage/Private Hire Fees and Charges

Reference was made to paragraph 5.1.4 of the report which advised that the Licensing fees had been out to consultation and this process had concluded on 13th February, 2020. A Member requested that all Members of the Council be provided with a copy of the consultation report which was due to be presented to the Licensing Committee and advised that he wished to speak at this Committee before Members made a decision in respect of Hackney Carriage/Private Hire fees and charges.

This request was noted accordingly.

Licensing Fees

A Member asked whether a matrix had been used to determine the level of increase in licensing fees because there were considerable increases proposed for a number of areas.

The Corporate Director Regeneration & Community Services advised that a cost recovery model had been approved nationally by all Directors of Environmental Health across Wales and this was the standard measure that had been applied across all charges.

In reply to a question regarding the amount of funding lost in previous years by not using the model, the Corporate Director advised that the commercial element of services was being examined further to identify costs and the model was then applied to reflect the cost of service delivery.

Grounds and Playing Fields

A Member referred to the proposed increase to £120 per match for grounds and playing fields and asked for clarification whether it was this fee or a different fee that would be charged if the ground had undergone a community asset transfer to another organisation.

The Leader of the Council advised that the clubs who had undergone a community asset transfer would be able to set their own grounds fees.

Another Member said he was of the understanding that playing fields fees applied to grounds that had not undergone a community asset transfer. He asked whether the fees for playing fields were retained by the Council or Aneurin Leisure Trust.

The Leader of the Council said that his understanding was that the fees were set and retained by the Aneurin Leisure Trust particularly for 3G elements and grounds/pitches.

The Member pointed out that fees and charges for playing fields were not listed within the Aneurin Leisure Trust proposed fees and charges appended at appendix 2. He requested clarification in respect of who was responsible for playing fields particularly school playing fields.

The Corporate Director of Regeneration & Community Services confirmed that the Aneurin Leisure Trust retained the fees for pitches that they operated. However, there were some areas of shared responsibility and undertook to pursue the matter and report back to Members including providing clarity around the responsibility for the playing field at Tredegar Comprehensive School.

RESOLVED accordingly.

Social Services Fees and Charges

A Member expressed his concern that the Council as a caring authority was proposing above inflation increases for the fees and charges for social services. He particularly expressed concern regarding the 7% proposed increase for Private Provider Care Charges and said that this would impact upon the elderly and more vulnerable in the community that needed these types of services.

The Corporate Director of Social Services explained that in terms of the cost of Private Provider Care Charges, the services that were commissioned needed to take into account the increase in the National Living Wage of 6% and pension contributions for the forthcoming financial year and the Council was obliged to fund this. However, he assured Members that before any of the fees were increased, service providers were required to demonstrate how this funding would be utilised.

Licensing Fees – Pre-Determination

The Leader of the Labour Group referred to the earlier question that had been raised regarding the potential for Members of the Licensing Committee to pre-determine the licensing fees and suggested that Licensing Committee Members abstain from voting on the fees and charges (albeit it would be a recommendation made by Council to the Licensing Committee) in order that they could fully take part and make a decision at the Licensing Committee at a later date on this matter.

The Chair of the Licensing Committee advised that the Licensing Committee could only make a recommendation regarding the level of licensing fees and charges, the Corporate Director of Regeneration and Community Services had been provided with delegated powers (as outlined in the Council's Constitution) to make the final decision in relation to this matter.

In reply to another concern raised regarding Members voting for the fees and charges for Trade Waste and Markets, the Leader of the Council pointed out that the fees and charges relating to these areas had been deferred as outlined earlier and would be reported back to the March meeting of the Council for consideration and approval with implementation from 1st April, 2020. With regard to the Licensing fees and charges although the Licensing Committee was the statutory body

to determine these charges he saw no reason why the Council could not make a recommendation to that Committee.

The Leader of the Council, thereupon, proposed that the report be endorsed subject to the caveats discussed earlier in the meeting in terms of Trade Waste, Markets and Bulky Waste.

This proposal was seconded.

The Leader of the Labour Group advised that all Members of the Labour Group would abstain from voting.

Upon a vote being taken it was

FURTHER RESOLVED, subject to the foregoing, that the report be accepted and Option 1 be endorsed, namely that the Fees and Charges Register for 2020/2021 which included the core price increase for Aneurin Leisure Trust be approved subject to:-

- The fees and charges in respect of Trade Waste and Markets be deferred pending a further review. The findings of the review be presented to the Council Meeting scheduled to be held on 26th March, 2020.
- The Bulky Waste Collection fees and charges to remain at 2019/2020 prices.

FURTHER RESOLVED to recommend that the Licensing fees and charges be agreed in principle and recommended to the Licensing Committee for consideration.