

**CABINET**

Minutes of a meeting held on 25 July, 2016.

Present: Councillor L. Burnett (Chairman); Councillors: B.E. Brooks, P. G. King and G. John.

Apologies for Absence: The Leader gave his apologies as he had to attend a meeting with the First Minister, however he would try and join the meeting as soon as he was able. Cllr N. Moore arrived in the middle of Agenda Item 16.

**C3248 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 11 July, 2016 be approved as a correct record.

**C3249 DECLARATION OF INTEREST –**

The following declaration of interest was received.

Councillor L. Burnett	<p><b>Agenda Item 12 - Community Action Self Help (CASH) Grants 2016/17</b></p> <p>Reason for Declaration –</p> <p>An Elected Member of Penarth Town Council and therefore she was unable to speak and vote on the matter.</p>
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**C3250 LOCAL ACCESS FORUM –**

The following minutes of the Local Access Forum meeting held on 25 May, 2016 were submitted.

Present: Councillor E. Williams (Chairman); Mr. R. Traherne (Vice-Chairman); Mr. F. Coleman, Ms. C. Lucas, Mr. S. McMillan, Ms. E. Nash, Mr. R. Pittard, Mr. R. Simpson and Mr. G. Thomas.

Mr. J. Wyatt, Mr. S. Pickering, Mr. G. Teague, Mrs. S. Thomas (Vale of Glamorgan Council) and Ms. M. Miyata-Lee (Natural Resources Wales).

1. Apologies for Absence –

These were received from Ms. A. Haden and Mr. J.J. Herbert and Mr. B. Guy.

2. Minutes –

AGREED – T H A T the minutes of the meeting held on 24<sup>th</sup> February, 2016 be approved as a correct record.

3. “Improving Opportunities to Access the Outdoors for Responsible Recreation”:  
Summary of Consultation Responses –

The consultation on Improving Opportunities to Access the Outdoors for Responsible recreation consultation ran from 10<sup>th</sup> July, 2015 to 2<sup>nd</sup> October, 2015. The consultation examined the current legislative framework for access to the outdoors for recreation in Wales and explored options for change. The paper drew from the evidence gathered during the earlier review (2014) and encouraged discussion on a sliding scale of potential options, including:

- ◆ Reform procedures – making improvements to the administration of current access legislation;
- ◆ Remove restrictions – removing some of the restrictions on the range of activities that can take place on rights of way and access land;
- ◆ Revise access – extending the definition of access land to include other areas; and
- ◆ New rights and responsibilities – implementing an entirely new access settlement, which allows much greater use of land for responsible recreation.

These were not fixed proposals and were to be considered as illustrative of the types of changes that could be implemented.

No decisions had been made on whether any changes should be taken forward. The key aim of the consultation was to gather information and views from people

about how potential improvements to the legislative system could impact future demand for outdoor recreation; and their potential impact on land and water concerns, including existing users, land managers and the natural environment.

Fourteen questions covered a range of issues, including access to land, water and the coast.

The consultation responses provided a wealth of information about the types of recreational activities occurring across Wales (and beyond). They also provided an insight into the challenges sometimes faced by land managers, farmers and other commercial interests. The consultation generated strong and sometimes polarised views about the current system of access to the outdoors and of how this might be improved.

There were 5,796 responses to the consultation, including 22 responses to the youth version issued simultaneously. 165 of these responses arrived after the closing date but the comments have been taken into account.

The Forum received a written summary of the views received using the Welsh Government's response template and the non-template electronic and hard copy responses. Responses received to the youth version of the consultation and using templates issued by outside organisations were included separately in the report to the Forum.

Referring to reference on page 3 to the possibility of introducing fixed penalties and / or the inclusion of Public Rights of Way in cross-compliance measures for farm subsidies, Mr. Traherne considered it would concentrate farmers' minds if such penalties existed. Mr. Teague responded that such a provision was already in place in England. However, the consultation exercise had suggested that, as far as Wales was concerned, Definitive Maps were not sufficiently up to date to facilitate the introduction of such a provision. Mr. Traherne felt there to be a "lack of joined up government" on the part of the Welsh Government in this respect.

Mr. Coleman asked for an indication as to the timescale which would apply in relation to the overall exercise. Mr. Teague suggested it was currently open to interpretation and it was likely that the Welsh Government's legislative programme following the recent elections would be the determining factor. Mr. Pittard referred to recent guidance issued by Natural Resources Wales, albeit there was no guarantee that this would be cleared by the Minister. Mr. Teague also alluded to the existence of draft ROWIP guidance.

There was a general acceptance amongst Forum Members that progress should be made in terms of the above and to facilitating the relevant legislation to update PROW legislation.

AGREED – T H A T Cabinet be requested to agree that the relevant Cabinet Member write to the Minister urging progress on this matter, including giving priority to the updating of Public Rights of Way legislation.

4. Natural Resources Wales: Local Access Forums: Work Plans 2016/17 –

The following matters which Natural Resources Wales and Welsh Government anticipated they would refer to Local Access Forums during the year were submitted to the Forum for information. The document was for guidance only and might change to reflect work priorities and should not be taken as definitive.

	<b>Referred by</b>	<b>Approx Timing</b>	<b>Nature of Referral</b>	<b>Which LAFs?</b>
I. Glastir Advanced	WG	Ongoing	Review and update proposals to proposed permissive access maps (including access to woodlands). In addition, support Glastir Contract Managers in considering individual permissive access proposals.	All
2. ROWIP Monitoring Implementation	NRW	Ongoing	Work with Local Authorities to support and monitor the implementation of the provisions of ROWIPs.	All
3. Review of ROWIP	WG / NRW	2016/17 - 2017/18	Support Local Authorities with the review of their	All

			ROWIPs with a view to imputing into the updated plans.	
4. Wales Coast Path	NRW	Ongoing	Work with coastal Local Authorities and the two national parks (SNP and PCNP) to further develop, enhance and promote the WCP.	Those with coastal areas
5. Access to water	WG/NRW	Ongoing	Take an active interest in promoting access to water.  It would be helpful if LAF considered potential areas for new or improved access to water (lakes rivers and the coast) and identified any obvious barriers that could be resolved.	All
	<b>Referred by</b>	<b>Approx Timing</b>	<b>Nature of Referral</b>	<b>Which LAFs?</b>
6. Countryside Code Campaign	NRW	Ongoing	NRW is now reviewing its guidance for trail users (the old forest user codes), with a mind to update them into a new set of codes for visitors to NRW owned and managed land. The LAFs' involvement in the consultation on these codes would be gratefully received.	

7. Wales Outdoor Recreation Survey	NRW	Ongoing	LAFs to consider the results from the Wales Outdoor Recreation Survey Results to inform their advice <a href="http://naturalresources.wales/our-evidence-and-reports/welsh-outdoor-recreation-survey/?lang=en">http://naturalresources.wales/our-evidence-and-reports/welsh-outdoor-recreation-survey/?lang=en</a>	
<b>Suggested other areas of work for LAFs to get involved with which aren't directly managed by WG and NRW</b>				
8. Green Flag/Green Flag Community Award	WG	Ongoing	Suggest public green spaces managed by local authorities, corporate organisations and community groups that could be eligible for this award which recognises and publicises the best parks and recreational areas in the country. <a href="http://www.keepwalestidy.org/greenflag">http://www.keepwalestidy.org/greenflag</a>	All
<p>Mr. Wyatt alluded to No. 6 in the above Work Plan. He informed the Forum that an e-mail had recently been received from Natural Resources Wales, providing the opportunity to complete an online consultation survey. He would circulate this to members of the Forum in order to allow them to complete the survey should they wish to do so.</p> <p>Mr. Pittard understood that the revised draft Code encouraged dog owners to be more responsible. He alluded to certain of the suggestions having been followed up in Bridgend / Merthyr Mawr. Mr. Teague confirmed he was aware of guidance on Dogs in the Countryside, but was unaware of any “research” undertaken.</p>				

Referring to Item 1 – Glastir Advanced – Mr. Traherne asked whether Mr. Teague was aware of any farmers in the Vale of Glamorgan taking advantage of the scheme. Mr. Teague responded he was not aware of such, but commented that it was not particularly easy to extract information to ascertain the position.

Mr. Coleman asked whether Item 7 above – Wales Outdoor Recreation Survey – was covered within Agenda Item 3. Mr. Teague confirmed that it was, in fact, a separate document.

#### 5. Best Value Performance Indicators Survey Report –

The 2015/16 annual performance indicator survey had been undertaken by volunteers from the LAF providing an invaluable level of consistency. To date, five of the seven returns for the 2016-17 spring survey have been returned.

The format of the survey followed Best Value Performance Indicator No. 178 (April 2001) methodology, which was produced by the County Surveyors' Society, in conjunction with the Countryside Agency and the Institute of Public Rights of Way Officers.

10.2% (58.2 kms) of the PROW network was surveyed, the paths surveyed having been chosen by random selection, with 5% surveyed in the Spring and 5% in the Autumn.

The survey provided results for two indicators:

- the percentage of paths Easy to Use
- the percentage of paths Signposted from the Road.

The graphs in Appendix 1 to the report provided an overview of survey results since 1997/98. The opportunity to feed the results into a national database was no longer available ; hence the All Wales figures were no longer inserted into the graphs. Responding to a question from Mr. Coleman, Mr. Teague indicated that the database of national figures had been discontinued as part of an overall reduction in the number of Relevant Performance Indicators monitored by Local Authorities. He alluded to some Local Authorities as using different “measurements” (e.g. customer satisfaction surveys).

Mr. Coleman felt that, as resources continued to reduce, there may eventually be a

need to simply concentrate on the most-used / popular routes. Ms. Nash pointed out that this could result in users being discouraged from using other paths due to lack of maintenance.

Mr. McMillan, referring to the correlation to the survey work and the PROW team's maintenance programme / priorities, suggested that there was possibly a case for the survey programme being based around those routes which featured higher (as opposed to lower) in the list. Ms. Nash asked whether there was a system in place whereby the level of public concern expressed affected the placing of a route in the list. Mr. Teague confirmed that this was the case (with the criteria agreed by the former Forum).

During the discussion, reference was made to the fact that it would be helpful if those involved in the survey were provided with further training / guidance to assist in their work.

Having reviewed the full survey returns, the Spring figures had been adjusted from that reported to the LAF in September 2015 following recognition of a data entry error.

The detail from all survey returns was added to the CAMS maintenance database.

AGREED –

- (1) T H A T Members of the Forum be “signposted” to a list of online reference sources.
- (2) T H A T a briefing session be included on a future meeting, designed to further assist Members involved in the survey work.

Mr. Traherne asked for an indication of the percentage of paths that “lead nowhere”. Mr. Teague indicated there was a small proportion of such paths, but a more sizeable proportion which would be classed as little used and, consequently, where maintenance would be deemed to be not effective. Approximately 30% of routes were “promoted”. A similar percentage applied to those which were well used, but not as heavily. The remainder would fall into the category of inaccessible or infrequently used routes.

6. Coastal Access Improvement Programme: Background and Update –

The Coastal Access Improvement Programme (CAIP) was a scheme funded by the Welsh Government via Natural Resources Wales and delivered through Local Authorities.

Since the Wales Coast Path officially opened on 5<sup>th</sup> May, 2012 the scheme, which initially ran from 2007-2013, had continued to fund the development and improvement of the route. Following completion of the initial project further funding was made available; this ran from 2013-2015.

The current programme was initiated by a Ministerial announcement that committed £900,000 worth of funding per annum for the next five years to the path. The current scheme differed from previous inasmuch as funding was divided between improvements and maintenance, to reflect the maturing nature of the Coast Path.

The Coastal Access Improvement Programme Grant would comprise two parts.

Improvement projects had been identified to NRW and the following had been approved in principle at 100% grant:

<b>Code</b>	<b>Location</b>	<b>Details</b>
VG1601	Dimhole	Path close to edge requires cutting back into cliff and provision of level surface as it ascends from cwm.
<u>VG1602</u>	Monknash	Repair and improvement of path near culvert following storm damage
VG1501	Ogmore Down	Conclude outstanding creation agreement on path, formalising new alignment that avoids needs for road walking
<u>VG1502</u>	Traeth Mawr	Missing link currently available on permissive basis only. Previously submitted as creation order, landowner has indicated willingness to revert to agreement
VG1505	Cwm Colhuw West	Improve surface by addition of loose stone

		(type 1).
<u>VG1507</u>	Gileston	Creation of missing link. Previously submitted as creation order, landowner has indicated willingness to revert to agreement
VG1517	Sully Playing Fields	Clearance of vegetation and provision of surface
Totals		

In addition an allocation for coast path maintenance via grant and at 75% grant rate had been advised. In the Vale for 2015-16 this amounted to £19,230 of grant to be matched by £6,410. It was anticipated that this would be issued each year over the life of the programme:

<b>Code</b>	<b>Description</b>	<b>Details</b>
Maint	Maintenance Projects on VoG WCP	Vegetation cut back, maintenance of furniture and surfaces
Totals		

The Coastal Access Improvement Programme project 'Dimhole' comprised the largest infrastructure improvement proposed for 2016-17.

Included with the report were the plans of the work which the Council would invite the LAF's comments on.

#### 7. Maintenance Reports –

The Forum was provided with an update in relation to maintenance work carried out across the Vale of Glamorgan from March 2011 to March 2016. The report also detailed the maintenance issues that had been logged and received from March 2016 to May 2016.

Referring to Unresolved Issues, Mr. Traherne presumed there to be a limited resource in place to address such matters. Mr. Teague confirmed that there was one maintenance post.

Mr. Pickering confirmed that the Countryside Team was now looking at the issues in

a more effective way. He pointed out that, on occasions, problems originally reported no longer existed / applied when they were inspected. Mr. Teague alluded to the fact that many “historical” issues were still included within the statistics. He concurred with Mr. Pickering that the new process for developing Work Programmes for Countryside Teams seemed to be working well.

#### 8. Legal Orders and Evidential Modification Orders Update –

The Forum was presented with an update on the Legal Orders and Evidential Modification Orders across the Vale of Glamorgan.

Responding to a question raised as to whether any delays in the process regarding Orders occurred due to the Legal Services provision in the Council, Mr. Teague, whilst aware of difficulties in other Local Authorities, considered that, comparatively, the process in the Vale of Glamorgan was an effective one.

#### 9. Rights of Way Improvement Programme (ROWIP) Funding Programme Background and Update –

The project comprised a number of programme actions aiming to assist in the delivery of ROWIP Objectives. This year four actions were proposed:

<b>Ref</b>	<b>Location</b>	<b>Brief Details of Programme Action</b>
VG1	Summerhouse Point	Dedication of rights at Summerhouse
VG2	Countywide	Adopt a path co-ordination of works
VG3	Countywide	Definitive Map anomalies – resolve long standing issues by order
VG4	30 km of priority routes	Vegetation clearance

VG1 provided for the dedication of public footpath rights along a track between Boverton Mill and Summerhouse Point. The grant allocation reflected anticipated compensation figures in addition to legal costs. The Public Rights of Way Sub-Committee had resolved to make an Order, one objection had been received, but this had subsequently been withdrawn.

VG2 would support the co-ordination and resolution of maintenance issues on promoted routes that are part of the Adopt a Path Scheme.

VG3 would begin to address long standing issues identified during the quality assurance of the Definitive Map process. This was likely to be through a mix of orders, negotiations and / or enforcement where appropriate.

VG4 would support the annual clearance of inland routes.

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RESOLVED –

- (1) T H A T the minutes of the Local Access Forum be noted.
- (2) T H A T the relevant Minister be contacted and clarification sought on the points raised in the report.

Reasons for decisions

- (1) To note the minutes.
- (2) To improve opportunities to access the outdoors for responsible recreation.

**C3251 CARDIFF BAY ADVISORY COMMITTEE –**

The following minutes of the Cardiff Bay Advisory Committee meeting held on 22 June, 2016 were submitted.

Minutes of the Annual Meeting held on 22<sup>nd</sup> June, 2016 at the Cardiff International White Water.

Present:

Councillor L. Burnett (Chairman)	Vale of Glamorgan Council (Cabinet Member for Regeneration and Education)
Mrs. C. Dimond	Cardiff Action Committee
Councillor G. Roberts	Penarth Town Council

Councillor B. Derbyshire	Cardiff Council (Cabinet Member for Environment)
Councillor G. Roberts	Penarth Town Council
Mr. S. Jones	Quay Marinas Ltd (Marina Manager)
Mr. N. Ajax Lewis	Wildlife Trust of South and West Wales (Senior Conservation Officer)
Mr. C. Michael	RSPB (South Wales Area Manager)
Ms. C. Harvey	Natural Resources Wales

Also present:

Mr. J. Maidment	Cardiff Harbour Authority (Operational Manager)
Mr. A. Vye-Parminter	Cardiff Harbour Authority
Ms. S. Jones	Vale of Glamorgan Council (Tourism Officer)
Mrs. K. Bowen	Vale of Glamorgan Council (Democratic and Scrutiny Services Officer)

(a) Appointment of Chairman –

Councillor L. Burnett was appointed Chairman for the Municipal year.

(b) Appointment of Vice-Chairman –

Mrs. C. Dimond was appointed Vice-Chairman for the Municipal year.

(c) Apologies for Absence –

These were received from Mr. M. Chidlow (Associated British Ports – Harbour Master), Mrs. N. De Longhi (Natural Resources Wales – Operational Manager), Mr. C. Atherton (Waterfront Partners - Chairman) and Ms. K. Richards (Cardiff Council – Head of Culture, Venues and Events).

(d) Minutes –

AGREED – T H A T the minutes of the meeting held on 13<sup>th</sup> January, 2016 be approved as a correct record.

(e) Matters Arising –

At the last meeting Members were informed that the steel dolphins in the outer harbour had been removed following the failure of some of the chains holding them in place. Mr. Vye-Parminter confirmed that these had been removed in respect of ongoing maintenance issues. Mr. Jones, Marina Manager, also agreed that this had been a sensible solution.

In referring to the reference to the Cardiff Bay Development review, Members were advised that a report was to be presented to Cardiff's Cabinet later in the year with a request by the Chairman that the Committee be kept informed of progress. The Chairman also referred to a previous request for a presentation on economic development with it being agreed that this take place later in the year.

(e) Presentation Forthcoming Events in the Barry and Penarth Areas –

Ms. S. Jones, the Events Officer for the Vale of Glamorgan, advised of forthcoming events including:

<b><u>Date</u></b>	<b><u>Event</u></b>	
<b><u>July</u></b>		
Friday 1 <sup>st</sup> July to Sunday 3 <sup>rd</sup> July	Beyond The Border Storytelling Festival	<a href="http://www.beyondtheborder.com">www.beyondtheborder.com</a>
Thursday 7 <sup>th</sup> July to Sunday 17 <sup>th</sup> July	Penarth Summer Festival	<a href="http://www.penarthtowncouncil.gov.uk">www.penarthtowncouncil.gov.uk</a>
Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> July	Cadstock, Victoria Park, Barry	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
Saturday 23 <sup>rd</sup> and Sunday 24 <sup>th</sup> July	Isle of Fire, Barry Island	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
Friday 29 <sup>th</sup> July to Sunday 31 <sup>st</sup> July	GlastonBarry, Romilly Park, Barry	<a href="http://www.mackeventsresents.com">www.mackeventsresents.com</a>
Saturday 30 <sup>th</sup> and Sunday 31 <sup>st</sup> July	Street Music Weekender, Barry Island	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
<b><u>August</u></b>		
Saturday 6 <sup>th</sup> and Sunday 7 <sup>th</sup> August	Street Theatre Weekender, Barry Island, includes performance of Mid Summers Night Dream at 6pm on Sunday	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>

	7 <sup>th</sup> August	
Wednesday 10 <sup>th</sup> August	Vale of Glamorgan Show, Fonmon	<a href="http://www.valeofglamorganshow.co.uk">www.valeofglamorganshow.co.uk</a>
Saturday 13 <sup>th</sup> and Sunday 14 <sup>th</sup> August	Circus Weekender, Barry Island	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
Saturday 20 <sup>th</sup> and Sunday 21 <sup>st</sup> August	Sports, Arts and Play Weekender	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
Sat 27 <sup>th</sup> and Sun 28 <sup>th</sup> August	Cinema By The Sea, Barry Island <b>Sat</b> - Star Wars A Force Awakens <b>Sun</b> - Dirty Dancing	<a href="http://www.valeofglamorgan.gov.uk">www.valeofglamorgan.gov.uk</a>
<b>September</b>		
Sat 3 <sup>rd</sup> and Sun 4 <sup>th</sup> September	Barry at War Weekend, Barry Island	<a href="http://www.barrywarmuseum.org.uk">www.barrywarmuseum.org.uk</a>
Sunday 25 <sup>th</sup> September	Distinguished Gentlemen's Ride, Penarth Pier and Esplanade	<a href="http://www.gentlemansride.com">www.gentlemansride.com</a>

The Officer confirmed that all the information was available on the Council's website, on twitter and at [www.visitthevale.co.uk](http://www.visitthevale.co.uk).

AGREED – T H A T Ms. Jones be thanked for her presentation and for the information contained therein.

In the absence of Ms. K. Richards, Head of Culture, Venues and Events, Mr. Vye-Parminter advised of the following:

There would be nine main events in Cardiff Bay up to October 2016 commencing:

- 23<sup>rd</sup> June – Extreme Sailing Series
- 26<sup>th</sup> June – Cardiff Triathlon – water quality permitting
- 8<sup>th</sup> – 10<sup>th</sup> July – Annual International Food and Drink Festival and Yachting Association Rally
- 23<sup>rd</sup> July – Home Nations Rowing Regatta. It was Wales' turn to host this event with a 5 knot speed restriction being put in place across the Bay
- 23<sup>rd</sup> July – Opening of Cardiff Bay Beach
- 28<sup>th</sup> – 29<sup>th</sup> August – Harbour Festival and P1 Powerboat Race

- 3<sup>rd</sup> September – British Water Ski Race
- 25<sup>th</sup> September – Men’s Health: Survival of the Fittest
- 2<sup>nd</sup> October – Cardiff Half Marathon.

Following discussion it was

AGREED – T H A T both the Cardiff and Vale Councils should publicise each other’s events on their websites in a collaborative approach to ensure that events are publicised widely.

(g) Navigational Safety –

Mr. Vye-Parminter advised of the forthcoming six monthly dredging of the Outer harbour which was due to commence on 11<sup>th</sup> July, 2016. The Harbour Authority was also currently reviewing the requirement to dredge the Castle water bus stop on the Taff. In response to a query regarding dredged material, Members were informed that this was placed in the deep parts of the old River Taff channel in the bay to aid maintenance of water quality and oxygen levels.

In referring to a potential cross-Barrage bus, Mr. Maidment confirmed that Arup had also undertaken an exercise where some questions had been raised in relation to modal shift, with it subsequently being

AGREED – T H A T an update report be presented to the next meeting of the Committee in respect of the cross-Barrage water bus proposals and the Arup report.

(h) Progress Report re Cardiff Harbour Authority –

Mr. J. Maidment advised that there was good news for Cardiff in that the Harbour Authority had been awarded the trans-Atlantic leg of the Volvo Round the World Ocean Race for 2017/18 and was currently working with Welsh Government regarding the necessary arrangements to be put in place.

Mr. Maidment expressed the significance of such an event. A full itinerary was to be announced by Volvo in the forthcoming weeks and discussions were ongoing with event partners e.g. Associated British Ports, together with decisions regarding finalising governance arrangements. A number of key stakeholders would also be included as planning for the event develops

The economic impact assessment had suggested that the income that could be generated was in the region of €60m. It was considered to be a major event, not only for Cardiff but for the whole of Wales. Regular event updates would be presented to the Committee.

Having considered the report it was

AGREED – T H A T collaboration on such a project was essential and that the Committee looked forward to receiving regular updates.

(i) Natural Resources Wales –

Ms. Harvey advised that there had been no incidents in relation to pollution for Natural Resources Wales. Two oxygen loaders had been present on the Ely River and, in referring to the issue raised at the previous meeting that a barge had sunk in the Wharf, Natural Resources Wales could confirm that there had been no environmental impact.

Ms. Harvey also advised that the “Know Your Rivers” report was due to be published, which would include details of work undertaken in relation to migration and stock of fish.

AGREED – T H A T Ms. Harvey be thanked for her report.

(j) Any Other Business –

The Chairman advised that:

- Tidal Lagoons Representatives were interested in providing an update to the Committee which would be scheduled when appropriate.
- At the meeting scheduled for 14<sup>th</sup> September, 2016, the Committee would receive an overview in relation to the City Deal topic.

(k) Date of Next Meeting –

It was confirmed that the next meeting be held on Wednesday 14<sup>th</sup> September, 2016 at 5.15 p.m. at the Cardiff International White Water Centre.

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At the meeting the Cabinet Member for Regeneration and Education confirmed that she had been reappointed as the chair of the Cardiff Bay Advisory Committee and that there had been very interesting discussions on forthcoming events. Highlights included the hugely successfully Isle of Fire at Barry Island, and the upcoming trans-Atlantic leg of the Volvo Round the World Ocean Race for 2017/18, which would be best viewed from the Vale of Glamorgan coastline.

RESOLVED – T H A T the minutes of the Cardiff Bay Advisory Committee be noted.

Reason for decision

To note the minutes.

**C3252        SHARED REGULATORY SERVICES JOINT COMMITTEE –**

The following minutes of the Shared Regulatory Services Joint Committee meeting held on 28 June, 2016 were submitted.

Present:

Representing Bridgend County Borough Council – Councillor R. Williams;

Representing Cardiff City and County Council – Councillors D. De’Ath and

Ms. J. Parry;

Representing the Vale of Glamorgan County Borough Council – Councillors G. John and A.G. Powell.

(a)    Appointment of Chairman –

RESOLVED – T H A T Councillor G. John be appointed Chairman for the current Municipal Year.

(b)    Appointment of Vice-Chairman –

RESOLVED – T H A T Councillor C.E. Smith be appointed Vice-Chairman for the current Municipal year.

(c)    Apologies for Absence –

This was received from Councillor C.E. Smith (Bridgend County Borough Council).

(d) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 18<sup>th</sup> May, 2016 be approved as a correct record.

(e) Declarations of Interest –

No declarations were received.

(f) Food and Feed Law Enforcement Service Plan (DEH) –

Approval was sought for the draft Food and Feed Law Enforcement Service Plan for the partner Councils for the period 2016/17.

The partner Councils had a duty, which had been delegated to the Joint Committee, to enforce the Food Safety Act 1990; the Official Food and Feed Controls (Wales) regulations 2009 and a wide variety of other food / feed legislation including the Food Hygiene (Wales) Regulations 2006.

In addition, and as part of the Food Standards Agency's Framework Agreement, the partner Councils were also required to produce a Food Safety Service Plan setting out the arrangements in place to discharge the above duties. The draft Plan had been produced in response to that requirement and was designed to inform residents, the business community of Bridgend, Cardiff and the Vale of Glamorgan of the arrangements the Councils had in place to regulate food safety. Details of the draft Plan were set out in Appendix 1 to the report.

In essence, the draft Plan detailed how the Shared Regulatory Service would fulfil the major purpose of ensuring the safety and quality of the food chain to minimise risk to human and animal health. To achieve this, the partner Councils would provide advice, education and guidance through the Shared Regulatory Service on what the law required, conduct inspections, investigations, undertake sampling and take enforcement action where deemed appropriate.

The draft Plan also detailed the demands placed on the service, the risk based work programme and the resources available to deliver the work required. As with many other Council services, the service faced increasing demands with reducing resources.

The draft Plan also set out the Food Standards Agency expectations of Local Authorities, some of the achievements in 2015/16 and the challenges for the year ahead. Some of the key elements of the Plan are set out below:

### **The Framework Agreement on Official Feed and Food Controls by Local Authorities**

The Framework Agreement set out what the Food Standards Agency expected from Local Authorities in their delivery of official controls on feed and food law. The Agreement set out the planning and delivery requirements of feed and food official controls, based on the existing statutory Codes of Practice.

One of the requirements within the framework was that Local Authorities carry out interventions / inspections at all food hygiene, food standards and feeding stuffs establishments in their area, at specified frequencies. The Food Standards Agency has the power to inspect Local Authorities to determine the Council's performance against the standard.

### **Performance Review 2015/16**

#### **Bridgend**

An overall high risk inspection rate of 89.94% was attained against a target of 100%.

The percentage of food establishments which were broadly compliant with hygiene standards was 95.11% against a target of 85%.

The percentage of new food hygiene businesses identified during the year that were subject to an inspection was 85.51% against a target of 80%.

100% of high risk food standards businesses were inspected during the year.

#### **Cardiff**

An overall high risk inspection rate of 82.5% was attained against a target of 100%. It was recognised at the time of Plan adoption that resources were insufficient to deliver the full requirements of the Food Law Code of Practice. In year budget management strategies compounded the resource issue. However, in light of the reduced resource available, contractors were employed between January and March to help support the delivery of the inspection programme.

The priorities set out in the 2015/16 Food Law Enforcement Plan were to complete all A, B and non-broadly compliant C premises.

The percentage of food establishments which were broadly compliant with hygiene standards was 93% against a target of 93.5%.

98.4% of premises which were unrated new businesses on 1<sup>st</sup> April, 2015 were inspected during the year against a target of 100%.

100% of high risk food standard businesses were inspected during the year.

### **Vale of Glamorgan**

88.89% of high risk food hygiene premises were inspected during the year against a target of 100%. Inspections were prioritised to ensure all A and B rated premises were completed due to the risk associated with these premises.

The percentage of food establishments which were broadly compliant with hygiene standards was 90.69% against a target of 91%.

94.38% of premises which were unrated new businesses on 1<sup>st</sup> April, 2015 were inspected during the year. The shortfall to reach 100% was a total of nine premises.

100% of high risk food standards premises were inspected during the year.

### **Broadly Compliant Food premises**

The main indicator used to assess the Councils' performance was the proportion of food establishments in the Local Authority area which were broadly compliant with food hygiene law. The performance trend over the last five years for compliance showed an overall improvement in the Councils. The performance for the last three years was as follows:-

	<b>Bridgend</b>	<b>Cardiff</b>	<b>Vale of Glamorgan</b>
2012/13	84%	75.57%	80.04%
2013/14	88%	87.27%	84.22%
2014/15	93%	91.76%	90.73%
2015/16	95.11%	93%	90.69%

## **Challenges for 2016/17**

**Staffing** – The service currently had five Commercial Services Technical Officers undertaking the relevant (EHORB) training. This training was required by the Food Law Code of Practice before inspections could be carried out. It was estimated the aforementioned officers would require a period of 12 months to achieve the required qualification. There were also five Commercial Services Officers currently on maternity leave, arrangements had been put in place within the service to ensure the inspection programme was met by utilising contractors and commitment to overtime by staff. Successful delivery of the Service Plan was dependent on adequate staffing resources being maintained during the Plan period. To deliver the full programme in accordance with the FSA requirements would require additional resource out with the existing budget. In the absence of additional resources the service would continue to manage the programme by prioritising areas considered to be the highest risk.

**Events** – The region hosted many outdoor events across a wide range of venues. The time spent planning, organising, monitoring events and inspecting and sampling at food premises during events each year should not be underestimated. These were additional commitments above the planned inspection programme, often not experienced by other Councils in Wales.

**Collaboration** – Since 1<sup>st</sup> May, 2015 the Councils have been delivering their Regulatory Services through a collaborative arrangement involving Cardiff, Bridgend and the Vale. The Shared Service was now being delivered under a single management structure and hosted by the Vale of Glamorgan Council. There had been considerable change in-year to move to the proposed new operating model. Whilst delivering business as usual had been an important priority, the process had been characterised by significant change to structures, branding, working practices, procedures and methods.

**Financial** – The continuing financial difficulties faced by all Local Authorities had required implementation of remedial measures to offset budgetary deficits. This had had an impact on the delivery of food services in recent years. This pressure would continue in the year to come. However, the new collaborative model did provide a budgetary framework to work within for the next three years. This allowed a greater level of certainty for the service than would otherwise be possible.

The Joint Committee also received a brief presentation from the Operational Manager (Commercial Services) on the draft Plan which provided an overview of the Plan's purpose, achievements from the previous year, why Food Law Enforcement was important, how the draft Plan would be delivered over the coming year 2016/17, matters relating to public expectations of the level of service provided by the Shared Regulatory Service, associated risks in relation to public health and latterly, how the Shared Regulatory Service proposed to use its resources over the period 2016/17.

Discussion ensued with a number of Members seeking assurances that the 100% target figure for inspection visits for new business were undertaken within the 28 day period to meet compliance with the Food Law Code of Practice. The Operational Manager (Customer Services) indicated that in regard to the Vale of Glamorgan and Bridgend areas a 100% target would be met for these premises. However, with regard to the Cardiff area, this presented challenges given the high turnover rate of business ownerships coupled with available staffing resources to allow inspections to be undertaken.

In supporting these comments, the Head of the Service referred to previous reports to the Joint Committee regarding organisational / staffing matters for establishing the new Shared Regulatory Service and the period of time required to allow new staff arrangements to bed in. He also referred to paragraph 24 of the report and to the recently recruited staff who were qualified, but were undertaking additional in-role training. Until these staff were fully skilled, he was unable at present to give an exact quantification of the staffing resource levels required.

In addition to the above comments, the Director of Environment and Housing indicated that he had requested the Vale of Glamorgan's Internal Audit Service to undertake a health check of the Food Service to assess the level of risk and performance. The intention was to submit a further report to the Joint Committee later in the year. He indicated that the audit itself would be a full assessment of the service and reflect the entire food chain, including areas such as animal welfare.

A Member of the Committee enquired if officers had considered opportunities around raising the public's awareness of the ability to report issues encountered regarding food hygiene compliance, but also at the same time, to reassure the public of the good work already being undertaken by the Joint Service. In response, the Operational Manager (Customer Services) indicated that a number of initiatives were planned to be undertaken through Food Safety Week and to have a presence at food festivals.

Brief discussion also touched upon micro biological sampling, with a Member enquiring if the grant underspend in the previous financial year received from Public Health Wales would be carried forward into the current financial year. The Head of Finance indicated that any underspent grant would be clawed back.

Having regard to the above and related issues, it was

RESOLVED –

- (1) T H A T the 2016/17 Food and Feed Law Enforcement Service Plan be approved.
- (2) T H A T the Head of the Shared Regulatory Service be authorised to make any administrative amendments to the Plan should the need arise.

Reasons for decisions

- (1) To approve the Plan and to allow the discharge of its responsibilities.
- (2) To ensure the Plan remained up to date should any changes in law or best practice be introduced during the period.

SHARED REGULATORY SERVICES ANNUAL REPORT (DEH) –

Under the terms of the Joint Working Agreement between partner Authorities, the Shared Regulatory Service was required to produce an Annual Report of the Head of the Regulatory Service and the Lead Financial Officer in respect of those functions delegated to the Joint Committee relating to the 12 months ending 31<sup>st</sup> March of each year and that a copy of the Report shall be forwarded to the Chief Executive of each participant Authority. In addition, the Report should also include:

- A statement showing the performance of the Regulatory Service functions and progress in achieving the objectives and delivering the Business Plan
- A summary of the revenue account and statement of capital spending including the distribution of use of any revenue surpluses and the financing of any capital expenditure.

Consequently, this was the inaugural report of the Shared Regulatory Services for the period 1<sup>st</sup> May, 2015 to 31<sup>st</sup> March, 2016 and provided a review of operations across the service, a summary of the planned outlined performance against the

2015/16 service objectives. Subject to the views of the Joint Committee and approval of the Report, a copy would be submitted to the Head of Paid Service of each participant Authority along with the Shared Regulatory Services Business Plan for 2016/17.

A major theme of the first Annual Report was the approach undertaken to transform the traditional business models to build a new organisational structure and a new organisational culture with harmonised processes. The work to distil three services into one was well underway and continued into 2016/17.

The report in essence provided a summary of activities involved with establishing the Shared Regulatory Service, the resulting various human resource issues, reference to the implementation of agile working arrangements, operational performance of the service throughout 2015/16 which had been subject of a number of reports previously to the Joint Committee, it being noted that targets and actions identified in the 2015/16 Plan were achieved with all statutory plans being published on time, enforcement initiatives being completed and the Change Programme identified for the period which commenced on time. The Annual Report also detailed the significant service achievements during the 2015/16 period which had been attained through a period of significant change and details of which were set out in paragraphs 19 to 24 of the report.

The Annual Report also set out the financial performance of the Shared Regulatory Service and attached at Appendix 1 was a draft Statement of Accounts for the period 2015/16 and included an Explanatory Foreword. The Joint Committee noted that there was no capital expenditure incurred during the same period.

The 2015/16 gross budget for the service, excluding the implementation budgets, was £8.719m. The draft outturn against the 2015/16 gross budget was reported to Committee on 18<sup>th</sup> May, 2016 and was an overall underspend within the Service of £835k. There had since been a minor amendment and the underspend was now £851k. As described within the report, it was acknowledged that the Service had been in a state of transition during 2015/16, with the staffing structure being in place for only the later part of the year.

The 2015/16 gross Core budget was £6.395m and at year end showed an underspend of £869k. One of the main factors contributing to this core underspend was the reduced staffing costs due to posts remaining vacant longer than had initially been assumed in the budget. This particularly affected the Food and Communicable Disease Teams. Vacant posts also resulted in reduced transport costs. During this

transition period, expenditure on supplies and services was lower and there were also underspends on management, administration and hosting costs, again due to vacant posts.

The costs relating to Authority Specific services were charged to individual Authorities. The 2015/16 Authority Specific gross budget was £2.324m and outturned at £18k over the anticipated level. This was mainly in the area of Licensing at Cardiff Council, where additional staffing was required, however, this position had been more than offset by the income received directly by Cardiff Council for this service.

There was also an implementation budget approved for the service in 2015/16 of £1.080m, which covered redundancy costs, IT set up costs and project management. The year end position for this budget was an underspend of £487k. This was in the main because of the new software solution for the Shared Service, which cost £400k, now being planned to be implemented during 2016/17. In addition, anticipated alterations to accommodation which had originally been planned to be spent during 2015/16 would now take place in 2016/17. These implementation costs were now budgeted for 2016/17 and 2017/18.

The Joint Working Agreement stated that the treatment of any surplus or deficit balance held by the Joint Service required agreement by the Joint Committee following completion of the audit of the annual accounts. Discussions were currently ongoing with Authorities as to the proposed use and / or distribution of the surplus and final proposals would be brought to this Committee for approval during September 2016.

The Shared Regulatory Service continued to develop its understanding of operational costs and in 2016/17 the Service would develop a matrix to show partners, in detail, where their money was spent.

In addition to the above matters, the Head of Service indicated that the Shared Regulatory Services had made a successful start and that the Service had been delivered with no discernible difference in quality, new ways of working had been developed and embedded into the day to day routine and the requisite financial savings had been achieved in Year 1.

He also indicated that in 2016/17 the Service's principal challenge was to implement fully the target-operating model to deliver high quality services and meet all partner differing financial pressures. The key milestones for 2016/17 included:

- Delivery of the Shared Regulatory Services Business Plan 2016-2017
- Implementation of the Shared Regulatory Services Workforce Plan
- A review of the partnership, governance and scrutiny arrangements and organisational structure for the Shared Regulatory Services
- Delivery of the identified budget contribution reductions for partners
- Refinement of the fee-earning activities approach to understanding Shared Regulatory Services cost base
- Exploration of new ways of generating income for the service and future savings
- Continue the process of channel shift by increasing the customer's ability to use self-help and undertake transactions on-line.
- Continue to harmonise working practices across the region, ensuring an effective, improved delivery and achievement of key performance indicators.

Having regard to the above and related issues it was

RESOLVED – T H A T the inaugural Shared Regulatory Services Annual Report for 2015/16 be endorsed and copies of the same to be forwarded to the Head of Paid Service for each partner Council.

Reason for decision

To meet the requirement of Clause 5.1 of the Joint Working Agreement.

SHARED REGULATORY SERVICES GOVERNANCE ARRANGEMENTS  
(DEH) –

The report set out proposals to address specific governance concerns relating to the role of the respective partner Authorities Executives in the business of the Shared Regulatory Service functions and the future role of Scrutiny Committees within the partner Councils who had the responsibility for the overview of the work of the Joint Committee and those senior officers employed within the Service.

The Director of Environment and Housing's proposals included the submission of the minutes of the Joint Committee to the partner Authorities respective Executives for consideration. In the event of any of the three partner Authorities raising their concerns on a matter, a specific report seeking to address those concerns could be requested from the Chairman of the Joint Committee. This proposal would be a matter for each participant Authority to consider and it was further proposed that the

Managing Director of the Vale of Glamorgan Council advises the Chief Executives of Bridgend and Cardiff Councils of its intention and suggesting that they give consideration to doing likewise.

In regard to current Scrutiny arrangements, it was considered that the potential requirements for the Services Officers to attend the current four Scrutiny Committees across the partner Authorities in any one month required significant staff resources. In addition, there was no single Scrutiny Work Programme for the Shared Regulatory Service allowing for the prioritisation of topics for Scrutiny nor any specific oversight arrangements for service performance or financial management.

The Joint Committee noted that discussions were ongoing between senior Democratic and Scrutiny Service Officers of the partner Authorities on potential options for joint scrutiny arrangements but these had not yet been concluded. The Director of Environment and Housing's preferred option was to establish a Joint Scrutiny Committee constituted from Elected Members of the partner Authorities. He also suggested that having regard to the Vale of Glamorgan Council's existing responsibilities as Host Authority and also supporting the Executive arrangements under the auspices of the Joint Committee, the Scrutiny function could rest with either Cardiff or Bridgend Councils. He recognised that it was inappropriate to seek to impose such arrangements on partner Authorities and to this end he proposed to establish a Working Group chaired by himself involving the relevant Democratic and Scrutiny Services Officers from the partner Authorities to progress the matter. A further report would be subsequently submitted to the Joint Committee by the end of the calendar year to obtain the views of the Joint Committee on his proposals prior to any final proposals being passed back to partner Authorities for progression through their Scrutiny and Cabinet arrangements, before being submitted to the respective Authorities' Full Councils for approval and to enable the Joint Working Agreement to be amended accordingly. It was anticipated that any new Scrutiny arrangements agreed would be implemented from the commencement of the next Municipal Year.

Having regard to the above it was

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T any future "Scrutiny Committee" proposals be subject to consultation with the Joint Committee prior to these being passed through the relevant

participating Authorities' Scrutiny / Executives for endorsement and Full Council meetings for ratification.

Reasons for decisions

- (1) In acknowledgement of ongoing work aimed at improving the engagement of Elected Members on decisions associated with the Shared Service.
- (2) To ensure that the Committee was appropriately engaged with the outcome of the Shared Regulatory Service Scrutiny Working Group.

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After this item had been presented, the Cabinet Member for Visible, Leisure and Regulatory Services confirmed that he had been appointed as the chairman for the Shared Regulatory Services Joint Committee and that this was the first time that Cabinet had received minutes from the Joint Committee. The Managing Director had contacted other participating Local Authorities to advise that the other partners did likewise. He drew attention to page 8 of the minutes, in which the Shared Regulatory Services Joint Committee discussed future governance arrangements. The Cabinet Member noted that there were currently no shared scrutiny arrangements for the Joint Committee, however this was being worked on and it was anticipated that any new Scrutiny arrangements agreed would be implemented from the commencement of the next Municipal Year.

RESOLVED – T H A T the minutes of the Shared Regulatory Services Joint Committee be noted.

Reason for decision

To note the minutes.

**C3253      REVISED SCHOOL ATTENDANCE POLICY (REF) –**

The Learning and Culture Scrutiny Committee on 18 July, 2016 considered the above report.

**(Urgent by reason of the need to consider the report so that the Council's School Attendance Policy can take effect from September 2016) –**

Cabinet had referred the School Attendance Policy to the Committee for consideration following its meeting on 11<sup>th</sup> July, 2016. It was noted that in December 2015 the Minister for Education and Schools wrote to all Local Authorities in Wales reminding them of their responsibilities in relation to Pupil Registration (Wales) Regulations 2010 and the Education (Penalty Notice) (Wales) Regulations 2013. The Minister was concerned that some Local Authority guidance indicated that Headteachers should not exercise their discretion but should instead refuse all requests for term time absence as a matter of course regardless of the particular circumstances leading to such a request. This being contrary to the Regulations which allowed a margin of discretion for the school in such matters.

The Director of Learning and Skills in presenting the report advised that in the Vale of Glamorgan model policy that was recommended to schools, Governing Bodies were advised that they should not authorise any holiday requests during term time unless there were exceptional and extenuating circumstances. It was suggested that these should normally be limited to family holiday requests from parents employed by the Ministry of Defence and family requests for holidays due to religious beliefs. The current model policy had been adopted by the majority of schools and since this time attendance rates had increased and in 2014/15 secondary attendance was ranked the highest in Wales. However, in light of the Ministerial intervention, the advice to schools now needed to be reviewed and updated.

In the reviewed and updated Vale of Glamorgan Revised School Attendance Policy 2016, attached at Appendix A to the report, the Vale of Glamorgan Council would now advise all Governing Bodies that parents still needed to request permission from the Headteacher to take their children on holiday during term time and that this permission might be granted in accordance with the arrangements that had been agreed by the Governing Body.

The Policy would also advise Governing Bodies not to authorise any holiday requests of more than 10 days in an academic year during term time except where there were exceptional and extenuating circumstances.

The updated advice also stated that the school should carefully explore with parents why such a leave of absence was necessary. If the Headteacher considered there were exceptional circumstances, this could result in the school agreeing with the request and authorising the absence accordingly. The Director also informed Members that the Council had seen encouraging performance in the improvement of attendance in secondary schools in the Vale during 2015/16 which now averaged 95.1% with particular reference being made to progress by Bryn Hafren and Barry

Comprehensive School and Ysgol Gymraeg Bro Morgannwg. Other schools were also prioritising attendance. In response to a query regarding the Welsh National average, the Director agreed to obtain the information and forward it to Members of the Committee. [Secondary attendance Wales 2014/15 93.9%.]

The Vice-Chairman took the opportunity to congratulate all the schools on the attendance results with this being corroborated by all Members. Following a query as to how many fixed penalty notices had been served on parents, the Cabinet Member for Regeneration and Education, with permission to speak, advised that the figure for the Vale was around 20 and confirmed that none of these related to holidays.

The Chairman in conclusion stated that the Committee had discussed and endorsed the previous policy in considerable detail whereas the current policy in his view now gave parents an allowable ten days which worried him. He stressed that in his view children should be in school at every possible opportunity. However, recognising that the policy required to be amended he stated that he had no intention of not supporting the revised policy report and would expect the Committee to continue to monitor attendance.

Having considered the report, it was subsequently

**RECOMMENDED – T H A T** Cabinet be informed of the Committee’s support for the revised policy to be adopted and note that the Committee will continue to monitor the performance of school attendance.

Reason for recommendation

In order that formal approval can be agreed so that the policy can take effect from September 2016.

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Cabinet, having considered the recommendation of the Learning and Culture Scrutiny Committee

**RESOLVED – T H A T** the contents of the report be noted, and the revised School Attendance Policy be approved for adoption by school governing bodies.

Reason for decision

To note the contents of the report and adopt the revised policy.

**C3254 COMMUNITY REVIEW - LAVERNOCK WARD (SULLY AND LAVERNOCK COMMUNITY COUNCIL) (ERO) (SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was asked to note and endorse the Final Recommendation for Change following the community review of the number of Members for the Lavernock Ward as part of the Sully and Lavernock Community Council.

A request was received from the Sully and Lavernock Community Council, (“the Community Council”) following an Ordinary Meeting of the Community Council, for a review to be undertaken of the number of Members elected to the Lavernock Ward. The request highlighted that the Community Council considered that the ratio of Members to the electorate in the Lavernock Ward were inconsistent with the ratio of Members to the electorate in the Sully Ward, and proposed increasing the number of Members for the Lavernock Ward from one to two.

A comprehensive review of the electoral arrangements for Sully and Lavernock Community Council was carried out between 11 December, 2015 and 17 June, 2016 in line with the approved terms of reference, which were attached at Appendix 1 to the report. The stakeholders detailed in Appendix 2 as attached to the report were consulted; and Appendix 3 as attached to the report detailed a summary of the representations received. The final proposed Recommendation for Change was attached at Appendix 4 to the report for consideration.

This was a matter for Council decision

Cabinet, having considered the report and all the issues and implications contained therein

**RESOLVED –**

- (1) T H A T the Final Recommendation for Change as set out in Appendix 4 to the report, and consequently the following proposed electoral arrangements relating to the number of Members representing the Lavernock and Sully Wards on the Sully and Lavernock Community Council, in accordance with the Local Government (Democracy) (Wales) Act 2013, be endorsed:

Lavernock Ward – 2 Community Councillors

## Sully Ward – 7 Community Councillors

- (2) T H A T the matter be reported to Council in September 2016 for consideration and approval.

Reasons for decisions

- (1) To inform Members on the final proposals as recommended by the Electoral Registration Officer following a statutory review pursuant to the Local Government (Democracy) (Wales) Act 2013.
- (2) To consider and implement the Final Recommendation for Change.

**C3255      END OF YEAR PERFORMANCE REPORT 2015-16 AND TARGET SETTING FOR 2016-17 (L) (SCRUTINY COMMITTEES - ALL) –**

Cabinet was presented with the end of year performance results for the period 1 April, 2015 to 31 March, 2016 for all service areas, and was provided with an update on progress against the Corporate Improvement Action Plan agreed as part of the Council's Annual Self-Assessment process and the developments of the Council's Performance Management Framework. Agreement was sought for a proposed suite of performance indicators to monitor progress against the Corporate Plan (2016-2020) Well-being Outcomes, and the proposed targets for improvement for 2016-17 for existing performance indicators aligned to the newly formed Scrutiny Committees was also presented. Finally, approval was sought for a draft Quarterly Well-being Outcome report template which would provide members with progress against the Corporate Plan's Well-being Outcomes and overall Corporate Health.

The Council's Performance Management Framework was the mechanism through which the Council's key priorities and targets were monitored and realised. This was the last year that performance linked with Directorate Service Plans was reported following the Council's review of its Performance Management Framework during 2015. In future years, Committees would receive performance information linked with the Council's Well-being Outcomes, with which Scrutiny Committees were now aligned.

Section A of the report presented performance information related to the previous year's performance reporting framework and would support the Council in meeting its statutory performance reporting requirements for 2015-16. Appendix 1 as attached to the report contained the 2015-16 end of year performance report covering all four

service Directorates. A hard copy of the End of Year Performance report was also available in the Members room.

Section B of the report provided Cabinet with an update on the Council's Corporate Improvement Action Plan agreed on 8 February as part of its Annual Self - Assessment process. Appendix 2 as attached to the report provided full details of the progress made to date in addressing the identified areas for improvement.

Section C of the report provided Cabinet with an update on the progress being made to develop the Council's Performance Management Framework, following the review undertaken in 2015 and changes subsequently approved by Cabinet and Full Council. Appendices 3a and 3b as attached to the report contained a draft Quarterly Well-being Outcome report template and a proposed basket of performance indicators which would enable the Council to monitor progress in achieving the Well-being Outcomes outlined in the Corporate Plan 2016-20. The development of the performance report format and proposed basket of performance indicators had been informed by the Member Working Group and the respective Sponsoring Director and Lead officers/ Heads of Service for each Well-being Outcome.

Section D of the report contained information related to the proposed targets aligned with the new Corporate Plan Well-being Outcomes and Corporate Health. Appendix 4 attached to the report outlined the proposed targets for all relevant performance indicators aligned with the remit of the newly formed Scrutiny Committees. Targets had been set for those performance indicators that were continuing into 2016-17.

All Scrutiny Committees considered end of year performance results for 2015-16 and target setting for 2016-17 in June (13th -20th). Appendix 5 as attached to the report contained the full minutes from all Scrutiny Committees in relation to end of year performance 2015-16 and target setting for 2016-17. In summary:

- All Scrutiny Committees noted the reported end of year service performance and progress being made in developing the Council's Performance Management Framework.
- All Scrutiny Committees reviewed and endorsed the proposed targets for 2016-17 for their respective Well-being Outcome areas.

After presenting this item, the Cabinet Member for Regeneration and Education noted that the way in which the Council was monitoring performance was changing, and from next year targets would be aligned with the Well-being Outcomes as reviewed by the Scrutiny Committees. She also drew attention to the report's

'Performance Snapshot' and 'Achievements and Notable Performance' sections. Finally, in consideration of individual service areas, she highlighted paragraph 37 of the report and was pleased to note that seven parks within the Vale of Glamorgan had now been awarded the coveted Green Flag by Wales' leading environmental charity, Keep Wales Tidy. She also highlighted paragraph 48 of the report, which discussed the increasing tourism at Barry Island, with the Cabinet Member adding that recent research showed tourism to the Vale of Glamorgan had increased by approximately 5%.

The Cabinet Member for Visible, Leisure and Regulatory services drew attention to paragraph 100 of the report, which concerned areas of slippage in the Visible Services directorate. He noted that many of these slippages were due to external factors. For example, the implementation of the Welsh Government's preferred method for recycling collection was dependent on the Waste and Resources Action Programme (WRAP) study and collection blue print. The management of the Council's tree stock had been delayed due to a reshaping review of tree management systems; and the allotment strategy had slipped due to the Council still awaiting the results of the Welsh Government Consultation on allotments.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T service performance results and the progress made towards achieving key outcomes as outlined in the Corporate Plan 2013-17, the Outcome Agreement with Welsh Government 2013-16 and the Improvement Plan Part 1 2015-16 as detailed in the report be noted.
- (2) T H A T the progress made to date by services in addressing identified areas for improvement be noted.
- (3) T H A T the progress being made on developing the Council's Performance Management Framework be noted.
- (4) T H A T the proposed suite of performance indicators to monitor progress against the Corporate Plan Well-being Outcomes and Corporate Health be noted.

- (5) T H A T the proposed targets for 2016-17, aligned to the new Corporate Plan Well-being Outcomes and Corporate Health, be noted and endorsed.
- (6) T H A T the draft Quarterly Well-being Outcome report template be approved as the basis for preparing performance monitoring reports for 2016-17.

Reasons for decisions

- (1) To ensure the Council was effectively assessing its performance in line with the requirement to secure continuous improvement outlined in the Local Government Measure (Wales) 2009.
- (2) To ensure the Council identified and took appropriate action to address its improvement priorities in line with the requirements of the Local Government (Wales) Measure 2009.
- (3) To ensure that Members were aware of the progress being made in developing the Council's Performance Management Framework.
- (4) To ensure the Council had in place a balanced suite of performance indicators which would enable it to demonstrate progress and achievement of its priority outcomes.
- (5) To ensure the Council consistently set challenging yet realistic performance improvement targets for its priorities in line with requirements under the Local Government (Wales) Measure 2009.
- (6) To ensure quarterly performance reports were outcome focused and enabled the Council to demonstrate progress towards achieving the Corporate Plan Well-being Outcomes.

**C3256 TREASURY MANAGEMENT (L) (SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was presented with the annual review report on Treasury Management 2015/16.

In March 2012 the Council adopted the 2011 edition of the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public

Services: Code of Practice, which required the Council to approve a treasury management strategy before the start of each financial year, a mid year report, and an annual report after the end of each financial year.

The annual treasury report had been prepared as required and covered:

- the economy / interest rates in 2015/16;
- the strategy for 2015/16;
- the borrowing outturn for 2015/16;
- investment outturn for 2015/16;
- compliance with treasury limits and Prudential Indicators as shown in Appendix A as attached to the report

The Section 151 Officer continued to adopt a cautious approach with respect to Treasury Management operations. The Council's primary objectives for the management of its investments were to give priority to the security and liquidity of its funds before seeking the best rate of return. This being the case the Authority continued to place a significant proportion of its funds with the 'Debt Management Account Deposit Facility' (DMADF) as these deposits were guaranteed by the British Government, although the interest rate was lower than some commercial banks.

Funds not placed in the DMADF were placed with other Local Authorities. These investments attracted a slightly more favourable rate of return but still gave priority to the security of funds invested. The Council's primary objective for the management of its debt was to ensure its long term affordability. The majority of its loans had therefore been borrowed from the Public Works Loan Board (PWLb) at long term fixed rates of interest. In 2015/16 the Council continued to finance a significant proportion of its capital expenditure from internal resources. The potential reduction of the Council's investments balances at times of elevated credit risk was considered the most prudent option available to the Authority at this time.

Council approved the Treasury Management Strategy for 2015/16 at its meeting on 4 March, 2015, minute no. 938.

The Section 151 Officer advised that all treasury management activity undertaken during the financial year complied with the amended approved strategy, the CIPFA Code of Practice, and the relevant legislative provisions.

The overall return on investments for 2015/16 was 0.3403%.

At the meeting the Section 151 Officer commented that the Council's Treasury Management was heavily influenced by external markets. She further commented that the Council had an annual Treasury Management Strategy which it had successfully worked within and achieved what it had intended to deliver.

This was a matter for Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the annual report on Treasury Management 2015/16 be accepted and that the report be referred to Council for approval.

Reason for decision

To accept and refer the report to Council.

**C3257 BUDGET STRATEGY 2017/18 (L) (SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

The Budget Strategy 2017/18 (including the proposed Budget Process and Timetable) was submitted for approval.

To enable the budget process to commence, on an annual basis Cabinet was required to approve the Budget Strategy for the coming financial year. Welsh Government (WG) had not provided any indication as to the level of future year's settlements. The Final Revenue Budget Proposals for 2016/17, therefore, used the indicative figures from the 2015/16 Medium Term Financial Plan (MTFP), which was based upon a cash reduction of 3% in both 2017/18 and in 2018/19.

There was no indication that austerity measures would cease to continue into the near future, particularly with the uncertainty surrounding Britain's exit from the European Union. The establishment of the national living wage introduced from April 2016 was having a significant impact upon the Council, with further increases proposed over the coming years to a rate of £9.00 per hour by 2020. In addition, the consequence of further welfare cuts could well have a knock on effect for councils in terms of higher arrears, increased homelessness and greater demand for social services and other intervention

With the required savings levels being at such a level, it was acknowledged that savings from efficiencies alone were not sufficient and substantial savings would need to be found through the fundamental reshaping of Council services. Savings targets had been allocated into 2 tranches, however, the Final Revenue Budget Proposals for 2016/17 proposed that savings under Tranche 3 should be considered. Directors would however need to consider the potential for further savings to be identified when carrying out the Reshaping Services reviews.

Increases to budgets approved during the course of a financial year could restrict the freedom the Council had to allocate its resources to priorities during the following budget cycle when it was aware of all the competing demands. Consequently:

- Supplementary estimates would only increase the base budget if Council had given specific approval to this effect. Increases met by virement within a year would not be treated as committed growth;
- Directors should find the cost of increments and staff changes from their base budget unless the relevant specific approval had been given for additional funding;
- The effect of replacing grants from outside bodies that had discontinued would not be treated as committed growth. In addition, before any project or initiative that was to be met either wholly or partly by way of grants may proceed, the exit strategy had to be approved;
- Certain items of unavoidable committed growth would continue and these included the effect of interest changes and the financing cost of the capital programme, increases in taxes, increases in levies and precepts charged by outside bodies and changes to housing benefits net expenditure;
- Services would be expected to achieve savings already approved by Cabinet as part of the 2016/17 final budget proposals and Directors were asked to continue work on achieving their Reshaping Services savings targets; and
- It was envisaged that the costs of service development would need to be met from within the respective directorates.

Having regard to the above, the report therefore proposed in respect of the 2017/18 Budget Process that Directors be instructed to prepare initial revenue budgets in accordance with a timetable agreed by the Head of Finance. Preparation should be on the following basis:

- Capital charges, central accommodation costs and central support costs to be estimated centrally;

- Services to prepare baseline budgets on current service levels as set out in the 2016/17 Final Revenue Budget report;
- Budgets to be broken down subjectively and objectively in as much detail as deemed appropriate by the Head of Finance;
- Budget reports to include revised estimates for 2016/17;
- Full account to be taken of the revenue costs, other than debt charges of new capital schemes coming into use;
- Minimum savings targets to be met initially as detailed in the 2016/17 Final Revenue Budget report. Any savings made directly by services over and above individual service targets to count towards future saving targets or to meet unavoidable service cost pressures;
- Directors would continue to draw up Service Plans that set out the aims and objectives for the service and any possible future developments and efficiencies;
- As part of the Final Capital Budget Proposals for 2016/17 to 2020/21, a 5-year programme was set for the Council. This would, however, have to be reviewed and formal bids had to be made for all capital schemes, irrespective of whether they may be present in the current Capital Programme. It would be the responsibility of each Director to co-ordinate capital bids for their services and to ensure that, in view of the limited resources that would be available, only the highest priority bids were submitted in the approved format in accordance with the Council's approved project management methodology (including business plans where applicable). To this end the principles of the well-being of future generations included sustainable development and better carbon management would be incorporated and evaluated; and
- As stated previously, it was expected that the revenue costs of service development would need to be met from within the respective services (in particular, from the savings made). As such, no revenue bids were initially to be made. However, services might still be asked to identify and prioritise any burgeoning revenue cost pressures for consideration.

The proposed timetable for the 2017/18 Budget was for Cabinet to make its initial revenue and capital budget proposals in November 2016. The capital bids considered and prioritised would include those recommended to the Corporate Management Team by the Corporate Asset Management Group. Each Scrutiny Committee would be consulted and would receive the relevant initial proposals of the Cabinet in December 2016.

- Scrutiny Committees would be asked to make recommendations on the proposals. Corporate Performance and Resources Scrutiny Committee would act as the lead scrutiny committee in this respect;
- The budget would then be considered by the Cabinet Budget Working Group, which would submit its recommendations to Cabinet by February 2017. Cabinet would formulate its final proposals and submit them to a meeting of full Council to be held in March 2017, having first taken any response from the lead Scrutiny Committee into account. Due to the late announcement of the final settlement for 2016/17, separate Council meetings were held to set the 2016/17 budget and 2016/17 Council Tax. At this stage, it was not anticipated that WG would change announcement dates from the normal timeframes, however, it might be necessary for Scrutiny Committees, Cabinet and Council to hold special meetings in order to ensure that the budget might be approved within the statutory deadline; and
- Membership of the Cabinet Budget Working Group would consist of the Leader, Deputy Leader, Managing Director and Head of Finance.

As part of the Final Revenue Budget Proposals for 2016/17, the projected level of required savings for 2017/18 and 2018/19 totalled £16.1m, which included savings targets set as part of the Reshaping Services programme.

After presenting this item, the Cabinet Member for Regeneration and Education commented that last year the Council had received a late notification of its settlement from Welsh Government and that could again be the case this year.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the Budget Strategy for 2017/18, including the requirement for Directors to prepare initial revenue budgets in accordance with a timetable agreed by the Head of Finance, be approved.
- (2) T H A T the following timetable for the 2017/18 Budget Process be approved, subject to any amendments being required to meet the statutory deadline, as a result of changes in the timing of Welsh Government settlement announcements.

<b>Timetable for the 2017/18 Budget Process</b>	<b>To be completed no later than</b>
Cabinet consider the initial budget proposals	14 November, 2016
Lead Scrutiny Committee responds to consultation and makes recommendations on budget proposals	13 December, 2016
Cabinet makes its final proposals on the budget	20 February, 2017
Meeting of Council to consider budget and council tax resolution	1 March, 2017

Reasons for decisions

(1-2) To enable the 2017/18 budget process to be commenced.

**C3258 COMMUNITY ACTION SELF HELP (CASH) SCHEME 2016/17 (L)  
(SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

During consideration of this item, the Cabinet Member for Regeneration and Education left the room and took no part in any discussions that took place. This item was instead chaired by the Cabinet Member for Visible, Leisure and Regulatory Services.

Community Action Self Help (CASH) schemes provided funding to Town and Community Councils to undertake capital schemes of their choice within their own area. This was an important feature of the Council's aims to work in partnership with Town and Community Councils and to target resources to all communities within the Vale.

The scheme's conditions and criteria were set out at Appendix A to the report. Details of the applications received together with the grants recommended were set out at Appendix B to the report. As the funding available for grant applications was limited, where appropriate, a number of grant applications shown in Appendix B

would be signposted to other additional sources of funding to support the implementation of the scheme. Any grants allocated were in principle only. Only when conditions were met would final approval be issued. Unless otherwise indicated, the balance of funding for any project would be provided by the Town or Community Council making the application.

As a consequence of ongoing work on the Council's Reshaping Services Programme and given the fact that the Council had produced a new Corporate Plan, it was imperative that the Conditions and Criteria document was developed further for 2017/18 to include reference to corporate priorities. As a consequence recommendation 2 was also included in the report.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T grants totalling £23,508 be approved as set out at Appendix B as attached to the report.
- (2) T H A T a further report be presented to Cabinet to agree new Conditions and Criteria for the Community Action Self Help (CASH) Scheme 2017/18.
- (3) T H A T the remaining balance of £6,492 be vired to create a new fund in the 2016/17 Capital Programme for additional capital schemes for Community facilities.

Reasons for decisions

- (1) To progress grants in accordance with the amended scheme.
- (2) To reflect the Council's Corporate Plan and Reshaping Services Programme.
- (3) To utilise the remaining available capital funds on Community Facilities in 2016/17.

**C3259 VALE OF GLAMORGAN PUBLIC SERVICES BOARD PROGRESS REPORT (L) (SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was updated on the establishment of a new Public Services Board (PSB) for the Vale of Glamorgan and the planned work of the PSB for 2016/17.

The Well-being of Future Generations Act came into force in April 2016 and its primary aim was to ensure public bodies improved the economic, social and environmental well-being of Wales in accordance with the sustainable development principle. The Act established Public Services Boards (PSBs) in each local authority area and these built on work already undertaken through the Local Service Boards which they replaced.

The Well-being of Future Generations Act detailed the statutory members of the PSB who were the: Local Authority, Local Health Board, the Welsh Fire & Rescue Authority and Natural Resources Wales. There were also a number of organisations that had to be invited to participate in the PSB who were known as 'invited participants'. These were Welsh Ministers, the Chief Constable of the police force in the area, the Police and Crime Commissioner, a person required to provide probation services in relation to the local authority area and a body that represented voluntary organisations in the area.

Statutory guidance set out the different roles and responsibilities between 'members' and 'participants' and other partners and suggested organisations that the PSB should engage with. This guidance had informed the terms of reference and membership of the Vale PSB which were agreed at the first meeting of the Vale PSB on 19 May, 2016. Details of PSB membership were attached at Appendix A to the report and the terms of reference were attached at Appendix B to the report.

The PSB had to publish a Well-being Plan by May 2018 which had to be informed by a well-being assessment. Statutory guidance set out the process by which PSBs had to produce an assessment of the state of well-being in the PSB area. This assessment had to be published twelve months before the publication of the PSB's Well-being Plan. The PSB had to publish a set of well-being objectives within the Well-being Plan and these had to be designed in such a way as to maximise the PSB's contribution to the achievement of the national well-being goals. The timetable for the key milestones for the well-being assessment and plan were detailed in Appendix D as attached to the report.

The PSB had agreed to adopt the plans and arrangements that had been set up as part of the work of the LSB which would also include the existing performance management arrangements. These included:

- Progress reports on the Community Strategy Delivery Plan which focused on tackling poverty. (May and November)
- Annual core indicators report (July)
- Community Strategy Annual Report (September)

Following the publication of the well-being plan in 2018 the PSB would be required to produce an Annual Report setting out the steps taken to meet their objectives. This would build on the performance management arrangements already in place.

The work of the PSB would continue to be reported to Corporate Performance and Resources Scrutiny Committee. Reports on specific issues e.g. community safety, NEETs would continue to be reported to the relevant scrutiny subject committee.

At the meeting, the Cabinet Member for Regeneration and Education highlighted paragraph 16 of the report which discussed the Public Service Board's joint work on engagement and noted that the first Vale specific survey had recently been published on the Council's website and would run until 10 August, 2016.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the membership and terms of reference for the Public Service Board be noted.
- (2) T H A T the progress made and the timetable for publishing the well-being assessment, be noted.

Reasons for decisions

- (1-2) To inform Members of the role of the PSB and its work programme for 2016/17.

**C3260 COMPUTER AUDIT SERVICE - PILOT SCHEME (L) (SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was provided with an update following the completion of the pilot scheme where the specialist computer skills of the Internal Audit Shared Service had been utilised to undertake an audit for Newport City Council.

On 13 July, 2015 the Audit Committee received an update report on the Internal Audit Shared Service with Bridgend County Borough Council. After considering the contents of the report, the Committee resolved (minute number 222):-

- (1) THAT Cabinet be recommended to extend the Internal Audit Shared Service Partnership for a period of two years to 31st January, 2018.
- (2) THAT Cabinet be recommended to delegate authority to the Head of Finance / Section 151 Officer and the Operational Manager - Audit, in consultation with the Leader and Managing Director, to explore options for expanding the Internal Audit shared Service.

On 27 July, 2015 Cabinet duly considered the recommendations of the Audit Committee and resolved (minute number C2857):-

- (1) THAT the reference from the Audit Committee be welcomed, and the relevant Members and Officers be thanked for their hard work.
- (2) THAT the following recommendations as set out in the report be agreed:

T H A T the Internal Audit Shared Service Partnership be extended for a period of two years to 31 January, 2018.

T H A T delegated authority be granted to the Head of Finance / Section 151 Officer and the Operational Manager – Audit, in consultation with the Leader and Managing Director, to explore options for expanding the Internal Audit Shared Service.

As a consequent, the potential to expand the specialist computer audit service was explored. Newport City Council expressed an interest in utilising this resource and it was agreed that a specialist computer audit review would be undertaken.

The audit had recently been concluded and the draft report had been issued. As this was a pilot, it was agreed that feedback would be provided from both Heads of Audit

in order to identify any lessons that may have been learnt during this process to aide future improvements going forward.

Overall it was felt that this pilot had proved to be a success. During the feedback meeting it was acknowledged that the specialist computer knowledge and skills resulted in Newport City Council receiving a valuable audit report, the findings and recommendations of which would be invaluable moving forward.

There were lessons learnt from this pilot which would assist in developing any future work with other local authorities. The list below (which was not exhaustive) highlighted some of the challenges that were faced during the process and the means of resolution moving forward.

- This work took 5 months from approving the audit scope to issuing the draft report, which was in no way timely. The problems were largely down to the availability of staff and it had been suggested that moving forward a date for exit meetings should be agreed at the initial scoping meeting. This would ensure that all relevant officers from both authorities were working to the same agreed deadline.
- There were initial issues in identifying and contacting key officers and accessing data and systems for which reliance was placed on staff in Newport to address. However, suggested improvements had since been discussed which would minimise reliance on others.
- The pilot had enabled the roles of both Internal Audit Sections to be clarified. As stated Newport City Council agreed to "buy in" our computer expertise and therefore it would have been counterproductive if a member of Newport City Council's Internal Audit team had to be heavily involved in this work. In the future these requirements would be addressed and solutions put in place before the work commences.
- A method for issuing draft and final reports had also been agreed which again would streamline the process moving forward.
- In the spirit of collaboration and partnership working, Newport City Council's Logo would also be appended to the final report.

The report concluded that it was pleasing that this work had been undertaken and that colleagues in Newport City Council had provided constructive feedback which would assist in improving any future service provided to other local authorities / public bodies.

After this item had been presented, the Operational Manager – Audit commented that Newport City Council had found the report produced by the Internal Audit Shared Service to be extremely useful as they felt it was balanced and easy to understand. Newport City Council had accepted all the recommendations of the report and were in the process of implementation, furthermore they were keen that the Internal Audit Shared Service do more work for them in future. Finally, she commented that the Head of the Newport Audit service would be attending the Vale of Glamorgan Council Audit Committee meeting on Wednesday 27 July, 2016 when the committee would be discussing this item and he would be answering questions from a client perspective.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the content of the report be noted and the Internal Audit Shared Service be requested to consider how this service can be extended.
- (2) T H A T congratulations be given to the Internal Audit Shared Service for their work and success on this matter.

Reasons for decisions

- (1) To apprise Members with the results of the pilot scheme with Newport City Council.
- (2) To congratulate staff for their good work on this matter.

**C3261 CARDIFF CAPITAL REGION: CITY DEAL - UPDATE REPORT (L)  
(SCRUTINY COMMITTEE - CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was informed of the progress made in taking forward the provisions of the Cardiff Capital Region City Deal Heads of Term agreement with the Welsh and UK Government.

A report on this matter was first presented to Cabinet on 27 July, 2015 (minute C2873 refers) and a further report sent on 22 February, 2016 (minute C3088 refers);

an update was also given to Council on 2 March, 2016. Since then, a considerable amount of further work had been undertaken on the City Deal. In March the ten local authority leaders, alongside the Welsh and UK Governments signed the Cardiff Capital Region City Deal Heads of Terms Agreement. A copy of that agreement was attached at Appendix A to the report. That document gave the scope of a City Deal. However, before the deal could be finalised and agreed, further negotiations and details needed to be developed, which each of the ten local authorities would have to approve, again alongside Welsh and UK Government. This would also require the establishment of robust governance arrangements, the scope of powers available and the financial elements of the City Deal.

It was proposed that the interim governance arrangements continued but with the Project Board being renamed 'Cardiff Capital Regional City Deal Shadow Joint Cabinet'. It was however important to note that at this time, decision making rested with each council. The Shadow Joint Committee or Cabinet would not be a decision making body save for those powers delegated to each council Leader in accordance with its respective scheme of delegation.

The City Deal Agreement also set out the requirement to create the following governance structures:-

- Cardiff Capital Region Transport Authority (non statutory)
- Cardiff Capital Region Skills and Employment Board
- Cardiff Capital Region Business Organisation
- Cardiff Capital Region Economic Growth Partnership
- Independent Growth and Competitiveness Commission

In order to establish the new bodies, as required by the Cardiff Capital Region City Deal Agreement, and take the other steps necessary to develop a robust City Deal business case, at pace, it was proposed to appoint a dedicated Programme Director and a small support team.

In July 2015, the ten Councils created a fund of £500,000 to meet the costs of preparing the City Deal bid. Contributions were based on population share. The fund had been used to commission support for preparing the original submission and the ongoing support required to ensure the agreement of the Heads of Terms document was secured. £332,000 of the fund had been spent or committed. The remaining £168,000 was insufficient to meet the likely costs over the next 12 months as progress was made to the next stage of the city deal process. There were a number of likely commitments that included the costs of:

- The Programme Director and small team
- The Independent Growth and Competitiveness Commission
- Strategic advisers for next stage
- Independent legal advisers
- Communications and Meetings/Events

Additional costs were likely and it was proposed to add £500,000 to the fund. It had been proposed that the individual contributions were provided on the same basis as before - % of population across the city region. This equated to a payment of £42,582 for the Vale of Glamorgan. This funding requirement could be made from the Policy Budget.

It was also proposed that to ensure the governance arrangements were sufficiently strong, the ten local authorities agree to procure and appoint specialist legal advisors to draft all appropriate and necessary documents for the Cardiff Capital Region City Deal including but, not limited to, the "Joint Agreement" from the Crown Commercial Services Framework Agreement. This cost would be incurred from within the £500,000 fund set out above.

At the meeting, the Cabinet Member for Regeneration and Education noted that the proposed Cardiff Capital Regional City Deal Shadow Joint Cabinet was not a decision making body, and authority still rested with each participating Council.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the contents of the report and the requirement to enhance the interim Governance Arrangements in order to take forward the provisions of the Cardiff Capital Region City Deal Heads of Terms Agreement with the Welsh and UK Governments, be noted.
- (2) T H A T subject to resolution one above, Cabinet agree that the Cardiff Capital City Deal Region Board of Leaders be renamed the "Cardiff Capital Regional City Deal Shadow Joint Cabinet".

- (3) T H A T subject to resolution one above, Cabinet agree to the establishment of the new bodies, as set out in the Cardiff Capital Region City Deal Heads of Terms Agreement, as follows:
- Non Statutory Regional Transport Authority;
  - Cardiff Capital Region Skills and Employment Board;
  - Cardiff Capital Region Business Organisation;
  - Cardiff Capital Region Economic Growth Partnership; and an
  - Independent Growth and Competitiveness Commission;
- (4) T H A T subject to resolution three above, a further report be brought to Cabinet in due course to provide further details on terms of reference of any new bodies that will necessitate any changes to the Council's scheme of delegation.
- (5) T H A T the appointment of an Interim Programme Director, seconded from one of the ten local authorities, be noted.
- (6) T H A T a further sum of £42,582 from the Policy Budget, representing this Council's contribution to an additional regional fund of £500,000 to continue to fund the development of the City Deal, be committed.
- (7) T H A T Cabinet agree to the procurement and appointment of specialist legal advisors to draft all appropriate and necessary documents for the Cardiff Capital Region City Deal including but not limited to the "Joint Agreement" from the Crown Commercial Services Framework Agreement.

#### Reasons for decisions

- (1) In order to progress the Heads of Terms Agreement with Welsh and UK Governments.
- (2) To establish appropriate governance arrangements in shadow form.
- (3) To meet the Heads of Terms Agreement with the Welsh and UK Governments.
- (4) To ensure appropriate governance arrangements are put in place.
- (5) To progress work on the City Deal.

- (6) To allow the Council to financially contribute to the City Deal development work.
- (7) To allow the work on the City Deal to be progressed and to ensure good governance arrangements.

**C3262        RESHAPING SERVICES - REVIEW OF RESPITE CARE FOR ADULTS WITH LEARNING DISABILITIES (L&HSCH) (SCRUTINY COMMITTEE - HEALTHY LIVING AND SOCIAL CARE) –**

Approval was sought to undertake a review of the Council's residential respite care service for adults with learning disabilities, including a programme of consultation on the way services were delivered.

The Vale of Glamorgan Council offered respite care to approximately 82 adults with learning disabilities and their carers in order to meet their presenting needs. On average service users had approximately 28 days respite service per year, which was used by them over a number of occasions.

Historically, the respite care needs of adults with learning disabilities in the Vale of Glamorgan were met through use of both the Council's Respite Residential Care facility (based at Rhoose Road, Rhoose) and the spot purchasing of residential home placements where required. More recently, it had been recognised that there was a demand by service users and their families for increased flexibility in the way that respite care was provided. The spot purchasing of residential home placements for respite use by clients had reduced to single figures.

As part of the Reshaping Services Programme, all areas of Adult Social Services were being reviewed. As part of the first set of service reviews, Respite Care for adults with learning disabilities had been included in this work and (as with all Reshaping Services service review projects) a savings target had been assigned. This target had initially been set at £60k for the 2017/18 financial year.

The demand for Rhoose Road had decreased in recent years, which had an impact on the unit cost per occupied night of the facility. In 2015/16, the average unit cost per occupied night was approximately £391 (gross) and £343 (net of income). If the facility had been full to capacity the average unit cost per night would have been reduced to £301 (gross) and £265 (net of income).

The decrease in occupancy was mainly related to the usability and suitability of the premises compared with alternative provision. There was only one downstairs room for people with complex health and social care needs. This limited the amount of provision available at any one time. The floor space downstairs was extremely limited, particularly for those who were wheelchair users. The internal structure and general nature of the building also limited the ability to manage people who presented with challenging behaviour; as such the physical environment was not conducive to implementing strategies which supported positive behavioural management. The limited space also constrained the staff's ability to provide person centred emotional support and care for people due to the lack of rooms available.

The report proposed to offer an alternative to the respite care provision that was offered at Rhoose Road in order to better meet presenting needs. This would be achieved in two ways as described below. Consultation with users of Rhoose Road and their families would therefore be on the basis of these two elements:

Consultation Element 1: Where an assessment showed that respite care services should be provided and service users chose not to receive direct payments, the Vale of Glamorgan's Adult Placement Service was offered to people and their carers as a default option. As mentioned above, the service currently had capacity to host additional placements and offered greater flexibility and opportunities to people and their carers. 24 of the 36 existing users of Rhoose Road could have all of their respite care needs met by the Adult Placement Service. Eight of these people accessed Rhoose Road and the other 16 could access the Adult Placement service. The service had the capacity to accommodate this level of growth as it stood.

Consultation Element 2: For those who had particularly high level care needs (12 of the 36 current users of Rhoose Road) who had been assessed as requiring residential respite provision, the Council's Adult Placement Service would not be suitable and the report proposed that the Council would look to provide the required 24 hour high level support to meet the needs of this client group through an external provider.

The project had clear equalities impacts. An initial scoping for equality impacts had been undertaken and a copy was attached at Appendix A to the report. The scoping identified that the proposals would impact upon service users, staff and carers and as such, a full Equality Impact Assessment would be undertaken and included as part of the development of the business case proposals for consideration by Cabinet following the programme of consultation with service users, carers and staff and trade unions.

The report stated that the outcome of the consultation and market sounding exercises would be evaluated and together would inform a business case. It was proposed that the report would initially be referred to the Healthy Living and Social Care Scrutiny Committee for pre-decision scrutiny and then to the Cabinet for a decision to be made.

After presenting this item, the Cabinet Member for Housing, Social Care and Health highlighted the falling occupancy levels and rising operating costs of Rhoose Road Residential Respite facility as detailed in paragraphs 9 and 10 of the report. She commented that this was a complex and sensitive issue with lots of work and consultation planned with service users, their families, staff and the Healthy Living and Social Care Scrutiny Committee. Although savings have to be achieved, it is hoped to do so not by a reduction in service but by ensuring the suitability and sustainability of placements through changes in the overall model of provision.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the proposals contained in the report be approved as a basis for consultation with service users and their families and the engagement of trade unions and staff on the way in which services are provided.
- (2) T H A T the report be referred to the Healthy Living and Social Care Scrutiny Committee for consideration as part of the planned consultation and the views of the Committee inform the development of subsequent proposals.
- (3) T H A T subject to resolutions one and two above, proposals be prepared in the form of a business case for initial pre-decision scrutiny by the Healthy Living and Social Care Scrutiny Committee and that those proposals and the views of the Committee be brought to Cabinet in due course for a decision.

Reasons for decisions

- (1) To enable a consultation exercise to be undertaken with service users and their families to inform proposals as to how the Council could best meet relevant respite care needs both now and in the future.
- (2) To enable the consideration by Scrutiny Committee as part of the consultation process.
- (3) To ensure that the process for progressing any changes was undertaken efficiently and effectively in accordance with the Council's policies and procedures and that the views of the Scrutiny Committee were taken into account when reaching a decision as to how to progress.

**C3263          COMMUNITY INVESTMENT STRATEGY (HSCH) (SCRUTINY COMMITTEE - HOMES AND SAFE COMMUNITIES) –**

Approval was sought for a Strategy to underpin the Community Investment work ongoing within the Housing section.

There was a strong and well established case for community investment. Expectations were increasing for communities to take on roles in service design and delivery, planning and budgets for their local neighbourhoods. Accounting for differing and minority voices in the process was a challenge for diverse and rapidly changing communities.

There had been a strong track record of investment in the fabric of Council properties and the Wales Housing Quality Standard (WHQS) programme had resulted in the investment of tens of millions of pounds. This investment needed to be supported by an investment in the social infrastructure and the tenants themselves, in order for the Council's estates to remain sustainable in the future and be attractive places where people were proud to live.

In recognition of this case, an increase in the amount of tenant involvement and community development work was identified as a key priority during a recent restructure of the Housing team. As a consequence, two specialist Community Investment and Involvement Officer Posts were created within the staff team. The two posts were also supported by a dedicated annual budget of £50,000 to be used to facilitate project work and improvements.

Since the staff had been appointed into the new roles, there had been a sharp increase in community investment activity. Relationships had been established with

a wide range of active tenants, community groups, partner agencies and other sections of the Council. There had also been an increase in project activity.

To support this work and ensure that resources were directed where they were needed most, a comprehensive review had recently been completed. The review had flushed out four priority themes in need of attention. These included: increasing employability; improving health and well-being; strengthening communities; and promoting financial and digital inclusion.

These four priority themes formed the basis of the Community Investment Strategy and would result in a range of initiatives and projects designed to make improvements to residents' quality of life. Progress with implementing the Strategy would be measured via the completion of individual actions contained within the Operational Delivery Plan towards the back of the document. There would also be periodic reports to the Homes and Safe Communities Group regarding the range of projects and initiatives taking place.

At the meeting, the Cabinet Member for Housing, Social Care and Health highlighted the four priority themes detailed in paragraph 9 of the report: increasing employability; improving health and well-being; strengthening communities; and promoting financial and digital inclusion.

The Leader noted that these chimed well with the Council's new Corporate Plan.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the contents of the report be noted and the new Community Investment Strategy as attached at Appendix A to the report be agreed.

Reason for decision

To provide a framework to inform the community investment and involvement priorities across the Vale. As well as directing work plans, this Strategy would determine priorities for investment decisions.

**C3264 DISPOSAL OF LAND ADJACENT TO 7 & 8 CROFT JOHN,  
PENMARK (HSCH) (SCRUTINY COMMITTEE - HOMES AND SAFE  
COMMUNITIES) –**

Approval was sought to declare land adjacent to 7 & 8 Croft John surplus to requirements and ensure that the best consideration was received from any future disposal of the land.

The Council entered into a lease for five years with an adjacent occupier for the use of the land indicated in Appendix A to the report as a private garden. The annual rent was £100, which was paid up to the date the lease expired in January 2015. The terms of the lease placed responsibility for repairing and maintaining the boundary fences on the lessee. (Cabinet Minute C597 refers)

The former leaseholder had expressed a desire to renew the lease on the same terms, apart from an increase in rent. The leaseholder had also expressed a desire to buy the freehold should the Council choose to dispose of the land completely. However, the Penmark Village Centre had also expressed an interest in using the land for the benefit of the village and neighbours had also previously expressed an interest in its acquisition.

The moratorium on the sale of housing land had been lifted (Cabinet minute C3045 refers) and the Council might wish to sell rather than lease the land. The land was adjacent to a cesspit that serviced Croft John and adjacent properties. Any disposal would not include land that would restrict access to the cesspit. There was no vehicular access to the land, which might limit interest from potential purchasers outside the village.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

**RESOLVED –**

- (1) T H A T the land indicated in Appendix A as attached to the report be declared surplus to requirements.
- (2) T H A T the Head of Finance in consultation with the Director of Environment and Housing Services be authorised with the Leader and Cabinet Member for

Housing and Social Care and Health to dispose of the parcels of land by the most appropriate means and on terms and conditions to be agreed.

- (3) T H A T the Head of Legal Services be authorised to prepare, complete and execute the required legal documentation in order to formalise the disposal in accordance with Consent E 4.1 of the General Consents for the Disposal of Houses and Land 1994, when the land has been declared surplus to requirement.

Reasons for decisions

- (1) The Council had no practical use for this land.
- (2-3) To comply with legislation and ensure that the Council obtained the best consideration that could reasonably be expected as more than one party had expressed an interest in acquiring the land.

**C3265 HIGHWAY RESURFACING 3 YEAR PLAN 2016 TO 2019 (BSHT)  
(SCRUTINY COMMITTEE - ECONOMY AND REGENERATION) –**

Cabinet was apprised of the Highway Maintenance 3 year Resurfacing Plan and agreement was sought to the priority locations for resurfacing works as detailed in the plan.

The local highway network within the Vale of Glamorgan was a valuable asset to the community for which the Vale Council was responsible. The way it was managed and maintained had a direct impact on residents, businesses and visitors who used it on a daily basis.

The carriageway resurfacing locations proposed in the Highway Maintenance 3 year Resurfacing Plan represented the outcome of technical scanner survey data and physical on-site condition assessments of the local highway network by experienced highway maintenance staff. The Highway Maintenance 3 year Resurfacing Plan attached at Appendix A to the report identified carriageways requiring treatment to prevent further surface and structural deterioration. The carriageways listed within the plan for resurfacing had been assessed in accordance with a strict 'Carriageway Resurfacing Prioritisation Scoring System' which was attached at Appendix B to the report.

The locations had been assessed and recorded in a prioritised manner to ensure the most appropriate and effective use of the available resources in order to best maintain the Vale of Glamorgan's local highway network. Delivery of the plan was dependent on receiving appropriate funding. Roads that would receive works this financial year would be selected from the prioritised list from top to bottom. Those roads on the list which did not receive works this year due to budget constraints would automatically follow through into next year's plan. The Highway Maintenance 3 year Resurfacing Plan was reviewed annually.

After presenting this item, the Cabinet Member for Building Services, Highways and Transportation highlighted the Resource Implications as discussed in paragraphs 9 to 12 of the report, noting that there was no road maintenance grant funding available from the Welsh Government. Instead, these schemes would be delivered from the Council's Capital budgets, including £1.444m for 2016/17 and £300k for each of the two subsequent financial years, 2017/18 and 2018/19.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the contents of the Highway Maintenance 3 year Resurfacing Plan attached at Appendix A to the report be noted and the priority locations for resurfacing works as identified in the Plan be agreed.
- (2) T H A T subject to resolution one above, the Managing Director's emergency powers be used to progress the schemes indicated in the report at the earliest opportunity.
- (3) T H A T an update report be sent to the Environment and Regeneration Scrutiny Committee and the Cabinet within six months to review the work that has been carried out and consider the remaining schedule of schemes to be carried out in the remaining financial year.

Reasons for decisions

- (1) To improve the condition of the Council's local highway infrastructure on a prioritised basis and in accordance with the Funding available.

- (2) To progress the Highway Resurfacing 3 year Resurfacing Plan at the earliest opportunity.
- (3) To review the work that had been carried out and consider the remaining schedule of schemes to be carried out in the remaining financial year.

**C3266 ENVIRONMENTAL ENFORCEMENT: AWARD OF CONTRACT (VLS) (SCRUTINY COMMITTEE - ECONOMY AND REGENERATION) –**

Authority was sought to enter into a formal agreement with a private environmental enforcement company to undertake enforcement duties, aimed at reducing incidences of litter, flytipping, dog fouling and compliance with byelaws.

In late 2015 the Council sought requests for quotations via the Sell2Wales website for the supply of environmental enforcement services to incorporate on-street enforcement of littering, dog fouling, fly-tipping and duty of care offences in partnership with the Council's own compliance and Enforcement Officers.

The Council spent over £1m per annum on cleaning its streets, parks, beaches and public open spaces. This cost was unsustainable in the current or indeed any economic climate. Regrettably much of the litter that was collected had been dropped by members of the public who had taken a conscious decision to do so rather than to dispose of their waste responsibly. Litter in this case also included dog fouling.

New anti-litter and dog fouling campaigns were planned but these were likely to have a much greater impact if they were also accompanied by a strong enforcement message. Future funding available for street cleaning (operations) would continue to be squeezed in light of the ongoing budget pressures and therefore more enforcement needed to be considered, by increasing the enforcement resource now via the assistance of a private environmental enforcement company.

Should Cabinet decide to enter into a formal agreement with a successful tenderer then the Council's current enforcement policy would need to be updated. The current policy was attached at Appendix A to the report. For data protection reasons the full details of the tender submissions were contained within the relevant Part II report later in this agenda.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the contents of the report be noted and the matter be considered alongside the Part II report later on the agenda.

Reason for decision

To consider the report alongside the Part II Report.

**C3267           MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT**

RESOLVED – T H A T the following matter, which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

**C3268           LIBRARY STRATEGY: ESTABLISHING COMMUNITY LIBRARIES  
(RE) (SCRUTINY COMMITTEE - LEARNING AND CULTURE) –**

**A MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT BY REASON  
OF THE NEED TO REVISE THE DEADLINE FOR ESTABLISHING COMMUNITY  
LIBRARIES**

Cabinet was updated on the progress made progress to establish community libraries and permission was sought to revise the existing deadline of 31 May, 2016 for establishing legal agreements with community groups to run the libraries at Dinas Powys, Sully, Wenvoe and St Athan.

At the Cabinet meeting held on 8 February, 2016 (Cabinet minute ref C3065 refers), Members resolved to establish community libraries at Dinas Powys, Sully, Wenvoe, St Athan and Rhoose by no later than 31 May, 2016. Significant work had been carried out with community groups to enable the libraries to be transferred to them, although it had not been possible to achieve the transfer by the deadline of 31 May, 2016.

The transfer of the libraries at Wenvoe and Sully had been delayed largely as a result of issues surrounding the transfer of the assets. Although the library building at Sully was owned by the Council, the land was leased from Barry Plastics. It was necessary to enter into an agreement to re-assign the lease to Sully and Lavernock Community Council which involved a third party: the Solicitor acting on behalf of

Barry Plastics. The license to assign the lease had now been prepared. Transfer of the library to the Sully group was expected to be implemented the week commencing 25 July, 2016.

The library building at Wenvoe was owned by the Community Council and was subject to the Community Council and the community group agreeing a license. A draft license had recently been prepared by the Community Council and was agreed by their Solicitor. This would now be subject to negotiation and agreement with the community group. It was anticipated that the library would be transferred in late July/early August although this was subject to agreement of the license referred to above.

Neither St Athan and Dinas Powys Community Groups had yet secured charitable status from the Charities Commission. The St Athan community group had been liaising with the Charities Commission to clarify issues in response to questions raised by the Commission. It was expected that it would be granted charitable status imminently. Once this was received, the necessary agreements to transfer the library could be entered into.

The Dinas Powys Community Group had yet to receive communication from the Charities Commission concerning the position regarding its application for charitable status. As a result, it was not possible to determine a deadline for transferring the library.

In relation to the Rhoose library, it was recommended to wait on the outcome of the present judicial review proceedings before deciding whether or not to enter into arrangements for a community library. The claim was listed for hearing in the High Court on 28 and 29 July, 2016. When the judgement was available, a further report would be brought to Cabinet.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the deadline of 31 May, 2016 for establishing community libraries be revised and delegated authority be granted to the Director of Learning and Skills, or the Head of Strategy, Community Learning & Resources, in consultation with the Managing Director, the Leader and the Cabinet Member

for Regeneration and Education to specify the revised deadline for establishing the community libraries at Dinas Powys, Sully, Wenvoe and St Athan.

- (2) T H A T delegated authority be granted to the Head of Legal Services in consultation with the Director of Learning and Skills, or the Head of Strategy, Community Learning & Resources, and the Leader of the Council to (a) enter into legal agreements for the running of each library; (b) to enter into lease agreements and (c) to agree the transfer of assets where applicable.
- (3) T H A T the use of article 14.14 of the Council's Constitution (urgent decision procedure) be authorised in respect of resolutions one and two above.
- (4) T H A T a further report be submitted to Cabinet in relation to the library at Rhoose, following receipt of the judgement in the Judicial Review listed for 28 and 29, July 2016.

#### Reasons for decisions

- (1) To enable legal agreements to be entered into after the previously agreed deadline of 31 May, 2016 and within a timescale to be set under delegated authority.
- (2) To enable service standards expected from each community group, the conditions in relation to the use of funding and the support to be provided by the Council, to be clearly set out and formally agreed by all concerned; and to enable the transfer of library buildings to the community groups.
- (3) To enable the necessary legal agreements to be entered into with immediate effect if necessary.
- (4) To take account of the Order to be made by the Court in the Judicial Review proceedings listed for 28 and 29 July, 2016 concerning Rhoose library, and to acknowledge that a further report would be submitted to Cabinet regarding the library at Rhoose.

#### **C3269 EXCLUSION OF PRESS AND PUBLIC –**

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on

the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

**C3270 ENVIRONMENTAL ENFORCEMENT: AWARD OF CONTRACT (VLS) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY COMMITTEE - ECONOMY AND REGENERATION) –**

Authority was sought to enter into a formal agreement with a private environmental enforcement company to undertake enforcement duties, aimed at reducing incidences of litter, flytipping, dog fouling and compliance with byelaws.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T 3GS (UK) Limited be appointed on a cost neutral basis for a period of 2 years with the option to extend for a further one year.
- (2) T H A T the Director of Environment and Housing Services in consultation with the Cabinet Member for Visible, Leisure and Regulatory Services be authorised to enter into a formal agreement with 3GS (UK) Limited to undertake enforcement duties, aimed at reducing incidences of litter, flytipping and dog fouling along with the enforcement of byelaws.
- (3) T H A T authority be sought from Council for 3GS (UK) Limited to issue fixed penalty notices (FPN's) on behalf of the Council for the duration of the agreement.
- (4) T H A T the Head of Visible Services and Transport be authorised to provide the necessary office accommodations for 3GS (UK) Limited.
- (5) T H A T all environmental enforcement duties be conducted in accordance with the current 'zero tolerance' enforcement policy attached at Appendix A to the report and that delegated authority be granted to the Director of Environment and Housing Services in consultation with the Cabinet Member

for Visible, Leisure and Regulatory Services to make the changes necessary to the enforcement policy to include the enforcement of bye law infringements.

Reasons for decisions

- (1) To permit the appointment of 3GS (UK) Limited for 2 years with the option to extend for a further year.
- (2) To formalise the Council's arrangement with 3GS (UK) Limited.
- (3) To ensure that 3GS (UK) Limited staff had the necessary legal powers to undertake enforcement activities within the Vale of Glamorgan.
- (4) To permit 3GS (UK) Limited staff to be located within the Council's Visible Services and Transport Offices at the Alps, Wenvoe.
- (5) To ensure that a suitable policy was in place to commence enforcement duties as soon as possible and to permit the relevant changes to be made to the policy document to include bye law infringements.