

**CABINET**

MINUTES of a meeting held on 20<sup>th</sup> September, 2006.

Present: Councillor H.J.W. James (Chairman); Councillors G.A. Cox, A.M. Ernest, A.D. Hampton, T.H. Jarvie, G.C. Kemp, J.W. Thomas, A.C. Williams and A.J. Williams.

Also present:

Councillors Ms. L. Burnett, P. Church, Mrs. V.M. Hartrey, N.P. Hodges, Mrs. M. Kelly Owen, Mrs. M. Randall, A.J. Readman and C.J. Williams.

**C2622 APOLOGY FOR ABSENCE -**

An apology for absence was received from Councillor M.R. Harvey.

**C2623 MINUTES -**

RESOLVED - T H A T the minutes of the meeting held on 6<sup>th</sup> September, 2006 be approved as a correct record.

**C2624 DECLARATIONS OF INTEREST -**

Councillor G.A. Cox	Agenda Item No. 28 - Governor of Cowbridge Comprehensive School with dispensation to speak but not vote
Councillor T.H. Jarvie	Agenda Item No. 28 - Governor of Cowbridge Comprehensive School with dispensation to speak but not vote. Agenda Item No. 35 - President of the Royal British Legion, Cowbridge
Councillor G.C. Kemp	Agenda Item No. 28 - Governor of Cowbridge Comprehensive School with dispensation to speak but not vote
Councillor J.W. Thomas	Agenda Item No. 28 - son a pupil of Cowbridge Comprehensive School.

**C2625 PROPOSED QUARTERLY PERFORMANCE MONITORING PROCESS (REF) -**

At the Scrutiny Committee (Corporate Resources) held on 18<sup>th</sup> July, 2006, Members had been presented with a report which outlined the new process for quarterly performance monitoring. Members had been happy to accept the revised process of reporting to Committee but had raised concerns in respect of who would decide on exception reporting. As a result the Scrutiny Committee

**RECOMMENDED -**

- (1) T H A T the revised process for reporting quarterly performance information be endorsed.
- (2) T H A T the new arrangements be reviewed within 12 months.
- (3) T H A T the Improvement and Development Team ensure that all exception reporting is addressed.
- (4) T H A T recommendation (2) be referred to Cabinet.

Cabinet, having carefully considered the reference

**RESOLVED - T H A T** the recommendations of the Scrutiny Committee (Corporate Resources) be accepted.

**C2626 PENARTH HEADLAND LINK - TARGET COST (SCRUTINY - ECONOMY AND ENVIRONMENT - 15<sup>TH</sup> AUGUST, 2006 AND SCRUTINY COMMITTEE - CORPORATE RESOURCES - 22<sup>ND</sup> AUGUST, 2006) (REF) -**

Cabinet Minute No. C2593 had been called in by both the Scrutiny Committee (Economy and Environment) and Scrutiny Committee (Corporate Resources) for the following reasons:

“This project is fundamental to the future viability of Penarth and its postponement/cancellation is of major concern to the majority of Penarth residents.” It was therefore requested that the matter be “called-in” to Scrutiny for the following reasons

- “there has been no consultation over the postponement/curtailment or cancellation of this major project
- decisions on this project were taken behind closed doors and excluded local people and businesses from having any input whatsoever
- this proposal does not compare like with like and I would ask that a comparison of how the current proposal differs from the original in content and cost

- the proposal was only considered from a planning and financial viewpoint, I would ask that all other relevant departments e.g. Economic Development, Tourism and Leisure be consulted”.

The call-in was considered by the Scrutiny Committee (Economy and Environment) on 15<sup>th</sup> August, 2006 who recommended the following:

(1) T H A T Cabinet be requested to agree that the top priority for Penarth must be the construction of the Penarth Headland Walkway because of the enormous economic, environmental and social benefit that would accrue as a consequence both to the town and to the wider Vale from enabling the town of Penarth, the Esplanade, the cliff walks, Lavernock and Cosmeston to be linked closely to the economic and tourism potential of Cardiff Bay.

(2) T H A T Cabinet instruct officers

- to fully cost the un-enhanced design and quantify any savings to be made immediately to ensure continuation of the project
- to assure the WAG and Cardiff Council/Harbour Authority of the firm intention to proceed with the scheme without delay on the basis of getting the best value for the financial contributions of all three bodies
- to explore the benefits of dropping or deferring the car park element until or unless additional finance could be identified for that element, perhaps from the private sector
- to instruct consultants to show what could be achieved within the available budget
- to accept the offers of help from those locally with national and international experience and expertise in the construction industry
- to explore the option of risk-sharing or partnership contracts in order to obtain the best value for money.

(3) T H A T Cabinet be requested

- to continue to press WAG to waive or extend the current funding arrangements and the timetable for delivery
- to continue to investigate additional sources of funding
- to continue to seek ways in which the project as amended could be delivered within the available budget.

and by Scrutiny Committee (Corporate Resources) on 22<sup>nd</sup> August, 2006 who recommended:

(1) T H A T Cabinet recognises

- the Penarth Headland Link has enormous potential in terms of the economy of Penarth and the wider Vale of Glamorgan, including business opportunities, jobs, sustainability, “green tourism” and the chance to exploit the benefits of a connection to Cardiff Bay;
- cancellation of the project at this stage would involve the loss of the £7.5million offered by the Welsh Assembly, loss of the £1million offered by

Cardiff County Council through the Harbour Authority and the need to repay the £1.8million already claimed from the Assembly;

- for the project to go ahead, it is imperative to limit the cost and risk to which the Vale of Glamorgan Council is exposed.

(2) T H A T Cabinet defers the car park proposal from the scheme unless and until discrete funding is available for that scheme, particularly if that deferment is necessary for the Walkway project itself to proceed without delay.

(3) T H A T Cabinet instructs officers urgently to examine all potential avenues for limiting costs, including:

- consideration of suggestions from the “preferred” tenderer as well as any other source as to how to limit costs;
- review of a ‘basic’ draped steel beam solution as well as the option of a ribbon structure currently envisaged;
- reversion to costs of an ‘unenhanced’ scheme in all possible respects;
- review of the timing of the construction period so that the phasing of the construction better suits supplier delivery times, seasonal constraints etc;
- refinement of the contract requirements in order to reduce the current allocation of £6.5million for temporary works;
- approach to other tenderers as well as the “preferred” tenderer to explore their design solutions to achieve an appropriate technical solution within available finances.

(4) T H A T Cabinet recognises the use of the New Engineering Contract (NEC) offers the means to achieve an auditable route to cost minimisation, while also providing major incentives to the Contractor to keep costs down, thus ensuring that the Contractor’s Target Cost is the best estimate of the outturn cost of the works, and that risks are shared between the Council and the Contractor and seeks clarification of the costings in terms of risk, to ensure that there is no exaggeration of the risks to which the Council is exposed.

(5) T H A T Cabinet instructs officers to seek assistance and mentoring through the WLGA and through professional bodies to ensure that the Council benefits to the full from experience elsewhere on the management of costs and risks through the New Engineering Contract approach.

(6) T H A T Cabinet instructs officers to undertake an urgent review of the maintenance liabilities of the proposed materials and details of the whole life costs (net present value), including whether these maintenance costs can be mitigated through the use of alternative materials.

(7) T H A T Cabinet requests an urgent review of the figures provided, to ensure that no inappropriate costs are attributed to the Headland Walkway Project, whether in the figures for costs already incurred, the “client’s costs” and other spending by the Council other than through the construction contract, for the estimated cost of materials and construction to be reviewed,

and for the apparently high costs for Temporary Works and Preliminaries to be brought down significantly.

(8) T H A T the recommendations of the meeting of the Scrutiny Committee (Economy and Environment) held on 15<sup>th</sup> August, 2006 be endorsed.

Cabinet then duly considered the above recommendations from both Scrutiny Committees, and the report presented by the Directorate of Economic and Environmental Regeneration (Agenda Item 23) which proposed the following additional proposals:

- That the current scheme be urgently reviewed with a view to omitting the car park at the Esplanade, considering alternative foundation solutions and adopting any further cost-saving options considered appropriate;
- WAG be urgently requested to confirm that its contribution of £7.5m to the scheme continues and most importantly that the timescale requirements attached to the funding be made more flexible to match any revised project timescale. This was essential to the continuation of the project and in particular would be needed before significant costs on redesigning a new scheme were committed. A similar undertaking would be required for the Cardiff Harbour Authority (CHA);
- The Council's consultants be asked to give an estimate of their costs in developing a revised scheme as well as a timescale;
- Offers of relevant technical assistance be investigated to progress the project:
- A review be undertaken of the risk register and the risk-sharing model currently adopted for the project to ensure appropriate assessment and allocation of risk;
- Consideration be given to development opportunities in relation to generating additional capital funds for the project;
- A whole life costing exercise be undertaken so that a comparison can be made between the tendered draped beam solution, the developed scheme (ribbon structure) and any proposed alternative solution resulting from the current view.

During the discussion, the Leader advised Cabinet that since the meetings had taken place a number of letters had been received indicating support for the Penarth Headland Link. It had also been suggested that independent experts be involved in the process and recommended that officers make the necessary arrangements for experts to be involved. He further stated that in his opinion, the Scrutiny Committees had been a good opportunity for full and frank discussion to take place but that the rising costs of the project had to be considered in respect of the Vale of Glamorgan Council's budget.

In consideration of the above, it was

RESOLVED -

(1) T H A T the Leader writes to WAG to gain assurance that its financial commitment of £7.5m. towards the scheme continued and that a revised more flexible funding framework be agreed to reflect any revised scheme.

(2) T H A T the Council's consultants be asked to provide their additional costs for developing a revised scheme.

(3) T H A T the Council's consultants provide as a matter of urgency, a target cost for the revised scheme.

(4) T H A T the above work includes a reassessment of risk, associated development opportunities and whole life costing.

(5) T H A T a further report be submitted to Cabinet as soon as possible.

Reasons for decisions

(1) To confirm WAG commitment to a scheme.

(2)&(3) To develop a revised scheme.

(4) To ensure all relevant issues are included.

(5) To further inform Members.

**C2627 ATTENDANCE AT CONFERENCES, SEMINARS ETC (CX)  
(SCRUTINY - CORPORATE RESOURCES) -**

RESOLVED - T H A T the attendance of the following be noted:

WLGA Advisers meetings with European Commission	1 <sup>st</sup> September, 2006	Mr. M. Jones
Directors of Education / Cabinet Members Education Meeting	13 <sup>th</sup> & 14 <sup>th</sup> September, 2006	Mr. B. Jeffrey, Councillor A.D. Hampton
ADSS (Cymru) Branch Meeting	14 <sup>th</sup> & 15 <sup>th</sup> September	Mr. J. Cawley

**C2628 BEYOND BOUNDARIES: BEECHAM REVIEW OF LOCAL SERVICE DELIVERY (CX) (SCRUTINY - CORPORATE RESOURCES) -**

The report advised Cabinet of the recommendations that had been made by Sir Jeremy Beecham for local service delivery in Wales. In July 2005 the Welsh Assembly Government (WAG) had established a review under the chairmanship of Sir Jeremy Beecham to examine how public service delivery in Wales might be improved. The review had been published on 10th July, 2006. The review team had examined all local public services in Wales to see how their delivery could be made more effective and responsive to citizens needs. The review made the following recommendations:

- “
- reducing bureaucracy, simplifying grant regimes, less inspection and regulation and an emphasis on outcomes not processes;
  - much more joint working - across organisations and sectors and across services within them - to enhance capacity, improve efficiency and increase the range and quality of public services (more shared procurement, shared management and pooled budget);
  - no major re-organisation of structures; priorities to making the existing system work better by tackling constraints on progress;
  - review in five years time whether collaboration has delivered the necessary improvements and, if not, consider whether structural change is required;
  - a willingness to embrace a mixed economy of provision including the public, private and not for profit sectors;
  - an enhanced role for scrutiny in the Assembly and local government, involving service users and advocates;
  - greater investment in building capacity and skills in service delivery;
  - piloting contracts between WAG and partnerships of local organisations to achieve specific objectives (Partnership Action Contracts), with Ministers engaging with local leaders to ensure delivery;
  - managing performance better, rewarding good performance and intervening earlier where performance is lacking;
  - according redress where service failure occurs;
  - ensuring the public and decision makers are better informed about performance, with relevant comparative information and clarity about the choices faced by organisations such as councils or local health boards.”

The Beecham Report had been debated by the Assembly on 11th July which was the day before publication and the Finance Minister had indicated that building on the report “Making the Connections”, a further paper on public service reform would be published in the autumn which would include the Assembly Government’s full response to the review and setting out the next steps. A comprehensive summary of the Beecham Report was attached to the report before Cabinet, and copies of the full report would be made available on request.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the report be noted.
- (2) T H A T a briefing for all Members be arranged following publication of the Welsh Assembly Government's response to the Beecham recommendations.
- (3) T H A T the Beecham Report and any response by WAG be considered by the Corporate Management Team and a further report on the likely implications for the Council be submitted to Cabinet.

Reasons for decisions

- (1&2) To fully apprise Members of the implications of the Beecham review.
- (3) To ensure that Cabinet are fully apprised of the implications for the Council.

**C2629 EUROPEAN STRUCTURAL FUNDS POST 2006 (CX)  
(SCRUTINY - CORPORATE RESOURCES) -**

The report highlighted the current position regarding proposals for European Funding post 2006 and changes to future delivery mechanisms. It was noted that two of the main sources of European Funding which were available to the Vale of Glamorgan for the period 2000 -2006 were Objective 2 (transitional) and Objective 3.

The Objective 2 and Transitional Programme had three priorities:

- Priority 1: Developing small to medium sized enterprises
- Priority 2: Rural Development, and
- Priority 3: Urban Community Regeneration.

The Vale of Glamorgan had qualified for transitional Objective 2 status until December 2005 and areas in the Vale eligible for Objective 2 funding under the ISW 97-99 programme had been eligible for transitional funding under Priority 1. The Vale did not qualify for Priority 2 and Priority 3 had been at urban communities of highest deprivation and therefore the wards of Buttrills, Cadoc, Castleland and Court had qualified within the Vale.

Objective 3 which was a Human Resource Development Programme was available throughout east Wales and was funded through the European Social Fund. Objective 3 assistance was potentially available until the end of 2006. The programme aimed to

- combat long term unemployment
- help young people to make a successful transition to working life
- help those at a particular disadvantage in finding work

- promote equal opportunities and improve the role of women in the workforce
- encourage adaptability and entrepreneurship in the workforce and raise skills
- promote lifelong learning and improve access to training, education, guidance and counselling.

Both the Objective 2 and Objective 3 programmes had been substantially delivered via one Regional Action Plan and seven Local Action Plans based on Unitary Authority boundaries. The vale of Glamorgan had benefited from over £3.2 million being grant approved under the transitional Objective 2 Action Plan for the period 2001-2005, £1.8 million had been secured by the Council and over £1.3 million by the Voluntary Sector. Nearly £2.5 million had been committed under Objective 3 for the period 2001 - 2006. The Council had secured over £1 million towards nine projects and the Voluntary Sector £752,555 towards eight projects. Four of the Council led applications were in partnership with the Vale Learning Network and delivered in conjunction with Voluntary Sector.

In 2004 the European Commission had published documents setting out proposals for the budget and direction of European Cohesion Policy for the period 2007-2013. It was reported that after 2006 the Commission would continue to define Wales in terms of two distinct geographical areas: West Wales and the Valleys and East Wales. Under the proposals issued by the Commission eligibility for Structural Fund support in East Wales would fall under two main Priorities for Action:

- regional competitiveness and employment
- co-operation.

The Vale of Glamorgan Council both individually and in collaboration with the six other authorities in East Wales had been lobbying the UK Government and WAG for adequate competitiveness funding. Lobbying had included a meeting between the Rt. Hon. Alun Michael M.P. and representatives of the East Wales Forum attended by the Cabinet Member for Regeneration, Tourism and Leisure in May of this year. In addition the authority had also forwarded correspondence both to the First Minister and DDI highlighting the importance for funding to the economic regeneration of the area. Priorities which had been proposed for East Wales were likely to be

- building the knowledge based economy - focus primarily on R&D and innovation;
- enhancing the environment - includes community regeneration, clean and renewable energy, environmental goods and services, environmental protection and improvement and waste management,
- promoting assessability - includes integrated transport initiatives and ICT;
- increasing employment and tackling inactivity
- improving skills levels.

The Welsh Assembly Government had set out its key principles for the next programmes, outlined in Appendix 2 to the report. These principles

highlighted some of the key differences between current and future programmes. Two issues in particular would have a significant impact on future programmes. Firstly, programmes would be aligned much closely with the Lisbon strategy for Growth and Jobs with an increased emphasis on skills development (the so called “competitiveness agenda”) and support for the knowledge based economy. Secondly, the Welsh Assembly Government was eager to play a far more pro-active role in the management of the next programmes with closer alignment to the Welsh agenda in terms of strategies and processes.

Ministers had agreed that the new programmes should adopt a more strategic approach to delivery. This meant that a smaller number of “strategic delivery frameworks” to drive the implementation of the new programmes. In addition to these Strategic Frameworks there would be some scope for competitive direct bidding and WEFO Commissioning actions.

In parallel with the development of the new programme, WEFO was and would continue to be working with Welsh Assembly Government Assembly Government Policy Departments, Spatial Plan Groups and a range of other external organisations to identify and support the development of a portfolio of Strategic Frameworks which could drive the implementation of the new programmes.

On 2nd May, 2005, the WLGA management sub-committee endorsed local government’s initial position for discussions with WAG over the future Structural Fund Programmes. Local Government was proposing the development of strategic frameworks with dedicated funding pots for investment in the following areas:

- transport
- waste management
- local energy management
- town centre regeneration
- supporting local businesses
- from school to work.

However, due to the uncertainty regarding the level of funding likely to be available to East Wales and the types of activities eligible for funding some of the above Strategic Frameworks might not be applicable to the Vale of Glamorgan, for example, Town Centre Regeneration.

#### Management and delivery of Strategic Frameworks

It was important that Strategic Frameworks took account of local priorities and ensure close integration with recent developments in community and spatial planning. It was proposed that Strategic Frameworks be developed for thematic elements of the programmes (such as Waste, Transport etc) which would be “bent” in terms of local priorities, targets and delivery to reflect spatial issues at the Wales Spatial Plan. Local Government has recommended this also occurred at the local level via community strategies.

A number of organisations were discussing the potential impact of delivery via Strategic Frameworks and exploring how they could assist in delivering via these new arrangements. Although at an early stage of development, it was evident regional collaboration through appropriate efficient partnership structures would be a significant part of implementing the new programme.

The Connecting South East Wales Regional Board agreed on 12th July that they should lead on the development of Strategic Framework(s) and that they should cover the whole of the area (i.e. Competitiveness and Convergence). Although such an approach would have to ensure that projects distinguish between Convergence and Competitiveness funding, the strength of this approach was that it ensured synergy across the whole of South East Wales and builds on the work of SEWEF, SEWTA and the Spatial Plan.

Following the Board meeting, authorities from East Wales had been asked to join the Valleys Sub regional Working Group established last year to consider the issues regarding collaboration and the development of strategic frameworks in the various priority areas agreed by WLGA such as Transport, Waste, Town Centre Regeneration etc.

The Valleys Sub-Group had established Task and Finish Groups with a lead authority to consider the issues regarding collaboration and the development of strategic frameworks for the following areas:

- Town centres (lead Caerphilly)
- Transport (lead TBC)
- Social Economy and Key Funds (lead Merthyr)
- Waste and Energy Management (lead Torfaen)
- Skills (lead Torfaen)
- Business support/Sites and Premises (Lead Bridgend)
- Economic Activity (lead Caerphilly)
- Sustainable Communities/Technical Assistance (lead Bridgend).

The initial work of the Working Groups was due to be completed mid September, following which East Wales authorities will be asked to join the groups. This seemed a sensible approach not to interrupt work in progress and enabled authorities in East Wales sufficient time, hopefully to have a better idea of potential resources and eligible activities.

This was a matter for Executive decision.

**RESOLVED - T H A T** the proposals for European Funding post 2006 and the efforts to maximise resources for activities in the Vale of Glamorgan be noted.

#### Reason for decision

To maximise the resources available to the Council to support the delivery of the Council's corporate objectives.

**C2630 WALES AUDIT OFFICE REPORT: LEGAL SERVICES (CX)  
(SCRUTINY - CORPORATE RESOURCES) -**

The Council had undertaken an internal review of its Legal Services which had commenced in May 2002 and had been completed in April 2004. Cabinet had also agreed the Improvement Review Action Plan which had arisen from the review on 2nd June, 2005. The Wales Audit Office had undertaken an assessment of the progress that the service had made in implementing these actions and recommendations in December 2005 and the Audit Report received by the Council in May 2006 was attached at Appendix 1 to the report.

The Wales Audit Office had concluded that in a relatively short period of time, the Department had made good progress in implementing all of the actions in the original Improvement Review Action Plan. It was noted that the work had resulted in improvements being made in all areas of concern that had been identified in the original review. The current report made two recommendations:

“R1 - To limit the impact of late instructions to the Legal Services Department and to mitigate any risk to the Council, steps should be taken to ensure compliance with the agreed protocol for the Director of Legal Services to take a lead on corporate issues that may have a legal implication.

R2 - To strengthen the whole management function within the department develop a cohesive and integrated management team that comprises senior managers and team leaders.”

The report also noted that actions had been identified and adopted by the Legal Services Section to address the two Wales Audit Office recommendations. Members also noted that the original review had required bi-annual reporting to Cabinet and CMT with regard to progress against the Action Plan. However, in light of the Wales Audit Office findings, it had been considered that this reporting was no longer pertinent.

**RESOLVED -**

- (1) T H A T the report be noted.
- (2) T H A T six monthly monitoring of the Improvement Review Action Plan be discontinued.

Reasons for decisions

- (1) To be aware of the good progress being made in Legal Services.
- (2) To make the most effective use of Members time.

**C2631            RESPONSE TO WALES AUDIT OFFICE REPORT RE:  
DEMOCRATIC RENEWAL (CX) (SCRUTINY - CORPORATE RESOURCES) -**

The report updated Cabinet on the position regarding the Wales Audit Office report on Democratic Renewal. The Wales Audit Office, as part of their audit and inspection plan for 2002/03 had completed a review of the democratic renewal process within the Council. The review included a survey of all Scrutiny members under the previous Council's administration and a review report had been received which outlined 15 key recommendations for the Council to consider. On 14th July, 2004 Cabinet had established a cross party democratic renewal working group to consider the recommendations contained in the report and to draw up specific proposals for consideration by Cabinet and Council in response to the recommendations. As a result the democratic renewal working group met on a number of occasions with its proceedings/proposals being subsequently considered / endorsed by Cabinet, Scrutiny Committee (Corporate Resources) and Council. The Council had also been waiting for some time for a follow up report from the Wales Audit Office. The report has now been received and concluded "that the Council has made good progress in implementing the majority of the recommendations of the previous report and many measures have begun to make a positive impact." A copy of the report was attached at Appendix A to the report.

The report suggested that the Corporate Management Team draw up specific proposals for consideration by Cabinet and Council in response to the recommendations in the follow up report. The process would also allow for consideration of such proposals by the Scrutiny Committee (Corporate Resources) and the Scrutiny Chairmen/Vice-Chairmen Group as appropriate.

**RESOLVED -**

- (1)     **T H A T** the follow up report of the Wales Audit Office be noted.
- (2)     **T H A T** the Corporate Management Team submit a further report to Cabinet on the Wales Audit Office recommendations.

Reasons for decisions

(1&2) To confirm the position regarding the Council's response to the ACiW report on Democratic Renewal.

**C2632            WLGA ANNUAL REPORT 2005/06 (CX) (SCRUTINY -  
CORPORATE RESOURCES)**

The report noted that the WLGA produces an annual report which summarises its activities over the previous year and a copy of the annual report was attached for Members information. The report provided a brief resume of the WLGA's achievements in 2005/06 and the aims and challenges it faces under the following headings

- Governance
- Resourcing
- Environment
- Regeneration
- Europe
- Lifelong Learning
- Culture and Language
- Equalities
- Social Justice
- Community Safety
- Health Improvement
- Social Services
- Improvement and Development
- Employers issues
- Efficiency and Joint Working
- Regulatory Services
- Tourism
- Communications.

This was a matter for Executive decision.

RESOLVED - T H A T the WLGA annual report 2005/06 attached to the report be noted.

Reason for decision

To apprise Members of the activities of the WLGA over the past year.

**C2633 VALE OF GLAMORGAN TENANTS PANEL (DCS)  
(SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

Cabinet was requested to establish a Vale of Glamorgan Tenants Panel and to confirm the framework for involving the Tenants Panel in relation to the development of housing management/maintenance policies for the Council.

The Housing Investment report of the Vale of Glamorgan Council had noted a key recommendation relating to the Council needing to improve tenant engagement / involvement. Cabinet was advised that the Council was committed to engaging / involving tenants and tenant representatives in all aspects of housing management / maintenance and the proposal to establish a Tenants Panel must be set within an agreed framework to ensure that participants within the Tenants Panel were aware of the remit / parameters of the proposed Panel. The proposal to establish a Tenants Panel must be set within an agreed framework to ensure that participants within the Tenants Panel are aware of the remit / parameters of the proposed Panel. The report proposed that the Tenant Panel would have the responsibility for

- consultation on housing management policies / procedures;

- consultation on housing maintenance policies / procedures;
- consultation on the housing capital / maintenance programme to meet the Welsh Housing Quality Standards (WHQs).

It was suggested that the membership of the Panel be as follows:

- one representative from each Council recognised Tenant Groups;
- up to six individual tenant representatives, but with no more than one per Electoral Ward.

The Council would be responsible for managing and facilitating the Panel with representation from appropriate officers dependent upon the issues being discussed. The Tenant Development Co-ordinator would be the lead Council officer for the Tenants Panel. The Tenants Panel would meet on a bi-monthly basis, rotating location of the meetings between Penarth / Dinas Powys, Barry and the Rural Vale. Meetings would take place initially during office hours and agendas and papers for the Tenants Panel to be circulated five working days prior to the meetings.

The Cabinet Member for Housing and Community Safety would be a non-voting member of the Tenants Panel and would act as the Elected Member interface between the Tenants Panel and the Council.

This was a matter for Executive decision.

RESOLVED - T H A T a Vale of Glamorgan Tenants Panel be established as set out within the report.

#### Reason for decision

To ensure that the Council responds to key recommendations in the Housing Investment Report.

### **C2634 REPORT OF A SERIOUS CASE REVIEW FOLLOWING THE DEATH OF A CHILD (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

Members were informed of the findings of the Serious Case Review (SCR) following the death of a child and of the action being taken to address concerns identified by the review.

On 29<sup>th</sup> March, 2004, a child had died at the age of three weeks. There had been considerable involvement with the mother by local agencies. The mother was only 17 years of age when the child was born and had many problems. A post mortem examination identified the presence of a number of injuries which gave cause for concern. Area Child Protection Committees were required by Welsh Assembly Government guidance to conduct a Serious Case Review whenever "a child dies (including death by suicide) and abuse or neglect is known or suspected to be a factor in the child's death". The Serious Case Review was co-ordinated by the Vale of Glamorgan

ACPC's Serious Case Review Sub-Group. The report of the Overview Author had been agreed by the ACPC on 24<sup>th</sup> November, 2005 and the final report had been received and endorsed by the Chair of the ACPC on 19<sup>th</sup> December, 2005. On 11<sup>th</sup> January, 2006, informal Cabinet received a presentation from the Overview Author based on an anonymised Executive Summary of the full report and outlining her key findings, conclusions and recommendations. An Action Plan was formulated by the ACPC to address the recommendations contained within the SCR Overview report and the Plan incorporated into the ACPC Business Plan 2006/07. The Executive Summary by the independent Overview Author was attached at Appendix 1 to the report. The report outlined lessons which needed to be learnt, many of which were key lessons for other agencies or related to more than one agency.

“ **Recognising the presence of risk factors**

- The report of the SCR identifies a large number of risk factors relating to mother and a gap in knowledge about father. The classical risk factors; parental mental ill health, substance misuse and domestic abuse were all present and known about. In light of these factors, additional concern is noted in relation to the type of housing provision allocated, and that available information did not prompt assessment through an Initial and Core Assessment.

**Listening to the voice of the child**

- The child was a very young baby and could not verbally express her wishes and feelings. Whilst some of the recording of the midwives during the first weeks of her life does give a vivid picture of her birth and early development, there is a lack of empathy about the impact of the risk factors on a vulnerable baby.
- Whilst mother, who was also a child, was listened to some extent, understanding was rather superficial and did not prompt analysis.

**Communication, information sharing, recording, supervision and following the Child Protection Procedures**

- Most public enquiries on the death or serious injury of children point to failures in communication. Whilst there were examples of good communication, there were significant delays and failure to share information between agencies and within agencies. Until the multi agency chronology was prepared, no single agency or practitioner was aware of all the events relating to the parents and child.
- Failures in communication and information sharing were not assisted by ineffective recording and variable line management supervision.
- There were some examples of practitioners not following Child Protection Procedures and the identification of a number of barriers to referral. The most serious difficulty within the inter agency network is lack of capacity at a number of critical points, notably within Children's Services and the Child and Adolescent Mental Health Service. From

the viewpoint of the Area Child Protection Committee, it is not a simple matter of improving awareness and communication, but making sure that when a referral is made, there is professional time available to make a considered response. The development of new programmes such as Sure Start and Supporting People only complicate the situation, and there is a danger in substitution of preventative services.

### **Recognising the particular vulnerability of babies and a very young mother**

- Newly born babies are extremely vulnerable. The vulnerability of babies suggests that where risk factors are present, a careful assessment of risk factors, together with a view based on empirical factors about likely parenting capacity is essential. This was not done.
- Very young mothers are a group particularly at risk, although the age of the mother alone cannot be used as an indicator of risk. Children's Services are therefore dependent on partners in other agencies identifying those young women with other risk factors.

### **Ensuring there are sufficient resources especially in Children's Services to meet demand**

- The report highlights the importance for Children's Services of ensuring referrals are considered by qualified Social Workers, to ensure the appropriate professional judgement is made at the point of referral.
- The number of referrals under consideration by Children's Services at the time of this referral was very high, creating capacity problems for the service.
- There were also capacity problems within the Child and Adolescent Mental Health Service.

### **Looking at issues in an analytical way**

- The absence of analysis was a key failure in this case; while issues were identified at various points, they were never properly analysed.

### **Assessing situations properly before the baby is born**

- The need for comprehensive pre birth assessment was a key requirement in this case. Failure to respond to the number of risk factors and consider parental capacity, meant the opportunity to plan in this case prior to the child's birth was missed.

### **Understanding the impact of parental mental health on parenting**

- It is acknowledged that this is a complex issue, further complicated in this case by the age of the mother, and the differences in professional culture between child and adult psychiatric services.

- Knowledge about management and the impact on parenting of mental health problems is weak amongst Social Workers. It is suggested in the SCR report there would be merit in Children's Services employing clinical psychologists, as it would give access to assessment.

### **Understanding how domestic abuse and pregnancy interact**

- There is a well-established link between domestic abuse and pregnancy. The mother in this case experienced domestic abuse from her partner whilst she was pregnant. There were indicators of control and a significant age difference between the parents. Insufficient assessment took place of the relationship dynamics of the parents and the risk to the unborn child.

### **Working with male partners**

- Some services attempted to engage with Father, but this was limited. The knowledge about him was so poor that some agencies did not even know his date of birth. One professional said in notes that he was 20 years old when in fact he was 27 years old. Whilst all the focus in this case was on mother, father was never assessed except in the most superficial ways. An assumption was made by professionals, fuelled by mother that he was a helpful influence on her.

### **Recognising and dealing with aggressive parents**

- Insufficient attention was paid to the aggression and rudeness displayed by mother, and the related implications of her attitudes, behaviour and changes in mood in caring for a very vulnerable baby.

### **Understanding the significance of substance misuse in parenting**

- The presence of substance misuse in parents should trigger concern about the impact on the baby. In this case, where there were issues of mental health, drug and alcohol misuse and domestic violence, assessment should have considered the relationship between these factors. Cramped accommodation is also highlighted as a concern in relation to the exposure of this vulnerable baby to cigarette smoke.

### **Determining the relationship between Child Protection and Family Support Services**

- The report highlights the need for clarity regarding thresholds for preventative services and the role of the latter in more complex situations. There is a sense that workers in support services were dealing with a situation that was too complex and volatile for the capacity of their own services.

### **Make sure temporary housing is appropriate to the needs of the family**

- It is acknowledged that pressures on Local Authority housing resources are severe. Equally, that placement of families with high risk factors in accommodation which increases their stressors can contribute towards the serious problems identified in this case. The placement of a very vulnerable families in a hostel setting for prolonged periods, especially a very young mother, would suggest that joint assessment between Housing and Children's Services needs to be reviewed and improved.

### **Looking at social inclusion as part of the assessment**

- Poverty, low income, lack of participation in education, training and work by both parents were factors in this case. It is suggested to have addressed these factors, however marginal, would have had an important positive impact in improving self esteem and self worth, as well as establishing normal domestic routines."

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the findings and conclusions of the Serious Case Review as set out in the Executive Summary and the action being taken to address concerns identified in the review as contained within the Action Plan attached to the report be noted.

(2) T H A T the resource implications associated with addressing the concerns raised be noted.

### Reasons for decisions

(1) To enable Members to be aware of the findings of the Serious Case Review and the provisions in place to address these concerns.

(2) To enable Members to consider the policy and resource implications associated with the Serious Case Review.

### **C2635 SUPPORTING PEOPLE - SUPPORTING PEOPLE OPERATIONAL PLAN 2006/07 - 2007/08 (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

The purpose of the report was to adopt the draft Supporting People Operational Plan 2006/07 - 2007/08 and seek authorisation for its submission to the Welsh Assembly Government by 30<sup>th</sup> September, 2006.

Supporting People was the policy and funding framework for delivering accommodation based support to vulnerable people in different types of

accommodation and across all tenures. In line with the Guidance, the Council had established a Supporting People Planning Group to co-ordinate and develop the SPOP. Membership of the SPPG was made up of officers from the Housing and Community Safety and Community Care and Health Divisions of the Council's Community Services Directorate, the National Probation Service, the Vale Local Health Board and the Voluntary Sector. Attached at Appendix A to the report was the draft SPOP for 2006/07 - 2007/08.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Supporting People Operational Plan 2006/07 - 2007/08 attached to the report be approved.
- (2) T H A T the use of the Urgency Procedure under Article 13 of the Council's Constitution be invoked to enable the Supporting People Operational Plan to be submitted to WAG by 30<sup>th</sup> September, 2006.
- (3) T H A T the report be referred to the Scrutiny Committee (Community Wellbeing and Safety) for information.

Reasons for decisions

- (1) To ensure the Council complies with the timetable requirements of WAG.
- (2) To meet the WAG deadline.
- (3) For information.

**C2636 MEMBERSHIP OF WESTERN VALE INTEGRATED CHILDREN'S CENTRE MANAGEMENT BOARD (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

Cabinet was requested to consider nominating one or more Elected Members to represent the Vale of Glamorgan Council on the Western Vale Integrated Children's Centre Management Board. The WVICC Management Board had been created to ensure that all parties were working together for the benefit of children and families and the wider community and to demonstrate the outcomes that were being achieved. To date, the Western Vale Integrated Children's Centre had been developed under the oversight of a Steering Group and on 29<sup>th</sup> June, 2006, the Steering Group had agreed that a WVICC Management Board should be established.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the Cabinet Member for Social and Care Services be nominated as one of the Council's two representatives of the Western Vale Integrated Children's Centre Management Board.

(2) T H A T expressions of interest be invited from Western Vale Ward Members to be the Council's other representative and that a further report as a result of that exercise be submitted to Cabinet.

Reasons for decisions

(1)&(2) In order that the Vale of Glamorgan Council was appropriately involved with the project.

**C2637 INSTALLATION OF CCTV CAMERAS AT LLANTWIT MAJOR AND RHOOSE TRANSPORT INTERCHANGES (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet approval was sought for the installation of CCTV cameras at Llantwit Major and Rhoose transport interchanges, both of which had been designed and procured by the Council using Transport Grant funding from the Welsh Assembly Government.

Relevant officers had met with the Police earlier in the year to discuss the ongoing vandalism and anti-social behaviour problems at the interchanges and it was agreed that the installation of CCTV cameras would greatly assist in tackling these problems and help to reassure those using the interchanges.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the principal of installing CCTV cameras at Llantwit Major and Rhoose transport interchanges be endorsed.

(2) T H A T all current and future revenue implications associated with the CCTV scheme be met from the Directorate of Environmental and Economic Regeneration's budget.

(3) T H A T the Director of Environmental and Economic Regeneration be authorised to appoint the most advantageous contractor based on price and track record.

Reasons for decisions

(1) To help produce actual crime and fear of crime at both transport interchanges.

- (2) To ensure that sufficient money is allocated for the scheme on an annual basis.
- (3) To expedite the matter.

**C2638 MANAGEMENT OF THE STRENGTHENING PROGRAMME FOR NETWORK RAIL OWNED STRUCTURES (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

The report informed the Cabinet of the impact that the Network Rail assessment and strengthening programme would have on the Council's highway network and of the financial implications to the Council of Network Rail's proposed strengthening programme.

As part of a national assessment programme, Network Rail in conjunction with the Council as Highway Authority, had assessed all roads over railway structures to determine their ability to carry highway loading to current standards.

The report stated that there were twelve Network Rail owned structures within the Vale of Glamorgan that carried the adopted highway. The five which had been identified as being substandard were noted in Table 1 of Appendix A to the report, and as a result of the above, the following assessment had been undertaken:

**Stanwell Road, Penarth**

Assessment showed that the footway and edge beams had been unable to support current traffic loading. Traffic had been prevented from gaining access to the footway and edge beams by the installation of trief kerbs.

**Penarth Road, Cogan**

Assessment had shown that the footway and edge beams were unable to support current traffic loading. Traffic would be prevented from gaining access to the footway and edge beams. So as not to conflict with ongoing works in relation to the International Sports Village at Baron's Court Junction of a temporary barrier preventing vehicular access to the footways had been put in place, the final highway alteration works were to be installed in October 2006.

**Peterston Road, Peterston-S-Ely**

Further assessment had been undertaken by Network Rail to determine the load carrying capacity of the structure, the results of which indicate that the structure will carry the required 40t capacity. This was acceptable to the Highway Authority and no further work was required.

### Ewenny Road, Ewenny

Network Rail had confirmed that the structure did not meet their load-carrying obligation and also failed to meet the Highway Authority requirements. Traffic light controlled single way working across the structure was in place and would remain until such time as a strengthening scheme could be progressed. The cost of the final strengthening scheme will be divided between the Council and Network Rail in accordance with the terms of the Agreement. This would result in the Council having to fund 50% of the feasibility, design and construction costs of a replacement structure.

### Claypit Way, St Athan

The Council had introduced traffic light controlled single way working on this structure. This would be retained until such time that Network Rail could determine a strengthening proposal. Discussions with representatives of the St Athan Camp complex had indicated that any restriction to traffic across this structure was unacceptable to them. However, the Council as Highway Authority, had no option but to act on information regarding the strength of a structure carrying the adopted highway. Network Rail were being urged to progress the design of the strengthening works on this structure as a matter of priority so that this structure could be brought up to full load carrying capacity.

Network Rail had prepared a programme of works based on the outcome of the assessment of the 12 structures on the Council's highway network. In accordance with the assessment agreement the Council was responsible for contributing towards identified works to address the five substandard structures to ensure the continued safety of highway users. Network Rail had requested that the Council confirmed its commitment to provide appropriate funding to effectively manage the strengthening programme.

A report to Cabinet on 4<sup>th</sup> June, 2003 highlighted the difficulty the Council has in managing the outcome of the assessment of railway authority structures on the highway network and the difficulty in allocating funding to a programme it had no control over.

The Highway Structure Maintenance revenue budget was inadequate to properly address anything other than the introduction of a load restriction in cases where this is an acceptable solution. The programme attached at Table 2 Appendix B to the report indicated the level of funding required to be included in the capital Programme over the next 2 years so as to meet Network Rail's strengthening programme. A capital bid for £575,000 would be made for 2007/08.

Network Rail had an obligation to maintain the load carrying capacity of their structures in accordance with BE4, Railway Bridges (Load-Bearing Standards), (England and Wales) Order 1972.

The Agreement between Network Rail and the Council was 'Bridgeguard 3: General Conditions Agreement of Bridges in the Vale of Glamorgan March 1998'. Under this Agreement the Council and Network Rail had the following responsibilities:

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- The Council will pay to Network Rail all reasonable costs incurred associated with the assessment to the Highway Agency Standard BD21/97 and Advice Note BA16/97 for the bridges within the County.
- If any bridge fails to meet the 40-tonne assessment live load requirement Network Rail shall at its own cost arrange for a further assessment of the structural element to determine whether it meets their Load Bearing Obligations.
- The Council shall at its own cost, arrange for those highway alterations or other measures which are considered necessary in order to restrict the use of the bridge to vehicles within its assessed load bearing capacity.
- Should an assessment confirm that the structure does not meet the Network Rail load bearing obligation. The cost of such repair/strengthening or remedial works to bring the structure to the full highway load carrying capacity will be divided in proportion to the load bearing obligations of Network Rail and the Council's requirement.”

This was a matter for Executive decision.

RESOLVED - T H A T the Council's existing commitment to the Bridgeguard 3 Agreement with Network Rail be noted.

Reason for decision

To confirm the Council's position.

**C2639 PENARTH MARINA ESCARPMENT STABILISATION (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

The report advised Cabinet of the outcome of a risk assessment and subsequent feasibility study which had been undertaken to determine the risk posed by the instability of the natural escarpment at Penarth Marina and Cabinet approval was sought to progress the design of an appropriate engineering solution to the problem.

The Vale of Glamorgan Council had take responsibility for the management of elements of infrastructure of the Penarth Marine and the adjacent escarpment on the demise of the Cardiff Bay Development Corporation in 2000. The Engineering Design and Procurement Division had been requested to investigate the stability of the escarpment and commissioned specialist

consultant Mott MacDonald to undertake a comprehensive study from Tesco Supermarket in the north to Paget Hill in the south. The outcome of the study had provided a risk assessment at 12 sections along the escarpment. As a result of the assessment, Mott MacDonald was also further commissioned in August 2004 to identify appropriate engineering options to address the areas considered to be a significant risk and to prepare a feasibility report containing indicative cost estimates for the various options.

Following representations by Quay Marinas Ltd., who questioned whether the temporary fencing could be removed, a review of the initial risk assessment of the slope was carried out in April 2006. This review confirmed that the risk was still considered to be significant and recommended that fencing remain in place until the slope was stabilised.

It was noted that officers from the Council's Estates Group had investigated the opportunities for relocating Quay Marinas Ltd. to another site within Penarth Marine but no alternative site was available. The officers had also advised that the costs associated with compensating Quay Marinas Ltd. following the termination of the current lease would be prohibitively expensive and that an engineering solution would prove the most cost-effective. The Chief Executive commented that in future where the Council was owed money, action should be taken immediately.

RESOLVED -

(1) T H A T a further report be presented to Cabinet in due course once the most appropriate engineering solution had been determined and the detailed design had been completed.

(2) T H A T the Director of Environmental and Economic Regeneration instigate urgent action to recover outstanding rental from Quay Marinas Ltd.

Reasons for decisions

(1) To keep apprise Members.

(2) To safeguard the Council's interest.

**C2640 PLANNING POLICY WALES COMPANION GUIDE (JUNE 2006) (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

The Welsh Assembly Government had recently published the "Planning Policy Wales - Companion Guide". The Companion Guide had been prepared to guide planners and other stakeholders in applying the Assembly Government's planning policy to the new system of Local Development Plans. A copy of the document was attached to the report and had also been placed in the Members' Room for information.

RESOLVED -

- (1) T H A T the report and the content of the Companion Guide be noted.
- (2) T H A T the report and the content of the Companion Guide be referred to Planning Committee for information.

Reasons for decisions

- (1) To inform Cabinet Members of the latest Assembly Government Guidance in respect of Planning Policy.
- (2) To inform Planning Committee Members of the latest Assembly Government Guidance in respect of Planning Policy.

**C2641 TRANSPORT GRANT SUBMISSIONS 2007/08 (DEER)  
(SCRUTINY - ECONOMY AND ENVIRONMENT) -**

The purpose of the report was to advise the Cabinet of the receipt of the Transport Grant Guidance Notes for completion of bids for 2007/08, to provide an outline of the intended content of the Council's Transport Grant Bid for 2007/08, and to obtain authority for the submission by 22<sup>nd</sup> September, 2006 of the Council's Transport Grant bid for 2007/08.

Each year local authorities were invited to submit bids for Transport Grant funding from the Welsh Assembly Government. However, unlike in previous years the 2007/08 guidelines had been issued without an indicative all Wales budget allocation although local authorities progressing major schemes had been given indicative allocations for 2007/08 when the 2006/07 allocations had been announced in January 2006. Cabinet was advised that with the exception of new schemes to be submitted under the Safe Routes to Schools programme, the WAG had again advised that it would not consider TG bids for new schemes. In the light of this, TG bids were only invited for:

- Schemes already receiving Transport Grant support'
- New Safe Routes to Schools schemes.

The report therefore proposed that the TG bid for the Vale of Glamorgan for 2007/08 would comprise the following elements:

- Barry Central Station;
- The Merrie Harriers Gyrotory System and Cardiff Road Bus Lane;
- Safe Routes to Schools.

The TG bid had to be submitted to the Welsh Assembly Government by the 22<sup>nd</sup> September 2006 deadline and as a consequence it had been necessary to circulate the final bid documents based on the information given in paragraph 5 in the report, at the meeting.

Under Safe Routes to Schools, it was reported that funding would comprise of bids associated with the following schools:

- Cowbridge Comprehensive
- St. Andrews Major Church in Wales Primary
- St. Brides Major Church in Wales
- St. Cyres Comprehensive, Penarth
- Sully Primary School
- Y Bont Faen Primary School, Cowbridge.

The officer at the meeting, however, advised that due to issues in relation to St. Brides Major Church in Wales School, the Authority would not be submitting a bid for this school and the school had been advised accordingly.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the contents of the 2007/08 Transport Grant bid as outlined in the report to enable the bid to be forwarded to the Welsh Assembly Government by 22<sup>nd</sup> September 2006, be agreed in principle with the exception that St Brides Major school would be removed from the list.

(2) T H A T the Transport Grant Submission ,as drafted and with the deletion of St Brides Major school be endorsed and be forwarded to the Welsh Assembly Government by 22<sup>nd</sup> September, 2006.

(3) T H A T £498,000 of funding between the Merrie Harriers Gyrotory System and Cardiff Road Bus Lane scheme to the Barry Central Station project be vired, subject to Welsh Assembly Government approval.

#### Reasons for decisions

(1) to provide Cabinet with guidance on the proposed content of the 2007/08 Transport Grant bid to the Welsh Assembly Government and to ensure that the bid for 2007/08 reaches the Welsh Assembly Government by 22<sup>nd</sup> September 2006.

(2) To enable the final bid to be agreed and to enable the acceptance of any Transport Grant offer made to the Council by the Welsh Assembly Government.

(3) To enable the virement of funding from the Merrie Harriers Gyrotory System and Cardiff Road Bus Lane scheme to the Barry Central Station project.

**C2642 OPENING DOORS: CHARTER FOR SME FRIENDLY PROCUREMENT (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Approval was sought to adopt the Opening Doors: Charter for Small and Medium Enterprises Friendly Procurement. The Charter had been produced by Value Wales and was part of the programme of actions to deliver a consistent approach to procurement across the public sector in Wales at the same time as addressing issues of particular concern to SME's.

This was a matter for Executive decision.

RESOLVED - T H A T the "Opening Doors: Charter for SME Friendly Procurement" be approved for adoption by the Council.

Reason for decision

To adopt the good practice principles contained within the guidance to ensure the involvement of local SME's in procurement activity of the Council.

**C2643 LOCAL AUTHORITY BUSINESS GROWTH INCENTIVE (LABGI) GRANT SCHEME (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

The report outlined the shortfall in funding which was available for 2006/07 from the LABGI scheme. The scheme itself allowed authorities to receive a proportion of the increases in local business rate revenues to spend on their own priorities in their local area. The scheme was not part of the Assembly Government's Departmental Expenditure Limit and was outside the Barnett formula arrangement. The forecast budget for the scheme for Wales over 3 years was £60m. Since the Treasury managed this sum, the initial distribution was based on a model developed by HMT and ODPM, which used an 8 year analysis of business growth based on local rating lists. The actual distribution would then be based on actual growth in rateable values for authorities in Wales, with rateable values being measured each December. Allocations were therefore made to authorities on the basis of their HMT/ODPM model as an advance payment. The Vale of Glamorgan received an allocation of £1,160,752 out of a total of £13.4m. for Wales. Under the scheme, this figure is the minimum amount the Council would receive over its 3 year life and had been included in the base budget for 2005/06. In February 2006, indicative allocations for 2005/06 and 2006/07 were received from WAG being £1,160,752 for 2005/06 and £1,585,206 for 2006/07. the 2006/07 figure had been increased by 36.56% in line with the overall increase for Wales.

Cabinet was informed that on 8<sup>th</sup> February, approved allocations of £600k. in respect of Dyffryn House and £100k. in respect of biodiversity projects subject to LABGI grant being received in 2006/07 had been approved.

This was a matter for Executive decision.

## RESOLVED -

- (1) T H A T £100,000 funding for Biodiversity Projects be released.
- (2) T H A T £600,000 funding for the Dyffryn project be allocated from the Projects Fund.
- (3) T H A T the Leader write to the Minister for Finance and Local Government requesting a full explanation of the changes and the restoration of the original level of grant.

Reasons for decisions

- (1)&(2) That the project can be implemented.
- (3) To make further representation.

**C2644 OFFICE ACCOMMODATION - PROVINCIAL HOUSE (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet was provided with the current position with regard to the above premises and the alterations required to all floors to make it fit for purpose. Approval was also sought to accept a compliant tender for the works.

A previous report to Cabinet in June 2005 (Cabinet Minute C1992) approved the development of the new build and alteration to the Civic Offices to accommodate the Contact Centre / OSS as well as concluding negotiations for the assignment of the leasehold interest in Provincial House. Since that time, protracted negotiations to agree accommodation layouts for both the Open learning Centre and other identified departments had taken place. Originally, estimates of £323k. for works were identified at an early stage. However, on acquisition of the property, full access to the entire building was gained which enabled a thorough survey to be undertaken. This in turn identified that a number of issues needed to be addressed including additional costs, in order to bring the building up to an acceptable standard of office accommodation in the light of all current legislation and building regulations such as:

- The presence of low risk asbestos needing to be considered in the construction process;
- Substantial electrical and mechanical / ventilation upgrades to allow for a mixed use of staff and clientele in office accommodation;
- Additional ventilation to basement car park;
- Upgrade and increase of toilet facilities for staff and clientele of Open Learning Centre;
- Associated DDA works in full;
- Internal works covering security arrangements to segregate other staff from the clientele of Open Learning Centre;
- External works to site to improve access and security, as a result of discussions with adjacent property owners in Buttrills Road.

As a result, the estimated total cost of the conversion and refurbishment including advance preparation works already completed and associated fees was £660k. A total cost of £660,000 represented an increase on the original assumed cost of £323,000. The report stated that the scheme could be funded from the Building and E-Government Reserve.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the proposals to convert and refurbish Provincial House be approved.
- (2) T H A T the target cost (tender) figure of £546,793 negotiated with Andrew Scott Limited for the works be accepted and that the Urgent Decision Procedure be authorised in accordance with paragraph 13.09 of the Council's Constitution.
- (3) T H A T the Capital Budget for office accommodation works to include the increase in costs of Provincial House from £323,000 to £660,000 be increased.

Reason for decisions

To achieve full occupation of Provincial House as soon as possible.

**C2645 UNLOCKING THE POTENTIAL OF SPECIAL SCHOOLS - PILOT PROJECT (DLD) (SCRUTINY - LIFELONG LEARNING) -**

Cabinet approval was sought to apply for / accept the following grant: "Unlocking the Potential of Special Schools - Pilot Project".

The grant was to develop pilot projects that would promote further inclusion and develop the role of special schools by identifying and disseminating good practice by special schools in developing links with mainstream schools, and promoting special schools' contribution to an increasingly inclusive education system.

The duration of the grant was for 3 years, 2006 – 2009 with the total allocation available to the Vale Council's special schools as follows:-

2006 – 2007	£51,671
2007 – 2008	£93,948
2008 – 2009	£93,948

No match funding was required although schools and the Council may contribute funding to support the project.

The grant would be spent in developing outreach services, for mainstream school pupils with Autistic Spectrum Disorder, Physical Disabilities or severe and complex learning disabilities, from the three Vale special schools, Ashgrove, Ysgol Erw'r Delyn and Ysgol Maes Dyfan.

The projects would help to develop the capacity of mainstream schools to meet the needs of pupils with disabilities, with an increasing number of these pupils remaining within their local community school, rather than transferring to the special schools.

The three special schools each had an allocation totalling the amount specified in Paragraph 3 above, and would use the funding to employ staff to undertake the outreach programmes.

Exit Strategy - The projects would identify good practice which would be embedded into ongoing activity after the grant had ceased when the additional funding would no longer be available.

This was a matter for Executive decision.

RESOLVED - T H A T the grant for the purpose identified in the report be accepted.

Reason for decision

To use the grant to promote an inclusive system for all learners, to help schools develop the capacity to meet the needs of learners within their locality.

**C2646 SCHOOL INVESTMENT STRATEGY - UPDATE (DLD)  
(SCRUTINY - LIFELONG LEARNING) -**

The report outlined the outcomes of the work undertaken by the external consultants MACE and sought Cabinet approval to commence delivery of the Investment Strategy.

Earlier in the Summer, MACE had been appointed as external technical advisers/consultants with respect to the School Investment Strategy. The consultants' final report was attached at Appendix 1 and summarised below. It was noted that given the size of the document overall, only certain of the appendices from the report were presented to Cabinet. However a full set of the appendices were available within the Members' room.

The School Investment Strategy was divided into two streams:

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- The rebuild / redevelopment of Cowbridge, St Cyres and Llantwit Major secondary schools, whereby the schools are constructed individually on a phased basis up until 2012

- Investment in all other school buildings on a phased basis up until 2016.”

The School Investment Strategy was approved by the Council on October 12<sup>th</sup> 2005. It incorporated a combination of the Council's supported borrowing, unsupported borrowing, a target for capital receipts and Welsh Assembly Government grant funding. At that time, it was estimated that £42.19 million was required for the three secondary schools, and £25.68 million for all other schools, giving a total estimated expenditure requirement of £67.87 million. Overall there was a shortfall of £14.97 million. Therefore, including the capital receipts target of £6.5 million, it was identified that a 'cash injection' of £21.47 million was necessary to cover the shortfall and deliver the strategy in full.

The Investment Strategy needed to be progressed as quickly as possible in order to ensure that the Welsh Assembly Government's one off grant of £9million was spent according to the required profile between April 2007 and March 2010.

Originally, Cowbridge school was indicatively scheduled for completion in September 2008. Whilst technically this was still achievable, the consultants advised that such an accelerated delivery would incur additional costs of several million. Therefore they recommended that the completion date for Cowbridge be re-scheduled for the end of 2009.

A key task for the technical consultants was to confirm the original cost estimated in the School Investment Strategy. With respect to the three secondary schools, the consultants established that build costs could increase to £48.53 million unless a combination of innovative design, faster programming, and bundled procurement were applied to achieve building and construction benchmarked lower quartile costs. This was after a downward area adjustment to reflect accommodation schedules determined via the design brief stage. However, the consultants had identified means by which the three schools could be constructed for £37.48 million i.e. £4.71 million less than the original estimate of £42.19 million.

It was previously estimated that £25.68 million was required in terms of investment in All Other Schools. This was mainly repairs and maintenance. The Consultants believed that this estimate was too low, and should more prudently be set at £27.65 million. Although the consultants did not undertake a full condition survey, they did visit a representative sample of schools. They further recommended that, rather than just undertaking a global condition survey, more targeted investigations be undertaken by key Vale personnel and selected consultants. This would result in work packages being developed for periods of up to three years, which would help achieve cost certainty and value for money.

In terms of the three secondary schools, the consultants had researched low cost innovative design and construction techniques applicable to school buildings. These minimised the complexity of buildings and provide sustainability by ensuring future flexibility.

The consultants had also undertaken significant technical analysis and incorporated detailed benchmarking exercises. The consultants identified that one of the key issues in controlling and minimising costs was to bundle and programme the three schools together as one package. This approach would result in economies of scale for the contractor in terms of tendering costs and other management costs. The consultants estimate that bundling the three schools would save around £1million of such costs.

Further savings could be obtained by 'fast tracking' the construction of the three schools. The consultants compared two options of programme delivery incorporating fast track delivery, namely:

- Option 1: Fast tracking the three schools so they are all constructed by the end of 2009
- Option 2: Fast tracking two of the schools for construction by the end of 2009 and medium tracking the third school for completion by the end of 2012.

Detailed analysis of the construction costs and cash flow implications of the two options above were provided in the consultants' report which were attached at Appendix 2 and 3 to the report.

Against the original estimated costs, the options provided for savings of £4.71 million (Option 1) and £4.01 million (Option 2). As well as ensuring completion of the three secondary schools, both the Options would also ensure there was annual investment in "All Other Schools" of £1.9 million up until 2009/10 and thereafter annual investment of £3.3 million up until 2015/2016. However, the profile of investment available to 'All Other Schools' may vary depending on the timing of individual stages of construction of the three secondary schools and the associated cash flow requirements.

The consultants were confident that lower quartile costs of £37.48 million in Option 1 and £38.18 million in Option 2 can be achieved. Effective management of the design and construction may also result in reduced costs to those quoted above.

As a comparison, the consultants' report considered the implications of not fast tracking, but instead individually constructing the three secondary schools on a phased basis by 2012. In terms of costings, although it may still be possible to secure lower quartile costs, the lack of fast tracking and programme bundling would reduce cost certainty. As a consequence the construction costs could significantly increase. Furthermore, factors such as the infrastructure required for the London Olympics in 2012 will inevitably affect construction costs in the later stages of phasing.

The consultants had therefore considered two Scenarios as follows:

Scenario 1: Individual construction on phased basis at lower quartile costs (Best Case)

## Scenario 2: Individual construction on phased basis at increased median costs (Worst Case)

Detailed analysis of the construction costs and cash flow implications of the two scenarios above were provided in the consultant's report attached at Appendix 4 and 5.

Both Scenarios provided for the completion of the three secondary schools by 2012, with annual investment of between £1.9 million and £3.3 million in All Other Schools. The level of investment in All Other Schools may vary depending on the detailed cash flow requirements of the three secondary schools.

A further task for the consultants was to address the shortfall on the Strategy. They advised that capital receipts may well be sufficient to bridge the shortfall and recommended that realisation of capital receipts should be commenced as soon as possible. A further Cabinet report would be presented highlighting how this could be achieved, and investigating timing implications in terms of realisation of capital receipts. The report would also include an update on specific issues such as the Cowbridge Trust land.

It was noted that the Council would not have to finally commit to one of the options for the construction programme until April 2007. By this time a full financial appraisal would have been completed along with a more detail assessment of the feasibility of capital receipts. The financial appraisal would also consider the implications of fast tracking in terms of the authority's cash management and loss of interest. However whichever option is selected, at least one secondary school would be constructed by 2009. In the event fast tracking could not be secured, then the time-scales for delivery of the Strategy may need to be re-visited. However, as also discussed below, the Council must progress the Strategy by instigating the initial procurement steps.

In terms of procurement options, the consultants advise that the Vale could not benefit from the use of a strategic partnering arrangement because the time-scales involved in establishing the strategic partnership would prevent realisation of the full cost efficiencies and reductions highlighted above. The consultants would recommend bundling the three secondary schools using a Construction Management route, with particular emphasis on managing out risks during the construction cycle; however they recognise that the Vale were likely to require cost certainty at placement of contract, and so they were recommending a Design and Build contract, agreed after major risks were quantified and resolved. This procurement route would ensure costs were controlled and remained within budget.

In order to ensure the recommended procurement route was achieved, and project risks reduced, the design development of the three schools would need to be conducted to RIBA Stage D before going to market with a tender for Design and Build (D and B) services. It was recommended that MACE be retained to undertake this work due to insufficient in-house capacity to undertake this work.

The consultants had recommended a fast tracked and bundled procurement programme which would deliver the three secondary schools and all necessary investment in All Other Schools by 2016.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T exemption to Financial Standing Orders is approved so that the services of MACE are retained to provide the technical advice and support necessary to proceed to the procurement stage for the three secondary schools in April 2007 and that Cabinet approve the use of the Urgency Procedure to enable the extension of MACE's appointment, subject to a satisfactory due diligence exercise being carried out by Legal Services and the Procurement Team. Pending the outcome of the due diligence exercise the current contract be extended to include the following work at an estimate sum of £50,000:

- Detailed programme planning
- Preparation of project execution plan
- Undertaking de-risking exercises such as site surveys
- Preparation of OJEU notice, evaluation criteria and processes
- Continuation of technical advice.

(2) T H A T a detailed financial appraisal of the available options be undertaken by the Directors of Learning and Development and Finance, ICT and Property to include an assessment of the potential for realising education capital receipts by January 2007 and that the appraisal be reported to Cabinet.

(3) T H A T suitable external consultants be engaged to support the targeted surveys of All Other Schools.

(4) T H A T a further report be submitted by the Director of Learning and Development to Cabinet on 4<sup>th</sup> October on project management.

#### Reasons for decisions

(1) To ensure the strategy is progressed. Use of the Urgency procedure would ensure there was no disruption to the progress of the Investment Strategy.

(2) To ensure the Council are able to confirm the programme delivery option by April 2007.

(3) To ensure that any cost reductions with respect to the investment in All Other Schools can inform the choice of programme delivery option in April 2007.

(4) To ensure effective management of the project.

NB: Councillor J.W. Thomas had previously declared an interest in this matter vacated the room for the duration of the discussion.

**C2647 REVIEW OF DISCRETIONARY PENSIONS, RETIREMENT AND REDUNDANCY POLICIES (DLD&DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Members were apprised of recent changes to the Pension Scheme and to consider and if appropriate agree policies in respect of discretions under the Local Government Pension Scheme and associated regulations.

The Council as an Employer was required to produce a Policy Statement setting out the policies followed in exercising certain discretions under the Local Government Pension Scheme. The policy was last revised to take account of changes to the regulations made on 3<sup>rd</sup> August 2005. There had been further changes to regulations which required a review of the policies. Discretions were made under the following regulations -

- The Local Government Pension Scheme Regulations 1997 and The Local Government Pension Scheme (Transitional Provisions) Regulations 1997– see Appendix A
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 – See Appendix B
- The Local Government Pension Scheme (Amendment) Regulations 2006 – see Appendix C

The following changes had been made to the pension scheme, since the last review was undertaken in August 2005 -

- With effect from 6<sup>th</sup> April 2006, as a result of the Finance Act 2004, the ODPM revised the scheme regulations to fall into line with current tax regime as it applies to pensions. These were outlined in Appendix D to the report.
- The 85-year rule had been removed for all new members of the scheme who join on or after 1 October 2006. For existing members it was removed in respect of benefits accruing after 31 March 2008.. There was no effect on any benefits that had been accrued up to that date. Transitional protections would be applied to existing scheme members who will be aged 60 or over by 31 March 2016 and who would have satisfied the 85 year rule at the time they retire.

The 85-year rule determined whether pension benefits paid before age 65 were subject to an early retirement reduction. Prior to the change with voluntarily retirement before age 65, where age plus scheme membership (in whole years) equals 85 years or more there would be no early retirement reduction applied to benefits.

New Discretionary Compensation Regulations were also due to be brought in with effect from 1<sup>st</sup> October 2006. From this date it would not be possible to

grant compensatory added years and the powers to make discretionary one-off lump sum payments where employment is terminated early will be revised. This was to ensure that the scheme complies with legislation on age discrimination.

The Council's policies on redundancy and retirement would need to be reviewed in the light of the new regulations.

It was intended that new regulations would allow a general discretionary power to award compensation up to a maximum of two years pay (104 weeks). Whilst the changes would come into force from 1<sup>st</sup> October 2006 it was anticipated that the amending legislation and guidance may not be available on time. In any case, a review or new policy could only come in one month after its date of issue.

This was a matter for Executive decision.

#### RESOLVED -

- (1) T H A T the changes to the LGPS outlined in paragraph 6 of the report be noted and implemented as appropriate.
- (2) T H A T the Council's policies on LGPS as set out in Appendices A,B and C to the report be approved with the exception of item 10 being the subject of a further report to Cabinet.
- (3) T H A T as an interim measure, voluntary redundancy payments be paid in line with the scheme outlined in paragraph 12 of the report and reviewed when new regulations and guidance are in place.
- (4) T H A T the policies be published in line with the regulations.
- (5) T H A T the administering authority (City and County of Cardiff) be informed of the changes.
- (6) T H A T a further report be made to Cabinet on flexible retirement as policy was developed.

#### Reasons for decisions

- (1) To inform Members.
- (2) To implement updated discretions following review and to seek clarification in respect of item 10.
- (3) To have a workable scheme until new guidance can be considered.
- (4) In line with regulations.
- (5) In line with regulations.
- (6) To enable more detailed review.

**C2648 APPOINTMENT OF A LEAD DIRECTOR AND DESIGNATION OF A LEAD MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES (CMT) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY / LIFELONG LEARNING) -**

Cabinet was advised that Section 27 of the Children Act placed a duty on every local authority in Wales to appoint a Lead Director for Children and Young People's Services and designate a Lead Member for Children and Young People's Services. The Lead Directors would have three key roles:

- Promoting partnership working, both corporately across departments of the local authority and between the authority and its partners. This responsibility is independent of any operational responsibility a lead Director may have for a particular service. It centres on enabling co-operative joint working to take place.
- Provide the leadership needed to ensure that partnership planning is given a high profile within the local authority and promotes strategic change for children and young people. This includes promoting the sharing of necessary planning information and a constructive atmosphere for decision making. They should act as a point of contact for partners to enable them to raise any concerns they may have over inclusion of their views in decision making. The Lead Director needs to ensure that partnerships have clear governance arrangements, a focus on outcome measures in their planning and regular assessment of their performance. Lead Directors are responsible for making sure that the arrangements for partnership governance are agreed and reviewed at least every two years and have responsibility for regular completion of the NSF for Children, Young People and Maternity Services SAAT. The Lead Director will also be responsible for co-ordinating arrangements to produce a single Children's Plan by 2008. This will combine existing Education, Children and Partnership Plans into a Single Plan.
- Implementation of the UN Convention on the Rights of the Child. This responsibility will include ensuring that children and young people, and their families participate in the preparation and review of the Children and Young People's Plan, that their views are effectively represented and that matters raised by them receive a response."

The Lead Member's role would mirror that of the Lead Director's role at a political level. As a result of the above, Councils effectively had two main options in relation to the lead Director roles, to:

- (a) Identify the Director of Social Services or
- (b) Identify the Chief Education Officer.

The third option of designating the Chief Executive as the Lead Director had not been considered as the role of the Chief Executive was to provide

corporate management rather than concentrating on specific service / client area.

Options (a) and (b) had both been applied in different Councils in Wales and whilst the majority of Councils (15) had identified the Director of Education as Lead Director, either Director could undertake the role. The advantages of each of the two options were as follows:-

Option (a)

“

- Significant progress has been achieved to date in delivering the partnership agenda, including the completion of the NSF for Children, Young People and Maternity Services
- The current line management arrangements relating to the Lead Director responsibilities are already well established within Community Services
- The Director of Community Services has been the Chair of the Children and Young People's Partnership since its establishment
- Significant progress made around the Corporate Parenting agenda
- The key relationships regarding safeguarding have been established through Children's Services
- The established relationship with the Vale LHB, the Cardiff and the Vale NHS Trust and the Bro Morgannwg Trust
- Work is currently in hand to establish a more direct link between commissioning children services and the Framework Partnership and this is being undertaken in partnership with the same health and education partners who are directly involved in delivering safeguarding services
  - The line management and reporting arrangements are already reasonably well-defined and coherent whereas a change in lead would necessitate either twin reporting lines or a transfer of staffing and resources to Learning and Development.”
- The current Scrutiny relationship was clear

Option (b)

“

- Council obligations under the Children's Act relate to universal services for children and young people. There are approximately 30,000 children within the Vale of Glamorgan covered by the legislative provisions. The integrated planning of provision envisaged is on behalf of all children and is not restricted to those for whom the Council has

additional obligations as corporate parent. For the population affected, Education is the only common statutory local authority service.

- The delivery of a high quality education service appropriate to the needs of individual children and young people is the key to unlocking potential and sustainability. Pre school and early years education, the identification of additional needs, management of behaviour support interventions and the delivery of joined up youth services all play a significant part.
- The current partnership structures need to be reviewed and refocused to address local delivery mechanisms. Strategic partnerships which provide comfortable consensus at Corporate levels offer little practical added value if they do not engender, provide and deliver partnership working at community level. Community schools provide the obvious basis for this work, building an existing expertise and avoiding unnecessary duplication.
- The Assembly Government agenda to promote Community Focused Schools reflects an expectation that schools have the potential to support integrated community based service delivery. Within the Vale of Glamorgan, schools will operate within community groupings to progress this agenda. The School Investment Strategy agreed by the Council reflects an expectation that schools will operate, increasingly as community facilities.
- Irrespective of the Lead Director decision, partnership structures and funding arrangements, management structures and Scrutiny obligations under the Children's Act will need to be reviewed. The status quo is not an option.
- The criticisms highlighted in the recent Barnardo's report on young care leavers entitled "Failed by the System" highlighted the following education issues which need to be addressed:-
  - Lack of educational qualifications
  - 50% not in education, employment or training
  - high levels of exclusions
  - low levels of school attendance
  - high incidences of bullying at school
  - low levels of school "praise"
  - lack of designated teacher and teacher awareness
  - confusion regarding differentiation at school
  - lower levels of "interest"/awareness e.g. at parents evenings."

Whatever option was to be agreed by the Cabinet there would need to be:-

- A rationalisation of the planning framework / structures in partnership with our partners in Health, the Statutory and Voluntary sectors

- Clear accountability and management arrangements between the Directorate of Community Services and the Directorate of Lifelong Learning in relation to the role of the Lead Director for Children and Young People's Services as set out in the Children Act 2004
- A further report to Cabinet on the establishment of Local Children's Safeguarding Board (LSCB).

After full consideration by the Corporate Management Team of the options it was recommended that the Director of Learning and Development be appointed Lead Director. The rationale behind this recommendation was that the Director had responsibility for providing the bulk of mainstream services to children and young people and it would make sense for him to re-enforce this existing role with these new responsibilities.

The nomination of Lead Member was a matter for Cabinet to determine. The options were to nominate the Cabinet Member for Education and Lifelong Learning or the Cabinet Member for Social and Care Services. The first option had the advantage of clarity, the second option had the advantage of promoting more joined up working between his respective services.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Director of Learning and Development as the Lead Director for Children and Young People's Services be appointed.
- (2) T H A T the Cabinet Member for Social and Care Services be appointed the Lead Member for Children and Young People's Services.
- (3) T H A T the Lead Director produce further reports on
  - Rationalisation of the planning framework structures;
  - accountability and management arrangements between the Directorate of Community Services and the Directorate of Learning and Development in relation to the role of the Lead Director for children and Young People's Services as set out in the Children Act 2004; and
  - the establishment of Local Children's Safeguarding Board.

#### Reasons for decisions

- (1) To enable the Council to identify a Lead Director of children.
- (2) To enable the Council to identify a Lead Member of children.
- (3) To enable the Council to meet the accountability requirements set out in the Children Act 2004.

**C2649 ITEMS WHICH THE CHAIRMAN HAD DECIDED WERE URGENT -**

RESOLVED - T H A T the following items which the Chairman had decided were urgent be considered.

**C2650 SOCIAL SERVICES BUDGET ACTION PLAN (DCS) (SCRUTINY - CORPORATE RESOURCES) -**

**Urgent by reason of: Due to the serious budgetary situation within Social Services, the report needs to be considered by Cabinet as a matter of urgency**

The report outlined options for addressing the current budget issues within Social Services. In 2003/04 the Council had established a Management Fund of £5m. for Community Services. The fund had been available for the following purposes:

- “Invest to Save” initiatives and preventative measures
- Abnormal demands for services
- Continued use in line with the Children’s Placement Strategy.

Since 2003/04, the Service had used the fund as follows:

- 2003/04 £1.4m.
- 2004/05 £2.3m.
- 2005/06 £4.6m.

On 6<sup>th</sup> September, 2006, Cabinet considered a financial monitoring report which predicted that the overspend in the current financial year would be £5.5m. The Director of Community Services was charged with developing an action plan to identify how spending across Social Services could be reduced by £5m. in order to deliver a balanced budget for Social Services.

Attached at Appendix A to the report was the Action Plan that had been developed and which identified proposals across the following service areas:

- Community Care and Health Services
- Children and Family Services
- Strategy, Performance Management and Commissioning
- The whole Directorate.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the Action Plan attached at Appendix A to the report be referred to the Scrutiny Committee (Community Wellbeing and Safety),the

Scrutiny Committee (Corporate Resources) as the lead Committee and to the Audit Committee.

(2) T H A T the Action Plan attached at Appendix A be referred to the Social Services Budget Working Group, the membership of which to be revised to consist exclusively of the Leader of the Council, Deputy Leader, the Cabinet Member for Social and Care Services and the Leaders of all the other political groups (without substitution).

(3) T H A T an independent adviser be appointed to support the Chief Executive and the Leader in considering the Action Plan and its recommendations.

(4) T H A T due to the serious nature of the current budget situation, the proposals in the Action Plan with the exception of decisions requiring formal Cabinet approval be implemented with immediate effect.

#### Reasons for decisions

(1) To enable the Scrutiny Committees and the Audit Committee to consider the proposals.

(2) To address the Social Services budget.

(3) To provide independent advice to the Council.

(4) To start to address the serious budget situation within Social Services.

### **C2651 CORPORATE PLAN REVIEW (CX) (SCRUTINY - ALL) -**

#### **Urgent by reason of the need to progress the Corporate Plan Review Timetable**

The report sought approval of the amendments proposed following a consultation exercise. Cabinet was advised that the draft Plan had been considered by all four Scrutiny Committees and formed the basis of two briefing sessions to which all Members had been invited. Cabinet also received a reference from the Scrutiny Committee (Economy and Environment) dated 5<sup>th</sup> September, 2006 which recommended the following:

(1) T H A T Cabinet be requested to approve the following amendments to the draft Corporate Plan

- CW23 - add at the end of the sentence “including Community Associations”
- E1 - quantifiable targets to be incorporated into the Plan
- E5 - add “the Coastal Strategy to address in particular the management of Llantwit Major beach and its environs

- The Corporate Priority relating to Regeneration to be amended to read "...to promote community, environmental, economic regeneration and fair trade".
- R4 - insert after "... and other mechanisms", "including the development of an Economic Strategy ....."
- R9 - add "and that consideration be given to the establishment of a semi autonomous marketing and publicity body for the Vale".
- Add R18 - "Facilitate the development of a café/restaurant quarter at Barry Waterfront by vigorously pursuing all possible options".

(2) T H A T the Cabinet Member for Building Maintenance, as the Council's Carbon Reduction Champion, be invited to address a future meeting of this Committee on the steps taken to improve the environmental performance of Council vehicles by reducing the amount of carbon dioxide emitted by the fleet and the measures planned for the future.

(3) T H A T a report relating to the re-appointment of the Town Centre Sub-Committee and the Traffic Sub-Committee be submitted at the next meeting.

Cabinet was also advised that comments and queries raised by Members had been appended to the report together with suggested responses at Appendix A.

It was noted that where appropriate the responses were reflected in the revised text which was also attached at Appendix B to the report. The draft Plan had also been circulated to Town and Community Councils for comments and to members of the Vale of Glamorgan Partnership. The Policy Agreement between the Council and the Welsh Assembly Government was under discussion and in certain cases new targets were emerging, notwithstanding the fact that the existing Agreement covered the period 2004/05 to 2006/07. The agreed 'new targets' were included in the revised Plan.

The Corporate Plan was a matter for Council approval.

RESOLVED -

(1) T H A T the following amendments to the draft Corporate Plan 2006/10 be endorsed and that the draft Plan be referred to Council on 4<sup>th</sup> October, 2006 for approval:

- CL1 - that the word "annual" be added into the sentence to reflect the original Plan
- CW23 - add at the end of the sentence "including Community Associations"
- E1 - quantifiable targets to be incorporated into the Plan
- E5 - add "the Coastal Strategy to address in particular the management of Llantwit Major beach and its environs"

- The Corporate Priority relating to Regeneration to be amended to read "...to promote community, environmental, economic regeneration and fair trade".
- R4 - insert after "... and other mechanisms", "including the development of an Economic Strategy ....."
- R9 - add "and that consideration be given to the establishment of a semi autonomous marketing and publicity body for the Vale" and that the target date 2009 be amended to 2007.
- Add R18 - "Facilitate the development of a café/restaurant quarter at Barry Waterfront by vigorously pursuing all possible options".

(2) T H A T the Chief Executive and the Leader be authorised to agree the final content of the Corporate Plan.

#### Reason for decisions

In order to progress preparation of the Corporate Plan 2006-2010.

#### **C2652 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 items of business on the grounds that they involve 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.

#### **C2653 MAKING THE CONNECTIONS IMPROVEMENT FUND (2006): SOCIAL CARE RECRUITMENT AGENCY (DCS) (EXEMPT INFORMATION - PARAGRAPHS 20 AND 21) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

The report sought approval to participate in the Making the Connections Social Care Recruitment Agency and to appoint external consultants to undertake the options appraisal for the Social Care Recruitment Agency.

The Welsh Assembly Government (WAG) had established the MTC Improvement Fund. This fund has been established to encourage collaborative work across the public sector in Wales.

The Association of Directors of Social Services (ADSS) (Cymru) submitted a MTC bid, through the Vale of Glamorgan Council for the establishment of a Social Care Recruitment Agency. The ADSS (Cymru) proposals looked to:-

- research and undertake an option appraisal.
- establish a new social care recruitment agency template.

Cabinet was advised that the Social Care Recruitment Agency would initially target the recruitment of temporary professional social care staff in a collaborative manner and the proposal was looking to pilot the Social Care Recruitment Agency across 12 local authorities in South Wales, from Swansea in the west, to Monmouth in the east.

The Welsh Assembly Government had offered the ADSS (Cymru) £70,000, to be matched funded by £30,000 from the 22 local authorities in Wales.

The lead local authority for this project was the Vale of Glamorgan Council. The ADSS (Cymru) had established a sub-group of Directors of Social Services and Workforce Development/Liaison Resource Officers to project management this proposal. The sub-group had interviewed six prospective organisations to undertake this work. Following these interviews 3 organisations had been requested to submit initial ideas on the Social Care Recruitment Agency and Financial proposals.

The three short-listed organisations were:-

Acorn Recruitment Agency

Daniel Smalley Partnership

Insight HR Consulting Ltd.

Following consideration by the sub-group and having taken into account four key objectives for the project of:-

- Proposal
- Capacity
- Financial
- Creditability,

it was proposed that Daniel Smalley Partnership be appointed to undertake the research and options appraisal for the Social Care Recruitment Agency.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the participation of the Council in the MTC social Care Recruitment Agency project be approved.

(2) T H A T the Daniel Smalley Partnership be appointed to undertake the research and option appraisal for the Social Care Recruitment Agency.

(3) T H A T Cabinet receive regular reports on the Social Care Recruitment Agency project.

(4) T H A T approval be granted to accept the grant from the Welsh Assembly Government.

Reasons for decisions

- (1) To seek authorisation to participate in the project.
- (2) To seek authorisation to appoint consultants to undertake some initial work on the project.
- (3) To ensure Elected Members are kept informed regarding the proposal.
- (4) To expedite the matter.

**C2654 COWBRIDGE CATTLE MARKET (DFICTP) (EXEMPT INFORMATION - PARAGRAPHS 20 AND 21) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet's authority was sought to agree terms with the current market operators for the surrender of their lease and to dispose of the surplus site and complete the disposal simultaneously to the surrender of the market operators' lease.

In June 2005 officers received a letter from the Market Operators, which outlined their proposals for an early surrender of their lease. They suggested that they would consider surrendering their leasehold interest in the market site to the Council on the basis that this would enable the Council to sell its Freehold interest in the site with vacant possession. The Market Operators suggested that they would surrender their lease in return for a set % payment of a share of the proceeds from a sale of the market site.

This was a matter for Executive decision.

**RESOLVED -**

- (1) T H A T the Director of Finance, ICT and Property in consultation with the Leader agree a simultaneous surrender of the Market Operators' lease on appropriate terms, to deem the site surplus to the Council's requirements and dispose of the site by the most appropriate means at the appropriate time.
- (2) T H A T the Director of Legal and Regulatory Services be authorised to prepare, execute and complete all necessary documentation in order to complete the surrender and disposal of the site simultaneously.
- (3) T H A T the Head of Planning and Transportation prepare a revised Planning Brief to support the disposal of the site.

Reasons for decisions

- (1) In order to agree terms for the surrender of the Market Operators' lease to enable vacant possession to be secured on the site and to dispose of the site in the most advantageous way.
- (2) In order to complete the necessary documentation required to effect the surrender of the Market Operators' lease and the disposal of the site simultaneously.
- (3) In recognition of the location the site has in the Cowbridge conservation area.

**C2655 APPLICATIONS FOR LOCAL TAX RELIEF (DFICTP)  
(EXEMPT INFORMATION - PARAGRAPHS 16 AND 17) (SCRUTINY -  
CORPORATE RESOURCES) -**

The report requested the determination of applications for relief from rates and Council Tax that had been received from charitable and other organisations and individuals.

Applicants were requested to supply information that could be related to good practice guidelines. When considering the application the Cabinet considered whether the following criteria had been met where relevant:-

- a) Membership open to all sections of the community
- b) Membership encouraged from particular groups
- c) Facilities available to persons other than members.
- d) Training or education provided to members of the general public.
- e) If the facilities have been provided by Grant aid or Self help
- f) Provides facilities that would otherwise be provided by the Local Authority.
- g) Membership consists of persons mainly resident in the area.

Attached at Appendix A to the report was a schedule of the applications that Cabinet had been requested to consider.

This was a matter for Executive decision.

**RESOLVED - T H A T** the following be approved:

- Royal British Legion 100% discretionary / hardship relief granted as long as the building is used for charitable purposes;
- Sully Sailing Club 100% discretionary relief granted;
- Vale of Glamorgan Credit Union full remission granted from rates;
- Boston Pine Company Ltd. application for hardship relief refused.

Reason for decision

All applications had to be considered on an individual basis.

**C2656 CHANGING ROOMS AND CRICKET PAVILION AT PARC BRYN Y DON, DINAS POWYS: TENDER ACCEPTANCE (DFICTP) (EXEMPT INFORMATION - PARAGRAPH 21) (SCRUTINY - CORPORATE RESOURCES) -**

The report outlined the details of the tenders received and a request for the compliant tender to be accepted.

Tenders had been received from Bect Building Contractors Limited, Davlan Construction Limited, Vale Building Services Limited, A& N Lewis (Small Works) Limited and White Brothers and Speed Limited.

This was a matter for Executive decision.

**RESOLVED -**

- (1) T H A T the lowest compliant tender submitted by Vale Building Services Limited in the sum of £641,147.00 be accepted.
- (2) T H A T the Director of Environmental and Economic Regeneration in consultation with the Leader, make arrangements to mark the commencement of the works and the official opening of the new extension.

Reasons for decisions

- (1) It was a competitive price for the scope of the works specified.
- (2) To maximise awareness of the new facility.

**C2657 CIVIC OFFICES LEASE - PURCHASE OF THE HEAD LEASEHOLD INTEREST (DFICTP) (EXEMPT INFORMATION - PARAGRAPHS 20 AND 21) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet's authority was requested to purchase the Head leasehold interest in the Civic Office building site.

The Council's Civic offices in Barry had been constructed in 1979/1980 by way of a finance Underlease agreement. The Council owns the Freehold interest in the Civic Offices site. In August 1979 the Council granted a Lease of the site to Possfund Trustees Limited for a term of 99 years at a peppercorn rent. Possfund in turn constructed the Civic Office building for the Council and the building and land were subsequently sub-let back to the Council by virtue of an Underlease from August 1979 for a term of 99 years (less 10 days).

The Council had an option to purchase the Head Leasehold interest after January 2005 having firstly given Possfund Trustees Limited at least one months notice of it's intention to do so in writing. The cost of acquiring the Head Leasehold interest was £1.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T Cabinet instruct the Director of Legal and Regulatory Services to serve the requisite notice on Possfund Trustees limited of the intention to acquire the Head leasehold interest in the Civic Offices site for £1.00.

(2) T H A T the Director of Legal and Regulatory Services enter into such legal documentation as necessary in order to complete the acquisition of the Head leasehold interest in the Civic offices site.

Reasons for decisions

(1) In the interests of good Estate Management.

(2) To allow legal officers to complete the necessary legal documentation to complete the transaction.

**C2658 CHANGES TO THE FINANCE / HR FUNCTION  
(DFICTP&DLD) (EXEMPT INFORMATION - PARAGRAPH 12) (SCRUTINY -  
CORPORATE RESOURCES) -**

Cabinet approval was sought for the establishment of an integrated transactional HR and Payroll service for the Council within the Financial Services Division, Systems Administration Team and the transfer of the Corporate Procurement Unit to a new Efficiencies Team within the Accountancy and Audit Division.

The report highlighted that HR advice and support from applications through to determination were currently provided by the Directorate of Learning and Development and that all actual payments for staff in respect of salaries and wages were paid through the Finance, ICT and Property Directorate.

A report to Cabinet on 5<sup>th</sup> October, 2005 had approved the purchase of the Oracle ERP solution, which included both HR and Payroll modules within the functionality. Cabinet was also advised that the implementation of the HR modules of the Oracle solution would be the first major step towards the major changes which are being introduced into the Council under the OneVale Programme. It was further noted that the introduction of the Oracle Solution and the associated improved processes will significantly change the way in which the Council operated. As part of the implementation programme, it had been opportune to review the method by which services were currently provided. In so doing, revised and more efficient processes and procedures

had been established through using Business Process Re-Engineering which had led to the conclusions and recommendations in the report.

Cabinet was also advised that Trade Unions consultation had taken place in respect of the issue.

This was a matter for Executive decision.

#### RESOLVED -

- (1) T H A T the outcome of the work to date with regard to BPR of the HR and Payroll functions be noted.
- (2) T H A T the creation of the
  - Integrated TransAct Team
  - Merger of the Exchequer / Income Management functions within the Finance and Systems Division and
  - Transfers of the Corporate Procurement function to a new Efficiencies Team within the Accountancy and Audit Division along with all the establishment changes detailed within the report be approved.
- (3) T H A T the Director of Learning and Development commission Hay to review the position of the Operational Manager - Accountancy and Audit as a result of his increased responsibility levels and that the Director in consultation with the Director of Finance, ICT and Property, the Leader and Chief Executive be granted delegated authority to implement the results of the review.
- (4) T H A T the Urgent Decision Procedure as set out in Article 13 of the Council's Constitution be implemented in view of the need to meet the scheduled "go live" date for the Oracle Solution.

#### Reasons for decisions

- (1) For information regarding the ongoing progress of the OneVale Programme.
- (2) To allow efficiencies identified within the BPR of the HR and Payroll functions to be achieved through the creation of a new TransAct Team and to facilitate the integration of the Corporate Procurement Unit into the newly formed Efficiencies Team.
- (3) To allow for a review of the grade having regard to the increased responsibility levels of the Operational Manager, Accountancy and audit.
- (4) To meet the need to meet the scheduled "go live" date for the Oracle Solution.

**C2659 ITEM WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -**

RESOLVED - T H A T the following items which the Chairman had decided were urgent be considered.

**C2660 CHRISTMAS ILLUMINATIONS 2006/08 INCLUDING BARRY TOWN HALL, KING SQUARE AND CIVIC OFFICES' GARDENS (DEER) (EXEMPT INFORMATION - PARAGRAPH 8) -****Urgent by reason of the need to consider a budget allocation for Christmas lights to coincide with the opening of the Town Hall and King Square**

Cabinet approval was sought to procure a Christmas Illuminations Scheme at Barry Town Hall, King Square and the Civic Offices' Gardens. The aim was to create a professionally designed and installed scheme that would create and set a quality standard to aid the future prosperity of Barry Town Centre.

At its meeting on 22<sup>nd</sup> October, 2003, Cabinet had agreed funding for three years commencing December 2003, for Barry Chamber of Trade £11,000, Penarth Town Council £3,000, Cowbridge town Council £2,000 and Llantwit Major Chamber of Trade £2,000. It was intended that following the implementation of the proposed new scheme in Barry Town Centre, a partnership between the Council and Traders to co-fund additional lighting in future years would add to the impact of the scheme being proposed in the report before Cabinet. The report noted that Barry Town Centre was the largest town in the Vale of Glamorgan requiring the greatest need for a professionally designed scheme and in order to compete with shopping centres in neighbouring areas, the Christmas shopping footfall could be increased with added attractions in the town centre which would included within the Christmas events calendar. An opening event to launch the new facilities at the Town Hall, King Square and Central Park, had also been proposed and it was reported the event could include a Christmas lights switching on ceremony with a celebrity guest, an exhibition in the new Gallery space within the east wing of the Town Hall, street entertainment, music in the park and individual festive stalls. Therefore, in order to create the impact of the occasion, a new professionally designed Christmas light scheme would be required to showcase the King Square / Town Hall site and Central Park.

Three illuminations companies had been invited to tender for a three year contract and two companies had responded.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T funding be made available from the savings arising out of the Policy Budget for Christmas illuminations in Barry Town Centre of £29,895.39p

for each of the three years of the contract plus the approximate cost of festive banners of £1,400 and estimated external power supply cost of £10,000.

(2) T H A T the tender from Millennium Quest 2000 Limited be accepted in order to guarantee manufacture and delivery and installation of the scheme in time for the opening event planned for 17<sup>th</sup> November 2006.

Reasons for decisions

(1)&(2) To create a high quality appearance in the town centre, heighten the ambience that Christmas illuminations offer and to create and encourage increased footfall and business interest within the town.