

CABINET

MINUTES of a meeting held on 25th October, 2006.

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

C2716 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 18th October, 2006 be approved as a correct record.

C2717 DECLARATIONS OF INTEREST -

No declarations were received.

C2718 PENARTH ESPLANADE: PIER PAVILION AND THE ITALIAN SHELTER (REF - MINUTE NO. 384) -

The Scrutiny Committee (Economy and Environment) had, on 3rd October, 2006 received a progress report as to the current position in respect of the Council bringing back both the above buildings into beneficial public use by leasing them to private sector partners. In brief, both buildings had been marketed in 2005 and although no formal bids had been received for the Pier Pavilion, various parties had expressed an interest and one particular party was to meet with officers to discuss proposals further. A major stumbling block to attracting private sector development in respect particularly of the Pavilion was the reluctance of the Earl of Plymouth Estates to withdraw the restrictive covenant. No immediate user had, therefore, yet been established for the Pier Pavilion, and monies had been secured to undertake essential painting and structural concrete repair works to the building. As regards to Italian Shelter, five formal bids had been submitted and a recommended bidder selected. The Committee had focussed attention in particular on ways in which to expedite progress in bringing both the above buildings into beneficial public use and had recommended, inter alia, that Cabinet be requested

- to publicise the availability of the Pavilion (and any other similar coastal buildings) through the Vale Business Club
- to issue a press release regarding the availability of the Pavilion including an article in Vale Waves
- to market redundant coastal buildings within the Vale more strenuously.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T recommendations (1) - (4) of the Scrutiny Committee (Economy and Environment) - which included those matters specifically referred to Cabinet and as indicated above, be accepted.

(2) T H A T a report on progress in respect of negotiations on the Pier Pavilion and the Italian Shelter be submitted to a future meeting of Cabinet.

C2719 CARDIFF BAY ADVISORY COMMITTEE -

The following minutes of a meeting held on 13th September, 2006 were submitted:

Present:

<i>Councillor N.J. Gibbs (Chairman)</i>	<i>Penarth Town Council</i>
<i>Mrs. C. Dimond (Vice-Chairman)</i>	<i>Cardiff Flood Action Committee</i>
<i>Councillor T.H. Jarvie</i>	<i>Vale of Glamorgan Council</i>
<i>Captain T. Auld</i>	<i>Dock and Harbour Master.</i>
<i>Mr. A. Parker</i>	<i>Cardiff Bay Business Forum</i>
<i>Councillor N. Howells</i>	<i>Cardiff County Council</i>
<i>Mr. S. Jones</i>	<i>Quay Marinas</i>
<i>Mr. T. Davies</i>	<i>Cardiff Bay Yacht Club.</i>

Also present:

<i>Mr. S. Howell</i>	<i>Cardiff Harbour Authority</i>
<i>Mrs. K. Bowen</i>	<i>Vale of Glamorgan Council</i>

1. Apologies for absence -

These were received from Councillor J. Norman (Cardiff County Council); Mr. J. Harrison (Environment Agency); and Mr. G. Sargent (Cardiff Yacht Club).

2. Minutes -

RESOLVED - T H A T the minutes of the meeting held on 24th May, 2006 be approved as an accurate record.

3. Matters arising -

There were no matters arising.

4. Cardiff Harbour Authority -

A progress report was received from Mr. Simon Howell in respect of the following:

Barrage

Problems had been experienced with a number of individuals fishing from inappropriate areas on the Barrage over the summer period. An area had been designated for sea fishing and netting had been erected to discourage fishing in front of the fish pass area which had reduced the problem powers had also been included in the draft bye-laws that were hoped to be in place within the next few months. Scheduled maintenance to all sluices had been completed in early September and scheduled maintenance was currently being carried out at Lock No. 2 with works to the seals and checks made on hydraulic systems. On the Barrage embankment a walkway had been constructed to allow access for those with special needs to travel to the Bay edge and the design had used sustainable materials that included dredged pebbles and quarry waste. A pond had been built that would allow pond dipping by school children and the water in the pond would be pumped from the Bay. A wind turbine would energise a pump that would raise the water up to allow it to flow using gravity along a reën running alongside the walkway.

It was noted that in July 2006, 1,533 boats had used the locks which had been reported as the highest monthly total since the Barrage had come into operation.

Environment

Insect larvicide had been applied twice during the year with no complaints being received regarding insects within the Bay during the summer months.

The 3 year Zebra Mussel monitoring project with Cardiff University was to commence on 1st October and warning signs were being erected at 'boat entry points' around the Bay. The Cardiff Harbour Authority had also suggested that the Countryside Council for Wales set up a Steering Group to raise awareness of the issues in Wales and to provide a co-ordinated approach to preventing the spread of the Zebra Mussel. Mr. Howell reported that a similar initiative had been undertaken in Northern Ireland.

In respect of the dissolved oxygen standard for the months of May, June, July and August the percentage compliance had been as follows:

- 99.93%
- 98.69%
- 99.77%
- 99.99% respectively.

The oxygenation barge had been deployed 28 times primarily in the River Ely and discussions were ongoing with DC-WW with the aim of the Harbour

Authority receiving a telemetry signal when the Cardiff Western District Pumping Station overflow chamber would be spilling storm sewage into the River Ely. This would then allow the more timely deployment of the oxygenation barge and it was anticipated would increase compliance further.

Mr. Howell further highlighted that the deluge of debris that had been removed from the Bay in May, June and July had been a total of 143 tonnes and no algae scums had been identified in the Bay to date.

The Harbour Authority was working closely with the Environment Agency on a programme of projects to remove obstructions to fish migration through the River Taff catchment. It was hoped that these projects would be implemented as an alternative to the annual stocking of the river with 50,000 smolts which was not considered to be the most cost effective or sustainable way of dealing with matters in the long term. One of the proposed projects was the replacement of the existing inefficient fish pass at Blackweir and it was hoped to commence works there in April 2007, subject to funding being secured from the Welsh Assembly Government and the existing Barrage Side Agreement being modified accordingly.

A conservation project had also commenced in the Bay in the corner bounded by the International Sports Village and Prospect Place. The partnership was between the Environment Agency, the Harbour Authority and Bellway Homes and the project comprised the construction of an underwater bund and the later addition of soft material and phragmites behind the bund to increase the conservation areas around the Bay.

The Wave Monitoring project had also been completed and the report had been received from the contractor which was being assessed. Meetings would be arranged with the two yacht clubs within the next month to discuss the report and any implications.

General

The events season had been successful with the International Food and Drink Festival, the Harbour Festival, the Canoeing and Rowing Festival and the International Beach Volleyball event having taken place.

Mr. Howell further reported that the WAG and Cardiff County Council Scrutiny investigation into the future arrangements for the Harbour Authority had been concluded and the Committee had produced its report which was also on the agenda for the Advisory Committee to discuss. The WAG report would be released shortly and discussions on the new arrangements would commence before the end of the financial year.

In respect of the Roald Dahl Plass, it was reported work was due to commence on 18th September and Resin Bound macadam surfacing was to be used which would be durable and suitable for events and pedestrian use, over a longer period than the timber pallets which would be replaced.

In response to Mr. Howell's report, a member raised a concern in respect of the speed of some commercial vessels in the Bay and were advised that a GPS system could be used to log speed and the location of vehicles in the Bay and could be in place by April 2007.

The RYA representative queried the fact that no feedback had been received in respect of comments made on the draft bye laws and Mr. Howell agreed to ensure that feedback was provided as soon as possible.

RESOLVED - T H A T the Progress Report be noted and that a further report on the GPS system be submitted to the Committee in due course.

5. Environment Agency Issues -

Due to the fact that Mr. John Harrison had tendered his apologies, consideration of this item was deferred to the next meeting.

6. Penarth Headland Link -

The Committee was advised that the Vale of Glamorgan Council's Cabinet had, on 10th July, 2006 resolved:

(1) T H A T the construction of the Penarth Headland Link be postponed until further funds could be made available and that the capital programme be amended accordingly.

(2) T H A T a further investigation be undertaken for the construction of a car park at the Esplanade, Penarth as the first phase of a future Penarth Headland Link project so as to utilise the remaining funds in the current capital programme.

(3) T H A T the Director of Environmental and Economic Regeneration in consultation with the Leader be authorised to investigate the development opportunities in relation to generating additional capital funds for the above project.

As a result of the above resolutions, under the Council's call-in procedure the item had been called in to the Scrutiny Committee (Economy and Environment) (15th August, 2006) and Scrutiny Committee (Corporate Resources) (22nd August, 2006). At the Scrutiny Committee (Economy and Environment) on 15th August, 2006 members of the public had also been given the opportunity to make statements to the Committee in respect of the matter under consideration, after Members of the Committee had first received the report of the officers in attendance and debated the issues at hand. Both Scrutiny Committees made a number of recommendations which were referred to the Cabinet meeting on 20th September, 2006 as detailed below:

Scrutiny Committee (Economy and Environment) - 15th August, 2006

RECOMMENDED -

(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.*

Scrutiny Committee (Corporate Resources) - 22nd August, 2006

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 15th August, 2006 be endorsed.*

In consideration of the above, the Committee

RESOLVED -

(1) *T H A T the Clerk, on behalf of the Committee, write to the Vale of Glamorgan Council's Cabinet expressing the Committees support for the proposal of a link on the Penarth Headland Link.*

(2) *T H A T the Advisory Committee Members be informed of the Vale of Glamorgan Council Cabinet's decision after its meeting on 20th September, 2006.*

7. Inquiry into the future of the Harbour Authority - Report of the Economic Scrutiny Committee of the Council of the City and County of Cardiff -

The Advisory Committee noted that the City and County of Cardiff's contract with the Welsh Assembly Government would expire in September 2006 and that there were a number of major projects such as the International Sports Village and the White Water Rafting and Canoe Slalom Complex which had been proposed, on the horizon. The Council therefore faced the important decision as to whether to continue the management of the Bay or whether the services should be transferred back to Central Government. The Economic Scrutiny Committee of the City and County of Cardiff had felt that the contract expiry date provided a vital opportunity to review the Council's stance. It was noted that as the outcome of the Council's decision would impact greatly upon the future regeneration of the Bay the Committee had deemed it essential to consult the Bay's key stakeholders upon their views as to how the longer term economic viability of the Bay could be secured. As a result of the enquiry the following recommendations had been made:

"R1 *Members recommended that the Council considers renewal of the contract with the Welsh Assembly Government to operate and manage the barrage and Bay via Cardiff Harbour Authority on the condition that:*

- (1) *The terms and conditions of the Section 165B Agreements remain as presently stated, to underwrite all identified but not quantified and unidentified liabilities associated with the Bay and Barrage, providing that they are not reasonable or improper.*
- (2) *Any new contract agreement makes a separate and sufficient financial provision for Asset Renewal.*
- (3) *A sufficient operational budget is provided to allow the necessary accrual of savings for regeneration and improvement*

initiatives to be undertaken by Cardiff Harbour Authority in line with their responsibilities.

- R2** *Members recommend that a comprehensive Asset Renewal Plan be developed prior to the contract renegotiation with the Welsh Assembly Government.*
- R3** *Members recommend that the Welsh Assembly Government is made aware of the financial implications of the presence of Zebra Mussels in Cardiff Bay and that sufficient financial provision is made available under the Section 165B Agreements for all associated aspects.*
- R4** *Members recommend that with regard to the presence of Zebra Mussels in the Bay:*
- (1) The legal advice of Cardiff Council that was offered to this inquiry be followed.*
 - (2) Cardiff Harbour Authority review the legal advice on a six-monthly basis to ensure advice is consistent with the situation as it evolves, and implement this advice.*
- R5** *Members recommend that with regard to the presence of Zebra Mussels in the Bay, Cardiff Harbour Authority continue their efforts to address the issue of Zebra Mussel control and undertake research with the Zoology Department of the University of Cambridge and the Countryside Council for Wales.*
- R6** *Members consider that the Bay is an evolving environment and as such, new and unexpected environmental issues may emerge. Members recommend that any contract renewal with the Welsh Assembly Government makes financial provision for any such instances or allows the financial costs to the Council to be recoverable.*
- R7** *Members recommend that with regard to contingency planning, Cardiff Harbour Authority considers the advice and recommendations made by the Environment Agency and the Countryside Council for Wales to this inquiry in respect of contingency planning for multi-disaster incidents, undertaking a full risk assessment for all likely and unlikely situations that may arise, developing contingency plans to be able to respond to any eventuality.*
- R8** *Members recommend that with regard to contingency planning, Cardiff Harbour Authority ensure the Welsh Assembly Government is made aware of potential emergency incidences that may have associated cost implications and ensure that financial provisions will be made available under the Section 165B Agreements.*
- R9** *Members recommend that with regard to stakeholder engagement, Cardiff Harbour Authority seek to strengthen their current relationship with the commercial sector, adopting a sensitive approach and*

developing a supportive culture for stakeholders in which they can maximise their economic activity.

R10 *Members recommend that Cardiff Harbour Authority and Cardiff Bay Advisory Committee jointly undertake a review of the membership of Cardiff Bay Advisory Committee, in order that it can more appropriately represent the stakeholders of the Bay and provide a useful forum for communication and consultation.*

R11 *Members recommend that Cardiff Harbour Authority and Cardiff Bay Advisory Committee jointly consider the scope for the Cardiff Bay Advisory Committee to play a wider role in relation to partnership working and consultation.”*

The City and County of Cardiff Executive was due to meet on 14th September, 2006 to consider the matter.

RESOLVED -

(1) *T H A T the inquiry into the future of the Harbour Authority be noted subject to recommendations R9, R10 and R11 above being pursued by the Advisory Committee.*

(2) *T H A T the decision of the Executive Committee on 14th September, 2006 be forwarded to Members for information when available.*

8. Cardiff Executive Meeting Reports -

The following undermentioned reports were presented to the Committee for information:

- *Harbour Authority Efficiency and Effective Management*
- *Olympic Canoe Slalom and White Water Rafting Centre in Cardiff Bay*
- *Relocation of Commercial Moorings*
- *Post Impoundment Report on Ground Water Levels for the period July - December 2005.*

RESOLVED - T H A T the reports be noted.

9. Any other business -

No other business was received.

RESOLVED -

(1) **T H A T** the minutes be noted.

(2) T H A T, as referred to in item no. 7 above, once information as to the decision of the Executive Committee had been received, further consideration be given as to what representations (if any) should be made in respect of this Council's involvement in matters falling within the remit of the Harbour Authority given this Council's status as a Unitary Authority and the fact that a significant area of the Bay fell within its boundaries.

Reasons for decisions

- (1) To be kept informed.
- (2) To consider the position and react accordingly.

C2720 CAPITAL MONITORING: 1ST APRIL, 2006 - 30TH SEPTEMBER, 2006 (CMT) (SCRUTINY - ALL) -

In addition to the details on financial progress in relation to the Capital Programme as at 30th September, 2006 as appended to the report, consideration was given to the following proposals to amend that Capital Programme:

- Major Repairs Allowance - an increase of £20k. to allow disabled adaptation works to be undertaken in communal areas
- Purchase of Speed Cameras - include a budget of £49k.
- Article 33 Rural Regeneration - a reduction of £225k. in the Capital Programme due to the contract in respect of the St. Athan's Community Hall Project being unable to be let early enough to allow the monies to be spent within the period of availability and the consequent withdrawal of grant aid
- Purchase of Defibrillators - increase the Capital Programme by £5k. for the purchase of additional defibrillators and other equipment.

It was anticipated that the following schemes would not be completed on target namely, Penarth Headland Link and the access road to Dunraven Bay, Southerndown. In respect of the latter, a revised budget profile would be reported in the near future. Non financial information on capital schemes with a budget of over £100k. was also appended to the report.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the following changes to the 2006/07 Capital Programme be approved:

- Major Repairs Allowance - increase the budget by £20k. with funding being made available from the Major Repairs Allowance
- Article 33 Rural Regeneration - reduce the budget by £225k. due to the withdrawal of grant funding

- Purchase of Defibrillators - increase the budget by £5k. to reflect funding from the Active for Life Grant.

(2) T H A T consideration of any amendment to the Capital Programme in respect of the purchase of speed cameras be deferred for a detailed report on the operation of the National Safety Cameras Partnership in the Vale and progress on the implementation of the scheme to date.

(3) T H A T a further report be submitted to Cabinet in respect of the Major Repairs Allowance.

Reasons for decisions

(1) To allow schemes to be undertaken in this financial year.

(2)&(3) To receive further information.

C2721 REVENUE MONITORING: 1ST APRIL, 2006 - 30TH SEPTEMBER, 2006 (CMT) (SCRUTINY - ALL) -

The current forecast was for a deficit of £5,217,000 on the General Fund and a balanced budget on the Housing Revenue Account. Included in those matters identified in the report were

- the potential overspend in respect of the Employment Training Section of £120,000 being funded from within the Directorate of Learning and Development
- the projected deficit of £5,367,000 in respect of the Directorate of Community Services and General Fund Services
- the projected deficit of £2,322,000 on Children's Services (£109,000 less than previously reported)
- the projected deficit of £2,895,000 in respect of Community Care and Health (a reduction of £173,000 on the previously reported figure)
- a projected deficit of £150,000 in respect of Catering due to losses incurred by the Trading Account
- a projected deficit of £170,000 in respect of Visible Services due, in the main, to the increase in prices charged by external contractors for grass cutting and verge maintenance
- other Trading Accounts.

Whilst it was anticipated that savings on Policy would cover the overspends on Catering, Visible Services and Trading Units, it was noted that should those savings not be achieved the additional £600,000 would need to be met from the General Fund balance. It was also noted that the net overspend of £5.217m. on Community Services would have to be met from the General Fund balance. However, that balance was predicted to stand at just £4m. as at 31st March, 2007 (after the use of £2.250m. approved by Council to balance the 2006/07 budget). It was clear, consequently, that a substantial amount of the overspend would have to be found by un-earmarking specific reserves.

This was a matter for Executive decision.

RESOLVED - T H A T the position with regard to the 2006/07 Revenue Budget be noted, and further reports submitted to Cabinet on the Trading Accounts (including Catering).

Reason for decision

So that Members are aware of the projected revenue outturn for 2006/07.

**C2722 ATTENDANCE AT CONFERENCES, SEMINARS, ETC. (CX)
(SCRUTINY - CORPORATE RESOURCES) -**

RESOLVED - T H A T the attendance of the following Members and officers at the conferences indicated below be noted:

Influencing, Persuading and Negotiating Workshop	15 th September, 2006	Councillor A. C. Williams and Ms. J. Ballantine
Chartered Institute of Housing Conference and Exhibition	19 th - 21 st June, 2007	Mr. J.W. Cawley, Mr. A. Billingham, Councillor J.W. Thomas and Councillor J. Clifford.

Reason for decision

To inform the Cabinet.

**C2723 EXTERNAL COMMUNICATIONS STRATEGY (CX)
(SCRUTINY - CORPORATE RESOURCES) -**

Endorsement was sought of the proposed External Communications Strategy (2006/09) and the associated Action Plan, both of which were appended to the report. The Council's previous External Communications Strategy had been adopted in April 2003 and the new Strategy sought to develop further the Council's communications work over the next three years. The Strategy itself encompassed a wide range of issues, including consultation, media relations, publications, website, Welsh language, branding and corporate identity. It sought to ensure all communications tools were fully integrated and used to best effect to inform stakeholders about the Council's work, to ensure that communication was two-way, and that the Council was promoted and its reputation protected in an honest and open manner. The report drew attention to the fact that a number of actions contained within the Action Plan would require either additional resources or the re-designation of existing resources.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the External Communications Strategy be endorsed.
- (2) T H A T a progress report including the issue of Reputation Management be submitted to Cabinet in 6 months.

Reasons for decisions

(1)&(2) To provide an effective base for the development of the Council's External Communications activities.

C2724 CHILDREN AND YOUNG PEOPLE'S INFORMATION SERVICE - ANNUAL REPORT SEPTEMBER 2006 (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -

Under the Children Act 1989, the Council had a statutory duty to provide a childcare information service. The Children and Young People's Information Service (CYPIS) was an integral part of the Public Information Service which sat within the Policy and Information Team. The Service had a key role in providing information and guidance to parents to help them make an informed choice about the type of childcare which best met the needs of their children and themselves. The service also gave information to those wanting to set up childcare services and it was evident that those providers benefited from having their service widely advertised and accessible. The computerised database ensured that all information held was accurate, reliable and up to date, and statistics were compiled on an annual basis to show current childcare provision and to identify any gaps in services. Comparisons made with the previous year showed an increase of 16% in enquiries made for a service, with an average of 13 enquiries being received each day.

Half the childcare provision in the Vale was by the use of childminders. There were, however, also a number of play groups, Cylch Meithrin, After School Clubs, Holiday Playschemes, Day Nurseries and Breakfast Clubs. It had to be noted, however, that there could be some unregistered services which had not been brought to the attention of the Council. As regards the demand and supply of services, 35% of all childcare provision was located within Barry. Despite this, since over half of all the childcare enquiries came from people living in Barry, this suggested that demand exceeded the supply. Whilst there were no problems with the number of childcare places in the rest of the Vale, the types of provision were unevenly spread leading to a lack of choice in some areas. In feedback forms, 97% of respondents indicated they found the service useful.

This was a matter for Executive decision.

RESOLVED - T H A T the contents of the Children and Young People's Information Service Annual Report September 2006 be noted.

Reason for decision

To inform the Cabinet.

**C2725 DRAFT RIGHTS OF WAY IMPROVEMENT PLAN (DEER)
(SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Under the provisions of the Countryside and Rights of Way Act, the Council was required to produce a Public Rights of Way Improvement Plan (ROWIP) for the Vale of Glamorgan by November 2007 which set out the authority's intentions for the improvement and management of the Public Rights of Way network. The responses to the consultation on the initial Assessment document together with further investigations and discussions with the Local Access Forum had formed the basis of the draft ROWIP.

The draft ROWIP followed guidance given by the WAG and the Countryside Council of Wales and focussed on three main themes namely, management; stakeholders and information, communication and promotion - for each of which aims had been derived to produce a series of proposed actions. The Statement of Action (Section 8 of the ROWIP) tabulated those actions, indicating priorities, programming and resource needs and, therefore, provided the strategic framework for future work on the Rights of Way network over the next 10 years. The production of the draft ROWIP would be met from within existing resources although it was noted that the eventual delivery of the proposals, including approval of a final statutory version in late 2008, would require considerable additional resourcing. In consultation with the Countryside Council for Wales, the WAG was currently considering that resourcing issue.

The Vale of Glamorgan Local Access Forum, having considered the draft ROWIP in depth, had generally welcomed the document, raising only minor queries and the Scrutiny Committee (Economy and Environment) commended and endorsed the same for public consultation. Subject to Cabinet approval, further widespread public consultation would be undertaken on the content of the amended document.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the draft ROWIP be approved for consultation purposes.
- (2) T H A T wide consultations take place with statutory bodies and interested organisations, including the WAG, the Countryside Council for Wales, Town and Community Councils, neighbouring local authorities, user and land-owner groups.

Reasons for decisions

- (1) To enable further consultation on the document.
- (2) To ensure the widest possible range of views are taken into account.

**C2726 CONSULTATION ON REVISION OF TECHNICAL ADVICE
NOTE 13 - TOURISM (DEER) (SCRUTINY - ECONOMY AND
ENVIRONMENT) -**

Consideration was given to the report which outlined officers' views in respect of the above consultation. By way of background, given that the WAG was committed to encouraging sustainable forms of tourism within Wales and maximising its economic and employment benefits while improving and safeguarding the environment and interests of local communities, the revised TAN13 sought to provide detailed advice on how that could be facilitated by the land use planning system. In summary, the draft revised TAN

- provided updated guidance and advice on sources of legislation relevant to various tourism topics which could be encountered by local planning authorities
- provided updated guidance for use in development control decisions
- provided guidance for the preparation of Local Development Plans.

The revised TAN was set in the context of the WAG's strategies for a sustainable future for Wales. In general, it was considered that the draft TAN provided useful guidance on planning for tourism and tourism related developments and was to be generally welcomed, as was the WAG's commitment to the promotion of more sustainable forms of tourism. Also to be welcomed was the acceptance that tourism related development proposals, even after mitigation measures, which resulted in significant adverse impacts upon the environment should be refused planning permission. Further more detailed comments were contained in the report including concerns relating to potential resourcing issues.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T, subject to consultation with the Planning Committee, the report be endorsed as the Council's formal response to the WAG consultation draft of TAN13 - Tourism.
- (2) T H A T a further report be presented to Cabinet if necessary once the TAN had been formally adopted by the WAG.

Reasons for decisions

- (1) To advise Cabinet of the consultation exercise together with the Council's representations made to the WAG on the draft TAN13 - Tourism and to seek the views of the Planning Committee.
- (2) TANs constitute government policy and are a material planning consideration.

**C2727 CONSULTATION ON REVISION OF TECHNICAL ADVICE
NOTE 16 - SPORT, RECREATION AND OPEN SPACE (JULY 2006)
(DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Consideration was given to the report which outlined officers' views in respect of the above consultation. The WAG's main planning objectives in relation to sport and recreation were as set out in Planning Policy for Wales (PPW) (March 2002) and would be supplemented by the revised TAN. In summary, the revised TAN

- set out the key principles in Sport and Recreation and the relationship between the TAN and other national strategy documents
- provided guidance on the development of an Open Space Assessment for Sport and Recreation
- provided guidance on the preparation of Local Development Plans
- addressed development control procedures relating to Sport, Recreation and Open Space
- proposed standards of best practice in policy development and planning decisions relating to Sport, Recreation and Open Space
- aimed to integrate further the links between health and wellbeing, sport and recreational activity and sustainable development in Wales through the development of land use planning guidance in accordance with the policies set out in the PPW.

It was considered that the draft TAN16 was generally clear and set out the WAG's integrated approach to sport and recreation, showing how an active and healthy population could contribute to economic development, community regeneration and social inclusion. Detailed comments on the contents of the proposals within the draft TAN were contained within the report - which also included a recognition of potential resourcing issues as well as other matters. Given the possible extent of those resourcing issues, the Director was requested to stress to WAG the potential difficulties for any planning authority in implementing certain of the proposed new actions.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T, subject to consultation with the Planning Committee, the report be endorsed as the Council's formal response to the WAG consultation draft of TAN16 - Sport, Recreation and Open Space.

(2) T H A T a further report be presented to Cabinet if necessary once the TAN had been formally adopted by the WAG.

Reasons for decisions

(1) To advise the Cabinet of the consultation exercise together with the Council's representations made to the WAG on the draft TAN16 - Sport, Recreation and Open Space and to seek the views of the Planning Committee.

(2) TANs constitute government policy and are a material planning consideration.

**C2728 WASTE MANAGEMENT SERVICES: PEER REVIEW (DEER)
(SCRUTINY - ECONOMY AND ENVIRONMENT) -**

The Waste Peer Review of all Welsh local authorities had been delivered by the Welsh Local Government Association (WLGA) with the support of the WAG and had been carried out between 5th - 7th June, 2006. It was the first review of its type that successfully employed the corporate peer review model applied through a single service area and had the broad aims of

- raising the profile of waste management issues among officers and elected Members
- identifying and disseminating good practice and pooling of learning
- acting as a lever/catalyst for change and innovation
- providing advice and assistance to individual authorities
- building capacity through peers
- providing assurance and validation of what was going well.

The review team of four had comprised a Cabinet Member from Monmouthshire County Council, a former Chief Executive and IDeA associated consultant, a Waste Strategy Officer, and the Waste Peer Review Co-ordinator from the WLGA. During the review period an agreed programme of site visits and interviews with Members, staff, service delivery partners and service stakeholders had been undertaken. The review team benchmarked the Council against what would be considered to be an excellent waste management authority using the three main themes of

- Vision and Strategy
- Management and Governance
- Outcomes and Delivery.

The main outcomes of the review were appended to the report and were generally extremely positive with the Council having identified many strengths, achievements and examples of good practice. Amongst the areas of action and/or improvement identified, the most significant were the need for a more corporate approach to joint working (Making the Connections) and a higher profile for waste in corporate strategy, the fact that the Risk Assessment framework did not identify long-term high risks of waste management, and that potential food waste collections needed to be evaluated.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Peer Review Report be noted and its conclusions welcomed.
- (2) T H A T a further report be presented to the Cabinet Advisory Committee - Visible Services on the action to be taken to address the areas for improvement identified in the Peer Review.
- (3) T H A T this report be referred to the Scrutiny Committee (Economy and Environment) for consideration.

Reasons for decisions

- (1)&(2) To ensure that the findings of the report are taken forward.
- (3) To seek the views of the Scrutiny Committee.

C2729 WELSH ASSEMBLY GOVERNMENT CONSULTATION ON “CONNECTING WALES” THE WALES TRANSPORT STRATEGY (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -

The Transport (Wales) Act 2006 and the Railways Act 2005 gave the WAG additional powers to develop and implement, in partnership with local authorities and other bodies, a safe, integrated, sustainable, efficient and economic transport system to serve Wales. Amongst the most important changes introduced with new powers to promote regional transport planning, and direct control of local and regional rail services in Wales and the requirement to produce a Wales Transport Strategy (WTS). “Connecting Wales”, the WTS, therefore focussed on the role that transport could play in delivering the WAG’s wider policy objectives in areas such as spatial planning, economic development, education, health, social services, the environment and tourism.

The WTS identified a series of desired outcomes from the range of existing and emerging WAG policy documents that provided the focus for transport strategy, the role of the WTS being to maximise the contribution that transport might make to those outcomes and to contribute to the delivery of a

sustainable future for Wales. The outcomes had been categorised under the following three main elements

Social

- improving access to health care
- improving access to education and lifelong learning
- improving access to shopping and leisure facilities
- encouraging health lifestyles
- improving the actual and perceived safety of travel.

Economic

- improving connectivity (links) within Wales and internationally
- improving the efficient, reliable and sustainable movement of people
- improving the efficient, reliable and sustainable movement of freight
- improving access to employment opportunities
- improving access to key visitor attractions
- increasing the use of more sustainable materials in the maintenance of Wales' transport assets and in the provision of new transport infrastructure.

Environmental

- reducing the contribution of transport to greenhouse gas emissions, adapting to the impacts of climate change and reducing the contribution of transport on air pollution and other harmful pollutant emissions
- reducing the negative impact of transport on the local environment
- reducing the negative impact of transport on our heritage
- reducing the negative impacts of transport on biodiversity and increasing positive impacts.

The WTS had identified in Wales the following three trends in the current transport system which adversely impacted upon quality of life

- the increasing dominance of car use for all car journeys
- the downward trend in the use of more sustainable and healthy modes of transport, particularly bus, walking and cycling
- the increasing distances travelled.

In response, three themes had been identified to positively influence those transport trends and challenges, namely

- to achieve a more effective and efficient transport system
- to achieve greater use of the more sustainable and healthy forms of transport
- to minimise the need to travel.

The South East Wales Transport Alliance (Sewta) was co-ordinating a response to the WTS on behalf of the ten constituent authorities in South East Wales and the draft Sewta response was appended to the report. In general,

that response had concluded that the overarching objectives of the WTS were to be welcomed, although concern was expressed specifically over the performance indicators identified within the WTS in respect of monitoring progress for the reasons detailed within the Sewta response.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the consultation on the Wales Transport Strategy - Connecting Wales (July 2006) and its implications for the Vale of Glamorgan be noted.

(2) T H A T the final Sewta response to the WTS consultation (as appended to the report) be endorsed and that a copy of this report be forwarded to the WAG as this Council's response to the WTS consultation.

Reasons for decisions

(1) To advise Cabinet of the contents of the WTS - Connecting Wales (July 2006) consultation process.

(2) To enable a response to be forwarded to the WAG.

C2730 MAKING THE CONNECTIONS: SHARED SERVICES IN SOUTH EAST WALES (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -

The WAG's Making the Connections' agenda aimed to bring about improvement across the whole range of public services, specifically, to make services more responsive, accessible, coherent and efficient. In response to the Making the Connections agenda, the Leaders and Chief Executives of ten local authorities in South East Wales had begun meeting as the Connecting South East Wales Forum administered by the WLGA. The Forum had agreed to carry out a Feasibility Study for the provision of shared professional support and back office services across the ten authorities and details were provided within the report of that study and the management arrangements being put in place to ensure that it addressed the interests of all participating Councils. The potential benefits from sharing services were recognised and possible Shared Services models of joint working utilising the sharing of services which involved undertaking routine transactions included

- local authorities collaborating, each retaining their own employees but realigning their processes to take advantage of economies of scale
- joint services delivery between local authorities and, perhaps, other public sector organisations
- centralisation of services to one provider
- local authorities jointly procuring from a private sector provider
- local authorities forming a company to contract with a private sector provider.

The Feasibility Study would be prepared by a mixed Project Team from South East Wales Local Authorities and independent consultants, and would be tasked with undertaking a study looking at the following services narrowed down from an initial “long list”

- Human Resources: training, payroll and HR records
- Financial Services: debt recovery, Council Tax and NNDR, internal audit and procurement
- ICT: information and communications technology.

The Project Team would be required

- to undertake a feasibility study by 30th November, 2006 to determine an analysis of the market place for shared services within the UK; key issues arising from the nature of each functional area; the suitability of each service for collaboration against an agreed set of criteria; and proposals for how to assess the readiness for collaboration in each local authority
- to identify those functional areas and Councils best placed to proceed with the implementation of delivering shared services, the production of business cases for each option by 28th February, 2007
- to set out a viable framework for “First Wave” collaboration and recommend an implementation plan, anticipated to be April 2007.

The Connecting South East Wales Forum had established a cross-authority Steering Group to oversee the project with the day to day management and lead on the project resting with Cardiff Council. A sub-group of the Steering Group had been established to progress the procurement of consultants, with this Council being the lead on that procurement process and PWC had been selected as the preferred supplier. The participating authorities had also established a Project Team which would undertake much of the practical development work. It had also been considered desirable to establish consistent communications strategies across the participating Councils and the WLGA had agreed to take the lead on that aspect of the project. The Steering Group had been allocated £135k. from WAG for the project under the Making the Connections fund. In addition, each of the ten authorities were contributing £5k. towards the project, with this Council’s contribution being met centrally.

The Trade Unions had now been consulted and a report on the current position would now be submitted to Scrutiny Committee (Corporate Resources).

This was a matter for Executive decision.

RESOLVED - T H A T the ongoing work to explore the feasibility of sharing Back Office functions with neighbouring Councils be noted.

Reason for decision

To keep Cabinet abreast of progress on the Shared Services Initiative in South East Wales.

**C2731 EXTENDED YOUTH PROVISION IN RHOOSE (DLD)
(SCRUTINY - LIFELONG LEARNING) -**

The allocation of £30k. in 2005/06 to extend the Rhoose Community Centre as a youth facility had been used as match-funding for an application to the Creative Rural Communities which had secured an additional grant of £60k. Financial assistance in the sum of £11k. was now sought to improve security to the facility and to remove a wall in order to create a dedicated entrance to the facility.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the allocation of £11k. from the Miscellaneous Buildings Asset Renewal budget for additional works at Rhoose Community Centre be approved.

(2) T H A T, in order to enable the facility to open in accordance with the scheduled commencement of youth facility programmes, the Urgent Decision Procedure be invoked.

Reasons for decisions

(1) That the work can be completed to conform to improved security and health and safety standards.

(2) To ensure works are completed prior to the commencement of the youth facility programme.

**C2732 CORPORATE OCCUPATIONAL HEALTH AND SAFETY
STRATEGY 2006/2011 (DLD) (SCRUTINY - CORPORATE RESOURCES) -**

As part of the Council's strategic approach to the corporate management of occupational health and safety, a five year Strategy had been developed in line with the Health and Safety Executive's (HSE) national five year Strategy. The formal adoption of the Strategy, as appended to the report, was seen as an important contributor to the Council's objectives of achieving the WAG's Corporate Health Standard. Not only would the Strategy help realise the Council's aim of achieving the Gold Standard, it would provide further focus towards effective corporate management of occupational health and safety over the next five years.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the Strategy as appended to the report be approved.

(2) T H A T the Strategy be promoted to all staff using all internal communication channels.

Reasons for decisions

(1) In order to assist the Council in meeting its duties under the Health and Safety at Work etc. Act 1974.

(2) To ensure that the Strategy is brought to the attention of all necessary employees.

C2733 COMMUNITIES FIRST - PROPOSED EXPANSION OF PROGRAMME (DLD) (SCRUTINY - ALL) -

The WAG had launched the Communities First initiative in 2002 following which a bid was approved to provide Communities First funding in two sub-ward areas, namely Thompson Street in Castleland and an area of Gibbonsdown. WAG had since identified a further number of deprived areas in Wales through the 2005 Welsh Index of Multiple Deprivation (WIMD), the most deprived being known as Lower Super Output Areas (LSOAs). Court 3 within the Vale of Glamorgan had been identified in that way. WAG was inviting applications to establish Community First areas in newly identified areas and, having regard to the potential benefits to be accrued, it was considered that preliminary investigations to that end be undertaken.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the Director of Learning and Development explore the feasibility of creating a new Communities First area in Court 3, beginning with stakeholder consultation.

(2) T H A T a further report be submitted to Cabinet on the process of stakeholder consultation.

Reasons for decisions

(1) In order to gain the views of stakeholders.

(2) To be assured that the process was sufficiently robust.

C2734 EXCLUSION OF PRESS AND PUBLIC -

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the

relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

C2735 MASTER VENDOR SOLUTION - APPOINTMENT OF AGENCY (DFICTP) (EXEMPT INFORMATION - PARAGRAPH 12) (SCRUTINY - CORPORATE RESOURCES) -

Following a review of the numbers of temporary agency staff being employed across the Council, the number of different employment agencies used in the provision of those staff, and the costs involved, investigations were undertaken to provide a Master Vendor Solution Provider - a "Master Vendor" supplier solution being one external organisation administering and managing all agency staff on behalf of the Council and across all service areas. On conclusion of the subsequent tendering exercise and evaluation process, Acorn had been identified as the preferred supplier.

This was a matter for Executive decision.

RESOLVED - T H A T Acorn be appointed as the Master Vendor Solution supplier for the Council.

Reason for decision

To allow a streamlined and managed approach to the appointment of temporary agency staff and to achieve efficiencies in the prices paid for agency staff and the time spent sourcing and administering those arrangements.