

**CABINET**

MINUTES of a meeting held on 4<sup>th</sup> 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.

Also present: Councillor Mrs. M. Kelly Owen.

**C2661 APOLOGIES FOR ABSENCE -**

There were no apologies for absence.

**C2662 MINUTES -**

RESOLVED - T H A T the minutes of the meeting held on 20<sup>th</sup> September, 2006 be approved as a correct record subject to Minute C2651 (1) being amended to read:

RESOLVED -

(1) T H A T the draft Corporate Plan 2006/10 and the responses appended to the report, be accepted subject to the following two amendments 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
- R9 - that the target date 2009 be amended to 2007.

**C2663 DECLARATIONS OF INTEREST -**

Councillor G.A. Cox

Agenda Item No. 13 - Wife is a member of Cowbridge Charter Trust and Councillor Cox is a member of the Cowbridge with Llanblethian Town Council.

Agenda Item No. 20 - Member of Cowbridge with Llanblethian Town Council.

Agenda Item No. 30 - Governor, Cowbridge Comprehensive School.

Councillor A.M. Ernest	Agenda Item No. 20 - Member of Penarth Town Council.
Councillor T.H. Jarvie	Agenda Item No. 30 - Governor of Cowbridge Comprehensive School.
Councillor H.J.W. James	Agenda Item No. 25 - Governor of Rhws Primary School (with dispensation to speak and vote).
Councillor G.C. Kemp	Agenda Item No. 25 - Governor of Rhws Primary School.  Agenda Item No. 25 - Governor of Cowbridge Comprehensive School.
Councillor J.W. Thomas	Agenda Item No. 13 - Owner of property included within report.  Agenda Item No. 30 - Son is a pupil at Cowbridge Comprehensive School.
Councillor A.C. Williams	Agenda Item No. 20 - Member of Penarth Town Council.

**C2664 CHANGE AGENT TEAM (CAT) PROJECT TO SUPPORT THE REDUCTION OF DELAYED TRANSFERS OF CARE (DToC) IN CARDIFF AND THE VALE OF GLAMORGAN (REF) -**

Scrutiny Committee (Community Wellbeing and Safety), on 4<sup>th</sup> September, 2006 received a report which sought the views of the Scrutiny Committee regarding the key recommendations from the CAT project to support the reduction of DToC in Cardiff and the Vale of Glamorgan. The Director advised that in September 2005 the CAT had been part of the National Leadership and Innovation Agency for Health Care commissioned by the Welsh Assembly Government to work with health and social work partners in Cardiff and the Vale of Glamorgan to reduce the delayed transfer of care figures. As a result the five partner agencies being Cardiff Local Health Board, Vale Local Health Board, Cardiff and the Vale NHS Trust, Cardiff City and County Council and the Vale of Glamorgan Council agreed that the CAT project would look at the four following work streams

- date review and validation
- effective management of patient choice
- review of current discharge policy to incorporate Unified Assessment (UA) and Continuing Health Care (CHC)
- capacity and demand analysis to inform future commissioning.

The project also linked with existing work on delayed transfers of care that was being undertaken by all five of the partners. Members were advised of the key recommendations of the CAT project which had been prioritised as follows:

- effective management of patient choice
- implementation of the new draft Discharge Policy
- test out new ways of working using Plan, Do, Study, Act (PDSA) Methodology
- make more effective use of data to inform intelligent commissioning
- improve partnership working
- manage care home capacity
- develop a joint strategy for commissioning across Cardiff and the Vale of Glamorgan
- collection and sharing of data by CSIW (Care Standards Inspectorate in Wales)
- “Pump Priming” funding for service remodelling
- taking a longer term view.

The CAT recognised that the level of DToC in Cardiff and the Vale of Glamorgan was perhaps a symptom of the underlying partnership and commissioning issues as detailed in the report. The Director confirmed that the report had been presented in order to encourage and co-ordinate partnership working between the various agencies.

Members then questioned the Director and representatives present in respect of a number of areas and considered the report:

1. Members had previously been advised that a residential care home was taking the local authority to arbitration in respect of residential care home fees and they wished to know the outcome.	No information to date. The Director advised as soon as details of the hearing were known he would advise Members accordingly.
2. When other local authorities use Vale homes do they pay different rates?	No. Any other local authority that requires a placement pays the fees of the host authority. At the moment it is only 10% of beds that are commissioned by other local authorities. There are also a number of homes within the Vale of Glamorgan that are carrying vacancies.
3. Members requested information on the total cost for a resident to be placed in residential care.	The Director was requested to provide the information as soon as possible.

Members welcomed the recommendation to improve Partnership working and considered that this had to be done effectively to ensure a reduction in delayed transfers of care. Members expressed concern about other projects that the Vale was funding, for example, OneVale when the budget situation in Social Services was in extreme difficulties. Abigail Harris advised the Committee that the Local Health Board and NHS Trust did not have reserves like local authorities.

Some Members stated that for example, in respect of the Penarth Headland Link the authority should endeavour to find other means of funding such a project i.e. with private developers in their opinion Social Services and Education should be the top priority. Members were keen to promote the Pump Priming recommendation and preventative work within the Council. They were aware of the demographic changes that were taking place which would also have future implications for the budget.

Linda Chandler from the Change Team confirmed the team had been brought in as an external pair of eyes to look at the problems that both agencies were facing in respect of Delayed Transfers of Care. In her opinion the fees and costs needed to be addressed as well as patients needs and requirements. It was noted that staff work under pressure and the budget constraints were affecting their stress levels at present.

After due consideration and discussion the Scrutiny Committee

#### RECOMMENDED -

(1) T H A T Cabinet be urged to address the shortfall in Social Services to ensure that the residents of the Vale of Glamorgan receive the care packages they had been identified for.

(2) T H A T the key recommendations contained within the report are supported by the Scrutiny Committee and forwarded to Cabinet for information / endorsement.”

Cabinet, having considered the recommendations made,

#### RESOLVED -

(1) T H A T the concerns of the Scrutiny Committee (Community Wellbeing and Safety) be noted.

(2) T H A T it be confirmed that the overspend on the Social Services budget is being addressed as a matter of priority.

**C2665 REVENUE AND CAPITAL MONITORING FOR THE PERIOD  
1<sup>ST</sup> APRIL, 2006 TO 31<sup>ST</sup> JULY, 2006 (REF) -**

Scrutiny Committee (Lifelong Learning) on 11<sup>th</sup> September, 2006 considered the Revenue and Capital Monitoring position for the period 1<sup>st</sup> April, 2006 to 31<sup>st</sup> July, 2006.

Arising from discussions, it was

**RECOMMENDED - T H A T** Cabinet be requested to consider providing additional resources for the Youth Service.

Cabinet, having considered the recommendation,

**RESOLVED - T H A T** the concern of the Scrutiny Committee (Lifelong Learning) be noted and that consideration of the concern await the outcome of the Youth Service review.

**C2666 RISK MANAGEMENT STRATEGY (REF) -**

The terms of reference of the Audit Committee had been amended at the Annual Meeting in May 2006 to include the requirement “to monitor the effective development and operation of risk management and corporate governance in this Council”. As a consequence, it had been felt necessary to amend the existing Risk Management Strategy and Policy Statement along with other changes to the membership of the Corporate Risk Management Group. An amended Strategy was considered by the Audit Committee on 14<sup>th</sup> September, 2006. The Strategy set out a Risk Management Policy Statement which described the aims of the Strategy and the culture the Council should achieve through its implementation, describing how that culture would be achieved through the identification and management of strategic risks (long term) service risks (day to day) and project management risks (temporary change objectives). It identified key objectives for the Strategy, roles and responsibilities for risk management, and the benefits of successful risk management. Reports would be made to future meetings.

Audit Committee had

**RECOMMENDED - T H A T** the amendments to the Risk Management Strategy and Policy Statement be endorsed and referred to Cabinet for approval.”

Cabinet, having considered the recommendation of the Audit Committee,

**RESOLVED - T H A T** the recommendation of the Audit Committee be agreed.

## **C2667      WAG CONSULTATION: CHANGES TO DEVELOPMENT CONTROL (REF) -**

The aforementioned consultation document, considered by the Planning Committee on 27<sup>th</sup> September, 2006 sought the views of the Local Planning Authority on a number of suggestions, the main changes proposed being detailed in the report and outlined below:

- Local Development Orders (LDOs) - LDOs were an extension of permitted development rights and it was proposed that Local Planning Authorities (LPAs) in Wales would have the same discretionary power as LPAs in England to make LDOs linked to policies in their own Local Development Plans.
- Standard Application Form - Proposals as in England, to introduce an electronic standard application form for planning applications and associated consents.
- Mezzanines - The Planning and Compulsory Purchase Act 2004 brought under planning control the creation of additional floor space within buildings but the provisions required secondary legislation to define the circumstances in which planning permission was needed, and views were sought on the threshold proposed for retail premises.
- Outline Planning Permission and Reserved Matters - Changes were proposed to the outline planning permission regime in relation to an increased minimum standard of information to be provided at the outline application stage and revising the matters that might be reserved.
- Access Statements and Design Statements - Views were being sought as to whether access statements in line with the Disability and Equality Duty to be placed on public authorities from December 2006, including design statements, should be a statutory requirement.
- Period of Validity - Proposed reduction in the period of validity of a detailed planning permission, a listed building consent and conservation area consent from five to three years.
- Use Classes Order - Incorporating Class "A" Uses (Retail), Children's Homes and Childminding, Casinos, Nightclubs and Playing Fields.
- Statutory Consultees - Review of the range of statutory consultees to be undertaken in the future.

The suggested Local Planning Authority's response, summarised below, was appended to the report:

- Local Development Orders - The principle of LDOs was questioned
- Standard Application Forms - Restricting the form to an electronic version was not considered inclusive and the suggestion of one standard form covering the considerable range of applications inappropriate
- Outline Planning Applications - The revisions to the outline planning permission and reserved matters regime were welcomed
- Design and Access Statement - The principle of Design and Access Statements was accepted
- Use Classes and General Development Procedure Order - The changes to the Use Classes Order were generally welcomed but not those relating to

A1 and A2 uses. It is recommended that the system be changed to mirror that reflected in England

- Statutory Consultees - Delaying the review was not considered sustainable.

Following discussion on the above, particularly in respect of e-government and the use of electronic application forms, it was

Planning Committee had,

**RESOLVED -**

(1) T H A T the position be noted and that a report be submitted to a future meeting explaining the current planning application process and the implications thereon of the use of electronic application forms.

(2) T H A T the report and Appendix A to that report be endorsed and formally issued to the WAG as this Council's response to the consultation on the Development Control System in Wales.

(3) T H A T a copy of the report and Appendix A to that report be referred to Cabinet for information.

Cabinet, having considered the decision of the Planning Committee,

**RESOLVED - T H A T** the recommendations of the Planning Committee be endorsed.

## **C2668 PLANNING FEES FOR CHILD MINDERS (REF) -**

Planning Committee on 27<sup>th</sup> September, 2006 considered draft proposals which had been received from the WAG in respect of reducing the fees for the submission of planning applications relating to child minding, and consideration was given to formulating this Council's response. WAG was canvassing for views in respect of whether planning application fees for changes of use and Certificates of Lawful Development for childminders working from their own homes should be reduced by 50%, there being some concern that the current fee payable could act as a barrier to some would-be child minders.

Members were advised that planning permission was not required where the number of children looked after were 6 or fewer and that the number of such applications received annually were not many.

In the draft response appended to the report, attention was drawn to the fact that WAG had only recently agreed a stepped increase in planning application fees which had resulted in an increase in the current year of 20% and next year of 10%. The increase had been put in place in order to ensure that local planning authorities were sufficiently funded to cope with the ever-growing

development control workload and it was, therefore, seen as illogical to wind back those recent fee increases given that any beneficial effect had yet to be received. In addition, it was suggested that ad hoc tampering with the traditionally uniform planning fee structure could create a dangerous precedent, and that the proposed changes were ill-conceived and poorly thought out.

Whilst recognising the rationale behind the content of the draft response, Members expressed the view that, given WAG's aim of encouraging childminding provision, WAG might consider other funding mechanisms through which that could be achieved. In order to allow full consideration of such issues, including other potential ways in which the Council and its partners could provide incentives to attract additional childcare provision (all of which were outside the remit of this Committee),

Planning Committee had

RESOLVED - T H A T the report and the appendices thereto be referred to both the Scrutiny Committee (Community Wellbeing and Safety) and to the Cabinet for consideration prior to the Planning Committee formulating a response (in respect only of the proposed changes to the Planning Fees in Wales) in order that a rounded response could be forwarded to WAG by the due deadline of 10<sup>th</sup> November, 2006.

Cabinet, having considered the resolution of the Planning Committee,

RESOLVED - T H A T the views expressed at the Planning Committee be endorsed.

**C2669 CABINET ADVISORY COMMITTEE - HUMAN RESOURCES AND EQUALITIES: 21<sup>ST</sup> SEPTEMBER, 2006 -**

RESOLVED - T H A T the following report be accepted and that the recommendations contained therein be adopted.

**Present:** *Cllr. A. Clive Williams(Chairman),  
Cllr. H.J.W. James (Leader)  
Bryan Jeffreys (Director of Learning & Development  
Steve Ralph (Head of HR & Equalities)  
Adrian Unsworth (O.M HR & Equalities)  
Keri Hutchings (Cabinet Support Officer)*

***Apologies for Absence:***

*Received from Cllr. G. Cox and Cllr. A.D Hampton*

**(a) MINUTES-**

*That the minutes for the Meeting held on the 18<sup>th</sup> May 2005 were approved.*

**(b) DECLARATIONS OF INTEREST –**

*None were declared.*

**(c) Job Evaluation**

*The Cabinet Advisory Committee for Human Resources and Equalities discussed the progress of Job Evaluation for the Vale of Glamorgan Council in the context of the GLPC Scheme, pay modelling, equal pay and possible grading structures.*

*Recommended – That Cabinet be requested to consider the follow proposal*

- 1) *That the Committee is kept updated regarding the progression of the Job Evaluation Scheme*

*Reason for proposal.*

- 1) *to enable the committee to progress matters.*

**C2670 VALE OF GLAMORGAN LOCAL ACCESS FORUM -**

The following minutes of a meeting held on 6<sup>th</sup> September, 2006 were submitted:

*Present: Mr. M.R. Harvey (Chairman); Mr. J.V. Custance, Mrs. V.M. Hartrey, Mrs. H. March, Mr. N. Moss, Mr. R. Pittard and Mr. R. Traherne.*

*Miss S. Tindall (CCW), Mr. F. Coleman, Mr. S. Latham, and Mrs. S. Thomas (VOGC).*

*Prior to the meeting Members had undertaken a walk to the castle site to view access to the path/garden and Tir Gofal. The walk had been facilitated by Mr. Paul Dunn and his team, whose efforts were much appreciated by Members of the Forum.*

**(a) Apologies for absence -**

*These were received from Mr. D.J. Field, Mr. J.J. Herbert, Mr. D.T. Hopkin, Mr. H.S. McMillan, Mrs. M. Morgan, Mr. R. Simpson, Mrs. V. Warlow, and Mr. D. Williams; Mr. C. Jones-Jenkins and Mr. J. Wyatt (Secretary) (VOGC).*

(b) Resignation -

*The Forum was informed of the recent resignation of Mrs. Jacqlyn Spence.*

(c) Minutes -

*AGREED - T H A T the minutes of the meeting held on 7<sup>th</sup> June, 2006 be approved as a correct record subject to following:*

- *the reference to Mr. L. Pittard in the list of those present being amended to read Mr. R.L. Pittard*
- *the final sentence of the second paragraph in Minute No. (g) being amended to read "other non-routine maintenance work included the repair/replacement of stiles and gates and also the resurfacing of paths, and contractors were employed by the Council or Valeways where appropriate to generally carry out these works".*

(d) Update of Coastal Access Policy -

*The WAG had considered the report on coastal access prepared by CCW and, following consultation, had resolved to develop a new coastal access improvement programme. Further details were given in the papers attached to the agenda, namely a letter from the Minister outlining the intention, a briefing note for a Stakeholders meeting held in July, and the minutes of that Stakeholders meeting. Frank Coleman had attended the Stakeholder meeting, being one of only four Council representatives thereat. Mr. Coleman drew attention to specific issues raised at that meeting including the necessity of specific definitions being drawn up relating to "access to coastal land" and "secure access". The importance of such terms being clearly defined and tied in with the Coastal Tourism Strategy (currently in the throes of preparation) was fully recognised. WAG would then try to put together a Strategic Project Plan for the whole of Wales which would contain, inter alia, guidelines for attracting funding. At that first meeting of Stakeholders, it had been announced that the intention was to draw in new resources for the programme through a bid in the next WAG budget round as well as investigating opportunities for drawing in EU Structural and Rural Development Plan funds. It was considered that the new programme should also significantly assist in the ROWIP implementation process for the 16 coastal local highway authorities. The role that LAFs had in the development of the programme locally and in assisting their authorities to take the initiative forward was also discussed, and it was agreed that specific guidance could be usefully produced to assist local authorities in taking the initiative forward through local partnerships.*

*The document prepared as a basis for discussion at the Stakeholder meeting contained more detailed information in respect of the above and related matters including the key objectives of the programme, the benefits and*

outputs to be achieved, cross cutting opportunities, delivery mechanisms, timetable, and funding. Discussion ensued on one of the key objectives namely "improve access to the coast to local communities and visitors through local path improvements, including new circular routes at the coast, and secure improved opportunities for wheelchair and pram access for the coastal environment for the benefit of the disabled and families with young children". Reference was made to the need for urgent action to be taken in respect of access to the beach at Llantwit Major although it was recognised that, not only did the technical feasibility of undertaking any necessary works need to be assessed, the Vale had sizeable coastline and there was the need to assess priorities in order to make the best use of limited resources. This Forum would assist the Council in delivering the programme although it was accepted that the availability of sufficient funding would be critical if the ambitious outputs for the programme were ever to be delivered. Discussion then focussed on coastal access within the Vale and the opportunities for partnership working with businesses located along the coast and private land owners to achieve improved access. In order to attract WAG funding, it was evident that clear priorities for improvement would need to be defined, and that "deliverability" within a specified timescale would need to be taken into account. To that end, it was agreed that a list of current deficiencies in coastal access throughout the Vale be submitted to the next meeting. It was recognised too that improved public transport to and from coastal paths would be of benefit, although it was reported that the Council currently spent a very significant sum on subsidised transport at present. The opportunity to use any of the current Strategies in preparation, such as the Local Development Plan, the Tourism Strategy and the Transport Strategy, to forward the case for funding to be made available for coastal access would be fully investigated.

Following further discussion, it was

**AGREED - T H A T** the position be noted and a list identifying all deficiencies relating to coastal access submitted at the next meeting.

(e) ROWIP Timetable -

It was anticipated that the draft ROWIP would be ready by the end of September following which a brief internal consultation exercise would commence. It was proposed that this Forum would meet to discuss the draft ROWIP on 19<sup>th</sup> October following which comments would then be fed into the Council's Scrutiny Committee (Economy and Environment) and Cabinet on 24<sup>th</sup> and 25<sup>th</sup> October, 2006 respectively. The draft would then be finalised, translated and printed in November/December 2006 and published for widespread consultation in January 2007 for twelve weeks. Following the collation of responses and any necessary modifications to the draft, the final draft version would be reported back to this Forum, the relevant Scrutiny Committee and Cabinet during June 2007. That would result in final modifications being made during July and August 2007 with the ROWIP itself being printed in September 2007 and its publication promoted with an official launch.

*AGREED - T H A T the timetable be accepted.*

*(f) ROWIP - Criteria for Assessing the Value of Maintenance and Improvement Actions -*

*The need to arrive at the criteria to be used to assess the value of actions to look after, or to improve, routes in order to help judge priorities was recognised. Such criteria would then be used as guidance to inform the work programme. The need, too, to identify criteria which were practical and achievable as opposed to purely visionary was widely accepted. It was suggested, for example, that the Community Strategy might prove a useful starting point.*

*Discussion ensued on the paper circulated for consideration which contained a number of proposed criteria separated into the headings of*

- health and safety*
- access for all*
- community value*
- features of interest*
- contribution to the wider network.*

*Debate ensued not only on the merits of those categories themselves but also on expanding both the contents listed under each and to increasing the number of those categories. The desirability, for example, of identifying deficiencies in the current provision was raised in order that consideration could be given as to whether the needs of horse riders, cyclists, and four-wheeled vehicle drivers should be taken into account when prioritising improvement actions, given that it could be said that the able bodied were fairly well catered for already. Not only would a priority list based on compliance with the specific criteria assist in the equitable allocation of Council's limited resources, the demonstration of a strategic approach to maintenance and improvement would also facilitate the attraction and award of grant aid from CCW and others.*

*Following discussion on the above and related matters, it was*

*AGREED - T H A T, whilst the list shown below would require further refinement, the following be adopted as provisional criteria for assessing the value of maintenance and improvement actions:*

*Health and Safety*

- Is the proposed action necessary for health and safety?*
- Will it make a positive contribution to health and safety?*

Access for All

- *Will the proposed action enable or improve use by people with mobility problems or any other physical or mental impairment?*
- *Will it improve the route in terms of providing the least restrictive access?*
- *Will it enable use by cyclists and/or riders?*
- *Will it enable more effective use of the network, or use by more people?*

Community Value

- *Is this a popular and well used route?*
- *Will the proposed action improve access to schools, community facilities and/or public transport?*
- *Will it enable better access around, within or between local communities?*
- *Will the route be adopted by the local community and potentially be maintained by that community?*

Features of Interest

- *Will the proposed action enable better access to features of natural or man-made interest?*
- *Will the proposed action result in a proliferation of signage?*
- *Will the proposed action, and the potential increase in visitor numbers, be detrimental to such features and, in particular, natural habitats?*

Contribution to the Wider Network

- *Will the proposed action make a contribution to a circular route or trail - directly, or as a link?*

Economic Value

- *Will the planned programme of improvement or maintenance result in long-term savings or assist future sustainability?*
- *Will affording a scheme priority where the route was part of a wider scheme or network improve the chances of attracting grant aid?*
- *Can the improvements be undertaken in partnership?*
- *Can the improvements encourage visitors to an area and thereby help boost the local economy?*

(g) Strategic Planning of Water-Related Sports and Recreation in Wales -

*Correspondence from the Environment Agency Wales was circulated in respect of the above. Over the next 12 months, Environment Agency Wales would lead a Steering Group comprising the WAG, CCW and others to develop a strategic plan for water-related sports and recreation in Wales. The strategic plan would stress some of the perceived weaknesses in planning*

*guidance, imbalances in supply of water resources, barriers to participation, conflicts between different recreational uses of water and perceptions of incompatibility between some activities and the environment. The participation of local authorities was seen as key to the success of the plan and the letter had been made available to Members of the Forum as part of the consultation process. Members were invited either to respond individually to the Environment Agency Wales or to Frank Coleman who would then incorporate their views into the Council's response.*

*AGREED - T H A T the position be noted.*

*(h) Date of Next Meeting -*

*It was announced that there would be an extraordinary meeting of the Forum on 19<sup>th</sup> October, 2006 to consider the draft ROWIP and that the next scheduled meeting would take place on 17<sup>th</sup> January, 2007.*

RESOLVED - T H A T the minutes be noted, and that in the light of the development of a Coastal Tourism Strategy by WAG, a further report on the Council's Tourism Strategy and its implications on coastal issues be brought before a future meeting of the Cabinet.

#### **C2671 POLICY AGREEMENT 2004/07 - PROGRESS IN ACHIEVING TARGETS (CX) (SCRUTINY - CORPORATE RESOURCES)-**

Cabinet were advised of progress being made in achieving the performance in the Council's Policy Agreement with the Welsh Assembly Government (WAG).

A meeting had taken place with WAG officials to discuss final year (2007) targets. A small number of these targets had been amended:

- PA20 - the number of adults (16+) enrolments on accredited literacy, numeracy and IT learning opportunities. Targets revised downward due to the loss of the Open Learning Centre and Learning Challenge Fund.
- PA30 - the number of hits of the library website. Target revised upward due to the overwhelming success of this provision.

Appendix 1 to the report identified the performance of each of the Policy Agreement performance measures. The rows shaded in grey identified areas of potential concern. A letter from Sue Essex outlining the Council's performance was attached at Appendix 2 for information. In the letter, the Minister highlighted the good work that had been undertaken in:

- young people leaving school without a qualification
- use of bed and breakfast accommodation for homeless people
- delayed transfers of care
- older people in residential care

- electronic service delivery
- recycling of waste.

In addition, she identified areas for concern:

- percentage of children with plans for permanence
- looked after children experiencing changes of school
- lack of progress on energy efficiency.

WAG had confirmed that the Council would receive its Performance Incentive Grant for 2006/07 totalling £1,205,170.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the achievement of the Policy Agreement performance indicator targets continue to be monitored by individual Cabinet Members and Scrutiny Committees.

(2) T H A T a future Cabinet receive a further report from the Director of Environmental and Economic Regeneration on how the Council could improve its performance in relation to Indicator PA27 "(a) Percentage reduction in carbon dioxide emissions in the non domestic public stock, (b) percentage reduction in energy use and carbon dioxide emissions in the housing stock.

Reason for decision

(1) In order to achieve the targets and therefore continue to benefit from the significant funding attached to the Agreement.

(2) In order to achieve the requirements of the Performance Indicator.

**C2672 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (CX) (SCRUTINY - AS INDICATED BELOW) -**

This was a matter for Executive decision.

RESOLVED - T H A T the exercise of the Chief Executive's Emergency Powers as indicated below be noted:

(a) Authority to bid for further grant support from the WDA towards the Barry Town Hall Project.

(Scrutiny - Corporate Resources).

(b) Authorisation of payment of Gross Notice Pay, Headteacher.

(Scrutiny Lifelong Learning/Corporate Resources).

- (c) Authorisation to undertake planning and highways legal work for Merthyr Tydfil County Borough Council (capacity permitting) until it has sufficient post holders and expertise to undertake the work itself.

(Scrutiny - Corporate Resources).

- (d) Authorisation to amend reference in Minute No. C2057 from “The Vale of Glamorgan Council (Ystradowen Recreational Area - Acquisition of Rights) Compulsory Purchase Order 2005” to “The Vale of Glamorgan Council (Ystradowen Recreational Area - Acquisition of Rights) Compulsory Purchase Order 2006”.

(Scrutiny - Economy and Environment).

- (e) Authorisation to adopt the provision of NJC Circular 1/06 relating to NJC Car Allowances 2006/07.

(Scrutiny - Corporate Resources).

- (f) Authorisation to extend Minute No. C2375 to include the provisions of Section 13 of the Local Government (Miscellaneous Provisions) Act 1976.

(Scrutiny - Economy and Environment).

- (g) Authority to submit a bid to the Big Lottery Fund in respect of the South Wales Overarching Leadership Group application for funding a Preventative Project 4 - 11 year olds.

(Scrutiny - Community Wellbeing and Safety).

- (h) Authority to include within the capital programme projects to the value of the Standard Annual Grant allocated by the Welsh Assembly Government, i.e. £275,000.

(Scrutiny - Lifelong Learning/Corporate Resources).

- (i) Authorisation for

- (i) funding to be made available from the savings arising out of the Policy Budget for Christmas illuminations in Barry Town Centre of £29,895.39 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.

- (ii) the acceptance of the tender from Millenium Quest 2000 Limited 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.

(Scrutiny - Economy and Environment).

Reason for decision

To inform the Cabinet.

**C2673 LISTED BUILDINGS CONDITIONS SURVEY - LISTED BUILDINGS "AT RISK" (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Councillors J.W. Thomas and G.A. Cox left the room whilst this item was under consideration.

Cabinet were advised of the findings of a conditions survey of listed buildings in the Vale of Glamorgan and of the actions which may be progressed by the local authority in respect of those buildings identified as being in a vulnerable condition.

The conditions survey was based on a first hand assessment of the conditions of 18 critical building elements, which were weighted and "scored" in terms of their importance to the structural integrity/longevity of the buildings (called a critical element factor score). From these findings, a statistical assessment of the overall condition of the building could be made, and those structures considered as being most vulnerable identified.

Of the 731 listed buildings surveyed, 77 were identified as being at risk. Although this figure (over 10%) initially seemed a very high proportion, this in fact concealed many varying building conditions and circumstances.

Of the 77 buildings which had been identified:

- 18 were "scheduled monuments", whereby consolidation and managed decay through a process of repair was considered preferable to renovation or restoration. Such works were effectively regulated by CADW. Where buildings were both listed and scheduled, scheduled monument legislation took precedence. It was noteworthy however, that although 15 of these buildings/structures were in private ownership, 2 were owned by the Vale of Glamorgan Council (Old Place and its boundary enclosure in Llantwit Major) and one is within the custodianship of CADW as a building "in care" (Old Beaupre Castle).
- Four related to ecclesiastical buildings which were generally subject to parochial powers presided over by the local Diocese. Such structures

were subject to five yearly review by the church, and to a corresponding programme of planned maintenance.

- The remaining 54 ranged from ruinous structures, to buildings in quite reasonable condition, but which were considered at risk because of the failure of a single critical element (perhaps roof covering or flashings) which made them vulnerable or likely to degrade exponentially in a short space of time. All of the buildings identified as being at risk appeared at Annex A to the report.

Where buildings were identified as being as risk, appropriate action, relative to the degree of risk identified, might be pursued by the local authority.

Outside of the realms of any legislative provision, the local authority could encourage the undertaking of maintenance to the structures identified.

Of the 77 buildings and structures identified as being at risk, critical element factor scores ranged from 9 (indicating an exceptionally high degree of vulnerability) to 90 (indicating that specific elements of the building only were in need of attention).

In the majority of cases then, such “action” by the local authority might only take the form of a “letter of encouragement” to the owner of the building, advising of the survey findings and of any appropriate/specialist advice.

The survey had also highlighted a number of ruined structures which were not scheduled monuments, but to which the philosophy of managed decay also applied as their special interest would be lost if they were to be rebuilt. In such cases it may be considered that either the encouragement of, or direct undertaking of a recording exercise may be more appropriate, than the encouragement of maintenance. Sadly this acknowledges the fate of a number of ruinous listed structures in the Vale, and also recognised that recording may be the most honest and practical means of preservation.

There were however, instances of deliberate or conscious neglect of a number of buildings, where owners would appear to have the capacity, but not the inclination to maintain their buildings. In such instances the Council may consider the authorisation of more acute action, and in this regard, the Planning (Listed Buildings and Conservation Areas) Act 1990 provided for a number of actions that the local authority may employ in order to address the deterioration of listed buildings. Specifically, Section 57 allowed for the award of a grant by a local authority to aid the preservation of a building.

In more serious cases:

- Sections 54 and 55 provided that a local authority may execute “urgent works” to unoccupied listed buildings (limited to those necessary to secure the preservation, not the improvement of the building) and to seek reimbursement of its costs through the courts as a simple contract debt.

- Section 56 provided for the serving of a “dangerous structures” notice under the Building Acts, where it was considered more expedient than pursuing the compulsory purchase of the building under Section 47 or 48.
- Sections 47 and 48 provided that a local authority may serve notice on a listed building owner, requiring the undertaking of specified repair works within a limited time period, with the intent that non compliance would allow for a compulsory acquisition of the building by the authority, subject to the approval of the Welsh Assembly Government.
- Where buildings were evidently the subject of deliberate neglect, the local authority may make representation to the Welsh Assembly Government for a direction of minimum compensation to the owner.
- Section 52 allowed for a local authority to acquire a listed building by agreement with the owner.

Cabinet were asked to consider authorising acute action in respect of 14 buildings at risk:

Urgent Works Notices at:

1. Farm Range NE of Brooks Farm, Wick.
2. Barn and stables at Great Frampton Farm, Llantwit Major.
3. Operators cabin to sliding bridge at Barry Dock, Barry.
4. Barn on Ewenny Down, Ewenny.
5. Barn at West Aberthaw Farm, St. Athan.
6. Heavy horse stable at West Aberthaw Farm, St. Athan.
7. Grand Lodge, St. Brides Major.
8. Barn at Home Farm, Sully.

The above structures exhibited varying degrees of risk and necessary repairs.

9. Llandow Castle Flats were derelict and unsecured, and although informal discussions had taken place regarding the refurbishment of the building, no applications had yet been received. It was therefore considered prudent to at least secure the building pending any application and decision.
10. Marine Buildings, Penarth was vacant and had been boarded for a number of years. The development of the site had been the subject of much debate between the owners of the building and the Council, and also the subject of a withdrawn planning application. However, the condition of the building was now such that the taking of action to address removal of vegetation and ensure that the building was secure and waterproof was considered appropriate.

In the form of a Repairs Notice (potentially leading to compulsory purchase):

11. Penllyn Castle, Penllyn was an extensive building in need of roofing repairs.

12. The Old Rectory (Balfour House), St. Athan required attention to roofing, flashings and rain water discharge systems.

By the service of both Urgent Works and Repairs Notices:

13. Great Frampton, Llantwit Major was important as one of the few Georgian country houses in the Vale, which had itself evolved from an earlier building. The building had been damaged by fire in the past but sufficient structures remained to consider its rebuilding justifiable in listed buildings terms.
14. Brynwell Farmhouse, Michaelston was listed in 2002 and was in a poor state of repair at listing. The property had continued to deteriorate since that time despite several attempts to encourage the owner to secure and repair the building. The property was unoccupied and considered the subject of deliberate neglect. The taking of further action in respect of this property was considered a priority.

Further detailed reports on the above sites would be provided to Cabinet outlining potential costs and risks, prior to undertaking such actions.

This was a matter for Executive decision.

RESOLVED - T H A T subject to consultation with the Planning Committee,

- (1) the findings of the listed buildings conditions survey as summarised at Annex A to the report be endorsed;
- (2) that all owners of buildings identified as being “at risk” be advised of the outcome of the survey by letter and encouraged to address the issues raised;
- (3) that the further investigation of the merit of service of urgent works and repairs notices on the owners of those properties indicated in the report be endorsed and that further reports be produced for the Cabinet, including details of the likely implications, liabilities and options inherent in the service of such notices on each of the individual buildings concerned.

#### Reasons for decisions

- (1) That Cabinet be made aware of the current condition of listed buildings in the Vale of Glamorgan area, recognise their importance in contributing to the architectural and historic interest of the environment, and support and assist in their maintenance where able.
- (2) To make owners aware of the condition of their property and to provide an opportunity for the undertaking of voluntary maintenance.

(3) That Cabinet support the pursuit of more acute action in circumstances where the service of legal notices is likely to be the most expedient and effective course of action in preserving those historic assets.

**C2674 NORTH AND WEST CARDIFF - AREA TRANSPORT STUDY (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet were advised of the above study group, established by the Welsh Assembly Government.

In January of this year, this Council was informed that the Welsh Assembly Government (WAG) was establishing a working group to consider key traffic issues arising from a proposal to develop an internal business park on land north of junction 34 of the M4 within the administrative area of Cardiff Council.

The proposal to develop land north of the M4, at junction 33 had been suggested for some time and it appeared that discussions had previously taken place between a potential developer and Cardiff County Council on a proposal. The former Welsh Development Agency had also been informed in assessing options for an international business park, and to this end, the Department of Enterprise Innovation and Networks was also currently involved in discussions of the site.

In response to the proposals, and as a consequence of the likely impact that the development could have in the wider highway network, WAG had commissioned consultants to advise them on the transport issues likely to be associated with the proposal.

In addition, WAG had established a working or stakeholder group to ensure that neighbouring authorities (Cardiff, Rhondda Cynon Taff and the Vale of Glamorgan) were aware of the work being undertaken by Halcrow Group Limited, consultants appointed by WAG.

Some four meetings had been held since February of this year and a copy of the conclusions and recommendations of Halcrow Group Limited's report entitled "Welsh Assembly Government, North and West Cardiff Area Transport Study - Review of International Business Park Traffic Analysis" was appended at Appendix A to the report.

The key findings of the Halcrow Group report, undertaken on behalf of WAG, as they relate to the Vale of Glamorgan were as follows:

1. The need to assess existing traffic demand at key junctions in the sub-region, including the operation of four key functions mainly on the M4 i.e. J32, J33 and J34 and the Culverhouse Cross interchange.
2. The need to include traffic impacts of other key existing and proposed developments with particular emphasis on the sports village and Cardiff City Football Club and associated retail developments in Leckwith,

when assessing existing traffic conditions and future demand on the network.

3. A detailed analysis of the impact of the business park proposal on the operation at Culverhouse Cross will be required, and this analysis should include a consideration of issues relating to access to Cardiff International Airport.

In summarising, the Halcrow Group Limited concluded that the existing highway network in the proximity of J33 was already operating close to capacity with resultant congestion. Existing commitments would also put further substantial pressures on the trunk road network in the vicinity of J33. A series of recommendations were put forward to deal with issues outlined above which would need to be addressed in any subsequent assessment of the traffic and transportation impact of the proposed development.

It was noted that the issues, as they relate to the Vale of Glamorgan Council had only been raised by officers and in this regard, the group arrangement had been an effective mechanism in allowing officers to point to areas of concern in advance of the formal submission for planning permission. Whilst the meetings that had been held had not involved consideration of the merits of the proposal, it had allowed a discussion as to the nature and scale of information expected in any future traffic and transportation impact assessment. In this regard it was clear that given developments already committed in Cardiff on the eastern boundary of the Vale of Glamorgan, the impact of any further development on the A4232 Ely Link, Culverhouse Cross and approaches to Culverhouse Cross would be critical. Likewise, the impact on the network of J34 of the M4 and approaches to this junction from the south would also be important.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the content of this report and of the Halcrow Group Limited report produced on behalf of the Welsh Assembly Government be noted with great concern particularly with regard to the far-reaching implications of the proposal and the serious implications for the Vale of Glamorgan.
- (2) T H A T any further works undertaken in assessing the transportation impact of the proposed developments of the international business park at land to the north of J33 of the M4 must take into full account the impact on J33 of the M4, the A4232 Ely Link, Culverhouse Cross interchange and approaches to it, as well as the impact on J34 and approaches to this junction from the Vale of Glamorgan.
- (3) T H A T a copy of the report be referred to the Planning Committee and to Sewta for information.

(4) T H A T Halcrow Group Limited and relevant officers be invited to update Cabinet Members on the proposal.

(5) T H A T the WAG be informed of the serious concerns of the Council of the potential impact of the proposals on the strategic access into the Vale of Glamorgan. Furthermore, that WAG be reminded of the impact of previous proposals at Culverhouse Cross, Leckwith Junction and Cogan Junction on strategic access to the Vale of Glamorgan and that in the light of this, WAG be informed that this Council will be requesting that any planning application be "called in" for determination by the Assembly.

(6) T H A T a letter be sent to all Assembly Members and relevant MPs outlining the Council's concerns at these proposals.

#### Reasons for decisions

- (1) The report is for information purposes.
- (2) To ensure that the Council's opinion as to the work required is part of any transportation impact assessment is noted.
- (3) For information of Planning Committee/Sewta.
- (4) To update the Members of the Cabinet.
- (5) To inform WAG.
- (6) To inform Assembly Members and relevant MPs.

#### **C2675 VALE OF GLAMORGAN COUNCIL - ASBESTOS POLICY (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet approval for the Vale of Glamorgan Asbestos Policy was sought.

To ensure corporate commitments, awareness and understanding of the roles and obligations required as a result of the Control of Asbestos at Work Regulations 2002, an asbestos policy would need to be implemented by the Council.

The asbestos policy would identify the Council's obligations in respect of Control of Asbestos at Work Regulations 2002, with particular reference to the following areas:

- the management and control of asbestos within buildings
- the role and duties of nominated designated duty holders for buildings
- the promotion of the awareness of risk associated with asbestos in buildings
- the regulation of any building works associated with the presence of asbestos in buildings

- the inclusion of regular reviews, monitoring and audit inspection of the management and control procedures and compliance with the asbestos policy.

In order to ensure the asbestos policy was implemented in an effective manner, it was proposed that an implementation plan be produced. The implementation plan would concentrate on critical areas such as:

- nomination of duty holders for all corporate buildings
- delivery of management and control
- training and development for buildings duty holders, managers and buildings users
- management of an asbestos strategy for the Vale of Glamorgan's corporate buildings
- identification of all asbestos containing material in corporate buildings
- the implementation of a fully maintained asbestos risk register for all corporate buildings
- the introduction of a communications strategy for the management of asbestos in corporate buildings
- the introduction of a permit to work system for buildings that contain asbestos containing materials
- the implementation of a quality assessed buildings monitoring and audit inspection regime.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the adoption of a Vale of Glamorgan Council Asbestos Policy and Procedures for the management of asbestos containing materials be approved.

(2) T H A T an asbestos policy implementation plan be prepared and submitted for approval to a future meeting of the Cabinet Advisory Committee for Building Maintenance and that recommendations be brought back before Cabinet.

(3) T H A T progress on the implementation plan be monitored via the service plan quarterly reporting to the Economy and Environment Scrutiny Committee.

#### Reasons for decisions

(1) To ensure the Council continues to comply with its duty of care in respect of the requirements of the Control of Asbestos at Work Regulations 2002.

(2) To formally adopt the asbestos policy implementation plan.

- (3) To ensure progress on the asbestos policy implementation plan is monitored.

**C2676 UPDATE ON MAJOR PROJECTS (DEER) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet were provided with the first set of briefing notes on major projects currently managed by the Projects Management Unit (PMU) prior to this information being reported to the Scrutiny Committee (Corporate Resources) in accordance with one of the recommendations of its review of major projects.

Attached as appendices to the report were the first sets of briefing notes on the projects with a value of over £500,000 currently being undertaken by the PMU. Updates had therefore been produced in respect of the Penarth Heights Scheme, the Barry Town Hall redevelopment and the Business Service Centre at the Innovation Quarter at the Barry Waterfront, the Thompson Street Footbridge Scheme and the first phase of the Central Station scheme at the Docks platform. Members noted that there was a variety of other work carried out by the Unit which did not fall within the criteria set as the Council's corporate guidance on project management defines projects as having a start and finish. The longer term master planning exercise and long term projects such as the Barry Steam Railway and projects at initial feasibility state within the wider Innovation Quarter (e.g. a medical centre) were not, therefore, included within the appendix.

This was a matter for Executive decision.

**RESOLVED -**

- (1) T H A T the report be noted.
- (2) T H A T all projects in excess of £100,000 be included within future reports.
- (3) T H A T Cabinet be provided with a definition of what constitutes a "Major Project".

**Reason for decision**

- (1) The report was for information purposes.
- (2) To inform Cabinet.
- (3) To inform Cabinet.

**C2677 WELSH ASSEMBLY GOVERNMENT: ACTIVE LIFESTYLES COMMUNITY CAPITAL PROGRAMME (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet were advised of the Community Capital Programme, and approval was sought to submit applications.

The Welsh Assembly Government had established a 20 year vision for sport and physical activity - "Climbing Higher". The strategy recognised that sport and physical activity could make a vital contribution across many government priorities such as education and lifelong learning, the economy, culture, social regeneration, environment and, most importantly, improving the health of the nation. Climbing Higher was part of the Welsh Assembly Government's response to Health Challenge Wales which provided national focus for the improvement of health and wellbeing including making physical activity a part of everyday lifestyle.

Climbing Higher set a 20 year goal of increasing adult physical activity levels by 1% per annum over the period. This equated to an additional 20,000 adults each year reaching the 30 minute/5 days a week target. By the end of the 20 years this target required over 66 million new individual physical activity occasions to take place a year. In order to achieve this, it was recognised that innovative and flexible approaches, new thinking, local solutions and not a "one size fits all" approach would be needed.

In July 2006 the Welsh Assembly Government's Finance Minister agreed to make an additional £4 million capital funding available for an innovative active lifestyles programme in response to health, Challenge Wales and the Climbing Higher objectives of improving health through increased physical activity. It was agreed that this fund would prioritise buildings in the community and "door step" outdoor "open green spaces" for informal recreation e.g. parks, footpaths and trails.

As part of this initiative, the Vale of Glamorgan had been allocated £150,480 and was required to subject applications for individual projects as part of this scheme. A minimum of 5 projects were required in each local authority area which needed to be a mixture of indoor and outdoor projects and a ratio of at least 2 and preferably 3 out of 5 should provide development opportunities for non Council controlled or managed facilities.

Applications were required to be submitted by 13<sup>th</sup> October, 2006. This timetable only provided the ability for limited consultation and in order to achieve the deadline, it was felt unlikely that there would be enough time to seek Cabinet approval for selected projects.

This was a matter for Executive decision.

## RESOLVED -

(1) T H A T the Director of Environmental and Economic Regeneration in consultation with the Director of Finance, ICT and Property and Cabinet Member for Economic Development, Tourism and Leisure and Visible Services, be authorised to submit applications on behalf of the Vale of Glamorgan Council to access the Community Capital Programme.

(2) T H A T the Director of Environmental and Economic Regeneration accept the role of co-ordinating bids for the Active Lifestyles Community Capital Programme and consult with voluntary organisations to co-ordinate and encourage applications.

(3) T H A T a further report be submitted to Cabinet to agree any offers of grants.

(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 closing date for applications being 13<sup>th</sup> October, 2006.

Reasons for decisions

(1&2) To ensure that the maximum benefits are gained from the Welsh Assembly Government and Active Lifestyles Community Capital Programme in the Vale of Glamorgan.

(3) To allow Cabinet to make a decision on grant offers.

(4) To meet the deadline.

**C2678 DIRECTORATE OF ENVIRONMENTAL AND ECONOMIC REGENERATION: REVENUE BUDGET PRESSURES (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet were updated on the budgetary pressure being experienced within the Directorate and were advised of actions being undertaken to deal with these pressures.

Visible Services

The Highway Maintenance and Waste Management Accounts were currently showing small surpluses. Although this was expected to remain in relation to Highway Maintenance, there were clear pressures as far as the Waste Management budget was concerned. Underspensing due to staff vacancies had been outweighed by a reduction in trade waste income leaving the service with an overspend of £71,000 on the current profiled budget. Income was however increasing and the service would be reviewed at the end of the year.

As had been previously reported, anticipated savings from the reduction of domestic waste due to the cardboard and plastics recycling services had not materialised. Consequently, land fill tax costs had not dropped as had been hoped. As a result, Waste Management Service could be facing a funding shortfall of £150,000 for 2006/07 although staff were looking to reallocate the sustainable waste grant funding in order to minimise this overspend. Measures were also being considered in order to reduce the costs of plastic and cardboard collection by changing shift patterns for the future and other savings such as vehicle hire and additional WAG grants were being considered. The objective would be to bring this service area within budget by the end of year.

In terms of Parks and Grounds Maintenance, there were pressures both on the client and the trading account. Reference had already been made to the additional costs of the external grass cutting contract which amounted to £120,000 a year, as well as to the additional Dyffryn Gardens staffing costs of £50,000. In addition, on the client's side it had also been necessary to agree a revised pay structure for Dyffryn Garden's staff which placed an additional pressure of £54,000 on this year's budget. It had been agreed that the exceptional costs had been met centrally. In relation to the Trading Accounts, this was currently indicating a deficit of £23,000 which would be monitored during the course of the year in order to bring the service back within budget. Members recalled that £100,000 of additional funding had already been allocated to Parks and Grounds Maintenance from the Visible Services fund.

### Building Maintenance

The Building Maintenance Trading Account had been operating in deficit for the previous three years. There had been a number of attempts to bring the service into a break even situation. However, the level of trading deficit had remained at approximately £150,000. To address this situation work had started on a number of actions which were identified in an Housing Options Review High Priority Actions and in the current service plan.

There were a number of direct cost pressures that contributed to the current deficit. The main pressures were:

- Increasing cost trends for waste disposal - the increasing costs of waste disposal affected many areas of the Council and was unavoidable. The costs of disposing of hazardous materials e.g. asbestos, had increased significantly. Efficiency measures such as recycling and segregating waste should be considered.
- Sickness and absence levels - the days lost per full time equivalent post (FTE) last year was 18.48 days, nearly double the Council's sickness targets. Improvements in the last two years had been marginal and the service had also suffered a high proportion of long-term sickness absence. This absence equated to a considerable level of lost income and non productive time. The Council's Management of Attendance policy would continue to be applied and a target reduction of 14 days lost per FTE had

been set for the current year. The forthcoming Welsh Audit Office report would be considered as would the pilot scheme in Visible Services. There had, however, been substantial sickness improvements in Building Cleaning.

- Recharge rate recovery - the methodology for the recharge rate was that all the direct/indirect overheads for the service were recovered via the labour rate within the schedule of rates. Therefore, the accuracy of this calculation, which was based on actual, historical and perceived fixed/variable costs, was of prime importance. The rate was based on assumptions and estimates of actual activity. The rate was last calculated in 2002/03. A full review was being undertaken to include the schedule of rates, pricing policy and recharge rates. This should not however, be seen as an alternative to productivity and efficiency savings.
- Pension and central recharge costs - changes in pension back-funding arrangements in Building and Vehicle Services together with central recharge increases had added £148,000 to service overheads. The options for off-setting these additional costs including seeking efficiency saving, other cost saving measures and examining the recharge rates.

It was the aim to reduce the trading account deficit to below £100,000 in this year (compared to £133,000 last year) and in subsequent years to eliminate the deficits. Close monitoring of the trading account continued and there were a number of actions being pursued to address the above. Particular attention was also being given to improving current invoicing systems and financial reporting, upgrading the existing Consol IT systems, and introducing an improved productivity regime.

Work had also commenced on the "DSO Study" which would address issues arising from the Tribal report, as well as wider issues in relation to non-housing related trading functions within the Directorate.

### Leisure

A deficit of £150,000 was currently projected of which £120,000 was accounted for by the increase in utility costs which were particularly significant at the leisure centres with pools. In the longer term the energy efficiency of the leisure centres was being reviewed. However, this particular cost which is largely outside the control of managers would be met centrally and would be identified as a burgeoning cost pressure for the future.

There were wider and longer term issues that needed to be considered in relation to leisure centres. Consultants were currently examining options for the future of the service and a report was expected shortly.

It was still the objective of the Directorate to balance its overall budgets by year-end. This was still possible as a result of some surpluses being identified in other areas, and as a result of the policy allocations agreed as a part of the monitoring report to Cabinet on 6<sup>th</sup> September, 2006. It was clear however, that many of these pressures would continue into future years and

therefore longer term measures were being considered to deal with the next financial year.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the revenue position within the Directorate be noted, together with the measures that were being pursued to reduce/eliminate the deficit.

(2) T H A T a report be brought before the Cabinet scheduled to be held on 8<sup>th</sup> November, 2006 outlining measures to be taken to address the overspends, to include

- organisational structure
- use of contactors
- tendering of all work
- impact on housing investment options.

Reason for decision

(1) To ensure Cabinet remain informed of the relevant financial situation.

(2) To advise Cabinet.

**C2679 CHRISTMAS GRANTS (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Councillors A.M. Ernest and A.C. Williams left the room whilst this item was under consideration.

Cabinet's views were sought on the awarding of Christmas grants.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the sum to be made available to each Community Council for Christmas CASH funding 2006/07 be maintained at £350.

(2) T H A T the per capita sum to be made available to OAP organisations for Christmas lunches 2006/07 be increased to £3.00.

Reasons for decisions

Having regard to the level of applications and the budget available.

**C2680 CHRISTMAS LIGHTS GRANTS (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Councillors A.M. Ernest and G.A. Cox left the room whilst this item was under consideration.

Cabinets views were sought on the awarding of the above grants.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T grants for Christmas lights 2006 be awarded as:

Barry High Street Traders	£2000
Penarth Town Council	£3000
Cowbridge Town Centre	£2000
Llantwit Major Town Council	£2000.

(2) T H A T an additional grant of £2000 be made to Barry High Street Traders in respect of Christmas lights 2005, to be met from the sum previously approved in respect of Barry Chamber of Trade.

(3) T H A T it be a condition of the funding that the contribution of the Council is suitably acknowledged.

Reasons for decision

(1-3) To provide for Christmas lights having regard to the sums requested and budget available.

**C2681 GRANTS TO COMMUNITY/VOLUNTARY ORGANISATIONS 2006/2007 (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet approval was sought on the award of further grants from the 2006/2007 corporate revenue budget.

Local community/voluntary organisations had, as in previous years, been invited to apply for this funding. Previous years applicants were automatically sent application packs, and the availability of this funding was advertised on the Council's website and also in local newspapers.

This was a matter for Executive decision.

RESOLVED - T H A T the following grants be awarded.

Barry Yacht Club	- £3,000
Cowbridge Physic garden	- £12,000

Reasons for decisions

Having regard to the budget available and sums previously awarded.

**C2682        PREFERRED SUPPLIER FOR FURNITURE FOR THE VALE OF GLAMORGAN COUNCIL (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet received a request to obtain approval for the use of a preferred supplier for the provision of furniture for the Council.

Caerphilly County Borough Council had undertaken a tender exercise to identify a preferred supplier for furniture for themselves but placed the advert in such a way that the contract was available to other Councils under a framework arrangement. The arrangement was for the period 1<sup>st</sup> November, 2005 to 31<sup>st</sup> October, 2008 with an option to extend for a further period of up to 12 months. The successful tenderer was Bridgend Office Furniture (BOF).

The arrangement with BOF was for the provision of standard ranges of furniture items at a set of standard prices. Items outside those ranges would attract a significant discount on catalogue price. During June 2006, an exercise had been carried out with the biggest suppliers to the Council (excluding schools) to identify what had been purchased during the period January to December 2005.

Having identified these purchases, the standard items were extracted and a comparison of current prices available from the suppliers was undertaken against the contractual prices available from BOF. Where comparisons were possible based upon the information provided by the suppliers, it identified that:

- Contractual prices available from BOF compared to purchases made from BOF outside the contract totalling £12,961 would have attracted a saving of £3,588.
- Contractual prices available from BOF compared to purchases made from other companies totalling £32,349 would have attracted a saving of £10,336.
- The other suppliers had quoted new prices not actual prices and therefore it was not possible to compare savings. However, the BOF pricing was still more competitive than those prices.

The use of the arrangement was open to schools but they would not be contractually bound to use the arrangement.

This was a matter for Executive decision.

RESOLVED - T H A T an exemption from contract standing orders be approved to approve the appointment of Bridgend Office Furniture (BOF) as the preferred furniture supplier for the Council until 31<sup>st</sup> October, 2008.

Reason for decision

To utilise a Caerphilly County Borough Council contract tendered under EU rules to achieve efficiencies in the prices paid for furniture and time spent sourcing from various suppliers.

**C2683 SCHOOL INSPECTION REPORTS (DLD) (SCRUTINY - LIFELONG LEARNING) -**

Cabinet were informed of the outcomes of school inspections undertaken in the Spring Term 2006, namely Cogan Primary and High Street Primary Schools.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the outcomes of the schools inspections be noted.
- (2) T H A T the schools concerned be congratulated on the many positive elements of the reports.

Reasons for decisions

- (1) To enable elected Members to be kept informed of the progress of maintained schools.
- (2) To recognise the achievement of schools.

**C2684 SINGLE EDUCATION PLAN (DLD) (SCRUTINY - LIFELONG LEARNING) -**

Cabinet approval was sought on the Vale of Glamorgan Single Education Plan 2006 - 2008.

The requirement for the Vale of Glamorgan to produce a Single Education Plan 2006 - 2008 was a step towards the requirement for a single plan for children and young people in 2008. A copy of the plan was attached at Appendix A to the report.

The plan was a combination of those individual service plans which had been considered and approved by Scrutiny Committee (Lifelong Learning).

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Single Education Plan 2006 - 2008 be agreed.
- (2) T H A T an executive summary of the plan be produced and circulated to all key stakeholders and all Members of the Council.
- (3) T H A T the Director and his staff be congratulated for the production of the Plan.

Reasons for decisions

- (1) To enable the Single Education Plan 2006 - 2008 to be published.
- (2) To provide a summary of the document to key stakeholders.
- (3) To acknowledge the work involved in the preparation of the Plan.

**C2685 CAPITAL MONITORING FOR THE PERIOD 1<sup>ST</sup> APRIL, 2006 - 31<sup>ST</sup> AUGUST, 2006 (CMT) (SCRUTINY - ALL) -**

Cabinet were advised of the progress on the 2006/07 capital programme for the period 1<sup>st</sup> April, 2006 - 31<sup>st</sup> August, 2006 and where necessary considered requests to change the programme.

It was requested that Cabinet approve the following amendments to the capital programme.

Director of Learning and Development

Big Lottery Fund PE and Sports Grant - one of the schemes being funded from this grant was a new sports hall at Cadoxton Primary School. Additional grant funding of £27,000 had been approved for the scheme and it was requested that the capital programme be increased accordingly. Works were due for completion in October 2006.

It was anticipated that the following schemes would not be completed on target.

Director of Learning and Development

Rhoose Primary Additional Accommodation - this scheme would include the construction of a new four classroom block to replace the existing demountable accommodation which was in poor condition. Due to the constraints of the site, there were many difficult planning issues. It was hoped that these planning issues would be resolved and it was intended to submit a full planning application within the next month. It was anticipated that subject to planning approval being obtained, work could start on site in early 2007/08.

It was estimated that £50,000 would be spent this year and it was requested that £915,000 be carried forward to future years.

#### Director of Community Services

Refurbishment of Barry Hostel - this allocation was for the conversion of Barry Hostel into office accommodation for social services staff. The best way of accommodating staff was currently being assessed and a steering group had been set up to finalise the requirements. It was likely that only design work would be undertaken this financial year and expenditure of £87,000 was anticipated. It was proposed that £643,000 be carried forward to future years.

#### Director of Environmental and Economic Regeneration

Penarth Headland Link - a report to Cabinet dated 20<sup>th</sup> September, 2006 outlined the latest position on the scheme.

Refurbishment of Bridges - this budget had been allocated for work on Cowbridge Viaduct. As reported previously, Capita Symonds, consultants appointed to the scheme, had undertaken a Principal Inspection of the structure. They would advise on any further testing and draw up a programme of refurbishment/strengthening works which would be reported to Cabinet in due course. It was anticipated that contracts would be let in early 2007 and the main works would commence in the next financial year. It was anticipated that £70,000 would be spent this year and it was requested that £812,000 be carried forward to future years.

Waste Resource Park Phase I - as had been reported previously, prior to the submission of the planning application for this scheme, there were several environmental surveys that needed to be undertaken. However, access could not be gained to the site before September 2006 due to the existence of nesting birds. The results of the surveys e.g. testing for contaminated land, would inform the design decisions. It was envisaged that planning consent would not be granted until December and design would commence thereafter. It was anticipated that £110,000 would be spent this financial year and therefore it was proposed that £294,00 be carried forward to future years.

Access Road to Dunraven Bay, Southerndown - prior to works commencing, an area of land needed to be purchased. Negotiations were currently ongoing with the land owner. However it was now unlikely that there would be an opportunity to commence physical works this financial year. A revised budget profile would be reported shortly.

S106 Morrisons Thompson Street Footbridge/Trail - as a result of the planning consent from the Morrisons Store on the Waterfront Development, there was funding available through a Section 106 Agreement for schemes and works required to strengthen/enhance linkages between the Waterfront and the existing retail area within Barry Town Centre, High Street and Broad Street. The extent of the work had to be agreed with Associated British Ports and completed within an agreed timescale. One of the agreed schemes was the

construction of a strategic pedestrian bridge link connecting Thompson Street to the Holton Reach site on the Waterfront. As reported previously, Associated British Ports had indicated that they would prefer to see the new surgery scheme, planned for the Waterfront, being progressed on site first, with the bridge scheme to follow. This would result in a delayed start to the scheme. The current deadline for spending the S106 monies was November 2006, however, Associated British Ports had agreed to extend this date to November 2007. It was anticipated that £62,000 would be spent this year and it was proposed that £516,000 be carried forward to future years.

This was a matter for Executive decision.

#### RESOLVED -

(1) T H A T the following increase in the 2006/07 capital programme be approved

- Big Lottery Fund PE and Sports Grant - increase the budget by £27,000, the increase being funded by Big Lottery Fund Grant.

(2) T H A T the following changes to the capital programme be approved and that changes to future years programmes be referred to Council

- Rhoose Primary Additional Accommodation - reduce budget from £965,000 to £50,000 (carry forward £915,000)
- Refurbishment of Barry Hostel - reduce budget from £730,000 to £87,000 (carry forward £643,000)
- Refurbishment of bridges - reduce budget from £882,000 to £70,000 (carry forward £812,000)
- Waste Resource Park Phase I - reduce budget from £404,000 to £110,000 (carry forward £294,000)
- S106 Morrisons Thompson Street Footbridge/Trail - reduce budget from £578,000 to £62,000 (carry forward £516,000).

#### Reasons for decisions

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

(2) To allow schemes to be completed in future financial years.

#### **C2686 REVENUE MONITORING FOR THE PERIOD 1<sup>ST</sup> APRIL, 2006 TO 31<sup>ST</sup> AUGUST, 2006 (CMT) (SCRUTINY - ALL) -**

Cabinet were advised of the progress of revenue expenditure for the period 1<sup>st</sup> April, 2006 to 31<sup>st</sup> August, 2006.

The projected outturn for the 2006/07 revenue budget was for a deficit of £5,499,000 on the General Fund and a balanced budget on the Housing Revenue Account.

Director of Community Services - the current forecast for this Directorate was for a balanced budget on the Housing Revenue Account and a deficit of £5,649,000 on General Fund services.

Children's Services - this service was current showing a projected deficit of £2,431,000, an increase of £144,000 on the previously reported figure. This increase was mainly due to one child's placement.

Community Care and Health - as reported previously, the probable outturn was showing a deficit of £3,068,000 which reflected the level of commitments on residential placements, nursing home placements and domiciliary care package and social worker costs. The actions currently being taken to curtail the overspend were not yet reflected in the current expenditure levels. As the savings became apparent they would be reflected in future monitoring reports.

Catering - as previously reported, the service was showing a projected deficit of £150,000 due to losses incurred by the Trading Account. This deficit was due to a fall in the number of meals being supplied and may increase to £175,000 if, from September, meal numbers continued to decline. A report to Cabinet would detail the actions to be taken to rectify the situation. As the deficit related to the school meal service it was anticipated that any deficit at the year end would be funded from savings identified in Policy Committee.

Visible Services - the probable outturn was showing a deficit of £170,000 although every effort was being made to reduce this. It was due to the increase in prices charged by external contractors for grass cutting and verge maintenance (£120,000). The cost effectiveness of using external contractors was currently being reviewed. In addition, the Centenary celebrations at Dyffryn Gardens had required an increase in grounds staff at an anticipated cost of £50,000.

Trading Accounts (other than catering) -

- The probable outturn on trading units was showing a net deficit of £280,000 and every effort was being made by the Directorate to minimise this figure.
- The leisure deficit was substantially due to increased utility costs.
- The deficit on Building Maintenance and Building Cleaning/Security Services was mainly due to the current pricing policies. These were being reviewed as a matter of urgency.

Policy - it was anticipated that savings on policy including additional interest received and lower debt charges than estimated should cover the overspends on Catering, Visible Services and Trading Units. If these did not arise, the additional £600,000 would need to be met from the General Fund balance.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the position with regard to the authority's 2006/07 revenue budget be noted.
- (2) T H A T it be noted that Cabinet had requested a report on means of addressing the deficits on the Trading Accounts (see Minute No. C2678).

Reason for decision

- (1) That the Members are aware of the projected revenue outturn for 2006/07.
- (2) To address the deficit in Trading Accounts

**C2687 ITEM WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -**

RESOLVED - T H A T the following item which the Chairman had decided was urgent be considered.

**C2688 PROPOSED LANDSCAPE BUND AND LINEAR PARK, THE WATERFRONT, BARRY (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

**Urgent by reason of the need to make a planning application prior to the next Committee**

Authority was sought to firstly relocate circa 7,000 cubic meters of "non hazardous" surplus spoil from the Council owned Innovation Quarter at Point A on the map attached to the report to a Council site at Point D. At Point D this material would be used to extend an existing landscape bund between the steam railway and west pond area of the Waterfront, Barry subject to planning and funding.

Authority was also sought to utilise the bund (at some time in the future) to establish a biodiversity themed linear park extending from the Innovation Quarter to the overflow car park at the west pond area of the Waterfront, subject to planning and funding.

The spoil is situated on part of a plot of land earmarked for a new medial centre (subject to planning), which had been approved by Cabinet subject to contract and WAG consent. It was vital therefore, for the spoil to be relocated to avoid jeopardising the medical centre and its potential multi million pound investment etc.

The spoil comprised various types of material that had been tested and was classified as "non hazardous" waste. The Council's Pollution Control Officer

had had the spoil tested and had consulted the Environment Agency who had accepted that the material could be reused for landscaping purposes.

Subject to the approval of Cabinet, the intention was to implement the project in two stages. The first stage of the project would result in extending the area of the existing landscaped bund that runs along the steam railway in the west pond location. On completion, the new bund(s) would remain within the licence area of the Vale of Glamorgan Railway Company Limited and not be accessible to the general public. The new bund would require minimal maintenance and thereby not increase the Vale of Glamorgan Railway Company's existing maintenance liabilities for this land area. The Board of the Railway had agreed to the principle of the project (subject to agreeing the details of method statements regarding implementation).

Under stage 2 it would be the intention for the land at Point D on the map to be developed and integrated as part of the new linear park - including a proposed cycle way/footway (thereby ensuring access for all persons) - extending from the Innovation Quarter to the west pond/overflow car park. From this point the opportunity would be created to link into pedestrian and cycleway linkages that could be developed to the Old Harbour as part of the redevelopment of the west pond area of the Waterfront. There would be a need to ensure this concept was integrated with future developments in this area.

The proposed linear park would offer an important area of open space and a sanctuary for wildlife within the centre of Barry and the west pond area of the Waterfront.

The linear park would need to be fully accessible to the public. If implemented the land at Point D on the map would be taken out of the Vale of Glamorgan Railway Company's licence area and would be maintained by the Council. This principle had been agreed with the Vale of Glamorgan Railway Company Limited subject to agreeing method statements regarding implementation and agreeing the detailed design of the proposed linear park.

This was a matter for Executive decision.

RESOLVED - T H A T the Director of Environmental and Economic Regeneration be authorised to make the necessary arrangements for the relocation of spoil to create, as outlined in the report, a landscaped bund and linear park subject to funding and planning.

#### Reason for decision

To authorise the implementation of the project outlined in the report.

### **C2689 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.

**C2690 AWARD OF CONTRACT FOR SUPPORTED LOCAL BUS SERVICE B3, COMMENCING 4<sup>TH</sup> DECEMBER, 2006 (DEER) (EXEMPT INFORMATION - PARAGRAPH 20) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet were advised of the results of the tender exercise for supported local bus service B3 commencing December 2006 and approval was sought to award the contract.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the contract for supported local bus service B3 (Garden Suburb - Cadoxton) be awarded to the EST Bus Limited commencing 4<sup>th</sup> December, 2006 until 3<sup>rd</sup> September, 2011.

(2) T H A T the Director of Legal and Regulatory Services be authorised to prepare, complete and execute the necessary legal documentation.

Reasons for decisions

(1) To provide a continued and effective supported local bus service provision that enhances the commercial bus service network.

(2) To ensure the contract agreement is properly executed.

**C2691 COWBRIDGE SCHOOL TRUST LAND (DLD) (EXEMPT INFORMATION - PARAGRAPH 21) (SCRUTINY - LIFELONG LEARNING) -**

Councillor J.W. Thomas, T.H. Jarvie, G.A. Cox and G.C. Kemp left the room whilst this item was under consideration.

Approval was sought to formally make a proposal to the Cowbridge School Trust regarding the disposal of the land at the lower site.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T a formal proposal be made to the Cowbridge School Trust. The proposal to recommend that following disposal of the lower school site, the proceeds be contributed towards the new school development. The interest of

the Council and the Trust would be safeguarded by a terms of agreement which would be reported to Cabinet for prior approval.

(2) T H A T subject to the Charity Commissions approval in principle for the proposal, legal and other fees be paid by the Council to prepare the land for sale. Assuming a successful sale, these would be reimbursed from the proceeds of the sale.

Reasons for decisions

- (1) To enable the Council to realise the proceeds from the capital receipts.
- (2) To enable relevant work to be undertaken to prepare the land for sale.