

CABINET

MINUTES of a meeting held on 8th November, 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: Councillors Miss J. Cole, Mrs. V.M. Hartrey, Mrs. M. Randall, A.J. Readman and Mrs. M.R. Wilkinson.

C2736 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 25th October, 2006 be approved as a correct record.

C2737 DECLARATIONS OF INTEREST -

Councillor G.A. Cox declared an interest in agenda item no. 13 - Community Action Self Help Scheme 2006/07 - in that he was a member of Cowbridge with Llanblethian Town Council. Councillor Cox vacated the room during the consideration thereof.

C2738 NORTH AND WEST CARDIFF - AREA TRANSPORT STUDY (REF - MINUTE NO. 426) -

Cabinet had, on 4th October, 2006 considered a copy of the conclusions and recommendations of the Halcrow Group Limited's report in respect of the above and had 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 J33 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.” (Minute No. C2674).

The Planning Committee, having considered the same on 18th October, 2006 had resolved:

- That the report and Cabinet resolutions (1), (2), (3), (5) and (6) be noted; and
- That Cabinet be requested in respect of resolution (4) to invite Members of the Planning Committee to a meeting when Cabinet Members are updated on the proposal by the Halcrow Group limited.

RESOLVED - T H A T the recommendation of the Planning Committee that its Members be invited to attend the meeting referred to above regarding the update on the proposal by the Halcrow Group Limited be accepted.

Reason for decision

To keep the Planning Committee informed.

C2739 SOCIAL SERVICES BUDGET ACTION PLAN (REF - MINUTE NO. 458) -

The Voluntary Sector Joint Liaison Committee had, on 24th October, 2006 considered the impact on the local Voluntary Sector of the cuts proposed in the aforementioned Action Plan at the request of representatives from the Voluntary Sector. There were several elements in the Action Plan which impacted directly on the Voluntary Sector, and the Voluntary Sector had expressed specific concerns about the overall effects that the proposed cuts would have and most particularly in relation to the following:

- CF3 discontinuation of grant to Cyffle Cyntaf;
- CF4 discontinuation of grant to Vale Women’s Aid;
- CF5 discontinuation of grant to Amelia Methodist Trust Farm;
- SPMC4 review of carers services “to either reconfigure the use of this grant or to stop services in its entirety to carers”;
- CS4 reduction of the level of funding to voluntary organisations in receipt of funding from Social Services by 10% (which would impact on 35 projects run by 23 organisations).

The Voluntary Sector indicated that the proposed Action Plan appeared to work against the Council's good working relationship with the local Voluntary and Community Sector and that the Action Plan contravened the Council's clear commitment to provide services and support to the most vulnerable members of local communities. The Voluntary Sector further indicated that, should the Action Plan proceed in its current form, there would be a loss of jobs in the Voluntary Sector and some organisations and projects would no longer be viable and, therefore, cease operation.

Following further in depth discussion, the Voluntary Sector Joint Liaison Committee had supported the recommendation of the Voluntary Sector that Cabinet reconsider its decision to withdraw and reduce funding to its partners in the Voluntary Sector and that the Council undertake with the Voluntary Sector an urgent review of Joint Commissioning funding as part of the ongoing review of the Social Services Budget.

RESOLVED -

(1) T H A T a review of the Council's funding of Women's Aid in comparison with other Authorities be undertaken, and that the outcome of that review be reported to Cabinet in 4 weeks.

(2) T H A T, to demonstrate the Council's commitment to the Voluntary Sector, a report be submitted to Cabinet in 4 weeks on the timetable for undertaking the review of Joint Commissioning funding.

Reasons for decisions

(1)&(2) To reflect the concerns of the Voluntary Sector Joint Liaison Committee and the Council on long term viability.

C2740 VALE OF GLAMORGAN LOCAL ACCESS FORUM -

The following minutes of a meeting held on 19th October, 2006 were submitted:

Present: Mr. M.R. Harvey (Chairman); Mr. D.J. Field (Vice-Chairman); Mr. J.V. Custance, Mrs. V.M. Hartrey, Mr. J.J. Herbert, Mr. D.T. Hopkin, Mrs. H. March, Mrs. M. Morgan, Mr. N. Moss, Mr. R. Pittard, Mr. R. Traherne, Mrs. V. Warlow and Mr. D. Williams.

Mr. F. Coleman, Mr. C. Jones-Jenkins, Mr. S. Latham, Mrs. S. Thomas and Mr. J. Wyatt (VOGC).

(a) Apologies for absence -

These were received from Mr. R. Simpson and Ms. S. Tindal (Countryside Council for Wales).

(b) "Improving Countryside Access in the Vale": Draft Rights of Way Improvement Plan -

Irene Evison of the consultancy "Resources for Change" was in attendance to present "Improving Countryside Access in the Vale" - the draft Rights of Way Improvement Plan.

Ms. Evison outlined how the draft Rights of Way Improvement Plan had evolved and took the Forum through the various elements of the draft Plan. In essence, the draft Plan outlined the strategies that would form the basis for the management of the Vale of Glamorgan's rights of way network over the next 10 years. The document was the result of a significant amount of work, including consultation with a wide range of individuals and organisations regarding the issues they believed were facing the network and the steps that could be taken to facilitate improvement.

The Council's Rights of Way Team had been working to prepare the ROWIP since 2003 and the document would provide the basis for annual work programmes. In addressing Members, Ms. Evison alluded to the main components of the draft ROWIP viz:

- a brief Executive Summary
- abbreviations and glossary
- Rights of Way Improvement Plan
- Introduction to Rights of Way in the Vale
- Strategic Context
- ROWIP Process
- Management
- Stakeholders
- Information, Communication and Promotion
- Statement of Action.

Ms. Evison acknowledged that a significant amount of material had already been in existence when work on the draft ROWIP commenced. She also alluded to the Assessment Report which had been considered previously by the Forum as part of the ROWIP process. The Assessment Report itself had been subject to a consultation exercise which, in turn, had informed the draft ROWIP. Whilst Countryside Council for Wales guidance existed regarding the content of ROWIPs, the document would need to reflect the actual situation existing within the Vale of Glamorgan. She proceeded to outline the methodology used in the consultation process, summarised the main themes and aims of the draft ROWIP and stressed to the Forum the importance of the Statement of Actions contained at the end of the ROWIP.

The draft ROWIP was also to be subject of consideration by the Council's Scrutiny Committee (Economy and Environment) and Cabinet. Members were informed that, in addition to the ability to ask questions and submit comments at the meeting itself, they would be able to forward any detailed comments to F. Coleman after the meeting. F. Coleman confirmed that notwithstanding resourcing difficulties, the Plan would be used to produce an annual work programme based on the Statement of Actions and reflecting changing priorities as the Plan evolved through its various timescales. It was envisaged that the first draft annual work programme would be submitted to the Forum in early 2007.

In opening up the discussion on the draft ROWIP, the Vice-Chairman congratulated Members of the Rights of Way Team on their contribution to the creation of a comprehensive, yet suitably succinct, document. A number of other Members of the Forum concurred with this view, albeit reference was made to an example of "management speak", which it was agreed would be reconsidered. Reference was also made to strengthening the wording contained in the document regarding the seeking of funding sources and, again, it was agreed that this particular section would be re-examined. Agreement was also reached on the need to consider, where appropriate, further cross referencing of actions and to the need to acknowledge the relationship between the updating of the Definitive Map and Ordinance Survey maps.

Members also referred to the need to insert the rationale behind the increase from 5% to 10% in the random sampling methodology to be used. Certain Members were also of the view that, perhaps, a different methodology of random sampling could be used which would be more effective but would not conflict with the desired outcome requested by the Welsh Assembly Government in its Performance Indicators. Notwithstanding the logic of the suggestion, the methodology for the comparative sample was clearly set down by the Welsh Assembly Government.

It was agreed that the possibility of grouping various actions would be considered in order to create "discreet projects" for which bids for financial resources could be made and possibly have a greater chance of successfully obtaining resources.

One further issue alluded to concerned Action Point 18 which referred to the implementation of least restrictive access for all future maintenance or improvement works by looking at a process of "gap-gate-style" (in that order), in consultation with land owners and occupiers. Various Members of the Forum considered that it would be completely impractical to consider the provision of gaps where any livestock was involved. Furthermore, gates were unlikely to be a realistic option unless they constituted kissing gates, given the growing issue of litigation against landowners / farmers.

Consideration was given as to where the draft ROWIP would fit in with the Council's overall strategy framework. F. Coleman, in referring to the Welsh Assembly Government's rationalisation of plans, confirmed that there would only be four high level strategies required from local authorities by WAG. He

referred in particular to the introduction of a Regional Transport Plan, which, with the new Local Development Plan and Community Strategy, would act as the “umbrella” for plans such as a ROWIP.

Responding to the issue of whether any “quick wins” could be achieved within the process, F. Coleman referred to the difficulty in identifying any such proposals within a strategic document. However, a more likely avenue for doing so would be within the annual work programmes (perhaps, for example, within the area of coastal access).

In conclusion, the Chairman thanked Members of the Forum for their constructive comments, expressed his appreciation to the Rights of Way Team and Ms. Evison for their work and confirmed that the document would now be considered by the Council’s Scrutiny Committee (Economy and Environment) and Cabinet.

AGREED - T H A T the draft ROWIP be commended and all those involved in its production be thanked.

RESOLVED - T H A T the minutes be noted.

Reason for decision

To acknowledge the deliberations of the Vale of Glamorgan Local Access Forum.

**C2741 ATTENDANCE AT CONFERENCES, SEMINARS, ETC. (CX)
(SCRUTINY - CORPORATE RESOURCES) -**

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

WLGA Annual Meeting	25 th - 27 th October, 2006	Councillors H.J.W. James, M.R. Wilson and Mr. J. Maitland Evans
Institute of Licensing Annual Conference	19 th - 22 nd November, 2006	Councillors Mrs. V.M. Hartrey and J.W. Thomas
APSE Annual Performance Seminar	13 th - 15 th December, 2006	Mr. K. Jones
North of England Education Conference 2007	3 rd - 5 th January, 2007	Councillor A.D. Hampton.

Reason for decision

To inform that Cabinet.

C2742 CYMORTH PLAN 2007/8 (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -

Authority was sought to submit the Cymorth Plan for 2007/8 in line with the recommendations of the Children and Young People's Framework Partnership to the WAG within the timescale given and to draw down the £2,071,219 allocation for 2007/8. Cymorth funding promoted integrated multi-agency holistic services in order to maximise results that impacted on indicators of well-being, for example, reducing the numbers on the Child Protection Register, providing access to childcare, improved school attendance and reduction in youth crime. The Children and Young People's Framework Partnership was the body responsible for the allocation of Cymorth resources (funding allocated to WAG criteria). The Framework Partnership was required to submit an Annual Cymorth Plan to WAG by 13th November, 2006. The Vale of Glamorgan's allocation for 2007/8 was £2,071,219 (an increase of 3.3% over the 2006/7 allocation). The Framework Partnership was committed to continue funding current projects until April, 2008 and it was noted that a review of all Cymorth funding would be undertaken before that date in order to establish an exit strategy. It was further noted that, following a reduction in the allocation for 2006/7, there was a shortfall in the budget which would be covered by underspend from within the Cymorth allocation. Attention was also drawn to the fact that the increase in funding for 2007/8 was again not as great as previously indicated and that, if inflationary increases were allocated to existing projects, there would be no scope for additional projects.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Cymorth Plan and the continuation of funding for existing schemes to March 2008 be agreed.
- (2) T H A T the acceptance of the Cymorth allocation of £2,071,219 in 2007/8 be authorised.
- (3) T H A T a review of the Cymorth Plan Exit Strategy and any shortfalls in funding be reported to Cabinet in December, 2006.

Reasons for decisions

- (1) To enable submission of the Cymorth Plan to the WAG within the timescale given.
- (2) To draw down the Cymorth allocation to enable implementation of the Plan.

C2743 HOUSING INVESTMENT (DCS) (SCRUTINY - CORPORATE RESOURCES) -

The review undertaken by Tribal/HCH of the Council's Housing Investment options to meet the Welsh Housing Quality Standards (WHQS) by 2012 had highlighted the Council could retain its housing stock rather than follow a stock transfer option. Prior to the Council determining the favoured option to meet the WHQS by 2012, consideration needed to be given to key issues which would effect the Council's ability to retain its stock or pursue a stock transfer option. Tribal/HCH had developed, on behalf of the Council, a Housing Revenue Account (HRA) sensitivity model for a stock retention strategy which provided 14 models for consideration as follows:

- Sensitivity 1: Considers a reduction in management costs of 1% real each year, this equates to approximately £46K per annum reduction in costs. The savings in costs result in a slight improvement to the capital position as increased revenue resources are available to contribute to capital expenditure, although significant shortfall exist over the 30 years periods totalling £46.48m. The revenue account also improves and remains in surplus until year 23 of the plan.
- Sensitivity 2: Considers the impact of reducing revenue repairs by 10% after 2012. This has no impact on the capital account, although the revenue account remains in surplus until year 14. The capital receipts from Penarth Heights are included in Sensitivity 3. The impact of the receipt results in the shortfall by 2012 reducing to £21.57m with the overall shortfall reducing to £43.68m. The receipt has no impact on the revenue account.
- Sensitivity 3: Proposes that the Council utilise the Housing Receipt from the sale of Penarth Heights, between years 8 and 15 of the Housing Investment Project. The impact of using the Housing Capital Receipts results in the capital shortfall on the business plan reducing to £21.57m by 2012.
- Sensitivity 4: Considers the impact of raising new service charges totalling £126,835 per annum. This results in the overall shortfall on the capital account reducing to £48.44m. However the revenue account now remains in surplus until year 12.
- Sensitivity 5: WAG's current guidance is that M&M allowances should increase by inflation only i.e. 2.5% each year. However over the last few years allowances have increased on average by 2%+RPI. Sensitivity 5 considers the impact of M&M allowances increasing by 2%+RPI up to 2012/13. This results in the shortfall to meet WHQS reducing to £19.32m with the total shortfall being £43.77m. The major impact is on the revenue account which remains in surplus up until year 18.
- Sensitivity 6: In the base model repairs and maintenance costs are assumed to increased at 1%+RPI in the first five years, in Sensitivity 6

repairs and maintenance costs increase by RPI only. This results in the shortfall to meet WHQS reducing to £20.58m with the total shortfall reducing to £42.45m. The revenue account now remains in surplus until year 12.

- Sensitivity 7: Looks at combining sensitivities 1 to 6 and undertaking Prudential Borrowing of £35.10m to fund capital investment. This results in the Council being able to meet the WHQS by 2012 although shortfalls start to exist in the long term. The revenue account remains in a positive balance for the whole of the 30 year plan.
- Sensitivity 8: Considers the impact of reducing management costs every 5 years as a result of RTB sales and combining sensitivities 1 to 6 with prudential borrowing of £41.10m. This results in a fully funded capital expenditure programme enabling the Council to meet and maintain the WHQS. This sensitivity also provides for a sustainable revenue account over the 30 years.
- Sensitivity 9: Tests the impact of management costs efficiencies at 1% in the first 10 years only and combining sensitivities 1 to 6. The Council can still meet WHQS by 2012 as per sensitivity 7, however shortfalls start to occur in the medium to long term totalling £14.61m. The revenue account remains in a sustainable position for the whole of the plan.
- Sensitivity 10: Considers rents increasing at £4pw up to 2012/13 and combining sensitivities 1 to 6, this results in average rent increases of 3.26%+RPI compared to 1%+RPI in the base model. The impact is that rents at 2012/13 will be £85.74 per week compared to £74.21 in the base model, a different of £11.53 per week. Although increasing rents to this level and prudential borrowing of £22.70m, would result in all capital expenditure being financed and a sustainable revenue account.
- Sensitivity 11: Considers the impacts of 100% of the receipt being received in year 4, prudential borrowing of £40.80m and combining sensitivities 1 to 6. This results in the Council being able to meet WHQS by 2012 and maintain it for 30 years. The revenue account remains in a positive position for the whole plan.
- Sensitivity 12: Considers a reduction of £200k in the recharge from the Building Maintenance (Twin Hat) service and combining sensitivities 1 to 6, the Council is able to meet and maintain the WHQS over the 30 years and have a sustainable revenue account. The main impact of this sensitivity is the reduction in the amount of prudential borrowing requires which is reduced to £23.30m compared to £35.10m in sensitivity 7.
- Sensitivity 13: Considers the impact of realising HRA land asset sales in 2007/08 and combining sensitivities 1 to 6. The Council has undertaken analysis of land within the HRA for possible sale, in total the value is estimated at £3m. Current financial rules allow the Council to use 50% of the total value. The Council can still achieve WHQS and have a sustainable revenue account with prudential borrowing of £34.60m.

- Sensitivity 14: The final sensitivity looks at investment based on scenario 2. There is no real change to the capital account with the overall shortfall above £51m. Although due to the increased level of revenue expenditure on repairs and maintenance the revenue account goes into deficit in year 3.

It was noted that the above sensitivity models considered using unsupported prudential borrowing in the region of £22.70m. to £40.80m. The Risk Assessment aspect of the report proposed that there should be no use of prudential borrowing until key decisions had been agreed and implemented successfully, with a target date of April 2007. Two particularly critical issues on which agreement was necessary were the re-allocation of costs from the Council's General Fund in 2006/07 and cyclical and responsive repairs based on benchmark figures ensuring efficiency savings in the DSO.

- Sensitivity 1: It is unrealistic to presume that 1% efficiency savings in management costs per year for 30 years will be achieved. It is proposed the model is developed around 1% efficiency savings in management, from 2007/08 for 5 years.
- Sensitivity 2: This is achievable.
- Sensitivity 3: This is achievable.
- Sensitivity 4: The Council will need to ensure there is a balance between introducing service charges that may not be eligible for housing benefit, and ensuring current and prospective tenants have the income to meet the proposed service charge. This is achievable.
- Sensitivity 5: The Council will need to negotiate this with Welsh Assembly Government but Tribal/HCH are positive that WAG will support this proposal.
- Sensitivity 6: With a clear commissioning and procurement strategy, this is achievable.

"It is proposed that sensitivities 1 - 6 are agreed and developed as outlined above."

- Sensitivity 7: Reference should be made to the earlier comments on utilising prudential borrowing. The level of prudential borrowing will be determined by sensitivities 8 - 14.
- Sensitivity 8: This sensitivity needs to be examined further, as a reduction in this Council's management costs every 5 years results in the Council increasing the need for prudential borrowing from £35.10 million (Sensitivity 7) to £41.10 million.

- Sensitivity 9: This proposal needs to be examined, taking into account the proposed in Sensitivity 1 to only look for 1% efficiency savings in management costs for the first 5 years, from 2007/08.
- Sensitivity 10: This has been discussed with WAG and no negative comments were received. This is achievable.
- Sensitivity 11: At present, it is not possible to confirm the date that the Penarth Heights capital receipt will be received.
- Sensitivity 12: A key issue for the Council relates to the Building Maintenance DSO. The Tribal/HCH report states that the client side (Twin Hat) element of the Building Maintenance DSO recharge to Housing Services is too high, and can be reduced by £200,000. During the next two years, by March, 2008, this should be achieved.
- Sensitivity 13: The Housing Investment report includes a sub-report on the potential availability of HRA land. In order to generate the proposed capital receipts of £1.5 million, further work will be required in 2007/08. This work will need to analyse the HRA land options and link this to the sustainability of the housing estates section of the Housing Investment report.
- Sensitivity 14: This relates to meeting the WHQS with revenue repairs based on existing HRA budgets adjacent to required works as cyclical and pre-painting repairs. However, this sensitivity does not allow the Council to provide a viable HRA and meet the WHQS investment requirements. This sensitivity should not be considered by the Council.

"It is proposed that the Council profile Sensitivities 8, 10, 12, and 13, into the previously agreed Sensitivities based on the base model and Sensitivities 11 - 6."

A risk appraisal in respect of both the stock retention and stock transfer option was appended to the report. If the Council were to pursue a stock retention strategy, it would be vital that the Council allowed for a review of that strategy following completion of the further work to identify the key financial and service issues for the DSOs and particularly the Building Maintenance DSO. It was also proposed that the use of prudential borrowing be delayed until at least April 2008 to allow the Council to assess the additional work being undertaken in relation to the DSOs and the impact that work would have generated during 2007/08. The proposed Implementation Plan for the Housing Investment Plan was also appended to the report.

The decision to support a stock retention strategy was a matter for the Executive.

RESOLVED -

(1) T H A T a stock retention strategy to enable the Council to meet the WHQS by 2012 be supported, that resolution to be dependent upon the

Council agreeing to the following key issues to be agreed in 2006/07 and implemented from April, 2007:

- re-allocation of estimated costs to the Council General Fund in 2006/07 for the following services:
 - Grounds Maintenance Contract estimated at £80,375.
 - Renewal of rubbish and cleansing of properties estimated at £5,000.
 - Waste clearance and abandoned cars estimated at £15,000.
 - Housing Strategy estimated at £100,000.
- cyclical and responsive repairs based on benchmark figures ensuring efficiency savings in the Building Maintenance DSO, estimated at £632,000 per year, to be achieved in the first instance by March, 2008.
- 1% efficiency savings in housing management services from 2007/08 for 5 years and reported back to Cabinet on 31st January, 2007 on the measures proposed to achieve the efficiency.
- reducing revenue repairs by 10% after the WHQS had been achieved in 2012.
- utilise the housing capital receipt from the sale of Penarth Heights.
- introduce service charges totalling £126,835 per year during 2007.
- successful negotiations with the WAG regarding the projected Management and Maintenance allowances, ensuring that future M and M allowances were at 2% plus RPI.
- restrict repair and maintenance costs to RPI from 2007/08.

(2) T H A T HRA Sensitivities 8, 10, 12 and 13 be further analysed and that the Director of Community Services submit a further report to Cabinet on 31st January, 2007.

(3) T H A T the use of prudential borrowing be not approved until resolutions (1) and (2) above had been agreed and successfully implemented.

(4) T H A T a stock transfer strategy be endorsed should the key issues highlighted in resolutions (1) and (2) above be not agreed and achieved by March 2008 (it being noted that a decision to support a stock transfer strategy would rest with full Council).

(5) T H A T the report as amended at the meeting be forwarded to WAG for information as to the Council's current position.

(6) T H A T the Director of Community Services notify all Council tenants of the Council's current position and the key issues that needed to be considered together with their implications through, for example, the distribution of a newsletter.

Reasons for decisions

(1)&(2) To ensure that the Council considers all the relevant issues that need to be actioned to support a stock retention strategy.

(3) To ensure that the interests of the Council tax payer are protected.

(4) To ensure that if a stock retention strategy is not successfully implemented, the Council has another potential option to meet the WHQs.

(5)&(6) To disseminate information.

**C2744 ENFORCEMENT POLICY - VISIBLE SERVICES (DEER)
(SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Consideration was given to the introduction of the Enforcement Policy as appended to the report to control and manage incidents of graffiti, litter, dog fouling and fly tipping. In order to ensure that enforcement action was consistent and commensurate with the offence committed, it was considered necessary to work within clear standards (which would be prescriptive where possible).

The Visible Services approach was that prevention was better than cure and that involved actively working with residents, community groups and businesses to advise and assist with understanding the law. The Policy as appended to the report stated that duties would be carried out in a fair, equitable and consistent manner and that action taken would relate directly to the actual or potential risk to health, safety, the environment or significant economic disadvantage to the consumer or business. Decisions would be unbiased and particularly sensitive consideration would also be given if the persons involved were children, elderly, infirm or suffering from a mental disorder. The Policy was intended to be applied in a wide range of situations and it explained in general terms the approach adopted by the Council when carrying out the Council's waste enforcement duties. In addition, information and advice would continue to be given to those being regulated and co-operation sought to avoid bureaucracy and excessive cost. It was noted that revenue from fixed penalty notice issue and fly tipping prosecution would be directed back into the Waste Management and Cleansing budgets.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Visible Services Enforcement Policy, as appended to the report, be approved.
- (2) T H A T the Director of Environmental and Economic Regeneration explore the potential benefit of pursuing a relevant accreditation scheme for front-line staff.

Reasons for decisions

- (1) To introduce a policy for the control of dog fouling, litter, graffiti and fly tipping.
- (2) To assess the benefits to be accrued.

C2745 VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN (LDP) - ADOPTION OF DELIVERY AGREEMENT (DA) AND COMMENCEMENT OF SUSTAINABILITY APPRAISAL SCOPING EXERCISE (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -

Following Council approval of the final draft DA in July, 2006 it had been submitted to the WAG and approved by them on 23rd August, 2006, subject to some minor changes which had now been incorporated into the published version in accordance with Cabinet Minute No. C2489. In accordance with the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, the Local Planning Authority published the final version of the DA in August 2006. Attention was drawn to the fact that the Council now had a duty to meet the commitments set down in the DA in terms of LDP preparation. In accordance with the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, the LDP would need to be the subject of a Strategic Environmental Assessment. WAG guidance recommended that that was carried out as part of a Sustainability Appraisal (SA) of the Plan, so that environmental impacts were considered alongside social and economic impacts. The Council had employed specialist consultants Hyder Consulting to assist and provide expert advice in respect of the SA, the first stage in the process of which was to prepare a Scoping Report which would include the following elements:

- a review of relevant policies, plans and programmes
- gathering baseline data to get a 'snap shot' of the environmental, social and economic issues in the Vale of Glamorgan
- identification of the main sustainability issues for the Vale of Glamorgan
- drafting sustainability objectives against which the LDP's policies and proposals could be assessed.

A stakeholder workshop had been held to identify possible sustainability issues and objectives, the outcome of which - as well as discussion with internal officers - would be incorporated into the draft Scoping Report which would be reported to the Cabinet and relevant Committees in

January/February 2007. Once agreed by Cabinet, the draft Scoping Report would be the subject of a five week consultation exercise, following which the Scoping Report would be adopted and would form the SA framework against which the LDP would be assessed prior to its preparation.

This was a matter for Executive decision.

RESOLVED - T H A T, subject to consideration of the views of the Planning Committee and the Scrutiny Committee (Economy and Environment),

- the adoption and publication of DA be noted
- that paper and CD copies of the DA be made available in English, Welsh or bilingually, on request free of charge
- that a further report be presented to Cabinet, the Planning Committee and the Scrutiny Committee (Economy and Environment) in due course outlining the findings of the Sustainability Appraisal stakeholder workshop alongside the draft Scoping Report.

Reasons for decision

(1) To inform Members of the adoption and publication of the DA; to make copies freely available for the public to engage in the LDP process; and to ensure that Cabinet and the Planning and Scrutiny Committees (Economy and Environment) are kept apprised of progress on this matter.

C2746 ENVIRONMENTAL AND ECONOMIC REGENERATION: BUDGETARY PRESSURES (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -

In response to the Cabinet decision on 4th October, 2006 requiring a report outlining measures to be taken to address the overspends, an update on the latest position within the Directorate had been submitted, which also set out in more detail some of the options that were being considered to address the current position.

Visible Services

- Waste Management - it was noted that a potential shortfall of £150k. was still possible within the service for 2006/07 largely due to a previously reported reduction in trade waste income and the fact that savings anticipated in a reduction of domestic waste due to increased recycling services had not materialised. It was confirmed that every effort would continue to be made to bring the budget back into balance and that, in particular, the relocation of part of the Sustainable Waste Grant funding was being investigated and an examination of vehicle utilisation and altering shift patterns to reduce the costs of collection of recyclable materials undertaken.
- Grounds Maintenance - exceptional pressures had been experienced in the current year particularly in terms of the increased prices charged by external contractors for grass cutting and verge maintenance (an additional

£120k.) There had also been additional pressures in relation to the centenary celebrations at Dyffryn Gardens. The current anticipated overspend, therefore, within Grounds Maintenance was £170k. in total, although it was anticipated that savings elsewhere within the service would cover those costs. Work was being undertaken to assess the future cost effectiveness of the external contracts for grass cutting and the options available for delivery of the service at a reduced cost in future years.

Leisure

The projected deficit of £150k. was almost totally accounted for by the increase in utility costs although it was anticipated that the budget would be balanced for the current financial year. Attention was drawn to the more fundamental issue of investment in the service, particularly in the main Leisure Centre buildings, concerning which a Consultant Study had been commissioned to examine options for the future of the service. Given the likelihood of only limited funding being available for the substantial upgrading of buildings, the Council would need to consider the options put forward in the Consultant's report in order to determine a way forward for the service.

Building Maintenance

As previously reported, the Building Maintenance Trading Account had been operating in deficit for the last 3 years with the level of trading deficit remaining at approximately £130k. per annum. The housing options review which had taken place recently identified a number of high priority actions which were being addressed. It had become clear that the service was increasingly reliant on the use of sub-contractors - not just for specialist services but also for standard repairs - a fact that was reflected in that element of the service costs. It was, however, considered that action included in the Housing Options Action Plan would result in a reverse of that trend. It had also become clear that the schedule of rates recharge was now out of date and had, consequently, been eroded as a result of inflationary increases not keeping step with actual cost increases.

Overall, progress was being made to reduce the deficit and to improve the efficiency of the building maintenance service. However, it was clear that wider options needed to be considered for the service if it was to be able to respond to the needs of the housing options agenda. Work had also commenced on a "DSO" Study which would also look at options for all DSO services operated by the Council. Whilst that Study was being undertaken, consideration was also given to various actions being pursued simultaneously, namely the market testing of the building maintenance service; the waiver of the £100k. threshold for building services; a re-examination of the schedule of rates; and a reconsideration of the client role within the service.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the following actions be pursued in relation to the Building Maintenance function

- that the service be “market tested” in order to examine the cost efficiency of the function in consultation with the Leader and relevant Cabinet Member
- that the £100k. threshold for building services be waived
- that the impact of any changes in the Schedule of Rates be examined, including its impact on the Housing Investment Strategy
- that the “client role” within the Building Maintenance section be re-examined in order to place it more closely with the Housing function
- that a further report be submitted to Cabinet on changes to productivity achieved since the TRIBAL report and the progress achieved to date against the Action Plan.

(2) T H A T a progress report in respect of resolution (1) above be submitted to Cabinet on 31st January, 2007.

(3) T H A T, within the Grounds Maintenance service, work continue into assessing the future cost effectiveness of the external contracts for grass cutting and the options available for the Council to deliver that service at a reduced cost for future years.

(4) T H A T, within the Waste Management service, staff continue to examine the reallocation of Sustainable Waste Grant funding and the implementation of changes to the existing shift patterns to reduce the costs of collection of recyclable materials.

Reasons for decisions

(1)&(2) In order for the future of the service to be examined.

(3)& (4) In order to ensure the service operates within its allocated budget.

C2747 COMMUNITY ACTION SELF HELP (CASH) SCHEME 2006/07 (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -

Following consideration of the report which detailed further applications received in the current financial year together with the grants recommended thereon, it was

RESOLVED - T H A T the above applications be determined as indicated below:

Site/Location	Scheme description	Grant £
Llandough Community Council		
Llandough & Leckwith WMI Hall	Internal refurbishment works comprising redecoration and reflooring)))) 15,000
Brook Green Community Garden	General horticultural improvement works))
Wick Community Council		
Wick village green and outside primary school	Provision of benches (3) and drinking fountain))) 3,238
Wick & Monknash village hall	Replacement doors)
Penllyn Community Council		
Llansannor Community Hall	Contribution towards shortfall in construction of new community hall	15,000

Reason for decision

Having regard to the budget available and the sum requested.

C2748 MATTERS WHICH THE CHAIRMAN HAD DECIDED WERE URGENT -

RESOLVED - T H A T the following matters, which the Chairman had decided were urgent for the reason stated, be considered.

C2749 COLLABORATIVE ARRANGEMENTS - WASTE MANAGEMENT PROCUREMENT (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -

Urgent by reason of the need to make a decision prior to the next meeting of the Cardiff and Newport Joint Scrutiny Committee to be held in the week commencing 13th November, 2006

When considering a report on future waste management procurement options in January, 2006, Cabinet had resolved that the Director of Environmental and Economic Regeneration be authorised to enter into formal negotiations with potential local authority and private sector partners (Minute No. C2261). Attention was also drawn to the fact that there was now a requirement to work

in partnership with others as part of the "Making the Connections" agenda. Cardiff and Newport Councils had been in discussions since 2005 concerning the possibility of a partnership for residual waste treatment and disposal. Discussions had also recently taken place involving officers from Monmouthshire. Cardiff and Newport already had an existing formal arrangement where both their respective Scrutiny Committee's met jointly to consider future waste management options. This Council and Monmouthshire had now been formally invited to join that Newport and Cardiff partnership and the terms of reference in respect of Member involvement was appended to the report. It was noted that the joint Scrutiny Committee had no decision-making powers, its work involving the exploration of governance and related partnership matters over the forthcoming three to four month period, providing a joint report for the consideration of each Council's respective Executive during 2007.

A decision was required from Cabinet to permit work to be undertaken with a view to establishing a formal partnership with Cardiff, Newport and Monmouthshire for future waste management procurement; the final written details of such a partnership agreement would be the subject of a further report to Cabinet. At the same time, nominations for membership of the Joint Scrutiny Committee were required. Approximately seven Member nominations would be required and, as this Council's Scrutiny Committee (Economy and Environment) had already established a politically balanced Task and Finish Group to examine a range of Waste Management issues, it was considered this could be an appropriate basis for the Council's Scrutiny representation on the collaborative meeting. In order to assess the available market for waste solutions that would satisfy all partner Councils, authority was also sought to advertise jointly for expressions of interest for future waste solutions in accordance with the EU Procurement Regulations.

WAG had approved a grant of £35k. towards the cost of the initial setting up of the partnership. WAG had also identified £18m. across Wales for collaborative working between Authorities and an application would be made to access that funding at a later date.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the setting up of a formal partnership with Cardiff, Newport and Monmouthshire Councils for future waste management procurement be endorsed, subject to agreement of the formal partnership terms.
- (2) T H A T the Members of the Scrutiny Committee (Economy and Environment) Recycling and Waste Management Task and Finish Group be nominated to represent this Council in the partnership at this initial stage.
- (3) T H A T support for the joint advertisement for expressions of interest for future waste solutions in accordance with the EU Procurement Regulations be agreed.

(4) T H A T a further report be submitted to Cabinet for consideration on the formal terms of the partnership agreement.

Reasons for decisions

- (1) To enable the partnership to progress.
- (2) To establish a membership for the Joint Scrutiny Committee.
- (3) To enable expressions of interest to be sought on behalf of the partnership.
- (4) To obtain the formal agreement of Cabinet to the terms of the partnership.

C2750 SOCIAL SERVICES BUDGET ACTION PLAN (CX) -

Urgent by reason of the need to apprise Cabinet of the respective Committees' consideration of the Social Services Budget Action Plan

Cabinet had, on 20th September, 2006 considered the above Action Plan and had

- referred the same to the Scrutiny Committee (Community Wellbeing and Safety) and the Scrutiny Committee (Corporate Resources) as the lead Committee, and to the Audit Committee for consideration;
- referred the Action Plan to the Social Services Budget Working Group;
- resolved to appoint an independent adviser to support the Chief Executive and the Leader in considering the Action Plan and its recommendations;
- resolved that, due to the serious nature of the current budget situation, the proposals in the Action Plan with the exemption of decisions requiring formal Cabinet approval be implemented with immediate effect (Minute No. C2650).

The Scrutiny Committee (Community Wellbeing and Safety) had met on 23rd October, 2006 to consider the current budget issues within Social Services and the proposed Action Plan and, as agreed at its previous meeting, to invite representatives of voluntary organisations, the Local Health Board and members of the public to express their views. The Committee subsequently agreed to recommend the referral of the Action Plan to Full Council. The Chairman also announced, in order to apprise the large number of interested parties present at the meeting, that the Committee's views on recommending the following to the Scrutiny Committee (Corporate Resources) would be sought:

- that any recommendations made be referred to Full Council;
- that a risk analysis of proposals be undertaken;
- that a departmental management review of budgets and the management of budgets be undertaken;

- that the recommendations be referred to the Social Services Budget Working Group.

In view of the lateness of the hour and the need for the Committee to consider the evidence which had been presented, it was

RECOMMENDED -

“(1) T H A T notwithstanding the response of the Scrutiny Committee (Corporate Resources), as the lead Committee, to any recommendations which may be made by this Committee, the Action Plan be referred, in any event, to Full Council.

(2) T H A T the meeting stand adjourned until Friday, 27th October, 2006 at 4.00pm in the Civic Offices, Holton Road, Barry in order that the evidence presented and any further written submissions could be considered” (Minute No. 449).

At that reconvened meeting on 27th October, 2006 the Scrutiny Committee (Community Wellbeing and Safety)

RECOMMENDED - “T H A T, in addition to the recommendation on 23rd October 2006 that the Action Plan be referred to Full Council, that the Scrutiny Committee (Corporate Resources) be requested to also support the following recommendations and the referral of such and the Action Plan to Full Council:

- (i) That in the Committee’s opinion the proposals would contravene the Council’s policy framework in areas of statutory duties to the county’s vulnerable residents and the breaching of formal agreements with outside partners of the Council.
- (ii) That whilst some sections may be acceptable, others are not. The least acceptable are the cuts in the front-line services and the review does not provide an adequate risk analysis. There needs to be a deeper and wider consideration of the effects of the cuts to services for very vulnerable people.
- (iii) The whole Social Services department needs review for economies and there should not be a concentration of cuts on front line services. Support services in the areas of policy, information, performance and monitoring, training and commissioning need to be included.
- (iv) The Social Services Department needs a radical root and branch restructuring to be efficient to deal with the possibility of further and future deficits. Business Process Re-engineering (being used for OneVale) could be employed in this department.
- (v) The whole Council needs to review where it is spending money across all the departments in the light of the needs of vulnerable people which should be our priority e.g. a delay in OneVale and certain other projects

would not be life threatening or affect an individual's life expectations to the degree that front-line social services cuts would.

- (vi) We should nurture our agreements and partnerships with the National Health Trust, the Local Health Board, other Local Authorities and all the voluntary bodies who provide much of the work we want done. Some organisations will fold if we cut their support. This is poor house-keeping because we will either spend a great deal more money in re-establishing them or suffer the increased cost of supporting the then even-more vulnerable people which will fall on the Social Services Department anyway.
- (vii) Since we are seven months into the financial year is it necessary to implement these cuts now? We should concentrate on a rational, even a moral outcome for the next financial year.
- (viii) That the Scrutiny Committee expresses its total dismay at the lack of consultation with stakeholders on the proposals" (Minute No. 452).

The Audit Committee, on 24th October, 2006 received the aforementioned Action Plan and, having noted that the Action Plan would be subject to consideration by various Scrutiny Committees, had considered it opportune to consider the Action Plan from a different perspective. It was felt that the role of the Audit Committee would be best served if the Committee were to investigate the history and reasons for the current budget issues within Social Services. The view was also expressed that it would be appropriate for the Audit Committee to consider the risks associated with the actions as contained in the Action Plan and, further, to review the eligibility criteria as applied by the Social Services Directorate. To that end, the Committee

RECOMMENDED -

"(1) T H A T an extraordinary meeting of the Audit Committee be convened on 21st November, 2006 at 10.00am, to receive reports on the following:

- an outline of the background, from 2003/04, and reasons for the current budget issues within Social Services;
- risk assessments of the actions contained within the Social Services Budget Action Plan;
- a review of the eligibility criteria as applied by the Social Services Directorate.

(2) T H A T both Scrutiny Committees (Community Wellbeing and Safety) and (Corporate Resources) be informed of the above decision" (Minute No. 455).

The Scrutiny Committee (Corporate Resources) had, on 7th November, 2006 received the views of each of the above Committees together with those of the Voluntary Sector Joint Liaison Committee which had met to consider the Action Plan on 24th October, 2006, and which had already been considered above (Minute No. C2739). The Scrutiny Committee (Corporate Resources)

had subsequently agreed that the Social Services Budget Action Plan be referred back to Cabinet without recommendation.

Following consideration of each of the recommendations from the Scrutiny and Audit Committees in turn, attention focused on related issues - including the constitutional position on matters being referred to Full Council without evidence to indicate their being contrary to the Policy Framework. Attention also turned to those matters in the Action Plan on which a Cabinet decision was required and, since the Action Plan itself dealt only with £1m. of the overspend, there was a clear need to identify other options to address the total overspend.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T the recommendation of the Scrutiny Committee (Corporate Resources) held on 7th November, 2006 be noted.

(2) T H A T the recommendations of the Scrutiny Committee (Community Wellbeing and Safety) held on 23rd October, 2006 be noted.

(3) T H A T the following recommendations/observations of the Scrutiny Committee (Community Wellbeing and Safety) held on 27th October, 2006 and as enumerated above be determined as indicated below:

(i) Noted, although the Committee had submitted no detailed information to support its view.

(ii) Noted. The risk assessment being carried out for the Audit Committee would provide useful information in this respect.

(iii) "The whole Social Services Department needs review for economies" - accepted; the remainder of the recommendation/observation noted.

(iv) Agreed subject to a further report.

(v) Noted, but the committee should appreciate that a comprehensive Budget Review was undertaken last year as a basis for the revised Medium Term Financial Plan.

(vi) "We should nurture our agreements and partnerships with the National Health Trust, the Local Health Board, other Local Authorities and all the voluntary bodies who provide much of the work we want done" - accepted; the remainder of the recommendation/observation noted.

(vii) The overspending had to be controlled now. The earlier action was taken, the less difficult it would be for the Council to set a balanced budget.

(viii) Noted, although Health Sector partners had received copies of the Plan prior to its consideration by Cabinet and the consultation with the Scrutiny Committees afforded a good opportunity for the involvement of stakeholders.

(4) T H A T the recommendations of the Audit Committee held on 24th October, 2006 be accepted.

(5) T H A T the Director of Community Services submit a report to Cabinet on those matters in the Action Plan on which a Cabinet decision was required, that report to include further options to address the overspend, and that the outcome of the Audit Committee deliberations on 21st November, 2006 be also reported at that meeting of Cabinet.

Reasons for decisions

(1)-(4) To have regard to the views of the Scrutiny and Audit Committees.

(5) To facilitate progress.

C2751 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.

C2752 PENARTH CENTRAL RENEWAL AREA: GROUP REPAIR PHASE 4DV - APPOINTMENT OF CONTRACTORS (DCS) (EXEMPT INFORMATION - PARAGRAPH 20) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -

Consideration was given to the five tenders received and the outcome of the consequent evaluation process.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T, subject to the contractor providing a satisfactory Health and Safety Plan for the construction stage and the required Performance Bond, the tender of £494,987.00 from Roalco Limited be accepted, and that the Council enter into a contract with them to undertake Phase 4DV of the Group Repair Programme for the Penarth Central Renewal Area.

(2) T H A T the Chief Executive and the Leader investigate ways of raising the profile of the work of the Council in implementing and driving forward the Group Repair Scheme.

Reasons for decisions

(1) To enable progress of the Group Repair Programme and the Penarth Central Renewal Area Strategy 2004-08.

(2) To make the public aware of the role of the Council.

C2753 SPECIFIC GRANT EXPENDITURE - SUSTAINABLE WASTE MANAGEMENT (DEER) (EXEMPT INFORMATION - PARAGRAPH 20) (SCRUTINY - ECONOMY AND ENVIRONMENT) -

Information was submitted confirming expenditure on the Specific Grant for Sustainable Waste Management (The Grant) for 2005/06 and on the proposed expenditure for The Grant for the periods 2006/07, 2007/08 and 2008/09. WAG provided The Grant in order to achieve the targets for recycling and landfill diversion. The revised grant allocation for the Vale of Glamorgan Council was £1,236,562 for 2006/07 and, for 2007/08 and 2008/09 £1,352,494 respectively (the latter two being indicative amounts only). Details were contained within the report of potential future uses for The Grant and it was confirmed that the grant allocation for 2005/06 had now been expended, the total of The Grant for that period having been £995,506.

This was a matter for Executive decision.

RESOLVED -

(1) T H A T The Grant expenditure be allocated in line with the amounts from WAG for 2006/07 as follows:

- funding of the existing domestic kerbside recycling in the Vale (alternate weekly WK1 paper, glass and cans, WK2 plastic and cardboard) to 100% of properties: £930,562
- green waste collection: £93,000
- funding for Waste Educational and Awareness Initiatives: £110,000
- contribute towards the cost of the enforcement team covering - flytipping, litter and dog fouling: £50,000
- further development of waste management options including Phase 1 and 2 of the Waste Resource Park: £53,000

TOTAL: £1,236,562.

(2) T H A T The Grant expenditure be allocated in line with the indicative amounts from WAG for 2007/08 as follows:

- funding of the existing domestic kerbside recycling in the Vale (alternate weekly WK1 paper, glass and cans, WK2 plastic and cardboard) to 100% of properties: £1,052,000
- green waste collection: £105,494
- funding for Waste Educational and Awareness Initiatives: £110,000

- contribute towards the cost of the enforcement team covering - flytipping, litter and dog fouling: £50,000
- further development of waste management options including Phase 1 and 2 of the Waste Resources Park: £35,000

TOTAL: £1,352,494.

(3) T H A T The Grant expenditure be allocated in line with the indicative amounts from WAG for 2008/09 as follows:

- funding of the existing domestic kerbside recycling in the Vale (alternate weekly WK1 paper, glass and cans, WK2 plastic and cardboard) to 100% of properties: £1,052,000
- green waste collection: £105,494
- funding for Waste Educational and Awareness Initiatives: £110,000
- contribute towards the cost of the enforcement team covering - flytipping, litter and dog fouling: £50,000
- further development of waste management options including Phase 1 and 2 of the Waste Resource Park: £35,000

TOTAL: £1,352,494.

Reasons for decisions

(1) To utilise The Grant to develop further the kerbside collection service and to monitor participation in the scheme. Also to prepare for providing a regular free collection of garden waste to all properties and a kitchen waste collection pilot for 4,000 properties.

(2) The regular free garden waste collection service and kitchen waste collection will assist the Council in achieving the WAG targets for waste minimisation, recycling and re-use.

(3) The weekly recycling service and associated promotion of waste minimisation re-use and recycling in 2008/09 will have a significant impact on the waste sent to landfill ensuring that the authority is well placed to meet the EU targets on diversion of biological waste from landfill in 2010.