

**CABINET**

MINUTES of a meeting held on 29<sup>th</sup> 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: Councillor A.J. Readman.

**C2774 MINUTES -**

RESOLVED - T H A T the minutes of the meeting held on 22<sup>nd</sup> November, 2006 be approved as a correct record.

**C2775 DECLARATIONS OF INTEREST -**

Councillor H.J.W. James declared an interest in Agenda Item 12 in that he was a member of South Wales Police Authority and had a dispensation to speak.

**C2776 A REVIEW OF THE EFFECTIVENESS OF THE COUNCIL'S HOMELESSNESS STRATEGY AND THE IMPACT ON THE COMMUNITY (REF) -**

Scrutiny Committee (Community Wellbeing and Safety) at its meeting held on 8<sup>th</sup> November, 2006 considered the findings of a desktop review which had been undertaken as part of 2005/06 planned programme for the Scrutiny Committee. The purpose of the review had been to assess the effectiveness of the Council's Homelessness Strategy and the impact on the community which would identify the gap between the Welsh Assembly Government's Homelessness Strategy and the Council's existing strategy. The report had identified a number of issues and these were contained in 12 recommendations, viz:

- "1. that the Executive Member with the housing portfolio adopts the role of a champion for homelessness issues within the Vale of Glamorgan.
2. That the next issue of the Corporate Plan currently being drafted include homelessness issues and making the relevant links to the Community Strategy.
3. That the remainder of the Section 180 monies be utilised to undertake an audit of homelessness/rough sleeping in the Vale of Glamorgan by March 2007 as required by the Welsh Assembly and to establish a system for proactive monitoring of homelessness within the county.

4. That the Housing Service review and reconfigure existing staff resources so that prevention is the initial response to all homelessness enquiries.
5. That a feasibility study utilising corporate funds, which have been set aside for that purpose be undertaken including capital and revenue costs to develop a multi-agency information website and housing advice centre within existing resources in an accessible location in Barry.
6. That the Homelessness Forum (with the support of the IDT Review Team) identify duplications in provision with partners and examine overall resource capacity within the Vale of Glamorgan. The findings from the research of the Homelessness Forum will form the basis of re-commissioning of Homelessness Services within the Vale.
7. That the Homelessness Forum develop a mechanism for providing a promotional Housing Road Show / Outreach Service to cover all parts of the Vale of Glamorgan by September 2007.
8. That on appointment, the remit of the new Private Sector Co-ordinator include:
  - Shadowing Housing Benefits staff and co-ordinating improved joint working;
  - Read-only access to Housing Benefits information and identifying and resolving potential problems;
  - Co-ordination of regular liaison meetings between housing Benefits and Homeless Prevention Teams;
  - Nomination of lead Housing Benefits officer or the placement of a Housing Officer within Housing Benefits Section to liaise with the Homelessness Team;
  - Development of Housing Benefits Performance Indicators for pre-tenancy determinations and clients on indicative rents;
  - Review of discretionary payments;
  - Regulation of quality of landlords in order to increase housing stock.
9. That a review of the ANITE Homelessness database be conducted to examine opportunities for further development.
10. That, in light of the new suitability order, the Housing Department continues to examine alternative accommodation options to increase the level of temporary accommodation in the Vale of Glamorgan.
11. An Action Plan is developed to tackle the identified gaps between the All Wales Strategy and Vale of Glamorgan Homelessness Strategy and Prevention Plan, as set out in this report.
12. That the Homelessness Forum undertake a training needs analysis in order to identify any training needs which may be undertaken within the Council at little or not cost.

The Scrutiny Committee (Community Wellbeing and Safety) subsequently

RECOMMENDED -

“(1) T H A T the contents of the Review be noted.

(2) T H A T the above recommendations (as contained in the report) and the following three additions be endorsed and referred to Cabinet:

(i) Recommendation (a) - add - “That the temporary WAG funded post of the new Private Sector Co-ordinator be added to the establishment under the terms of the grant and .....

(ii) Recommendation (10) - add - “and that the timescale for turning void properties around be improved in order to ensure that at risk groups are accommodated.”

(iii) Recommendation (13) - “That the Council invests in the production of a video/DVD highlighting the realities for young people leaving home and to be shown at all Vale of Glamorgan schools.”

(3) T H A T all stakeholders and officers be thanked for their support and work undertaken during the Review.

#### Reasons for recommendations

(1) To apprise Members of the findings of the review and the consultation process.

(2) To enable the recommendations to be progressed to Cabinet and detailed Action Plans to be developed.”

The Cabinet having considered the above matters, the recommendations of the Review be determined as follows:

RESOLVED -

(1) T H A T it be accepted that the Executive Member with the Housing portfolio be designated the Champion for homelessness issues within the Vale of Glamorgan.

(2) T H A T, notwithstanding that Corporate Plan Actions CW8, 9, 10 and 11 already addressed this issue, it be accepted that homelessness issues be linked to the Community Strategy and be included in future issues of the Corporate Plan.

(3) T H A T Section 180 monies were already proposed to be utilised to undertake an audit of homelessness/rough sleeping in the Vale of Glamorgan.

(4) T H A T a Housing Service Review and reconfiguration of existing staff resources so that prevention was the initial response to all homelessness enquiries, had already been implemented by the Cabinet.

(5) T H A T a further report be submitted to Cabinet assessing the feasibility of developing a multi-agency information website and housing advice centre linked with the possible integration with the Council's OneVale programme and the Council's new website Content Management System.

(6) T H A T the position in respect of the Homelessness Forum identifying duplications in provision with partners in addition to examining the overall resource capacity within the Vale of Glamorgan, be noted and that a further report be submitted to Cabinet in relation to the feasibility of undertaking such including any resource implications for the Council.

(7) T H A T recommendation (7) of the review be accepted in principle, the feasibility and financial implications of providing a promotional housing road show / outreach service be the subject of a further report to Cabinet.

(8) T H A T the appointment of a new Private Sector Co-ordinator with the remit as set out in the report be accepted, subject to the above post being added to the Council's establishment as a "temporary post" and no commitment being given to fund the post beyond the period of the WAG funding.

(9) T H A T as the ANITE Homelessness database was Oracle based, it could be integrated within the OneVale initiative.

(10) T H A T recommendation (10) of the Review be noted and that work was presently ongoing and would be subject to a further report to Cabinet in December 2006 / January 2007.

(11) T H A T an Action Plan in respect of identifying gaps between the All Wales Strategy and the Vale of Glamorgan Homelessness Strategy and Prevention Plan as detailed in the report be subject to a further report to Cabinet as soon as practicable.

(12) T H A T recommendation (12) of the Review be accepted.

(13) T H A T recommendation (13) of the Review be accepted in principle and that the Director of Community Services be requested to approach Media For Schools and Area 41 to ascertain whether they would be prepared to engage in making an appropriate video and in addition, the matter be referred to the Children and Young People Partnership for further consideration.

**C2777 CABINET ADVISORY COMMITTEE: POLICY, FINANCE, ICT AND PROPERTY -**

The following minutes of the meeting held on 20<sup>th</sup> November, 2006 were submitted:

**Present:** Cllr. H.J.W. James (Chairman)  
Clive Teague (Head of Finance, ICT & Property)  
Mark Petherick (Cabinet Officer)

**Apologies for Absence:**

Cllr. A.J. Williams, Cllr. J.W. Thomas, Cllr M Harvey.

**(A) MINUTES-** Minutes of the meeting held on the 2<sup>nd</sup> February 2006 be approved.

**As a result of the meeting being inquorate an informal discussion was held.**

**(B) DECLARATIONS OF INTEREST -**

No declarations were received.

**(C) Protocol for Flying of Flags.**

Following extensive discussion of the report (see appendix A), the Committee recommend the following:-

**Recommended – That Cabinet be requested to consider the following recommendations**

- 1. That the protocol for the flying of flags held within the report be established for the Vale and that the responsibility for such matters be handed to the Security Supervisor for Building & Vehicle Services of the Vale of Glamorgan Council.**
- 2. That the facilities manager act as client in this matter.**
- 3. That the Cabinet Support Officer research the protocol for flying flags in other authorities and bring a report back to the next meeting.**

**Reasons for Recommendations**

**1,2&3 To establish a consistent protocol for the flying of flags.**

## 1. Twinning Association – Verbal Presentation.

Following extensive discussion of the presentation by the Leader the Committee recommended the following: -

**Recommended – That Cabinet be requested to consider the following recommendations:**

- 1 That a twinning association for the Vale be formed and that the Leader and Chief Executive make the necessary arrangements.**
- 2 That the Vale is being requested to hold stalls at twinning events held in Rheinfelden at the Trottoirfest, Fecamp at the Christmas market and Neumarkt for the Laubenfest during 2007.**
- 3 That there is a continuing dialogue between twin towns on programming better youth initiatives and exchanges. Some programmes have already been made with an exchange from the Vale to Mouscron and a return visit from Mouscron to the Vale.**
- 4. It is noted that Jean Pierre Detremmarie is no longer the Mayor of Mouscron and that Johnny Labie is standing down as deputy with responsibility for twinning at the end of the year.**

### Reasons for recommendations

**1-4 To keep Cabinet informed of twinning developments.**

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RESOLVED - T H A T the above recommendations of the Cabinet Advisory Committee: Policy, Finance, ICT and Property of 20<sup>th</sup> November, 2006 be endorsed with the exception of recommendation (3) above relating to Protocol for Flying of Flags, this being deleted and replaced with the following:

“RESOLVED - T H A T the Vale of Glamorgan Coat of Arms flag be flown on each working day and that all other flags be flown as specified by the said protocol.”

### **C2778 ATTENDANCE AT CONFERENCES, SEMINARS ETC. (CX) (SCRUTINY - CORPORATE RESOURCES) -**

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

HR Directors Network: AGM	28 <sup>th</sup> /29 <sup>th</sup> September, 2006	Mr. S. Ralph
P.P.M.A. Board Meeting	9 <sup>th</sup> /10 <sup>th</sup> November, 2006	Mr. S. Ralph

CIPFA in Wales Conference 2006	16 <sup>th</sup> /17 <sup>th</sup> November, 2006	Mr. C. Teague
WLGA Housing Partnership Conference	30 <sup>th</sup> November, 2006	Councillor J.W. Thomas
Visits to Recycling Sites - RU Recycling, Orchid Environmental and Vehicle Recognition Technology	4 <sup>th</sup> /5 <sup>th</sup> December, 2006	Mr. M. Punter and Councillor G.A. Cox.

Reason for decision

To inform the Cabinet.

**C2779 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (CX) (SCRUTINY - AS INDICATED BELOW) -**

This matter was 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 to the W.D.A. in respect of the Barry Town Hall Project.  
(Scrutiny - Corporate Resources).
- (b) Authority to release payment to Headteacher on termination.  
(Scrutiny - Lifelong Learning/Corporate Resources).
- (c) Authority to implement Car Allowances 2006/07 as contained in N.J.C. Circular dated 16<sup>th</sup> May, 2006.  
(Scrutiny - Corporate Resources).
- (d) Authority to undertake planning and highways legal work for Merthyr Tydfil County Borough Council.  
(Scrutiny - Corporate Resources).
- (e) Authority to amend the date of the C.P.O. referred to in Minute No. C2057.  
(Scrutiny - Economy and Environment).
- (f) Authority to extend Minute No. C2375 to progress the compulsory purchase of land and/or new rights to facilitate the construction of Penarth Headland Link.  
(Scrutiny - Economy and Environment).

- (g) Authority to participate in the South Wales Overarching Leadership Group's submission to the Big Lottery for funding for a Preventative Project 4 - 11 year olds.  
(Scrutiny - Community Wellbeing and Safety).
- (h) Authority to include the Early Years Capital Grant 2006/07 in the capital programme.  
(Scrutiny - Corporate Resources).
- (i) Authority to take the necessary action to ensure Christmas illuminations at specified sites in Barry by 17<sup>th</sup> November, 2006.  
(Scrutiny - Corporate Resources).
- (j) Authority to implement the Pay Settlement 2006/07 as contained in J.E.S. Circular No. 145 dated 9<sup>th</sup> October, 2006.  
(Scrutiny - Corporate Resources).

Reason for decision

To inform the Cabinet.

**C2780 VALE WAVES: INCREASING FREQUENCY OF PUBLICATION (CX) (SCRUTINY - CORPORATE RESOURCES) -**

The BMG Opinion Survey undertaken by the Council in 2005 revealed that residents would generally welcome more editions of the above newspaper.

The Cabinet gave consideration to the impact of additional editions of the newspaper on the Council's communications with residents, and the public's attitude to more frequent publication, which had been previously assessed as positive. The financial and staff resources issues had also been investigated and viable ways to increase the number of editions per year had been developed.

This matter was for Executive decision.

RESOLVED - T H A T the new supplier be trialled and, if successful, the number of issues of Vale Waves be gradually increased between September 2007 and August 2009.

Reason for decision

To ensure that Vale Waves' integrity as a reliable, regular and quality community newspaper be maintained.

**C2781 CATERING ACTION PLAN FOR THE PERIOD SEPTEMBER 2006 TO 31<sup>ST</sup> MARCH, 2007 (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

The report detailed actions to be taken by the Council's Catering Division to minimise / reverse the predicted overspend of £150,000 in relation to catering functions.

Plans had already been instigated and adopted in some areas to minimise / recover the above predicted loss. However, it was noted, that the full recovery was not achievable in the remainder of the current financial year but it was expected when the recommended changes were accepted by the Cabinet that monthly reports due in 2007/08 would support significant evidence of recovery.

Such plans included major changes in labour costs, the need to address the reduction in meal numbers against the hours employed within kitchens to cook, rationalisation of units, revision of service type production versus transported versus pre-packed and support in the promotion of school meals by the Council's Chief Officers and Councillors. In addition, school meal prices would need to be revised to bring them in line with other authorities and generate additional income.

The anticipated transfer of Leisure to Vale Catering Services would afford an income growth in the year 2007/08, when all aspects of new service and staffing had been completed.

Current Service Level Agreements with schools were being reviewed and amended to take into account of surplus some schools had achieved through the added value support given by the Catering Division. Any increase in percentage return would support the cost being borne by other elements in the business. Funding was also to be received from the Welsh Assembly Government for the new Standards currently imposed upon the Council's school meals service which would enhance the service provision.

This matter was for Executive decision.

RESOLVED -

(1) T H A T the actions proposed to minimise/reverse the projected deficit on Catering Services be noted.

(2) T H A T a further detailed report be presented to Cabinet on timescales for minimising / reversing the deficit in this service by no later than 31<sup>st</sup> January, 2007.

Reasons for decisions

(1) Cabinet are aware of the proposed actions.

(2) To update Cabinet on outstanding issues in relation to the service budget and timescales for achieving a balanced budget.

**C2782 REPORT OF THE NATIONAL SERVICE FRAMEWORK FOR OLDER PEOPLE IN WALES (DCS) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

Cabinet were apprised on progress in relation to monitoring and implementation of the National Service Framework (NSF) for Older People in line with Standard 1.3 of the above Framework.

The report detailed progress on how the twenty nine objectives of the NSF were being met. In addition, the Council had nominated a Lead Officer - Head of Service, Strategy, Performance Management and Commissioning and an Action Plan to ensure the implementation of the NSF had been formulated with partners. It was noted that this would be monitored on a quarterly basis and updated reports would be provided to Cabinet on a six monthly basis. It was further noted that in September 2006 the Council was requested to provide a progress report.

To maintain consistency with the information provided in the baseline assessment, the progress report had been sent to the Welsh Assembly Government as a joint response from the Council, the LHB, Cardiff and Vale NHS Trust and Bro Morgannwg NHS Trust and these matters were appended to the report.

This matter was for Executive decision.

RESOLVED - T H A T the contents of the progress report be endorsed and it be further noted that the Cabinet would receive regular six monthly progress reports over the lifetime of the NSF.

Reason for decision

Standard 1.3 states "the named leader will regularly report on implementation and monitoring of the entire NSF to Cabinet."

**C2783 COUNCIL TRAVEL PLAN - ANNUAL REVIEW 2006 (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT) -**

Cabinet were updated on the above Plan since its adoption in June 2005.

The Travel Plan contained an Action Plan of initiatives to encourage modal shift away from the single occupied car. Many of the actions identified in the Travel Plan had already been implemented or were ongoing. The establishment of the Travel Plan Working Group had helped to enable successful implementation, to date, the long term success of the initiative required continued action, improvement and promotion.

The conclusions of the Action Plan review indicated that in July 2004 the Staff Travel Survey revealed 79% of respondents travelled to work alone in their car every day, compared to 6% car sharing, 5% using public transport and 7% walking or cycling. The latest results indicated a decrease in the percentage of people commuting by car alone (down 3%). However, given that the majority of the 2006 survey respondents felt the Travel Plan had not affected them, it was unlikely that this decline could be wholly attributed to the Travel Plan initiative.

It was further noted that the budget of £20,000 made available in the current financial year to fund initiatives contained within the Travel Plan had been sourced from the Planning and Transportation Division budget. It was considered that this was unsustainable and inappropriate for a corporate initiative such as this. In addition, pressures on finance, the Planning and Transportation Policy Section had remained primarily responsible for the implementation of the Travel Plan, which was placing undue pressure upon staff resources. This was of particular concern given that this team would now commence work on the Council's Local Development Plan and had little time to spend on the implementation of the Travel Plan.

This matter was for Executive decision.

#### RESOLVED -

- (1) T H A T the Cabinet notes the progress made on the Travel Plan initiative and details of spend to date.
- (2) T H A T the Corporate Management Team give further consideration to the appropriate staffing and resourcing of the implementation of the Travel Plan.
- (3) T H A T the Travel Plan Working Group continue to implement the original Travel Plan and its objectives, bearing in mind the findings outlined in the report.

#### Reasons for decisions

- (1) To advise Cabinet of progress made in accordance with Cabinet Minute No. C1920.
- (2) To ensure that the Travel Plan scheme is adequately resourced for effective implementation.
- (3) To ensure that the Travel Plan's implementation is ongoing and informed by a range of officers throughout the Council.

**C2784 PRECEPT PAYMENT DATES 2007/08 (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Approval was sought for the precept payment dates for 2007/08. The Council, as billing authority, was required to notify Precepting Authorities by 31<sup>st</sup> December, 2006 of the proposed precept payment dates for 2007/08.

The report recommended that the proposed arrangements for Precepting Authorities be the same as in the current year.

This matter was for Executive decision.

RESOLVED -

(1) T H A T payments due to the South Wales Police Authority be paid in twelve equal instalments on the last working day of each month.

(2) T H A T the payments due to the Town and Community Councils be paid in three equal instalments on the last working days of April, August and December 2007.

Reasons for decisions

(1) The Council was required to determine its precept payment dates each year and inform the relevant Authorities.

(2) The dates determined optimise the Council's cash flow in line with the regulations.

**C2785 COUNCIL TAX - UNOCCUPIED DWELLINGS (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Approval was sought to adopt the policy for Council Tax on unoccupied dwellings for 2007/08. Billing authorities had discretion about the discounts to be allowed for unoccupied, furnished dwellings. Such authorities may decide to give a discount of 50%, 25% or no discount at all so that the tax payer had to pay 50%, 75% or 100% of the normal charge.

The Welsh Regulations prescribed three dwellings for which Welsh Local Authorities would have discretion to consider discounts allowable. The Council's current policy was as follows:

- Unoccupied furnished dwellings - the regulations prescribed two classes of unoccupied and furnished dwellings for which Welsh Local Authorities would have discretion to consider the discounts allowable viz:

- (a) Class A related to dwellings with a restriction on occupancy by law which prohibited their use for a period of at least twenty eight consecutive days in any twelve month period:
  - (b) Class B related to dwellings which had no such restrictions on occupancy.
- Unoccupied unfurnished dwellings - the regulations prescribed a third class and allowed authorities to reduce or discontinue the 50% discount on dwellings which were unoccupied and substantially unfurnished and had been for more than six months:
- (c) Class C related to long term unoccupied and substantially unfurnished dwellings.

The Council's current policy was to allow 50% discount on unoccupied furnished dwellings (classes A, B and C).

This matter was for Executive decision.

RESOLVED - T H A T 50% discount be approved for 2007/08 in respect of class A, B, and C dwellings.

Reason for decision

The Council was required to determine its policy on discount on unoccupied dwellings each year.

**C2786 COUNCIL TAX BASE 2007/08 (DFICTP) (SCRUTINY - CORPORATE RESOURCES) -**

Approval was sought for the Council Tax Base for 2007/08. The Council Tax Base had been calculated as follows:

- take the number of dwellings for the area in each valuation band;
- adjust for estimated changes to the list in the year i.e. additions, reductions (including those for disabled adaptations), deletions and exemptions;
- reduce by the estimated number discounts allowed, incorporating the policy on discounts for unoccupied properties;
- convert each Band to a Band D equivalent by applying the appropriate multiplier e.g. for Band A multiply by 6 divide by 9;
- sum the Band D equivalent of each band;
- multiply this by the estimated collection rate;
- add the Band D equivalent of Class O properties i.e. dwellings owned by Ministry of Defence.

The following assumptions had been made -

- the calculations are based on data available to the Council on 31<sup>st</sup> October, 2006;

- the collection rate will be 97%
- that 50% of outstanding appeals will be granted.

This was a matter for Executive decision.

RESOLVED - T H A T pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations, the amount calculated by the Vale of Glamorgan Council as its Council Tax Base for the year 2007/08 be endorsed as follows:

For the whole area: 54,650

For the area of Town and Community Councils:

Barry	18,423	Pendoylan	236
Colwinston	280	Penllyn	968
Cowbridge with Llanblethian	2,470	Peterston-Super-Ely	545
Dinas Powys	3,577	Rhoose	2,707
Ewenny	425	St. Athan	1,330
Llancarfan	446	St. Brides Major	1,112
Llandough	914	St. Donats	187
Llandow	426	St. Georges & St. Brides-Super-Ely	232
Llanfair	358	St. Nicholas & Bonvilston	528
Llangan	368	Sully	2,316
Llan-maes	237	Welsh St. Donats	300
Llantwit Major	3,983	Wenvoe	1,069
Michaelston	216	Wick	368
Penarth	10,629		

#### Reason for decision

It was essential that the Council Tax Base was set by the Council in order that it could be submitted to the Welsh Assembly Government for and used by Councils and levying bodies to set precepts.

#### **C2787 PROHIBITING THE CONSUMPTION OF ALCOHOL IN PUBLIC PLACES (DLRS) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet were apprised on progress to introduce an Order under the Criminal Justice and Police Act 2001 prohibiting the consumption of alcohol in designated places. In addition, approval was sought to introduce as from 1<sup>st</sup> February, 2007 an Order under the above Act, to prohibit the consumption of alcohol in designated areas and to refer the matter to Council for decision.

In accordance with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 and Cabinet's previous recommendations, a

notice had been published in the local press giving details of the Council's intention to designate by Order the undermentioned areas where the consumption of alcohol when asked by a Police Officer not to do so would be an offence:

Alexandra Park	Penarth
The Kymin	Penarth
Broad Street	Barry
Chickenwood	Barry
Cogan Recreation Ground	Penarth
Llantwit Major Square	Llantwit Major
Lorna Hughes Park	Llantwit Major
Pencoedtre Park	Barry
Pound Field Shopping Area	Llantwit Major
Romilly Park	Barry
Windsor Road Dingle	Penarth
Twt Park	Cowbridge
Victoria Park	Barry
Windmill Lane Playing Fields	Llantwit Major.

The introduction of an Order under the Criminal Justice and Police Act 2001 was a matter for decision by Full Council.

RESOLVED - T H A T Cabinet recommends to Council

- (1) T H A T the proposal to introduce an Order with a commencement date of 1<sup>st</sup> February, 2007 under the provisions of the Criminal Justice and Police Act 2001 as detailed in Appendix 1 to the report be approved.
- (2) T H A T, subject to the Order being approved, the commencement date of the Order be published in the local press.
- (3) T H A T the Community Liaison Committee be advised that the Order would be subject to annual review by Cabinet and incidents of nuisance, annoyance or disorder associated with the consumption of alcohol in areas other than those identified during the formal consultation should be reported to the Police or this Council so as to build up evidence of problems and inform the evidence gathering process when the Order is reviewed.

#### Reasons for decisions

- (1) To comply with the Local Authorities Executive Arrangements (Functions and Responsibilities) (Amendment) (Wales) Regulations 2002.
- (2) To comply with Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001.
- (3) To inform decisions relating to the annual review of the Order by the Council.

**C2788 THE GAMBLING ACT 2005 (DLRS) (SCRUTINY - CORPORATE RESOURCES) -**

Approval was sought for amendments to the Council's draft Statement of Principles made under the above Act following statutory consultation and to refer the amended draft to Council for approval.

In preparation for the Act coming into force, local authorities had a duty to publish a Statement of Principles. The original draft Statement of Principles had been subject to extensive consultation with members of the trade, responsible authorities and elected Members. This process had ended on 13<sup>th</sup> October, 2006 and comments received were subject to review by an officer review panel and the review panel had considered all responses received during the consultation process in developing the amended draft Statement of Principles.

It was noted that the Licensing Committee had noted the amendments to the above document with it further being noted that the Statement of Principles had to be published by 3<sup>rd</sup> January, 2007 and reviewed every three years.

The formal approval of the Statement of Principles for the Vale of Glamorgan Council was a matter for Full Council.

RESOLVED - T H A T Cabinet recommends to Council the approval of the amended draft Statement of Principles developed under the Gambling Act 2005.

Reason for decision

To comply with the Gambling Act 2005 and ensure the Council's Statement of Principles are developed in accordance with the Gambling Commission's Guidance.

**C2789 DYFFRYN HOUSE - POTENTIAL FUTURE USE (DEER) (SCRUTINY - CORPORATE RESOURCES) -**

Cabinet were apprised of discussions which had taken place with regard to the future use of the House and to agree a way forward.

Initial discussions had taken place with representatives of some of HRH The Prince of Wales' Charitable Bodies. These representatives had visited the House and assessed whether it could be utilised as a base for some of the activities relating to the charities, in particular as a base for future activities and / or offices. From the discussions held it appeared that the building would lend itself to an exciting and coherent group of uses many of which would connect or were delivered by HRH's charities. These included:

- A training centre for young people to learn building craft skills,
- A centre for the Prince's Education Summer Schools;

- A small business office centre/incubator for small business and social enterprises helped by HRH's charities and others;
- A conference centre (residential and non residential);
- An exhibition space;
- Other commercial events and activities, such as a venue for weddings;
- A part of the building might lend itself to compatible office uses by appropriate Council departments or indeed the private sector.

In order to make it possible for the above uses to take place it was envisaged that the following works would be required:

- Refurbishment of all internal spaces to modern standards, including electrical supply to enable modern IT equipment to be used, redecoration etc.;
- Upper floors refurbished to be useable as modern office accommodation;
- Provision of modern kitchen facilities;
- Full compliance with disabled access requirements, including lift access to upper floors;
- Compliance with fire safety and escape requirements;
- Ground floor public rooms restored to their original grandeur and made suitable as meeting, conference and exhibition / special event spaces;
- Potential refurbishment of the 24 no. bed ensuite residential accommodation to bring it up to modern standards.

In order to facilitate such uses and establish a body to operate the facility, the Council required a partner body which was prepared to lease the property and utilise it for the type of uses which were compatible with the public access requirements of the Gardens and the principle ground floor rooms in the House.

Prime Cymru, which is one of the Prince of Wales' Charities in Wales, had taken the lead in offering to co-ordinate the efforts required to bring together a group of external partners who would work with the Council and to lead external fundraising efforts. Bids for external funding were likely to be more successful with a range of charitable partners in place and working alongside the Council.

The Council would need to be satisfied that the activities run within the building were viable and sustainable in the long term. Prime Cymru and any new head lessees would also need to be satisfied that there would be sufficient revenue income generated by activities and occupants to adequately cover building maintenance and running costs for the foreseeable future. It was assumed that should this be the case, the Council would be willing to enter into a long lease at a peppercorn rent, with any new head lessee. The building would remain in the Council's ownership. If the viability of the proposed new uses were demonstrated, a dedicated Dyffryn House charitable company could be established to manage the building under a lease. Such a company would be better placed than a local authority to attract potential grants and gifts.

Subject to the consent of the Cabinet and in order to progress matters, the Council along with representatives of the Prince of Wales' Charities, would need to seek to appoint suitable consultants to carry out the tasks, namely a feasibility study and a business plan.

In order to ensure that the project was progressed as quickly as possible, it was proposed that a Cabinet Project Panel be established consisting of the Leader, the Cabinet Member for Regeneration, Tourism and Leisure and relevant officers.

This utilisation of the Project Fund was a matter for decision by Full Council.

RESOLVED -

(1) T H A T the principle of entering into negotiations with representatives of the Prince of Wales' Charitable Bodies be endorsed.

(2) T H A T a feasibility study and a business plan for the use of Dyffryn House be commissioned jointly with the Prince of Wales' Charitable Bodies and the Cabinet recommends to Council that a sum of £40,000 be made available from the Project Fund to assist this process.

(3) T H A T, if necessary, a suitable consultancy be secured on the basis of a single tender action subject to the agreement of the Directors of Environmental and Economic Regeneration and Finance, ICT and Property.

(4) T H A T the Director of Legal and Regulatory Services be authorised to investigate the possibility of establishing a special purpose vehicle such as a charitable company limited by guarantee to support the development and future operation of Dyffryn House.

(5) T H A T a Cabinet Project Panel comprising the Leader and the Cabinet Member for Regeneration, Tourism and Leisure be established and that the outcome of the consultancy work be reported back to Cabinet.

#### Reasons for decisions

(1) In order to proceed with negotiations.

(2) To ascertain the future viability of the project and to seek approval of the method of funding.

(3) To allow the commissioning of pro bono work as appropriate.

(4) To progress options in terms of the future use, management and development of Dyffryn House.

(5) For the further information of Cabinet.

**C2790 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.

**C2791 PENARTH HEADLAND LINK - PROGRESS (DEER) (SCRUTINY - ECONOMY AND ENVIRONMENT AND CORPORATE RESOURCES) -****Urgent by reason of the need to respond to the Welsh Assembly Government**

Cabinet were apprised of the progress made to date with regard to the preparation of a revised target cost following consideration of the subject following a call-in by the Council's Scrutiny Committees (Economy and Environment and Corporate Resources) in August 2006.

The Leader had received correspondence from the Minister for Enterprise, Innovation and Networks on 16<sup>th</sup> October, 2006 following a written request made by the Leader that the Minister considers the removal of time related programme constraints attached to the current Grant Agreement. In response the said Minister stated that he was sympathetic to the Council's position and that in principle he would be flexible in his approach as to how the remaining grant could be made available. However, he had requested the Council indicate a clear way forward by 30<sup>th</sup> November, 2006 or he would consider re-considering withholding any further grant payments.

Recommendations borne from the Scrutiny Process had since been progressed. The main work had focused on re-appraising the scheme in order to examine whether any changes in design could significantly reduce the previously calculated target costs of the scheme of £20m. Cabinet were reminded of the original budget made available for the scheme of £13.5m. and as a consequence there existed a funding gap of £6.5m. Main changes to the scheme had been a modification in the structure support design and associated construction details. As a result of the design work the target cost had reduced to £18.6m. resulting in a funding gap of £5.1m.

E.C. Harris, the Council's Procurement and Financial Adviser on this project, also undertook a study into possible development opportunities in association with this project with a view to providing additional capital receipts. The study investigated the possibility of constructing residential accommodation on sites adjacent to the proposed link but due to access consideration and impact on the cliffs and shore, no option was recommended for further analysis. To provide an appropriate number of residential units any development would have to extend for some considerable distance along the beach and up the full height of the cliff.

As a consequence, there remained significant funding issues associated with the project. In order to meet the remaining funding gap, officers would need to examine other potential sources of funding. One potential source was to identify capital receipts from the sale of surplus Council owned land. This would need to be delivered within the life of the project in order to identify an additional capital funding stream. It was therefore intended to submit a further report for consideration by Cabinet in January 2007 regarding sites identified.

In addition, there also needed to be greater certainty in relation to the final target cost. Consultants had estimated that a sum of £295,000 would be necessary to carry out this detailed work which would mean that construction could commence in March 2007, should funding issues be resolved. This would mean that a detailed design would be progressed to give greater certainty to the project and to further identify a reduced risk. The Leader and the Cabinet Member for Visible Services had agreed for this work to be undertaken in accordance with delegated authority (Cabinet Minute No. C1822 refers).

This matter was for Executive decision.

#### RESOLVED -

(1) T H A T the Leader writes to the Minister outlining the proposals contained in the report leading to the consideration of the funding options for the project.

(2) T H A T the Director of Environmental and Economic Regeneration in consultation with the Director of Finance, ICT and Property be requested to identify land surplus to requirements, the capital receipt for which could be used to fund the Penarth Headland Link project.

(3) T H A T a further report be presented to Cabinet in January 2007, on the identification of any surplus land.

#### Reasons for decisions

(1) To respond to the Minister within the timescale requested.

(2) To provide additional funds for this project.

(3) To advise Members.

#### **C2792 SOCIAL SERVICES ISSUES (CX) - (SCRUTINY - COMMUNITY WELLBEING AND SAFETY AND CORPORATE RESOURCES) -**

#### **Urgent by reason of the need to keep Members informed of progress**

An analysis of the budgeted and actual expenditure for Social Services for the 2005/6 financial year, together with projections for 2006/7, had revealed an

ongoing trend of expenditure in excess of the allocated base budget for Social Services of £5.2 million and £4.9 million respectively. These overspends could be related to three main areas:

- The costs of residential placements within Children and Family Services.
- Increasing numbers and cost of care packages within Community Care and Health impacting upon all service functions but in particular Learning Disabilities.
- Higher than budgeted expenditure during 2005/6 on salaries and wages, including expenditure on agency staff.

Further analysis would be required to determine the context in which these overspends had occurred including national and regional trends in cost pressures on social services, as well as local factors (eg underspends on fostering budgets and changes in staffing levels since April 2005).

The review of social services would involve the following:

- A financial analysis of all social care services wherein needs, demand and staffing implications were taken into account in forecasting the revenue and capital implications of providing essential care services.
- An analysis of the current position and previous trends to measure the impact of reductions in expenditure against risk and performance of statutory duties.
- The unit costs of current services, and predicted delivery costs would be taken in account in developing new outline commissioning strategies. They would also be used to forecast budget and service performance targets for 3 years ahead.
- The options for changing the delivery of essential services within existing eligibility criteria and policy were to be examined. The review would evaluate options in terms of speed of delivery and lower unit costs and consider alternative models of service delivery to those currently being used, and the capacity within the Council to implement any changes considered.
- All operational, team, commissioning, finance, HR, and other relevant managers would be involved in a series of focused reviews of each care group facilitated by the external adviser to ensure realistic targets were set within a new strategic framework for social services.
- Improvements to the measurement of service activity and financial monitoring were being developed to ensure that all targets were performance managed and reported in a transparent manner.
- Applying OneVale Business Process Re-engineering (BPR) methodologies to review current practices with a view to improving efficiency and productivity.

Initial findings had revealed that Strategic commissioning of social services has not been fully developed. The focus had been on expanding the range of services to meet needs, rather than a rigorous setting of priorities and

matching resources to meet those priorities. Small scale improvement projects implemented to improve efficiency had been worthwhile in their own right, but they had not been strategic in terms of impact and not significant in changing the pattern of expenditure. The revised Action Plan sought to develop difficult but strategic options for change.

The key factor for the Vale was the degree to which demand patterns for services had driven the overspend, and how well the Directorate had responded to these pressures by taking planned measures to deal with them. The “management fund” had been fully used by absorbing the extra demand within existing delivery and provider arrangements rather than by redesigning services. Changes in care services tended to be slow due to the legal duty of reviewing each individual receiving services. Efficiency in care management was required to be improved, as well as reviewing the overall capacity required.

There had also been pressures arising from changes in national policy over the last two years, which had led to social services expanding the range of care provided to meet needs. These changes had included the revision to Supporting People criteria; and, of greater concern, the withdrawal by NHS organisations from appropriately funding complex, high dependency care cases. This was a national trend affecting all Councils.

The local market for social care had not been sufficiently developed to cater for the high dependency and risk needs of those with complex requirements especially in the children and learning disability sectors. This had led to exceptionally high costs of out of area placements, which in turn had been subject to higher than average inflation and cost increases. The Children’s Placements Strategy was designed to meet this objective, but had not delivered.

A revised vision and strategy for social services should reflect the following:

- Promoting client independence and choice as far as possible whilst ensuring the Council met its basic statutory obligations.
- Reducing reliance on expensive specialist services and maximising the opportunities for clients to access less costly mainstream services.
- Flexible commissioning of services from whichever providers can demonstrate value for money, including the Voluntary Sector. A questionnaire would be sent to all voluntary organisations delivering social and care services in the Vale. The results will inform the analysis of commissioning options previously requested by Cabinet.
- A focus on productivity and better performance and risk management to ensure that available resources were being used to best effect.
- Improved project management based on clear officer accountability and responsibility to deliver projects to deadline and budget in accordance with well constructed original business cases.

The revised Action Plan would seek to address the above issues by the following:

- Produce strategic commissioning plans for each care group that accurately analysed needs, sets priorities in meeting those needs, determines the market position and means of delivering services more cost effectively against the priorities, and decommissions services that did not match the priorities.
- Commissioning strategies would need to ensure that out of area placements were reduced in number and cost, and that links to family, carers, and communities were maintained for those vulnerable and disabled people.
- Incorporate revenue and capital targets for redesigned services to achieve best practice and greater efficiency. The aim would be to produce a reduced but sustainable position for the Council. Some of the changes would take up to 2 years to deliver.
- Promote a new vision for the social services in the Vale that matched new policy approaches nationally, and met the aspirations of vulnerable and disabled people locally. A wider approach to removing barriers to universal services for vulnerable people would inform a new vision for the Council that helps reduce the demand for high dependency care.
- Consult stakeholders and providers in early 2007 on the strategic commissioning plans prepared this year to seek agreement on priorities proposed and the changes required to meet them.
- Consider the Directorate's capacity to deliver its statutory duties, keep a firm grip on performance and financial management and implement any changes to be proposed. This may mean maximising staffing capacity in priority areas, whilst also ensuring that processes and outcomes were as efficiently delivered as possible. Development of performance and financial management skills for the Directorate's managers will form part of the revised plan.
- Realigning services and partnerships to address the wider social inclusion and prevention of care agendas would assist in the longer term management of demand for social care. Appropriate targeting of investment through grants, and multi agency fora would also assist in developing preventative solutions with partners.
- Helping vulnerable and disabled people maximise their welfare rights would also enable them to improve their independence and choice in meeting their needs. Advice, information and signposting to this and other community based solutions will be promoted through Contact OneVale. With appropriate staff protocols and training, Contact OneVale could facilitate self assessment for those seeking support thereby releasing professional staff to deal with more complex and higher risk situations.

It was noted that the Chief Executive had held a meeting on 10<sup>th</sup> November, 2006 with WAG, the WLGA, Cardiff City Council, and local NHS bodies to discuss delayed transfers of care and the related issues. The meeting agreed

to establish a task group (to complement the work of Cardiff and Vale organisations to address avoidable hospital admissions) to consider inter alia what additional capacity was required, what alternatives to the current range of health and social care facilities should be provided, what early wins could be secured to improve the quality of commissioning service provision and what further support should come from WAG.

A meeting was also held with the Chief Executives of the Vale LHB and the Cardiff and Vale and Bro Morgannwg Trusts on 24<sup>th</sup> November 2006, attended by the Chief Executive, Director of Finance, ICT and Property and Director of Community Services. The meeting reviewed the current position regarding delayed transfers of care with a view to considering action to improve the situation in the short, medium and long term. A further meeting had been scheduled for the 18<sup>th</sup> December 2006.

In addition to the above meetings, the Chief Executive held meetings with over 60 team managers/assistant team managers and social workers over two days on the 14<sup>th</sup> and 15<sup>th</sup> November 2006, and will be meeting the Departmental Management Team on the 30<sup>th</sup> November 2006

This matter was for Executive decision.

RESOLVED - T H A T progress be noted and that a further report be submitted to the next meeting of Cabinet on 13<sup>th</sup> December, 2006.

Reason for decision

To apprise Members.

**C2793 EXCLUSION OF PRESS AND PUBLIC -**

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

**C2794 FOOD CONTRACTS (DCS) (EXEMPT INFORMATION - PARAGRAPH 21) (SCRUTINY - COMMUNITY WELLBEING AND SAFETY) -**

Approval was sought for the continued use of "The Consortium" for the purchase and management of food products whilst a full investigation of the most suitable best value option for food procurement was undertaken.

It was noted that the Welsh Assembly Government had issued instructions to Councils School Meals Organisations in respect of nutritional content and nutrient based compounds of food items. The Council's continuing emphasis on providing equality and nutritious menu meant that it would be well advanced

in achieving the Assembly Government's stated goals. The service was currently working with other local authorities to investigate collaborative opportunities and to actively support local supply chain development.

The continued use of The Consortium would permit the Council's Catering Unit to further improve upon its production of school meals. Recent contract review meetings with key suppliers had identified both existing and future cost saving initiatives that would benefit the Vale and schools alike.

E.U. legislative time constraints restricted the Council's opportunity to re-tender at this stage. In recognition of this and following the recommendations of the Council's Procurement Unit, the Council wished continual use of The Consortium for a maximum period of three years from March 2007.

This matter was for Executive decision.

RESOLVED - T H A T an exemption from Contract Standing Orders be approved, authorising the continued use of The Consortium for a maximum of three years commencing 1<sup>st</sup> April, 2007.

Reason for decision

To ensure continued provision of school means to an acceptable standard and to also permit proper investigation of the most suitable best value option for food procurement.