

Agenda Item No.**CABINET**

Minutes of a meeting held on 16 December, 2013.

Present: Councillor N. Moore (Chairman); Councillor S.C. Egan (Vice-Chairman); Councillors, B.E. Brooks, L. Burnett, R.F. Curtis, C.P.J. Elmore and G. John.

C2116 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 2 December, 2013 be approved as a correct record.

C2117 DECLARATIONS OF INTEREST –

The following declarations were received:

Councillor N. Moore	<p>Agenda Item 10 – Co-educational Schooling for Barry – Consultation Report</p> <p>Reason for Declaration – Councillor Moore is a Local Education Authority appointed Governor at Bryn Hafren Comprehensive School. As a LEA Governor his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>
Councillor R.F. Curtis	<p>Agenda Item 10 – Co-educational Schooling for Barry – Consultation Report</p> <p>Reason for Declaration – Councillor Curtis is a Local Education Authority appointed Governor at Barry Comprehensive School. As a LEA Governor his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>

C2118 CARDIFF BAY ADVISORY COMMITTEE –

The Minutes of the Cardiff Bay Advisory Committee meeting held on the 20 November, 2013 were submitted.

Present:

Councillor L. Burnett (Chairman)	Vale of Glamorgan Council
Mr. P. Andrews	Penarth Tourism and Visitor Association

Ms. J. Hall	Cardiff Bay Yacht Club
Mr. S. Jones	Marine Manager, Penarth Marina
Ms. S. Newbold	British Marine Federation and Vale Yachting Association
Mr. A. Parker	Independent Member
Councillor G. Roberts	Penarth Town Council
Mr. D. Walters	Natural Resources Wales

Also present:

Mr. S. Howell	Cardiff Harbour Authority
Mrs. K. Bowen	Vale of Glamorgan Council

(a) Apologies for Absence –

These were received from Mr. I. Aitken (Cardiff Bay Yacht Club), Mr. N. Ajax Lewis (Wild Life Trust), Mr. M. Chidlowl (Harbour Master), Mr. J. Harrison (Natural Resources Wales) and Councillor R. Patel (Cabinet Member, Cardiff Council).

(b) Minutes –

AGREED - T H A T the minutes of the meeting held on 11th September, 2013 be accepted as a correct record.

(c) Matters Arising –

The Chairman referred to the Volvo round the World Yacht Race and that collaboration initiatives should be encouraged as soon as possible in order for Councils to capitalise on the event. The Chairman advised that she would be meeting the Minister on 9th December 2013 and would also raise the issue at that meeting. It was further noted that the tourism officer for Cardiff had recently attended a meeting of Penarth Town Council and it was felt that the Yacht Race could be a useful topic for discussion at a future meeting.

Members raised a number of issues during the discussion including agreeing relevant performance indicators and consideration of the benefits and potential outcomes. Mr. Howell confirmed that performance indicators were currently being considered but that they had not yet been finalised. All present agreed that the opportunities for businesses to take part and maximise opportunities was essential. Reference was made to issues that should be considered when arranging events with reference being made to an example of an issue raised prior to the Eisteddfod held in 2012 in the Vale of Glamorgan where limited overnight accommodation had been an issue and which had been addressed by the Council in part by establishing “a perfect pitch” initiative under the 28 day planning rule. In view of the significance of such an event it was suggested that a workshop be held with a number of key stakeholders to consider a way forward. It was subsequently

AGREED – T H A T the Chairman address the issue of collaboration for the event following the meeting with the Minister.

(d) Progress Update – Cardiff Harbour Authority – Mr. Simon Howell –

It was reported that the recent Autumn storm had brought river levels up, over the previous few weeks with flows staying above 100 cumecs for around a week. This, combined with a period of Spring tides, had resulted in the Bay being lowered to around 4.0metres on several occasions prior to the tide lock periods. The highest flow recorded was around 180 cumecs, with the highest level that the Bay had risen to being 4.9m, this was only 400mm above the normal bay level and 300mm below the frontage of Roald Dahl Plasse which was designed to flood.

In referring to Barrage maintenance activities Mr. Howell advised that:

- the sluices had been completed and the team had moved on to the locks with Lock 2 currently out of action to enable seals and hinge assemblies to be replaced. On completion of this work, work would then commence on gearbox repairs to the fishpass which needed to be carried out between January and March when migratory fish did not access the Bay.
- works to improve access to the outer lock arm had also been completed and a blockstone barrier had been installed to protect individuals from further cliff falls in the area.
- work was scheduled to commence in the New Year on an extension to the barrage control building which would include improved public toilets and a store and workshop. A new escape staircase from the control room would also be established.
- new fencing to the fishpass arm and replacement netting was planned to be installed to prevent anti social fishing in the area adjacent to the fishpass over the next few months.

With regard to the Harbour Authority budget, negotiations for 2014-18 had progressed with a saving of approximately 18% likely to be agreed in the next few weeks. This would mean that the Authority would need to increase income, introduce changes to its staffing structures and agree reductions in some of its operational budgets.

In discussing whether access to Penarth Pier could be possible via the sea it was noted that the main concern was the 14m tide and that the cost of providing access would be significant as a result.

AGREED – T H A T the report be noted.

(e) Navigational Safety – Progress Update –

There had been no significant navigational safety issues since the last meeting of the Committee.

(f) Update Report – Natural Resources Wales – Mr. David Walters –

Mr. Walters referred to a recent incident of a cloudy discharge of waste in the River Ely by a local company. The company had advised that they will take steps to address the matter and Natural Resources Wales would continue to monitor the situation. There were also a number of premises alongside the river that were also being investigated.

In referring to fishing in the Bay, Mr. Walters confirmed that regular liaison took place between Natural Resources Wales and Cardiff Harbour Authority on the subject and that anyone could fish on the seaward side of the Bay but for the Barrage side a licence was required. With regard to any issues of anti social behaviour it was accepted that the Police should be contacted in respect of such instances.

AGREED – T H A T Mr. Walters be thanked for his report.

(g) Date of Next Meeting –

AGREED – T H A T the next meeting be held on Wednesday, 15th January, 2014 at 5.15 p.m. at the Cardiff Bay Harbour Authority offices it being noted that representatives from SUSTRANS, as requested by the Committee, will be in attendance.

At the meeting the Cabinet Member for Regeneration, Innovation, Planning and Transportation commented that she had spoken to the Minister for Economy, Science and Transport – Edwina Hart with regards to the Volvo Round the World Yacht Race explaining that the Council wanted to play a full part in the organisation of this prestigious event.

RESOLVED - T H A T the Minutes of the Cardiff Bay Advisory Committee meeting held on 20 November, 2013 be noted.

C2119 COUNCIL TAX REDUCTION SCHEME (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Members were asked to consider the outcome of the consultation and equality impact assessment for the Council Tax Reduction Scheme and to recommend the adoption of the scheme to Council.

Welsh local authorities had until 31 January 2014 to adopt a scheme exercising any of the discretions permitted under the Prescribed Requirements Regulations. This required a decision by full Council. If

authorities failed to adopt a Council Tax Reduction Scheme by that date the default scheme would apply.

With regard to the areas of discretion under the Prescribed Requirements Regulations, local authorities would only be able to implement discretionary elements that were more generous than the minimum requirements set out in the regulations, and that any flexibility was to be locally funded.

The changes to the scheme in 2014-15 were mainly technical and were set out in Appendix A attached to the report.

The discretionary elements outlined in the prescribed scheme regulations were as follows:

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they had previously been receiving a council tax reduction that was to end as a result of their return to work;
- Discretion to disregard part or the whole amount of War Disablement Pensions and War Widow's Pensions when calculating income; and
- The ability to backdate the application of Council Tax Reduction with regard to late claims prior to the standard period of three months before the claim.

With regard to extended payments it was proposed that the Council should continue to allow extended payments up to a maximum of 4 weeks for the Council Tax Reduction Scheme in 2014-15 because this incentivised people to work or take on extra hours of work and any claimant moving into employment was likely to receive their first payment from their new employer within the timescale.

With regard to War Pensioners it was proposed that the council should continue to disregard War Widow and War Disablement pensions in assessing income for Council Tax Reduction in 2014-15.

With regard to backdated awards it was proposed that the council should continue to allow backdated benefit for the Council Tax Reduction Scheme in 2014-15 for a period up to 26 weeks. It would be difficult for 'good cause' to be proved continuously by the customer for any longer period. Also under the Housing Benefit rules backdating was for a maximum of 26 weeks which would ensure that the two schemes remain aligned. If both schemes were not aligned it would be very confusing for the customer as it would be very difficult to explain the differences in the two schemes.

The Council was required to consult in relation to the decisions on exercising discretions for the locally based scheme. In December 2012 the Council undertook an extensive consultation and wrote to all claimants who were at that time in receipt of Council Tax Benefit. The report was set out at Appendix B. As the Welsh Government have recently made new regulations which replicate the existing 2013/14 regulations on which the national Council Tax Reduction Scheme was based then the same level of consultation was not

required. The consultation was posted on the council's web site with a hard copy being available at the Council Tax and Benefits enquiry counter. The consultation report will be circulated following the closure of the consultation on 13 December 2013.

The Council was also required to undertake an equality impact assessment in relation to the decisions to be made regarding the exercise of discretions. In addition to consultation with residents the Council also consulted with local interest groups.

The outcome of the equality impact assessment would be circulated following the closure of the consultation on 13 December 2013, and the report would be forwarded for Council to consider on the 18 of December 2013.

At the meeting the Leader tabled a supplementary report in relation to paragraph 23 of the report that presented the outcome of the consultation and equality impact assessment following the closure of the consultation on 13 December 2013.

This was a matter for Council decision.

RESOLVED –

- (1) T H A T the making of the Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations (“the Prescribed Requirements Regulations”) by the Welsh Assembly on 26 November 2013 be noted.
- (2) T H A T any amendments to Regulations made by the Welsh Government were reflected in the scheme.
- (3) T H A T the national scheme be adopted with the following discretions –
 - That the Council should continue to allow extended payments up to a maximum of 4 weeks.
 - That the Council should continue to disregard War Widow and War Disablement pensions in assessing income for Council Tax Reduction.
 - That the Council should continue to allow backdated benefit for a period up to 26 weeks.
- (4) That the scheme be put forward for consideration by Council on 18 December 2013.

Reason for decisions

- (1-4) To enable the Council Tax Reduction Scheme to be approved by Council by 31 January, 2014 and be in place for implementation from 1 April 2014.

C2120 FOOD LAW ENFORCEMENT PLAN 2013 / 14 (L) (SCRUTINY COMMITTEE – HOUSING AND PUBLIC PROTECTION) –

Approval was sought to agree the Council's Food Law Enforcement Service Plan 2013/14.

The Food Standards Agency required the Council, under the Framework Agreement on Local Authority Food Law Enforcement, to produce a plan for its food law enforcement work. Food Law Enforcement Plans were required to be submitted to the relevant Member, Member forum or Head of Service for approval to ensure local transparency and accountability.

The Council's Food Law Enforcement Plan 2013/14 set out in detail the demands on the service and the resources allocated to the function and was attached at Appendix 1 to the report.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Food Law Enforcement Service Plan 2013/14 attached at Appendix 1 to the report be approved.
- (2) T H A T the report be referred to Scrutiny Committee (Housing and Public Protection) for consideration / information as requested by that Committee.

Reasons for decisions

- (1) To approve the latest plan and to ensure the Council was meeting its statutory obligations in respect of food safety and food standards.
- (2) To consider the Food Law Enforcement Service Plan 2013/14 in accordance with the Housing and Public Protection Committee forward work programme.

C2121 HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2013/14 (L) (SCRUTINY COMMITTEE – HOUSING AND PUBLIC PROTECTION) -

Approval was sought to agree the Council's Health & Safety Enforcement Service Plan 2013/14.

The Vale of Glamorgan Council was an 'enforcing authority' under the Health & Safety at Work Act 1974 and was required by section 18 of the Act to set out its arrangements for discharging that duty. The Health & Safety Enforcement Service Plan set out these arrangements.

The Service Plan sets out the resources available to deliver the service, delivery models and the links with other partners and stakeholders and was attached at Appendix 1 to the report. It also detailed the type and number of interventions to be used.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the Health & Safety Enforcement Service Plan attached at Appendix 1 to the report be approved.
- (2) T H A T the report be referred to Scrutiny Committee (Housing and Public Protection) for consideration / information as requested by that Committee.

Reasons for decisions

- (1) To ensure the Council had robust arrangements in place to deliver it's obligations as an enforcing authority under the Health and Safety at Work etc Act 1974 and comply with statutory guidance.
- (2) For consideration by the Scrutiny Committee (Housing and Public Protection)

C2122 PUBLIC SECTOR EQUALITY DUTY AND WELSH SPECIFIC EQUALITY DUTIES (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Members were provided with an overview of the council's progress against the public sector equality duty and Welsh specific equality duties.

The Council had received a letter from Kate Bennett, National Director for the Equality and Human Rights Commission in Wales the letter was attached at Appendix a to the report. Appendix B attached to the report provided an update on the matters raised in the letter and outlined the councils response to following issues.

- Compliance with Equality Legislation
- 2012/13 - Focus on Equality Impact Assessments:
- 2013/14 - Focus on Domestic Abuse and Hate Crime:
- Domestic Abuse:
- Raising Awareness:

Under the raising awareness heading the Council had an objective to raise awareness of the needs of protected groups amongst staff and the public. A campaign had recently been brought to our attention that would help us raise awareness of the needs of people from ethnic minorities.

The council's Elected Member Equality Champion has been asked to participate in "End Racism this Generation" - a campaign led by the Runnymede Trust and supported by Race Council Cymru. The campaign tasked individuals and organisations to make a commitment to tackling racial equality. This involved publicising the commitment on a website designed for this purpose. A number of resources would be available to assist with the campaign. There would also be a number of events, including one in Cardiff on 7 April 2014.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the progress and areas for action as outlined in the report be noted.
- (2) T H A T the Council participates in the "End Racism this Generation" campaign.

Reasons for decisions

- (1–2) In order that Members were aware of issues of particular interest currently in order to assist in raising public and staff awareness of the needs of protected groups - one of our equality objectives.

C2123 UPDATED ENVIRONMENT POLICY (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) –

Approval was sought to agree an updated Environmental Policy for endorsement.

An annually updated Environmental Policy was a written statement outlining the organisation's mission in relation to managing the environmental effects and aspects of its operations. The Environmental Policy was the cornerstone of the development and implementation of an environmental management system. A copy of the Environmental Policy was attached at Appendix 1 to the report.

This was a matter for Executive decision.

RESOLVED – T H A T the revised Environment Policy as attached at Appendix 1 to the report be endorsed.

Reason for decision

To show a high level support for the environment and to gain commitment to the contents of the policy.

C2124 CO - EDUCATIONAL SCHOOLING FOR BARRY – CONSULTATION REPORT (CS) (SCRUTINY COMMITTEE – LIFELONG LEARNING) –

Members were apprised of the outcome of the public consultation on the principle of a change to coeducational comprehensive schooling in Barry. The outcome of the consultation was attached at Appendix A to the report.

English medium secondary education (excluding faith education) within Barry was currently organised on a single sex basis with Barry Comprehensive School educating boys and Bryn Hafren Comprehensive School educating girls. The schools shared a mixed sixth form.

In recent years feedback from parents to the Council's Admissions Team and comments received directly from schools suggested that a number of parents

no longer favoured single sex education for their children. In order to gain an understanding of how many parents in Barry felt this way a public consultation was undertaken.

The public consultation was comprehensive and wide ranging. In total 951 people participated in the consultation including parents, children and young people and members of staff.

81% of parents that responded to the consultation supported, in principle, a change to coeducational secondary schooling in Barry. The number of highly positive comments offered by parents serves to suggest that this support was not only widely prevalent but also strongly held. The comments offered by parents suggest that the possible social benefits to children of mixed schooling are the key factor driving this response.

75% of secondary school pupils that responded to the consultation would prefer to attend a mixed school. Again the results of the consultation suggest that the possible social benefits of mixed schooling are a key factor.

69% of primary school pupils that participated in the consultation sessions said they would prefer to attend a mixed secondary school.

92% of staff that responded to the consultation did not support, in principle, a change to coeducational secondary schooling in Barry. The very negative response and the supporting comments made by staff suggest that many have serious concerns about how any possible change may affect them.

A Project Board chaired by the Cabinet Member Children's Services will be established to progress the programme of work required to develop detailed proposals. The Board will comprise officers, representatives of both schools. The Board would commence its work in January 2014 with the aim of reporting its findings to Cabinet in summer 2014

At the meeting the Leader highlighted that paragraph 9 of the report needed to be amended with the Chair of the Scrutiny Committee being deleted from membership of the Project Board as there would be a conflict of interest between the Scrutiny and the Executive function. The chair of the Scrutiny Committee (if he was a member of the project board) would be prejudiced from scrutinising decisions arising from the project board.

The Cabinet Member for Children's Services indicated he had discussed with the Head of Democratic Services the possibility of an alternative Non Executive Member from Barry being a member of the Project Board and that this was being looked into.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the findings of the public consultation exercise on the principle of a change to coeducational comprehensive schooling in Barry be noted.
- (2) T H A T officers be instructed to begin a programme of work to develop detailed proposals for a change to coeducational secondary schooling in Barry.

- (3) T H A T the proposals be subject to further in-depth consultation with parents and other key stakeholders including the Scrutiny Committee (Lifelong Learning).
- (4) T H A T the programme of work addressed the concerns raised by the parents that felt they would not support a change and by members of school staff.
- (5) T H A T a project board be created and submit regular progress reports of this programme of work to Cabinet.
- (6) T H A T the allocation of up to £25,000 from the School Rationalisation Reserve to fund the appointment of an advisor/project manager on a short term contract be approved.

Reasons for decisions

- (1) To ensure that the views of Vale residents were used to inform and influence local decision making.
- (2) To ensure that the views of Vale residents were used to inform and influence local decision making.
- (3) To ensure that the proposals were developed in collaboration with all key stakeholders and that due consideration was given to all aspects of the proposals.
- (4) To ensure that the proposals meet the needs of key stakeholders.
- (5) To ensure that Members were able to exercise oversight of a significant development to the provision of education in the Vale.
- (6) To ensure that the project is progressed promptly and managed effectively.

C2125 DISPOSAL OF SURPLUS LAND AT EVENLODE PRIMARY SCHOOL (CS) (SCRUTINY COMMITTEE – LIFELONG LEARNING) –

Approval was sought to sell land forming part of the school site, that had previously been declared surplus, and to use the capital receipt to fund the construction of a new school hall at Evenlode Primary School, Penarth. The location of the surplus land was shown on Appendix A.as attached to the report

Evenlode Primary school had been significantly extended since it opened in the early 1970's to increase capacity from around 200 to 420 pupils. The school hall had not been extended to meet the increased pupil numbers and was considered a substantial weakness of the school. This had been highlighted in the previous two school Estyn inspections in 2004 and 2010. The hall measured 120m² compared to current recommendations of a main hall of 150m² and an additional small hall of 80m² for a 420 place primary school.

On 8 June 2011 Cabinet approved the disposal of surplus land at Evenlode Primary school and the construction of a new hall for the school funded from the capital receipt (minute C1338 refers).

The full sum received from the sale of the site, less fees associated with the sale, would be retained centrally to fund the construction of the new hall. If the lowest compliant tender, plus associated fees, exceeded the sum available additional funding would be provided by the school from the budget that had been reserved for this purpose. No additional funding would be provided by the Council towards the construction of the new hall in addition to the capital receipt realised through the sale of the site.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the land as shown on Appendix A as attached to the report be declared surplus.
- (2) T H A T delegated authority be given to the Chief Learning and Skills Officer in consultation with the Director of Resources and the Cabinet Member for Children's Services to market the land on the most appropriate basis and accept the most beneficial compliant bid for the sale of the surplus land.
- (3) T H A T the construction of a new school hall at Evenlode Primary be included within the 2014/15 Capital Programme to be funded by the capital receipt achieved through the sale of the land.
- (4) T H A T the Head of Legal Services in consultation with the Director of Resources be authorised to prepare, complete and execute the necessary legal documentation associated with the sale of the land and construction of the hall.
- (5) T H A T the report be referred to Council to amend the Capital Programme 2014/15 to include the construction of a new school hall at Evenlode Primary subject to being funded by the capital receipt achieved through the sale of the land.

Reasons for decisions

- (1/2). To ensure best value was obtained by the Council on the disposal of the site.
- (3). To allow the construction of the hall to proceed.
- (4). To effect completion of the disposal of the land and construction of the hall.
- (5). To allow Council to consider this matter.

**C2126 REVIEW OF THE RESOLUTIONS FOSTERING SERVICE (CS)
(SCRUTINY COMMITTEE – SOCIAL CARE AND HEALTH) -**

Members were informed of the outcome from an independent review of the Resolutions Fostering Service commissioned by the Resolutions Management Board.

In 1993, Mid Glamorgan County Council established a fostering scheme specifically for young people who were remanded to the care of a local authority in criminal proceedings. Following Local Government reorganisation, a number of councils agreed to collaborate in maintaining this provision - Bridgend, Caerphilly, Merthyr Tydfil and the Vale of Glamorgan. Because the scheme was physically based in its area, Bridgend County Borough Council (CBC) agreed to host and manage the service.

During 2001/02, demand for remand placements fell while demand for placements for young people with other complex and challenging behaviours increased. In response, the scheme was changed, to provide for this area of need. It was renamed the Resolutions Adolescent Fostering Team, which became the Resolutions Fostering Service in 2009.

The service was managed through a Management Board that comprised of the Heads of Children's Services from the four partner Local Authorities, a representative of the Youth Offending Services in the partner authorities, the Accountant for Bridgend CBC and the Team Manager of the scheme.

In June 2013, the Management Board agreed to commission an independent review of the service. The report of the review was attached at Appendix 1 to the report, and showed that the service was not able to increase the number of placements available on the scale intended, despite significant efforts over several years

The review identified a number of options for the Management Board to consider.

Option 1: The service continued. - This would mean that a new Team Manager is appointed and a clear business plan and marketing strategy for the service developed. The service could continue to be hosted by Bridgend or one of the other partner local authorities.

Option 2: The service is brought to an end. - This required that Resolutions staff would be offered redeployment opportunities

Option 3: The service was sold on the open market.- This would require agreement by the carers as without the carers there would be little to sell. Implications for Resolutions staff would also need to be considered

Option 4: The service was maintained in its current state with existing interim arrangements but no action is taken to recruit more Resolution carers and gradually the service will cease to function

The Resolutions Management Board had met to consider the review report and concluded that Option 2 is the preferred option.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the independent service review and the preferred option to discontinue the service as recommended by the Resolutions Management Board be agreed and that the consultation process as outlined in the report be undertaken.

- (2) T H A T the Head of Children and Young People Services, as the Council's representative on the Resolutions Management Board, in consultation with the Cabinet Member for Children's Services, be authorised to agree implementation of the required processes following conclusion of the formal consultation.
- (3) T H A T the report be referred to the Scrutiny Committee (Social Care and Health) as part of the consultation process.

Reasons for decisions

- (1) To confirm support of the independent service review and the preferred option recommended by the Resolutions Management Board.
- (2) To enable the Resolutions Management Board to implement the required processes following conclusion of the formal consultation.
- (3) To enable the Scrutiny Committee to be consulted.

C2127 ASSISTED AREAS CONSULTATION (RIPT) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

Members were apprised of the ongoing review of the Assisted Areas Map for 2014-2020 and endorsement was sought for the Council's response to date in respect of the first stage consultation by the Department for Business, Innovation and Skills.

The U.K. Government was reviewing the Assisted Areas Order that came into force in 2007. This was in response to the 2014 -2020 Regional Aid Guidelines (R.A.G.) issued on 20th June 2013 by the European Commission (E.C.). The R.A.G. sets out the rules for how, why, where and to whom regional aid can be granted.

The guidelines provided for regional aid to be given to selected economically disadvantaged regions, whilst providing restrictions to avoid unnecessary intervention in competitive markets and excessive distorting of competition. Regions that were permitted to benefit from State Aid were known as Assisted Areas (A.A.). Currently no part of the Vale of Glamorgan was designated as an AA.,

In response to the Stage one Consultation Officers had submitted two responses;

Response 1 was attached at Appendix 1 and at Appendix 2 to the report and included; Castleland, Buttrills, Sully, Rhoose, St Athan, Llantwit Major, Llandow/Ewenny and Peterston Super Ely. The submission was based on the economic opportunities in the Wards, and their potential to stimulate regional growth.

Response 2 was attached at Appendix 3, Appendix 4 and Appendix 5 to the report. It differed from Response 1 in that it was a collaborative response.

The consultation documents encouraged collaboration in that by working with neighbouring non Convergence Areas allowed a case to be made around the

emerging City Region approach, again in the Vale's area focussing on the Enterprise Zone and potential for Cardiff Airport to drive regional growth. This response included parts of Newport, East, South and Central Cardiff, and similar wards in the Vale to Response 1.

A notable exception was Peterston Super Ely as in the collaborative case, the total population numbers posed a restriction, and the link to the Convergence Area via Llandow/Ewenny deemed a more suitable approach.

This was a matter for Executive decision.

RESOLVED – T H A T the responses to the Stage 1 consultation, as set out in Appendices 1-4 as attached to the report and available on the Councils Web Site be endorsed.

Reason for decision

In order to inform the next stage of consultation.

C2128 BARRY ISLAND LINK ROAD (RIPT) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT)-

Members were provided with an update on progress to date and delegated authority was sought to enter into loan agreements with the Welsh Government and the consortium of house builders at the Barry Waterfront development site to provide the Barry Island Link Road earlier in the construction programme than catered for under the terms of the extant planning permission for the development of the Waterfront.

Members will be aware that planning application 2009/00946/OUT sought consent to develop vacant land at Barry Waterfront for a mix of residential, retail, office and community development. The planning permission was subject to a number of planning conditions, and one of the conditions required the submission of a phasing plan to ensure that the Barry Island link road be provided in its entirety, including the connections to Barry Island, prior to the beneficial occupation of any dwellings or buildings as part of the area phased as South Quay Parkside. The wording of the condition and the agreement of phasing was very much based on an assessment of the viability of the scheme and had regard to a range of other requirements such as affordable housing and the provision of a new school within the development.

The phasing programme currently submitted indicated that the link road would be constructed in phases and would not be constructed in its entirety in one single operation. As a result the proposed link would not connect to the Island until circa 2018 at current estimates.

It had been a desire of the current administration to complete the provision of the link road to the Island at the earliest possible opportunity as such a link would have significant benefits in terms of attracting further investment and visitors to the Island. It would also link well with the regeneration investment currently targeted at the Eastern Promenade and the future uses of the Nell's Point site.

As a result officers had been discussing loan options and the preference of the Welsh Government was to make a loan to the Council sufficient to cover road costs with the proviso that the Council entered into a similar loan arrangement with the Consortium on the basis that an earlier construction date was agreed and that the link road would be delivered in one phase as opposed to several phases. Negotiations were now gathering pace and this report was presented in order to provide delegated authority to agree the terms and conditions of any loan agreements.

In consideration of this matter the Cabinet Member for Regeneration, Innovation, Planning and Transportation explained that this report was linked to a Part 2 report later on the agenda at agenda item no 25

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the progress on the Barry Island Link Road be noted.
- (2) T H A T delegated authority be given to the Head of Legal Services, in consultation with the Director of Development Services, the Managing Director, the Leader of the Council and the Cabinet Member for Regeneration, Innovation, Planning and Transportation, to agree the terms of and enter into an interest free loan agreement with the Welsh Government and to enter into an interest free loan agreement with the consortium of house builders at the Barry Waterfront to provide the necessary funding for the construction of the Barry Island Link Road earlier in the Waterfront construction programme.

Reasons for decisions

- (1) To note the progress made on the Barry Island Link Road proposal.
- (2) To enable the appropriate legal documentation to be put in place and for the road to Barry Island to be delivered in advance of that currently planned.

C2129 COWBRIDGE LIVESTOCK MARKET (RIPT) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) –

Members were advised on a consultant feasibility study received from the Market Action Group (VMAG) for the Cowbridge Livestock Market site. The report was attached at appendix C to the report.

Cowbridge Livestock Market was located in the heart of Cowbridge at the west end of the town centre with access from the adopted highway called The Butts, and was identified in the Site Plan edged red and attached at Appendix A to the report.

- AREA A:indicted the main Livestock Market site, which extends approximately 0.87 hectares (2.12 acres); and
- AREA B: indicated a strip of land to the east of the Butts alongside the historic town wall, which extends approximately 0.31 hectares (0.77 acres)

and includes non-operational bull pens, a sale ring and stock area flanked either side by car parking

At its meeting of 22nd June 2011 the previous Cabinet authorised the marketing and disposal of Site A (the main Livestock Market site) for a "...privately funded and managed Extra Care (and/or other older persons/social care) residential use" (Cabinet Minute C1348 refers) and it was proposed as part of the development for Site B (the strip of land alongside the town wall) to be redeveloped as a larger area of car parking to serve the wider town centre.

Following the local elections in May 2012, the Council had been approached by the Vale Market Action Group or VMAG (comprising the Cowbridge Chamber of Trade, Cowbridge Town Council, the Market Operator, the Vale Marketing Group, Cowbridge Charter Trust, Capital Region Tourism, local businesses and representatives of Vale farming interests. The VMAG expressed a desire to retain the Livestock Market and requested time to facilitate a feasibility study to consider possible options for the livestock market site that would retain the livestock market plus introduce other uses/facilities that would benefit Cowbridge.

In the Autumn of 2012 it was agreed for the VMAG to be given the time required to facilitate the appointment of consultants to complete a consultancy feasibility study to work up a development concept for the Livestock Market site that would retain the market.

The VMAG subsequently facilitated the appointment of consultants (commissioned by the Farmers Union of Wales) " to consider options for the livestock market site both in terms of an operational livestock market and additional compatible uses on the site that would benefit Cowbridge...".

The feasibility study attached at Appendix A to the report was completed for in May 2013 and presented recently to the Leader, Cabinet Member for Regeneration, Planning, Innovation and Transportation, the Managing Director and officers of the Council.

The consultant feasibility study considered various mixed use development options for the Livestock Market site and concluded by identifying a proposed Preferred Option, which was attached at Appendix B to the report (in the form of an indicative conceptual master plan and supporting artists impressions).

The Preferred Option identified in the feasibility study and attached as Appendix B proposes a mixed use development comprising the following:

AREA A of the site:

- A refurbished Livestock Market Building;
- A new open sided Market Hall possibly comprising a Farm Shop, small shop units and a covered performance space;
- Retirement Apartments (i.e. Older Persons Residential development/Extra Care);

- Live/Work Units; and
- Public Car Park at the rear of the existing Livestock Market.

AREA B OF the site:

- Public Car Park.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the indicative mixed development concept identified in Appendix B as attached to the report (subject to planning and viability) put forward by the Vale Market Action Group (VMAG) for the Cowbridge Livestock Market site be supported in principle.
- (2) T H A T the Director of Development Services be authorised to undertake due diligence to determine the viability of the indicative mixed use development concept proposed by the VMAG.
- (3) T H A T the Director of Resources be authorised to extend the Licence for the Market Operator for a further twelve months from March 2014.

Reasons for decisions

- (1) To support in principle the indicative mixed use development concept (subject to planning and viability) put forward by the Vale Market Action Group (VMAG) for the Cowbridge Livestock Market site.
- (2) To enable the implementation of a due diligence exercise to determine the viability of the mixed use development concept proposed by the VMAG.
- (3) To facilitate a new temporary Licence for the Market Operator.

C2130 FREEHOLD INTEREST IN LAND AT THE FORMER MONTY SMITH GARAGE AND SMALL PIECE OF LAND TO THE REAR OF THE SITE CARDIFF ROAD BARRY (RIPT) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) -

Approval was sought to declare the freehold interest in the land located at the former Monty Smith garage and small area of land to the rear of the site as surplus to requirements.

The long leasehold interest in the former Monty Smith site had been sold / assigned to a new leaseholder who had approached the Council to purchase the freehold interest in the site which was vested in the Council. In addition, the Council owned a small triangular parcel of land which the new leaseholder was also interested in purchasing.

The parcel of land to the rear of the site had no access to it apart from via the former Monty Smith garage site therefore, it was beneficial to sell both

interests at once as this would alleviate the Council's responsibility to maintain the site. The land in question was shown in Appendix A attached to the report.

In consideration of this matter the Cabinet Member for Regeneration, Innovation, Planning and Transportation explained that this report was linked to a Part 2 report later on the agenda at item no 26

Also the Leader highlighted the importance of paragraph 8 of the report that explained that the land would be subject to a clawback if there was a change of use of the site. This would be 50% of the uplift in value less the price paid.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the Council's freehold interest in the land at the former Monty Smith garage and small section of land to the rear of the site, be declared surplus to Council's requirements and that the sale of both sites be authorised to the current leaseholder of the garage site on the terms and conditions referred to in this report and in consultation with the Director of Resources.
- (2) T H A T Head of Legal Services be authorised to prepare, complete and execute the required legal documentation in order to formalise the disposal.

Reasons for decisions

- (1) To ensure that the property had been declared surplus to the Council's requirements prior to disposal.
- (2) To legally formalise the disposal of the property.

C2131 HYDRAULIC PUMPHOUSE, INNOVATION QUARTER, THE WATERFRONT BARRY (RIPT) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

Members were informed of the options for the future of the Hydraulic Pumphouse.

The Hydraulic Pumphouse was a grade II Listed property in the freehold ownership of the Vale of Glamorgan Council and was located in the heart of Barry Waterfront alongside the IQ developments new Premier Inn and Brewers Fayre restaurant, The Business Service Centre (BSC). The Skills Centre, West Quay Medical Centre, and tourist railway, adjoining the proposed retail area of the Quays development.

The Council and Welsh Government were joint venture partners for the Innovation Quarter and were working together to secure an appropriate sustainable end use for the Hydraulic Pumphouse. A joint Council/Welsh Government Project Board was established to oversee the marketing of the Hydraulic Pumphouse comprising the Cabinet Member for Regeneration, Innovation, Planning and Transportation; the Managing Director; Director of

Development Services and a representative from the Welsh Government supported by a Council officer Project Team led by a Major Projects Manager.

Property agents Savills of Cardiff were subsequently appointed to implement the marketing exercise on the basis of promoting the property for a wide range of potential uses subject to planning. The original aim of this broad approach to marketing, which commenced in the Autumn of 2012, was to secure a use that would bring back into beneficial use the grade II Listed building and its site. However, as reported to the Cabinet meeting of 1st July 2013 (Cabinet Minute C1392 refers) the Council's property agents Savills completed a comprehensive formal marketing exercise, which ended with disappointing results as only three non-compliant bids were received within the deadline on Monday 15th April 2013.

At the Cabinet meeting held on 1st July 2013 it was resolved (Minute C1392(2) " refers)... T H A T the Council's Project Team in consultation with the Project Board be authorised to facilitate a review of the alternative options for the future of the Hydraulic Pumphouse and report back to a future Cabinet meeting...".

The report highlighted the following options for the site

- Option 1. - Do Nothing/Mothball
- Option 2. -Investigate Temporary Uses
- Option 3 -. Accept the offer from the developer identified in the separate part 11 report.
- Option 4. Re Market

It was recommended that Cabinet authorise the Preferred Option as Option 3, the proposed disposal of the Hydraulic Pumphouse to the developer identified in a separate Part Two report and that this disposal be subject to Cabinet authorising the recommendations in the said Part Two report.

In consideration of this matter the Cabinet Member for Regeneration, Innovation, Planning and Transportation explained that this report was linked to a Part 2 report later on the agenda at agenda item no 27

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the options for the future of the Hydraulic Pumphouse identified in this report be noted.
- (2) T H A T the Preferred Option as Option 3: the proposed disposal of the Hydraulic Pumphouse to the developer identified in a separate Part Two report subject to Welsh Government consent (in accordance with Innovation Quarter Joint Venture Agreement) and on terms and conditions to be agreed, and that this disposal be subject to Cabinet authorising the recommendations in the said Part Two report be agreed.

Reasons for decisions

- (1) To note the options for the future of the Hydraulic Pumphouse.
- (2) To agree implementing Option 3 identified in the report.

**C2132 WELSH GOVERNMENT'S REGENERATION FRAMEWORK
'VIBRANT AND VIABLE PLACES' – OUTCOME OF STAGE 1
ASSESSMENT PROCESS AND WAY FORWARD (RIPT) (SCRUTINY
COMMITTEE- ECONOMY AND ENVIRONMENT) –**

Members were advised of the work being undertaken on the Council's bid under the Vibrant and Viable Places programme in light of the decision by the Welsh Government in September that the Council's Stage 1 bid had not been successful.

The Barry Regeneration Area programme was launched by the Welsh Government in March 2010. A total of £9.8m of Welsh Government investment was allocated to the programme, which was initially intended to run for three years (April 2010 - March 2013 inclusive). However, following the spending review by the United Kingdom Government, the allocation was re-profiled over four years and the programme would therefore close at the end of March 2014. Barry was one of seven Regeneration Areas declared by the Welsh Government under its Framework for Regeneration Areas (October 2010) policy commitment.

The guidance issued by the Welsh Government relating to the submission of bids for Vibrant and Viable Places funding was contained in the report to Cabinet on 1st July 2013. Due to the very tight timescale for submitting the bid, Cabinet on 1st July 2013 (Minute no C1391) provided delegated authority to the Director of Development Services in consultation with the Managing Director, the Leader and Cabinet Member for Regeneration, Innovation, Planning and Transportation to submit the Stage 1 bid by the deadline of 12th July 2013. The Stage 1 bid was reported to Cabinet on 29th July 2013 (C1442 refers).

The Stage 1 bid sought approval to proceed with the development of a clear joined-up outline programme of actions entitled Barry – a centre of growth and opportunity (2014-17 and beyond) and deliver the following vision:

"By 2020 Barry will be a distinct, attractive and safe place to live, work, invest and visit, and will make a unique contribution to the economic growth of the South East Wales City Region. Its reputation for excellence will be focused on opportunities for skills development, employability and progression augmented by the profile and academic distinction of a leading edge higher and further education sector."

The Council was notified by email on 4th September 2013 that the Stage 1 bid had been unsuccessful. A copy of the notification letter (embargoed until week commencing 23rd September 2013) was attached at Appendix 1 to the report. On 10th September 2013 the Minister for Housing and Regeneration issued a written statement to all Assembly Members confirming the outcome

of the Stage 1 Assessment Process. A copy of the Written Statement was attached at Appendix 2 to the report.

In terms of moving forward, the outline bid contained some important projects and proposals. Since the announcement in September, The Cabinet Member for Regeneration, Innovation, Planning and Transportation and officers had re-visited the projects and proposals to establish the elements of the bid that could be taken forward and by what means.

Attached at Appendix 3 to the report was a status report that set out each investment aim and component that was included in the Council's Stage 1 bid, identifies a potential Project Manager and Project Sponsor and provides detail as to the current status of that component. The aim of this status report was to outline whether it was possible to take forward each component, given the fact that the Council's bid for regeneration funding was not successful

The Cabinet Member for Regeneration, Innovation, Planning and Transportation explained that whereas Paragraph 20 of the report said that this was a matter for Council Decision this should have read Executive decision.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the content of the report and the progress being made in respect of the various initiatives included within 'Barry - A Centre of Growth and Opportunity' be noted
- (2) T H A T further reports detailing how the various initiatives and proposals contained within "Barry - A Centre of Growth and Opportunity" are being progressed be presented to Cabinet in due course.
- (3) T H A T a Detailed Delivery Plan for regeneration activity in Barry be presented to cabinet during early 2014, which would include details of individual projects and potential sources of funding
- (4) T H A T a further report be presented to Cabinet prior to the end of March 2014 to consider options for future partnership working arrangements on regeneration in Barry following the conclusion of the current Welsh Government Regeneration Area in March 2014

Reasons for decisions

- (1) To note the progress being made on regeneration proposals contained within the Council's bid for Vibrant and Viable Places funding.
- (2) To ensure that the regeneration of Barry was maintained and that momentum is not lost.
- (3) To enable progress to be made on regeneration activity in Barry.
- (4) Reason: to allow for continued partnership working following the conclusion of the Regeneration Area in March 2014

C2133 DEALING WITH ROGUE LANDLORDS IN THE VALE OF GLAMORGAN (HBMCS) (SCRUTINY COMMITTEE – HOUSING AND PUBLIC PROTECTION) –

Members were provided with information on how the Council would deal with Rogue Landlords operating in the Vale of Glamorgan.

Housing was a devolved function to the Welsh Government. As a consequence, there could be guidance and funding issued to local authorities in England that was not applicable in Wales. Similarly, their may be campaigns run by national organisations that cannot be accessed by Welsh local authorities or residents. However, the principles behind such guidance or campaigns could still be relevant in Wales.

In Wales the 'Dealing with Rogue Landlords; A guide for Local Authorities' guidance was not applicable and Shelter Cymru had not adopted Shelter England's campaign. However, the principles behind the guidance and campaign were valid to protect vulnerable tenants and support good quality rented accommodation.

In Wales and in order to support these principles and address rogue landlords, on 18th November 2013, Welsh Government published its Housing Bill that sought to address conditions within the private rented sector in Wales and issues arising from rogue landlords. The WLGA Briefing Housing Bill November 2013, was attached as Appendix 1 to the report.

The Bill set out a legislative framework that would support the Welsh Government's strategic priorities for housing to deliver more homes, better quality homes and better housing-related services.

One specific element in the Housing Bill was the introduction of a new mandatory licensing scheme for all private sector landlords and agents operating in Wales. It was estimated that through the proposed scheme approximately 130,000 private landlords and a few hundred agents in Wales would be required to register and meet the criteria for licensing, that would include training. The scheme will require a comprehensive database of landlords and agents in Wales to be generated for the first time and will enable Local Authorities to be proactive in improving housing standards in the private rented sector.

At an officer level, discussions had begun to consider a model to implement and enforce the requirements of the licensing scheme utilising collaboration models to reduce the resource burden on local authorities from this Bill's introduction. To this end, work was being undertaken to consider whether the voluntary Landlord All Wales Accreditation Scheme, hosted by Cardiff Council, could be developed to meet the needs of the legislation. Once further information was available on any proposed model a report would be submitted to Cabinet for consideration.

While this proposed licensing scheme was progressed by Welsh Government, the Council would continue to deal with poor quality accommodation and rogue landlords through existing legislation enforced by its Environmental Health Housing service. This service responds to complaints made by

tenants and neighbours of private sector rented accommodation. In addition, this team inspects houses in multiple occupation (HMO) to ensure landlords are providing accommodation to the required legal standard. The Council had also recently implemented an addition HMO licensing scheme in the Castleland Renewal Area to work proactively with landlords to improve the quality of accommodation in that area.

While there were some landlords in the Vale of Glamorgan who may provide poor quality accommodation and fail to comply with their legal requirements, the working knowledge and experience of officers in the team would suggest that there were no specific problems with large numbers of rogue or criminal landlords and their properties in our area.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T the current service provision to deal with rogue landlords be endorsed.
- (2) T H A T the proposed introduction of landlord and letting agent licensing, through the Welsh Government Housing Bill as attached at Appendix 1 to the report be noted.

Reasons for decisions

- (1) To note the information on how the Council currently deals with rogue landlords in the Vale of Glamorgan.
- (2) To note the information on the Welsh Government Housing Bill that will provide additional enforcement tools to address rogue landlords and support good quality private rented accommodation.

C2134 UPDATE ON THE IMPLEMENTATION OF THE EMPTY HOMES STRATEGY 2012-2017 (HBMCS) (SCRUTINY COMMITTEE – HOUSING AND PUBLIC PROTECTION) –

Members were informed of the progress being made on implementing the Empty Homes Strategy.

The Empty Homes Strategy 2012 - 2017 was approved by Cabinet on 18th April 2012 (Min No. C1696), with a recommendation that the Housing and Public Protection Scrutiny Committee monitor the Council's performance against the action plan.

The aim of the Empty Homes Strategy was to monitor empty homes; provide advice, assistance and guidance to empty property owners; to reduce the negative effect of empty homes on our communities; to reduce the number of empty homes; return empty homes back to use and to promote the empty homes initiative.

Through the strategy, the Council would target problematic empty homes that were inactive in the housing market and that were unlikely to return to use without intervention from the Council and which were likely to be the subject of valid complaints from the public, partners and Councillors.

The strategy stated this would be achieved through a co-ordinated, proactive approach with relevant council departments and stakeholders working in partnership to utilise a range of services to assist property owners bring empty properties back into use. The strategy includes an action plan detailing how the strategy will be implemented to address empty homes within The Vale of Glamorgan.

The Empty Homes Action Plan was attached in Appendix 1 to the report and detailed progress against each action from quarter 4 of 2012 - 2013 to the end of quarter 2 of 2013 - 2014.

This was a matter for Executive decision.

RESOLVED – T H A T progress against the Empty Homes Strategy Action Plan 2012 - 2017 attached at Appendix 1 to the report be accepted.

Reason for decision

To ensure sufficient progress was being made in relation to the Empty homes strategy.

C2135 BEYOND THE BORDER INTERNATIONAL STORY TELLING FESTIVAL (LPCSD) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

Approval was sought to agree the grant to the Beyond the Border International Story Telling Festival.

The Beyond the Border International Story Telling Festival had developed considerably over the years, to the point where it now organised a year-round programme of events and activities, which culminated in the biannual festival at St. Donats Castle.

The Beyond the Border Festival attracted over 2,000 people to St. Donats with 60% of attendees at the 2012 festival coming from outside Wales and was, therefore, viewed as a significant tourist attraction. In assessing the request, officers had assessed the merits of the festival as well as the additional work undertaken by the organisation. The organisation itself acknowledges that it was the festival itself that had tended to be the main subject of funding applications. In considering the request for funding it was acknowledged that the organisation had developed outreach activities and had also developed a programme around storytelling in schools, Pensioner's centres and homes. It was for this reason that the organisation had sought to split a grant request into two years with £5,500 for 2013/14 with anticipation for a further £5,500 in 2014/15.

At the meeting the Leader requested that the organisers of the Beyond the Border International Story Telling Festival should undertake research into the economic benefits of the Festival, to include, finding out where people came from to attend the festival and where they stayed whilst visiting the Vale Of Glamorgan and that this should be a condition of the grant.

The Cabinet Member for Regeneration Innovation, Planning and Transportation explained that the festival organisers could seek advice from the Council's Creative Rural Communities team on this issue and highlighted the success of similar research undertaken in regards to the perfect pitch sites project.

This was a matter for Executive decision.

RESOLVED –

- (1) T H A T a grant of £5,500 be awarded to the Beyond the Border International Story Telling Festival 2014/15 subject to a Deed of Grant being completed.
- (2) T H A T the Director of Development Services, in consultation with the Head of Legal Services, be authorised to agree terms with Beyond the Border for a Deed of Grant.

Reasons for decisions

- (1) To demonstrate the Council's support for major cultural events in the Vale of Glamorgan.
- (2) To ensure that the Council gained sufficient publicity for its support and that community groups have access to outreach work carried out by Beyond the Border.

C2136 WATCHTOWER – THE KNAP (LPCSD) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

Approval was sought for the disposal of the Watchtower located at The Knap, Barry.

Cabinet at its meeting of 15 July 2009, gave authorisation to market the Watchtower on a 25 year lease (Cabinet Minute no C531 refers)

The property had been marketed on two occasions and whilst there had been interest registered on both occasions all interested parties have subsequently withdrawn their interest.

It was now understood that there may be interest in purchasing the Watchtower rather than taking on the responsibility of a lease. In order to make progress it is now proposed to again test the market but to seek a purchaser rather than a leaseholder.

The same terms and conditions would be applicable for a sale as were in place when the building was marketed as a lease opportunity. The development brief compiled for the building will also continue to be valid. A copy of the report that went to Cabinet in July 2009 was attached at Appendix A to the report.

This was a matter for Executive decision.

RESOLVED – T H A T the Director of Development Services in consultation with the Director of Resources be authorised to sell the Watchtower located at The Knap, Barry, as a Freehold property.

Reason for decision

To dispose of the property.

**C2137 CROSS COMMON ROAD BRIDGE DINAS POWYS
FEASIBILITY STUDY (EVS) (SCRUTINY COMMITTEE – ECONOMY AND
ENVIRONMENT) –**

Members were advised of the outcome of a feasibility study into the various options available to address the sub-standard condition of Cross Common Road Bridge Dinas Powys and to seek authority to progress works in accordance with the most suitable option.

The Cross Common Road Bridge was a sub-standard structure that had been supported by a timber frame sub-structure since 2005. The timber frame had enabled the capacity of the bridge to be maintained but this was a temporary repair pending the replacement of the structure when capital funding became available.

Capital bids for the replacement of this bridge had been unsuccessful since 2006, primarily due to the fact that the timber supports were ensuring no loss of bridge capacity but also as further deterioration of the steel structure was being closely monitored.

At a site meeting on 11th February 2013 it was agreed that an independent Consultant would be commissioned by the Council to undertake a principal inspection of the bridge structure. The final draft of the bridge Consultant's (Capita Symonds) report was received in May 2013 advised that, without work being undertaken to strengthen the bridge deck, the bridge should be closed within 12 months. The outcome of the report came too late to inform the initial 2013 / 2014 Capital bidding process but a report was tabled at Cabinet in July 2013 detailing the outcome of the principal inspection.

As a consequence of the report, Cabinet resolved that a feasibility study be undertaken into the various options available, with a further report being provided to Cabinet detailing the outcome of this study before the end of the 2013 calendar year (Cabinet Min. C1446 refers). The report detailed the outcome of the feasibility study and was attached at Appendix 'A'. to the report.

At the meeting the Leader explained that he was astounded and astonished at the comments of Local Ward Members in regards to this scheme, despite the Council finding the money to carry out this scheme in the current financial year. Therefore he was deferring the report to allow further discussion with Local Ward Members..

He further commented that the Council would continue to monitor the condition of the bridge and that he would meet with officers to look at the costings and other alternatives to the scheme.

The Cabinet Member for Children's Services felt that It was surprising that Local Members had taken such a disappointing view on such an important scheme to the people of Dinas Powys. He referred to email 1 contained within the report at page 5 which outlined that the issue had been raised since 2002. He further commented that the current administration had only been in office for 20 months and had already proposed a scheme as recommended by the feasibility study.

The Cabinet Member for the Environment and Visible Services explained that he shared the comments of his Cabinet colleagues and believed that Local residents would be extremely disappointed with the negative comments of their representative Councillors . He further commented that many local people were living with the threat of flooding and had worked hard to get the bridge structure replaced as soon as possible.

This was a matter for Executive decision

RESOLVED – T H A T the report be deferred.

Reason for decision

To further discuss the matter with officers and Members.

C2138 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 given beneath the minute headings be considered.

C2139 INITIAL REVENUE BUDGET PROPOSALS 2014/15 (MD) (REF) -

Matter which the Chairman had decided was urgent by reason of the need to inform Cabinet of the outcome of consideration by the Scrutiny Committees

The Scrutiny Committee (Corporate Resources) on 10 December 2013 considered the above report.

The Council's Scrutiny Committees had previously considered the initial Revenue Budget proposals on the following dates:

Scrutiny Committee (Social Care and Health): 2nd December 2013
 Scrutiny Committee (Economy and Environment): 3rd December 2013
 Scrutiny Committee (Housing and Public Protection): 4th December 2013
 Scrutiny Committee (Lifelong Learning): 9th December 2013.

The Council was required, under statute, to fix the level of Council Tax for 2014/15 by 11th March 2014 and in order to do so would have to agree a

balanced Revenue Budget by the same date. To be in a position to meet the statutory deadlines and requirements for consultation as set out within the Council's Constitution, much of the work on quantifying the resource requirements of individual services needed to be carried out before the final Revenue Support Grant (RSG) settlement was notified to the Council. The Council's provisional settlement was announced on 16th October, 2013. The Council's Standard Spending Assessment (SSA) represented the Welsh Government's (WG) view of the relative resources required to provide a standard level of service in each local authority in Wales and its primary use was to allocate RSG to these authorities. For 2014/15 the Council's provisional SSA was £214.384m.

The Council had also been advised by the WG of its 2014/15 allocation in relation to RSG (£118.834m) and NNDR (£38.941m). Together, these sums constituted the Council's Aggregate External Finance (AEF) of £157.775m. This represented a cash reduction of 4.5% (£7.4m) for 2014/15 and was a larger reduction than the 4% projected in the Council's Medium Term Financial Plan (MTFP).

The Council would also receive a sum provisionally set at £1.236m via the Outcome Agreement Grant (OAG) for 2014/15. This grant was an unhypothecated grant (i.e. not earmarked for particular services). It was noted that the Council was not necessarily guaranteed to receive the full amount of the OAG. The amount for 2014/15 would be determined by a rating score of the Council's performance in achieving its 2013/14 Outcome Agreement targets.

There were transfers into the RSG settlement for 2014/15 as follows:

First Steps Improvement Package - £119k. Additional funding in respect of the £50 per week cap for non residential service charges.
Council Tax Reduction Scheme Administration Subsidy - £177k. This was previously received as a direct grant from the Department for Work and Pensions.

In addition, WG had stated that the provisional settlement for 2014/15 includes the transfer in of the Council Tax Reduction Scheme "Top Up" of £788k and an adjustment for the third year funding of the Local Government Borrowing Initiative (LGBI) for Highways of £152k.

It was the Council's contention that a comparative adjustment was required to account for the Council Tax Reduction Scheme "Top Up" received as part of the 2013/14 settlement. Also, the 2014/15 AEF did not recognise the third year funding of the LGBI for Highways as an additional burden falling on the Council. When taking both these adjustments into account, there was an actual cash reduction to the Council of 4.9%. Pay and price inflation results in a much higher decrease in real terms. The September Consumer Price Index stood at 2.7%. As part of the consultation process on the provisional settlement, the Leader was responding to WG on these issues.

WG had provided an indicative settlement figure for 2015/16 which showed a further cash reduction of 1.63% (£2.6m). The MTFP was based on a cash reduction of 4%. WG had not given any indication as to the level of settlement for 2016/17, however the MTFP was based on a further 4% cash reduction. The assumptions made in the MTFP would, therefore, be reconsidered by the Budget Working Group (BWG) as part of the final budget proposals.

With regard to the revised budget for 2013/14, a number of employees in the Building Services section undertook a substantial amount of duties on behalf of the respective unions. The time spent was considered to be 'lost time' to the section and created particular difficulties for Building Services and its trading account. It was therefore proposed to make a 50% contribution towards these costs from Policy of £31k for 2013/14 and £32k for 2014/15. If approved, the contribution would be reviewed in 2015/16.

Appendix 1 to the report set out the necessary adjustments to the original estimate for this period which were required to be made as follows (there was no overall effect on the net budget of the Council):

- Asset Rents, International Accounting Standard (IAS) 19, and Recharges etc. – these relate to accounting items and expenditure outside the control of Services. They reflect charges to Services for the use of capital assets, changes to inter service recharges, superannuation increases not required and adjustments in respect of pensions to comply with accounting standards. The overall impact on the Council was nil.

The following table compared the amended budget with the projected outturn for 2013/14:

Directorate/Service	2013/14	2013/14	Variance
	Amended Original Budget £'000	Projected Outturn £'000	(+) Favourable (-) Adverse £'000
Learning and Skills			
Education and Schools	93,879	93,879	0
Libraries	2,606	2,606	0
Lifelong Learning	193	193	0
Youth Service	1,127	1,127	0
Catering	1,743	1,743	0
Social Services			
Children and Young People	14,660	14,660	0

Adult Services	36,124	36,124	0
Business Management and Innovation	298	298	0
Youth Offending Service	653	653	0
Visible Services and Housing			
Environment and Visible Services	18,393	18,290	+103
Parks and Grounds Maintenance	3,477	3,580	(103)
Building Services	0	0	0
General Fund Housing	1,150	1,000	+150
Development			
Public Protection	2,564	2,564	0
Private Housing	11,270	11,270	0
Planning and Transportation	5,329	5,329	0
Leisure	4,085	4,085	0
Economic Development	950	950	0
Managing Director			
Resources	130	130	0
Corporate and Customer Services	379	379	0
General Policy	21,224	20,344	+880
Total	220,234	219,204	+1,030
Met from General Reserve	-1,500	-1,500	0
Grand Total	218,734	217,704	+1,030

Budgets in respect of each service area set out the budget position below and a more detailed account of budgetary movements and variations were detailed in paragraphs 7 to 30 of the report.

- Education and Schools – Overall, the Education Budget was projected to outturn on target
- The Strategic Planning and Performance and Service Strategy and Regulation Budgets were currently projected to outturn on budget
- Social Services – The current forecast was an overspend of £140k, however, further work was being undertaken this year to address this position and a balanced budget was forecast at year end
- Children and Young People’s Services – The major issue was the need to manage continued pressure on the children’s placements budget. The current projected outturn for the jointly funded Residential Placements budget for Looked After Children was an overspend of £518k
- Adult Services – The major issue was the continuing pressure on Community Care Packages, the Division's most volatile budget and the one most dependent upon levels of service demand which were not

entirely within the Council's direct control. At present, the projected year end position was an overspend of £829k which was after the reduction in budget to accommodate the savings target for the year of £685k. This overspend was also after the approval to release £646k from the £1.5m cost pressure allocated to Social Services, as part of the budget setting process for 2013/14

- Visible Services and Housing – The projected outturn for the Visible Services and Housing Directorate was a favourable variance of £150k when compared to the amended original budget
- Waste Management – It was projected that the Waste Management section would have a favourable variance of £33k
- Support – It was estimated that there was a £152k underspend compared with the budget
- Parks and Grounds Maintenance – It was estimated that overall the Grounds Maintenance section would have an adverse variance of £103k
- Building Services – The Service was expected to outturn on target
- General Fund Housing – There was a projected year end favourable variance in the sum of £150k
- Public Protection – This service showed a balanced budget, however, there continued to be pressure on the Coroners service in relation to mortuary fees
- Housing Benefit / Council Tax Reduction – The year end projected position was a balanced budget
- Planning and Transportation – The year end projected outturn for this service showed a balanced budget
- Leisure – The projected outturn for this service showed a balanced budget
- Economic Development – The projected outturn for this service showed a balanced budget
- Resources – The Finance and ICT service was projected to outturn on budget
- Policy – The projected outturn was a favourable variance of £880k
- A sum of £1.3m was to be provided for capital works. £650k was for Education to fund Additional Learning and Skills Building Asset Renewal Schemes, as approved by Cabinet on 9th September 2013, min no. C2015. The remaining £650k was for Environmental and Visible Services works at Cross Common Road Bridge
- There was an estimated Council Tax surplus for 2013/14 of £2.5m which after deducting £470k use of reserves (estimated use of reserves £1.5m less £1.03m surplus in year) resulted in an estimated General Fund Reserve as at 31st March 2014 of £11.858m.

The Cabinet approved the Budget Strategy for 2014/15 on 29th July 2013 and, as in previous years, required all Directors to make the following provisions:

- Supplementary estimates would only increase the base budget if Council had given specific approval to this effect. Increases met by virement within a year would not be treated as committed growth.

- Directors should find the cost of increments and staff changes from their base budget unless the relevant specific approval had been given for additional funding.
- The effect of replacing grant from outside bodies that had discontinued would not be treated as committed growth. In addition, before any project or initiative that was to be met either wholly or partly by way of grant may proceed, the exit strategy must be approved.
- Certain items of unavoidable committed growth would continue and these include the effect of interest changes and the financing cost of the Capital Programme, increases in taxes, increases in levies and precepts charged by outside bodies and changes to housing benefits net expenditure.
- Services would be expected to identify and achieve recurrent efficiency and other savings, including (but not restricted to) those identified in the Interim Medium Term Financial Plan.
- It was envisaged that the costs of service development would need to be met from within the respective Directorates.

Having regard to the above, it was, therefore, proposed in respect of the 2014/15 Budget Strategy that Directors be instructed to prepare initial revenue budgets for 2014/15, in accordance with a timetable agreed by the Director of Resources. Preparation should be on the following basis:

- Capital charges, central accommodation costs and central support costs to be estimated centrally
- Services to prepare baseline budgets on current service levels as set out in the 2013/14 final revenue budget report
- Budgets to be broken down subjectively and objectively in as much detail as deemed appropriate by the Director of Resources
- Budget reports to include revised estimates for 2013/14
- Full account to be taken of the revenue costs, other than debt charges, of new capital schemes coming into use
- Full account to be taken of the revenue costs, other than debt charges, of new capital schemes coming into use
- Minimum savings targets to be met initially as detailed in the 2013/14 Final Revenue Budget report. Any savings made directly by services over and above individual service targets to count towards future saving targets
- Individual services would continue to draw up Service Plans that set out the aims and objectives for the service and any possible future developments and efficiencies.

As a result of the reduction in the provisional settlement, the Authority would now have to identify additional savings to those originally approved for 2014/15. It had also been necessary to revisit the cost pressures facing services in order to build up a complete and up to date picture of the financial position of the Council. The updated list of cost pressures for this Committee was shown in Appendix 2 to the report. These were not shown in any order of priority.

When approving the Budget Strategy for 2014/15, Directors were asked to consider bringing forward the implementation of future years' savings ahead of the scheduled date. This message was reinforced by Cabinet when approving the MTFP, where Directors were also asked to identify additional areas for savings.

The 2013/14 budget included approved savings targets for the years 2014/15 to 2016/17. Directors have assessed future year savings in order to establish those that can be brought forward to supplement the 2014/15 savings. In doing so, regard had been given to those savings which are time bound and cannot be accelerated. Details of the approved areas for savings for 2014/15 for this Committee, together with proposals for savings to be brought forward were attached at Appendix 3 to the report. The savings did not include the cost of potential redundancies.

A summary of the overall base budget for 2014/15 was attached at Appendix 4 to the report. This had been arrived at by adjusting the 2013/14 budget for items such as inflation and unavoidable growth, but did not include identified cost pressures or savings. These were shown as a note to the table and were further detailed in Appendices 2 and 3 respectively. The total cost pressures for 2014/15 for the Council were £5.984m.

Asset Rents, IAS 19 and Recharges etc. related to accounting items and expenditure outside the control of the relevant Services. These reflected charges to Services for the use of capital assets and adjustments in respect of pensions to comply with accounting standards.

Recharges/Transfers – Relate to changes in inter-service recharges and from the transfer of functions and responsibilities between services. Included was the previously approved transfer of £320k from Education to Children's Services in respect of the joint budget for residential Looked After Children.

Budget Adjustment – Included in Policy was a sum of £880k as a provision for the incremental effect of job evaluation. These costs had been largely funded. The Authority's policy was for Directorates to fund their own increments and, therefore, the £880k had been removed from Policy's estimates as it was no longer required. There was also an adjustment of £119k for the First Steps Improvement Package as it was previously included in the base estimate. The £167k reduction in the use of the Social Services fund for 2014/15 was also included under this heading.

Inflation – The total figure for inflation of £2.252m related to general price increases (£1.649m) and a 1% allowance for pay awards (£603k). These figures did not include schools inflation which amounted to £489k for pay and £336k for prices.

Committed Growth – This totalled £1.042m of which £198k reflected the minimum funding commitment for schools, £216k related to Landfill Tax, £152k to LGBI and £180k to capital charges. It also included the transfers

into RSG of £177k for Council Tax Reduction Scheme Administration Subsidy and £119k for First Steps Improvement Package.

Once the base budget for 2014/15 for the Council as a whole had been established, it must then be compared to the funding available to identify the extent of any shortfall. With a provisional AEF of £157.775m and Council Tax at a current level of £53.567m, total available funding would be £211.342m. When compared to a base budget of £221.196m, this would result in a funding shortfall for 2014/15 of £9.854m. This shortfall was mainly attributable to the reduction in funding from WG, an increase in pay and price inflation and the requirement to fund committed growth.

If all identified cost pressures were funded for the whole of the Council, this would increase the shortfall to £15.838m. If all proposed savings were achieved for the whole of the Council, the shortfall would be reduced to £8.539m as shown in the table below.

Projected Budget Shortfall 2014/15	
	£000
Funding Available	
Provisional AEF	157,775
Council Tax	53,567
Provisional Funding Available	211,342
Base Budget	221,196
Provisional Shortfall Against Base Budget	9,854
Assume all Cost Pressures funded	5,984
Provisional Shortfall with Cost Pressures funded	15,838
Assume all Savings Achieved	(7,299)
Provisional Projected Shortfall for 2014/15	8,539

This level of shortfall was unprecedented.

Further work would be undertaken by the BWG when formulating the final budget proposals for 2014/15, which would include a review of the use of reserves, a possible increase in Council Tax, a review of all cost pressures, possible savings and the current financial strategies, in order to achieve a balanced budget. The BWG would also look at the impact on the 2015/16 budget.

It would be extremely difficult in the short term to meet all of the budget shortfall through further savings next year. This may require consideration of the use of substantial levels of reserves in 2014/15, thus allowing a more

thorough review of options for savings and their implications, alternative methods of service delivery and collaborative ventures.

The General Fund Reserve as at 31st March 2014 was projected to stand at £11.858m. The 2014/15 base budget proposal included the use of £1.5m from the General Fund reserve. Cost pressures for 2014/15 include £500k for a reduction in the use of reserves, in line with the existing financial strategy. A further reduction of £500k was also scheduled for 2015/16. In light of the unprecedented funding shortfall, this strategy needed to be reviewed. At this stage, it was proposed that a use of reserves to a maximum of £3.5m could be used in 2014/15. The Section 151 Officer believed that the minimum balance on the General Fund Reserve should be no less than £7m.

The use of reserves to fund recurring expenditure can only be countenanced as part of a specific strategy to achieve a balanced budget in future years. The consequence of such actions will be to increase the level of savings required in 2015/16 onwards.

In terms of the role of the Cabinet Budget Working Group, this Group would be holding a series of meetings with the relevant Cabinet Members and officers to consider the budget proposals. Any recommendations from this Group would be submitted so that the Cabinet could make its final budget proposal by no later than 24th February 2014; before making its recommendation the Cabinet Budget Working Group would consider the comments made by all the Council's Scrutiny Committees.

The Cabinet's final budget proposals would be considered by Council on 5th March 2014.

External consultation was proposed to be carried out with Vale Viewpoint, the Citizens Panel for the Vale, to ascertain the public's priorities in order to inform the budget process. The Local Service Board, Town and Community Councils and Vale businesses would also be consulted.

Brief discussion centred on Parks and Grounds Maintenance expenditure and in particular on the future maintenance of Rhoose Point with Councillor H.J.W. James reiterating his points made at the meeting of the Scrutiny Committee in October regarding the need to establish a budget for this site. He further commented on the ongoing cost of the maintenance of bowling greens and referred to two specific sites in the Vale. He also made reference to proposals to reduce "Bring Sites" with the risk of increased fly tipping if implemented. To clarify, Councillor N. Moore, who spoke on the matter with the consent of the Committee, indicated that it was proposed to withdraw "Bring Sites" which were currently located at supermarket sites and where management issues of the site had been identified.

The Committee also expressed disquiet in regard to the savings proposal C3 (Communications Team) which was particularly relevant given the need to effectively communicate to the public the potential impact on services affected as a consequence of reduced funding from the Welsh Government.

Having regard to the above and related issued it was

RECOMMENDED –

(1) T H A T the amended budget for 2013/14 as set out in Appendix 1 to the report be noted.

(2) T H A T the initial Revenue Budget proposals for 2014/15 be noted and that the Cabinet be informed of the outcome of the Scrutiny process on the matter subject to recommendations (3) and (4) below and subject to the below cost pressures being prioritised and referred to Cabinet for further consideration.

(3) T H A T the recommendation (2) of the Scrutiny Committee (Social Care and Health) of 2nd December, 2013 on the initial Revenue Budget proposals as set out below be noted and referred to Cabinet for further consideration:

“(2) T H A T the Initial Revenue Budget Proposals for 2014/15 be noted together with the cost pressures in the Social Services Directorate as amended at the meeting. It was the view of the Scrutiny Committee (Social Care and Health) that these cost pressures would need to be fully funded in view of the ever increasing demand for Adult Services’ Community Care Packages and the difficulties in predicting the requirement for children’s residential placements.”

(4) T H A T the recommendation (2) of the Scrutiny Committee (Housing and Public Protection) of 4th December, 2013 on the initial Revenue Budget proposals as set out below be endorsed and referred to Cabinet for further consideration:

“(2) T H A T the initial Revenue Budget proposals for 2014/15 including cost pressures and savings proposals be noted, subject to the Scrutiny Committee (Corporate Resources) being requested to ask the Cabinet to investigate the feasibility of utilising charities / third sector organisations to assist in the procurement of furniture in respect of savings proposals V11 and V12 for 2014/15.”

(5) T H A T the Scrutiny Committee would wish to make the Cabinet aware of the need to effectively communicate to service users and the public of the implications of the funding reduction from Welsh Government which may be impaired when taking account of the suggested saving proposals for 2014/15 in respect of the Council’s Communication Team (C3).

(6) T H A T it be noted that a contribution of £31k for 2013/14 and £32k for 2014/15 is to be made from Policy to Building Services towards employee costs in carrying out union duties.

(7) T H A T it be noted that Vale Viewpoint would be consulted to ascertain the public's priorities in order to inform the budget process, as well as consultation being undertaken with the Local Service Board, Town and Community Councils and Vale businesses.

Reasons for recommendations

(1) In acknowledgement of the Scrutiny Committee's responsibility for monitoring the budget.

(2-5) To inform Cabinet of the outcome of the scrutiny process.

(6) To be aware of the contribution to the costs of union duties within Building Services.

(7) To obtain the comments of external consultees before Cabinet makes a final proposal on the budget."

=====

Cabinet having considered the recommendations of the Scrutiny Committee (Corporate Resources)

RESOLVED – T H A T the contents of the report be noted and that the report be forwarded to the Budget Working Group.

Reason for decision

To note the contents of the report.

C2140 INITIAL CAPITAL PROGRAMME PROPOSALS 2014/15 (MD) (REF) –

Matter which the Chairman had decided was urgent by reason of the need to inform Cabinet of the outcome of consideration by the Scrutiny Committees

The Scrutiny Committee (Corporate Resources) on 10 December 2013 considered the above report.

Set out at Appendix A to the report were full details of the progress on the Capital Programme as at 30th September 2013.

The following adjustments had been requested to the Capital Programme 2013/14 in respect of the following:

Director of Learning and Skills

- Oakfield New Entrance and Reception Area - Carry forward £146,000 of funding for Oakfield new entrance and reception area to 2014/15.

Director of Social Services

- Flying Start Grants - Following approval from Welsh Government additional funding had been made available to Flying Start in 2013/14, a provisional budget of £413,000 had been included in the Capital Programme and it was now requested to increase this by £131,520. The revised budget £544,520 would cover the following schemes:
 - Ladybirds provision at Holton School £193,250, £20,000 for equipment was already built into the Capital Programme for 2013/14
 - £40,000 to fund a Parenting Suite at Holm View this would consist of a crèche, a room for group working as part of the parenting classes and also a preparation room
 - Funding of £122,364 for the Flying Start Family Centre; this would fund a Parenting Room at the Gladstone Road site
 - Funding £168,906 for Co-location project at Skomer Road office
 - Rondel House Boiler Replacement virement of £40,000 from Hen Goleg Boiler Replacement and Heating Works to Rondel House Boiler Replacement to ensure that the scheme was progressed in 2013/14.

Director of Visible Services and Housing

- Flood Risk Management – £750,000 was approved as part of the 2013/14 Capital Programme for various schemes to address flooding and drainage issues
- Cross Common Road Bridge – the Capital Programme increased by £650,000 to address the outcome of a feasibility study which was considering options for the future of Cross Common Road Bridge, this would be funded from a revenue contribution
- Housing Improvement Programme – Increase the Housing Revenue Account Capital Programme by £600,000 to fund work to be carried out on void properties
- Welsh Housing Quality Standard (WHQS) works for Sheltered Housing £150,000 should be brought forward from the Capital Programme in 2014/15 to progress WHQS works for sheltered housing.

Director of Development Services

- S106 / Belle Vue Park – Cabinet had been requested to include £10,000 in the Capital Programme for Section 106 funding awarded to the project.
- WHQS works for sheltered housing – Funding of £150k brought forward from the Capital Programme in 2014/15.

Cabinet had previously agreed that further information would be provided where schemes have a value of over £500,000 and showed a variance of 20% or more between actual spend and the profile. The following schemes met this criteria –

- WHQS Works – As outlined in previous capital monitoring reports there was always likely to be a variance in the WHQS expenditure as the extent of works required in a property was not known until the works

commenced. During September, works on central heating / boilers and roofing works were behind profile, whilst asbestos management costs had exceeded the initial profile.

- Learning in Digital (Wales) Grant – A large order £470,000 was placed during September which would rectify the discrepancy between the profile and actual expenditure and ensure the grant was fully spent by the grant deadline in December 2013.
- Ysgol Nant Talwg, Barry – The variance between actuals to date at the end of September and profiled budget was due to a delay in issuing a certificate of payment. All required information was now in place and a payment was made in October which brought the actuals to date in line with the profiled expenditure.
- Vehicles Renewal Fund – Expenditure was slightly behind profile due to second hand vehicles being purchased in year and some items of expenditure being delayed pending the outcome of decisions regarding future revenue services.

The Welsh Government (WG) had announced the provisional 2014/15 General Capital Funding on 16th October 2013. The 2014/15 capital settlement represented a £246,000 (4.7%) increase in funding over the previous year's allocation; however because this amount included the reinstatement of £280,000 transferred to supported borrowing for the Housing Revenue Account in 2013/14, the actual position for the Council was a reduction of £34,000 which represents a 0.61% cut. The indicative amount provided by WG suggested that capital funding will be maintained at this level for 2015/16. This has been reflected in the proposed Capital Programme 2014/15 to 2018/19.

Whilst the indicative amounts have been utilised in 2014/15 and 2015/16, for the purposes of this programme, the assumption of a 10% cut each year had been assumed in 2016/17, 2017/18 and 2018/19. In line with the financial strategy, the Council would mitigate the deteriorating situation by looking to progress only those schemes which were deemed to be a key corporate priority, whilst also seeking to gain assurance that such schemes were delivered on time and within budget.

Cabinet, on 13th February 2008, approved that the Director of Resources in consultation with the Cabinet Member responsible for Finance, be given delegated authority to transfer supported borrowing between General Fund and the Housing Capital budgets as appropriate. Due to the uncertainty regarding the future of Housing Subsidy, the Authority did not intend to seek a £280,000 transfer in each year of the Capital Programme as had been previously assumed; unsupported borrowing in the Housing Revenue Account has been increased accordingly.

The Major Repairs Allowance (MRA), which was a grant that provided capital funding to the Housing Revenue Account (HRA) for 2014/15, had not been announced by the WG. Cabinet would be advised once the announcement was made. However, an assumption had been made which was set out in

Appendix B to the report that the grant would continue at the current allocation of £2.8m in 2014/15.

In addition to funding from the WG, the Council would finance part of the Capital Programme from its own resources, e.g. Capital Receipts and Reserves. Set out in Appendix B was the proposed 2014/15. The following table of information set out details of the General Capital Funding and internal resources required to fund the proposed schemes.

Analysis of Net Funding Required for the Indicative 2014/15 Capital Programme

GENERAL FUND	£'000	£'000
Welsh Government Resources		
Supported Borrowing	3,438	
General Capital Grant	2,092	
		5,530
Council Resources		
Capital Receipts	2,509	
Reserves/Leasing	6,095	
Unsupported Borrowing	5,600	
		14,204
Net Capital Resources		19,734
HOUSING REVENUE ACCOUNT	£'000	£'000
Housing Reserves	7,387	
Housing Capital Receipts	1,525	
Housing Unsupported Borrowing	6,034	
		14,946
Net Capital Resources		14,946

The indicative 204/15 Capital Programme shown in Appendix B included allocations already approved by Council.

Capital bids were invited for return by 30th September 2013 and the number of bids received was reduced from the high volume in the previous year. This reduction reflects that the Capital Programme had been set to 2017/18 following the budget review that took place as part of the 2013/14 budget process. Departments were requested to rank their own bids in order of importance before submission, and bids from each Department were forwarded to the Corporate Asset Management Group (CAMG) for evaluation.

The Budget Working Group had prioritised bids based upon the recommendations of the CAMG (and were shown in Appendix B) who had used the criteria set out by the Budget Strategy and met the risk assessment

which had been undertaken in line with the Council's Corporate Risk Management Strategy which was also set out in the report. Only those schemes assessed as corporate priority 1 or medium risk and above were included. Bids which did not meet this criteria and therefore excluded from the Capital Programme were detailed in Appendix C to the report.

In addition to bids meeting the criteria for inclusion in the Capital Programme, there had been a number of changes approved by Cabinet since the final budget proposals in February 2013 that impacted on the Capital Programme, such as, amendments to the budgets carried forward and these changes were included. Also reflected in Appendix B were proposed changes to the Housing Revenue Account Business Plan.

As in the case of the consideration of the Initial Revenue Budget Proposals, similar arrangements were in place for the Scrutiny Committees to pass their comments to the Scrutiny Committee (Corporate Resources) who would, on behalf of all the Council's Scrutiny Committees, formally respond to Cabinet by no later than 13th December 2013. However, Scrutiny Committees were being asked to first consider the indicative Capital Proposals as set out in Appendix B. If a change to the initial proposals was desired, the Scrutiny Committee was required to provide a reason for this need in order to assist the Cabinet and the CBWG in their deliberation when drawing up the final proposals. The total net capital expenditure of the proposed programme for the whole of the Council over the five years was approximately £102m.

Managers would be asked to revisit the schemes listed in Appendix B and to confirm final cost and spend profiles prior to the final proposals being considered by Cabinet by no later than 24th February, 2014. Cabinet's final Capital Programme proposals would be considered by Council no later than 5th March, 2013.

If the schemes proposed for the whole of the Council were approved, the effects on General Fund useable capital receipts were as follows:

General Fund Capital Receipts	£'000
Anticipated Balance as at 1 st April 2014	7,940
Anticipated Requirements – 2014/15	(2,656)
Anticipated Receipts – 2014/15	885
Balance as at 31 st March 2015	6,169
Anticipated Requirements – 2015/16	0
Anticipated Receipts – 2015/16	0
Balance as at 31 st March 2016	6,169
Anticipated Requirements – 2016/17	(2,237)

Anticipated Receipts – 2016/17	0
Balance as at 31 st March 2017	3,932
Anticipated Requirements – 2017/18	(0)
Anticipated Receipts – 2017/18	0
Balance as at 31 st March 2018	3,932
Anticipated Requirements – 2018/19	(0)
Anticipated Receipts – 2018/19	0
Balance as at 31 st March 2019	3,932

In line with the overall strategy and specific suggestions proposed by the Budget Working Group (BWG), in order to resource the Capital Programme, reserves will be utilised over the period of the Capital Programme 2014/15 to 2018/19.

The Project Fund would be used to fund schemes assessed on an invest to save basis, and in certain circumstances business critical schemes may also be funded from this reserve with the prior approval of the Director of Resources. A balance of £2m would be retained as a balance on this fund. The projected usage of this reserve, for the whole of the Council, over the period of the Capital Programme was shown below:

Project Fund	£'000
Anticipated Balance as at 1 st April 2014	4,217
Anticipated Requirements – 2014/15	(1,754)
Anticipated Receipts – 2014/15	402
Balance as at 31 st March 2015	2,865
Anticipated Requirements – 2015/16	(450)
Anticipated Receipts – 2015/16	100
Balance as at 31 st March 2016	2,515
Anticipated Requirements – 2016/17	(400)
Anticipated Receipts – 2016/17	60
Balance as at 31 st March 2017	2,175
Anticipated Requirements – 2017/18	(100)
Anticipated Receipts – 2017/18	60
Balance as at 31 st March 2018	2,135
Anticipated Requirements – 2018/19	(0)

Anticipated Receipts – 2018/19	0
Balance as at 31 st March 2019	2,135

The above forecast balances needed to be seen in the context of significant pressures for spending which were not yet included in the Capital Programme. These pressures included the backlog of school, highways and buildings improvements.

RECOMMENDED -

(1) T H A T the Initial Capital Budget Proposals for 2014/15 be endorsed and that Cabinet be informed of the Scrutiny Committee’s deliberations on the matter.

(2) T H A T the following changes to the 2013/14 Capital Programme be noted:

- Increase the provisional Flying Start capital budget by £131,520, following approval by Welsh Government of additional funds, the amended budget of £544,520 will cover the following schemes Ladybirds at Holton School, Parenting Suite at Holm View, Flying Start Co-location and Flying Start Family Centre
- Increase the Capital Programme by £650,000 for a scheme at Cross Common Road Bridge to be funded from a revenue contribution
- Increase the Housing Revenue Account Capital Programme to reflect a £600,000 contribution from revenue to fund works with void properties
- Include a £10,000 budget for S106 works at Belle Vue Park in the Capital Programme
- Carry forward £146,000 for Oakfield School new entrance and reception area, to 2014/15 when the funding will be used as part of the 21st Century Schools funded proposals for Ysgol Gwaun y Nant and Oakfield Primary School

Reason for recommendations

(1) To inform Cabinet of the outcome of the scrutiny process on the matter.

(2) To amend the 2013/14 Capital Programme.”

=====

Cabinet having considered the recommendations of the Scrutiny Committee (Corporate Resources)

RESOLVED – T H A T the contents of the report be noted and that the report be forwarded to the Budget Working Group.

Reason for decision

To note the contents of the report

C2141 INITIAL HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2014/2015 AND REVISED BUDGET 2013/2014 (DVSH) (REF) –

Matter which the Chairman had decided was urgent by reason of the need to inform Cabinet of the outcome of consideration by the Scrutiny Committees

The Scrutiny Committee (Corporate Resources) on 10 December 2013 considered the above report.

The report had been previously considered by the Scrutiny Committee (Housing and Public Protection) at its meeting held on 4th December 2013. Following consideration at the time the Committee recommended

“(1) That the revised budget estimate for 2014/15 be noted.

(2) T H A T the Initial Housing Revenue Account budget proposals for 2014/15 be noted.

(3) T H A T the next financial monitoring report submitted for consideration contain a breakdown of expenditure allocated against each of the following budget headings:

- **General Management**
- **Special Services**
- **Central Support and Operational Buildings.”**

The Scrutiny Committee (Corporate Resources) was now considering this matter as the lead Scrutiny Committee for overseeing the budget process.

Each local housing authority was required under Section 74 of the 1989 Local Government and Housing Act to keep a Housing Revenue Account. Section 76 of the above Act required local authorities to set a budget for their Housing Revenue Account (HRA) on an annual basis. The budget must be such that the Housing Revenue Account was not in deficit at the year end. In addition, local authorities were also required during the course of the year to review their HRA expenditure and income and if, on the basis of the information available, the account was heading for a deficit, they must take steps as were reasonably practicable to prevent such deficit. Such a deficit would be carried forward and must be made good the following financial year. Each local authority should endeavour to have a working balance on the HRA, for any exceptional circumstances that may arise.

The level of rent increases was based on the Subsidy Determination issued by the Welsh Government (WG). This would not be known until January 2014. An average rent increase of 3%, based on the latest Business Plan,

had been included in the 2013/14 initial budget proposals. Set out below is a summary table comparing the original budget with the proposed revised estimate.

	2013/2014 Original Budget	2013/2014 Proposed Revised Estimate	Variance Favourable (-) Adverse (+)
	£'000	£'000	£'000
Housing Revenue Account	8,452	8,129	(323)

The net anticipated deficit had decreased by (£323,000) due to an increase in net income of (£324,000), because of an extra rent week in 2013/2014; recharges had decreased by (£56,000); there was a saving of (£109,000) on staff costs due to vacancies; (£32,000) reduction in Council Tax expenditure on empty properties. In addition there was a (£25,000) saving on insurance costs. Further savings on the budget were: the HRA Subsidy payment was expected to be (£159,000) lower than current estimates; the anticipated growth in the bad debt provision had reduced by (£85,000), based on the current bad debt level. In addition there were further savings totalling (£4,000) on various other items in the Housing Revenue Account. These savings had been offset by budget increases of £30,000 on the repairs budget because of changes to the Gas Servicing contract costs, the Capital Expenditure from Revenue Account (CERA) had increased by £279,000, due to demands on the Housing Improvement Programme (£186,000 slippage, £600,000 expenditure on Voids, £150,000 Sheltered scheme acceleration, offset by additional useable capital receipts utilised (£657,000)). There had also been an increase in the loss of rental income through increased void days due to WHQS £162,000.

The Budget Strategy for 2014/15 outlined that in order to establish a baseline, services should prepare revenue budget for next year based on the cost of providing the current level of service and approved policy decisions. This meant that the cost of price increases and pay awards should be included.

Due to the nature of the HRA in that it was ring fenced and any growth had to be funded from its revenue balance, no cost pressures had been formally identified. The budget was presented in the traditional objective analysis format. The proposed 2014/15 budget was detailed in Appendix A to the report. The 2013/14 Summary Cost Centre Analysis was detailed in Appendix B to the report which broke down the budget over the types of expenditure.

The charges for rent and other services provided by the Housing Service were reviewed annually and would be subject to a future report once the information had been received from the WG. Detailed below is a summary of the original budget for 2013/14 with the proposed budget for 2014/15.

2013/2014 Original	Inflation / Pay Award	Committed Growth /	Estimated Rent	2014/2015 Proposed
-------------------------------	----------------------------------	-------------------------------	---------------------------	-------------------------------

Budget		(Savings)	Increase	Budget
£000	£000	£000	£000	£000
8,452	38	(4,591)	(476)	3,423

A provision for general inflation included an allowance of 1% for 2014/15. A 1% increase in pay amounted to approximately £13,000.

The rent increase was estimated at 3% based on the latest Housing Business Plan, for 2014/2015 this equated to (£476,000). The actual rent increase was not due for release until January 2014.

The net saving of (£4,591,000) was due to a number of factors:

- A decrease in Capital Expenditure from Revenue Account (CERA) to finance the Housing Improvement Programme of (£4,995,000). The amount of revenue contribution required was dictated by available revenue balances and the value of the Housing Improvement Programme.
- A (£120,000) decrease in Central Support recharges.
- A decrease in the expected growth in the bad debt provision of (£135,000). The original anticipated loss of rent due to the welfare reform accommodations cap was thought to be less than originally budgeted for.
- A decrease in insurance charges of (£24,000).
- The above savings have been offset by an increase in staff expenditure. A restructure was being drafted for 2014/2015, which could cost an additional £200,000, but was intended to strengthen the service in terms of dealing with anti-social behaviour, statutory compliance (e.g. fire risk assessment work, gas and electrical safety), asset management and welfare reform and make it fit for forthcoming challenges.
- An increase in the provision of HRA Subsidy payable to WG based on the current guidance issued of £195,000
- An increase in Capital Financing charges of £193,000 in relation to unsupported borrowing being taken out for the first time in 2014/2015 to fund the Housing Improvement Programme.
- A decrease in interest earned on Revenue Balances £80,000.
- Further budget increases of £15,000

As indicated in earlier reports considered, Scrutiny Committees were being consulted on the budget proposals with the Scrutiny Committee (Corporate Resources) being the lead Scrutiny Committee who would be required to respond to the Cabinet on the budget by no later than 13th December 2013. Cabinet's final proposals on the budget would be considered by the Council on 5th March 2014.

The Housing Revenue Account working balance at 1st April 2014 would be £5.441m.

Having regard to the above and related issues it was

RECOMMENDED -

- (1) T H A T the revised budget estimate for 2014/15 be noted.
- (2) T H A T the Initial Housing Revenue Account budget proposals for 2014/15 be noted and referred to the Cabinet for further consideration.

Reasons for recommendations

- (1) In acknowledgement of monitoring the budget for 2013/14.
- (2) To inform Cabinet of the outcome of the scrutiny process on the matter.”

=====

Cabinet having considered the recommendations of the Scrutiny Committee (Corporate Resources)

RESOLVED – T H A T the contents of the report be noted and that the report be forwarded to the Budget Working Group.

Reason for decision

To note the contents of the report.

C2142 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 it involved 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.

C2143 BARRY ISLAND LINK ROAD (RIPT) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) -

Approval was sought for delegated authority to enter into loan agreements with the Welsh Government and the consortium of house builders at the Barry Waterfront development site to provide the Barry Island Link Road earlier in the construction programme than catered for under the terms of the extant planning permission for the development of the Waterfront.

This was a matter for Executive decision.

RESOLVED – T H A T the Head of Legal Services, be authorised in consultation with the Director of Development Services, the Managing Director, the Leader of the Council and the Cabinet Member for Regeneration, Innovation, Planning and Transportation, to agree the terms of and enter into an interest free loan agreement with the Welsh Government and to enter into an interest free loan agreement with the consortium of house builders at the Barry Waterfront to provide the necessary funding for the construction of the Barry Island Link Road earlier in the Waterfront construction programme.

Reason for decision

To enable the appropriate legal documentation to be put in place and for the road to Barry Island to be delivered in advance of that currently planned.

C2144 THE COUNCILS FREEHOLD INTEREST IN LAND AT THE FORMER MONTY SMITH GARAGE AND SMALL PIECE OF LAND TO THE REAR OF THE SITE CARDIFF ROAD (RIPT) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

Approval was sought to declare the Council's freehold interest in the land located at the former Monty Smith garage and small area of land to the rear of the site as surplus to requirements.

This was a matter for Executive decision.

RESOLVED -

- (1) T H A T the Council's freehold interest in the land at the former Monty Smith garage and small section of land to the rear of the site, be declared surplus to Council's requirements and that the sale of both these sites to the current leaseholder of the garage site be authorised on the terms and conditions referred to in this report and in consultation with the Director of Resources and the Leader.
- (2) T H A T Head of Legal Services be authorised to prepare, complete and execute the required legal documentation in order to formalise the disposal.

Reasons for decisions

- (1) To ensure that the property was declared surplus to the Council's requirements prior to disposal.
- (2) To legally formalise the disposal of the property.

C2145 HYDRAULIC PUMPHOUSE, INNOVATION QUARTER, THE WATERFRONT BARRY (RIPT) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) –

To report a formal offer for the Hydraulic Pumphouse to convert the property into a mixed use scheme.

This was a matter for Executive decision.

- (1) T H A T the Director of Resources be authorised to dispose of the Hydraulic Pumphouse to the developer named within this report in consultation with the Leader, Director of Development Services and the Cabinet Member for Regeneration, Innovation, Planning and Transportation, subject to Welsh Government consent (in accordance with the Innovation Quarter Joint Venture Agreement) and satisfactory terms and conditions being agreed with the Council.
- (2) T H A T the Head of Legal Services be authorised to prepare, execute and complete all legal documentation required to facilitate the disposal of the Hydraulic Pumphouse to the developer named within this report subject to Welsh Government consent (in accordance with the Innovation Quarter Joint Venture Agreement).

Reasons for decisions

- (1) To authorise the Director of Resources to dispose of the Hydraulic Pumphouse to the developer named within this report subject to Welsh Government consent.
- (2) To achieve the legal completion of the disposal of the Hydraulic Pumphouse to the developer named within this report subject to Welsh Government consent.

Signed _____

(Chairman)

Date _____