

CABINET

Minutes of a meeting held on 16 November, 2015.

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

Also Present: Councillors: G. Roberts. and P. King.

Apologies:

At the start of the meeting the Leader confirmed that he was expecting Councillor B.E. Brooks to attend the meeting and she arrived at the start of Agenda Item 6.

C2965 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 2 November, 2015 be approved as a correct record.

C2966 DECLARATIONS OF INTEREST –

The following declarations of interest were received -

Councillor C. Elmore	<p>Agenda Item 7 – Proposal to Transform Secondary Education In Barry</p> <p>Reason for Declaration –</p> <p>A Local Education Authority (LEA) appointed Governor at Barry Comprehensive School. As an 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> <p>Agenda Item 11 – Initial Capital Programme Proposals 2016/17</p> <p>Reason for Declaration –</p> <p>A Local Education Authority (LEA) appointed Governor at Barry Comprehensive School. As an 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>
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Councillor G. John	<p>Agenda Item 11 – Initial Capital Programme Proposals 2016/17</p> <p>Reason for Declaration –</p> <p>A Local Education Authority (LEA) appointed Governor at Llantwit Major Comprehensive School. As an 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 L. Burnett	<p>Agenda Item 11 – Initial Capital Programme Proposals 2016/17</p> <p>Reason for Declaration –</p> <p>A Local Education Authority (LEA) appointed Governor at St Cyres Comprehensive School. As an LEA Governor, her personal interest did not equate to a prejudicial interest and therefore she was able to speak and vote on the matter.</p>

C2967 VALE OF GLAMORGAN LOCAL ACCESS FORUM -

The minutes of the Vale of Glamorgan Local Access Forum meeting held on 30 September, 2015 were submitted.

(i) 5.30 p.m.

Present: Ms. A. Haden, Mr. J.J. Herbert, Ms. C. Lucas, Mr. H.S. McMillan, Mr. R. Pittard, Mr. R. Simpson, Mr. R. Traherne and Councillor E. Williams.

Mr. J. Wyatt (Chairman); Mr. B. Guy, Mr. S. Pickering, Mr. G. Teague and Mrs. S. Thomas (Vale of Glamorgan Council).

(a) Apologies for Absence -

These were received from Mr. F. Coleman and Ms. E. Nash.

(b) Welcome / Introduction from the Secretary -

Jeff Wyatt, as Secretary to the Forum, welcomed both new and returning Members to the first meeting of the newly appointed Forum. He explained that the Forum was required to be appointed every three years, the first Forum having been established in 2002. He also informed Members that Mr. Richard Simpson had indicated that, due to the fact that he was moving out of the area, he would not be taking up his

place on the Forum.

(c) Introduction by Members -

Following a brief introduction from the officers present, Members of the Forum outlined their particular fields of interest and expertise, most having submitted a short synopsis for inclusion in the papers sent out prior to the meeting.

(d) Rights of Way Team: Outline of Service Areas -

Gwyn Teague provided a brief outline of the work of the Rights of Way Team, structured under the following headings:

Background

The Vale of Glamorgan was a diverse county, including a lengthy shoreline, good agricultural land and urban centres. There were approximately 581 kilometres (km) of public rights of way (PROW) in the Vale of Glamorgan. The network included:

520 km of footpaths
38 km of bridleways
23 km of restricted byways

Maintenance

The Council undertook work to ensure the surfaces of public rights of way were kept in repair to a standard suitable for ordinary use. This most often included cutting overgrowth where paths become overgrown or repairing the surface of paths where required. Each year, a number of paths that were known to be problematic were targeted proactively for cutting at the beginning and end of the summer.

The Council, often assisted by volunteers and partner organisations such as Valeways, also undertook work to replace dilapidated structures on behalf of landowners. This helped ensure stiles, gates etc. remained in a fit state for use.

Additional practical works such as way marking, installation of signage or management of condition surveys were also carried out by the team.

Enforcement

The Council was required to assert and protect the rights of the public to use paths. As such, a number of enforcement duties existed to remove obstructions, hazards or to take action where certain types of unlawful activity occurred. Responding to an enforcement issue involved investigation of the problem, determining parties involved, establishing contact and developing an appropriate response (typically negotiation, informal warning, service of notice or prosecution)

Definitive Map and Statement

The existence and location of Public Rights of Way were legally recorded on the Definitive Map and Statement. The Council maintained these documents continuously by processing orders where legal events giving rise to changes occurred or by investigating cases where it was claimed routes should be shown or not shown. The Council was also working towards consolidation (re-publication) of its Definitive Map.

Definitive Map work could involve, amongst other things, administration, quality assurance of data, historic research, collection and analysis of evidence, presentation of cases, referral and representation at public inquiry.

Public Path Orders

Legal Orders might be made to alter the public rights of way network due to necessity or a particular interest (e.g. due to development, public or private interest). The Council was able to process such applications in order to give effect to the application or otherwise test it against the necessary legal criteria. Legal Orders could involve administration, negotiation, analysis of applications, referral and representation at public inquiry.

Improvement

A significant amount of funding of Public Rights of Way work was provided through grant assistance. The Public Rights of Way Team was therefore involved in generating and delivering access improvement projects as well as administering associated grant funding. Ms. Haden asked whether grant funding was generally channelled through charitable organisations or the Council. Gwyn Teague stated that it varied. Some would come to the Council, some to recipients (e.g. Coastal Access Improvement Programme (CAIP)). Periodically, specific grants (such as the Rural Development Grant) would be accessed.

Information

The Public Rights of Way Team worked with, and supported, numerous stakeholder groups, including user groups, partner organisations and community footpath forums. Promotion of the network through attendance at events or publication of leaflets was also undertaken by the team.

Performance indicator and network management information was also collected and analysed.

(e) Procedure for Claiming Expenses -

Regulation 11 of the Countryside Access (Local Access Forums) (Wales) Regulations 2001 required the Appointing Authority to defray reasonable expenses incurred by the Forum in discharging its functions. Generally, such expenses largely related to travelling to and from meetings. Claim forms were available from the Secretary..

The previous Forum proposed that a rate of 40p per mile be paid to Members of the Forum claiming for travel to and from meetings. It was proposed that this arrangement continue. Members were asked to submit any claims within 12 months of incurring the same.

AGREED – T H A T the payment of a mileage rate of 40p per mile to Members be continued and that Members individually notify the Creditors Team in writing with the required details.

(f) Procedure for Appointment of Chairman and Deputy Chairman -

The procedure to be followed for the appointment of the Chairman and the Deputy Chairman of the Forum was set out in Regulation 12 of the Countryside Access (Local Access Forums) (Wales) Regulations 2001. Accordingly, the appointment process would be conducted by secret ballot as the first item of business at the second meeting of the Forum later in the evening.

AGREED – T H A T nominations for, and the appointment of, the Chairman and Deputy Chairman of the Forum be dealt with as the first item of business at the next meeting.

(g) Welsh Government Consultation Document: 'Improving Opportunities to Access the Outdoors for Responsible Recreation' -

Jeff Wyatt reminded Members that the second meeting of the Forum (which would commence with the appointment of Chairman and Deputy Chairman) was not scheduled to begin until 6.30 p.m. However, with the agreement of Members and having explained the position to the two members of the public present, it was agreed that Gwyn Teague would utilise the time prior to the start of the meeting to give his presentation on the Consultation Document. Jeff Wyatt further explained that, in the event of any additional members of the public arriving prior to the start of the second meeting, the presentation would be repeated during the second meeting.

(ii) 6.30 p.m.

Present: Ms. A. Haden, Mr. J.J. Herbert, Ms. C. Lucas, Mr. H.S. McMillan, Mr. R. Pittard, Mr. R. Simpson, Mr. G. Thomas, Mr. R. Traherne and Councillor E. Williams.

Mr. J. Wyatt (Chairman); Mr. B. Guy, Mr. S. Pickering, Mr. G. Teague and Mrs. S. Thomas (Vale of Glamorgan Council).

(a) Appointment of Chairman -

Two nominations were received for the position of Chairman, Councillor E. Williams and Mr. R. Traherne. A ballot having been conducted as required under the relevant Regulations, it was

AGREED - T H A T Councillor E. Williams be appointed Chairman of the Vale of Glamorgan Local Access Forum to 29th September, 2018 or such lesser period as

the Forum might subsequently determine.

At this point, Councillor E. Williams took the Chair.

(b) Appointment of Deputy Chairman -

Two nominations for the position of Deputy Chairman were moved and seconded, Mr. R. Traherne and Mr. R. Pittard. A ballot having been conducted as required under the relevant Regulations, it was

AGREED - T H A T Mr. R. Traherne be appointed Deputy Chairman of the Vale of Glamorgan Local Access Forum to 29th September, 2018 or such lesser period as the Forum might subsequently determine.

(c) Minutes -

AGREED - T H A T the minutes of the meeting held on 17th February, 2015 be approved as a correct record.

(d) Terms of Reference -

Members were asked to consider the current Terms of Reference as adopted by the previous Forum. Those Terms of Reference had been based on the Model contained within the Advice and Best Practice published by the former Countryside Council for Wales and the Welsh Government and had been revised over the years to reflect changing circumstances.

During this item, it was also agreed that the new Coast Path Officer for the region be invited to attend future meetings (although it was acknowledged that the size of the area for which they would be responsible might mean their attendance would not always be possible).

AGREED - T H A T, subject to reference to the former Countryside Council for Wales being amended to read "Natural Resources Wales", the Terms of Reference as set out in the report be adopted.

(e) Arrangements for Future Meetings -

Jeff Wyatt explained that the previous Forum had held its meetings on Wednesdays, commencing at 5.30 p.m. and, ideally, lasting no more than two hours.

Having considered the matter, it was

AGREED - T H A T the next meeting of the Forum be held towards the end of November, 2015 and subsequent meetings be held approximately quarterly on the same basis as the previous Forum.

(f) Rights of Way Improvement Plan (ROWIP) Background and Update -

The Countryside and Rights of Way Act 2000 required local authorities to produce Rights of Way Improvement Plans (ROWIPs). These were intended to provide

prioritised plans for the improvement of the local rights of way network for all users – walkers, cyclists, horse riders, off-road users, as well as people with sight and mobility problems. When introduced, the Plans were intended to cover a 10 year period.

The Vale of Glamorgan’s ROWIP was published in November 2007. The vision for the plan was agreed by LAF and Council to be:

“To provide, maintain and improve the network of Public Rights of Way and countryside access for everyone AND to enable and encourage increasingly convenient and responsible use and enjoyment of the Vale's countryside and coast”.

Work identified within the Plan was identified according to three broad areas (management, stakeholders and information/communication) and by reference to the following principles:

1. Access for All
2. Management Strategy
3. Sustainable Improvements
4. Better Information
5. Improved Network of Routes
6. Wider Context

In order to implement the Plans, the Welsh Government allocated funding to support them under a programme initially agreed to run for 3 years until 2010-11. This had, thus far, been extended annually since the initial period. The money was delivered to Local Authorities in the form of a grant administered by Natural Resources Wales.

A total award of £31,136 had been granted for the current financial year.

The following projects were included within the 2015-16 ROWIP funding programme:

Code	Location	Details	Update
VG1	Entire Network	Preparation of new Definitive Map, analysis and reporting of CAMS data	CAMS reporting, maintenance and analysis of data continuing
VG2	Summerhouse Point	Dedication of rights at Summerhouse	Pre-order consultation complete. Awaiting legal advice on the extent of Highways Act Section 28 (compensation provision).
VG3	Countywide/millennium heritage trail	Way Marking	Additional stock waymarks received. Millennium Heritage Trail waymarks to

			be installed via Valeways also received.
VG4	Cowbridge	Dedication of legal rights for Penllyn Bridleways	Dedication and way making of scheme as required by legal agreement condition complete.
VG5	Peterston Super Ely	Drainage scheme at Peterston-Super-Ely	Scheme complete

Mr. Herbert asked for clarification with regard to VG1 (i.e. in terms of what the funding was largely used for). Gwyn Teague indicated that this was largely to fund the salary of the officer concerned. He confirmed that most of the Quality Assurance work involved had now been completed and that the officer was concentrating on Definitive Map Modification Orders.

With regard to VG5, Mr. Traherne confirmed that, whilst residents were very pleased with the work, there were still some concerns regarding the quite wet conditions which could prevail at the St. Georges / St. Brides end of the scheme. Gwyn Teague confirmed that the area concerned had originally been very wet, but that he would look into the matter.

Ms. Haden declared an interest in VG2, given her partner owned an area of land in the vicinity.

(g) Coastal Access Improvement Programme: Background and Update -

The Coastal Access Improvement Programme (CAIP) was a scheme funded by the Welsh Government via Natural Resources Wales and delivered through Local Authorities. Since the Wales Coast Path officially opened on 5th May 2012, the scheme, which initially ran from 2007-2013 had continued to fund the development and improvement of the route. Following completion of the initial project, further funding was made available; this ran from 2013-2015.

The current programme was initiated by a ministerial announcement that committed £900,000 worth of funding per annum for the next five years to the Path. The current scheme differed from previously, in so much as funding was divided between improvements and maintenance, to reflect the maturing nature of the Coast Path.

Improvement projects were offered at 100% grant funding. The number of projects approved was reduced in the new tranche of the programme. Those receiving funding are shown below:

Code	Description	Details	Update
<u>VG101</u>	Ogmore Down -Creation Agreement	Conclude outstanding creation agreement on path, formalising new alignment that avoids needs for road walking	Creation to be drafted on basis of previous agreement

<u>VG104</u>	Monknash - Creation Order	Missing link currently available on permissive basis only. To be progressed by Creation Order, anticipated landowner objection	Initial case meeting completed
<u>VG106</u>	Nash Realignment	Rollback of path to mitigate cliff undercutting	Initial case meeting completed
<u>VG107</u>	Tresillian Rollbacks	Formalisation of rollback following coastal erosion during 14-15	Initial case meeting completed
<u>VG109</u>	Cwm Colhuw (west) - Surface Improvements	Improve surface by addition of loose stone (type 1).	Specification being developed
<u>VG111</u>	Summerhouse rollbacks	legal orders to formalise clifftop rollback	Initial case meeting completed
<u>VG112</u>	Gileston - Creation Order	Creation order to fill in missing section of coast path on improved alignment.	Order complete, works part complete, outstanding work has been programmed

In addition, an allocation for coast path maintenance via grant and at 75% grant rate had been advised. In the Vale for 2015-16 this amounted to £19,230 of grant to be matched by £6,410. It was anticipated that this would be issued each year over the life of the programme:

Code	Description	Details	Update
<u>Maint</u>	Maintenance Projects on VoG WCP	Vegetation cut back, maintenance of furniture and surfaces	Vegetation cut backs in progress

Gwyn Teague confirmed that, following a successful pilot within the region comprising the Vale of Glamorgan, Cardiff, Newport and Monmouthshire Councils in relation to sharing a Regional Coast Path Officer, the approach was now to be rolled out across the Welsh regions. He considered that, given the size of the areas for which each officer would be responsible, they would be quite "stretched" in terms of workload. Mr. Pittard understood that some funding was potentially being kept back to deal with emergencies in the event of rock falls / erosion. Gwyn Teague was unsure as to whether this was the case, but he did understand that there might be a Welsh Government underspend which, in turn, might be capable of being accessed. Mr. Traherne also questioned whether there would be sufficient money to effectively undertake work across the regions. Gwyn Teague indicated that, in overall terms, funding had reduced. However, the Vale of Glamorgan would be receiving the second largest sum of all the seven Authorities in the South East region. Bob Guy confirmed that most of the path had, in fact, historically been funded from the Rights of Way budget.

(h) Best Value Performance Indicators Survey Report -

LAF members became involved in the annual performance indicator survey in 2006/07; a number of LAF members had undertaken the surveying for many years, with training provided by Mr. McMillan and Mr. Herbert. This had provided a consistency to the returns, which was invaluable.

The format of the survey followed Best Value Performance Indicator No.178 (April 2001) methodology, which was produced by the County Surveyors' Society in conjunction with the Countryside Agency and the Institute of Public Rights of Way Officers. Each year, 10% of the PROW network was surveyed, with the paths surveyed chosen by random selection, with 5% surveyed in the Spring and 5% in the Autumn.

The survey provided results for two indicators:

- the percentage of paths signposted from the road
- the percentage of paths easy to use.

The Autumn 5% survey would be undertaken in October. The Spring results were:

- the percentage of paths signposted from the road – 76%
- the percentage of paths easy to use – 74%.

A secondary, but very important, part of the survey process was the feeding of the detail provided by the surveyors onto the maintenance database.

(i) Maintenance Reports -

The report showed the number of issues reported and resolved between the months of January to September 2015. (Members were asked to note that the September figure would not contain the full data, due to the report being compiled mid-way through the month. The data in these reports would fluctuate due to different circumstances throughout the period shown. This might be due to staff changes, contracts, the additional reporting of issues due to Performance Indicator Returns in April and annual leave.

There were six categories that issues were placed into - Clearance, Enforcement, Maintenance, Obstacle, Other and Signage.

Clearance - this Issue type involved the removal of overgrowth from vegetation or the removal of rubbish.

Enforcement - this involved more long term issues, as it dealt with the legal side of PROW. These issues included Diversion Orders where an Order is in place to move the path along a different route.

Maintenance - This was the main issue type dealt with. It involves maintaining, repairing or replacing the furniture along the paths if needed. The furniture included stiles, posts, kissing gates etc.

Obstacle – these were issues that blocked or made it difficult to cross a path. This

could come in the form of rocks near cliffs, blocked gates or fallen trees.

Other - issues not normally categorised or requests for a site visit.

Signage – a category which covered way marking. This included replacing missing disks, replacing posts or pointing the way marker in the right direction.

Mr. Traherne asked for clarification regarding reference to 2,911 “Unresolved Issues”. Gwyn Teague indicated that the figure represented the total number of issues added. The actual current figure was approximately 700.

Steve Pickering referred to a recent staff restructuring. Park Rangers would now be working with the Public Rights of Way team. Consequently, it was anticipated that unresolved issues should begin to reduce rapidly.

Gwyn Teague referred to another potential reduction which would hopefully arise in terms of roadside signposts. He had written to Town and Community Councils seeking confirmation of those which were considered to be no longer necessary. Subject to the agreement of the relevant Town / Community Council, a number of recorded issues of missing signposts could be removed.

Mr. Simpson asked for clarification regarding the term “Part Resolved”. Gwyn Teague quoted examples which could include those works put out to contract, but where work had not yet been carried out. Alternatively, it could represent a longstanding scheme which had been “put on hold” to be delivered as part of a planned wider scheme.

(j) Modification and Legal Orders Update -

The Forum was updated on the Evidential Modification Order Tracking and the Legal Order Tracking chart.

(k) Welsh Government Consultation Document: ‘Improving Opportunities to Access the Outdoors for Responsible Recreation’ -

In addition to the Consultation Document itself, members received a copy of a draft response prepared on behalf of the Local Access Forums of Wales. In providing the draft response to individual LAFs, it had been made clear that it was designed to neither supersede, nor replace, any responses that individual LAFs might wish to make. In addition, Bob Guy also informed members that the Council would be submitting its own response. Given that part of the role of the LAF was to advise the Local Authority, he would circulate the draft version of the Council response the following day to members. It was acknowledged that the timetable for responding to the consultation was now extremely limited (i.e. with a closing date of 2nd October 2015).

The introduction to the Consultation Paper referred to it exploring issues around providing the right recreation opportunities in the right places. Its purpose was to explore the potential to develop contemporary legislation that would better affect current, and future, demand for outdoor recreation and provide a new regulatory

framework which allowed sensible and responsible use of land and water for non-motorised recreation, with fit for purpose safeguards for land management, other activities and wildlife. It was not the intention of Welsh Government through the consultation to amend, or seek the amendment of, legislation relating to hunting, fishing and shooting. However, comments were welcomed on how those activities might be positively or negatively impacted by any potential changes that were within the scope of the consultation.

To inform the content of the consultation process, Welsh Government had commenced a review of the legislative framework for access and outdoor recreation. The initial pre-consultation period, which included three workshops, had allowed interested groups to state their views and had facilitated important discussions about the issues involved. The resulting Consultation Document was designed to capture and structure the wide range of evidence and opinion which had been presented during the process.

The Consultation Document indicated that there was no intention on the part of Welsh Government to introduce legislation on access in the current Assembly Term (2011-16). Ideas and comments were being sought on what might be done through legislative and non-legislative means. Views would inform priorities for the remainder of the current Assembly Term and the decisions of the future Welsh Government.

Given the limited time available to submit a response, reference was made to the possibility of seeking an extension to enable individual members to submit any additional comments following the meeting. Mr. Pittard asked whether the draft response of the Council was "tailored" to the Vale or represented a wider approach. Bob Guy considered the response to cover both aspects.

The Consultation Document contained 14 specific questions as follows (a summary of the discussion and the Forum's comments / views is shown in italics:

Question 1: What are your views on the principles outlined above? If you would suggest changing them, please explain how and why.

During the initial discussion, Gwyn Teague referred to his view of the current legislation governing these matters as being "cumbersome". There was a general consensus amongst Forum members as to the need for a clearer definition of the use of the word "responsible" (e.g. "responsible recreation" and "responsible use of land and water").

Question 2: Tell us your views on the issues highlighted above, and whether there are other key challenges you believe need to be resolved?

A number of members concurred with Gwyn Teague's view that the existing legislation was, indeed, cumbersome and in need of updating. Again, a number of members felt that officers should be given a greater "empowerment", particularly given the length of time that existing processes often took. Other points raised included whether the need for Legal Orders could, in fact, be removed in certain circumstances (again, with the need for a more streamlined process in mind).

Question 3: What changes, if any, do you think need to be made to improve and simplify the procedures for recording, creating, diverting or closing public rights of way?

Ms. Haden asked for clarification as to the use of digitisation. Gwyn Teague explained that the legal version of the Definitive Map still had to be maintained in hard copy format. However, there was a general consensus that digitisation was an area that should be used more widely. A discussion ensued as to whether responsibility for serving of DMMO Application Notices should, in fact, be transferred to the Local Authority and should be able to be made in electronic form. There was a general consensus that Notices should be able to be issued electronically and that Local Authorities should have the responsibility of determining any objections received. In coming to this view, members noted that, currently, even if one single objection was received to an Order, the matter was referred to the Planning Inspectorate. Members were also in agreement that the Local Authority should also be able to take a view as to whether an objection could be regarded as "spurious" in nature. One further point made was that it would be advantageous, in certain cases, for an application to be transferred in the event of the original applicant having passed away. As far as diversions / extinguishments / creations were concerned, current processes could be quite complex and, for example, involve compensation provisions. Other issues could arise if, for example, grant funding was involved. Reference was made to the possibility of providing for a system of Draft Orders and Gwyn Teague indicated that this would concur with what the Council intended to say in its own response to the Consultation document. The Forum also expressed the view that diversions should be part of the planning permission process.

Question 4: What changes, if any, do you think need to be made to improve and simplify the provisions available to local authorities for making improvements on the ground?

Members raised no further issues beyond those which were to be included in the Council's response.

Question 5: What non-legislative changes would you like to see in the meantime that you believe would help to improve the rights of way network in Wales and reduce the burden on local authorities?

It was agreed that the provision of additional guidance for landowners / walkers on the Council website (possibly including a link to the Natural Resources Wales information) would be advantageous. Members felt that PROW officers should have powers to serve Improvement Notices in order that many issues could be dealt with at that "local" level. The concept of Fixed Penalty Notices being issued in certain circumstances was also considered to be of merit so long as those Notices were issued having given landowners an opportunity to comply .

GT to clarify reference made at meeting to "last resort".

Question 6: How should the number, role, membership, and purpose of local access forums be redefined?

Jeff Wyatt summarised the recruitment process which had been undertaken in respect of the reappointed Forum. He acknowledged that recruitment had shown similar issues to many organisations, in terms of attracting a range of diverse representation on the Group. As such, and acknowledging the difficulties that organisations sometimes faced in achieving such, the desirability of greater diversity of membership was acknowledged. Ms. Haden suggested that, if individuals were appointed through an organisation, they should be able to nominate a substitute to attend. However, the existing legislation provided that, although organisations were invited to contribute to the process, all current members were appointed as individuals. The possibility of direct approaches to certain sectors (e.g. the Black Minority Ethnic Community) was alluded to.

Question 7: How should the rights and responsibilities surrounding dogs in the countryside be harmonised to provide greater certainty over what is acceptable and what is not, in a way that makes communicating messages about responsible dog ownership and handling more straightforward?

Gwyn Teague advised that the Council intended to represent that making clear dogs should be kept on leads would reduce ambiguity in the current framework. Members represented that dog walkers should be responsible for appropriate disposal of the faeces of their animals.

Question 8: How could current legislation be changed to make it easier to allow for a wider range of activities on existing and new paths?

Gwyn Teague confirmed that the points raised by members were similar to those which would be covered in the Council's response to the Consultation Document.

Question 9: How could legislation better strike a balance between the various demands of motorised users, landowners and the natural environment?

Gwyn Teague confirmed that, within the Vale of Glamorgan, there did not tend to be a lot of issues arising between different users. Mr. McMillan pointed out that there was no special route for motorised vehicles. However, if there were to be so, he posed the question as to whether they should be limited to motorised vehicles only, given his view that certain mixed uses were not "conducive". Mr. Herbert felt that legislation had been designed to "wipe out" use of motorised vehicles in such areas, with the side effect of denying some people who were otherwise unable to go out, the opportunity to do so. Members reiterated their comments in respect of Question 1, in terms of the need for a clear definition of "responsible use".

Question 10: How should the need for new or improved access opportunities be identified, planned, and provided?

Members were informed that the Council's draft response included comments on coastal cliffs and recreational activities. Furthermore, the Council was generally in support of a review of the Rights of Way network.

Question 11: What are your views on the benefits and challenges of creating a right of responsible recreation to all land in Wales?

The Consultation document referred to practice elsewhere in Europe and in Scotland. Gwyn Teague posed the question of whether there should be a complete “rebuilding” of provisions in Wales. However, Mr. Pittard suggested that such a radical overhaul could be detrimental in terms of what currently existed.

Mr. Traherne considered that most people walking within the countryside preferred to have a trail to follow. He also was of the view that if there was a completely open network, landowners would be unable to maintain it. Mr. McMillan concurred with the view that, even if open access existed, most people tended to keep to paths.

Ms. Haden quoted her own experience of the system prevailing in Scotland (i.e. where footpaths are maintained, but people were able to go off the maintained areas) and had not encountered any particular issues with their approach.

Reference was also made to the situation which would occur if people were injured on “open access” land. It was explained that, within the access land mapped under CROW, there was a reduced liability on landowners, where they had dedicated specific access land.

In considering the advantages of maintaining the “status quo” or moving to an option of open access, reference was made to the possibility of the latter, whilst at the same time retaining a core path network. Mr. Traherne explained that, if land was fenced, a problem would ensue in terms of landowners and that it would be easier if the existing system was changed as alluded to earlier (i.e. more “power” at local level in terms of Orders). He also suggested that it could lead to the overall resource for Rights of Way being reduced by Welsh Government.

In conclusion, the Chairman suggested that the consensus appeared to be that members wished to maintain a good network, but to make it easier to deal with issues at a “local” level. Members agreed with this concept and the majority view was to, in effect, maintain the “status quo” (as opposed to complete open access).

Question 12: What approach do you advocate to improve opportunities for responsible access for recreation on inland waters?

No specific comments / views to be submitted.

Question 13: What approach do you advocate to improve opportunities for responsible access for recreation on the coast and in the marine environment?

No specific comments / views to be submitted.

Question 14: What would be the advantages and disadvantages of a comprehensive statutory code of conduct for outdoor recreation in Wales?

Mr. Pittard indicated his preference for a Standard Code for the whole of Britain.

In concluding, Bob Guy considered there to be no major differences between the

Council's intended response to the Consultation document and that of the LAF, with the exception of the LAF's "more cautious" approach re Question 11. Officers would review the Council's response in the light of the comments made by LAF members and provide a copy to the LAF Chairman for comment. Once the Council's response had been finalised / agreed with the Cabinet Member, he could provide a copy to LAF members in order to draw attention to any differences between the two.

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RESOLVED –

- (1) T H A T the minutes of the Vale of Glamorgan Local Access Forum meeting be noted.
- (2) T H A T the setting up of the new committee be acknowledged.
- (3) T H A T the appointment of the new Chair and Vice-Chair of the Vale of Glamorgan Local Access Forum be noted.

Reasons for decisions

- (1) To note the minutes.
- (2) To acknowledge the setting up of the latest committee.
- (3) To note the appointees.

C2968 CORPORATE PARENTING PANEL -

The minutes of the Corporate Parenting Panel Meeting held on 27 April, 2015 were submitted.

Present: Councillor S. Egan (Chairman), Councillor E Williams, Councillor R. Traherne, Councillor R. Bertin, Councillor J Birch, P. Evans (Director of Social and Care Services), Rachael Evans (Head of Children & Young People Services), Martine Coles (LAC Education Coordinator) Ann Williams (Principal Officer - Children and Young People Services), Mark Petherick (Cabinet Officer).

		Actions
(1)	Apologies for absence	
1.1	<p>Councillor C Elmore, Councillor V Hartrey, Mike Glavin (Head of School Improvement and Inclusion).</p> <p>Councillor S Egan, chaired the meeting in the absence of Councillor Elmore.</p>	
(2)	Minutes and Matters Arising 15 December 2014	
2.1	The minutes of 15 December 2014 meeting were agreed as a correct record.	All agreed
(3)	Raising the Ambitions and Educational Attainment of Children who are looked after in Wales – Consultation Response – Martine Coles and Alison Macdonald	
3.1	<p>MC and AM presented the above consultation document to panel meetings and discussed each point of the document with members. The document was attached at Appendix 1 to the report.</p> <p>The panel gave thanks to MC / AM and agreed that the response to the document would be shared with members before being submitted to Welsh Government by the 4 May 2015 deadline.</p>	<p>All members agreed</p> <p>Response to be circulated to Members - MC</p>
(4)	Developing a Corporate Parenting Strategy – Rachel Evans	
4.1	<p>RE presented the above paper on Developing a Corporate Parenting Strategy.</p> <p>The paper outlined the current position of the Panel within the Vale of Glamorgan compared with other Councils Panels across Wales.</p> <p>Responses were only received from 11 out of the 22 authorities, only 3 of these had a Corporate Parenting</p>	

	<p>Strategy, and the remaining 8 all had terms of reference.</p> <p>The paper also highlighted areas such as priorities for the panel, membership, defining priorities, and accountabilities.</p> <p>Both RT and JB suggested that it would be a good idea for a foster carer or young person to attend each meeting to have a perspective from them which would be useful for the panel.</p> <p>It was agreed that it would be a good idea to hold a workshop for Members and to invite all Councillors to discuss the way forward in terms of developing the Council's Corporate Parenting Strategy.</p>	MP to organise workshop panel and advise all Members.
(5)	Foster Carer Recognition Event – Feedback from attendees	
5.1	<p>SE, RT, RB confirmed that the event was a great success; they all thought the venue was appropriate and that the event was enjoyed by all those who attended.</p> <p>Feedback from foster carers was that they were grateful for the event and felt valued by the Council.</p> <p>All members agreed that the event should be held annually.</p>	All Members agreed
(6)	Developing a National Approach to Advocacy – Cabinet Report	
6.1	<p>Members were presented with the above report that was to be submitted to Cabinet on the 11th of May 2015.</p> <p>The report was to make Cabinet aware of work being undertaken to develop a national approach to the provision of independent advocacy to some groups of children and young people and of the immediate implications for the contractual arrangements currently in place in the Vale of Glamorgan.</p>	All Members noted.

	<p>The report also sought Cabinet approval for extending, until 31 March, 2017, the existing contractual arrangement with the National Youth Advocacy Service (NYAS) for the provision of independent advocacy services to children and young people, in line with Financial Control Regulations and Contract Standing Orders.</p>	
(7)	'It's My Life' – Children's Commissioner for Wales – Karen Conway	
7.1	<p>KC presented the above paper to the panel.</p> <p>The paper provided feedback on All-Wales Care Leavers Events held at various venues during July and August 2014.</p> <p>Atlantic College, Llantwit Major in South Wales played host to events that brought nearly 100 young people from across Wales together who were in foster care, residential care or who had left care.</p> <p>The aim of the events were to explore the issues that young people faced when they started to plan to leave care and live independently and to identify evidence of good practice.</p> <p>The full paper was attached at Appendix 2 to the report.</p>	
(8)	Any Other Business	
8.1	No other business was reported.	
(9)	Next Meeting Dates 2014	
9.1	The next meeting will be replaced by the Corporate Parenting Panel Workshop date to be confirmed and circulated by MP.	<p>All Agreed</p> <p>MP to circulate to all once agreed</p>

RESOLVED – T H A T the minutes of the Corporate Parenting Panel be noted.

Reason for decision

To note the minutes.

C2969 GOVERNOR TRAINING REPORT 2014/15 AND UPDATE ON STRATEGIC APPOINTMENT OF LA GOVERNORS (REF) -

The Scrutiny Committee (Lifelong Learning) on 12 October, 2015 considered the above report of the Director of Learning and Skills.

The Chairman commenced by welcoming the report which had been requested by Councillor Ms. K. Edmunds and as a result of Scrutiny performance panel recommendations that an update on the strategic appointment of LA Governors and the training provided be presented to Committee.

The report noted that there were approximately 1,000 Governors managing 57 schools within the Vale of Glamorgan and that Governors play a key role in school improvement. From September 2013, recent legislation had introduced mandatory training for school governors which covered Induction, Data, Chair and Clerk training and was a major focus of the Vale Governor Training Programme.

The strategic appointment of LA Governors had been introduced in September 2014 to more effectively match Governors to vacancies on Governing Bodies via a skills analysis exercise.

With specific regard to training provided to date a total of 30 courses had been held in 2014/15 which covered 11 different topics ranging from Chair training for experienced Governors to Induction training for newly appointed Governors. All courses were run at the Civic Offices, Barry at no cost to participants and were delivered at various times, mostly during the evening to maximise attendance as many Governors work during the day. Courses lasted around two hours each and whilst the method of delivery varied by course and trainer, interaction and sharing of good practice was positively encouraged to ensure the maximum benefit for attendees.

Appendix 1 to the report provided full details of the courses undertaken, attendee numbers and an analysis of the forms received. The analysis of the completed evaluation forms indicated that a very high number of Governors rated the training (both mandatory and other topics) as either good or very good against each of the

three questions asked on the form. An example of the evaluation form was given at Appendix 2 to the report. As well as the training opportunities listed on Appendix 1 to the report, Vale Governors were also invited to attend "Good Governance" briefing sessions at Ty Dysgu during the Spring Term 2015 and the Annual Consortium Conference was held on Friday 6th March, 2015 at the Heronston Hotel in Bridgend. However, as written evaluations for these events were not held they had not been included within the statistics in Appendix 1, although feedback from both events had been positive.

The report also highlighted that a more regional approach to Governor Support via the Central South Consortium had been in place since 1st April 2014 resulting in Consultant Governors recently being appointed who will be deployed to work alongside governing bodies of schools in red and amber categories where required from September 2015. Three experienced Vale Governors had also been appointed as Consultant Governors. Since September e- learning for all elements of the mandatory training was available to any Governors who could not attend training sessions. Further briefing sessions for Governors were also to be held at Ty Dysgu during the Autumn and Spring Terms with further details would be circulated when available. The Autumn Term sessions would cover the National School Categorisation System and implications for Governing Bodies. The flyer for these events was on the Council's website alongside the training programme and all Governors had been emailed the link.

The revised policy for the appointment of LA Governors had been introduced to ensure a more strategic approach to these appointments by requesting schools with vacancies to complete a register of need and all applicants must now complete a skills register. The Appointments Panel use a "map and gap" approach to ensure that the Governing Bodies of schools in greatest need are better supported with specific expertise and experience. This was a more strategic and prioritised approach to LA Governor selection and one which was more sharply focused on the specific challenges faced by individual schools. The Appointment of Local Authority Governor's Advisory Panel had met twice since the introduction of the revised policy from September 2014, on 22nd October, 2014 and 25th February, 2015.

The Local Authority, using its statutory powers of intervention, had also appointed two additional LA Governors to Eagleswell Primary School in July 2014 to be in place for the 2014/15 academic year. These appointments were made following the placement of the school in the Estyn category of significant improvement. The school was removed from that category following an Estyn monitoring visit in February 2015. The two Governors provided useful feedback to inform future appointments of this type.

The Head of School Improvement and Inclusion advised that it was too early on in the process to detail the impact of the new appointments process, although he could confirm that the appointments were being made having regard to the skills match and the detail provided on the evaluation form.

Members welcomed the report and the detail contained therein and noted that the report would be presented on an annual basis to the Scrutiny Committee. However, a Member who had raised issues previously regarding Governor training although welcoming the report, stated that they were aware from discussions that some Governors were largely unaware of the challenging role they had, and they hoped this would be rectified in the future by the training programme being offered.

Following consideration of the report, it was subsequently

RECOMMENDED –

- (1) T H A T the information on Governor training for the 2014/15 academic year and the update on the strategic appointment of LA Governors introduced in September 2014 be noted.
- (2) T H A T a report on Governor training and an update on the strategic appointment of LA Governors be presented on an annual basis in September each year to the Scrutiny Committee.
- (3) T H A T Cabinet be advised of the contents of the report and the work being undertaken in relation to Governor training, which had been requested by the Scrutiny Committee.

Reasons for recommendations

- (1) In view of the contents contained therein.
- (2) In order that the Scrutiny Committee can ensure effective monitoring on an annual basis.
- (3) To apprise Cabinet.

Cabinet, having considered the recommendations of the Scrutiny Committee
(Lifelong Learning)

RESOLVED – T H A T the changes in the appointment of Governors and the Governor training requirements, including the progress made so far, be noted.

Reason for decision

To note the changes to Governor appointments and training.

C2970 PROPOSAL TO TRANSFORM SECONDARY EDUCATION IN BARRY (REF) -

The Scrutiny Committee (Lifelong Learning) on 12 October, 2015 considered the above report.

Cabinet had referred the report to the Scrutiny Committee on 5th October 2015 for information. The report outlined the outcome of the recent consultation exercise that had been undertaken to transform secondary education in Barry.

The report highlighted that secondary education in Barry was presently provided by four schools:

- Barry Comprehensive for boys aged 11-16 years, with a partially mixed 6th form.
- Bryn Hafren Comprehensive for girls aged 11-16 years, with a partially mixed 6th form.
- St Richard Gwyn Roman Catholic Comprehensive for boys and girls aged 11-16 years.
- Ysgol Gymraeg Bro Morgannwg for boys and girls aged 3-18 years taught in the Welsh language. Ysgol Gymraeg Nant Talwg amalgamated with Ysgol Gyfun Bro Morgannwg on 1st September, 2015.

The consultation however, and the report did not include any proposals affecting St. Richard Gwyn Roman Catholic Comprehensive School.

A consultation to establish the extent of local support for the principle of coeducation was undertaken in 2013 and Cabinet had considered the response to that consultation at its meeting on 16th December, 2013 (Cabinet Minute C2124). In response to this consultation, Cabinet had resolved to establish a Project Board to begin a programme of work to develop detailed proposals for a change to coeducational secondary schooling in Barry. The Project Board developed a proposal, which also included the expansion of Welsh medium secondary education. This was presented to Cabinet for consideration on 23rd February, 2015.

As a consequence and following due consideration, Cabinet resolved that a consultation would take place from 11th May, 2015 for a period of 8 weeks to assess the level of support for the proposals to transform secondary education in Barry as outlined above (Cabinet Minute C2662). The consultation exercise followed the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013. The report was also referred to Scrutiny Committees (Corporate Resources) and (Lifelong Learning) for consideration as part of the consultation process.

In accordance with the statutory process outlined in the School Organisation Code 2013, a consultation report must be published within 13 weeks of the end of the period allowed for response to the consultation exercise. The report must be published electronically and hard copies must be made available on request. All prescribed consultees must either receive a hard copy or be e-mailed a link to the relevant website. The publication of the consultation report must take place before any proposal is published. The consultation was undertaken between 11th May and 6th July, 2015 and consultees were issued with a hard copy of the document which was also published on the Council's website. There had also been extensive social media coverage of the consultation.

Meetings were held with staff and governors at each of the three secondary schools and the primary schools included in the proposal. Drop in sessions were held on 2nd, 3rd and 10th June, 2015.

The report highlighted that appropriate consultation had taken place with prescribed consultees, young people of the four schools (Barry Comprehensive, Bryn Hafren, Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg) affected by the proposal and with children attending the feeder primary schools linked to the English and Welsh medium secondary schools in Barry.

Age appropriate consultation workshops were undertaken with 497 children from the English and Welsh medium feeder primary schools. Consultation sessions were undertaken with the school council of Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg and the school parliaments of Barry and Bryn Hafren Comprehensive Schools. Drop in sessions with council officers were also provided for pupils of the three secondary schools. Workshops were held with the Vale of Glamorgan Youth Forum and the Vale of Glamorgan Youth Cabinet.

The Authority received 604 individual responses on the official response form by the closing date. The Authority also received 15 responses from consultees not using the official response form. The Authority received responses from the three Governing Bodies of the four schools included in the proposal. The Authority received 753 individual responses through the young people's response form. A

petition signed by 60 pupils attending Bryn Hafren Comprehensive School was also received.

The consultation asked consultees to respond to four questions:

- i. Do you support the proposal to create a new mixed comprehensive community school through the amalgamation of Barry and Bryn Hafren comprehensive schools from September 2017?
- ii. Do you support the proposal to expand Ysgol Gyfun Bro Morgannwg to meet the increased demand for places?
- iii. Do you support the proposal, subject to funding, to relocate Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg to the current site of Bryn Hafren comprehensive school and the new mixed-sex comprehensive school to the current site of Barry comprehensive school, Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg?
- iv. Would your response to questions 1 and/or 2 change if funding was not available to create the two school campuses as described under question 3?

Of the 596 individual responses to question 1, 429 (72%) were opposed and 167 (28%) were in favour. Of the 590 individual responses to question 2, 299 (50.7%) were in support and 291 (49.3%) were opposed. Of the 595 individual responses to question 3, 488 (82%) were opposed and 107 (18%) were in favour. Of the 583 individual responses to question 4, 503 (86.3%) said their view would not change and 80 (13.7%) said that their view would change.

Of the 696 young people's individual responses to the proposal to create a new mixed sex community comprehensive school 422 (60.6%) were opposed, 173 (24.9%) were in favour and 101 (14.5%) did not know. Of the 685 young people's individual responses to the proposal to host the new mixed English medium comprehensive school on the current site of Barry Comprehensive School, Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg, 477 (69.9%) were opposed, 101 (14.7%) were in favour and 107 (15.6%) did not know. Of the 180 young people's individual responses to the proposal to expand Ysgol Gyfun Bro Morgannwg, 54 (30%) were opposed, 86 (47.8%) were in favour and 40 (22.2%) did not know. Of the 186 young people's individual responses to the proposal to relocate Ysgol Gyfun Bro Morgannwg and Ysgol Gymraeg Nant Talwg to the current site of Bryn Hafren Comprehensive School, 110 (59.1%) were opposed, 46 (27.7%) were in favour and 30 (16.1%) did not know.

Key concerns relating to the proposal centred on:

- the size of the proposed English-medium school and its effect on standards of education;

- lack of information about the transition period 2017-2020 for the English-medium school;
- the location of the expanded Welsh-medium secondary school;
- uncertainty of securing funding from Welsh Government;
- concern that there could be less breadth of subjects on offer at Key Stage 3, GCSE and A level at the proposed English-medium school.

In light of the opposition to key aspects of the Council's proposals, it appeared that it would not be possible to secure wide support to implement the current proposals on education grounds. The response to the consultation also indicated that although the majority of respondents were not in favour of the proposal to establish a single sex English medium school through the amalgamation of Barry and Bryn Hafren Comprehensive Schools, a significant proportion of these did however support co-education and expressed a preference for Option 3, this being the provision of two separate English medium schools on separate sites and the expansion of Ysgol Bro Morgannwg on its current site.

As a result, given the responses to the consultation, it had therefore been recommended to Cabinet that further work was now undertaken to consider whether there was merit in developing a revised proposal based on the principles of Option 3. The consultation document attached at Appendix A to the report also included information about the current condition of the three secondary school buildings. The condition of Barry Comprehensive School building was categorised as "poor" and the work required to address issues was more extensive than that required to the other secondary school buildings included in the proposals.

At the Cabinet meeting on 5th October, the Cabinet Member for Children's Services and Schools concluded that the council was committed to invest significant sums of money into education in Barry in the short term and further highlighted that a capital fund would be set up for Barry Comprehensive School for improvements.

Cabinet subsequently resolved

“(2) That it be agreed not to publish a statutory public notice but instead refer the proposal back to a new Barry Secondary School Transformation Board as set out in paragraph 27 of the report, to include the Director of Learning and Skills, with the aim of considering further proposals, having particular regard to principles contained within option 3, as outlined in the consultation document, for further consideration by Cabinet at a later date.

(3) That in regard of resolution 2 above, delegated authority be granted to the Director of Learning and Skills in consultation with the Cabinet Member for

Children's Services and Schools to establish a new Barry Secondary School Transformation Board.

(4) That the development of a programme of work for Barry Comprehensive School be authorised to enable improvements to be made to the learning environment in the short term and that a further report on the proposed programme and estimated funding requirements be presented to Cabinet for further consideration in due course.”

In considering the report, a number of Members expressed their disappointment at the current proposals not being proceeded with for the children of Barry. Their concern related to the delay in the provision for pupils and that they had heard that a number of respondents to the consultation had vested interests in the proposals and, queried whether as a result of that interest the implications for the children had not been fully considered.

The Cabinet Member for Children’s Services and Schools (with permission to speak) stated that he and the Leader of the Council were committed to producing proposals in relation to the expansion of Bro Morgannwg before the Local Government elections in 2017and that further proposals in relation to Barry and Bryn Hafren would also be considered.

A Co-opted Member, made reference to the omission of St. Richard Gwyn as part of the secondary school transformation board but was advised by the Cabinet Member that the Diocese had informed the Council that they had limited funding to support proposals which had required the Council to consider funding for the schools in the poorest condition. The Cabinet Member stated St. Richard Gwyn was therefore not involved on the basis of a priority of need. Barry Comprehensive school had also, through Estyn monitoring, been judged to require significant improvement and there were issues at Bryn Hafren in relation to raising performance for maths.

The Chairman also raised the issue of other schools that had been highlighted by Estyn as having deficiencies, and in particular referred to Ysgol St. Baruc and the lack of catering facilities. The Cabinet Member agreed to set up a meeting with the Head teacher to discuss the issue fully as soon as possible.

With regard to any issues other schools may have regarding their buildings, the Chairman advised Members to write to the Cabinet Member / Director detailing the issues facing their schools. In response, the Cabinet Member advised that to date the current Labour administration since his appointment had increased budgets to schools, established a Victorian Buildings Fund, adopted a winter-asset renewal programme and developed various one off projects and additional projects for a number of schools.

In conclusion, the Cabinet Member stated that having considered all the representations including the views of residents of the Vale and young people on the basis of the educational concerns raised as a result of the consultation he confirmed that a new programme board would be established as outlined in paragraph 27 of the report and advised that further consultation would take place on any new proposals that were approved by Cabinet.

Following consideration of the Cabinet reference and report it was

RECOMMENDED –

- (1) T H A T the resolutions of Cabinet be noted.
- (2) T H A T Cabinet be informed of the views of the Committee, as outlined above, and that Cabinet be urged to move forward with proposals to transform secondary education in Barry as soon as possible as any delay would have serious consequences for the children of Barry.
- (3) T H A T Cabinet be requested to consider other schools where facilities were reported as deficient by Estyn with the request that a programme be devised to address such issues.

Reason for recommendation

- (1) In recognition of the contents contained therein.
- (2) In view of the Committees concerns regarding undue delay for the children of Barry.
- (3) In order that a programme can be established to address deficiencies in schools as highlighted by Estyn.

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After presenting this item, the Leader commented that the Cabinet would note and take on board the concerns raised in Recommendation 2 of the Scrutiny Committee (Lifelong Learning), however it was clear from the consultation responses that Cabinet would not to proceed with the 'preferred option'. As indicated previously by the Leader and Cabinet Member for Children's Services and Schools, if consultation responses were against the 'preferred option', the matter would have to be further reviewed. He continued that it was true that misinformation provided by one group, who as the Scrutiny Committee put it had "vested interests in the proposals", may

have skewed the results. That being the case, the Leader noted that the situation would be further considered on the best way forward in dealing with this issue.

The Leader also noted that in relation the third Recommendation of the Scrutiny Committee (Lifelong Learning), the Cabinet were always mindful of any deficiencies in schools, whether identified by Estyn or otherwise, and would confirm and reiterate the comments made by the Cabinet Member for Children's Services and Schools in the reference, that "to date the current Labour administration since his appointment had increased budgets to schools, established a Victorian Buildings Fund, adopted a winter-asset renewal programme and developed various one off projects and additional projects for a number of schools".

Cabinet, having considered the recommendations of the Scrutiny Committee (Lifelong Learning)

RESOLVED – T H A T the contents of the reference be noted, and that Cabinet take on board the concerns raised in resolution 2 of the same.

Reason for decision

To note the contents of the report.

C2971 RHOOSE POINT PUBLIC OPEN SPACE OUTCOME OF CONSULTATION EXERCISE AND PROPOSED INTRODUCTION OF BYE LAWS – CALL-IN – CABINET, 21 SEPTEMBER 2015 (REF) -

The Scrutiny Committee (Economy and Environment) on 6 October, 2015 considered the above report.

Prior to the consideration of the call-in, the meeting was adjourned for five minutes in order for copies of the Cabinet minute of 21st September 2015 to be made available. On return consideration of the call-in then took place.

Councillor H.J.W. James had advised that due to a prior commitment he was unable to attend the meeting, but had provided written representations which had been forwarded to all Committee Members and all Members of the Council on Friday, 2nd October, 2015 further copies were made available at the meeting and had been placed in the public gallery.

The call-in had been requested by Councillor James for the following reasons:

"1. The report sent to Ward Councillors consultation did not include "With the exception of a Designated Area"

2. Rhoose and Rhoose Point residents had no opportunity to comment as decision carried at Cabinet.
3. Implications for Rhoose Point nature area are significant.”

Councillor James, in his written submission, advised that the Council had consulted residents and Local Members but the consultation had not included any reference to designating an area for fishing as it had made reference only to the intended bye laws. The wording of resolution (2) had been amended at the Cabinet meeting to read to include the words “with the exception of a designated area for fishing that is provided”. Councillor James stated that the wording of resolution (2) disregarded the antisocial activity that had been endured by the residents for many years. A public meeting had been held in Rhoose Community Hall where it had been overwhelmingly voted to ban fishing to protect the interests of the residents “whose lives had been made a misery”. The Council had also withdrawn the part time Warden who used “to provide some control and despite recommendations of the Scrutiny Committee (Corporate Resources) for a budget to be identified for the Rhoose Point Nature Reserve, no budget had been introduced. “ To this end, residents’ “last hope was the introduction of bye laws to control the antisocial activities”.

In referring to background information the submission advised stated that the waters were formally in the ownership of Cofton & Son Ltd, developers of the Rhoose Point Estate and that whilst under this company’s control the fishing activity was banned and enforced. Problems caused by the fishing activity began shortly following the liquidation of the company and as a result a period of excessive disorder and disturbance to residents occurred. “The behaviour and conduct by the fishing fraternity continued even when the ownership of these waters and open spaces were transferred into the ownership of the Vale of Glamorgan Council. “

As a result of pressure from residents, the Vale of Glamorgan had however, installed signage banning various activities on and around the water and once the signage had been installed there had been a significant drop in the fishing activities and the attendant nuisances that accompanied such activity. However, for some time now Councillor James’ statement stated that the problems had returned.

Councillor James’ submission also contained details of a compendium of antisocial behaviour and disturbances that had been taken by residents who had experienced them first hand. Examples were given as parking, litter, camping and accompanying disturbances, criminal damages and wild life and also provided specific incidences for the Committee’s information.

In conclusion, the submission highlighted that approximately 7-8 years, residents had been invited by officers of the Vale to explore the feasibility of establishing a fishing club to manage and control the site occupied by the waters.

In a spirit of co-operation with the Vale of Glamorgan a selected group of residents agreed to view a fishing club site already established in the Cadoxton area and under control and management of the Glamorgan Angling Club. At that time it was explained that the Club was interested in taking over the Rhoose Point waters. However, on completion of the visit all residents were convinced that the establishment of such a club at Rhoose Point was completely inappropriate and both the Glamorgan Anglers and the Vale of Glamorgan Council had been told of the residents' decisive objection to such a proposal.

The comparative grounds for rejecting the establishment of a club at Rhoose Point had been given as:

- “The waters were virtually on the front doorstep of residential homes impacting on daily lives of residents
- Fencing was not appropriate on the site because of configuration of water boundaries which would make the cost of fencing prohibitive and inappropriate for “open space”
- There were no parking facilities available, the only parking would be on narrow residential streets, no private toilet facilities and the installation of portacabins would clearly not be appropriate considering the proximity to residential homes
- The site was a public place and therefore could be eminently policed and controlled by a bye law. Glamorgan Club officials had told residents that they would inevitably have to have some responsibility themselves for policing the proposed club.”

Following an enquiry Welsh Water had also Councillor James advised that they may have a legal interest in the use of the waters at Bryn y Gloyn lagoon and had stated that they would have an issue with third party use of the waters as they had not been consulted in the matter and would not approve of such use.

The Head of Visible Services and Transport, in presenting the report, advised that the Welsh Government had passed the legislation which allowed Local Authorities in some instances to enact bye laws without the need to have the bye laws confirmed by Welsh Ministers. The new legislation required that another public consultation be undertaken and required the publication of an initial statement to begin the process of introducing bye laws in the area. On this basis, a consultation exercise was opened on 20th May 2015 and closed on 7th August 2015 in respect of the Rhoose Point Public Open Space Outcome of Consultation Exercise and Proposed

Introduction of Bye Laws. The report detailing the outcome of the 2015 consultation exercise was attached at Appendix A to the report.

The majority of respondents had agreed that the proposed bye laws should be enacted although concerns had been raised over prohibiting fishing altogether and suggestions to use a licence or permit system were made. The majority of respondents felt that the activity should be prohibited with reasons such as littering and endangering wildlife being given in support of prohibiting the activity.

The results of the exercise concluded that the introduction of new bye laws and the adoption of an enforcement strategy would allow designated Council officers to work with the Police and the local community to deal with the people who persisted with certain prohibited activities.

Enforcement of the bye laws was under consideration by officers of Visible Services and the Cabinet would receive a further report on enforcement which would also consider dog control orders and other bye laws.

The proposed new bye laws prohibited the following activities:

- Swimming
- Fishing
- Camping.

The next stage of the procedure was for the publication on the Council's website of a second written statement detailing the outcome of the consultation process and the decision of Council to proceed with the introduction of the bye laws. The publication of a notice of intention to make the bye laws was also required with the notice of intention to make the bye laws having at least six weeks' notice before the bye laws were made. Under the Council's Constitution bye laws could only be made by the Full Council and therefore, the matter of making the bye laws would be referred to the next available meeting of Council.

In referring to the resolution of Cabinet on 21st September, 2015, Committee was informed that the Council was not actually proposing a designated area, the resolution had been made in order to allow the Council the opportunity to consider an area for fishing. Any organisation that may come forward would also have to comply with Council rules and regulations, which would be enforceable.

With regard to the initial consultation the report highlighted that although concerns had been raised about banning fishing altogether some suggestions to utilise a licence or permit system had been made. 65% of respondents had agreed the activity should be prohibited as opposed to 80% for swimming and nearly 90% for

camping with 30% disagreeing that fishing should be banned. However, the majority of respondents agreed that the bye laws proposed in the report should be enacted.

The Cabinet Member for Visible and Leisure Services (with permission to speak) stated that a further 10% had been undecided in relation to the issue of fishing. However, he also referred to the request by the Glamorgan Anglers for an alternative controlled site and he confirmed the resolution of Cabinet that any club making an application for consideration would be required to ensure that management issues of the area were addressed.

A Local Ward Member and Member of the Committee stated that three public consultations had been undertaken where residents were given the opportunity to voice their views and considerable discussion and antisocial behaviour was seen as an issue, which had been considered to be associated with the fishing activity. In his view, the percentage of 65% in favour of prohibiting fishing was also a significant figure and that the residents should expect a reasonable standard of care. In view of the number of complaints over the year of antisocial behaviour the Member recommended that Cabinet resolution (2) should be amended although they stated the remaining recommendations and indeed the contents of the report were acceptable.

Other Members of the Committee considered that the change by Cabinet to the original recommendation was in their view a significant amendment and although aware that Cabinet can indeed amend any recommendations, the amendment had not been included in the report and therefore no consultation on a designated area had been undertaken. The problems associated with fishing in the area was also a longstanding issue for residents. Following further discussion a suggestion was also made that consideration be given to making the area an alcohol free zone. The Chairman was also of the view that residents needed to be consulted on the issue of a designated area.

The Leader of the Council (with permission to speak) advised that the Council should address the issue of litter bins and benches in the area and that the introduction of an alcohol free zone was also a positive step. The Cabinet Member reiterated his previous statement that it was Cabinet's intention to ensure that careful consideration was given to any application by any fishing club and having significant regard to management issues..

In referring to the legal interest of Welsh Water, officers and the Leader advised that the Council had not been made aware of Welsh Water's view on the subject but that that would be taken up if and when an application was received.

Following consideration of the report, the representations made at the meeting and the views of the Committee, it was subsequently

RECOMMENDED to Cabinet – T H A T Cabinet be requested to reconsider its Resolution (2) "...with the exception of a designated area for fishing that is provided, managed and policed by a bone fide fishing club that has entered into a service level agreement with the Council, be agreed to proceed." in view of the issues raised at the meeting, especially with regard to no consultation and that the introduction of an alcohol free zone at Rhoose Point be also considered.

Reason for recommendation

In view of the concerns raised at the meeting and the issues of antisocial behaviour.

Cabinet, having considered the recommendation of the Scrutiny Committee (Economy and Environment)

RESOLVED –

- (1) T H A T it be noted that the Scrutiny Committee agreed for an area to be designated as a fishing area, and also that consideration should be given to the provision of litter bins and benches in the area, as well as considering declaring the area an alcohol-free zone.
- (2) T H A T these matters will be further considered in a future Cabinet report on the possible byelaws for the area.
- (3) T H A T in relation to the alleged legal interest of Welsh Water, as no knowledge of such interest was known, future enquiries would be made and would form part of the future Cabinet report.

Reasons for decisions

- (1) To note the comments of the Scrutiny Committee.
- (2) To further consider the points raised.
- (3) To determine any alleged legal interest by Welsh Water.

C2972 CAPITAL MONITORING REPORT FOR THE PERIOD 1ST APRIL TO 31ST AUGUST 2015 (REF) -

The Scrutiny Committee (Corporate Resources) on 13 October, 2015 considered the above report of the Managing Director.

Details of financial progress in respect of the Capital Programme were set out in Appendix 1 to the report.

Appendix 2 provided non-financial information on capital construction schemes with a budget over £100,000. Where a budget shown in Appendix 1 was more than £100,000 but was made up of several schemes that individually were less than £100,000, this scheme was not included in Appendix 2.

The following was noted in regard to the undermentioned schemes:

- Learning and Development – Ysgol Iolo Morganwg Demountable – Emergency Powers had been used for the inclusion of £50,000 into the Capital Programme for purchase of a demountable at the above school. The scheme would be funded by a contribution from the Education revenue budget.
- Social Services – Southways Fire Works – this scheme was now completed, however, further works had been identified within the Southway and Cartref residential homes. It was therefore requested that £7,000 be vired into the Southway and Cartref residential home upgrade scheme.
- Visible Services –
 - Gibbonsdown 2 Project Arbed Funding – Emergency Powers had been used to approve the inclusion of £2.069m for the above scheme in the Capital Programme for external wall improvements and other fuel poverty measures. The scheme would be funded by a grant from Welsh Government
 - Jenner Park and Colcot Pitches – Emergency Powers had been used to approve the inclusion of £853,000 for the above scheme in the Capital Programme. The work would include the installation of 3G pitch at Jenner Park and five a side pitches at Colcot, Barry. This scheme would be funded from the Jenner Park Reserve.
 - Coast Protection and Land Drainage General - £150,000 had been allocated within this budget for works which were part of the Causeway Improvement Scheme. In order to enable a more co-ordinated approach to the Scheme, it had been requested to vire £150,000 to the Causeway Improvement Scheme.

- Housing Improvement Programme – Delegated Authority had been used to amend the above Programme budget and consequently the 2015/16 budgets had been reassessed and were now reflected in Appendix 1 to the report.
- Development Services –
 - Penarth Heights Cycle Parking Project – Emergency Powers had been used to approve the inclusion of £25,000 in the Capital Programme for the above project. This scheme would be funded from Section 106 monies.
 - Llantwit Major Bedford Rise Play Area – a request had been received for the 2015/16 Capital Programme to be increased by £21,000 to undertake work on the above play area. This scheme would be funded from Section 106 monies.

In terms of variances between actual spend to date and profiled spend, the Committee considered the following.

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

- Amendments to programming / sequencing of works to the undermentioned schemes had resulted in actual expenditure that was less than the initial spend profile. However, this did not adversely affect the final cost of the project:
 - Penarth Learning Community
 - Llantwit Learning Community
 - Modular Building Resiting at Ysgol Dewi Sant.

RECOMMENDED – T H A T the below virements be endorsed and be referred to Cabinet for approval:

- Southway Fire Works – a virement of £7,000 to the Southway and Cartref residential home upgrade scheme
- Coast Protection and Land Drainage General – a virement of £150,000 to the Causeway Improvement Scheme
- Llantwit Major Bedford Rise Play Area – an increase in the 2015/16 Capital Programme of £21,000 to be funded from Section 106 monies.

Reason for recommendation

To allow the above schemes to proceed in the current or future financial years.”

Details of financial progress in respect of the Capital Programme were set out in Appendix 1 to the report.

Appendix 2 provided non-financial information on capital construction schemes with a budget over £100,000. Where a budget shown in Appendix 1 was more than £100,000 but was made up of several schemes that individually were less than £100,000, this scheme was not included in Appendix 2.

The following was noted in regard to the undermentioned schemes:

- Learning and Development – Ysgol Iolo Morganwg Demountable – Emergency Powers had been used for the inclusion of £50,000 into the Capital Programme for purchase of a demountable at the above school. The scheme would be funded by a contribution from the Education revenue budget.
- Social Services – Southways Fire Works – this scheme was now completed, however, further works had been identified within the Southway and Cartref residential homes. It was therefore requested that £7,000 be vired into the Southway and Cartref residential home upgrade scheme.
- Visible Services –
 - Gibbonsdown 2 Project Arbed Funding – Emergency Powers had been used to approve the inclusion of £2.069m for the above scheme in the Capital Programme for external wall improvements and other fuel poverty measures. The scheme would be funded by a grant from Welsh Government
 - Jenner Park and Colcot Pitches – Emergency Powers had been used to approve the inclusion of £853,000 for the above scheme in the Capital Programme. The work would include the installation of 3G pitch at Jenner Park and five a side pitches at Colcot, Barry. This scheme would be funded from the Jenner Park Reserve.
 - Coast Protection and Land Drainage General - £150,000 had been allocated within this budget for works which were part of the Causeway Improvement Scheme. In order to enable a more co-ordinated approach to the Scheme, it had been requested to vire £150,000 to the Causeway Improvement Scheme.
 - Housing Improvement Programme – Delegated Authority had been used to amend the above Programme budget and consequently the

2015/16 budgets had been reassessed and were now reflected in Appendix 1 to the report.

- Development Services –
 - Penarth Heights Cycle Parking Project – Emergency Powers had been used to approve the inclusion of £25,000 in the Capital Programme for the above project. This scheme would be funded from Section 106 monies.
 - Llantwit Major Bedford Rise Play Area – a request had been received for the 2015/16 Capital Programme to be increased by £21,000 to undertake work on the above play area. This scheme would be funded from Section 106 monies.

In terms of variances between actual spend to date and profiled spend, the Committee considered the following.

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

- Amendments to programming / sequencing of works to the undermentioned schemes had resulted in actual expenditure that was less than the initial spend profile. However, this did not adversely affect the final cost of the project:
 - Penarth Learning Community
 - Llantwit Learning Community
 - Modular Building Resiting at Ysgol Dewi Sant.

RECOMMENDED – T H A T the below virements be endorsed and be referred to Cabinet for approval:

- Southway Fire Works – a virement of £7,000 to the Southway and Cartref residential home upgrade scheme
- Coast Protection and Land Drainage General – a virement of £150,000 to the Causeway Improvement Scheme
- Llantwit Major Bedford Rise Play Area – an increase in the 2015/16 Capital Programme of £21,000 to be funded from Section 106 monies.

Reason for recommendation

To allow the above schemes to proceed in the current or future financial years.

At the meeting the Cabinet Member for Regeneration outlined for clarity a budget heading on page 2 of the report under the heading “Development Services”, the report making reference to the “Penarth Heights Cycle Parking Project”, whereas, this would be more accurately described as the “Penarth Cycle” Project as it related to the whole of Penarth, albeit it was being financed by the S106 money from the Penarth Heights Development.

Cabinet, having considered the recommendation of the Scrutiny Committee (Corporate Resources)

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the following schemes be approved:
 - Southway Fire Works – a virement of £7,000 to the Southway and Cartref residential home upgrade scheme
 - Coast Protection and Land Drainage General – a virement of £150,000 to the Causeway Improvement Scheme
 - Llantwit Major Bedford Rise Play Area – an increase in the 2015/16 Capital Programme of £21,000 to be funded from Section 106 monies.

Reasons for decisions

- (1) To note the contents of the report.
- (2) To allow the above schemes to proceed in the current or future financial years.

C2973 TREASURY MANAGEMENT (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Cabinet was provided with a mid-year report on the Authority's treasury management operations for the period 1 April, 2015 to 30 September, 2015 which was a requirement of the 2011 edition of the CIPFA Treasury Management in the Public Services: Code of Practice.

The Authority's existing borrowing strategy estimated that it would borrow £21,068,000 of new loans to support the capital programme for 2015-2016. The

Council Officers in conjunction with the treasury advisors had and would continually monitor the prevailing interest rates and the market forecasts and adopt a pragmatic approach to changing circumstances in respect of its borrowing needs.

The Authority had borrowed an additional £63,155,896 to finance the Housing Revenue Account Subsidy (HRAS) buyout at a predetermined range of rates specified by HM Treasury, during 2015-2016.

The Head of Finance (Section 151 Officer) was pleased to report that all treasury management activity undertaken during the period complied with the approved strategy, the CIPFA Code of Practice, and the relevant legislative provisions.

The following tables summarised the treasury management transactions undertaken by the Authority during the first half of this financial year. All activities were in accordance with the Authority's approved strategy on Treasury Management. The following table set out the monies borrowed / repaid during the period.

Loan Type	Opening Balance	Received	Repaid	Closing Balance
	01/04/2015			30/09/2015
	£'000	£'000	£'000	£'000
PWLB	90,266	63,156	(694)	152,728
Other Long Term Loans	6,002	0	0	6,002
Temporary Loans	100	0	0	100
Totals	96,368	63,156	(694)	158,830

- Loans borrowed from the PWLB were intended to assist Local Authorities in meeting their longer term borrowing requirements. The above loans were all at fixed rates of interest. The rate paid on each loan was largely dependent upon the original duration of the loan and date taken out. The loans taken out for the HRAS buyout were at a predetermined range of rates specified by HM Treasury.
- Other Long term loans represented those non-PWLB loans that were repayable at least 1 year or more from the date they were advanced. The bulk of this debt was represented by two market loans of £2,000,000 and £4,000,000. The balance of this debt was local bonds. These totalled £2,000 and were made up of small individual sums that were invested with the Authority for a number of years by members of the public.
- Temporary Loans represented those loans that were borrowed for a period of less than 1 year. They were borrowed on 7 day notice.

External interest at an average rate of 4.88% and amounting to £3,729,592 had been paid on the loans during the first 6 months of 2015/2016.

The Authority had made the following investments for the period 1 April, 2015 to 30 September, 2015 as set out below:-

Borrowing Institution	Opening Balance	Invested	Returned	Closing Balance
	01/04/2015			30/09/2015
	£'000	£'000	£'000	£'000
UK Local Authorities	30,000	42,000	(27,000)	45,000
Debt Management Office	51,125	765,905	(776,830)	40,200
Totals	81,125	807,905	(803,830)	85,200

Interest, at an average rate of 0.33% and amounting to £115,755, had been received from these investments for the first 6 months of 2015/2016.

As can be seen from the table above the Authority had invested with the Debt Management Office (DMO) or UK Local Authorities. This strategy was considered prudent considering the continuing pressures in the financial markets. The Head of Finance (Section 151 Officer) would always have regard to the security and liquidity of the investments before seeking the highest rate of return, or yield.

In light of the very low level of short term investment interest rates currently available, internal funds had continued to be used to finance capital expenditure to date. External funds had only been borrowed to finance the HRAS buy out earlier this year. Given the significant level of borrowing in the Capital Programme borrowing arrangements would need to be kept under review.

The Authority measured its exposure to treasury management risks using the following indicators.

Interest Rate Exposure

This indicator was set to control the Authority's exposure to interest rate risk. The exposures to fixed and variable rate interest rates, expressed as an amount of net principal borrowed were:

	Limit	Actual	Met
Upper limit on fixed rate exposures	251m	159m	✓
Upper limit on variable rate exposures	+/- 146m	-91m	✓

Fixed rate investments and borrowings were those where the rate of interest was fixed for the whole financial year. Instruments that either mature during the financial year or had a floating interest rate were classed as variable rate.

Maturity Structure of Borrowing

This indicator was set to control the Authority's exposure to refinancing risk. The maturity date of borrowing was the earliest date on which the lender could demand repayment. The maturity structure of fixed rate borrowing as at 30 September, 2015 was:

	Upper Limit	Lower Limit	Actual	Met
Under 12 months	20%	0%	1.21%	✓
12 months and within 24 months	20%	0%	1.36%	✓
24 months and within five years	30%	0%	16.90%	✓
Five years and within 10 years	40%	0%	20.78%	✓
10 years and above	100%	0%	59.75%	✓

Principal Sums Invested for Periods Longer than 364 Days

This indicator was to control the Council's exposure to the risk of incurring losses by seeking early repayment of its long term investments. The total principal sums invested to final maturities beyond the period end were:

	2015/16	2016/17	2017/18
Limit on principal invested beyond year end	£30M	£30M	£30M
Actual principal invested beyond year end	0	0	0
Within limit?	✓	✓	✓

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the Treasury Management mid-year report for the period 1 April, 2015 to 30 September, 2015 be noted.
- (2) T H A T the latest Treasury Management Indicators be noted.
- (3) T H A T the report be forwarded to the next Scrutiny Committee (Corporate Resources) for information.

- (4) T H A T the report be referred to Council for approval.

Reasons for decisions

- (1) To present the Treasury Management mid-year report as required by the CIPFA Treasury Management in the Public Services: Code of Practice.
- (2) To present an update of the Treasury Management Indicators that were included in the treasury management strategy.
- (3) To present the report to the next Scrutiny Committee (Corporate Resources) for information and allow Council to consider the report.
- (4) To allow Council to consider the report.

**C2974 INITIAL CAPITAL PROGRAMME PROPOSALS 2016/17 (L)
(SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Cabinet approval was sought for the Initial Capital Programme Proposals for 2016/17 so that they could be submitted to Scrutiny Committees for consultation.

Appendix A detailed financial progress on the Capital Programme as at 30th September, 2015.

Director of Learning and Skills

Colcot Primary Roof - The roof at Colcot Primary was in need of replacement as the underlying single ply roof was breaking down and causing ongoing leaks. It was requested that £100k of the 2016/17 Schools Asset Renewal budget be brought forward into 2015/16 to enable the urgent works to the roof to commence this financial year.

Modular Building Resiting Ysgol Dewi Sant - Under this existing scheme the former Ysgol Dewi Sant modular building was being resited at Fairfield Primary. A highways planning condition at Fairfield Primary had to be met before the building could be occupied. It was therefore requested that £200k of the 2016/17 Schools Asset Renewal budget be brought forward into 2015/16 in order for the works to be carried out this financial year.

Barry Comprehensive School Works - At Cabinet on the 5 October, 2015 (minute C2931) it was resolved 'T H A T the development of a programme of work for Barry

Comprehensive School be authorised to enable improvements to be made to the learning environment in the short term and that a further report on the proposed programme and estimated funding requirements be presented to Cabinet for further consideration in due course.' Whilst a programme of works was still being compiled, it was requested that up to £1m be made available for these works to be carried out. This would be funded by a contribution from revenue into the School Investment Strategy reserve, as a result of a revenue underspend in 2015/16. Further detail of the specific requirements would be presented to a future Cabinet as per the recommendation of Cabinet on 5 October, 2015 and the Capital Programme would then be amended accordingly.

St Cyres Lower School Marketing and Disposal - A budget of £85k was required for marketing agent's fees and Project Management Unit Fees for the above scheme. It was requested that the Capital Programme be increased by £20k in 2015/16 and £65k in 2016/17 to be funded from capital receipts. This change would also require approval by Council.

Education Asset Renewal Contingency Budget - At Cabinet on 23 February, 2015, minute number C2650, recommendation 3 stated 'THAT the Managing Director or the Head of Finance, in consultation with the Cabinet Member responsible for Finance, be given delegated authority to make additions, deletions or transfers to or from the 2015/16 to 2019/20 Asset Renewal budget as appropriate'. This Delegated Authority had been used to allocate £41,900 of the contingency budget to the schemes below: -

- Romilly Primary School £25,500
- Urgent Health and Safety Works £16,400

In order to complete the Urgent Health and Safety Works at various schools, it was requested that the Urgent Health and Safety Works budget be increased by £4,917, to be funded from a revenue contribution from the Schools budget.

Director of Social Services

Cartref Porthceri Lift Replacement - There was currently a £70k budget allocated for this scheme within the 2015/16 Capital Programme. A survey had confirmed that the lift needed to be refurbished and not replaced. It was therefore requested that this scheme be renamed 'Social Services Lift Refurbishments' and works would be extended to include refurbishment works to lifts in Cartref Porthceri, Southway and Ty Dyfan.

Southway Lift Replacement - There was currently a £70k budget allocated for this scheme within the 2015/16 Capital Programme. This lift was now being refurbished as stated above. The call and assistance systems within the four residential homes were in need of replacement and it was therefore requested to change the name of this scheme to 'Residential Homes Call and Assistance Systems' for these works to be carried out from this allocation.

Director of Environment and Housing

Weycock Cross to Barry Comprehensive Road Resurfacing - The road between Weycock Cross and Barry Comprehensive School required resurfacing and it was therefore requested that the 2015/16 Capital Programme be increased by £40k, to be funded from the Visible Services reserve.

Wick to Ewenny Highway Improvements - Highway Improvement works were required between Wick and Ewenny and it was therefore requested that the 2015/16 Capital Programme be increased by £40k, to be funded from the Visible Services Reserve.

Coast Protection and Land Drainage General - £50k had been allocated within this budget for works which were part of the Causeway Improvement Scheme. In order to enable a more co-ordinated approach to the scheme, it was requested that £50k be vired to the Causeway Improvement Scheme. The budget for this scheme would total £950k.

Jenner Park and Colcot Pitches - A grant of £100k had been awarded to the Council from The Sports Council for Wales. The £853k budget for this scheme was currently fully funded from the Jenner Park reserve. It was now requested that the contribution from the reserve be reduced and the scheme would now be funded by £753k from the reserve and £100k from The Sports Council for Wales grant.

Coldbrook Flood Risk Management - Emergency Powers, had been used for the inclusion of £2,959k for the construction phase and £257k for the design and development phase into the Capital Programme in order to complete the flood risk management works. This scheme would be funded as detailed below: -

Construction Phase	£'000	Design and Development Phase	£'000
WG Grant	2,151	WG Grant	218
ERDF Grant	114	Council Match Funding	39
Natural Resources Wales Grant	302		
Council Match Funding	392		
Total	2,959	Total	257

Managing Director and Resources

Penarth Renewal Area - The total estimated spend for the Penarth Renewal area had increased from £100k to £155k, due to the cost of an extra property being added to the contract and also due to unforeseen items of work that were identified during the contract period. A virement of £55k was therefore requested from the Castleland Renewal Area budget to the Penarth Renewal Area budget.

Barry Regeneration Partnership Scheme - At Cabinet on the 13 July, 2015, £600k was added to the Capital programme for the Barry Regeneration Partnership Scheme. £361k of this sum had been allocated using Delegated Authority as set out below: -

Barry Island: Western Shelter Lighting £50k

Barry Island Interpretation, Tourist Information Centre and WIFI £50k

Victoria Gardens: area improvements (phase 3) £60k

George Street Play Area: resurface pedestrian links £41k

Cowbridge Street/Bridge Street Play Area: refurbishment £50k

Eastern Approach (Cardiff Road): gateway improvements £100k

Business Service Centre Improvements £10k

The £600k was allocated over financial years 2015/16 and 2016/17, it was therefore requested to re-profile these schemes as set out in the table below: -

Scheme	2015/16 £'000	2016/17 £'000
Barry Island: Western Shelter Lighting	8	42
Barry Island Interpretation, Tourist Information Centre and WIFI	35	15
Victoria Gardens: area improvements (phase 3)	0	60

George Street Play Area: resurface pedestrian links	41	0
Cowbridge Street/Bridge Street Play Area: refurbishment	50	0
Eastern Approach (Cardiff Road): gateway improvements	0	100
Business Service Centre Improvements	10	0

Further assessment was being undertaken to allocate the remaining balance of £239k to priority schemes.

Barry Regeneration Partnership Scheme - It had been approved by delegated authority that £107k of the unallocated original budget in 2015/16 and £34k of the unallocated budget in 2016/17 for this scheme be allocated as follows:-

- Project Management Unit £60k for 2015/16
- Landscape Design Service £25k for 2015/16
- Urban Regeneration Service £4k for 2015/16 and £28k for 2016/17
- High Street (Springboard) £6k for 2015/16 and £6k for 2016/17
- Gladstone Gardens £2k for 2015/16
- Main Street Area Improvements £4k for 2015/16
- Eastern Approach £6k for 2015/16

Disabled Facilities Grant (DFG) - There was a predicted shortfall in the capital budget for DFG's. It was envisaged that once the backlog of applications had been dealt with the number of applications being processed would reduce to normal throughput levels. However, there had been a steady increase in the number of applications being received which was a trend that was likely to continue. As a result, Emergency Powers had been used to approve an increase of £200k in the 2015/16 DFG budget, funded by a contribution from the Policy revenue budget. This would ensure that there was sufficient funding to complete this year's applications without creating a new backlog.

Pedestrian Crossing across Ffordd Y Millennium and Improved Bus Access - Further studies had identified that the scheme was not attainable within the budget available, therefore, alternative schemes had been identified through active travel route assessments. It was requested that the budget be increased by £52k to be funded from s106 monies and that the scheme be renamed 'Pedestrian/Cycle improvements at Ffordd Y Millennium'. The total budget for this scheme would be £69k. Member consultation had been undertaken under the s106 protocol and the contribution needed to be spent by January 2016.

Town Hall Library External Repairs - Property Services had reviewed this scheme and the funding was no longer required for external works. Internal works to the Town Hall Library had been identified as part of the Space Project scheme, it was therefore requested that the budget of £12k be vired to the Space Project scheme.

Civic Offices Re-wire Scheme - In 2011 a Property Condition Survey for the Civic Offices identified that the building required re-wiring (to include general lighting, emergency lighting, power and distribution). A fixed electrical installation test was undertaken during 2014/15 and identified that all floors in the building were "Unsatisfactory". £283k had been allocated within the 2015/16 Space Project budget towards the scheme. In order to enable a more co-ordinated approach to the scheme, it was requested to vire £225k in 2015/16 and £58k in 2016/17 to create a new scheme called the Civic Offices Re-wire.

Court Road Contaminated Land Issues - It was requested that the name of this scheme was changed to 'Court Road Depot - Survey, Feasibility and Infrastructure Budget'. This would enable the Council to facilitate various survey and feasibility works for the circa 4 acre depot site and if required, identify and carry out any associated infrastructure works. The budget for this scheme was £350k.

Variance between Actual Spend to date and Profiled Spend

Cabinet had previously agreed that further information would be provided where schemes had 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:-

Llantwit Learning Community - Amendments to programming/sequencing of works had resulted in actual expenditure that was less than the initial spend profile. This did not adversely affect the final cost of the project.

Modular Building Resiting Ysgol Dewi Sant - Amendments to programming/sequencing of works had resulted in actual expenditure that was more than the initial spend profile. This did not adversely affect the final cost of the project.

It was proposed that the budget for these schemes be reprofiled for the remainder of the year and changes would be reported as part of the ongoing capital monitoring process.

2016/17 to 2020/21 Capital Programme

The Council's Capital budget was determined largely by the General Capital Funding Settlement (GCF). In previous years, the provisional GCF settlement was received from Welsh Government (WG) during October, with the final settlement being received during December. This year, however, the initial budget proposals had not yet been received.

A statement on the timing of the Welsh Government's Budget for 2016/17 was released by the Minister for Finance and Government Business on 6 October, 2015. It stated that the late timing of the UK Government's Spending Review presented WG with significant challenges for the preparation and publication of the Draft Budget 2016/17. WG would not know their Budget for 2016/17 until 25 November, 2015. WG was facing unprecedented levels of uncertainty and consequently would not publish the Draft Budget for 2016/17 until 8 December, 2015 and the Final Budget on 1 March, 2016.

A joint letter dated 26 October, 2015 had been received from the Minister for Public Services and the Leader of the Welsh Local Government Association, outlining the outcome of their joint discussions regarding the timing of the release of the settlement. They provided a timetable which showed that local authorities would be advised of the Provisional Settlement on 9 December, 2015 and of the Final Settlement on 2 March, 2016, however, the Final Budget would be debated by WG on 9 March, 2016. They considered that the proposed timetable did not result in any legal or financial impediment to the budget process, however, they acknowledged that the timetable did present challenges.

Even with a lack of clarity on the funding position for 2016/17 and these unprecedented circumstances, in order to be in a position to meet the statutory deadlines and the requirements for consultation set out in the Council's Constitution, much of the work on quantifying the resource requirements for the Capital programme would still need to be carried out before the initial and final GCF settlement was notified to the Council. Therefore, in line with the approach adopted in the current Medium Term Financial Plan, the proposals assumed a reduction of 10% for each year of the programme for 2016/17 and onwards. This had been reflected in the proposed Capital Programme 2016/17 to 2020/21 which was shown in the table in Appendix B attached to the report.

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.

The Major Repairs Allowance (MRA), which was the grant that provided capital funding to the Housing Revenue Account (HRA), for 2016/17 had not yet been announced by the Welsh Government. Cabinet would be advised once the announcement was made. An assumption had been made in Appendix B attached to the report that the grant would continue at the allocation reflected in the current business plan of £2.76m in 2016/17 and throughout the period of the Capital Programme.

In addition to external funding, the Council would finance part of the Capital Programme from its own resources, e.g. capital receipts and reserves.

The table below detailed the General Capital Funding and internal resources required to fund the proposed schemes which were detailed in Appendix B as attached to the report.

Analysis of Net Funding Required for the Indicative 2016/17 Capital Programme		
GENERAL FUND	£'000	£'000
Welsh Government Resources		
Supported Borrowing	3,058	
General Capital Grant	1,861	
		4,919
Council Resources		
Capital Receipts	7,199	
Reserves/Leasing	9,135	
Unsupported Borrowing	528	
		16,862
Net Capital Resources		21,781
HOUSING REVENUE ACCOUNT	£'000	£'000
Housing Reserves	3,910	
Housing Unsupported Borrowing	19,434	
Net Capital Resources		23,344

The indicative 2016/17 Capital Programme outlined in Appendix B attached to the report included allocations already approved by Council. Appendix B, also reflected the amendments requested within the report.

Capital Bids 2016/17 to 2020/21

New capital bids were invited for return by 30th September 2015 and the number of bids received was low (3 from Learning and Skills, 12 from Social Services, 11 from Environment and Housing and 2 from Managing Director and Resources).

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.

Education Capital Loan Scheme - These were internal loans which were initially funded from the School Rationalisation Reserve and schools then made repayments back into the reserve over a number of years. In order to maintain a healthy balance within the reserve, it was proposed that the current yearly allocation of £300k was reduced to £200k between 2016/17 and 2020/21.

Llantwit Learning Community - In order to complete this scheme, an additional £650k was required. The increased costs were due to construction inflation, a greater understanding of the works required for parking and the bus turning circle and works required to the drainage, which were identified in a survey. It was requested that the 2016/17 Capital Programme be increased by £650k, funded from the School Investment Strategy Reserve which had been increased by this amount as a result of a revenue underspend in 2015/16.

Rhose Primary New School - £500k had been ring-fenced for this scheme within the School Investment Strategy Reserve. It was therefore proposed that the Capital Programme be increased by £500k in 2017/18 to include the allocation.

Social Services Asset Renewal - The condition of Social Services buildings were deteriorating. To enable the maintenance of these properties, it was proposed that £100k be vired each year from 2016/17 to 2020/21 from the All Services Asset Renewal budget to create a Social Services Asset Renewal budget. Social Services would be able to allocate the funding within year to priority works that were required.

As part of the Transport review the use of vehicles by the Authority had been extensively reviewed, which meant that the purchase of new vehicles under the scheme had been delayed. In addition, an amendment to the level of expenditure in

the Capital Programme was required, to reflect the continuing need to replace vehicles across the Council. The proposed revised expenditure was set out in the table below;

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	£000's	£000's	£000's	£000's	£000's	£000's
Original Expenditure	2,375	1,596	694	1,818	962	0
Revised Expenditure	2,121	1,453	616	1,338	800	800

Vehicles could be funded from the Vehicle Renewals Fund or could be leased. The level of and financing of this expenditure would be reviewed as a result of the outcome of the Transport review and the amended proposals would be brought as part of the Final Budget Proposals in February 2016.

Renewal Area - An award of specific grant funding had been received from WG to enable capital works to be undertaken in the Castleland Renewal Area during 2016/17. It was requested that £677,981 be included in the 2016/17 Capital Programme for the grant.

Disabled Facilities Grants (DFG) - A capital bid amendment form had been submitted to request additional funding in future years for DFG's. This would ensure that there was sufficient funding to complete future year's applications without creating a new backlog. It was requested that the Capital Programme be increased by £400k in 2016/17 and £450k in 2017/18, to be funded from a reserve set up from a revenue underspend in 2015/16.

Carbon Management Fund - The Carbon Management Fund Scheme was an on-going scheme to assist with the Council's energy reduction measures. To enable these works to continue, it was requested that a budget of £200k be included in the 2016/17 Capital Programme. This would be funded from the Energy Management Fund Reserve.

Civic Offices Re-wire - In 2011 a Property Condition Survey for the Civic Offices identified that the building required re-wiring (to include general lighting, emergency lighting, power and distribution). A fixed electrical installation test was undertaken during 2014/15 and identified that all floors in the building were "Unsatisfactory". It was requested that the 2016/17 Capital Programme be increased by £400k using funding which had already been ring fenced within the Project Fund for these works.

A capital bid for the Civic Offices Rewire had also been included in Appendix B as attached to the report.

Regeneration Fund - This scheme was funded from the Regeneration reserve. £50k per annum of this budget had been ringfenced to matchfund the Rural Development grant. Expenditure for this grant would now be incurred through revenue and therefore it was proposed that the budget be reduced by £50k each year between 2016/17 and 2020/21 and the use of the reserve would be redirected to the revenue budget. The changes detailed above had been reflected in Appendix B.

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 2015/16 to 2019/20 were approved in February 2015. These changes included capital sums carried forward; changes to the School Investment Programme and Housing Improvement Plan. These changes had been included in Appendix B.

School Investment Programme

The 21st Century Schools Programme was the Welsh Government's funding initiative for investment in schools. The first tranche of schemes under Band A of the funding were submitted prior to November 2011. Band A schemes ran between 2013/14 and 2018/19. Band B schemes were expected to commence in 2019/20.

The schemes included under the Band A submission for construction between 2013/14 and 2018/19 were; Ysgol Nant Talwg, Ysgol Dewi Sant, Ysgol Gwaun Y Nant and Oakfield, Colcot and Llantwit Learning Community.

In April 2014, WG notified the Council that some of the funding for Band A schemes would be in the form of unsupported borrowing instead of a revenue grant. The Council would be expected to borrow, however, Welsh Government (WG) would provide revenue funding to cover the cost of the loan through the Revenue Support Grant. This had no impact on the value of the Capital Programme, only the way in which it was funded.

In September 2014 the Vale of Glamorgan Council received notification from WG that the funding envelope for 21st Century Schools would be increased from £20.960m to £29.898m. As reported in the Final Capital Programme Proposals in February 2015, the Council had increased their contribution to the programme by a further £950k for the Llantwit Major Learning Community Scheme and this was approved by Cabinet on 12th January 2015 (Minute C2607), therefore, the total

funding envelope was now £30.848m. This excluded the £650k for Llantwit Learning Community requested as part of the report.

The Band A Programme was progressing well. Phase one of the Penarth Learning Community scheme was complete and the Learning Community was occupied. Works were on-going for phase two which consisted of external works and demolition. Ysgol Nant Talwg and Ysgol Dewi Sant were complete and the schools were occupied. Phase one of Ysgol Gwaun Y Nant was complete and phase two works were on-going, the building works at Oak Field were now complete and both schools were occupied. The Llantwit Learning Community scheme was underway and works started on site in August 2015.

The following table showed the planned spend on the Education capital programme from 2016/17 to 2020/21 incorporating expenditure under Band A schemes funded under 21st Century Schools Programme. Gross Expenditure totals £79.879m.

By Scheme	16/17	17/18	18/19	19/20	20/21	Total
	£000's	£000's	£000's	£000's	£000's	£000's
Ysgol Dewi Sant	35	0	0	0	0	35
Llantwit Learning Community	13,052	1,240	29	0	0	14,321
Gwaun Y Nant & Oakfield	47	0	0	0	0	47
Barry Secondary Schools Transformation	750	0	0	0	0	750
Colcot Primary	250	250	0	0	0	500
Asset Renewal	700	1,000	1,000	1,000	600	4,300
Asset Renewal Contingency	50	50	50	50	50	250
St Cyres Lower School Marketing & Disposal	65	0	0	0	0	65
Rhoose Primary New School	0	1,500	1,762	0	0	3,262
Gwenfo Primary Extension	394	11	0	0	0	405
St Brides Expansion	346	10	0	0	0	356
Victorian Schools	1,200	800	0	0	0	2,000
Eagleswell Demolition	300	0	0	0	0	300
Band B Schemes	0	0	0	18,361	32,927	51,288
Schools ICT Loans	200	200	200	200	200	1,000
Schools Capital Loan Schemes	200	200	200	200	200	1,000
Total	17,589	5,261	3,241	19,811	33,977	79,879

The total allocation for Victorian Schools between 2015/16 and 2020/21 was £3.061m to support works across 21 Victorian Schools to address the existing issues

with lath and plaster and masonry deterioration. The £1.061m budget for 2015/16 had been allocated to the following schemes via emergency power £270k to Victoria Primary School External Refurbishment Works, £741k to Overboarding Lath and Plaster Ceilings and £50k to Sandstone Repairs. Work was currently being carried out by Property Services to assess the works required between 2016/17 and 2017/18 and a full report would be brought to Cabinet with a strategy to address the problems.

There was an asset renewal budget of £900k in 2015/16, 200k of this budget had been vired to the Modular Building Resiting Ysgol Dewi Sant Scheme. The asset renewal budget increased to £1m from 2016/17; however, £300k was being requested to be brought forward into 2015/16 as detailed earlier in the report. In addition there was a £50k asset renewal contingency budget in each year. From 2020/21 the asset renewal budget had to reduce to the original £600k allocation due to increasing constraints on resources and the 21st Century Schools Band B Programme. Education in consultation with Property Services, allocated this budget in year to various schemes including rolling programmes of boiler and toilet renewal. Band B Schemes were expected to commence in 2019/20 and in December 2014 the Council submitted proposals for a number of schemes to Welsh Government. Based on latest indications, it had been assumed that 50% funding would be available from Welsh Government to fund the schemes. However, there was no guarantee that this funding would be available from Welsh Government or what form it would take.

Indicative strategic projects for the Council under Band B funding would seek to address the following:

- Expanding primary sector capacity and addressing the condition of school buildings in various areas across the Vale.
- Rationalisation of school buildings currently situated on split sites.

The total cost for Band B schemes was projected to be in the region of £67.4m and of this total £18.361m and £32.927m had been included in Appendix B for 2019/20 and 2020/21 respectively.

The Education Capital programme was funded as follows;

By Funding Source	16/17	17/18	18/19	19/20	20/21	Total
	£000's	£000's	£000's	£000's	£000's	£000's
General Capital Funding	4,593	1,800	1,189	1,160	1,050	9,792

Capital Receipts	4,491	0	0	1,404	7,686	13,581
Other Reserves and Revenue Contribution	0	0	0	1,000	0	1,000
School Investment Reserve	2,433	915	290	1,397	3,391	8,426
School Rationalisation and Improvements Reserve	200	200	200	200	200	1,000
IT Fund	200	200	200	200	200	1,000
Local Government Borrowing Initiative	528	0	0	0	0	528
Prudential Borrowing	0	0	0	0	0	0
Total Internal Funding	12,445	3,115	1,879	5,361	12,527	35,327
S106 Agreements	709	1,021	1,362	7,700	1,000	11,792
Welsh Government Grant	4,435	1,125	0	6,750	20,450	32,760
Total Funding	17,589	5,261	3,241	19,811	33,977	79,879

Housing Improvement Plan

The 2015/16 Housing Improvement Programme budget totalled £87.011m and £63.156m of this allocation related to the buy-out from the housing subsidy system. The funding of the 2015/16 programme had been amended as set out in the table below: -

Funding	Current 2015/16 £'000	Amended 2015/16 £'000
Major Repairs Allowance Grant	2,760	2,760
Other Grant	2,069	2,069
Housing Capital Receipt	754	897
Housing Reserves	2,676	5,334
Unsupported Borrowing (Including HRA Buyout)	78,752	75,951
Total	87,011	87,011

Next Steps

The next stage was for the estimates to be submitted to Scrutiny Committees for consultation. Corporate Resources Scrutiny Committee was the lead Scrutiny Committee and was tasked to consider both the Initial Budget Proposals and any recommendations that other Scrutiny Committees had made. The responses of Scrutiny Committee must be made no later than 15 December, 2015.

Each Scrutiny Committee would be asked to first consider the Initial Capital Programme proposals as shown in Appendix B and to make any recommendations for changes. If they wished to make a change, the reason for this needed to be recorded in order to assist the Cabinet and the Budget Working Group (BWG) draw up the final proposals.

Managers would be asked to revisit the schemes included in Appendix B and to confirm final costs and spend profile prior to the final proposals being presented to Cabinet.

Currently the approved timetable required Cabinet to approve the final budget proposals by no later than the 22 February, 2016 and that Cabinet's final budget proposals would be considered by Council at a meeting to be held on 2 March, 2016. As the Final Settlement would not be received from WG until 2 March, 2016, this timetable was now under review and would have to be revised.

Part of the report was required to be referred to Council for approval as it followed the procedure laid down in the Constitution for the making of the budget.

At the meeting the Leader made the following amendment to the report, he highlighted that paragraph 82 of the report made reference to "obligations of Council with regards to section 17", he confirmed for clarity that this referred to section 17 of the Crime and Disorder Act 1998.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the Initial Capital Programme Proposals for 2016/17 to 2020/21 be approved for consultation with the relevant Scrutiny Committees.

- (2) T H A T any recommendations of Scrutiny Committees be passed to Scrutiny Committee (Corporate Resources) as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.
- (3) T H A T the following changes to the 2015/16 and 2016/17 Capital Programme be approved:
- Colcot Primary Roof - It is requested that £100k of the 2016/17 Schools Asset Renewal budget be brought forward into 2015/16 to allow the scheme to proceed.
 - Modular Building Resiting Ysgol Dewi Sant - It is requested that £200k of the 2016/17 Schools Asset Renewal budget be brought forward into 2015/16.
 - Urgent Health and Safety Works - It is requested that the Urgent Health and Safety Works budget be increased by £4,917, to be funded from a revenue contribution from the Schools budget.
 - Cartref Porthceri Lift Replacement - It is requested that the scheme is renamed 'Social Services Lift Refurbishments'.
 - Southway Lift Replacement - It is requested that the scheme is renamed 'Residential Homes Call and Assistance Systems'.
 - Weycock Cross to Barry Comp Road Resurfacing - It is requested that the 2015/16 Capital Programme be increased by £40k, to be funded from the Visible Services reserve.
 - Wick to Ewenny Highway Improvements - It is requested to increase the 2015/16 Capital Programme by £40k, to be funded from the Visible Services Reserve.
 - Coast Protection and Land Drainage General - It is requested to vire £50k to the Causeway Improvement Scheme.
 - Jenner Park and Colcot Pitches - It is requested that the funding of this scheme be amended to £753k being funded from the Jenner Park reserve and £100k from a Sports Council for Wales grant.
 - Penarth Renewal Area - It is requested to vire £55k from Castleland Renewal Area to Penarth Renewal Area.
 - Barry Regeneration Partnership Scheme - It is requested to reprofile the projects as set out within the report, paragraph 17.
 - Pedestrian Crossing across Ffordd Y Millennium and Improved Bus Access - It is requested that this budget be increased by £52k to be funded from S106 monies and that the scheme be renamed 'Pedestrian/Cycle improvements at Ffordd Y Millennium'.
 - Town Hall Library External Repairs - It is requested that £12k be vired to the Space Project Scheme.

- Civic Offices Re-wire Scheme - It is requested to vire £225k in 2015/16 and £58k in 2016/17 from the Space Project scheme to the Civic Offices Re-wire scheme.
 - Court Road Contaminated Land Issues - It is requested to change the name of this scheme to 'Court Road Depot - Survey, Feasibility and Infrastructure Budget'.
 - Vehicle Replacement Programme - It is requested to reprofile the Vehicle Replacement Programme expenditure as set out in paragraph 45 of this report.
- (4) T H A T Cabinet recommend to Council the following change to the 2015/16 and 2016/17 Capital Programmes:
- St Cyres Lower School Marketing and Disposal - It is requested that the Capital Programme be increased by £20k in 2015/16 and £65k in 2016/17 to be funded from capital receipts.

Reasons for decisions

- (1) In order to gain the views of Scrutiny Committees.
- (2) In order that Cabinet be informed of the comments of Scrutiny Committees before making a final proposal on the 2016/17 Capital Programme.
- (3) To amend the 2015/16 and 2016/17 Capital Programme.
- (4) To amend the 2015/16 and future years Capital Programme and to seek approval from Cabinet and Council.

C2975 INITIAL REVENUE BUDGET PROPOSALS 2016/17 (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) –

Approval was sought for the amended revenue budget for 2015/16 and to commence consultation on the initial revenue budget proposals for 2016/17.

The Council's budget was determined largely by the Revenue Support Grant (RSG) settlement set by the Welsh Government (WG). In previous years, the provisional RSG settlement was received from WG during October, with the final settlement being received during December. This year, however, the initial budget proposals had not yet been received.

Appendix 1 attached to the report set out the Amended Budget for 2015/16, together with the necessary adjustments to be made to the original budget.

Asset Rents, International Accounting Standard (IAS) 19, Transfers and Recharges - These adjustments had no overall effect on the net budget of the Council. These were accounting adjustments largely outside the control of services and reflected charges for the use of capital assets, changes to inter-service recharges and transfers and pensions adjustments to comply with accounting standards. Also included were transfers of functions and responsibilities between Directorates as detailed below.

Education - £150k from Development Services in respect of the Arts Development. Managing Director and Resources - £210k from Development Services in respect of Coroner Services.

The Original Amended Budget had also been adjusted to reflect the reorganisation of Development and Visible Services.

The following table compared the amended budget with the projected outturn for 2015/16.

	2015/16	2015/16	Variance
	Amended	Projected	(+)Favourable
Directorate/Service	Budget	Outturn	(-) Adverse
	£'000	£'000	£'000
Learning and Skills			
Education and Schools	92,524	92,816	-292
Libraries	2,311	2,311	0
Adult Community Learning	263	263	0
Youth Service	1,030	1,030	0
Catering	1,788	1,788	0
Art Development	150	150	0
Social Services			
Children and Young People	14,540	14,090	+450

Adult Services	37,579	38,329	- 750
Business Management and Innovation	304	304	0
Youth Offending Service	679	679	0
Environment and Housing			
Visible Services	21,707	21,707	0
Transportation	5,178	5,178	0
Building Services	0	0	0
Regulatory Services	2,107	2,107	0
Council Fund Housing	1,116	1,116	0
Managing Director & Resources			
Resources	558	558	0
Regeneration	2,562	2,562	0
Private Housing	11,308	11,308	0
Development Management	1,063	1,063	0
General Policy	18,088	17,496	+592
Total	214,855	214,855	0
Met from General Reserve	(2,500)	(2,500)	0
Grand Total	212,355	212,355	0

Learning and Skills

The projected outturn for the Learning and Skills Directorate showed an adverse variance of £292k when compared to the amended budget. The paragraphs below highlighted variances within each service.

School Improvement and Inclusion - This service was projecting an adverse variance of around £706k, however, this amount could be offset by £65k funded from the Excluded Pupils reserve and therefore an adverse variance of £641k was currently projected at year end. An adverse variance on alternative curriculum placements of £65k was projected due to increased demand for the service, however, this would be funded from the Excluded Pupils reserve. An adverse variance of £457k was anticipated on inter authority recoupment income. Increased demand for Vale pupils requiring placements in Ysgol Y Deri had resulted in fewer placements being available for other authorities to purchase. An adverse variance of £197k was projected on pupil placements in independent schools and other authorities due to an increase in the number of pupils with significant needs that were unable to be met at Ysgol Y Deri. These overspends would be offset by a favourable variance of £13k on staffing costs due to part year vacancies within teams. The Directorate was seeking ways to mitigate this overspend as part of the longer term Reshaping Services agenda.

Strategy and Resources - This service was anticipating a favourable variance at year end of £326k. There were favourable variances on the transport budget of £196k, £52k on salaries due to part year vacancies, £49k due to payments to private nurseries as a result of a reduction in non-maintained nursery settings and £29k on other supplies and services. There were however significant pressures in relation to the Schools Long Term Supply scheme with an adverse variance of £270k anticipated and the Early Retirement and Voluntary Redundancy scheme also projecting an adverse variance of £196k. Both these overspends would be funded from the respective reserves. It was anticipated that there would also be transfers from the Rationalisation Reserve of £161k to fund the increased rates bill at St Cyres Comprehensive School and £115k to fund one off amalgamation costs at Llantwit Learning Community and Penarth Learning Community.

Service Strategy and Regulation - It was anticipated that this service would outturn with a £7k favourable variance due to efficiencies within the Business Support section.

Schools - The delegated budget related to schools was expected to balance as any under/over spend was carried forward by schools.

Children and Young Peoples Partnership - It was anticipated that this service would outturn with a favourable variance of £16k due to a part year vacancy in the team.

Provision had been made within the budget to make unsupported borrowing debt repayments in relation to the Schools Investment Strategy of £698k per annum. Any

favourable variance on debt repayments would be directed into the Schools Investment Strategy reserve.

Libraries - The Libraries Service was projecting to outturn at budget after a transfer from the Libraries reserve of £113k to fund one off costs in relation to the implementation of the Libraries Review.

Adult Community Learning - It was anticipated that the Adult and Community Learning Service would outturn at budget after a £93k transfer from the Adult and Community Learning reserve. The transfer from the reserve was required due to redundancy and notice payments to staff, which had arisen as a result of reductions in funding from Welsh Government and Cardiff and the Vale College.

Youth Service - It was anticipated that the Youth Service would outturn at budget after a transfer of £40k from the Youth Service Reserve. The transfer from the reserve was required to fund ongoing NEETS and Gateway To Engagement work in schools.

Catering - The Catering budget was anticipated to outturn at budget after a transfer of £222k from Catering reserves. The transfer from reserves would fund the final payment of the cashless catering system and the conversion of dining centres into kitchens in four primary schools.

Social Services

The projected outturn for the Social Services Directorate was an adverse variance of £300k when compared to the amended budget. The paragraphs below highlighted any variances within each service.

Children and Young People's Services - was anticipated to outturn £450k under budget at year end. The key issue for this service continued to be managing the demand for the Joint Budget for Residential Placements for Looked After Children, however, currently it was forecast to outturn with a £250k underspend at year end. Work had been ongoing to ensure that children were placed in the most appropriate and cost effective placements, however, it should be noted that due to the potential high cost of each placement, the outturn position could fluctuate with a change in the number of looked after children. There were potential underspends elsewhere in Children's Services of £65k on staffing budgets and £135k on alternative means of provision and accommodation costs required for the current cohort of children.

Adult Services - was currently anticipated to outturn £750k over budget at year end. This was due to a projected overspend on Community Care Packages of £950k as a result of increased demand for services, particularly for frail older clients. There was continued pressure on this area of the service to manage demand, not only to avoid a further increase in the overspend, but also to reduce the overspend. Whilst every effort would be made to improve this position, it could not be guaranteed that this position would not deteriorate further by year end as the budget was extremely volatile and there was a continued increase in demand for services. The annual deferred income budget for 2015/16 had been set at £739k and as at 30 September, 2015 income received to date was £74k under-recovered. It was currently being projected that this budget would outturn at £50k over budget by year-end and this adverse variance was included as part of the projected overspend for care packages. It was anticipated that there would be underspends of £200k elsewhere in the budget which could offset part of this overspend with £165k from staffing, £20k from Transport and £15k from premises.

Environment and Housing

The projected outturn for the Environment and Housing Directorate was a balanced budget when compared to the amended budget. The paragraphs below highlighted any variances within each service.

Highways & Engineering – It was projected that the Highways & Engineering section would have a balanced budget at year end. It was projected that the employee's budget would be £338k underspent due to vacant posts currently within the service. However due to the number of vacant posts, the anticipated spend on subcontractors was over budget by £262k. As previously reported, Highways & Engineering had an estimated shortfall on car parking income, which was currently estimated to be £340k. The introduction of additional car parking charges was to be consulted on further, therefore, new charges were unlikely to be introduced within this financial year. There was also a projected overspend on street lighting energy costs of £106k, due to the slight delay in the introduction of part night lighting, which commenced in July 2015. Vehicle costs were projected to be £120k over budget which was mainly due to the increased cost of the newer Winter Maintenance fleet. It was anticipated that other income received by the Highways & Engineering section would be £374k higher than budgeted. This was mainly due to the amount of Highways capital works schemes undertaken for other departments. Departmental support costs for Highways & Engineering had also reduced by £116k.

Waste Management - It was projected that the Waste Management section would have a balanced budget at year end. Employee costs were projected to be over

budget by £256k. The main reason was that some of the planned savings for 2014/15 and 2015/16 had been delayed as detailed in Appendix 2 attached to the report. A re-routing exercise was currently underway and the service was also being reviewed by Waste Resource Action Programme (WRAP) with a view to making efficiency savings. Vehicle costs were projected to be £207k over budget, again due to the delay in planned savings. To offset these delayed savings, a considerable underspend of £577k was expected on waste disposal costs mainly due to the interim contract entered into with Viridor. The department had also projected a spend of £48k on contract monitoring costs for Prosiect Gwyrdd and £25k on the Joint Organics Procurement with Cardiff Council for which there was no budget. The service also had reduced insurance costs which were £34k under budget. Income to the section was also £75k less than budgeted, which was mainly as a result of the shortfall in income for the Special Collection service due to the level of concessions that were currently offered.

Leisure – It was anticipated that the Grounds Maintenance section would achieve a breakeven position at year end. Employee costs were projected to be £92k under budget due to vacant posts within the service. However, this had been offset by increased supplies & services costs which were £119k over budget mainly due to additional works undertaken by subcontractors. Transport costs were projected to be £31k over budget, however, Parks were currently reviewing the level of vehicles they used and had identified those that were surplus to requirements. This was offset by savings of approximately £25k on the maintenance of conservation zones. The anticipated level of income from other departments was also £33k greater than budgeted. The Sports service was operating well within reduced grant funding budgets. The provision of Play Activities was being funded from various sources such as Town Councils and s106 monies and costs were being monitored closely to ensure that they were contained within the funding available. The year-end projected spend shows a nil variance against the revised budget

Transportation - The expenditure on public transport was being carefully monitored in order to provide an appropriate service within the approved budget. There was an agreement with Bridgend and Cardiff Councils regarding the recharging of Cross Boundary bus services and this would alleviate pressures on fare-paying school services which were presently over budget. It was hoped that the agreement would continue into 2016/17. S106 monies were being utilised to fund the community bus service, Greenlinks. The year-end projected spend on Transportation showed a nil variance against the revised budget.

Building Services – The Building Maintenance and Building Cleaning & Security Services was presently expected to outturn on target.

Regulatory Services – This budget represented the Vale’s contribution towards the Shared Regulatory Service which was formed on 1 May, 2015. Although anticipated savings for 2015/16 would be slightly reduced by the one month delay in populating the staffing structure, the effect was mitigated by the reduction in anticipated staffing costs due to the number of staff leaving the Shared Service pool before going live. At this stage it was therefore projected that this service would outturn within target.

Council Fund Housing - The Council Fund Housing budget was likely to outturn at £250k underspent based on current trends. As previously reported, the variance was due to savings being made on the use of temporary accommodation for the homeless. Due to the uncertain pressures for the remaining part of the financial year on the homeless budget it was felt appropriate at this time to show a balanced budget.

Managing Director and Resources

The projected outturn for the Managing Director and Resources showed a balanced budget when compared to the amended budget. The paragraphs below highlighted any variances within each service.

Resources - Resources was anticipated to outturn within budget although there was a possibility of a shortfall on Council Tax court income. The service would manage any shortfall from within existing resources.

Regeneration - Whilst occupancy of the Authority’s workshops was higher than recent years, and therefore income was higher, any underspends would be utilised to refurbish the workshop/office space stock, aiming at generating further increased occupancy levels in order to meet the higher levels of income required in the 2016/17 budgets. This service was currently projected to outturn within target. The projected outturn for Countryside Services showed a nil variance against the revised budget. Delays in relation to the decision on car parking fees within country parks meant that targeted savings for the Division had not been achievable. A budget virement from Planning covered the shortfall on car parking and various other measures including refurbishment works on the reception area at Cosmeston, thatching works at the Medieval Village and marketing costs for the new Commercial Opportunities Officer. As such, this service was currently projected to outturn within target.

Private Housing - As there had been additional demand for Disabled Facility Grants (DFGs) this year, the fee income would exceed target. Income targets for the

Renewal Area had not currently been achieved so would offset the DFG increase. As such, this service was projected to outturn within target by year-end.

Development Management - The year-end projected spend on Planning showed a nil variance against the revised budget. As planning income had been ahead of profile so far this year a virement had been made from Planning into the Countryside budget in order to fund several refurbishments within that service (as detailed above). Should the demand on the Planning Service so require, an additional temporary staffing resource would be considered. As such it was anticipated that the Planning Services would outturn on target.

General Policy

The projected outturn for Policy showed a favourable variance of £592k when compared to the amended budget.

It was projected that there would be a favourable variance of £1.292m relating to capital charges and given that the collection of Council Tax continued to be effective, a positive variance of £1.5m was predicted. It was also anticipated that the sum included to support recharge imbalances for capital of £300k would not be required, as full recovery from capital schemes was projected. It was proposed that £2.5m was used to fund capital projects covering the Council's priorities. £1.65m would be transferred into the Schools Investment Strategy reserve and £850k would be transferred into the Disabled Facilities reserve to increase the funding available over the next 2 years for Disabled Facilities grants. Details of the schemes were contained in the Initial Capital Programme Proposals 2016/17 report, elsewhere on the agenda.

Savings 2015/16

As part of the Final Revenue Budget Proposals for 2015/16, a savings target of £6.847m was set for the Authority. Attached at Appendix 2 to the report was a statement showing the progress against these targets. Services were projecting to achieve the majority of their savings and where savings may not be achieved, further information was provided. The appendix showed that currently there was a £370k projected surplus against the target. This was due to the Prosiect Gwyrdd scheme which was projected to exceed its target, however, there were other savings in Visible Service which would not be achieved and which partly offset this favourable position. In addition, Visible Services had savings from previous years which had yet to be achieved in full and it was anticipated that while some progress would be made this year in their implementation, they would not be fully achieved and a shortfall of

£706k was projected. The last section of Appendix 2 detailed these savings from previous years.

In light of the level of savings to be found in future years, it was imperative that approved savings were achieved in the required year.

Provisional Settlement 2016/17

The Council had not yet received the provisional settlement from WG. This would not be published by WG until 9 December, 2015. The Council was unable to wait until this date to commence its budget preparation for 2016/17 and therefore the report had been based on the projections previously used as part of the Medium Term Financial Plan 2014/15 to 2017/18.

Based on the projection of a 4% reduction in funding from the WG in real terms, the Council was projected to receive £111.537m from WG as RSG and a share of the Non- Domestic Rates (NDR) of £34.845m. Together these figures constitute the Council's projected Aggregate External Finance (AEF) of £146.382m. It should be noted that a 1% change in AEF equates to around £1.5m.

At this stage, no transfers in or out of the RSG had been assumed.

2016/17 Initial Budget Proposals

As part of these initial proposals, it had 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 and an updated list was shown in Appendix 3 attached to the report. A new cost pressure had been included for the introduction of the National Living Wage from 1 April, 2016, which would provide for a minimum hourly rate of £7.20 for workers aged 25 and above. There would be further pressure in future years when it continued to increase to at least £9.00 per hour by 2020. This change also had a significant effect on services the Council commissions from external organisation. The main area affected was Social Services and a cost pressure had been included to reflect this.

Details of the proposed areas for savings for 2016/17 to 2017/18 were attached at Appendix 4 to the report. The savings did not include the cost of any potential redundancies. As part of the Budget Strategy 2016/17 Directors were requested to continue to progress the Reshaping Services Programme. Detailed work on business cases was currently on-going and they would review the potential level of savings that could actually be achieved.

A summary of the overall base budget for 2016/17 was attached at Appendix 5 to the report. This had been arrived at by adjusting the 2015/16 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 Appendix 3 and 4 attached to the report. Adjustments shown included the following:

Asset Rents, International Accounting Standard (IAS) 19 - Related to accounting items outside the control of services. They reflected charges to services for the use of capital assets and adjustments in respect of pensions to comply with accounting standards.

Recharges/Transfers - Related to changes in inter-service and inter Directorate recharges. The Original Budget had been adjusted to reflect the reorganisation of Development and Visible Services. Included were transfers of functions and responsibilities between Directorates as detailed below:

Education - £113k from Development Services in respect of the Arts Development Managing Director and Resources - £210k from Development Services in respect of Coroner Services

Budget Adjustment - There was a net total of £505k and related to £600k for the reversal of one off funding previously provided to services, less the £1.105m reduction in the use of the Social Services Fund in 2016/17.

Inflation - The total figure for inflation of £1.613m related to general price increases (£1.005m) and a 1% allowance for pay awards (£608k). These figures did not include schools inflation which amounted to £649k for pay and £389k for prices.

Committed Growth - £2.557m and £477k reflected the Minimum Funding Commitment for schools, £930k related to the increase in employers national insurance (excluding schools), £1m related to the reduction in use of the Council Fund and £150k had been allocated for capital charges.

Once the base budget for 2016/17 had been established, it must then be compared to the funding available to identify the extent of any shortfall. With a projected AEF of £146.382m and Council Tax at a current level of £59.874m, total available funding would be £206.256m. When compared to a base budget of £217.030m, this would result in a funding deficit for 2016/17 of £10.774m. This deficit was mainly attributable to a reduction in funding from WG and an increase in pay and price inflation. If all identified cost pressures were funded, this would increase the shortfall

to £18.601m. If all proposed savings were achieved, the shortfall would be reduced to £6.431m as shown in the table below.

Projected Budget Shortfall 2016/17	
	£000
Funding Available	
Projected AEF (Assumes 4% reduction)	146,382
Council Tax (Assumes no increase) *	59,874
Projected Funding Available	206,256
Base Budget	217,030
Projected Shortfall Against Base Budget	10,774
Assume all Cost Pressures Funded	7,827
Projected Shortfall with Cost Pressures funded	18,601
Assume all Savings Achieved	(12,170)
Projected Shortfall for 2016/17	6,431

* This assumed no increase in Council Tax at this stage.

The shortfall was already based on the requirement to achieve a high level of savings in 2016/17 and there was still uncertainty about the continuation of the MFC for schools beyond that date.

The above projections included an assumed pay award of 1% for 2016/17 and the impact of the National Living Wage. It also included the increase in employers National Insurance which took effect from April 2016. If any further changes were agreed to pay conditions, they would be assessed as part of the Final Budget Proposals report.

Further work would be undertaken by the Budget Working Group (BWG) in order to achieve a balanced budget for the final budget proposals for 2016/17. This would include a review of the use of reserves, a possible increase in council tax, a review of all cost pressures, possible changes to the approved saving targets, a review of the inflation assumptions and the current financial strategies. The BWG would also

consider the results of the budget engagement process in determining priorities for future savings and service delivery and the impact of the revised Corporate Plan.

There would be difficulties in maintaining the quality and quantity of services in the future without exploring opportunities for collaboration and alternative forms of service delivery. The Council had already commenced a programme of reshaping and transforming services, as approved by on Cabinet on 11th August 2014.

The next stage was for the estimates to be submitted to Scrutiny Committees for consultation. Committees were asked to review the level of cost pressures with a view to suggesting ways in which these could be managed downwards and/or mitigated. Corporate Resources Scrutiny Committee was the lead Scrutiny Committee and would consider both the Initial Revenue Budget Proposals and any recommendations that other Scrutiny Committees had made. The responses of Scrutiny Committee must be made no later than 15 December, 2015.

The BWG would hold a series of meetings in November 2015 with the relevant Cabinet Members and officers to consider the budget proposals and they would submit their recommendations so that the Cabinet may make its final budget proposal. Before making its recommendation, the BWG would consider the comments made by Scrutiny, together with the results of consultation. The final proposals to Cabinet would include a review of the financial strategies required to achieve a balanced budget, which was sustainable in future years. Currently, the approved timetable required Cabinet to approve the final budget proposals by no later than the 22 February, 2016 and that Cabinet's final budget proposals would be considered by Council at a meeting to be held on 2 March, 2016.

As the Final Settlement would not be received from WG until 2 March, 2016, the timetable was now under review and would have to be revised based on achieving the deadline for setting Council Tax on 11th March 2016.

After presenting this item the Leader commented that the Council needed to find several million pounds through cuts to services and that further work needed to be done to reduce the Council's deficit as stated in the report. He explained that there were decisions that the Council would have to be make that were unpalatable which may not be practical, but they could include further reductions to the budgets of services such as;

- Garden Waste Charges
- Street Cleaning Reductions
- Further street lighting cuts

He commented that rises in council tax would not raise enough revenue to cover the shortfall and noted that whilst the Council had some reserves, many were earmarked for future projects.

In conclusion he explained that the report would be considered by all Scrutiny Committees and Directorates to explore further options and a final decision would be made by the Council.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the amended revenue budget for 2015/16 as set out in Appendix 1 attached to the report be approved.
- (2) T H A T the initial revenue budget proposals for 2016/17 be approved for consultation with the relevant Scrutiny Committees.
- (3) T H A T the recommendations of Scrutiny Committees be passed to Scrutiny Committee (Corporate Resources) as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.
- (4) T H A T a sum of £1.65m be set aside in the Schools Investment Strategy reserve and £850k be set aside in the Disabled Facilities reserve, funded by the projected underspending on revenue in 2015/16, with further details in the Initial Capital Programme Proposals 2016/17 report.

Reasons for decisions

- (1) To incorporate changes to the 2015/16 budget.
- (2) In order to gain the views of Scrutiny Committees.
- (3) In order that Cabinet be informed of the comments of Scrutiny Committees before making a final proposal on the budget.
- (4) To ensure that reserves are both adequate in purpose and level.

C2976 INITIAL HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2016/17 AND AMENDED BUDGET 2015/16 (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) –

Approval was sought for the amended budget 2015/16 and the initial budget proposals for 2016/17, so that they could be submitted to Scrutiny Committees for consultation.

During the course of the year, local authorities must 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 practical to prevent the deficit. A local authority was not prohibited from being in deficit but would need to demonstrate that the deficit had arisen through exceptional circumstances and that it had revised its original proposals so far as reasonably practical to avoid the deficit. Such a deficit would be carried forward and must be made good the following 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 increase was based on a rent policy introduced by the Welsh Government, however recent events in England regarding social rents, had brought the policy into question. It was anticipated that WG would amend the existing policy, however, at the time of writing the report, an announcement had not yet been made. Therefore, an average rent increase of 3.5%, had been included in the 2016/17 initial budget proposals, as per the Housing Business Plan - December 2014.

Set out below was a table comparing the original budget with the proposed amended budget.

	2015/16 Original Budget	2015/16 Proposed Amended Budget	Variance Favourable (-) Adverse (+)
	£'000	£'000	£'000
Housing Revenue Account	(129)	1,265	1,394

The net budget had changed from a surplus of £129,000 to a deficit of £1,265,000. A review of the current budget had found a potential net saving this year of £455,000. The main reason for this was that the estimated increase in the provision for bad and doubtful debts had been reduced by £902,000 as the Universal Credit and its effects

were not likely to impact on Housing Rent collection until 2016/17. There had been little increase in the actual level of rent arrears in this financial year and it was not anticipated that the provision would need to be substantially increased. In addition there had been a reduction in the Repairs and Maintenance budget of £300,000 which was originally identified for an external painting programme which was now unlikely to commence until 2016/17. These savings had been offset by an adjustment in the rental income expected of £253,000 which related to properties that were no longer accounted for in the HRA, £120,000 which related to feasibility studies on sites for development, £281,000 increase in Capital Financing Costs following the final HRAS buyout settlement agreement and other cost increases of £93,000. These adjustments alone would give an amended HRA budget of £584,000.

The level of HRA reserves brought forward was £1,876,000 and was higher than anticipated. In order to minimise the amount of unsupported borrowing required in year to fund the Housing Improvement Programme it was prudent to use HRA revenue reserves up to a minimum balance. The level of CERA (Capital Expenditure funded from Revenue Account) had been recalculated at £5,334,000 which was an increase of £1,849,000. This change would leave a minimum HRA reserve of £611,000 which was in line with the level set in the latest Housing Business Plan.

The Budget Strategy for 2016/17 outlined that, in order to establish a baseline, services should prepare revenue budgets 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 the balance no cost pressures had been formally identified.

The proposed 2016/17 budget was set out at Appendix 1 attached to the report. The charges for rent and other services provided by the Housing Service were reviewed annually. These would be subject to a future report once the guidance had been received from WG regarding the setting of rents. Set out below was a table summarising the original budget for 2015/16 with the proposed budget for 2016/17.

2015/16 Original Budget	Inflation / Pay Award	National Insurance Change	Committed Growth / (Savings)	Estimated Rent Increase	Increase/ (Decrease) in CERA	2016/17 Proposed Budget
£000	£000	£000	£000	£000	£000	£000
(129)	130	34	1,408	(604)	(851)	(12)

A provision for general inflation included an allowance of 1% pay awards in 2016/17 which equated to approximately £18,000.

The impact of the changes to Employer National Insurance Contributions for Housing staff had been identified as £34,000.

A decrease in Capital Expenditure from Revenue Account (CERA) to finance the Housing Improvement Programme of £851,000 had been assumed. The amount of revenue contribution required was dictated by available revenue balances and the value of the Housing Improvement Programme. Adjusting the level of CERA by this amount would leave a minimum HRA Reserve of £623,000, which was in line with the latest Housing Business Plan.

The net growth of £1,408,000 was due to a number of factors;

- An increase in Capital Financing charges of £877,000 in relation to unsupported borrowing being taken out in 2016/17 to fund the Housing Improvement Programme, and adjustments required following the HRAS buy-out.
- An adjustment to the net rental due from dwellings of £260,000 to account for properties no longer accounted for in the HRA.
- An increase in staff costs for increments and staff changes of £40,000
- An increase of £60,000 in central recharges.
- A contribution of £22,000 to support Safer Vale for activities which benefit Council tenants and leaseholders.
- An increase of £133,000 on the bad debt provision, to reflect the assumption that 6% of net rental income would need to be provided for to mitigate the potential increase in arrears following the introduction of Universal Credit in February 2016.
- Various other minor adjustments of £16,000.

The next stage was for the estimates to be submitted to Scrutiny Committees for consultation. Scrutiny Committee (Corporate Resources) was the lead Scrutiny

Committee and would consider both the Initial Revenue Budget Proposals and any comments that other Scrutiny Committees had made. The responses of Scrutiny Committee must be made no later than the 15 December, 2015.

The Cabinet Budget Working Group would hold a series of meetings in November 2015 with the relevant Cabinet Members and officers to consider the budget proposals. They would submit their recommendations so that the Cabinet may make its final budget proposal no later than the 22 February, 2016. Before making its recommendation, the Budget Working Group would consider the comments made by Scrutiny.

It was planned that Cabinet's final budget proposals would be considered by Council at a meeting to be held on 2 March, 2016. However, due to the delay in receiving the final budget settlement from Welsh Government this date was now under review.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the amended Housing Revenue Account budget for 2015/16 as set out in Appendix 1 as attached to the report be approved.
- (2) T H A T the initial Housing Revenue Account budget proposal for 2016/17 be approved for consultation with the relevant Scrutiny Committee.
- (3) T H A T the recommendations of Scrutiny Committees be passed to Scrutiny Committee (Corporate Resources) as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.
- (4) T H A T the increase for rent and other services be subject to a future report to Cabinet as soon as the information was available from the Welsh Government (WG).

Reasons for decisions

- (1) To facilitate monitoring of the amended Housing Revenue Account budget

- (2) In order to gain the views of Scrutiny Committee regarding the 2016/17 Housing Revenue Account Budget proposals.
- (3) In order that Cabinet be informed of the comments of Scrutiny Committee before making a final proposal on the budget.
- (4) In order to meet the statutory deadline to notify tenants of the new charges as required by Statute.

C2977 WELLBEING OF FUTURE GENERATIONS (WALES) ACT DRAFT GUIDANCE (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Approval was sought for the response to the draft guidance on the Wellbeing of Future Generations (Wales) Act issued by Welsh Government on 7 September, 2015.

The aim of the Act, which would come into force in April 2016, was for public bodies to improve the economic, social and environmental wellbeing of Wales in accordance with the sustainable development principle. The Act set out seven wellbeing goals against which specified public bodies must set and publish wellbeing objectives. These objectives must be designed to maximise the public body's contribution to the achievement of the wellbeing goals.

The wellbeing goals were:

1. A more prosperous Wales
2. A resilient Wales
3. A healthier Wales
4. A more equal Wales
5. A Wales of cohesive communities
6. A Wales of vibrant culture and thriving Welsh language.
7. A globally responsible Wales

The Act aimed to improve wellbeing in accordance with the sustainable development principle - ensuring that the needs of the present were met without compromising the ability of future generations to meet their own needs.

Draft statutory guidance on the Act was published by Welsh Government on 7 September and consultation on the guidance would close on 16 November, 2015. The guidance set out the expectations for public bodies under the Act, the requirement to establish Public Service Boards and the necessary timeframes for the

different activities required. The guidance had been published in a number of parts including specific guidance for public bodies, Public Service Boards and Community Councils.

The core guidance (SPSF1) was attached as Appendix A to the report. Appendix B as attached to the report was an extract from SPSF1 and was a diagram that explained the main parts of the wellbeing duty for public bodies and for public service boards. SPSF2 was the guidance to public bodies and their individual role and was attached as Appendix C to the report. SPSF3 was the guidance for the newly established Public Service Boards and was attached at Appendix D to the report. There were two annexes to this guidance and they were attached at Appendices E and F to the report. The final guidance was SPSF4 for Community Councils and was attached as Appendix G to the report.

Attached at Appendix H to the report was a response to the consultation on the draft guidance which had been framed around a number of set questions. The draft response raised a number of points with regards to the guidance and in particular emphasises the need for work to be integrated and for a clear timetable to be issued. It was also requested that across the different parts of the guidance there was consistency in terminology and more linkages between the different parts of the guidance to provide greater clarity about the changes needed and their impact on other bodies e.g. between PSBs and community councils.

At the meeting the Cabinet Member for Regeneration commented that she was pleased with this report as it showed a commitment from the Vale of Glamorgan Council to work with Local Town and Community Councils on important issues, such as improving the economic, social and environmental wellbeing of towns in Wales in accordance with sustainable development principles.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the content of the draft guidance on the Wellbeing of Future Generations (Wales) Act issued by Welsh Government be noted.
- (2) T H A T the draft response to the consultation as contained within Appendix H as attached to the report be approved.

- (3) T H A T in respect of resolution 2 above, use of article 14.14 of the Council's Constitution (urgent decision procedure) be authorised to enable the consultation response to be submitted to Welsh Government on 16 November, 2015.

Reasons for decisions

- (1) To note the draft guidance on the Wellbeing of Future Generations (Wales) Act.
- (2-3) To enable a response to the consultation to be submitted by the deadline of 16 November, 2015.

C2978 REQUEST FOR TEMPORARY CAPITAL FUNDING TO SUPPORT THE EXPANSION AT ST BRIDES MAJOR, VOLUNTARY AIDED, CHURCH IN WALES PRIMARY SCHOOL (CSS) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Cabinet was requested to amend the capital programme to include a scheme for the expansion at St Brides Major Voluntary Aided (VA), Church in Wales (CiW) Primary School, to include a nursery, to meet the anticipated increase in pupil numbers arising from local housing developments and to request the short term use of £112K from the School Investment Reserve.

The village of Ogmore was expanding due to two large housing developments at the centre of the village. The catchment primary school for these developments was St Brides Major Church in Wales Primary School. Nursery provision in the village of St Brides Major was provided by the St Brides Major playgroup, a private provider registered by the Early Years Development and Childcare Partnership.

Section 106 funding from both developments had been secured to finance additional school places at St Brides Major CiW Primary School. The total contribution from the former Ogmore Residential Home site was £275K of which £168K was for primary school provision. The total contribution from the former Ogmore Caravan site was £466k of which £284k was for primary school provision. The overall total for primary school provision was £452K. There was also a contribution from both sites for secondary education totalling £289K.

In order to accommodate additional children from the new development at the former Ogmore Residential Home site, the report considered it beneficial to expand the

school capacity up to 210 places by September 2016. The school would not be able to accommodate any further children in Key Stage 2 without the expansion of the year 5 and 6 classrooms.

St Bride's Major CiW Primary school, with its status of a Voluntary Aided school, was undertaking a consultation exercise with prescribed stakeholders to extend the age range of the school from 4 to 11 years to 3 to 11 years. The school was further proposing that a nursery be built on the school site which could accommodate up to 48 part time nursery pupils. The consultation would run from 2 November, 2015 to 8 January, 2016. The school had scheduled that full determination of the proposal would take place on 21 March, 2016. The project would also include the expansion of the years 5 and 6 classrooms. The expansion of the school would provide enough spaces for all catchment children including those expected to attend from the two new housing developments.

The report requested that a budget of £387.9K be included in the capital programme for the scheme. The project would ultimately be fully funded through Section 106 education contributions, however, it was requested that £112K be made available in the short term from the School Investment Reserve to allow the scheme to commence and to be completed within the required timescale. The request would require Council approval. The School Investment Reserve would be reimbursed once Section 106 monies were received, which was anticipated to be in December 2016.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T it be recommended to Council, subject to the outcome of consultation, the inclusion of a £387.9K Section 106 contribution into the Capital Programme across 2015/16, 2016/17 and 2017/18 to support the expansion at St Brides Major Church in Wales (CiW) Primary School, to include a nursery, to meet the increase in pupil numbers arising from two local housing developments.
- (2) T H A T it be recommended to Council, subject to the outcome of consultation, that £112K from the School Investment Reserve be utilised for the St Brides Major CiW Primary School nursery extension scheme to finance

part of the £387.9K scheme in the short term, which will be reimbursed from Section 106 monies when received, thus allowing the necessary works to be undertaken within the required timescale.

Reasons for decisions

- (1) To allow the scheme to be included in the Capital Programme.
- (2) To ensure that full funding is available to progress the expansion of the school.

C2979 REQUEST FOR TEMPORARY CAPITAL FUNDING TO SUPPORT THE EXPANSION AT GWENFÔ CHURCH IN WALES PRIMARY SCHOOL (CSS) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -

Cabinet was requested to amend the capital programme to include a scheme for the expansion of Gwenfô Church in Wales Primary School, to include a nursery, to meet the anticipated increase in pupil numbers arising from local housing developments and to request the short term use of £215K from the School Investment Reserve.

The village of Wenvoe was expanding due to two large housing developments to the south (Redrow plc. at Port Road) and to the north (Bellamy Homes at St Lythans) of the village. This would increase demand for nursery and primary school places in Gwenfô. Current nursery provision in the Gwenfô area was provided by the Gwenfô playgroup, a private provider registered by the Early Years Development and Childcare partnership.

Section 106 funding had been secured from both sites to finance additional primary and nursery pupil places. The total contribution from the Port Road site was £493.7K. The total contribution from the ITV site was £749K. The contributions from both sites were directed to Gwenfô CiW Primary School. No contribution had been sought for secondary pupil places as there was capacity at the catchment schools of Barry and Bryn Hafren Comprehensive schools and Ysgol Gymraeg Bro Morgannwg.

The Governing Body of Gwenfô CiW Primary School was undertaking a public consultation to seek formal responses from stakeholders about the proposed nursery. The consultation exercise closed on 02 November, 2015. The school had scheduled that full determination of the proposal would take place on 18 January, 2016. This was a matter that was reported to Cabinet in July 2015 when a consultation exercise was authorised (Cabinet Minute C2878 referred).

Gwenfô Church in Wales (CiW) Voluntary Controlled (VC) Primary School wished to open a 48 part time place nursery unit to extend the foundation phase curriculum to meet projected demand from the two housing developments. The project would also extend two small classrooms to increase capacity for school age pupils to 210 places with an admission number of 30. It was anticipated that, subject to the outcome of consultation, the nursery and the classroom extensions would be completed for the beginning of the school year on 1 September, 2016.

If the school was not expanded by September 2016 then it was anticipated that the school would not be able to accommodate the demand from the new housing development and some monies from the Section 106 education contribution would need to be redirected towards the cost of transporting catchment area children to neighbouring primary schools.

The report requested that a budget of £535K be included in the Capital Programme for the scheme. This sum would comprise of £320K of Section 106 contribution and £215K from the School Investment Reserve. The project would ultimately be fully funded through Section 106 contributions.

The report requested that £215K be made available in the short term from the School Investment Reserve to allow the scheme to commence and to be completed within the required timescale. The request would require full Council approval. The School Investment Reserve would be reimbursed once Section 106 monies from the second phase of schedule payments from the Port Road site had been received which was anticipated to be in the spring of 2018.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T it be recommended to Council, subject to the outcome of consultation, the inclusion of a £535K Section 106 contribution into the Capital Programme across 2015/16, 2016/17 and 2017/18 to support the expansion at Gwenfô Church in Wales (CiW) Primary School, to include a nursery, to meet the increase in pupil numbers arising from two local housing developments.

- (2) T H A T it be recommended to Council, subject to the outcome of consultation, that £215K from the School Investment Reserve be utilised for the Gwenfô CiW Primary School extension scheme to finance part of the £535K scheme in the short term, which will be reimbursed from Section 106 monies when received, thus allowing the necessary works to be undertaken within the required timescale.

Reasons for decisions

- (1) To allow the scheme to be included in the Capital Programme.
- (2) To ensure that full funding is available to progress the expansion of the school.

**C2980 LOCAL HOUSING MARKET ASSESSMENT 2015 (HBMCS)
(SCRUTINY COMMITTEE – HOUSING AND PUBLIC PROTECTION) -**

Approval was sought to adopt the 2015 Local Housing Market Assessment.

Local authorities had an important strategic housing role and statutory responsibilities in relation to the functioning of the housing market. Relevant to the adoption of the Local Housing Market Assessment (LHMA); Section 8 of the Housing Act 1985 required local authorities to consider the housing conditions and needs in their local area; this included a duty for local authorities to conduct a periodic review of the housing market. This review provided the Council with a comprehensive understanding of the local housing market and a robust evidence base for effective strategic housing and planning services.

In addition to the above piece of legislation, Planning Policy Wales, which set out the land use planning policies of the Welsh Government, emphasised that local authorities should understand their whole housing system so that they could develop evidence-based market and affordable housing policies in their local housing strategies and development plans.

Planning Policy Wales was supplemented by a series of Technical Advice Notes; Technical Advice Note (TAN) 2 provided guidance on the role of the planning system in delivering affordable housing. TAN 2 required all Welsh local authorities to undertake a LHMA. This built upon the requirement for local authorities to review and understand their housing market, as discussed above, by taking a holistic view of the housing market across all tenures.

The 'Local Housing Market Assessment 2015', Appendix 1 to the report was available on the Council's website and available to view in the Cabinet Office and Members Room.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the Local Housing Market Assessment 2015, Appendix 1 to the report, available on the Council's website and available to view in the Cabinet Office and Members Room, be accepted and the policy implications for the Vale of Glamorgan be noted.

Reason for decision

To ensure the Council is able to meet the demand for affordable housing units required in the Vale of Glamorgan.

C2981 REVISION OF PLANNING POLICY WALES CHAPTER 10 RETAIL CENTRE DEVELOPMENT AND TECHNICAL ADVICE NOTE 4: RETAIL CENTER DEVELOPMENT (R) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) -

Cabinet was apprised of the Welsh Government's consultation and proposed revision of national planning policy in relation to retailing and retail centres. The draft policy documents and consultation had resulted from research work undertaken on behalf of the Welsh Government in 2014 which made 15 recommendations for the revision of planning policy in Wales on retail and town centres.

The Welsh Government was committed to ensuring that retail centres continued to thrive despite challenging economic circumstances. Across Government there were a number of ongoing initiatives which sought to make retail centres the focal point for retailing, commercial, business and social activities. The planning system could play a significant role in supporting retail centres through their promotion as a sustainable location for retail development and by resisting inappropriate development which would draw trade and foot fall away from those centres making them vulnerable to decline.

The Welsh Government consultation sought views on a revision of Planning Policy Wales (PPW) Chapter 10 Planning for Retail and Town Centres which set out

national planning policy in respect of retailing and retail centres and on a new version of Technical Advice Note (TAN) 4: Retailing and Town Centres which supported PPW. Together the proposed revisions would ensure that Wales' national retail planning policies remained fit for purpose. The consultation documents were issued on 3 September, 2015 and responses were required by 26 November, 2015. The consultation documents could be viewed on the Welsh Government website via the following link: <http://gov.wales/consultations/planning/proposed-changes-to-ppw-and-tan-4/?lang=en>

The Vale of Glamorgan Council welcomed the revisions to the Welsh Government's guidance on retail development and supported the objective to increase diversity and reduce vacancies through the proposed changes. Notwithstanding this support, in response to the specific consultation questions, the Council had made a number of comments which it hoped would assist the Welsh Government in developing a robust policy framework in respect of retail development. Full details of these comments were set out in Appendix 1 as attached to the report, and were summarised in the report.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the report and the completed consultation response form attached at Appendix 1 to the report be endorsed as the Council's formal response to the Welsh Government consultation on Planning Policy Wales Chapter 10 Retail Centre Development and Technical Advice Note 4: Retail Centre Development.
- (2) T H A T the report be referred to Planning Committee for information.

Reasons for decisions

- (1) To submit the Council's response to the Welsh Government consultation on Planning Policy Wales Chapter 10 Retail Centre Development and Technical Advice Note 4: Retail Centre Development.
- (2) To advise Planning Committee of the public consultation.

C2982 NELL'S POINT MARKETING (R) (SCRUTINY COMMITTEE – ECONOMY AND ENVIRONMENT) -

Members were updated on the results of the marketing exercise for the site at Nell's Point and adjacent toilet block.

The site at Nell's Point on Barry Island and the adjacent former convenience block site at the entrance to the Council's car park at Nell's Point were the subject of a marketing exercise over the summer months. The Council's preference was indicated as being the development of a tourism and leisure based development on the Nell's Point site to widen the range of product and attractions available at Barry Island. The deadline for submission of bids was 12.00 noon on 30 September, 2015. Officers opened the submitted bids on Friday 2 October, 2015. Of the bids submitted only two in number were found to be compliant with the requirements as set out in the Strategic Brief. Both compliant bidders were invited to attend the Council's Offices to present their submissions to the Project Board for these sites on 20 October, 2015. The Project Board was comprised of the Leader of the Council, the Cabinet Member for Regeneration, the Managing Director, the Director of Environment and Housing Services and the Head of Regeneration and Planning.

The detailed appraisal of the bids was contained in the Part II Report later in the Agenda.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the contents of the report be noted, and be considered alongside the Part II report later in the Agenda.

Reason for decision

To allow the Part 1 and Part II reports to be considered together.

At this stage of the meeting the Leader explained that there was a Part II item on the agenda that had to be heard in private. Therefore, rather than asking members of the public to leave for Cabinet to deal with this item, he temporarily adjourned the meeting to allow members of the public the opportunity to ask questions to Cabinet Members explaining that he would reconvene the Cabinet meeting to hear the last item after the public question and answer session.

After the question and answer session was completed the Leader and Cabinet Members and officers reconvened the meeting in private to hear the last Part II item on the agenda.

C2983 EXCLUSION OF PRESS AND PUBLIC –

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

C2984 NELL'S POINT MARKETING (R) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY COMMITTEE - ECONOMY AND ENVIRONMENT) -

Members were updated on the results of the marketing exercise for the site at Nell's Point and adjacent toilet block. Details of the submitted and compliant bids were received and authorisation was sought to continue discussions and negotiations with Bidder B as the preferred bidder from the marketing exercise and to enter into agreements with the preferred bidder at the appropriate time.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

(1) T H A T Bidder B- Bourne Holidays Limited trading as Warner Leisure Hotels, be accepted as "Preferred Bidder" in respect of the sale of the site at Nell's Point, Barry Island marketed in the summer of 2015.

(2) T H A T officers be authorised to continue discussions and negotiations with Bourne Holidays Limited/Warner Leisure Hotels as the preferred bidder from the marketing exercise.

(3) T H A T the Managing Director, the Director of Environment and Housing Services and the Head of Regeneration and Planning as members of the Project Board, in consultation with the Leader of the Council and the Cabinet Member for Regeneration, be granted delegated authority to continue negotiating towards the disposal of the site at Nell's Point and adjacent toilet block.

(4) T H A T subject to progress, as authorised under resolution 3 above, the Head of Legal Services be granted delegated authority to enter into an appropriate lease agreement, on behalf of the Council, for the disposal of the sites to Bourne Holidays Limited trading as Warner Leisure Hotels, subject to appropriate terms and conditions as may be agreed by the Project Board and complete the transaction in due course.

Reasons for decisions

- (1) To advise Bidder B - Bourne Holidays Limited trading as Warner Leisure Hotels that they have "Preferred Bidder" status.
- (2) To allow further detailed negotiations with the Preferred Bidder.
- (3) To authorise the Project Board to take this matter forward, without reference back to Cabinet.
- (4) To authorise the Head of Legal Services with the agreement of the Project Board, to enter into an appropriate contract, on behalf of the Council, for the disposal of the sites to Bidder B - Bourne Holidays Limited trading as Warner Leisure Hotels, subject to appropriate terms and conditions as may be agreed by the Project Board and complete the transaction in due course.