

CABINET

Minutes of a meeting held on 6 June, 2016.

Present: Councillor N. Moore (Chairman), Councillor L. Burnett (Vice – Chairman);
Councillors: B.E. Brooks, P. G. King.

Also Present: Councillor N. Hodges.

Apologies for Absence: The Leader had received apologies from Cllr G. John who was absent due to being at the hospital with his wife.

C3196 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 23 May, 2016 be approved as a correct record.

C3197 DECLARATIONS OF INTEREST –

No declarations were received.

C3198 STREET LIGHTING ENERGY REDUCTION STRATEGY UPDATE AND NEXT STEPS (REF) –

The Scrutiny Committee Environment and Regeneration on 17 May, 2016 considered the above report.

Cabinet had referred the report on 25th April 2016 to the Scrutiny Committee for consideration. The Chairman also confirmed that the issue was an item on the Committees work programme. In presenting the report the Head of Service commenced by advising that in 2014 Cabinet had resolved “That the implementation of a street lighting strategy based on the principal of reduced energy consumption with part-night lighting reduced for all appropriate areas of conventional street lighting as an initial measure and as reported as Option 6 of the report be agreed.”

The current report before the Committee advised that the part-night lighting programme, under Option 6, had now been completed and the report also provided an update on the carbon and financial savings that were achieved and issues encountered as a result of the part-night lighting scheme. The report also detailed

various options aimed at working towards full LED lighting along with possible changes of the operation for current and future light units aimed at obtaining a balance between carbon and financial savings, the views of residents and the appropriate illumination of the highway network. The Scrutiny Committee were therefore requested to consider the report, the options identified and to refer any comments to Cabinet before it made a final decision.

Although the strategic option identified as Option 6 in the previous report had recommended to retain LED stock and part-night 70% of remaining stock at 12 midnight, after extensive consideration by the part-night lighting board, comprising officers from Highways and Engineering, Road Safety, Community Safety and the police, it had been only possible to part-night 65% of the conventional lighting stock, being some 7,400 units. In making this decision the Board had used a risk matrix to analyse the stock and a copy of that risk matrix and associated explanatory information was attached at Appendix A to the report for Members' consideration.

The matrix had also included an assessment of highway and community safety impacts and wider social considerations. Whilst all part-night lighting decisions were well thought through, officers had however, received a number of complaints with the primary concern being overly dark areas in residential streets. As of 14th April 2016, 225 complaints and service requests had been received associated with the changes to part night lighting. Whilst the number of complaints was reported as relatively low for such a significant service change, it was evident that some of the issues raised were of concern and could require further consideration.

More of the existing conventional style lighting may be able to be changed to part-night lighting over time but the original figure did not include certain non-highway related hazards such as street lights close to areas of open water, where lights had to remain on. This was in part the reason why 65% had been achieved and not 70%. The projected full year energy saving from the part-night scheme was now £217k with 1042 tonnes of Co². Whilst the financial and Co² savings were lower than the estimates detailed above, the implementation costs were considerably less than those predicted, meaning that the pay-back period had reduced from 0.9 years to 0.65 years.

Members were informed that at the end of 2015/16 there would be 10,789 conventional type street lamps remaining in the Vale. These would be a mixture of residential and main road units with a full LED replacement cost of approximately £4 million. The payback period for this level of investment was in the region of 13 years to 18 years which would be mostly due to the number of main road columns involved and the savings in changing these to LED being considerably less than those in

residential areas. Although Members had previously agreed to the principal of a change to full LED street lighting over time the Head of Service advised it would not be prudent to suggest the utilisation of this level of reserves to replace the entire remaining conventional street lighting stock at this time. The payback period was too long and service resilience could be compromised. Instead it was proposed that a smaller amount of capital funding be utilised from the Visible Services and Transport reserve to change all the remaining conventional lighting in residential areas to LED.

Including a possible option to make no further changes to the current part-night lighting arrangements, other than the LED installations already earmarked within the capital programme, there were four possible options. A table indicating these was attached at Appendix C with a graphical representation of each option, compared to the budget available, attached at Appendix D. The various options detailed in the report were considered in more detail, as follows:

“Option 1 - "Consolidate the current part-night lighting arrangements and invest £100k per annum in 2016 / 2017 and 2017 / 2018 on LED replacement lamps". This option provides for financial savings of approximately £14k per annum but, as previously advised, this is insufficient to match the budget available for this period. Also, whilst the number of part-night lighting complaints has not been necessarily high, there is a need to review some of these complaints to ensure that the Council's position in terms of risk is properly managed. For residential areas only, this could mean that a small number of LED lamps may have to be installed to replace certain part-night conventional lighting units (this is more cost effective option than turning the conventional lights back on). This will require an element of funding and for the Part-night Street Lighting Board to be reconvened, so that each complaint can be technically considered on its relative merits. Until the Board sits to determine which, if any, part-night lights should be replaced estimating the increased cost of this option is difficult. As a guide, an additional £50k would enable a further 250 residential lighting units to be replaced on an individual basis.

The further savings in both carbon emissions and costs obtained from the £100k capital investment depend on the lamps that are to be replaced. In broad terms conventional street lights in residential areas that have not been subject to part night lighting realise the greatest savings, where in contrast strategic highway route street lighting that has been subject to part night lighting could increase revenue costs if changed to dusk until dawn full power LED lighting. As any lower level investment such as this should firstly be aimed at obtaining the highest possible savings, lights that have been subject to part-night lighting should not be changed first. This would not assist with the complaints received to date as all these have been from residential part-night lit areas. This particular option, whilst very positive when

compared to the previous costs and energy consumption for street lighting, is not sustainable due to costs from 2016 onwards. Further variations of this option could include either dimming or part night-lighting the existing and any future LED lights. However the additional savings associated with these options are relatively low at £11k and £16k per annum respectively. The latter option is also likely to be very unpopular with those residents who reside in LED lit areas, who are now used to low energy all night lighting.

Option 2 - "Dim existing LED lights at midnight and invest £1.2m in 2016/17 and £100k in 2017/18 and 2018/19 in LED residential street lighting, with existing residential and main road part-night light units retained as 'part-night' but LED." This option provides the second greatest savings when reductions in maintenance and carbon tax are taken into account and this is detailed in appendices C and D. The pay-back period for the investment associated with this work is 7.04 years and this is shown at Appendix E. However, the Council could be challenged for taking a decision which leaves the current LED lights on through the night, albeit dimmed, whilst all new LED installations are part lit. This would be difficult to defend as there is no technical justification for this differential, the main reason being to avoid criticism from residents who currently live in LED lit areas. This option also doesn't fully address the problems currently being experienced with part-night lighting. For these reasons this option is not considered appropriate.

Option 3 - "Dim existing LED lights at midnight and invest £1.2m in 2016/17 and £100k in 2017/18 and 2018/19 in LED residential street lighting which are also to be dimmed at midnight." This option provides the third greatest savings when reductions in maintenance and carbon tax are taken into account and this is detailed in appendices C and D. The pay-back period for the investment associated with this work is 7.54 years and this is shown at Appendix E.

This option is preferred as it provides considerable savings whilst also allowing for consistent and appropriate lighting levels to be achieved throughout the Vale. Existing LED units are able to be programmed to dim electronically at certain times of the evening / morning and to a range of power levels with no additional hardware required. The same will apply with all new LED units. The LED dimming calculations in the appendices are based on a half power option from midnight but this could be increased or decreased depending on the lighting circumstance. Complaints are likely to be less than all other options as there will be no unlit areas. It should not be forgotten that currently almost 50% of the Council's total street lighting stock is turned off at midnight. In any event complaints of poor lighting will be much easier to deal with, as increasing the lighting output from any column would be a simple

matter of reprogramming the LED controls on a column by column basis via adjustments to the lantern controls.

Option 4 - "Part-night 70% existing LED lights at midnight and dim remaining LED lights at midnight, invest £1.2m in 2016/17 and £100k in 2017 / 2018 and 2018 / 2019 in LED residential street lighting which are also to be either part-night lit or dimmed." As identified within the costs comparison Appendices this option realises the greatest savings both in terms of energy costs and carbon emissions. It is however likely to be the most unpopular option with the public, especially with those residents who are currently residing in areas lit by LED street lamps.

The savings from this option are only £22k greater than option 3 in 2017 / 2018, though the implications to the public in terms of their required lighting levels are considered to be significantly greater. Whilst achieving the highest savings possible from street lighting continues to be the aim, it is felt that this option does not provide sufficient additional savings over option 3 to warrant the discord that the option would cause with the general public. At this stage it has therefore been discounted.

Options 2 to 4 above all assume that the considerable investment in LED lighting will result in a 25% saving in ongoing maintenance costs for street lighting as the expected life of an LED lantern is much greater than that of a conventional unit. The table below provides an extract of the expected costs of street lighting energy, maintenance and carbon tax over the next two financial years. As can be seen it is expected that the options 2 to 4 all provide a saving over and above that of the projected budget in 2017/18. The preferred option 3 estimates an additional saving of £134k. Any additional saving made may contribute to the overall Reshaping Services saving of £1.3million for Highways & Engineers however due to the volatility in energy prices this saving could change significantly. "

There had been some concern raised previously about the safety of LED lighting. However, the officer advised that it had been reaffirmed that the LED luminaires specified would be compliant with the 'Waste from Electrical and Electronic Equipment Directive 2002/96/EC', which aimed to minimise the impact of end-of-life electrical and electronic equipment on human health and the environment. The LED modules themselves were totally sealed and the lens was made from vandal resistant polycarbonate and due to the fact that LED's did not have a filament lamp or glass enclosure they were largely impervious to vibration. LED luminaires also did not produce infrared or ultraviolet emissions and were used to protect foraging areas to preserve the habitat for bats.

A number of Members stated that having considered all the options in their view Option 3 was the preferred option. It was also mentioned by a few Members that part-nighting was a retrograde step particularly in relation to the feeling of safety although acceptance was shown at the savings and carbon reduction made as a result. Members had received a number of complaints in relation to part-night lighting and in the main safety had been considered the most important especially in their view where roads and pavements may not be lit as they should be. Although the new LED lights were directional lights Members were reminded that the department's responsibility was to light the highways and pavements not people's personal properties. A number of members of the public had complained that they could not see their keys to unlock their front doors but as Committee was reminded personal property was not the remit of the Council. The Committee was further advised that there was no proven link between street lights being turned off between 12 midnight and 6.00 a.m. and an increase in crime.

The Cabinet Member for Visible, Leisure and Regulatory Services commented that it was important for Members to note that not all lights had been 'switched off' as discussions had taken place with various services i.e. ambulance service in order to assess safety issues and where it was agreed important for lighting to remain on.

Although recognising that Option 3 was the preferred best option the Head of Service advised that a procurement exercise was also required to be undertaken, with the aim to implement the preferred option in the early part of 2017.

Having considered the report it was subsequently

RECOMMENDED - T H A T Cabinet be advised that Option 3 was the Committee's preferred option as it would be a more comprehensive strategy for the Council to follow.

Reason for recommendation

Having considered the report, the Options contained therein and in the interests of enhancing safety.

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After this item was presented, the Cabinet Member for Building Services, Highways and Transportation, who attended the Scrutiny Committee Environment and Regeneration meeting, commented that the Scrutiny Committee was thankful for

receiving the report from Cabinet, and they had supported the proposals contained in 'Option 3' since last year.

In concluding this item, the Leader noted that the 1st tranche of work from the initial proposals had progressed enough to start this 2nd tranche, consisting of replacing all remaining Street Lights to LED which, although dimmed from midnight would still stay on throughout the night.

Cabinet, having considered the recommendation of the Scrutiny Committee Environment and Regeneration

RESOLVED –

- (1) T H A T the comments of the Scrutiny Committee Environment and Regeneration be noted.
- (2) T H A T the use of £1.2m from the Visible Services reserve to fund the replacement of all remaining conventional residential street lighting with LED units be agreed, and that this be included in the 2016 / 2017 Capital Programme.
- (3) T H A T the progression of 'Option 3' detailed within the report be agreed and that, where possible, all old and new LED light installations be dimmed from midnight until dawn the following day.
- (4) T H A T delegated authority be granted to the Director of Environment and Housing Services, in consultation with the Cabinet Member for Building Services, Highways and Transportation, to amend the current street lighting maintenance arrangements to include consideration of all forms of delivery, including outsourcing the service if this is established to be the most cost effective arrangement.

Reasons for decisions

- (1) To take account of the views of this Scrutiny Committee in any decision.
- (2) To authorise the necessary expenditure to replace all the remaining conventional street lighting in residential areas to LED units.
- (3) To progress the most suitable option aimed at reducing energy costs and carbon emissions based on the current learning.

- (4) To ensure that the Director has the necessary authority to amend the current street lighting maintenance arrangements to realise the greatest cost savings.

C3199 PASSENGER FARES - SCHOOL TRANSPORT SERVICES (REF) –

The Scrutiny Committee Environment and Regeneration on 17 May, 2016 considered the above report.

Cabinet had on 9th May, 2016 considered the introduction of revised passenger fares on non-statutory school transport services provided by the Council and had referred the report to the Scrutiny Committee for consideration. The Head of Service for Visible Services and Transport informed Committee that at its discretion and to reduce the number of cars going into certain schools and encouraging use of public transport from an early age, the Council provided fare paying school transport services. Pupils paid a daily fare to use the services, which catered for pupils who lived less than the eligible distance for free school transport from school.

In addition, again at its discretion, to minimise vacant spaces on buses the Council also sold, at a cost of £225 per annum, any spare seats on contracted mainstream transport to those pupils who did not qualify for free school transport and lived in the Vale of Glamorgan.

As the Council's School transport budget was subject to significant reductions and challenges during coming years there was a need to consider increases to the fares to ensure that the Council could still offer young people the opportunity to travel by bus to and from their educational establishment.

In 2015/16 financial year a budget of £267,039 contributed to eighteen fare paying school services. On average 500 pupils a day used the services. In the 2015/16 academic year 50 pupils opted to purchase a spare seat on a contracted mainstream school transport service at a cost of £225 per annum. This generated income of £11,250 for the academic year. Fare paying school services had, at present, a fare structure (see Appendix A) that was not standardised. Fares ranged from £0.50 to £1.40 for a single (the average charge being £0.80) and £0.70 to £2.20 for a return (the average charge being £1.40). Most services also offer an annual season ticket for £225 per annum, with one service charging £195 per annum. There were currently eighteen fare paying school services serving a variety of schools within the Vale of Glamorgan, seven of which had more than 40% of pupils entitled to free school transport travelling on them. To standardise fares the proposal was to charge set rates of £1 a single, £2 a return journey and £300 for an annual season ticket.

These charges would give pupils an easy fare structure to follow, reduce the amount of change drivers need to give which was a problem on many services and offer the opportunity for the purchase of a seat on a bus for a period of 1 year.

The Council also at its discretion, offered pupils the chance to purchase spare seats on mainstream school transport if the vehicle was not filled to its capacity with pupils who qualified for free transport. Currently, pupils not entitled to free transport could purchase a spare seat for £225 per annum.

The Cabinet Member for Regeneration and Education with permission to speak informed the Committee that the last time the prices had been reviewed was over three years ago. It was important to be aware that other local authorities did not provide post-16 services and that only 50% of the actual cost incurred by the Council was being charged. A number of Members also concurred that it was important to protect post-16 students and to note that although the amount of £300 for the cost of spare seats potentially could be seen as a large increase, the prices had not been reviewed for over three years with Members accepting that this was appropriate in the circumstances.

Following the discussion it was subsequently

RECOMMENDED -

(1) T H A T the proposals to standardise fares on school fare paying services and to increase the cost of purchasing a spare seat on a contracted school service as detailed within the report as detailed below:

Charges - £1.00 single fare
 £2.00 return journey
 £300.00 for an annual ticket

be agreed with effect from 1st September, 2016.

(2) T H A T notwithstanding the above, Cabinet be requested to approve that a review of such charges is undertaken on an annual basis as part of the fees and charges for Visible Services and Transport.

Reasons for recommendations

(1) In view of the contents contained within the report and the discussion undertaken at the meeting.

- (2) In order that fare structures were considered to be reviewed on an annual basis.



Cabinet, having considered the recommendations of the Scrutiny Committee Environment and Regeneration, and noting that the proposals would not cover all of the Council's associated costs

RESOLVED –

- (1) T H A T the proposals to standardise fares on school fare paying services and to increase the cost of purchasing a spare seat on a contracted school service as detailed within the report as detailed below be agreed with effect from 1 September, 2016:

Charges - £1.00 single fare
£2.00 return journey
£300.00 for an annual ticket

- (2) T H A T a review of such charges be undertaken on an annual basis as part of the fees and charges for Visible Services and Transport.

Reasons for decisions

- (1) To determine a new fare structure for non-statutory school transport Services.
- (2) To review fare structures on an annual basis.

C3200 VALE OF GLAMORGAN COUNCIL HOUSING - POLICY ON APPLICATION OF THE WELSH HOUSING QUALITY STANDARD (REF) –

The Scrutiny Committee Homes and Safe Communities on 18 May, 2016 considered the above report.

Cabinet was presented with a policy on Application of the Welsh Housing Quality Standards (WHQS), as required by Welsh Government. As a housing landlord the Council had a statutory duty to meet WHQS and had set a target to achieve the

standard in 2017. To achieve this standard, the Council was following the guidance set out in comprehensive documents produced by the Welsh Government.

There was potential within the guidance for a difference of interpretation by social landlords in meeting the requirements of WHQS. The Welsh Government had requested each social landlord to provide a policy on its application of the standard.

A consultation event had been held with tenants to obtain feedback on how tenants would wish the guidance to be interpreted. This feedback had been used to develop the policy that was attached to the report at Appendix 1.

The policy provided the Council's application of the Welsh Housing Quality Standard as it would be applied to all its own housing stock and this should be read in conjunction with the guidance provided by Welsh Government on application of the standard. A copy of the standard was provided at Appendix 2 attached to the report.

Within the policy was a 'Certificate of Compliance' which had to be provided to each tenant when they commence a new tenancy. This certificate provided confirmation the property met WHQS and where this was not possible, the certificate provided details of all 'acceptable fails' recorded at the property.

This was a matter for Executive decision

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

RESOLVED –

- (1) T H A T the draft; 'Vale of Glamorgan Council Housing – Policy on Application of the Welsh Housing Quality Standard', attached at Appendix 1 to the report be noted.
- (2) T H A T the report be referred to Scrutiny Committee (Housing and Public Protection) for consideration and comment.
- (3) T H A T the matter be referred back to Cabinet for approval on completion of resolution 2 above.

Following extensive discussions on the contents of the report, Homes and Safe Communities Scrutiny Committee

RECOMMENDED - T H A T the draft Vale of Glamorgan Council Housing Policy on Application of the Welsh Housing Quality Standard be endorsed and that Cabinet be so informed.

Reason for recommendation

Having regard to the contents of the Vale of Glamorgan Council Housing Policy on Application of the Welsh Housing Quality Standard.

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Cabinet, having considered the recommendation of the Scrutiny Committee Homes and Safe Communities

RESOLVED – T H A T the comments from the Scrutiny Committee Homes and Safe Communities be noted and the 'Vale of Glamorgan Council Housing – Policy on Application of the Welsh Housing Quality Standard' be endorsed.

Reason for decision

To agree the policy as per the requirements of Welsh Government.

C3201 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 30TH APRIL 2016 (L) (SCRUTINY COMMITTEES – ALL) –

Cabinet was advised of the progress related to revenue expenditure for the period 1 April to 30 April, 2016.

On 2 March, 2016 Council approved the Revenue and Housing Revenue Account (HRA) Budgets for 2016/17 (minute no 885 and 883 respectively). It was early in the financial year and the forecast for the 2016/17 Revenue and HRA budgets was for an outturn within target.

Directorate/Service	2016/17	2016/17	Variance
	Original Budget £'000	Projected Outturn £'000	(+) Fav (-) Adv £'000
Learning and Skills			
Education and Schools	94,346	94,346	0

Libraries	2,051	2,051	0
Adult Community Learning	277	277	0
Youth Service	1,081	1,081	0
Catering	1,489	1,489	0
Arts Development	115	115	0
Social Services			
Children and Young People	14,858	14,858	0
Adult Services	39,906	39,906	0
Business Management & Innovation	295	295	0
Youth Offending Service	696	696	0
Environment & Housing			
Visible Services	20,068	20,068	0
Transportation	4,834	4,834	0
Building Services	0	0	0
Regulatory Services	2,056	2,056	0
Council Fund Housing	744	744	0
Public Sector Housing (HRA)	(22)	(22)	0
Managing Director & Resources			
Resources	920	920	0
Regeneration	2,172	2,172	0
Development Management	958	958	0
Private Housing	11,262	11,262	0
General Policy	16,660	16,660	0
Total	214,766	214,766	0
Met from General Reserve	-1,500	-1,500	0
Grand Total	213,266	213,266	0

Learning and Skills - It was very early in the financial year and while the forecast was shown as a balanced budget there would be great pressure on this service in the coming year.

Social Services - As it was very early in the financial year, the forecast for Social Services was shown as a balanced budget. However, there would be great pressure on this service in the coming year and this position might not be achieved.

Environment and Housing - It was early in the financial year, however, it was projected that this service would outturn within target at year end.

Managing Director and Resources - It was early in the financial year, however, it was projected that this service would outturn within target at year end.

As part of the Final Revenue Budget Proposals for 2016/17, a savings target of £9.289m was set for the Authority. Attached at Appendix 1 to the report was a statement detailing all savings targets for 2016/17. At this early stage of the year, services were working towards fully achieving their savings targets however updates would be provided to members during the year.

At the meeting, the Leader noted that the report provided an honest overview of the financial pressures facing departments and identified the work required to reduce them. He also noted that “As part of the Financial Revenue Budget Proposals for 2016/17, a savings target of £9.289m was set for the Authority” as discussed in Paragraph 20 of the report.

The Head of Finance commented that as the report covered the period 1 April, 2016 to 30 April, 2016, this was early in the financial year, however the department would be bringing reports monthly to Cabinet to monitor the situation.

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 position with regard to the Authority’s 2016/17 Revenue Budget be noted.
- (2) T H A T the transfer of £62k from Development Management to Resources as a result of the transfer of the Drawing Office, be approved.

Reasons for decisions

- (1) To apprise Members of the projected revenue outturn for 2016/17.
- (2) To align the budget with organisational changes.

C3202 CAPITAL MONITORING REPORT FOR THE PERIOD 1ST APRIL TO 30TH APRIL 2016 (L) (SCRUTINY COMMITTEES – ALL) –

Cabinet was informed of the progress on the 2016/17 Capital Programme for the period 1 April to 30 April, 2016 and changes to the Capital Programme were requested.

Appendix 1 attached to the report detailed financial progress on the Capital Programme as at 30 April, 2016. The monitoring report showed actual expenditure for the month of April 2016 and was matched by a similar figure in the profile to date column, thereby showing no variances. Profiled expenditure had been requested from Project Managers and would be updated in the next report. Requests for unspent committed expenditure that had slipped from 2015/16 into 2016/17 would be included in the Closing Down report presented to a future Cabinet meeting. For all schemes where it was evident that the full year's budget would not be spent during the year, the relevant officers were required to provide an explanation for the shortfall and this would be taken to the earliest available Cabinet.

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

After presenting this item, the Leader highlighted Paragraph 12 of the report that discussed the Jenner Park and Colcot Pitches, adding that as the Jenner Park pitches had been completed, the design work was now starting at Colcot and this scheme was simply being renamed to reflect the progress of work. He also noted the name change of the Paget Road Open Space Play Facility and invited the Cabinet Member for Regeneration and Education to give more information about this scheme.

The Cabinet Member for Regeneration and Education explained that the name change was the result of an identified need following the Penarth Heights development, as lots of additional families were now living in the area. As such, a more cohesive approach to Open Space Improvements was needed. Therefore,

comprehensive consultation was planned to guide investment in North Penarth parks and open spaces. The Cabinet Member further commented that the Penarth Renewal Area scheme had made a huge and positive difference to the occupants, and the virement of £100k to the Penarth Renewal Area would ensure the few residents who had experienced difficulties would have work to the quality that others had received.

On this point, the Cabinet Member for Housing and Social Care & Health noted that the poor workmanship of block 5b of the Penarth Renewal Area at Queens Road was due to external contractors and options were currently being explored to recover the money that was paid to contractors.

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 following changes to the 2016/17 Capital Programme be approved:

- St Andrews Major Church In Wales Primary Fencing - Increase the 2016/17 Capital Programme by £66k to be funded from the School Rationalisation Reserve.
- Jenner Park and Colcot Pitches - The scheme name to change to Colcot Pitches.
- Causeway Improvement Scheme - Increase the 2016/17 Capital Programme by £30k to be funded from s106 monies.
- Paget Road Open Space Play Facility - The scheme name change to North Penarth Open Space Improvements.
- Castleland Renewal Area - To vire £100k from Castleland Renewal Area to Penarth Renewal Area.

Reason for decision

To allow schemes to proceed in the current financial year.

**C3203 AUTHORITY TO SIGN ENERGY SUPPLY MODEL CONTRACTS (L)
(SCRUTINY COMMITTEE - CORPORATE RESOURCES AND PERFORMANCE) –**

Approval was sought to sign model contracts for energy supply.

The Council used the services of the National Procurement Service (NPS), which in turn had arrangements with the Crown Commercial Services (CCS) for the supply of gas and electricity. Crown Commercial Services negotiated model contracts with each utility provider which once agreed had to be signed by each 'customer' organisation.

Every four years the CCS undertook a tender exercise for gas and electricity suppliers, and the winning suppliers then acted as billing agents for that period. At each appointment of energy supplier a model contract was produced that required signing by each customer, the Vale of Glamorgan Council being one such customer. For supplies supported via the NPS the energy purchase occurred each year in the six month period between October and the following March. A fixed annual price was produced for each supply (six month fixed basket). The energy purchased was then used during the following April through to September.

Each model contract was negotiated and agreed between CCS and each energy supplier and could not be altered to suit the requirements of each individual customer. There were three suppliers each with a model contract. They were British Gas Business, EDF Energy and Corona Energy. In the future new suppliers may be appointed requiring a model contract to be signed. The report recommended that the Head of Legal Services was given the authority to sign these contracts in the future. The Council had two model contracts awaiting signature (EDF Energy and Corona Energy) and expected a third (British Gas Business) to require signature shortly.

Failing to sign the model contracts in a timely manner could leave the Council vulnerable to the payment of "out of contract" rates. These rates could be as much as double that of the contract rate.

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 delegated authority be granted to the Head of Legal Services to sign model contracts on behalf of the Vale of Glamorgan Council for the supply of

energy to the Council that arise from the National Procurement Service/Crown Commercial Services arrangement.

Reason for decision

To enable the Vale of Glamorgan Council to participate in the NPS gas and electricity supply arrangements.

C3204 PROPOSAL TO INCREASE WELSH MEDIUM SECONDARY SCHOOL PLACES (RE) (SCRUTINY COMMITTEE - LEARNING AND CULTURE)

–

Approval was sought to consult stakeholders on a proposal to increase Welsh medium secondary school places by expanding Ysgol Gymraeg Bro Morgannwg on its existing site to accommodate future demand.

During 2015 the Council consulted on a proposal to transform secondary schools in Barry by:

- i) establishing a new mixed English-medium comprehensive school
- ii) expanding Ysgol Gymraeg Bro Morgannwg; and
- iii) relocation to create two distinct campuses for Welsh medium and English medium education.

This proposal if implemented would have resulted in Ysgol Gymraeg Bro Morgannwg moving to the Bryn Hafren site and the English medium mixed sex school being established on the site currently occupied by Barry Comprehensive School and Ysgol Gymraeg Bro Morgannwg.

Following consideration of responses to the consultation, Cabinet decided at its meeting of 5 October 2015 not to progress further with this proposal but to establish an Advisory Board to review options, with particular regard to the option of establishing two mixed sex English medium secondary schools as well as addressing the need to expand Welsh medium secondary school places.

The new Advisory Board included the head teachers and chairs of governors of the three secondary schools, two head teacher representatives from feeder primary schools, representation from further and higher education, the relevant Cabinet Member, the Managing Director and officers of the Learning and Skills Directorate, was established in January 2016.

Having considered feedback from engagement activity carried out with the public, pupils, staff and governors of Barry and Bryn Hafren Comprehensive schools and Ysgol Gymraeg Bro Morgannwg, the Board considered options for the future of the three schools and agreed that the preferred option was to:

- i) Expand Ysgol Gymraeg Bro Morgannwg on its current site with the provision of a new entrance from Port Road
- ii) Build a new 11-18 mixed sex school on the site of Barry Comprehensive School
- iii) Create a modern, 11-18 mixed sex school by refurbishing and modernising the Bryn Hafren buildings.

The proposal to expand Ysgol Gymraeg Bro Morgannwg on its current site would result in the school's capacity being increased by over 200 pupil places which required a statutory process to be carried out. To establish two 11-18 mixed sex English medium secondary schools, the statutory process would involve closing Barry and Bryn Hafren Comprehensive schools and opening two new 11-18 mixed sex schools.

Unlike the initial re-organisation proposal, the two proposals were not interlinked and could progress separately. It was therefore appropriate to carry out separate statutory processes. Consulting on two separate proposals would be more straightforward than consulting on a single, more complex proposal and would result in groups of stakeholders being consulted on those issues which were most relevant to them.

Taking into account the capacity required to conduct two concurrent statutory proposals and the limited resources available, the statutory processes, where applicable, would be carried out at different times. The proposal to expand Ysgol Gymraeg Bro Morgannwg being the more straightforward of the proposals was dealt with in the report. Subject to Cabinet approval, consultation would commence in June 2016.

Welsh medium secondary education was provided at Ysgol Gymraeg Bro Morgannwg, a 3-19 all through school, located in Barry. The school provided the only Welsh Medium secondary school provision for the Authority and accommodated pupils from the seven Welsh medium primary schools located across the Vale of Glamorgan. The capacity of Ysgol Gymraeg Bro Morgannwg, the number on roll as at the Pupil Level Annual Schools Census (PLASC) 2016 and projected pupil numbers were shown in Appendix A attached to the report. The pupil place demand for Welsh medium secondary education was forecast to increase significantly from

September 2018 as pupils from two new Welsh medium primary schools established in Llantwit Major and Barry in September began to feed into the secondary sector.

Ysgol Gymraeg Bro Morgannwg was forecast to be at full capacity by 2020. Additional places would be required to accommodate the additional children to allow them to continue in Welsh medium education. The Council had a statutory obligation duty to meet the demand for Welsh medium education. In order to provide sufficient capacity to meet the demand for additional Welsh medium places for children of secondary school age, it was estimated that Ysgol Gymraeg Bro Morgannwg would need to increase its secondary phase capacity from 1,151 places to 1,450 places. This was an overall increase in school capacity of 299 places or 22 per cent.

In order to increase the capacity of the school the Council would need to comply with the statutory process detailed in the School Standards and Organisation (Wales) Act 2013. Appendix B attached to the report set out the anticipated timescale for this process if approved by Cabinet.

At the meeting, the Cabinet Member for Regeneration and Education commented that she was delighted to bring this report to Cabinet; a comprehensive consultation was planned and she looked forward to having detailed conversations with stakeholders. Once the consultation was concluded, this matter would be reported back to Cabinet.

The Leader also commented that the transformation of secondary schools in Barry was being progressed on the basis of developing Welsh Medium provision first followed by English Medium provision and the Council was happy to receive and consider any comments that would come forward from the consultation.

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 Director of Learning and Skills, in consultation with the Cabinet Member for Regeneration and Education, be authorised to undertake consultation from 26 June, 2016 for a period of 6 weeks on the proposal to increase Welsh medium secondary school places by expanding Ysgol Gymraeg Bro Morgannwg on its current site.

- (2) T H A T it be noted the implementation of the proposal would be subject to consideration of responses to consultation to the relevant statutory processes and that progress would be subject to the availability of capital funding from Welsh Government.
- (3) T H A T the report be referred to the Scrutiny Committee Learning and Culture for consideration as part of the forthcoming consultation exercise.

Reasons for decisions

- (1) To assess the level of support for the proposal to expand Ysgol Gymraeg Bro Morgannwg.
- (2) To assess the views and comments of those informally consulted.
- (3) To ensure that the Learning and Culture Scrutiny Committees was consulted on the proposal.

C3205 PROPOSAL TO AMALGAMATE CADOXTON NURSERY AND CADOXTON PRIMARY SCHOOLS AND EXTEND THE AGE RANGE OF CADOXTON PRIMARY SCHOOL FROM 4 TO 11 TO 3 TO 11 YEARS FROM 1 SEPTEMBER 2016 (RE) (SCRUTINY COMMITTEE - LEARNING AND CULTURE)

—

Cabinet was advised of the outcome of the statutory notice to amalgamate Cadoxton Nursery and Cadoxton Primary schools.

A Cabinet report recommending that the Council consult on a proposal to amalgamate Cadoxton Nursery and Primary schools was presented to Cabinet on 14 December 2015. The proposal was to amalgamate Cadoxton Nursery and Cadoxton Primary schools by extending the age range of Cadoxton Primary School from 4 - 11 to 3 - 11 years; and discontinuing Cadoxton Nursery School.

Cabinet approved the recommendation to carry out a consultation exercise for a period of 6 weeks (Cabinet minute C3020 refers) to take place between 4 January, 2016 and 15 February, 2016. The consultation document, attached as Appendix A to the report, was also available on the Council's website.

A consultation report (attached at Appendix B to the report) was presented to Cabinet on 7 March, 2016 and published on 14 March, 2016 in accordance with the statutory requirement to publish within 13 weeks after the end of the consultation

period. Cabinet approved the recommendation to proceed to issue a statutory notice on the proposal (Cabinet minute C3100 refers). A statutory notice was published on 11 April, 2016. The statutory notice period of 28 days (including 20 school days), was closed on 9 May, 2016. A copy of the notice was attached as at Appendix C to the report.

Under section 49 of the School Standards and Organisation (Wales) Act 2013, the Council had to publish a summary of the statutory objections and a response to those objections - the objection report. This was attached at Appendix D to the report. A number of key points were raised during the objection period, with a focus on the perceived detrimental impact on the children's educational experience and school standards as well as the negative impact on the community which the nursery school currently serves. Respondents also expressed a desire to maintain the status quo, which provides choice for local parents for standalone nursery provision.

The report was satisfied that there was no reason why the existing high quality provision could not be maintained in a nursery class following amalgamation. Access to the resources of the wider school had the potential to improve the scope for continued professional development and could improve the range of provision on offer. Although the nursery class would become a part of the primary school following amalgamation, the nursery would continue to uphold its existing values and philosophies. The highly committed and professional staff would continue to deliver the same high quality of care, learning and social development for children in their care. An amalgamation would build on the strengths present in the existing separate schools under a single leadership team, providing efficiency and opportunity which would not be available under separate management structures. The primary school would continue to work in partnership with a number of agencies such as community health, police and social services. These relationships would include the nursery class and they would continue to be sustained and developed. Estyn's response to the consultation on this proposal stated, "It is Estyn's opinion that the proposal is likely to maintain the current standards of education and provision in the area".

In accordance with the Act (2013), Cabinet were required to give full consideration to the objections received to the proposal. The objections had been collated into the Objection Report (attached at Appendix D to the report), which detailed the objections received and the Council's responses to these concerns. Individual objections to the statutory notice had also been made available in the members room.

After presenting this item, the Cabinet Member for Regeneration and Education stated that the Council always sought to build on the strengths of constituent schools

during amalgamations and this intention was at the heart of all decisions going forward concerning this matter. She confirmed that a number of objections had been raised following the statutory notice and it was clear that the local community had a strong bond with the nursery school and the Council desired only to build upon these strengths.

The Cabinet Member continued by highlighting the 8 key issues raised by objections to the proposal as detailed in Appendix D attached to the report and summarised the Council's responses to the concerns raised. She noted that there was concern about a lack of fairness and openness with the process but stated that the Council had tried to be as open as possible with the proposal, her predecessor had met many times with stakeholders and as the Cabinet Member for Regeneration and Education she was committed to ensuring the correct procedure had been followed. As such, she supported the proposal.

The Director of Learning and Skills emphasised the point that the Council's intention was to bring the two good performing schools together to create an even stronger school. She noted the consultation response from Estyn contained in Paragraph 20 of the report, that "It is Estyn's opinion that the proposal is likely to maintain the current standards of education and provision in the area" and commented that change was not always easy, however this proposal was in the best interests of the children.

In concluding the discussion of this item, the Leader commented that both schools were in his ward and he had been keenly involved in their development, being a past governor. He noted that the proposal to amalgamate Nursery and Primary schools had been adopted throughout the Vale of Glamorgan and reiterated the consultation comments from Estyn. The Leader stated that such previous amalgamations had been successful and beneficial to children and he had no doubt that this would be borne out in future Estyn reports.

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 findings of the objection report on the proposal be noted and considered.

- (2) T H A T the implementation of the proposal to amalgamate Cadoxton Nursery and Cadoxton Primary schools from September 2016 by closing Cadoxton Nursery School on 31 August, 2016 and extending the age range of Cadoxton Primary School to 3 - 11 years from 1 September, 2016 be approved.

Reasons for decisions

- (1) To ensure the views of objectors are taken into account in the decision making process.
- (2) Following the completion of a period of statutory notice, a decision is required on whether to implement the proposal to amalgamate Cadoxton Nursery and Cadoxton Primary Schools.

C3206 VALE OF GLAMORGAN GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT MAY 2016 (RE & HSCH) (SCRUTINY COMMITTEES - HOMES AND SAFE COMMUNITIES & ENVIRONMENT AND REGENERATION) –

Cabinet was updated on matters related to Gypsy and Traveller accommodation that had emerged as a result of the on-going Local Development Plan process, and approval was sought for a suggested way forward and for the adoption of the Vale of Glamorgan Gypsy and Traveller Accommodation Assessment (GTAA) May 2016 attached at Appendix 1 to the report.

The assessment of Gypsy and Traveller accommodation needs, and the duty to make provision for Gypsy and Traveller sites where the Assessment identifies unmet need, became statutory requirements under Section 103 of the Housing (Wales) Act 2014. Cabinet were apprised of the requirement to undertake a GTAA on 27 July, 2015 (Cabinet minute C2877 refers) and of the work of the GTAA Steering Group in the Vale of Glamorgan and recommended that a further Cabinet report be submitted outlining the outcome of the Assessment prior to its submission to Welsh Government.

The 2013 GTAA informed the draft Local Development Plan (LDP) for the Vale of Glamorgan. Welsh Government Guidance required Local Planning Authorities to accommodate any unmet need identified in their area within the Development Plan. The LDP was being considered at the Examination in Public. Sessions were held between January and April this year and the Council was working on Action Points arising from those sessions with a view to preparing a Matters Arising Changes (MAC) Schedule for public consultation later this year. The LDP for the Vale of

Glamorgan contained a specific policy (MG5) to allocate a new Gypsy and Traveller site at Hayes Road, Sully. The allocation was proposed as a response to the unmet need identified in the 2013 GTAA.

At the LDP hearing session held on 22 March, 2016, the Inspector was advised that a new GTAA was in the process of being prepared in accordance with section 101 of the Housing (Wales) Act 2014. This resulted in the Inspector making the following action point:

- “Action Point 2: Council to submit the updated Gypsy and Traveller Accommodation Needs Assessment (currently being prepared). The Council should also submit a Position Paper outlining the implications for the Plan, including how the needs of permanent, transit and traveling show people should be addressed within the Plan - identifying new allocations if necessary. Also include monitoring indicators within the Plan as necessary.”

The Inspector required the final version of the document, once published, together with an explanation of the implications of the result of the Assessment and how the Council proposed to address the need identified in the final version of the Assessment. The Inspector confirmed that he would give the new assessment ‘substantial weight’.

In addition to the above, due to a flooding constraint affecting the Hayes Road Site that the Inspector considered could not be overcome or mitigated, he also directed the following action point:

- “Action Point 5: In light of C2 flooding constraints, delete “Hayes Road, Sully” as a Gypsy and Traveller allocation. Council to provide an update as to how it wishes to address the resulting shortfall within the Plan (including any additional need identified under Action Point 2 above).”

The Inspector also considered the Council’s duty under section 103 of the Housing (Wales) Act 2014, which required Local Housing Authorities to meet any unmet need identified in an approved Assessment. In view of this duty, the Inspector was of the view that the Plan was unlikely to be found sound should the plan not allocate sufficient land to accommodate any need identified in the new GTAA.

The Current Draft version of the new GTAA (attached at Appendix 1 to the report) identified a total of 19 Gypsy and Traveller families living in the Vale of Glamorgan, which included one family at Llangan, one family at Twyn Yr Odyn, Wenvoe, and 17 on the Hayes Road site in Sully. Whilst there was one vacant authorised permanent

private residential pitch in the Vale of Glamorgan, it was not currently available for rent or sale. Accordingly, there were currently no authorised sites within the Vale of Glamorgan that could accommodate any of the 19 families identified.

The land at Hayes Road, Sully was owned by the Council and since January 2012 had been an unauthorised Gypsy and Traveller site, occupied by New Age Travellers and Travelling Show People. During the consultation period for the new GTAA, discussions were undertaken with twelve occupants of the site by Tai Pawb, a specialist organisation that was set up to promote equality in housing. During the discussions the occupants made it very clear that they would not live on a Gypsy and Traveller site that met the requirements of the Welsh Government Guidance 'Designing Gypsy and Traveller Sites, May 2015'. Their requirement was for a piece of land that they could self-manage and self-design.

Chapter five of the Welsh Government GTAA Guidance, set out how Local Authorities should consider meeting their unmet need identified in the Assessment. Three options for meeting the need were set out in the guidance, one of which encouraged the Local Authority 'working proactively with Gypsy or Traveller households to develop a more community led approach such as a Community Land Trust (CLT)' (paragraph 240). The Guidance also stated that such an approach 'may be more attractive than living on Local Authority sites to certain communities, for example, New Travellers' (paragraph 245).

In undertaking the GTAA, regard was given to the Welsh Government GTAA Guidance, which advised at paragraph 146 as follows:

“146. Local Authorities should not include households on ‘tolerated’ sites within current residential supply unless the site has been provided with assurances that no planning enforcement action will be taken against the site within the subsequent 5 year period.”

Given, the situation that existed at Hayes Road, careful regard had been paid to the most appropriate way forward. The report was mindful of the need to progress the LDP, a key strategic document, as well as the need to provide a realistic and appropriate site for Gypsy and Travellers, which would require meaningful engagement with the travellers currently occupying the Hayes Road site. In addition, the lack of a readily alternative site meant that the prospect of success in seeking the eviction of travellers from the Hayes Road site was low. In accordance with the above guidance, the report proposed that Cabinet agree to issue the occupiers of the Hayes Road, Sully site with written assurance that no planning enforcement action would be pursued against the residential use of the site within the subsequent five

years from the date of the letter. This would allow the Council the opportunity to work with the travellers to identify a new site, within the spirit of the advice contained within the Welsh Government GTAA Guidance.

Notwithstanding the above, the Council's obligation under the Welsh Government Guidance in Circular 30/2007 on 'Planning for Gypsy and Traveller Sites' would still remain, which was to accommodate the needs of Gypsies and Travellers over the Development Plan Period (i.e. beyond the 5 years of the draft GTAA). As such, it was proposed that the Llangan site was allocated in the LDP as the Gypsy and Traveller allocation for 2 pitches, formally accommodating the need identified on the Llangan site itself and the Wenvoe site (following the expiry of the temporary planning permission, and in the event that no further planning permission was either sought or obtained).

The GTAA further indicated that there was not a need for the Council to provide a transit site in the Vale of Glamorgan at this time, but recommended that it continued to monitor the number of unauthorised encampments and gave consideration to the use of short term toleration or Negotiated Stopping Arrangements to deal with short term transient stops.

In light of the included evidence and background, the report's recommendations sought to satisfy the Council's duties as Housing and Local Planning Authority in respect of Gypsy and Traveller accommodation needs in the Vale of Glamorgan and comply with the requirement of the LDP Inspectors requirements.

At the meeting, the Cabinet Member for Regeneration and Education commented that the determination that enforcement action in respect of a breach of planning control was not expedient to pursue was a matter that was normally dealt with by officers in the day to day work of the Council's enforcement team. However as this matter was linked to the LDP and the GTAA, and given the sensitivity around the issues, it was thought advisable to bring these matters together and take them to Cabinet in a single report. She further commented that the Council's priority was seeking effective ways forward by working with affected groups to develop a sustainable solution, and invited the Principal Appeals and Enforcement Officer to speak.

The Principal Appeals and Enforcement Officer commented that the section of the Housing (Wales) Act that required the Council to carry out a GTAA and determine need had, very recently, come into effect. Accordingly, she stated that in other previous cases Local Authorities had been allowed to find alternative Gypsy and Traveller sites during the monitoring of the LDP process, thus allowing their LDPs to

be approved. However, the Inspector was not satisfied with such an approach given the introduction of the new requirements of the Housing (Wales) Act.

The Principal Appeals and Enforcement Officer confirmed that the duty imposed under Section 103 of the Housing (Wales) Act 2014 would not apply if an assurance was in place that planning enforcement would not be pursued in a 5 year time period. However, the Council still had to assure the Inspector that they were meeting the needs of travellers over the whole of the Plan period and following Welsh Government guidance to work proactively with Gypsy and Traveller households to find sites to accommodate the need that would arise. She also confirmed that it would be very difficult to relocate the Travellers from the unauthorised site as there was no alternative location.

The Cabinet Member for Housing and Social Care & Health commented that a working group had been set up to determine the best approach for this matter and work was underway which was outlined in the detailed report. She thanked the staff involved for their hard work so far, as it was a difficult situation.

In agreement with his colleague, the Leader noted that the situation was made more difficult as during discussions with the Travellers living on the land at Hayes Road, Sully, the occupants made it very clear that they would not live on a Gypsy and Traveller site that met the requirements of the Welsh Government Guidance 'Designing Gypsy and Traveller Sites, May 2015' and the Inspector had judged their existing site unusable due to potential flooding at and near the entrance to the site. He also noted that a solution would be sought in two years.

As one of the Officers consulted on the report, the Operational Manager for Development Management stated that there was currently a break between the LDP Inquiry sessions to deal with any matters arising of which this issue was one, it was therefore important to address this matter quickly, as any further lengthy delay to the Plan could undermine its soundness.

The Managing Director commented that the situation was further complicated by the LDP being at this sensitive stage. In addition, the prospects of relocating the travellers were slim given that there was currently no alternative site. Guidance required that the Council had to work with the Travellers to find a site that met their specific needs and such an approach would take time. As such, the report proposed the only reasonable option to progress the matter. He further added that while the proposals detailed in the report fell within the remit of Officer operational duties, it was more appropriate to present this matter to Cabinet due to its importance.

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 situation in respect of the Local Development Plan (LDP) concerning the allocation of a Gypsy and Traveller site be noted.
- (2) T H A T the suggested approach detailed in the report, that the Head of Regeneration and Planning issue a letter to the travellers currently occupying the unauthorised site at Hayes Road, Sully to provide them with the assurance that no planning enforcement action will be pursued against their residential use of the site within the subsequent five year period from the date of the letter, be endorsed.
- (3) T H A T subject to resolution 2 above, the Council continue to work with the occupants of the unauthorised site at Hayes Road, Sully to come to a mutually agreeable resolution to find a site that will meet their needs.
- (4) T H A T subject to resolution 2 above, the Vale of Glamorgan Gypsy & Traveller Accommodation Assessment, May 2016 attached at Appendix 1 to the report be adopted.
- (5) T H A T the report be referred to the Homes and Safe Communities Scrutiny Committee, the Environment and Regeneration Scrutiny Committee and the Project Steering Group for consideration, and to the Planning Committee for noting.

Reasons for decisions

- (1) To inform Members of the background to the report in respect of the on-going Local Development Plan process.
- (2) To provide a short-term solution to the Gypsy & Traveller need in order to progress the Local Development Plan to adoption whilst allowing the Council to continue to work with the Travellers currently occupying the unauthorised site at Hayes Road, Sully in order to meet their long term accommodation needs in a sustainable way.

- (3) To identify for the Travellers currently occupying the unauthorised site at Hayes Road, Sully a site that will meet their needs.
- (4) To ensure that the Council complies with its statutory requirements under the Housing (Wales) Act 2014 and adopts the Gypsy & Traveller Accommodation Assessment, May 2016 for submission to Welsh Government and the LDP Inspector.
- (5) To seek the views of the Scrutiny Committees and Steering Group and to inform the Planning Committee.

C3207 SUPPORTING PEOPLE PAYMENTS (HSCH) (SCRUTINY COMMITTEES - HOMES AND SAFE COMMUNITIES) –

Approval was sought to extend four contracts for the provision of housing related support, due to expire on 30 June, 2016, for a period of one month.

The Supporting People (SP) programme was the policy and funding framework for delivering housing related support to vulnerable people in different types of accommodation and across all tenures.

In order to ensure overall compliance with the Council's Contract Procedure Rules, Financial Regulations and other procurement requirements, on 29 June, 2015 Cabinet approved the retendering of the first Approved Provider List (APL) for the provision of housing related support services funded by the Supporting People Programme Grant for a four year period (Cabinet minute C2829 refers).

Due to protracted discussions to explore all of the procurement options in introducing an Approved Provider List, the tendering process was delayed for a number of services where contracts had expired or were due to expire. These had now been completed, however it had impacted on the tendering for the Tenant Support contracts for the wider floating support service (TESS). Whilst the whole team was undertaking the procurement exercise it was not possible to retender the 10 separate contracts, which made up the TESS scheme simultaneously. Accordingly approval was sought to extend four of the contracts due to expire to enable full compliance with the procurement requirements. This time would include the statutory ten day stand still period and include the transfer of staff under TUPE legislation if the incumbent service provider was unsuccessful.

These contracts were:

- TESS 3&8, the provider for both was Llamau, due to expire on 30 June, 2016 which covered services to people with substance misuse problems and young and vulnerable clients.
- TESS 6&7 the provider for both was Taff Housing Association, due to expire on 30 June, 2016 which covered services for generic clients and for vulnerable families.

If the services under the expired contract were discontinued, it would destabilise the very vulnerable service users and impede their progress towards achieving independent living at a time when they required the assistance and support the most. It was therefore thought prudent to continue to make payments to the support providers in order that the support could continue for the period of one month during the retendering process.

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 Council's Contract Procedure Rules and Financial Regulations be waived to enable an extension of contracts with Llamau, and Taff Housing Association for the Tenant Support Schemes (TESS) services (contract numbers 3,8,6,7 only) for one month, approving payments under these contracts up to 31 July, 2016.
- (2) T H A T delegated authority be granted to the Head of Legal Services to prepare, complete and execute the required legal documentation in order to extend the contracts as indicated in resolution 1, above.

Reasons for decisions

- (1-2) To ensure the stability of services provided to very vulnerable people in the Vale of Glamorgan and to comply with the Council's Contract Procedure Rules and Financial Regulations.

**C3208 DISABLED FACILITIES GRANTS PERFORMANCE REPORT FOR
END OF YEAR 2015-16 (HSCH) (SCRUTINY COMMITTEE - HOMES AND SAFE
COMMUNITIES) –**

Cabinet was apprised of the Council's performance delivering Disabled Facilities Grants (DFG's) during the financial year 2015-16.

The Council had a statutory duty to consider and approve applications for DFG's. DFG's funded the adaptations of privately owned homes to allow residents to live as independently as possible in their own home for as long as possible where there was an identified need and the property could be reasonably adapted. The delivery time of DFG's was a national performance indicator. The Council had sought to improve its performance in delivering DFG's. In the past 6 years the Council had achieved considerable improvement.

The performance of the DFG Service had again improved in 2015-16. A detailed breakdown of the DFG service performance at the end of year was attached at Appendix 1 to the report. For the financial year 2015-16, the average time to deliver a DFG reduced to 178 days, against a target of 195 days. In 2014-15, the average delivery time was 199 days and the Council was ranked 8th across Wales. Based on 2014-15 figures, the performance outcome across 2015-16 should be above the Welsh Average and see the Council in the top performance quartiles. The comparative data for 2015-16 performance was not published until September 2016.

The target average delivery time for a child's DFG was not met. The target set was 195 days, and the team delivered the service in an average of 201 days. The overall performance for children DFGs was adversely affected by one case consisting of a multi-faceted adaptation in a mid-terraced property with access only through the front entrance. As there were only nine child cases delivered across the year, this case also adversely affected the overall performance figure. If this one complex case was removed from the performance indicator calculation, the average number of days fell to 186 days, below the target set at 195 days.

During 2015-16, the DFG service saw an increase in demand. Following the allocation of additional capital funding in Autumn 2015, all capital funding allocated to the service was spent in meeting this demand. However, despite the increase in demand and workload for the team, the service still reduced its delivery time and retained a high level of satisfaction from their clients.

During 2015-16 there were two audit reports published which recommended improvements to the DFG service. In September 2015, the Wales Audit Office

published its audit report which considered whether the DFG service was providing an effective response to users' needs. This report made the following proposals for improvement:

- a) Implement a process review for Disabled Facilities Grants that assessed arrangements from the service user perspective and had regard to the implementation of change by other Councils.
- b) Establish a broader range of measures that enabled the effectiveness of the DFG service to be evaluated in terms of meeting user needs and the efficiency of resources being deployed as well as monitoring the speed of delivery.
- c) Adopt 'plain English' principles to assess revisions necessary to current DFG guidance documents and future publications/advice for service users.
- d) Introduce measures that could be used to establish a corporate understanding of the way in which the service and others contribute to supporting independent living.

The following actions had been taken, or underway, in response to these suggested improvements:

- a) Officers from the DFG service had visited colleagues in Neath Port Talbot Council to gather information and learn how they undertook a lean systems review. Officers from the DFG service were working with the Business Improvement Team and the Management Team to take forward lessons learnt from that visit in conducting a process review.
- b) Occupational Therapists were contacting clients following the completion of the grant work to determine if the DFG met their identified needs and to determine if the DFG was effective. Where additional need was identified, further work or action was undertaken to ensure the client had full use of the adaptations. In addition, DFG clients were requested to complete a customer satisfaction form. This form had been developed and was used across Wales to enable outcome data to be compared with neighbouring authorities. This data was not available at present.
- c) Standard paperwork used in the service had been reviewed and key documents re-written using the principles of 'plain English'. As guidance documents and policies were reviewed over the coming months, these too would be written following the 'plain English' principles.
- d) Within the Well-being Outcome of "Active and Healthy Vale", the Corporate Plan 2016-20 included a Well-being Objective of "Safeguarding those who are vulnerable and promoting independent living". Work had commenced to

identify a suite of measures that would enable the Council to demonstrate the progress being made towards achieving this objective.

The Council's internal audit team undertook the second audit. This audit found the control of the service was reasonable and identified a number of areas of strength. The Audit report also identified three areas where improvements could be made:

- a) Officer delegations to be clearly defined and approval and payment limits reviewed,
- b) Better control over the framework contractors performance using the contract in place to assist in maintaining control,
- c) Some variations in the works undertaken being agreed outside officer delegation limits.

The issues concerning officer delegations had been addressed, with reviewed and clarified officer delegations and tightened processes. Contractor performance had also been addressed; where the performance was not to the standard expected, officers were working with the Framework to ensure the performance was improved or the contractor would be removed.

After presenting this item, the Cabinet Member for Housing and Social Care & Health commented that while the speed of delivering DFG's had improved, so had the quality of the service. She further commented that while the child's DFG target was not met, there were only nine child cases delivered throughout the year and one complex case had skewed the statistic as children had complicated requirements that had to address current and possible future needs.

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 performance for delivering DFG's during 2015-16 be noted.
- (2) T H A T the proposals for improvement from Audit Reports on the Service be noted.
- (3) T H A T the work towards achieving the proposals for improvement from the Welsh Audit Office Report be noted.

Reasons for decisions

- (1) To apprise Members on the Council's performance delivering DFG's during 2015-16.
- (2) To apprise Members on the Council's performance delivering DFG's during 2015-16.
- (3) To apprise Members on the Council's performance delivering DFG's during 2015-16.

C3209 BUS SERVICES SUPPORT GRANT 2016/2017 (BSHT) (SCRUTINY COMMITTEE - ENVIRONMENT AND REGENERATION) –

Cabinet was informed of the Bus Services Support Grant (BSSG) of £363,809 that had been made available from the Welsh Government for the continued support of the local bus services for the 2016/2017 financial year and also how the BSSG would be used.

The Bus Services Support Grant (BSSG) was ring fenced for Public Transport Services (Local Bus and Community Transport Facilities) and associated administrative costs, together with publicity, and also minor works such as bus shelter improvements. The total value of the Grant across Wales was £11,096,918 for the 2016/2017 financial year compared to £11,175,347 in 2015/2016. In 2015/16 the Vale of Glamorgan received £366,347 (uplifted to £370,450 following on from reconciliation of finances). This year the Council was to receive less at £363,809.

The Vale of Glamorgan Council contributed to the operating costs of VEST (Voluntary Emergency Services Transport), EVCT (East Vale Community Transport) and DPVC (Dinas Powys Voluntary Concern) as well as the Council's own community transport scheme - Greenlinks. Applications for each operator had been assessed and the potential grant award was contained at Appendix A attached to the report.

Welsh Government specified in their documentation that Local Authorities should use the BSSG to support their core strategic networks and enhance accessibility and connectivity to communities, essential services and facilities. Appendix A as attached to the report showed the routes that had been identified as strategic and supported the Welsh Government's key objectives as well as the proposed expenditure on these services. Appendix B as attached to the report showed the amount of cross boundary income that the Council received from neighbouring authorities (Cardiff

and Bridgend) in 2015/16. Cross boundary income was received as services funded by the Vale of Glamorgan that operated within a different authority, giving those residents access to a service that they might not otherwise have had. The neighbouring authorities could make a contribution to the authority where these services originated. This was worked out on a percentage/mileage basis and was usually received at the end of the financial year.

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 acceptance of the sum of £363,809 Bus Services Support Grant (BSSG) for 2016/2017 be approved.
- (2) T H A T the use of the BSSG revenue funding as detailed in Appendix A as attached to the report be approved.

Reasons for decisions

- (1) To ensure continued local bus service and community transport provision through the expenditure of the BSSG.
- (2) To authorise the allocation of the BSSG Funding for 2016 / 2017.

C3210 COASTWATCH STATION, NELLS POINT, BARRY - RENEWAL OF LEASE (VLRS) (SCRUTINY COMMITTEE - ENVIRONMENT AND REGENERATION) –

Approval was sought for the renewal of the lease to the National Coastwatch Institution (NCI) in respect of the Coastwatch Station at Nells Point, Barry and to grant landlord's consent for the installation of solar panels at the station.

Since February 2007, the NCI had occupied the Coastwatch Station under a series of licences and leases. A renewed lease had now been requested by NCI and also consent from the Council as landlord to install solar panels at the station. A renewed lease would also enable the NCI to enter into an agreement with a third party to facilitate the installation of solar panels.

NCI would also need to apply for planning permission to install the solar panels. It would be a condition of the landlord's consent that all other appropriate consents be sought and obtained prior to the installation of the panels.

At the meeting, the Director of Environment and Housing stated that the National Coastwatch Institution provided a valuable service. In agreement with the Director, the Leader added that installing solar panels would help make the organisation more sustainable and save them money.

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 authority be granted to the Director of Environment and Housing Services in consultation with the Head of Financial Services and the Cabinet Member for Visible, Leisure and Regulatory Services to negotiate and agree the terms and conditions for a renewed lease of the Coastwatch Station (delineated on the plan attached Appendix A to the report) to the National Coastwatch Institution for a term of 5 years.
- (2) T H A T the Head of Legal Services be authorised to prepare, complete and execute the required legal documentation.
- (3) T H A T landlord's consent be granted to the National Coastwatch Institution for the installation of solar panels at the Coastwatch Station.

Reasons for decisions

- (1) To continue the support for the work of the voluntary group in the Vale of Glamorgan.
- (2) To execute and complete the legal documentation.
- (3) To provide a more sustainable energy supply to the Coastwatch Station.