

CABINET

Minutes of a meeting held on 17 October, 2016.

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

C3323 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 3 October, 2016 be approved as a correct record.

C3324 DECLARATIONS OF INTEREST –

No declarations were received.

C3325 SHARED REGULATORY SERVICES JOINT COMMITTEE -

The minutes of the Shared Regulatory Services Joint Committee meeting held on 20 September, 2016 were submitted.

Present:

Representing Bridgend County Borough Council – Councillors C.E. Smith and R. Williams;
Representing Cardiff City and County Council – Councillors Ms. J. Parry;
Representing the Vale of Glamorgan County Borough Council – Councillor G. John (Chairman).

Also present:

Mr. S. Wyndham (Wales Audit Office).

(a) Apologies for Absence –

These were received from Councillors D. De’Ath (Cardiff City and County Council) and A.G. Powell (Vale of Glamorgan Council).

(b) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 28th June, 2016 be approved as a correct record.

(c) Declarations of Interest –

No declarations were received.

(d) Shared Regulatory Services Statement of Accounts 2015/16 (DEH) –

The Vale of Glamorgan Council was responsible for the preparation of the Financial Statements that presents fairly the financial position of the Shared Regulatory Services (SRS) as at 31st March, 2016. The Auditor General for Wales was responsible for reporting whether, in his opinion, this was indeed the case. The audit had been undertaken by the Wales Audit Office (WAO) as the Council's Engagement Lead on behalf of the Appointed Auditor.

The unaudited Statement of Accounts for 2015/16 had been prepared by 30th June, 2016, in accordance with the statutory timeframe and previously considered by the Committee at its meeting held on 28th June, 2016. In addition to the above, the SRS Joint Working Agreement stated that "The Joint Committee shall meet on or before the 30th September in each Financial Year to approve the Audited Statement of Accounts of the Joint Committee for the previous financial year". This should be presented along with the Audit of the Financial Statements report, prepared by the designated external auditor.

Consequently, the report of the Auditor General for Wales together with the latest 2015/16 Statement of Accounts incorporating all currently agreed amendments was attached at Appendix 1 to the report. In addition, the Audit of Financial Statements report had also been attached for consideration.

Mr. Wyndham, in referring to the draft WAO report, made reference to the key messages contained in Appendix 2 "Summary Report". In terms of the status of the report he indicated that the majority of the audit work had been completed and the provisional findings of the WAO were that there were no misstatements identified in the financial statements which remained uncorrected. There were a small number of misstatements that had been corrected by management following discussion between the WAO and the Section 151 Officer and related to the following matters:

- **IAS 19 pension fund actuarial figures** – The IAS 19 figures within the Financial Statements and the related disclosures have been amended in accordance with the revised information provided by the Pension Fund

actuary to reflect the transfer of staff from the three predecessor Councils to the Shared Regulatory Services Joint Committee;

- **Employees' Emoluments** – The Remuneration Bandings table within the Note has been amended to include the fact that individuals received compensation in regard to loss of office. These compensation payments require disclosure within the Note in accordance with the requirements of the Code.
- **Exit Packages** – The number and cost for one of the bandings was amended to reflect the correct basis for compiling the disclosure, in this case including an additional entry to the 0 - £20,000 banding.

He fully appreciated that this was the first year for the production of Statement of Accounts for the SRS which may have led to the need to recommend adjustments as detailed in Appendix 3 of the draft WAO Summary Report.

Having regard to the above, it was the intention of the Appointed Auditor to issue an unqualified audit report on the Financial Statements once the relevant Council officers had provided a signed Final Letter of Representation.

RESOLVED –

- (1) T H A T the Appointed Auditor's report relating to the audit of the 2015/16 Financial Statements for the Shared Regulatory Services be approved.
- (2) T H A t the Financial Statements, including the Final Letter of Representation, be approved for signature by the Chairman of the Shared Regulatory Services Joint Committee.

Reasons for decisions

- (1) To ensure that those charged with governance have considered the results of the audit of the 2015/16 Financial Statements of the Shared Regulatory Services.
- (2) To ensure that the Financial Statements were signed as required.

(N.B. Tabled for the Committee's attention was an updated edition of the SRS Statement of Accounts 2015/16.)

- (e) Overview and Update on the Shared Regulatory Services (DEH) –

The Chairman reminded the Committee of the previously circulated supplementary

information relating to Agenda Item No. 5, Appendix 2.

The Committee at its previous meeting held on 18th May, 2016 considered a report which provided a further update on matters pertaining to the creation, development and operation of the new service.

The Committee was apprised on the ongoing work in relation to ICT and mobile working. It was noted that work was underway across the SRS teams to establish what data was required to be archived, deleted or migrated to the new Tascomi single database. An Officer Task and Finish Group had also been established to work closely with the Information Governance Managers of the three partner Authorities to ensure that this process was carried out in accordance with the relevant legislation and the three respective document retention policies. Officers were also completing a Privacy Impact Assessment that considered a change in working practices to ensure continued data compliance within consolidated database and archiving solutions.

Officers also identified the ongoing ICT requirements for the major hubs, establishing a need for fixed desks, hot desks or agile working points. The location of officers in Bridgend and the Vale of Glamorgan Councils were contingent on the corporate schemes currently underway. The relocation of officers at Cardiff Council was scheduled to take place in November 2016 and overall there would be an approximately 50% reduction in the space occupied by SRS officers.

In addition, work had progressed in developing a single telephone contact number for the service; officers had also agreed the call messaging and routing protocols for the new telephone number, taking into account Welsh language requirements. Issues relating to out of hours provision had been resolved which meant that the Service was now in the final stages of implementing the new single telephone contact number.

Work had also continued towards the use of a single domain for all SRS staff, with the new format e-mail addresses in place and ready to use. The e-mail addresses for officers would be a variation on the standard Vale of Glamorgan e-mail address using "SRS Wales" alongside user's long in name, details of which were set out in paragraph 6 of the report. Prior to new e-mail addresses going live, Outlook content for those staff previously employed by Bridgend and Cardiff Councils would be transferred to the Vale of Glamorgan Council system. Appropriate signposting would be set up to deal with mail arriving at closed accounts in the future, replacing the auto-forwarding facilities currently in place. For staff, the advantage of a single e-mail address was that multiple Outlook accounts would no longer need to be

maintained. For customers of the service, the single web domain would provide greater clarity and improved identity.

In regard to financial monitoring for the first quarter, 1st April, 2016 to 30th June, 2016, this was set out at Appendix 1 to the report and had been prepared from the consolidated figures gathered from each Authority for this period.

Members were informed the SRS was currently projected to achieve an overspend of £220,000 against the gross revenue budget. However, it was considered that this position could be mitigated by the level of income received directly by the Authorities. Whilst all staffing costs for the SRS were held within the Vale of Glamorgan Council's Oracle system, non-staffing costs were currently held remotely by each respective Authority and details were provided on a monthly basis from finance colleagues of Cardiff and Bridgend Councils. Members were asked to note that progress had been made on increasing the use of the Vale of Glamorgan Council's system gross revenue budgets.

In terms of the financial outturn for 2015/16, as part of the consideration of the previous report relating to the Annual Statement of Audited Accounts which advised of an underspend of £851,000 in the financial year 2015/16, the Joint Committee was now required to consider proposals set out in Appendix 2 for dealing with the above Budget Surplus. This was a requirement of the Joint Working Agreement, Schedule 5.

Appendix 2 proposed the following arrangements:

- An earmarked reserve to be established
- The reserve to be used to fund the acquisition of "one off" items as detailed within Appendix 2
- That the reserve also gives consideration to specific projects such as investigating stream income collection into the SRS account
- An agreed methodology for the repayment of the 2015/16 surplus to the partner Authorities in excess of the agreed earmarked reserve.

The Committee's attention then turned to performance monitoring in relation to Quarter 1 for 2016/17, details of which were set out in Appendix 3 to the report and the information was being reported to each Council in line with the legacy performance management regimes and existing service plans.

The Committee received a short presentation on the current performance of the SRS.

The Committee was also updated on the following service developments:

- The SRS had some nine Primary Authority partnerships established. Four of these arrangements were entered into during 2015/16 as follows:
 - Dunraven Manufacturing Limited
 - Nathaniel Car Sales
 - Heatforce Limited
 - Ashfords Law Firm.
- In addition to the above and in the current financial year 2016/17, a further three partnerships had been entered into with the following organisations:
 - BBI Healthcare
 - Cardiff Sports Nutrition
 - RVS (The Royal Voluntary Service Charity).
- These were in addition to the two pre-existing arrangements with Just Perfect Catering and the Association of Convenience Stores.
- The SRS had been highly commended for its Primary Authority work at the Primary Authority Awards 2016, hosted by Regulatory Delivery, which provided an opportunity for the SRS to showcase the most innovative and successful business – regulator partnerships in the UK over the past 12 months.
- The SRS was nominated in the “Officer / Team Award” category. Despite missing out on the Team Award to Hertfordshire County Council, the Service was highly commended by the judges.
- The metrology laboratory based at Cardiff County Hall had been subject to a two day audit in August 2016. The findings of the audit report highlighted a small number of minor points which required to be addressed; these related mainly to constructive procedural and process augmentation and were easily rectified. Auditors commented on their findings of “a mature and very competent accredited laboratory for the scheduled calibrations, with no significant areas of weakness identified. The quality of calibration had been sustained for a considerable length of time and this was attributable to the professional diligent approach taken by the staff”.
- In July 2016, the National Audit Office (NAO) visited the Shared Service as part of their study into value for money of the system for protecting consumers from scams, unsafe goods, illegal trading and other forms of consumer detriment. The NAO were conducting field work between May and August 2016, with the intention of producing a final report in late Autumn 2016.

The Committee was also apprised of project work in relation to residential care homes, specifically health and safety interventions for the 2016/17 work plan,

following the occurrence of several significant incidents in care home settings during the last five years. The project would focus on the following subject areas:

- Lifting equipment safety
- Managing the risk of Legionella
- Managing the risk of scalding
- The prevention of falls from a height
- Management of bed rails.

The above project was a national Health and Safety intervention and the SRS was elected to pilot the project between April and July 2016, other South East Wales Local Authorities would undertake the work soon after and the remaining Welsh Local Authorities would schedule this project for late 2016/17 or towards the beginning of 2017/18.

Of the 43 care homes visited, 14 Improvement Notices were served, of which ten (71%) related to inadequate Legionella management controls. All remaining homes were informed of contraventions and recommendations by formal letter, with compliance monitored by duty holders producing action plans and through officer revisits.

The project also included care homes operated by national companies, small companies and sole proprietors. Details of recent cases investigated by the SRS that had resulted in prosecution were set out in Appendix 4 to the report.

Having regard to the above, it was

RESOLVED –

(1) T H A T the proposals set out in Appendix 2 to the report be approved and authority be given to the Vale of Glamorgan Council Section 151 Officer to make arrangements for the payment and to create a reserve for the expenditure identified for use by the Shared Regulatory Services.

(2) T H A T the remaining progress as detailed in the Overview and Update report be noted.

Reasons for decisions

(1) To approve the use of the 2015/16 underspend as proposed within Appendix 2 to the report.

(2) In acknowledgement of the work of the service and the progress towards completing the implementation programme.

(N.B. An updated Appendix 2 had been circulated prior to the meeting in relation to Appendix 2 of the report.)

(f) Shared Regulatory Services – Review of the Joint Working Agreement (DEH) –

The report set out proposals to amend the current Joint Working Agreement (JWA) between the partner Councils in light of operational experience and changes in legislation.

In accordance with Clause 26 of the JWA, it was proposed to update and amend the Agreement as a consequence of the following proposed changes and subject to a Deed of Variation being entered into between the Participant Authorities:

- The current clauses are: In the case of expenditure which was less than 5% in excess of the Approved Budget (as indicated in accordance with clause 7.8.1.1) without the prior written consent of each Section 151 Officer for each of the Participants liable to contribute towards such expenditure. For such purposes the Section 151 Officers shall respond to written requests to consent to such additional expenditure within ten working days of receiving the same and shall state whether they consent to the incurring of such additional expenditure or not.
- Consequently, written consent now required to be provided by all participants for spend in excess of the budget. Obtaining written permission in the event of a spend of up to 5% within ten working days from the Section 151 Officers of the participating Authorities (in 2016-17 core this would be £308,000) was reasonable.
- It is proposed that this clause was further qualified with the following clause: "The Head of the Shared Regulatory Service, in consultation with Lead Section 151 Officer, may in the case of an unexpected event incur expenditure of up to £100,000 in excess of Agreed Budget, without the provision of prior consent. Details of the expenditure will be reported back to the Participants' Section 151 Officers within five working days of the commitment being known and reported to the next Board and Committee meetings."

In addition to the above matters, Schedule 5, Clause 3 of the JWA related to budget approval and monitoring by the Shared Regulatory Services Joint Committee. It was

also proposed to insert two additional new clauses into the Agreement in respect of the following matters:

- "Clause 3.1A – Notification of any proposed saving requirement to be made by the Service must be provided to the Head of Service and the Lead Section 151 Officer at least 12 months in advance of the year to which they relate. Indications of the following three year savings requirement should be provided to the Head of Service prior to the start of each financial year."
- "Clause 3.1B – In the event of financial changes that are outside of the control of the Shared Regulatory Services such as, but not restricted to changes in legislation, inflation or pension fund contributions, that the Shared Regulatory Services shall commence consultation with the Participants on funding these changes as soon as possible."

There were also a number of references to legislation within the JWA i.e. Schedule 1 (Regulatory Services functions) set out a lengthy list of statutes and statutory instruments authorising and governing the functions that comprised the core services of the collaborative partnership. It was noted by the Committee that some of these statutory references were incorrect or had been superseded; these issues had been highlighted in some external audits of the services. Therefore, it was now proposed that these be updated and the proposed Deed of Variation amended to include wording designed to avoid having to make future amendments of such nature.

It was also noted that there was no recognised role for the Executives (Cabinets) of the partner Authorities in that there was no mechanism for the Executive to be apprised of the work of, and the decisions taken by, the Shared Regulatory Services Joint Committee. It was further proposed to insert a new clause 5.6 to allow the business of the Shared Regulatory Services Joint Committee to become included in Executive business agendas.

Schedule 4 of the JWA also outlined the functions delivered by the Shared Regulatory Services. It was now proposed to make minor administrative amendments to provide greater clarity on the range and scope of services provided e.g. the responsibility for enforcing aspects of the Housing (Wales) Act 2014, the "Rent Smart" requirements for landlords to be licensed; and the related removal for the need for landlord Accreditation regimes.

RESOLVED – T H A T the Shared Regulatory Services Joint Committee endorses the proposed changes to the Joint Working Agreement and that a copy of the report be sent to each partner Council for consideration and approval by the respective Cabinets and Councils.

Reason for decision

To facilitate amendments to the Joint Working Agreement in light of operational experience and changes in legislation. The proposed changes were required to be ratified by each partner Council.

(g) Appointment of Public and Agricultural Analysts (DEH) –

Approval was sought to appoint the above analysts for the Shared Regulatory Service in accordance with the requirements of the Food Safety Act 1990, Section 27 and the Agriculture Act 1970.

RESOLVED – T H A T the current list of authorised analysts for the Shared Regulatory Services be amended to reflect the appointment of the undermentioned Public and Agricultural Analysts:

Minton Treharne and Davies Ltd
John Anthony Robinson
Susanne Brookes
Alastair David Low.

Reason for decision

To ensure compliance with statutory requirements and to ensure proper and effective enforcement of the relevant legislation and to ensure compliance with the statutory duty to enforce the Food Safety Act 1990 and the Agriculture Act 1970.

(h) Licensing of Animal “Day Care” Facilities (DEH) –

The report sought to apprise the Joint Committee on the outcome of the recent consultation on proposed draft licensing conditions in respect of the above subject matter and to seek approval for the Shared Regulatory Services to licence such establishments.

RESOLVED –

(1) T H A T the outcome of the consultation exercise be noted and a revised set out licensing conditions as set out in Appendix 3 to the report for Animal Day Care premises be approved on the following basis:

Licence fees for Dog Day Care Premises be agreed in line with fees relating to Animal Boarding Establishments for the period 2016/17 as follows:

AREA	FEE	NOTES
Cardiff	£284	Inclusive of Veterinary fee
Bridgend and the Vale of Glamorgan	£200	Plus full Veterinary costs, if incurred

(2) T H A T the draft licensing conditions for Day Care facilities as set out in Annex 1 to the report be approved on the basis of the following principles contained within the Animal Boarding Establishments Act 1963 whereby the Local Authority, in determining whether to grant a licence, must have regard to securing:

- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
- (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
- (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
- (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the Local Authority, veterinary surgeon or veterinary practitioner.

Reason for decisions

(1&2) To ensure appropriate licensing arrangements were in place for this new class of animal establishment and a set of conditions and fee structure to be implemented.

(i) Update on Rent Smart Wales (DEH) –

The Housing (Wales) Act received Royal Assent in September 2014. Part 1 of this Act related to regulation of the private rented sector (PRS) and placed new obligations on private landlords of rental properties to register with designated Local Authorities. The Act would also result in all rental properties having a licensed landlord and / or agent in place to undertake letting and management tasks.

In order for a person to get a licence they first must be deemed “fit and proper” and have undertaken training approved by the Licensing Authority; once licensed they would have an ongoing condition to comply with a Welsh Government (WG) approved letting and management Code of Practice and any other conditions the Licensing Authority felt necessary to impose.

Consequently, the WG appointed Cardiff City and County Council as the Designated Single Licensing Authority in 2015 and the brand “Rent Smart Wales” was adopted for use by the Licensing Authority.

The Act created enforcement powers for the varying offences under the legislation for non-compliant landlords and agents so that they could be used by both the Licensing Authority or by the Local Authority where the dwelling to which an offence had occurred arose. These arrangements had been captured in a Memorandum of Understanding (MOU) where the principal role of the Licensing Authority was to establish and maintain a register of landlords and to grant licences to ensure landlords and / or managing agents who are involved in the letting and / or managing of a property are licensed to do so. A person who is licensed under the above Act must be as indicated a “fit and proper” person and have undergone minimum suitable training to do so. The Committee noted that there were between 70–130,000 landlords in Wales. The Shared Regulatory Services (SRS) Local Authority areas accounted for some 25% of all the PRS in Wales and as such were a key player in ensuring that the scheme of mandatory registration and licensing was implemented successfully.

In terms of work to date, work had progressed following the requirement to register a property which came into force on 23rd November, 2015. However, the enforcement provisions contained in the Act would not be implemented until 23rd November, 2016 to allow landlords and agents a 12 months period to comply with the new legal obligations. In this period both the Licensing Authority and the 22 Welsh Local Authorities had been active in publicising the new legislation and preparing for implementation.

To this end, the WG had provided grant money of approximately £13,000 in January 2016 to each Local Authority to assist with the project. The funding had to be used by March 2016 and across the SRS a number of initiatives had been concluded e.g. raising awareness training of staff, training for landlords / agents, direct mail to stakeholders and advertising. The promotion of Rent Smart Wales (RSW) was now part of the Services’ teams’ day to day work when engaging with landlords and RSW

information was included in all correspondence and Houses in Multiple Occupation (HMO) licensing applications.

Looking forward, the programme for 2016/17 and moving towards November 2016 there would be greater emphasis placed on the enforcement deadline. The WG had provided a pro-rata sum of money to each Welsh Local Authority to ensure sufficient resources were made available for effective implementation of the legislation. Across the SRS this amounted to £129,000 and this had allowed the service to dedicate a number of Senior Officers to RSW work. The Committee was informed of the work planned or currently to be undertaken which included additional targeted promotion and advertising using the three partner Councils' media teams in conjunction with RSW.

Future work under this initiative would include an opportunity to improve the standard of management in the private rented sector and to enable Local Authorities to have a complete picture of the number and location of rented properties within their area. It was anticipated that this would dovetail the way that existing licensing schemes that existed within the SRS for HMOs and would raise the profile of rights and responsibilities within the private rented sector. It was also anticipated that this would increase demands on SRS staff within Neighbourhood Services teams. The additional work associated with enforcement of the new legislation going forward could be reclaimed through the MOU through redistribution of the fees and income collected as part of the SLA function to each of the partner Councils.

It was noted that the initial grant by WG to Local Authorities for 2016/17 would be reviewed by WG in light of the implementation and a decision on the availability of future grants in 2017/18 taken early in 2017.

RESOLVED –

(1) T H A T the update on the implementation of Part 1 of the Housing (Wales) Act 2014, specifically the Welsh Landlord and Agent Registration and Licensing Scheme known as Rent Smart Wales, be noted.

(2) T H A T the Head of the Shared Regulatory Services be authorised to sign a Memorandum of Understanding under the terms of the Joint Working Agreement (General Responsibilities).

Reasons for decisions

- (1) In acknowledgement of progress being made and the planned schedule of the Rent Smart Wales implementation programme.
- (2) To allow collaborative arrangements between the respective Councils within the SRS and the Single Licensing Authority, including enforcement protocols and general governance arrangements to be agreed.

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After presenting this item, the Cabinet Member for Visible, Leisure and Regulatory Services noted that the external auditors had issued an unqualified report for the 2015/2016 financial accounts and he also highlighted page 10 and 11 of the Shared Regulatory Services Joint Committee minutes, which covered discussions regarding the approaching enforcement deadline of November 2016 for private landlords to register with designated Local Authorities.

RESOLVED – T H A T minutes of the Shared Regulatory Services Joint Committee be noted.

Reason for decision

To note the minutes.

C3326 APPOINTMENT OF LOCAL AUTHORITY GOVERNORS ADVISORY PANEL -

Minutes of a meeting held on 5th October, 2016.

Present: Councillor L. Burnett (Chairman - Cabinet Member for Regeneration and Education); Councillors C.P. Franks, H.J.W. James (Substituting for T.H. Jarvie), F.T. Johnson, A.P. Riley and Mrs. M.R. Wilkinson.

Also present: Councillor Mrs. P. Drake (Substitute for Councillors L. Burnett and M.R. Wilkinson), Councillor N. Hodges (Substitute for Councillor C.P. Franks), Councillor G. Cox (Substitute for Councillor H.J.W. James).

Mrs. M. Gibbs, Vale Governors Association.

- (a) Apology for absence -

This was received from Councillor T.H. Jarvie.

(b) Declarations of interest -

Councillor L. Burnett - Governor at St. Cyres Comprehensive School,
 Councillor C.P. Franks - Governor at St. Cyres Comprehensive School and Ysgol Pen y Garth,
 Councillor Mrs. M.R. Wilkinson - Governor at Colcot Primary School and St. Helens Roman Catholic School,
 Councillor H.J.W. James - Governor at Rhws Primary School.
 Mrs. M. Gibbs - Governor at Llantwit Major Comprehensive and Romilly Primary School.

(N.B. The Members recorded in (b) above, withdrew from the room when their relevant schools were being considered.)

(c) Guidance Regarding Appointment Process -

The Democratic Services Officer outlined the procedure for the Panel Meeting, the use of substitute Members where appropriate and took the opportunity to also remind all present of the confidential status of the panel meeting. A full list of current Local Authority Governor vacancies was attached at Appendix 1 to the report.

RECOMMENDED - T H A T the guidance in respect of the appointment process be noted.

(d) Exclusion of Press and Public -

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

(e) Applications for Appointment for Current Local Authority Governor Vacancies (Exempt Information - Paragraph 12) -

The Governor support officer advised that a number of late applications had been received, and following the Panels' agreement to accept the late applications they were tabled at the meeting for consideration. In the knowledge that a Governor vacancy had arisen two days previously at Cogon Primary school the panel also

agreed to consider the applications presented at the meeting for a position at that school.

Having fully considered the criteria for the appointment of Local Authority Governors, the application forms and the skills registers submitted, it was subsequently

RECOMMENDED to Cabinet –

(1) T H A T the following appointments be made for the schools as set out below:

School	No. of Vacancies	Appointment
Albert Primary School	1	Governor Support Officer to contact J.M. Evans and M. Evans to ascertain if either applicant would wish to accept the vacancy at Albert Primary School and Cabinet be informed accordingly.
Barry Island Primary	1	R. Lister to be offered the position at Barry Island and S. Selby be offered the position should R. Lister decline.
Barry Comprehensive School	2	S. Davies and A.G. Powell
Bryn Hafren Comprehensive School	1	Cllr A.G. Powell
Cogan Nursery	1	Governor Support Officer to contact Mr. S. Glover to ascertain if he would accept a position at either Cogan Nursery or Cogan Primary School and Cabinet be informed accordingly.
Cogan Primary School	1	
Colcot Primary School	1	C.M. Williams
Cowbridge Comprehensive School	2	Cllr A. Parker and S.R. Blackman
Dinas Powys Primary School	1	Cllr K. Hatton
Fairfield Primary School	3	S. Glover, J. Wilcock, M. Williams
Gladstone Primary School	1	Cllr I. Johnson
Gwenfo Church in Wales School	1	D. Oliver
Holton Primary School	3	Cllr. P. Drake, H. Payne, S.D. Perkes
Jenner Park Primary School	1	Cllr. R. Bertin
Llancarfan Primary School	1	K. Kemp
Llandough Primary School	1	Governor Support Officer .to contact

		J. Wilcock to ascertain if they would accept the position at Llandough and Cabinet be informed accordingly
Llanfair Primary School	1	L.E. Teague
Llangan Primary School	2	No applications received - See recommendation 2 below
Llantwit Major Comprehensive School	1	Cllr. G. John
Palmerston Primary School	1	A. Roberts
Rhws Primary School	2	Cllr. H.J.W. James and G..Loveluck Edwards
Romilly Primary School	3	M. Gibbs, Cllr. R. Probert, J. Hartland
St. Cyres Comprehensive School	3	Cllr. L. Burnett, Cllr. C. Franks, S. Davies
St. Illtyd Primary School	2	No applications received - See recommendation 2 below
St. Nicholas Church in Wales Primary	1	No applications received - See recommendation 2 below
St. Richard Gwyn Roman Catholic School	2	D. Williams, K. Evans
Sully Primary School	1	Cllr. R.A. Penrose
Ysgol Dewi Sant	1	G. Jones
Ysgol Gwaun y Nant	1	D. Treharne
Ysgol Pen y Garth	2	Cllr. C. Franks, D.J. Horgan

(2) T H AT for schools where no applications had been received, as outlined above, Governor Support Officers approach Ward Members and Town and Community Councils to pursue opportunities for applications for the Governor vacancy appointments.

Reasons for decisions

(1) To allow Cabinet to consider and agree appointments to the above schools' Governing Bodies and for officers to contact applicants as outlined above in order to advise Cabinet accordingly.

(2) To seek applications for appointments to School Governor vacancies.

N.B. Councillor F.T. Johnson was appointed to the Chair, only in respect of the appointment of Governors to St. Cyres Comprehensive School in the absence of Councillor L. Burnet who withdrew from the meeting for that item.

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 Cabinet, having considered the recommendations of the Appointment of Local Authority Governor's Advisory Panel.

RESOLVED –

(1) T H A T the following school appointments be made;

School	No. of Vacancies	Appointment
Albert Primary School	1	Both declined the offer as tabled in the original report.
Barry Island Primary	1	R. Lister accepted the offer as tabled in the original report.
Barry Comprehensive School	2	S. Davies and A.G. Powell
Bryn Hafren Comprehensive School	1	Cllr A.G. Powell
Cogan Nursery	1	S. Glover declined both offers as tabled in the original report.
Cogan Primary School	1	
Colcot Primary School	1	C.M. Williams
Cowbridge Comprehensive School	2	Cllr A. Parker and S.R. Blackman
Dinas Powys Primary School	1	Cllr K. Hatton
Fairfield Primary School	3	S. Glover, J. Wilcock, M. Williams
Gladstone Primary School	1	Cllr I. Johnson
Gwenfo Church in Wales School	1	D. Oliver
Holton Primary School	3	Cllr . P. Drake, H. Payne, S.D. Perkes
Jenner Park Primary School	1	Cllr R. Bertin

Llancarfan Primary School	1	K. Kemp
Llandough Primary School	1	J. Wilcock was contacted and declined the offer as tabled in the original report.
Llanfair Primary School	1	L.E. Teague
Llangan Primary School	2	No applications received - See resolution 2 below.
Llantwit Major Comprehensive School	1	Cllr G. John
Palmerston Primary School	1	A. Roberts
Rhws Primary School	2	Cllr H.J.W. James and G..Loveluck Edwards
Romilly Primary School	3	M. Gibbs, Cllr R. Probert, J. Hartland
St. Cyres Comprehensive School	3	Cllr I Burnett, Cllr C Franks, S Davies
St. Illtyd Primary School	2	No applications received - See resolution 2 below.
St. Nicholas Church in Wales Primary	1	No applications received - See resolution 2 below.
St. Richard Gwyn Roman Catholic School	2	D. Williams, K. Evans
Sully Primary School	1	Cllr B. Penrose
Ysgol Dewi Sant	1	G. Jones
Ysgol Gwaun y Nant	1	D. Treharne
Ysgol Pen y Garth	2	Cllr C. Franks, D.J. Horgan

- (2) T H A T for schools where no applications had been received, as outlined above, Governor Support Officers approach Ward Members and Town and Community Councils to pursue opportunities for applications for the Governor vacancy appointments.

Reasons for decisions

- (1) To agree appointments to the schools' Governing Bodies and for officers to contact applicants as outlined above in order to advise Cabinet accordingly.

(2) To seek applications for appointments to School Governor vacancies.

C3327 REVENUE AND CAPITAL MONITORING FOR THE PERIOD 1ST APRIL TO 31 JULY 2016 (REF) -

The Scrutiny Committee Healthy Living and Social Care on 12 September, 2016 considered the above report of the Director of Social Services.

The Operational Manager for Accountancy presented the report, the purpose of which was to advise Members of the position in respect of revenue and capital expenditure for the period 1st April to 31st July, 2016 regarding those revenue and capital budgets which formed the Committee's remit.

Council, on 2nd March, 2016 (minute nos. 885 and 884 respectively) approved the Revenue and Capital Budgets for 2016/17. Reports monitoring expenditure are brought to this Committee on a regular basis.

In setting the Social Services budget for 2016/17, the use of £970,000 from the Social Services Fund was approved.

It was currently projected that the Social Services budget would outturn with an adverse variance of around £1m.

A table and graph setting out the variance between profiled budget and actual expenditure to date and the projected position at year end were attached at Appendix 1 to the report.

Children and Young People Services – The major issue concerning this service for the coming year would be the continued pressure on the children's placements budget. Work continued 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. This budget would be closely monitored during the year.

Adult Services – It was projected that the Community Care Package budget could outturn with a variance of up to £1m by year end. This budget was extremely volatile and had been adversely affected this year by the increase in the cost of packages commissioned as a result of the introduction of the National Living Wage, the continued pressure of the budget from demographic growth and clients having

increasingly complex needs. The final outturn was, however, difficult to predict. Final negotiations regarding fee levels were being concluded with service providers but proposed increases were already above the level of inflation provided for within the budget.

The annual deferred income budget for 2016/17 had been set at £747,000 and, as at 31st July, 2016, income received to date was £145,000 over-recovered. It was currently being projected that this budget would outturn at £100,000 under budget by year-end and this favourable variance was included as part of the projected overspend for care packages.

The service would strive to manage growing demand and try to mitigate this position and some initiatives may be funded via regional grants in the current financial year. It was proposed that up to £1m be used this year from the Social Services Legislative Changes fund to cover the shortfall. Committee would be provided with further details during the course of the year.

Leisure Services – There was currently an adverse variance of £41,000 to the profiled budgets as a result of high repair costs for vehicles during the start of the Grounds Maintenance season. It was however anticipated that this would reduce over the winter months and therefore it was currently projected that the overall budget would outturn on target.

Appendix 2 to the report showed the projected outturn this year for the savings targets for this Committee.

Within Adult Services, £100,000 of the full year saving generated from the Hafod Homes transfer had been offset against the £300,000 saving for Residential Services. Currently, there were no other approved plans in place to find the remaining £200,000 of this saving. Further consideration would have to be given to the way in which the saving can be fully achieved during the year. With regard to the Care Package Budget Reduction, while there was significant pressure on this budget, schemes had been put in place to deliver savings in this area by transferring domiciliary care clients to direct payments, by putting in place additional reablement capacity and by establishing a review team.

In relation to the Social Services Programme, the Directorate was currently required to find savings totalling £2.257m by the end of 2019/20 and this target was analysed by year in the following table. The surplus shown and the savings brought forward figures were as a result of the foster carer recruitment project, which was being

developed in addition to the required savings targets. This surplus could be used to mitigate any increase in savings to be found in future years.

Year	Savings Required £000	Savings Identified £000	In Year Surplus/ (Shortfall) £000	Cumulative Surplus/ (Shortfall) £000
Savings Brought Forward		110	110	110
2016/17	1,002	1,078	76	186
2017/18	605	605	0	186
2018/19	320	320	0	186
2019/20	330	330	0	186
TOTAL	2,257	2,443		

Appendix 3 provided an update on the individual areas of saving within the Social Services Budget Programme.

In order to respond to the level of savings required as a result of the projected reductions in funding from Welsh Government, the Council had instigated its Reshaping Services change programme. Cabinet acknowledged that the Social Services Directorate already had two major initiatives underway – the Collaborative Working Programme and the Budget Programme. These programmes already contained projects which were progressing the opportunities identified as part of the Reshaping Services Programme. Included in Appendix 3, the Reshaping Services logo had been shown against specific projects which had a specific alignment with the objectives of the Reshaping Services strategy. The whole of the Social Services Budget Programme reported into the Reshaping Services governance arrangements.

With regard to capital expenditure, Appendix 4 detailed the financial progress on the Capital Programme as at 31st July, 2016.

A new capital scheme to the value of £219,000 had been approved from the Intermediate Care Fund (ICF) for two “step-down” units at Longmeadow Court. It had been requested that the Capital Programme be increased accordingly.

For Parks and Grounds Asset Renewal, the Visible Services Asset Renewal budget had been agreed by Cabinet on 22nd February, 2016, Minute No. C3080. Recommendation 3 stated “That delegated authority be granted to the Managing

Director and the Head of Finance, in consultation with the Cabinet Member responsible for Finance, to make additions, deletions or transfers to or from the 2016/17 to 2020/21 Asset Renewal budgets as appropriate". This delegated authority had been used to allocate the budget and £150,000 had been allocated to Parks and Grounds Maintenance.

In terms of Asset Renewal, it had been requested that £50,000 be transferred from the Visible Services Reserve in order to fund works at the Salisbury Road Play Area, which was in line with the project brief and community expectations. This funding was set aside as part of the closing report in 2015/16. In addition, delegated authority had been used to apportion a further £20,000 for this scheme from the Barry Regeneration Project Development Fund as well as allocating £1,000 for the Alexandra Gardens Play Area.

Appendix 5 provided non-financial information on capital construction schemes. From this Appendix, it was reported that most of the previous year's schemes had now commenced and some were complete. Start dates had also been provided for new schemes for this financial year and these would be monitored closely to identify if capital schemes began to slip and to identify if further action needed to be taken.

A Committee Member asked for further clarification around the projected £1m budget shortfall for Community Care Packages. In reply, the Operational Manager stated this related to challenges highlighted at previous Committee meetings, such as the National Living Wage, increased demand for services and the financial cap on the weekly charge for domiciliary care services.

The Chairman noted that building works for a number of capital projects had yet to commence and he queried progress around these. In reply, the Head of Adult Services stated that he would need to clarify the progress in relation to Rhoose Road, while works at Cartref Porthceri, to address subsidence, would be completed by the end of the financial year.

In reply to a query relating to the progress made for capital projects within Leisure Services, the Operational Manager for Leisure stated that the information presented was correct up to 31st July, 2016 and so the actual spend to date would be greater to that shown in the report.

In answer to a question around progress on savings targets within Adult Services, the Head of Adult Services stated that within the area of care packages, savings had been made following input from the review team, but it was a challenge to meet targets where demand for services was increasing. With regard to residential

services, he advised Members that savings would be progressed through the Reshaping Services programme, although he stated that it would be a challenge to achieve the remaining £200,000 budget savings. In terms of the other Reshaping Services projects, the status of these were red because individual projects had not been identified around which further work was still ongoing.

RECOMMENDED –

(1) T H A T the position with regard to the 2015/16 revenue and capital monitoring be noted.

(2) T H A T the progress made in delivering the Social Services Budget Programme be noted and be referred to Cabinet for its consideration.

Reasons for recommendations

(1) That Members are aware of the position with regard to the 2016/17 revenue and capital monitoring relevant to this Scrutiny Committee.

(2) That Members are aware of the progress made to date on the Social Services Budget Programme.

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Cabinet, having considered the recommendations of the Scrutiny Committee Healthy Living and Social Care

RESOLVED – T H A T the contents of the report be noted and thanks be given to the Scrutiny Committee Healthy Living and Social Care for their continued Scrutiny of the Social Services budget programme.

Reason for decision

To note the content of the report.

C3328 INDIVIDUAL SCHOOL PERFORMANCE PROGRESS PANEL MEETING (REF) -

The Scrutiny Committee Learning and Culture on 19 September, 2016 considered the above report of the Managing Director.

The report detailed the outcome of a School Progress Panel meeting that had been held at Fairfield Primary School on 22nd June, 2016.

The Chairman, in presenting the report, gave thanks to the Members of the Panel and the officers who had been in attendance, it also being noted that the Cabinet Member, Councillor Burnett, had also been present at that meeting.

The report outlined that the need for individual School Progress Panel meetings can be triggered by a number of events such as the publication of weak results in external examinations, the outcome of an Estyn inspection placing a school in a statutory category or the outcome of national categorisation process identifying that the school is in need of higher levels of support in order to improve.

In April 2016 Cabinet had received a report and agreed that a Scrutiny Committee School Progress Panel be established for Fairfield Primary School due to the fact that although many positive aspects had been identified, further development needs had been identified.

At the Panel meeting the Headteacher relayed that since 2011 the number of pupils on the school roll had increased from 202 to the current level of 292. Of note was the fact that for the school, many children often arrived at Year 6, whereas for other schools most pupils arrived at Nursery. Pupil transition from Nursery was therefore considered a challenge for the school.

It was highlighted that Fairfield Primary School did not have its own Nursery provision and this meant that the school was not always fully aware of the numbers coming into the Reception Year and that they came from several different Nursery provisions. Therefore, within the school, social relationships had to be a focus on entry to Fairfield as they were not coming from one Nursery in which pupils would already know one another. The school had also recognised that a number of children came from out of area and in some instances the level of social skills was very low, so the starting point for some of the pupils varied, with children possessing varying degrees of social skills and mobility. The Headteacher had advised that difficulties also existed due to the various approaches to learning undertaken by a number of Nurseries within the area. The school had found it difficult to access information on pupils from out of catchment or county. Therefore, the school sometimes had gaps in knowledge background of pupils and the school considered that the free flow of communication could be improved. The Panel was informed that out of the 43 children within the current Reception Year, the school considered that 30 pupils had the necessary core data with them on arrival from the respective Nurseries.

The Panel was made aware that the catchment area of the school was quite small and pupils came into the school from a diverse range of backgrounds and communities.

In relation to 2016 outcomes for the Foundation Phase, it was noted that three pupils had not achieved the Foundation Phase Outcome 5+. This was due to their special educational needs and also issues around attendance. The school had been able to work closely with these individual pupils and they had been supported through several interventions.

An analysis carried out by the school during 2015 of the Foundation Phase, identified that the number of children attaining Outcome 5 had increased over the past three years across Language, Literature and Communication (LLC), Mathematical Development (MD) and also Personal and Social Education (PSE). In addition, the school advised that boys were performing in line with girls for all subject areas and the school compared favourably to its family and to the Local Authority averages.

Improving the attainment levels for pupils entitled to free school meals (FSM) was a specific area of development for the school. It had been identified that non FSM pupils were outperforming FSM pupils in most areas. In detailing progress, the Challenge Advisor explained that performance of FSM pupils was improving, but the small number of pupils did make the data unreliable. In the Foundation Phase for 2016, there were only four pupils on the FSM register, while at Key Stage 2, there was only one FSM pupil on the register.

In terms of pupil attendance, although this had increased over time, in 2015 the school had dropped into benchmark quarter 4. During that year, the school exceeded the attendance target of 94.9% by 0.9%, which had been impacted by four children. In order to support these families, referrals had been made to the Educational Welfare Officer. The school had also introduced the Callio system which had resulted in improvement.

The Challenge Advisor outlined progress in relation to leadership and teaching and he confirmed that progress had been made in most areas and at both Key Stages, particularly at the higher levels. Pupil level data indicated that all Special Educational Needs (SEN) pupils had made at least two levels of progress between Foundation Phase and Key Stage 2, with some making three levels of progress. The Challenge Advisor also reported that, although a variety of assessment for learning strategies were being carried out, the evidence suggested that these could be further

developed. In addition, the school would further evaluate the impact of its strategy for FSM pupils.

The Chairman advised that there was a high proportion of SEN needs and that progress had been made with the Callio project in relation to the school improvement plan. A school's Standards Committee was a fairly new role and the Governing Body had also identified a number of other committees by establishing a new structure that included three new sub-committees, Standards, Provision, and Leadership and Management. The Panel was particularly keen to request that Governors undertake learning walks and the Chairman stressed these provided Governors with essential information and detail of school learning as part of the improvement agenda. Governors were also keen for the school to promote itself wider in the community and to consider further data analysis of the common cohort.

Overall the Panel had considered that the school was working hard but that there was still some work to do.

The Head of Service also reiterated that an important factor for the school was that the Governing Body was improving its self-evaluation and was challenging its own performance. The Cabinet Member concurred that all Governing Bodies had to be strong in self-evaluation and they also had to become increasingly skilled.

The Chairman concluded by advising that the Panel had considered that it would be important to undertake a follow up visit to the school following the publication of the school's categorisation and benchmarking positions and would therefore recommend Cabinet to agree a visit is arranged.

Following the presentation of the report by the Chairman, it was subsequently

RECOMMENDED –

- (1) T H A T the Scrutiny Progress Panel findings as detailed in paragraphs 38 to 41 of the report be accepted.
- (2) T H A T the report be referred to Cabinet for consideration and / or approval.
- (3) T H A T Cabinet be requested to consider approving a follow up visit by the School Progress Panel within the next six months following publication of the progress in the Foundation Phase and Key Stage 2, together with school categorisation and benchmarking details.

Reasons for recommendations

- (1) To apprise Committee of the findings of the Progress Panel.
- (2) For Cabinet's consideration.
- (3) For Cabinet's consideration following the publication of the documents outlined above.



Cabinet, having considered the recommendations of the Scrutiny Committee Learning and Culture

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T in relation to recommendation 3 of the Scrutiny Committee Learning and Culture, Cabinet does not agree for the School Performance Progress Panel to meet as it would be premature to do so until the results of the Categorisation and Benchmark reviews are published.
- (3) T H A T in relation to resolution 2 above, if a future Progress Panel is considered necessary, a further report be presented to Cabinet on this matter.

Reasons for decisions

- (1) To note the contents of the report.
- (2-3) To determine when a School Performance Progress Panel visit is appropriate.

C3329 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 31ST JULY 2016 (REF) -

The Scrutiny Committee Corporate Performance and Resources on 20 September, 2016 considered the above report of the Managing Director.

The Scrutiny Committee was apprised of the progress relating to revenue expenditure for the above period. The progress in respect of specific budgets was set out below:

- **Learning and Skills**

The Directorate was projecting to outturn with an adverse variance of £672,000 at year end. £500,000 had been set aside in the Schools Placements reserve to use as a one off contribution in 2016/17, to mitigate part of the shortfall while further Reshaping Services work was being undertaken by the Directorate.

Schools – the delegated budget relating to schools was expecting to balance as any under / over spend was carried forward by schools.

School Improvement and Inclusion – this service was projected to outturn with an adverse variance of £885,000, which was as a result of an adverse variance of £817,000 on the recoupment income and an adverse variance on pupil placements of £245,000. This position could be partly offset by projected salary underspends of £177,000 which had resulted from vacant posts in the service. The service had a £2.4m recoupment income budget in respect of out of county pupil placements purchased at Ysgol y Deri. The position with regard to placements had not changed to the information previously reported at the last meeting of the Committee. It was noted that the school was still operating near capacity due to an increase in demand from Vale pupils requiring placements. £500,000 had been set aside in a Schools Placements reserve. It was noted that this sum would be used as a one off contribution in 2016/17 to mitigate part of the shortfall. If the shortfall could not be mitigated further in the year, further reserves could be utilised to balance the shortfall made up of £50,000 from the Excluded Pupils reserve, £44,000 from the Youth Service reserve and £78,000 from the Adult Community Learning reserve.

Service Strategy and regulation – this was currently projecting a favourable variance at year end of £21,000.

Strategic and Resources – this budget was currently projecting to outturn with a favourable variance of £116,000.

Children and Young People's Partnership – it was anticipated that this service would outturn with a favourable variance of £23,000.

Provision had been made within the budget to make unsupported borrowing debt repayments in relation to the Schools Investment Strategy of £698,000 per annum and any favourable variance on debt repayments would be directed into the Schools Investment Strategy.

Libraries – this service was currently projecting to outturn on budget after transferring any legal costs and costs relating to the implementation of the service review out of the Libraries reserve. The position in regard to the judicial review and the implementation of Community Libraries had not changed to that position previously reported at the last meeting of the Committee.

Adult Community Learning (ACL) – it was anticipated that the service would outturn at budget after a £45,000 transfer from the ACL reserve.

Youth Service – this service was currently anticipated to outturn with a favourable variance of £49,000.

Catering – it was currently anticipated that this service would outturn at budget, however, variations in school meal income would affect this position. A clearer projection would be available after the September intake in regard to meal update.

Arts Development – it was currently anticipated that this service would outturn with a favourable variance of £4,000.

A Member referred to the anticipated overspend in regard to School Improvement and Inclusion and specifically relating to the budget in respect of out of county pupil placements at Ysgol y Deri, Penarth. Given the ongoing nature of the forecasted overspend proposed that a joint Scrutiny Task and Finish Group of the Scrutiny Committees Corporate Performance Resources and Learning and Culture be established to investigate the ongoing financial issues experienced at the school. In particular, he considered that it was appropriate for the Task and Finish Group to look further into the detail of the school's business plan and the operation of the same. A number of Members concurred with the sentiments expressed; the Chairman enquired if the preference of the Members was indeed to establish a joint Scrutiny Task and Finish Group or to receive a joint report. The Committee expressed the view that it was preferential for a joint Scrutiny Task and Finish Group to be established as soon as practicable and the Chairman therefore indicated that the proposal should be referred to the next meeting of the Scrutiny Committee Chairmen and Vice-Chairmen Group for further consideration.

- **Social Services**

This Directorate was projecting to outturn with an adverse variance of £1m at year end as detailed below:

Children and Young People Services – the position remained unchanged to this service as reported to the last meeting of the Committee.

Adult Services – it was projected that the Community Care Package budget could outturn with a variance of up to £1m by the year end.

The annual deferred income budget for 2016/17 had been set at £747,000 and, as at 31st July, 2016, income received to date was £145,000 over-recovered. It was currently being projected that this budget would outturn at £100,000 under budget by year end and this favourable variance was included as part of the projected overspend for care packages.

The Chairman, in referring to care packages, enquired of the Head of Finance when these were reviewed. In addition, he also enquired if benchmarking information existed for Welsh Local Authorities. In response, the Head of Finance indicated that care packages were reviewed at least once on an annual basis. In regard to benchmarking data with other Welsh Local Authorities, this had become more difficult to compile since the introduction of the Social Services and Well-being Act. However, she was aware of difficulties that were currently being experienced by other Local Authorities in regard to related budgets.

Discussion ensued regarding the budget management arrangements in relation to care packages, including the principle of “direct payments” being made to individuals to encourage them to enter into their own care arrangements as opposed to the Council contracting services on individuals’ behalf.

A Member enquired of the financial penalties in regard to Delayed Transfers and the Head of Finance responded by indicating that the Council had fared favourably in this area in relation to its performance for Delayed Transfer of Care. However, she alluded to the domiciliary care market which was experiencing capacity issues and in relation to individual care packages it was likely that there were in existence a number of high funded care packages in the Authority’s area that were higher than residential care packages. The Chairman at this juncture enquired whether it was appropriate to raise the performance of the Council with the Welsh Government with the view to incentivising the Council’s future funding that linked to its performance. He also referred to paragraph 22 of the report and sought clarification in regard to matters relating to Deferred Income. In response, the Head of Finance indicated that this related to individuals’ homes and the capital value of the same where the Council funded the cost of the care in advance of an agreement between the home owner to recover the funding once the property was sold. Currently there was a capital limit of £24,000 but Welsh Government consultation was currently ongoing

relating to increasing the cap to £50,000. The Chairman indicated that the Council should be proactive in promoting and signposting the public to appropriate insurance policies that would assist individuals in later life when they would be most in need of care provision. In response the Head of Finance indicated that officers had looked previously at introducing such a scheme, however due to potential liabilities for the Council in regard to signposting individuals to independent advice, it was decided not to pursue the initiative any further. Responding to the comments of the Head of Finance, the Chairman considered that the Council should investigate the feasibility of introducing such a scheme, subject to the Council having adequate safeguards in place to protect the Council's interests.

- **Environment and Housing**

It was currently projected that this service would outturn within target at year end and the following was noted:

Highways and Engineering – there was a currently a £101,000 favourable variance against the profiled budget.

Waste Management – there was currently an adverse variance of £208,000 to the profiled budget.

Leisure Services – there was currently an adverse variance of £41,000 to the profiled budget.

Transportation – there was currently a favourable variance of £44,000 against the profiled budget.

Regulatory Services – the allocation of £2.056m represented the Council's budget for its share of the Shared Regulatory Services (SRS). A separate set of accounts was maintained for the SRS and was periodically reported to the Shared Regulatory Services Joint Committee. At this stage in the year, it was anticipated that the SRS budget would outturn on target.

Council Fund Housing – it was anticipated that this budget would outturn on target.

Public Sector Housing (HRA) – the HRA was expected to outturn on target and any underspends in the year would be offset by additional contributions to Capital Expenditure thus reducing the reliance on Unsupported Borrowing.

- **Managing Director and Resources**

It was currently projected that this service would outturn within target at year end and the following was noted:

Resources – it was anticipated that this service would outturn within budget.

Regeneration – this budget covered the Countryside, Economic Development and Tourism and Events functions with it being noted that income was lower than profiled as the 2015/16 savings target of £60,000 proposed by introducing parking charges at Country Parks remained unachieved, this was offset by a favourable variance due to staff vacancies. At this stage it was anticipated that this service would outturn on target.

Development Management – there was an adverse variance relating to the Local Development Plan as expenditure was delayed from 2015/16, however, funding had been set aside in reserves for this purpose in the last financial year and would therefore be drawn down to offset this position. Therefore it was anticipated that this service would outturn on target.

Private Housing – there was currently a small adverse variance as the favourable variance relating to additional Disabled Facilities Grant fee income was slightly outweighed by the adverse variance on Renewal Area fee income. This service was anticipated to outturn on target by the year end.

General Policy – it was anticipated that this service would outturn within budget.

In terms of 2016/17 savings targets, attached at Appendix 1 was a statement detailing all savings targets for 2016/17 and the projected outturn. Services were working towards fully achieving their savings targets however, at this stage of the year it was anticipated that not all the savings would be made and there could be a shortfall of £586,000. In the main, the shortfalls related to the following matters:

- Learning and Skills – There was a saving target of £292,000 to be found from the Inclusion Service budget. It was anticipated that this level of saving could be achieved during the year, however, there were further pressures on the budget which would result in an overspend as already detailed above;
- Social Services – Within Adult Services, £100,000 of the full year saving generated from the Hafod homes transfer had been offset against the £300,000 saving for Residential Services. Currently, there were no other formalised plans in place to find the remaining £200,000 of this saving. Further consideration would have to be given to the way in which this saving

could be fully achieved during the year. With regard to the Care Package Budget Reduction, while there was significant pressure on this budget and it was anticipated to overspend, schemes had been put in place to deliver savings in this area by transferring domiciliary care clients to direct payments, by putting in place additional reablement capacity and by establishing a review team.

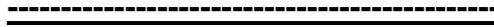
- Environment and Housing – While progress had been made towards achieving the savings, there had been a delay in commencing some of the schemes and therefore the full year target was not anticipated this financial year. £1.2m had been included in the Capital Programme for the installation of LED lighting. Installation would be undertaken this year however a full year saving would not be achieved until 2017/18. Also as previously stated, waste collection rounds had been revised from 1st August, 2016 with the aim of reducing the resources required. However it was unlikely that the full saving would be made in 2016/17. Where savings would not be achieved in year, services would seek to cover the shortfall on a one off basis from other areas.
- Managing Director and Resources – There had been a delay in the exit from the JobFit contract which had resulted in a predicted shortfall against the savings target for Regeneration. Human Resources and Performance and Development currently had a small level of further savings to achieve however the shortfall would be accommodated from within other budgets this year.

RECOMMENDED –

- (1) T H A T the position with regard to the Authority's 2016/17 Revenue Budget be noted.
- (2) T H A T further consideration of the establishment of a joint Scrutiny Task and Finish Group of the Scrutiny Committees Corporate Performance and Resources and Learning and Culture, be referred to the next meeting of the Scrutiny Committee Chairmen and Vice-Chairmen Group.
- (3) T H A T the Cabinet be requested to consider establishing an advice service regarding financial and insurance protection information in relation to care provision.
- (4) T H A T the Cabinet consider writing to the Welsh Government with a view to seeking additional funding from the Welsh Government Intermediate Care Fund linked to the Council's performance in regard to Delayed Transfer of Care.

Reasons for recommendations

- (1) To ensure that the Committee was aware of the projected revenue outturn for 2016/17.
- (2) To allow the feasibility of establishing a joint Scrutiny Task and Finish Group to be considered.
- (3) To mitigate future demands on Council services and to provide appropriate support to the public.
- (4) Exploration of funding from the Welsh Government.



At the meeting, the Cabinet Member for Regeneration and Education commented that the Additional Learning Needs service had been reviewed as part of the Council's Reshaping Services agenda. An overarching strategy had been developed and was subject to consultation with schools. The future role of Ysgol y Deri was central to that strategy.

The newly appointed Head of Achievement for All would shortly present a discussion paper to Business Cabinet outlining options for the short term and long term to ensure the sustainability of Ty Deri. It was anticipated that a fully costed business case would be developed which would explore the range of options available, adopt a strategic council-wide approach and identify the future demand for services to meet the Council's current and future needs.

Cabinet appreciated that a significant amount of work had already been carried out in relation to the Additional Learning Needs service including the future of Ysgol y Deri and Ty Deri. The establishment of a Scrutiny Committee task and finish review at this time would divert officer time and delay progress with the current on-going work which was already well developed.

Cabinet having considered the recommendations of the Scrutiny Committee Corporate Performance and Resources

RESOLVED –

- (1) T H A T the reference from the Scrutiny Committee Corporate Performance and Resources be noted.

- (2) T H A T in relation to recommendation 2 of the Scrutiny Committee Corporate Performance and Resources, the Scrutiny Chair be advised that they are mistaken in investigating the school they are exploring, and as a result, the Scrutiny Chair be advised that given the matter is already being addressed as part of the Reshaping Services Programme and that work is already underway to consider options for the future of Ty Deri, such a Task and Finish group is not necessary and ought not be progressed.
- (3) T H A T in relation to recommendation 3 of the Scrutiny Committee Corporate Performance and Resources, Cabinet does not endorse this action bearing in mind the advice given at the Scrutiny Committee meeting by the Head of Finance.
- (4) T H A T in relation to recommendation 4 of the Scrutiny Committee Corporate Performance and Resources, Cabinet does not endorse this action as the Intermediate Care Fund is paid directly to the Health Authority and would be a matter to be raised in a future meeting of the Regional Partnership Board.

Reasons for decisions

- (1) To note the contents of the report.
- (2-4) To appropriately consider the recommendations of the Scrutiny Committee Corporate Performance and Resources.

C3330 CAPITAL MONITORING REPORT FOR THE PERIOD 1ST APRIL TO 31ST JULY 2016 (REF) -

The Scrutiny Committee Corporate Performance and Resources on 20 September, 2016 considered the above report of the Managing Director.

The Head of Finance provided the Scrutiny Committee with an update on the 2016/17 Capital Programme for the above period.

It was noted that Appendix 1 detailed the financial progress on the Capital Programme as at 31st July, 2016.

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, the scheme was not included in Appendix 2.

The following matters were noted:

Learning and Skills

Gwenfo Primary Expansion – Delegated authority had been used to approve a virement of £40,000 to this scheme from the Education Asset Renewal Contingency budget, in order to allow the project to be completed and to meet all the educational needs of the school.

Social Services

A new capital scheme to the value of £219,000 had been approved from the Intermediate Care Fund (ICF) for two step down units as Longmeadow Court. It had been requested that the Capital Programme be increase accordingly.

Environment and Housing

Visible Services Asset Renewal – The Visible Asset Renewal budget was agreed by Cabinet on 22nd February, 2016, minute number C3080. Recommendation 3 stated "THAT delegated authority be granted to the Managing Director and the Head of Finance, in consultation with the Cabinet Member responsible for Finance, to make additions, deletions or transfers to or from the 2016/17 to 2020/21 Asset Renewal budgets as appropriate." This delegated authority had been used to allocate the Visible Services Asset Renewal as follows: -

Coastal Infrastructure £50,000
 Public Conveniences Refurbishment £25,000
 Highway Structures £159,000
 Traffic Management Measures £116,000
 Parks and Grounds Maintenance £150,000.

Boverton Flooding – A Welsh Government grant of £1.9m had been accepted for this scheme on 4th August, 2016. The Council now needed to increase its match funding budget, which was already included in the Capital Programme, by £28,000. It had therefore been requested that this amount be vired from the Additional Highways/Environmental Improvement scheme which was not currently fully committed.

Managing Director and Resources

Ogmore By Sea Sustainable Transport Improvements – It had been requested that £30,000 of Section 106 funding be included in the Capital Programme for this scheme. This was to fund the relocation and improvement works to the bus stop serving St. Brides Primary School.

Salisbury Road Play Area – It had been requested that £50,000 be transferred from the Visible Services Reserve in order to fund works to this Play Area, in line with project brief and community expectations. Funding for play areas was set aside as part of the 2015/16 closing process.

Barry Regeneration Project Development Fund – Delegated Authority had been used to apportion funding to the following schemes:

- Project Management Unit £49,000
- Landscape Design Service £16,000
- Salisbury Road Play Area £20,000
- Alexandra Gardens Play Area £1,000
- Holton Road Commercial Renewal Area Grant Programme £51,000.

Discussion ensued regarding the Council's current tender procedure and arrangements in place. The Committee acknowledged that they were unaware of the Council's current tendering arrangements. Reference was made to external contractors' alleged practices.

The position of the Council's DSOs capability to undertake additional contracted work on behalf of the Council was discussed. The Head of Finance confirmed that the Council's DSO was included in the Council's tendering process in relation to the select list of tenderers. Indeed, she indicated that the position of the Council's DSO was currently being assessed to see if they represented Value for Money. She suggested that an analysis of contractor expenditure could be undertaken based on a sample of contracts linked to the Council's School Improvement Programme with a view to providing Members a better understanding of the Council's tender arrangements.

Discussion then turned to the existing capability of the Council's DSO to undertake additional contracted work and a Member alluded to the Council's Reshaping Services programme and referred to the possibility of a combined Authority approach within the region for DSOs to tender for Local Authority work. In addition, discussion also touched upon the feasibility of combining the Council's current Property Services and DSO.

The Chairman referred to the progress in regard to the Victorian Schools Programme and requested that the Head of Finance submit to the next meeting an update report on this matter.

Having regard to the above, it was

RECOMMENDED –

(1) T H A T the following changes to the 2016/17 Capital Programme be noted:

- ICF Longmeadow Court – An increase of £219,000 to be funded from the Intermediate Care Fund.
- Boverton Flooding – Virement of £28,000 from the Additional Highways / Environmental Improvement scheme to this scheme.
- Ogmore By Sea Sustainable Transport – An increase of £30,000 to be funded from Section 106 monies.
- Salisbury Road Play Area – An increase of £50,000 to be funded from the Visible Services Reserve

(2) T H A T the Head of Finance submit a further report to the next meeting as part of the capital monitoring arrangements on progress in delivering the Victorian Schools Programme.

(3) T H A T the Head of Finance submit a further report in relation to a cost analysis of contract work in relation to certain aspects of the Council's School Improvement Programme.

(4) T H A T the Cabinet be requested to consider exploring, under the Council's Reshaping Services programme, the establishment of a combined Authority approach within the region in regard to Council DSOs.

(5) T H A T the Cabinet be requested to explore the feasibility of integrating the Council's existing Property Services Division and the DSO.

Reasons for recommendations

(1) To make the Committee aware of progress and amendments to the Capital Programme.

(2) To monitoring progress in regard to the related Capital Programme.

- (3) To improve Members' understanding of the Council's contract / tender arrangements.
- (4) Exploration of potential future efficiencies.
- (5) To assess if the Council was achieving value for money.



On presenting the report from the Scrutiny Committee, the Leader commented that work was already taking place on the Visible Services reshaping project which would address structures and operating models going forward.

In addition he highlighted the fact that the Council was already working alongside the other 9 Local Authorities who were working together to bring forward the capital region city deal, and that this presented an opportunity to work across the region on highways and transport infrastructure as well as other facets that may well come together under the capital region umbrella.

Finally he commented that, given the work to date on the capital region city deal and the reshaping of the Visible Services programme, recommendations 3 and 4 of the Scrutiny Committee Corporate Performance and Resources report were not to be accepted.

Cabinet, having considered the recommendations of the Scrutiny Committee Corporate Performance and Resources

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T in light of the current work already being undertaken by the Capital Region City Deal and the work being undertaken on the Visible Services Reshaping Services Programme, recommendations 4 and 5 of the Scrutiny Committee Corporate Performance and Resources be not accepted as any further departmental reorganisation would be inappropriate at this time.

Reasons for decisions

- (1) To note the report.

- (2) To not accept recommendations 4 and 5 from the Scrutiny Committee Corporate Performance and Resources.

C3331 LLANQUIAN ROAD, ABERTHIN – PROPOSED NO WAITING AT ANY TIME (NWAT) RESTRICTION – OBJECTION REPORT (BSHT) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION)

Cabinet was advised of an objection received to the proposed Traffic Regulation Order, to restrict the waiting of vehicles at the western side of Cross Tree, Llanquian Road, Aberthin.

On 18 December, 2015 the then Cabinet Member for Environment and Visible Services and Director of Visible Services and Housing gave approval to give notice of a proposal to introduce a No Waiting at any Time (NWAT) Order, to prohibit vehicles waiting on the western side of Llanquian Road from its junction with Maendy Road. A copy was attached at Appendix A to the report. Accordingly, public notice of the proposal was given on 4 February, 2016 with objections being invited in writing by 26 February, 2016.

This was a popular area for parking, both by residents, with visitors to the nearby public houses. Complaints had been received in the past regarding the parking which significantly narrowed the carriageway width due to the central tree island. Due to the lack of private parking provision for the residents along with high levels of resident car ownership, inconsiderate parking took place which could affect emergency access, as large vehicles had been known to use the wrong side of the road in order to pass the central island. One letter of objection was received from a resident, a copy of which was attached at Appendix B to the report. Extracts were detailed in the report, together with the Traffic Officer's responses.

After presenting this item, the Cabinet Member for Building Services, Highways and Transportation commented that the local Ward Members had been consulted on, and supported the restrictions proposed.

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 objection be rejected for the reasons contained in the report and that the Traffic Regulation Order to restrict the waiting of vehicles at the western side of Cross Tree, Llanquian Road, Aberthin be progressed as proposed.
- (2) T H A T the objector be advised of this decision.

Reasons for decisions

- (1) To enable the Order to be made
- (2) To confirm the Cabinet's position.

C3332 LLWYN PASSAT, PENARTH MARINA – PROPOSED NO WAITING AT ANY TIME (NWAT) RESTRICTION – OBJECTION REPORT (BSHT) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION)

Cabinet was advised of an objection received to the proposed Traffic Regulation Order, to restrict the waiting of vehicles at the western end of Llwyn Passat, Penarth Marina.

On 18 December, 2015 the then Cabinet Member for Environment and Visible Services and Director of Visible Services and Housing gave approval to give notice of proposal to introduce a No Waiting at any Time (NWAT) Order, to prohibit vehicles waiting on sections of Penarth Portway, including the most western end of Llwyn Passat. A copy was attached at Appendix A to the report. Accordingly, public notice of the proposal was given on 4 February, 2016 with objections being invited in writing by 26 February, 2016.

Penarth Marina was a popular area for visitors / tourists access the amenities around the Cardiff Bay Barrage and the Marina area. Several complaints had been received regarding parking due to the lack of space and narrow nature of the road. Due to the lack of private parking provision for the private apartments and increased resident car ownership, inconsiderate parking took place in the hammerhead turning area. One letter of objection was received from a resident, a copy of which was attached at Appendix B to the report. Extracts were detailed in the report, together with the Traffic Officer's responses.

At the meeting, the Cabinet Member for Regeneration and Education commented that after extensive consultation with local residents who had raised this as an issue, as a local Ward Member she fully supported the restrictions proposed.

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 objection be rejected for the reasons contained in the report and that the Traffic Regulation Order to restrict the waiting of vehicles at the western end of Llwyn Passat, Penarth Marina be progressed as proposed.
- (2) T H A T the objector be advised of this decision.

Reasons for decisions

- (1) To enable the Order to be made.
- (2) To confirm the Cabinet's position.

C3333 WOODLAND PLACE, PENARTH – PROPOSED NO WAITING AT ANY TIME (NWAT) RESTRICTION – OBJECTION REPORT (BSHT) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION)

Cabinet was advised of an objection received to the proposed Traffic Regulation Order, to restrict waiting of vehicles at the eastern end of Woodland Place.

On 18 December, 2015 the then Cabinet Member for Environment and Visible Services and Director of Visible Services and Housing gave approval to give notice of proposal to introduce a No Waiting at any Time (NWAT) Order, to prohibit vehicles waiting at the eastern end of Woodland Place, Penarth. A copy was attached at Appendix A to the report. Accordingly, public notice of the proposal was given on 4 February, 2016 with objections being invited in writing by 26 February, 2016.

Woodland Place was a popular area for commuters and local workers to park their vehicles all day to access the local train station and those who commute into the town centre. Several complaints had been received regarding the saturated parking due to the lack of space and narrow nature of the road. When vehicles park tight up to the corner this obstructed visibility around the blind 90 degree bend. Due to the lack of private parking provision for residents and increased resident car ownership,

inconsiderate parking took place. One letter of objection was received from a resident, a copy of which was attached at Appendix B to the report. Extracts were detailed in the report, together with the Traffic Officer's responses.

After presenting this item, the Cabinet Member for Building Services, Highways and Transportation commented that the local Ward Members had been consulted on, and supported the restrictions proposed.

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 objection be rejected for the reasons contained in the report and that the Traffic Regulation Order to restrict waiting of vehicles at the eastern end of Woodland Place, Penarth be progressed as proposed.
- (2) T H A T the objector be advised of this decision.

Reasons for decisions

- (1) To enable the Order to be made.
- (2) To confirm the Cabinet's position.

C3334 AIR QUALITY PROGRESS REPORT 2016 (VLRS) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION) -

Approval was sought for the 2016 Air Quality Progress Report for the Vale of Glamorgan, attached at Appendix 1 to the report.

The report fulfilled the requirements of the statutory Local Air Quality Management (LAQM) process. The LAQM process placed an obligation on all local authorities to regularly review and assess air quality in their areas and to determine whether or not the air quality objectives to protect health were likely to be achieved. Where exceedences were considered likely, the local authority had to then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intended to put in place in pursuit of the objectives.

The results of the 2015 monitoring data confirmed that air quality within the Vale of Glamorgan met the relevant air quality objectives, including within the existing AQMA on Windsor Road, Penarth.

The 2015 data indicated one minor exceedance of the annual average Air Quality Standard of 40 ug/ m³ for NO² at Andrew Road with a result of 40.3µg/m³. However, this site was regarded as a Kerbside location and after applying a correction factor to derive levels at the nearest relevant exposure, the final result was in compliance with the Air Quality Standard.

It was evident that NO² levels had seen a noticeable decrease or had remained stable during the 2015 monitoring period. There were no monitoring sites with concentrations above 60µg/m³ in 2015. This indicated it was unlikely that the hourly nitrogen dioxide objective would be exceeded at any location in the Vale of Glamorgan.

The results of the monitoring indicated that the annual average particulate matter PM10 concentration at the Windsor Road monitoring station was compliant with the AQS objective of 40µg/m³. This was the only location across the Vale of Glamorgan where PM10 was actively monitored. Ozone was monitored at the Windsor Road monitoring station. There were no exceedences of the 8-hour mean objective of 100µg/m³ on more than 10 days per year as set by the Expert Panel on Air Quality Standards (EPAQs).

Shared Regulatory Services (SRS) would review nitrogen dioxide diffusion tube placement and re-locate tubes to property facades where practicable to provide results indicative of relevant exposure. In the same way, the Council identified tubes with consistently low, compliant concentrations and redeployed these elsewhere. SRS would proceed to a detailed assessment of the 2016 ratified monitoring data obtained for the Windsor Road AQMA, to assess whether the Council should revoke the AQMA.

The report recommended that the Council continue to monitor at the majority of current locations.

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 2016 Air Quality Progress Report attached at Appendix 1 to the report be approved and submitted to Welsh Government.

Reason for decision

To fulfil the requirements of the statutory Local Air Quality Management (LAQM) process.