

The Vale of Glamorgan Council

Cabinet Meeting: 20 November, 2017

Report of the Leader

Use of the Managing Director's Emergency Powers

Purpose of the Report

1. To notify Cabinet of the exercising of Emergency Powers by the Managing Director since the last report on 24th April, 2017.

Recommendation

That the report be noted.

Reason for the Recommendation

To inform Cabinet.

Background

2. The Emergency Powers procedure was approved by Minute No. 95, 2012/13.

Relevant Issues and Options

3. To note the following:

(a) **Holton Road Grant Programme**

Authority to carry forward £120,000 of the Holton Road Grant Programme into the Capital Programme for 2017/18 in order to comply with match funding requirements of the Welsh Government's Vibrant and Viable Places (Tackling Property Fund) funding award and to honour an existing funding commitment in respect of the grant awarded for works to 80 Holton Road.

(Environment and Regeneration)

(b) **Penarth Heights Landslip Initial Studies**

Authority to extend the provision of consultancy services by Mott MacDonald for the Appraisal of Penarth Heights Landslip Initial Studies and provision of

recommendations including, the approval of the payment of future payments which could amount to between £20,000 to £25,000.
(Environment and Regeneration)

(c) **Day Care Services to Elderly and EMI Service Users**

Authority to extend the period of the supply of Day Care Services to elderly and EMI Service users provided by Hafod Care Association (one year extension – 1st June, 2017 to 31st May, 2018, total cost of the one year extension was £126,752.88).

(Healthy Living and Social Care)

(d) **Welsh Government Social Care Workforce Grant**

Authority to permit the Director of Social Services and the Section 151 Officer to agree the terms and conditions of the Welsh Government Social Care Workforce Grant for the period 2017/18 (the Council's allocation for this purpose would be up to £370,611).

(Health Living and Social Care)

(e) **Welsh Government ENABLE Funding**

Authority to accept ENABLE funding from Welsh Government in the amount of £148,549. The purpose of the grant was to support independent living for the period 2017/18 for funding costs in relation to the delivery of adaptations.

(Environment and Regeneration)

(f) **SALIX Carbon Management Works**

Authority to increase the Capital Programme by £180,000 for SALIX carbon management works during 2017/18, to be funded from the Energy Management Fund.

(Corporate Performance and Resources)

(g) **Temporary Secondment to Welsh Government**

Authority to extend the temporary secondment of an officer who had been on secondment to an arm of Welsh Government from the employment of the Council for a period in excess of two years (the original agreement expired in November 2016, but remained in operation until 31st March, 2017).

Welsh Government had now asked for the individual to remain under secondment with them for a further period (four days per week) until 9th November, 2018 with all costs falling to Welsh Government in respect of the days. Emergency Powers were sought to enable the secondment agreement which would underpin the arrangements to be completed.

(Corporate Performance and Resources)

(h) **Flying Start Capital Grant**

Authority to accept Flying Start Capital Grant and to include it in the Capital Programme 2017/18 in the amount of £30,000 to fund repairs at the Flying Start Family Centre.

(Healthy Living and Social Care)

(i) **Capital Slippage Request**

Authority to carry forward 2016/17 Capital Slippage Request into the 2017/18 Capital Programme. Details of the slippage requests were presented to Cabinet at its meeting on 3rd July, 2017.

(Corporate Performance and Resources)

(j) **Judicial Review re Representation on SACRE**

Authority to withdraw the Cabinet decision of 6th March, 2017 whereby the Cabinet had endorsed the decision of the Standing Advisory Council on Religious Education (SACRE) to decline the application for Humanist representation on SACRE and to conclude judicial review proceedings and make such amendments to the Council's Constitution on expert advice as appropriate to take account of matters raised within the current legal proceedings.

(Learning and Culture)

(k) **Data Disclosure Agreement**

Authority to sign a Data Disclosure Agreement with other Local Authorities in order to prepare for the implementation of the new Integrated Health and Social Care System.

(Healthy Living and Social Care)

(l) **High Street / Broad Street Traffic Management Scheme**

Authority to amend the 2017/18 Capital Programme by the amount of £60,000 in respect of the High Street / Broad Street Traffic Management Scheme budget, to be funded from Section 106 monies.

(Environment and Regeneration)

(m) **Small Scale Works Grant 2017/18**

Authority to accept an award of funding from Welsh Government in relation to the Small Scale Works Grant 2017/18 in the amount of £105,103 which required 15% (£18,547) match funding from the Council which would be funded from the existing Flood Risk Management budget and to amend the 2017/18 Capital Programme. The total cost of works was £123,650 and would fund small scale flood alleviation schemes (Elfed Avenue – Culvert Relining, PLP Llanmaes and Windsor Road – Penarth). The use of Emergency Powers would enable the commencement of works

during the summer period, reducing the risk of weather delays and flood risk to properties.

(Environment and Regeneration)

(n) **Community Asset Transfer Preferred Bidder**

Authority to confirm Glamorgan Voluntary Services (GVS) as the preferred bidder in respect of the Community Asset Transfer (CAT) – Western Vale Integrated Children’s Centre (WVICC) and to allow the CAT Group to progress the application by entering into discussions with GVS regarding the application and the detail of further information required prior to reporting to the Council’s Insight Board for approval and final determination by the Cabinet as required by the CAT Protocol.

(Corporate Performance and Resources)

(o) **Grant Awards from Natural Resources Wales**

Authority to accept a grant award from Natural Resources Wales in the amounts of £30,260 (Rights of Way Improvement Plan) and £68,675 (Coastal Access Improvement Programme), the latter grant funding required match funding by the Council (25%) and this would be funded (£10,891) from the Countryside Revenue budget. Authority was sought to include the above funding in the 2017/18 Capital Programme.

(Environment and Regeneration)

(p) **Introduction of Transitional School Transport Arrangements**

Authority to introduce Transitional School Transport arrangements to mitigate the impact on pupils attending new catchment schools based on Merthyr Dyfan Road and Port Road, Barry.

(Environment and Regeneration)

(q) **Supply and Fitting of Tyres Contract**

Authority to award the “Supply and Fitting of Tyres” contract to Mobile Tyre Services (MTS).

(Environment and Regeneration)

(r) **Digital Tourism Information Points**

Authority to sign the licence agreements in respect of the development of Digital Tourism Information Points as part of a pilot scheme promoted by Creative Rural Communities. A licence agreement would need to be entered into with each private establishment to communicate the terms of the hardware loan and associated project.

(Environment and Regeneration)

(s) **Welsh Government (WG) Regeneration Pipeline Funding 2017/18**

Authority to submit expressions of interest to WG for the following schemes:

- Holton Road Grant Programme - £60,000 to £80,000
- Master Mariner Public House, Skomer Road, Barry to £97,500
- BSC Squared- £60,000 to £90,000.

(Environment and Regeneration)

Resource Implications (Financial and Employment)

4. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Sustainability and Climate Change Implications

5. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Legal Implications (to Include Human Rights Implications)

6. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Crime and Disorder Implications

7. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Equal Opportunities Implications (to include Welsh Language issues)

8. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Corporate/Service Objectives

9. The procedure requires that these be taken into account by the Committee / Departments originating the requests for the use of Emergency Powers.

Policy Framework and Budget

10. All actions fall within paragraph 1 of the Managing Director's Delegated Powers set out on page **255** of the Council's Constitution.

Consultation (including Ward Member Consultation)

11. None

Relevant Scrutiny Committee

12. As indicated in paragraph 3 above

Background Papers

Relevant Emergency Powers proformas.

Contact Officer

Jeff Rees, Principal Democratic and Scrutiny Services Officer

Officers Consulted

None

Responsible Officer:

Rob Thomas, Managing Director