

**CABINET**

Minutes of a meeting held on 4th March, 2019.

Present: Councillor J.W. Thomas (Chairman); Councillor T.H. Jarvie (Vice-Chairman); Councillors J.C. Bird, G.C. Kemp, A.C. Parker and R.A. Penrose.

Apology for Absence - Councillor G.A. Cox.

**C597 MINUTES -**

RESOLVED - T H A T the minutes of the meeting held on 18th February, 2019 be approved as a correct record.

**C598 DECLARATIONS OF INTEREST -**

Agenda Item 5 - Local Authorities Advisory Governors Advisory Panel - 20<sup>th</sup> February, 2019 - Councillor Penrose declared that he was currently a Local Authority Governor at Sully Primary School and would therefore leave during consideration of the item.

Agenda Item 11 - Proposed Reconfiguration of Primary Provision in the Western Vale - Councillor Kemp advised that both himself and his spouse were current Governors of Llancarfan Primary School and he was in receipt of a dispensation from the Standards Committee to speak and vote on the matter.

**C599 CORPORATE PARENTING PANEL -**

The minutes of the Corporate Parenting Panel meeting held on 21st January, 2019 were submitted:

Present: Councillor G Kemp (Chairman), Councillors O. Griffiths, Dr. I.J. Jonson, K. McCaffer, Mrs. R. Nugent-Finn, E Williams; Mrs. J. Ballantine (Principal HR Business Partner), A. Borsden (Lead Officer Social Inclusion and Wellbeing), L. Carver (Director of Social Services), Mrs. R. Evans (Head of Children and Young People Services) and Mrs. K. Bowen (Principal Democratic and Scrutiny Services Officer).

<b>(1)</b>	<b>Apologies for Absence –</b>
	These were received from Martine Coles (LAC Education Co-ordinator and Lead Professional EAL), Karen Conway (Operational Manager – CYPS) and Ms. G. Toon (Complex Needs Manager / Principal Educational Psychologist).
<b>(2)</b>	<b>Minutes and Matters Arising –</b>
	The minutes of the meeting held on 22nd November, 2018 were agreed as an

	<p>accurate record.</p> <p>In MC's absence it was agreed that a report providing an update on the GCSE results be considered at the next meeting of the Panel.</p>
<b>(3)</b>	<b>Breakdown of Children Looked After –</b>
	<p>RE tabled details of the current statistics as at 7th January, 2019 which advised that there were currently 271 children looked after of which 135 were female and 136 were male.</p> <p>The ages of children looked after were noted as:  0-5 years – 87,  6 – 10 years 66,  11 – 15 years 84 and  16-17 years 34.</p> <p>The legal status of children looked after was reported as:  Care Order – 195  Interim Care Order – 35  Placement Order – 17  Section 76 – 24.</p> <p>In noting that the highest numbers were recorded for 0-5 years and 11-15 years, the Panel was advised of the ongoing pressures for both the Social Services and Education Departments. Two children were subject of Secure Orders, one had been placed in the north of England, the other in Scotland. These placements had been the only options available, in view of need and having undertaken extensive searches.</p> <p>Work is also being undertaken in relation to children on “the edge of care”, and it was recognised that increases in demand were not only a local issue but a national one. Reference was made to the current complexity of need of children accessing services.</p> <p>The Corporate Strategy for Children who need Care and Support is currently being reviewed with the intention that it be considered by Cabinet in the Autumn 2019. The revised Strategy will come to Corporate Parenting Panel as part of the consultation phase.</p> <p>Councillor McCaffer referred to a recent Foster Carer Forum that she had attended which she considered had been an inspiring event, albeit it had raised the issue of the need for more foster carers.</p> <p><b>ACTION:</b> It was agreed that the item “Breakdown of Children Looked After” continue to be a standard item on the agenda to be reported at every meeting.</p>
<b>(4)</b>	<b>FUTURE AGENDA ITEMS -</b>
	<p>Consideration was given to future agenda items for the Panel as outlined</p>

	<p>below:</p> <ul style="list-style-type: none"> <li>• GCSE results</li> <li>• Corporate Strategy for Children (revision)</li> <li>• Children most at risk; management of high risk students</li> <li>• Prevention of homelessness and mental health project</li> <li>• CIW case focussed activity – IRO service</li> <li>• Progress against the CYPS Inspection Action Plan</li> <li>• Edge of Care Analysis</li> <li>• Personal experience – CLA or previously Looked After</li> </ul> <p>ACTION: That a draft work programme be prepared for consideration by the Panel at the next meeting.</p>
<b>(5)</b>	<b>SCHEDULING OF FUTURE MEETING DATES –</b>
	<p>It was confirmed that meetings would be held on a bi-monthly basis for approximately an hour per session, at 4.30 p.m., and with Mondays being accepted as a suggested day. The Principal Democratic and Scrutiny Services Officer was requested to e-mail suggested dates for approval.</p>
<b>(6)</b>	<b>DATE AND TIME OF NEXT MEETING –</b>
	<p>Monday, at 4.30 p.m. Date to be confirmed.</p>

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

Reason for decision

To note the contents of the minutes.

**C600 LOCAL AUTHORITY GOVERNORS ADVISORY PANEL -**

The minutes of the Local Authority Governors Advisory Panel meeting held on 20<sup>th</sup> February, 2019 were submitted:

Present: Councillor R.A. Penrose (Chairman, Cabinet Member for Learning and Culture); Councillors L. Burnett, G.C. Kemp, Mrs. R. Nugent-Finn and Mrs. M.R. Wilkinson.

Also present: Mrs. M. Gibbs (Vale Governors Association).

(a) Declarations of Interest –

The following Members declared an interest as Governors of schools as outlined below:

Councillor R.A. Penrose, Governor at Sully Primary School;  
Mrs. M. Gibbs, Governor at Romilly Primary School.

N.B. The above Members withdrew from the room when the relevant schools were being considered.

(b) Guidance Regarding the Appointment Process –

The Chairman referred to the Guidance regarding the appointment process which was detailed in Agenda Item No. 2 within the Agenda. Appendix 1 provided a list of vacancies, Appendix 2 was the Policy for the Appointment of Local Authority Governors, whilst Appendix 3 was an advertisement for Local Authority Governors. The Panel was informed that a late application had also been received following which it was subsequently

RECOMMENDED – T H A T the Guidance in respect of the process be noted and the late application be accepted for consideration.

Reason for recommendation

In noting the Guidance for the appointment process and to allow a late application for consideration.

(c) Exclusion of Press and Public –

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

(d) Applications for Appointment for Current Local Authority Governor Vacancies (Exempt Information – Paragraph 12) –

RECOMMENDED – To Cabinet

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

School	No. of Vacancies	Appointment
Barry Island Primary	1	Sameerah Mouti
Bute Cottage Nursery	1	Kate Rees

Cowbridge Comprehensive	1	Jenny Smith
Dinas Powys Primary	2	Jill Davies Christine Suvorov
Llansannor C/W Primary	1	Christopher Barber
Romilly Primary	1	Leanne Sokolski
St. Illtyd Primary	1	Gethin Powell
St. Nicholas C/W Primary	1	Thomas Pinder
Sully Primary	1	Ceri Hooper
Victoria Primary	2	Sonia McLaughlin Amanda Reynolds
Wick and Marcross C/W Primary	1	Elizabeth Cornelius
Y Bont Faen Primary	1	Sian Roberts
Ysgol Iolo Morganwg	1	Sian Roberts
Ysgol Pen y Garth	1	David Wilton
Llangan Primary	1	
St. Andrews C/W Primary	1	
Ysgol St. Curig	1	

(2) T H A T with regard to Llangan Primary School, St. Andrews C/W Primary School and Ysgol St. Curig, officers be requested to approach the applicants whose applications meet the skills register criteria and the skills requirements (as noted by the Headteachers' comments) for the schools to ascertain whether they would be willing to accept appointments at the schools.

(3) T H A T following discussions with the applicants as outlined in (2) above Cabinet be advised accordingly in order to consider / approve such appointments.

#### Reasons for decisions

(1) To allow Cabinet to consider and agree appointments to the above schools' Governing Bodies.

(2) To allow officers to contact applicants who may be willing to serve on other schools and to advise Cabinet accordingly.

(3) In order that appointments to the schools can be approved.

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 The Leader advised that the Local Authority Governor Advisory Panel requested at its meeting on 20<sup>th</sup> February, 2019 for officers to further review the application forms received and identify whether there were any suitable applicants for the remaining Local Authority Governor positions.

Officers were also asked to make contact with any applicants who were unsuccessful for their preferred choice of school to ascertain if they would take up a Local Authority Governor position at another school. Additionally, suitable applicants who stated that they were willing to take on a roll of a Local Authority Governor at a

second school were considered. The Leader added that the following applicants agreed to be considered as Local Authority Governors at the following schools:

Llangan Primary School - Kate Tinsley agreed to be considered for the roll. Kate had originally applied for Llansannor Church in Wales Primary.

St. Andrews Church in Wales Primary - Emma Ward agreed to be considered for the roll. Emma had originally applied for Sully Primary.

Ysgol Sant Curig - No suitable applicants were identified by officers so it was recommended that the vacancy be deferred to the next Panel meeting.

In conclusion, the Leader stated that Cabinet was asked to approve the two additional appointments at Llangan Primary and St. Andrews Church in Wales Primary and to defer the vacancy for Ysgol Sant Curig to the next Local Authority Governor Advisory Panel.

**RESOLVED - T H A T** the following appointments to the schools be approved:

<b>School</b>	<b>No. of Vacancies</b>	<b>Appointment</b>
Barry Island Primary	1	Sameerah Mouti
Bute Cottage Nursery	1	Kate Rees
Cowbridge Comprehensive	1	Jenny Smith
Dinas Powys Primary	2	Jill Davies Christine Suvorov
Llansannor C/W Primary	1	Christopher Barber
Romilly Primary	1	Leanne Sokolski
St. Illtyd Primary	1	Gethin Powell
St. Nicholas C/W Primary	1	Thomas Pinder
Sully Primary	1	Ceri Hooper
Victoria Primary	2	Sonia McLaughlin Amanda Reynolds
Wick and Marcross C/W Primary	1	Elizabeth Cornelius
Y Bont Faen Primary	1	Sian Roberts
Ysgol Iolo Morganwg	1	Sian Roberts
Ysgol Pen y Garth	1	David Wilton
Llangan Primary	1	Kate Tinsley
St. Andrews C/W Primary	1	Emma Ward
Ysgol St. Curig	1	Deferred to the next Panel Meeting.

Reason for decision

To confirm appointments to the schools.

**C601 ANNUAL EQUALITY MONITORING REPORT 2017-2018 (REF) -**

The Cabinet Member for Learning and Culture advised that a report was provided to the Learning and Culture Scrutiny Committee which set out progress against the Equality Objectives of the Strategic Equality Plan 2016-20 and other actions taken to improve equality for people living and working in the Vale of Glamorgan.

The report also summarised what services had done to collect and analyse equality data on how people of protected characteristics had used their services and noted what they had done to make improvements in the reporting period 2017/18.

The appendices attached to the report showed the data collected and analysed by the service areas, together with the initial report on employment information and an employment action plan.

The Head of Performance and Development stated that the Annual Monitoring Report was a statutory requirement, with Members commenting that it was a good report which provided much detail.

The representative from the Youth Forum stated that in his view, it was a far more comprehensive report than the one Welsh Government had produced. He also took the opportunity to point out that the Youth Forum was also focusing on various issues in particular regard cyber bullying.

The Chairman, in referring to the data that was collected, took the opportunity to enquire whether more could be undertaken to inform people of why such data was collected and that this could be an opportunity to discuss with the Social Media Team ways of undertaking this.

The Corporate Equalities Officer advised that one of the appendices did provide such information, although further work would be undertaken and suggested that this be reported as appropriate.

Having considered the report it was subsequently

**RECOMMENDED – T H A T** the Annual Equality Monitoring report be endorsed and referred to Cabinet for approval with the Committee's comments.

Reason for recommendation

To bring to the attention of Cabinet the progress against the Equality Objectives and Strategic Equality Plan 2016-20 and the other actions taken to improve equalities for people living and working in the Vale of Glamorgan and consider the Committee's comments."

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

RESOLVED -

- (1) T H A T the comments of the Learning and Culture Scrutiny Committee be noted.
- (2) T H A T the Annual Equality Monitoring Report be approved and endorsed.

Reason for decision

- (1) Cabinet is aware of the Scrutiny Committee's comments regarding the report.
- (2) To allow the Council to meet its reporting duty under the specific duties for Wales, continue to make progress towards meeting the public sector equality duty and ensure that the Council's equality work is available for scrutiny by the Equality and Human Rights Commission and others.

**C602 PROPOSALS TO INCREASE THE NUMBER OF PRIMARY WELSH MEDIUM SCHOOL PLACES IN BARRY (REF) -**

The Cabinet Member for Learning and Culture presented a reference received from the Learning and Culture Scrutiny Committee as below:

Cabinet had, at its meeting on 17<sup>th</sup> December, 2018, referred the report to the Scrutiny Committee as part of the consultation process. The report was seeking approval to consult on a proposal to move Ysgol Sant Baruc from its current location on St. Paul's Avenue in Barry to a newly constructed 420 place school building with 96 part time nursery places on the Barry Waterfront development.

The Head of Strategy, Community Learning and Resources, in presenting the report, drew attention to paragraph 35 advising that since 1998 the Barry area had seen a 5.8% decline in the demand for English medium education and an increased demand for Welsh medium education of 6.7%.

Cymraeg 2050: A million Welsh speakers was published in July 2017, and set out the long-term vision for the Welsh language. Increasing the number of Welsh speakers was one of the three key themes, and the following key transformational changes would be required within the education sector in order to achieve the vision:

- Increase the proportion of each school year group receiving Welsh-medium education from 22% (based on 7,700 seven-year-old learners in 2015/16) to 30% (about 10,500 in each year group) by 2031, and then 40% (about 14,000 in each year group) by 2050;



- Transform how the Council taught Welsh to all learners in order that by 2050 at least 70% of those learners reported that they could speak Welsh by the time they left school;
- Increase the number of primary teachers who could teach in Welsh from 2,900 to 3,900 by 2031 and 5,200 by 2050; increase the number of secondary teachers who could teach Welsh from 500 to 900 by 2031 and 1,200 by 2050; and increase the number of secondary teachers who could teach through the medium of Welsh from 1,800 to 3,200 by 2031 and 4,200 by 2050.

It was noted that approximately 1,700 dwellings would be built by 2022. 756 units in total had been built and occupied to date with children placed at schools serving the area. The Barry Waterfront Development currently served High Street and Holton Primary Schools for English medium primary provision, Ysgol Sant Baruc for Welsh medium provision and All Saints and St. Helen's Primary Schools for denominational education.

Having regard to paragraph 74 of the report, the Head of Service referred to a typo in that the report noted the estimated revenue cost of operating a new 420 place school would be £1.43m. This should have read £1.33m. It was noted that the difference from the revenue budget for Ysgol Sant Baruc of £760k to the £1.33m would be found from within individual schools' budgets generated by the additional revenue from the increase in pupil numbers from the new housing developments.

The Project Manager for the 21st Century Schools, Mr. Matthew Curtis, was introduced to the Committee and in referring to Appendix A, the proposed timetable for increasing the number of primary Welsh medium school places in Barry, advised that the consultation period would end on 22nd February, 2019 and had been undertaken in line with the School Organisational Code. To date it had also been published on the Council's website and a decent response rate had been received. To assist the consultation process a number of public sessions had been held (around 20) with comments being received, for example around funding, travel and hiring implications. The Project Manager advised that a large percentage of those consulted were in favour of the proposals, with positive responses having been received.

Following the presentation of the report, the Chairman then asked the first speaker, Mr. G. Griffiths, to make his representations to the Committee.

Mr. Griffiths advised that he was an Local Authority Governor of Ysgol Sant Curig and Ysgol Gwaun y Nant schools, but that he was speaking in a personal capacity to the Committee. Mr. Griffiths stated that he would be making personal comments / observations based on research he had carried out and listening to fellow Governors at recent meetings. He stated that he was sure that in due course there would be formal representations made by each Board of Governors in respect of the proposal. Mr. Griffiths advised that he was a former Bilingual Qualified Teacher and as such knew the challenges that Bilingual Schools faced in predominately English speaking parts of Wales.

Mr. Griffiths stated that Towns and Cities were a collection of Urban Villages and each was different and needed different facilities to help them survive and grow.

There seemed he stated, in his view, two issues to consider:

Numbers attracted to each school. Sant Baruc 234 / Sant Curig 425 / Gwaun y Nant 252

“New Schools attract new Pupils Sant Baruc will be moving to the Waterfront so no issue there – but could Sant Curig and Gwaun y Nant see a significant drop in numbers at a time when ALAN / new Curriculum are in training and could this see staff wishing to move to a New School.

Schools look to promote themselves and social media has become key in this. If you Google each school there are up to nine different sites where Parents / Guardians can get information. Who is responsible for those sites – updating them and / or passing on relevant information to sites which are not School or Vale of Glamorgan?”

Mr. M. Bowen, the second member of the public who had registered to speak, was then invited by the Chairman to make his representations.

Mr. Bowen explained that he was a parent of a child at Ysgol Sant Baruc, but was not a Governor of the school. He was also involved in one of the forums for parents centred around the Waterfront development and had also wished to provide the Committee with the local RhaG perspective and support of the proposals, advising that they were good proposals both for Sant Curig and Sant Baruc. He was also confident for the future, being aware that a number of parents were supporting Welsh medium education and the proposal would assist the target for 2050 of increasing Welsh medium by a third. If the proposal went ahead he advised there would be a 17% increase for Barry and 10% for the Vale of Glamorgan. Mr. Bowen also referred to the lack of catering facilities at Sant Baruc and that having this facility would be a significant advantage for the school.

With regard to paragraph 49 of the report, he advised that for the Reception year the school was full and in his view, there was so much demand that this statistic was only going to grow.

Councillor S. Wiliam, not a Member of the Committee but with permission to speak, advised that he was a local Member and referred to two major benefits of the proposals, the access to Welsh medium education in the locality and to community benefits. The support in the area he stated was extensive and that all the people he had talked to were pleased with the proposals. There was also an excellent English medium school on the Island and that the proposals would be future proofing the Vale in moving to further promote the Welsh language throughout the county.

Councillor Dr. I. Johnson, not a Member of the Committee but with permission to speak, stated that he was a Local Authority Governor of Gladstone Primary. He took the opportunity to thank the officers for hosting the meetings for Local Ward Members the previous week and trusted that this would continue through to the planning process. He was aware through the consultation that 90% had responded in favour of the proposals and this was something he said was to be extremely welcomed. As local Member he was aware of the constraints of the current site,

there being no parking facilities and that it was not a good situation for staff, pupils, parents or residents.

Mr. Gapper, the Welsh Medium Education Representative on the Scrutiny Committee, stated that in representing the Welsh Medium sector he thought the case for expanding and relocating had been well made by the previous speakers and, in his view, the report had provided an excellent rationale for the proposal and he thanked the officers for the information provided. Mr. Gapper also considered that there was a high level of support for the proposal and took the opportunity to refer to two specific points. Aware of the developing issue in relation to Welsh medium education, he considered that the rate of increase was likely to increase further in the future and with the 2050 policy this would lead to a greater demand for Welsh medium education in the future. Secondly, although it was necessary to respond to the demand it was also not just a numbers game, the benefits were clear and he considered that the Welsh medium education proposal would achieve such benefits.

Having heard the speakers, the Chairman then referred the representations and the report for consideration by the Scrutiny Committee.

A number of Members considered that the proposals appeared to be well thought out and the arguments by the speakers who had spoken clearly shaped the way forward. A Member also queried whether there was geographical data available for the breakdown of responses and was informed that although there was no specific geographical data, the information could be broken down in respect of the type of respondent i.e. parent, local resident, etc. Reference was also made to the need to ensure the continuity between further education and officers were urged to consider such matters.

Following a query as to how the proposal had been reached in the first instance, the Head of Service for Strategy, Community Learning and Resources in response advised that there had been a number of historical discussions that had taken place. He also referred to the conditions in the schools, in particular Sant Baruc did not have a kitchen and staff time was taken up in taking children back and forth over two sites. The point had also been made in relation to the need to ensure Welsh medium education was supported and the rationale to offer choice. There was already existing capacity in High Street and Barry Island Schools and in referring to further education advised that opportunities in order to support families within the communities was one of the drivers in promoting the proposal.

Councillor Hodges, the Vice-Chairman of the Committee, stated that he had heard nothing but praise and excitement from the people on the Waterfront about the proposals and he was also aware that organisations within the community were also keen to use the facilities in the school.

The Youth Forum Representative stated that in his view, the proposal was an amazing opportunity and that through his school years he had seen the provision of the Welsh language change and he asked whether all Members on the Committee agreed with the proposal in order that he could inform the new Welsh Parliament Forum Member who attended Bro Morgannwg School.

The Chairman also advised that she was hugely supportive of the steps that had been taken to promote and encourage the Welsh language but took issue with some of the figures contained within the report and, in her view, using percentages was also strictly not comparing like with like. She also queried the information in relation surplus places, advising that the report needed to be accurate in order for Committee Members to make informed decisions. She also took the opportunity to ask the Committee to consider making a recommendation to Cabinet for a strategic review of all schools in the Vale as, in her view, there were a number of Victorian Schools which required refurbishment and that these should not be overlooked. Her main focus was to ensure equity in provision across the primary sector.

Members, although concurring with the sentiments of the Chairman, felt that a further report could be presented to the Scrutiny Committee under its work programme in relation to a review of school buildings.

The Cabinet Member, with permission to speak, took the opportunity to reassure the Committee that in preparing the proposals he had been extremely mindful of the need to ensure that Welsh medium provision was not introduced at the expense of English medium provision.

Having fully considered the report, it was subsequently

#### RECOMMENDED –

- (1) T H A T Cabinet be informed that the Scrutiny Committee unanimously supports the proposal to increase the number of primary Welsh medium schools places in Barry as contained within the report.
- (2) T H A T a further report on school buildings in the primary sector be presented to the Scrutiny Committee under its work programme.

#### Reasons for recommendations

- (1) Having considered the report and in view of the overwhelming support for the proposal.
- (2) In order that the Committee can consider primary provision of school buildings and their fabric.”

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

RESOLVED - T H A T Cabinet notes the unanimous support of the proposal to increase the number of primary Welsh Medium schools places in Barry of the Learning and Culture Scrutiny Committee.

#### Reason for decision

Cabinet is aware of the Scrutiny Committee's stance regarding the report.

**C603 CAPITAL MONITORING FOR THE PERIOD 1ST APRIL, 2018 TO 31ST JANUARY, 2019 (L) (SCRUTINY - CORPORATE PERFORMANCE AND RESOURCES)**

The Leader presented the report to provide an update on the progress of the Capital programme for the period 1st April 2018 to 31st January 2019. Details by scheme were shown in Appendix 1 to the report.

The report also set out any requested changes to the 2018/19, 2019/20 and 2020/21 Capital Programme.

In conclusion, the Leader advised that the largest change to the programme was the inclusion of the Childcare Grant which had been approved by Welsh Government and would provide funding of £1.840m for the period 2019/20 to 2020/21. The purpose of the funding was to enable support to provide sufficient childcare places to meet demand.

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 progress made on the 2018/19 Capital Programme be noted.
- (2) T H A T the use of Delegated Authority in relation to the following be noted:
  - Barry Island Primary WC - Virement of £6k to St. Richard Gwyn Boilers Scheme in the 2018/19.
  - Glyndwr Hall - Include a new £22k scheme into the 2018/19 Capital Programme funded by S106.
- (3) T H A T the use of Emergency Powers in relation to the following be noted:
  - ICF Trysor O Le - Include a new £12k scheme into the 2018/19 Capital Programme funded by ICF grant.
  - ICF Social Enterprise Pilot-Include a new £16k scheme into the 2018/19 Capital Programme funded by ICF grant.
  - ICF Transition Smart House -Include a new £30k scheme into the 2018/19 Capital Programme funded by ICF grant.
  - Local Transport Fund M4 J34-Increase the 2018/19 Capital Programme by £118k to be funded by WG grant.
  - Community Centre Works - Request to reduce the 2018/19 Capital Programme by £25k as works reclassified as revenue.

- Carbon Management Fund- Request to increase the 2018/19 Capital Programme by £23k for works at Romilly Nursery initially funded from Carbon Management Fund with reimbursement back into the fund by the school.

(4) T H A T the following changes to the 2018/19, 2019/20 and 2020/21 Capital Programme be approved:

- Jenner Park Primary Water Boiler - Include a new £14k scheme in the 2018/19 Capital Programme funded by a revenue contribution from Catering.
- St. Joseph's Primary Windows - Include a new £25k scheme in the 2018/19 Capital Programme funded by a revenue contribution for the school.
- Disabled Access Improvement - Carry forward £16k from 2018/19 into the 2019/20 Capital Programme.
- Childcare Offer Capital Grant (COCG) - To include a new scheme in the Capital Programme with £1.380m being allocated in 2019/20 and £460k in 2020/21, funded by a Welsh Government Grant.
- Social Services Asset Renewal - Carry forward £20k from 2018/19 into the 2019/20 Capital Programme.
- External Ground Works, Youth Offending and Cartref Porthceri Buildings - Carry forward £33k from 2018/19 into the 2019/20 Capital Programme.
- 91 Salisbury Road - Carry forward £2k from 2018/19 into the 2019/20 Capital Programme.
- Fire Precaution Works - Carry forward £16k from 2018/19 into the 2019/20 Capital Programme.
- Residential Home Refurbishment - Carry forward £16k from 2018/19 into the 2019/20 Capital Programme.
- Glyndwr Hall - Increase the capital scheme by an £8k contribution from the Hall Association and vire £15k from the Community Centres Works scheme.
- Electrical Renewal Barry and Penarth Leisure Centre - Carry forward £800k from 2018/19 into the 2019/20 Capital Programme.
- Barry and Penarth Leisure Centre Upgrade of Changing Rooms - Carry forward £665k from 2018/19 into the 2019/20 Capital Programme.
- Cowbridge Leisure Centre Roofing - Carry forward £372k from 2018/19 into the 2019/20 Capital Programme.
- Asset Renewal Highway Structures - Carry forward £40k from 2018/19 into the 2019/20 Capital Programme.
- Dimming of Street Lighting / Fitting of LED lights - Carry forward £365k from 2018/19 into the 2019/20 Capital Programme.
- Carbon Management Fund - Increase the 2018/19 Capital Programme by £5k for works at Wick Primary and by £14k for works at Ysgol Pen Y Garth, initially funded from the Carbon Management Fund with reimbursement into the fund from the schools.
- Stronger Communities Fund- Increase the 2018/19 Capital Programme by £15k funded by a revenue contribution from the Stronger Communities budget.
- Disabled Facility Grants - Carry forward £200k from 2018/19 into the 2019/20 Capital Programme.

- Murch Play Area - Include a new scheme totalling £120k in the Capital Programme, £3k in 2018/19 and £117k in 2019/20 to be funded by S106 monies.
- Grange Play Area - Include a new scheme totalling £85k in the Capital Programme, £4k in 2018/19 and £81k in 2019/20 to be funded by S106 monies.
- Twyn Yr Odyn Play Area - Include a new scheme of £20k in the 2019/20 Capital Programme funded by S106 monies.
- Asset Collaboration Programme - Include a new scheme of £30k funded by WG grant.

#### Reasons for decisions

- (1) To advise Cabinet of the progress on the Capital Programme.
- (2) To advise Cabinet of the use of Delegated Authority.
- (3) To advise Cabinet of the use of Emergency Powers.
- (4) To allow schemes to proceed in the current and future financial year.

#### **C604 REVENUE MONITORING FOR THE PERIOD 1ST APRIL, 2018 TO 31ST JANUARY, 2019 (L) (SCRUTINY - CORPORATE PERFORMANCE AND RESOURCES) –**

The Leader advised that the forecast for the 2018/19 Revenue and Housing Revenue Account (HRA) budgets was for an outturn within target, however, there would be some unplanned drawdown from reserves in order to cover elements of overspending in addition to planned use of reserves.

A savings target of £6.298m was set for the year however it was possible that some services would not achieve their savings target in full this year and there could be a shortfall of £724k (11.5%).

In conclusion, the Leader wished to highlight that in consideration of the 11.5% shortfall, the Council would achieve approximately 88.5% of its savings which was a good outcome.

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 position with regard to the Authority's 2018/19 Revenue Budget be noted.

#### Reason for decision

That Members are aware of the projected revenue outturn for 2018/19.

**C605 CARDIFF AND VALE OF GLAMORGAN JOINT COMMISSIONING AND POOLED BUDGET FOR OLDER PEOPLE SERVICES (SCHL) (SCRUTINY - HEALTHY LIVING AND SOCIAL CARE) -**

The Cabinet Member for Healthy Living, Social Care and Leisure presented the report which sought Cabinet approval to extend the Deed in order to allow for ongoing arrangements for a pooled budget for older people care accommodation from 1<sup>st</sup> April, 2019 until 31<sup>st</sup> March, 2020.

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 further progress regarding meeting the Part 9 requirements which include the ongoing pooled budget for care accommodation be noted.

(2) T H A T the Deed (Appendix 1) of Extension which allowed for the ongoing arrangements for a pooled budget for older people care accommodation from 1<sup>st</sup> April, 2019 until 31<sup>st</sup> March, 2020 which would automatically renew going forward every 12 months (unless terminated or varied by any partner), with Cardiff Council to act as the host organisation be approved.

(3) T H A T the authorisation of the Partnership Agreement in relation to the pooled budget be delegated to the Director of Social Services in consultation with the Cabinet Member for Social Care, Health & Leisure.

(4) T H A T authority for any future termination of the Pooled budget and Partnership Agreement be delegated to the Director of Social Services in conjunction with the Monitoring Officer/Head of Legal and Democratic Services and the Head of Finance in consultation with the Cabinet Member for Social Care, Health & Leisure.

Reasons for decisions

(1) The pooled budget arrangements for the Cardiff and Vale of Glamorgan region have been reviewed and it is proposed that the arrangements for a pooled budget for older people care accommodation continue from 1<sup>st</sup> April, 2019 until 31<sup>st</sup> March, 2020. This will therefore automatically renew every 12 months (unless terminated or varied by any partner) with Cardiff Council to act as the host organisation.

(2) This will ensure that the Cardiff and Vale of Glamorgan region continues to meet the requirements for Regional Partnership Boards to establish pooled funds in relation to care homes for older people. The Regional Partnership Board continues to gather evidence to enable the development of a market position statement in relation to care homes for older people. At this stage, the Partnership is not



considering a pooled budget for commissioning care for other client groups. This position is consistent with other Regional Partnership Boards across Wales.

### **C606 PROPOSED RECONFIGURATION OF PRIMARY PROVISION IN THE WESTERN VALE (LC) (SCRUTINY - LEARNING AND CULTURE) -**

The Leader wished to highlight for those who had not previously attended a Cabinet meeting that in line with the procedure rules set out in the Council's Constitution, the meeting is held in public but was not a public meeting. Therefore, there would be no opportunity for comment or questions other than from Members of the Cabinet and Officers advising Cabinet Members. Members of the public were requested to observe the procedure rules."

The Cabinet Member for Learning and Culture began his presentation of the report by asking his Cabinet colleagues if they had had an opportunity to fully consider and digest the report, including appendices A, B, C, D and E.

The Cabinet Member then went on to state that the purpose of the report was to advise Cabinet of the outcome of the statutory notice on the proposal to make regulated alterations to Llancafarn Primary School by:

- Moving Llancafarn Primary School to a new site in Rhoose on land north-west of the railway line (paragraph 2 Schedule 2 to 'the Act')
- Extending the age range of the school from 4-11 years to 3-11 years (paragraph 5 Schedule 2 of 'the Act'); and
- Increasing the school capacity for pupils of primary school age from 126 places to 210 places (paragraph 10 Schedule 2 of 'the Act').

The Council had received 102 objections by the closing date of 3<sup>rd</sup> December, 2018 and the objections had been categorised under themes and outlined in the attached objection report for Cabinet to consider as part of the decision making process. The report could be found at Appendix A to the report.

Therefore, following the completion of the period of statutory notice, a decision was now required on whether to implement the proposal to reconfigure primary provision in the Western Vale.

The Cabinet Member invited Cabinet to consider the findings of the objection report on the proposal and to refer the matter to Scrutiny Committee (Learning and Culture) for consideration. Subject to consideration of the findings within the objection report and consideration by the Scrutiny Committee Learning and Culture, Cabinet approves implementation of the proposal to reconfigure primary provision in the Western Vale.

Following agreement from Cabinet that they had considered the report, and the appendices to the report, the Cabinet Member stated that Members would recall that the proposal under consideration had been subject to two statutory consultations, the first between 5 March and 20 April 2018, the second between 21 May and 9 July 2018, and that during the latter, the consultation documentation and Community

Impact Assessment were redeveloped. The proposal was initially considered by the Scrutiny Committee, Learning and Culture on the 26<sup>th</sup> March 2018 following which Cabinet considered the proposal at a meeting of the Executive on the 17<sup>th</sup> September 2018 referring the matter to Learning and Culture Scrutiny Committee following which an Extraordinary Meeting of the Scrutiny Committee took place on the 1<sup>st</sup> October 2018.

The Member added that on the 15<sup>th</sup> October Cabinet approved the recommendation to proceed to issue a statutory notice on the proposal (Cabinet minute C441 refers) and that a statutory notice was published on the 5<sup>th</sup> November, with the statutory notice period closing on the 3 December.

A number of stakeholders received a copy of the document, and by the end of the statutory notice period a total of 102 objections had been received. The Council was required under section 49 of the 2013 Act to publish a summary of the statutory objections and a response to those objections. The objection report is attached at Appendix C to the report. The Cabinet Member advised that Members should cross reference the Appendix with the information contained within Appendix C.

The Council is required to comply with the School Organisation Code 2013 in determining its proposal, as set out in paragraph 4.8 of the report. A hyperlink to the report is included in the body of the report.

Members were then referred to paragraph 4.9 of the report and were reminded that it was a requirement of the Code that where the Council's proposals had received objections and required determination under section 53 of the Act, the Council must not approach the determination of the proposals with a closed mind.

The Cabinet Member noted that objections must be conscientiously considered alongside the arguments in respect of the proposals and in light of the factors set out in the relevant sections of the Code, (sections 1.3 to 1.6 of the Code refers) and the factors were fully set out in the report, in paragraphs 4.9 to 4.30.

All Cabinet Members confirmed that in approaching their decision making in respect of the proposal, that they had regard to the requirements.

In addition, the Cabinet Member advised that Members should take account of the impact the proposals would have on educational attainment among children from economically deprived backgrounds, any equality issues, including those identified through the Equality Impact Assessment, which was annexed to the report at Appendix E and which were summarised in the body of the report.

The findings of the Equality Impact Assessment were summarised in the body of the report at paragraph 4.32.

All Cabinet Members then confirmed that they had considered and had regard to matters set out in the Equality Impact Assessment.

The Cabinet Member continued by advising that a key driver to all school reorganisation proposals was to improve education outcomes for children and young people in all phases and help to narrow the inequalities in achievement between

advantaged and disadvantaged groups and individuals (including those from economically deprived backgrounds). Members were required to take specific factors into account in respect of proposals to add or remove nursery classes, paragraph 1.8 of the Code refers, and the factors were set out in the Cabinet report at paragraph 4.35 and 4.36.

Cabinet were reminded that they were required to give full consideration to the objections received in respect of the proposal. The objections were set out in full in the Objection report at Annex A. The Council's responses to the objections were set out in the report.

It was considered that with careful planning and considered management there was no reason why the implementation of the proposal would not be able to at the very least maintain the current level of provision, however, it was anticipated that the proposal would significantly enhance the learning environments for pupils, and contribute to raising standards.

The objections in the main reflected comments received and responded to during the consultation period, which Members had already considered. That said, consultees were entitled to resubmit previous comments as an objection, and it was important therefore that Members ensured that the comments submitted as objections were reconsidered. These have been made available to Members in the Members room along with the consultation report for further consideration.

Of the 102 responses, five themes referred to issues not raised previously and responded to in the consultation report. These are addressed in the Objection report as follows:

Issue 7 – Previous concerns not responded to satisfactorily/ignored;

Issue 8 – travel distances incorrect;

Issue 9 – Reimburse parents that funded school hall;

Issue 11 – Abracadabra playgroup wasn't include in the consultation process; and

Issue 25 – Change in the intervention rate for Band B funding.

The Cabinet Member added that Cabinet Members, in considering these proposals and all of the information before them, needed to have full regard to the legal implications, and the requirements of the Well-being of Future Generations Act 2015. The legal implications of the 2015 Act were set out at section 5 of the report. The way in which the proposal meets the 5 ways of working were set out in paragraph 5.5 of the report.

To remind Members the Council had general duties under the Education Act, as outlined in the report at paragraph 6.11 to 6.13.

The Council had powers under the School Standards Organisation (Wales) Act 2013 to make proposals to make a regulated alteration to a community school. Paragraph 6.15 of the report set out the basis of the Council's proposal amounting as it does to a regulated activity as defined in Schedule 2 of the 2013 Act.

The Council was required when acting under the provisions of the 2013 Act to comply with the School Organisation Code 2013, which could be found via the link

included in paragraph 6.14. The requirements of the Code, other principles and policies and guidance which Members should have regard to were set out in paragraph 6.22 of the report. Members of the Cabinet needed to be satisfied that the Council had acted in accordance with the Act and the Code.

The Cabinet Member concluded by reminding Cabinet Members that they must fully satisfy themselves that there was sufficient evidence before them to demonstrate that the Council was meeting its duties as outlined.

In conclusion, the Cabinet Member for Learning and Culture reminded Members of the Council's duty to comply with the public sector equality duty as provided for by s.149 of the Equalities Act 2010 when reaching a decision on the proposals outlined in the report. What Members needed to have regard to, in being satisfied that the duty was being met was set out fully at paragraphs 6.25 to 6.39 of the report which explained what the s.149 duty was. These matters were fully examined in the Equality Impact Assessment which can be found at Appendix E.

Subsequently, all Members agreed that they had indeed had full regard to this.

At this point in proceedings, the Chairman invited the Cabinet Member for Social Care, Health and Leisure to address the Committee. The Cabinet Member for Social Care, Health and Leisure stated that he was unable to support the proposal and that he had already aired his many concerns at previous Cabinet meetings. However, the Cabinet Member summarised his concerns as follows:

- In his opinion, the relocation of the school was for all intents and purposes a closure and therefore a new school was being reopened under the same name.
- With the relocation of the school from Llancarfan there would no longer be a school within the Llancarfan area.
- The issue regarding travel had also been raised within the objections received and it was important to note that the current attendees of the Llancarfan School would be forced to make a larger journey than they were currently voluntarily making.
- Many people had not participated within the consultation exercise as they believed that their views would not be taken into account by the Council.
- There was a question as to the long term use of areas surrounding the proposed site for the new school and there was a concern that future housing developed within the area would not give a sufficient amount of pupils to fill the school in the future and therefore the Council may have a school facility that it was unable to fully occupy.

The Cabinet Member added that he was not recommending that Cabinet reject the proposal in its entirety, however, he welcomed the report being referred to the Learning and Culture Scrutiny Committee for further development on its previous sensible suggestion of more meaningful consultation taking place.

In conclusion, the Cabinet Member added that he was of the opinion that the proposal be delayed for a further 12 months so that more necessary meaningful discussion with all interested parties within the Rhoose area could be undertaken.

The Leader thanked the Cabinet Member for Social Care, Health and Leisure for his contribution and drew Cabinet's attention to an email received by himself that suggested that a credible alternative could be found across the Rhoose area for meeting 21<sup>st</sup> Century provision and therefore asked officers to provide an explanation as to why the current school site was not deemed appropriate.

The Head of Strategy, Community Learning and Resources advised that all proposed programmes were subject to review and approval by Welsh Government at a number of stages, including the Strategic Outline Programme, an outline business case, and a full business case/business justification case. Schemes must be approved at each one of the stages prior to funding being granted. In their assessments, Welsh Government would score submissions against a number of criteria, including how well they aligned with the overall aims of the programme in Band B. The aims to be addressed under Band B included:

- Addressing growth in demand for Welsh medium education;
- reducing surplus capacity and inefficiency in the system;
- expansion of schools and colleges in areas of increased demand for educational services;
- addressing condition of educational assets; and
- making assets available for community use where demand exists, to optimise the infrastructure and resources for public services.

In addition to the above there were other milestones which would need to be considered including feasibility, tendering the programme, planning approval, and the availability of match funding.

What the Council was aware of for certain was that Wales' Band B programme was already oversubscribed, so Welsh Government would need to rationalise each proposal against the criteria available to them in order to prioritise schemes – this was the mechanism they used to approve/decline bids. In addition to the above, Welsh Government would also be assessing schemes against their adherence to building bulletin 99 regulations, which were reflective of the 21st century learning environments the programme was aiming to achieve.

The assessment would also need to consider viability of construction and planning on the sites in question. There were a number of challenges preventing this as outlined in the consultation document, report, and objection report, as well as via independent reports, which highlighted the topography of the Llancarfan site as a restriction, for example. Justification for planning would also be more difficult when considering additional parking requirements etc as would justification in the Business case as the proposed sites simply could not comply to the Building Bulletins. This was considered in the development of current proposal which addressed these, and the aims above, with the exception of Welsh medium, which was being addressed elsewhere in the Vale's programme.

The biggest key drivers for the scheme however were creating provision where there was growing demand, and reducing inefficiencies in the system. It was not assessed

purely on the condition of the building, which, for Llancarfan Primary, was rated as 'good', which again did not lend itself in meeting the aims of Band B funding.

It was unlikely that Welsh Government would approve a scheme which did not meet both the core aims of Band B, nor meets its own guidance criteria for the buildings it was funding, especially given the funding demand overall (which had been highlighted in the reports to Cabinet). All of the criteria would need to be assessed as part of the outline and full business cases to Welsh Government, following statutory consultation.

In conclusion, the Officer added that It was also worth noting that section 106 funding would expire this coming January and would likely be lost given the timescales of another consultation, in addition to not having a programme approved based on the criteria available to us.

This was a matter for Executive decision.

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

RESOLVED -

- (1) T H A T the findings of the objection report on the proposal be considered.
- (2) T H A T the report be referred to the Learning and Culture Scrutiny Committee for consideration.
- (3) T H A T subject to consideration of the above by Cabinet and subject to the consideration by Learning and Culture Scrutiny Committee, implementation of the proposal to reconfigure primary provision in the Western Vale be approved by:
  - Creating a new 210 place primary school building with a 48 part time place nursery class for Llancarfan Primary School;
  - Transferring staff, pupils and governing body from the existing Llancarfan Primary School building into the new school building, and;
  - Changing the age range of Llancarfan Primary School from 4-11 to 3-11 years.

#### Reasons for decisions

- (1) To ensure the views of objectors are taken into account in the decision making process.
- (2) To consider the views of Learning and Culture Scrutiny Committee.
- (3) Following the completion of a period of statutory notice, a decision is required on whether to implement the proposal to reconfigure primary provision in the Western Vale.

**C607           PENCOEDTRE HIGH SCHOOL - ACCEPTANCE OF TENDER (LC)  
(SCRUTINY - LEARNING AND CULTURE) -**

The Cabinet Member for Learning and Culture advised that on 7<sup>th</sup> January, 2019, Cabinet had approved the revised Band B 21st Century Schools Programme which included a new build for Pencoedtre High School.

Subsequently, Tenders were recently sought using the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework under Lot 6.

The Tenders had subsequently been evaluated by Vale of Glamorgan Council and AECOM (Multi-disciplinary Consultancy) based on the criteria stated in the tender documentation and further details of AECOMs tender evaluation were outlined in the Part II item later on the agenda.

This was a matter for Executive decision.

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

RESOLVED - T H A T the report and recommendations considered in connection with the Part II report later in the agenda be noted.

Reason for decision

To allow Part I and II reports to be considered together.

**C608           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.

**C609           PENCOEDTRE HIGH SCHOOL - ACCEPTANCE OF TENDER (L)  
(EXEMPT INFORMATION - PARAGRAPH - 14 ) (SCRUTINY - LEARNING AND  
CULTURE)**

Following the Part I report on the same item earlier in the agenda, the Cabinet Member for Learning and Culture presented the report to seek Cabinet approval for the acceptance of the competitive tender of Bouygues UK for new build works at Pencoedtre High School.

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 appointment of Bouygues UK for the new build works at Pencoedre High School be approved.
- (2) T H A T the Monitoring Officer/Head of Legal and Democratic Services be authorised to execute the Professional Services Contract with Bouygues UK for the pre-construction design and procurement services.
- (3) T H A T a further report be received by Cabinet when the full cost of the works has been determined to enter into the NEC3 Option A (Lump Sum with Activity Schedule) Contract.

Reasons for decisions

- (1) To ensure the required works are completed for the new build at Pencoedre High School.
- (2) To permit execution of formal contracts between the Council and Bouygues UK.
- (3) To ensure the full cost of the scheme is determined before the NEC3 Option A (Lump Sum with Activity Schedule) Contract is entered into.