

## CABINET

Minutes of a meeting held on 17<sup>th</sup> June, 2019.

Present: Councillor N. Moore (Chairman); Councillor L. Burnett (Vice-Chairman); Councillors B.T. Gray, P.G. King, K.F. McCaffer, Mrs. M.R. Wilkinson and E. Williams.

### **C1            MINUTES –**

RESOLVED - T H A T the minutes of the meeting held on 15<sup>th</sup> April, 2019 be approved as a correct record.

### **C2            DECLARATIONS OF INTEREST –**

No Declarations were received.

### **C3            GLAMORGAN HERITAGE COAST ADVISORY GROUP –**

The minutes of the Glamorgan Heritage Coast Advisory Group held on 15<sup>th</sup> March, 2019 were submitted.

Present: Councillor S.T. Edwards (Chairman); Councillors J.C. Bird, L. Burnett, Mrs. S. Hanks and N.C. Thomas (Vale of Glamorgan Council); Councillor Ms. N. Clarke (Bridgend County Borough Council), Mr. B. Acott (Friends of the Glamorgan Heritage Coast), Ms. G.M. Barter (Natural Resources Wales), Mrs. H. March and Councillor R. Gant (One Voice Wales).

Also present: Mr. B. Guy, Mr. P. Locke, Mr. S. Pickering and Mr. G. Teague.

#### (a)    Apology for Absence -

This was received from Mr. J. Golunski (Dunraven Estates) and Mr. N.A. Lewis (Glamorgan Wildlife Trust).

#### (b)    Minutes -

AGREED - T H A T the minutes of the meeting held on 24<sup>th</sup> September, 2018 be approved as a correct record.

#### (c)    Presentation by Ms. Nicola Sumner-Smith, Senior Rural Regeneration Officer - Coastal Activities Feasibility Study -

Ms. Sumner-Smith, the Senior Rural Regeneration Officer for the Vale of Glamorgan Council stated that she wanted to outline a piece of work undertaken by her team in relation to the Coastal Activities Feasibility Study. She stated that this study was

wider than the coastal area and looked at other parts of the Vale such as Lavernock and the rural communities close to the coast lines.

Ms. Sumner-Smith introduced Mr. Paul Donovan who was the Chair of the Wales Adventure Tourism Organisation (WATO), the membership of which included a range of bodies.

Ms. Sumner-Smith stated that staff from the Vale's Creative Rural Communities Team had been tasked to identify the opportunities that existed for outdoor activities and how organisations could utilise the excellent natural assets that existed within the Vale. This was in order to increase visitors and encourage new business and employment opportunities.

In terms of WATO, Ms. Sumner-Smith stated its key aim was to support the sustainable development of the adventure activity sector throughout Wales. It had five key priorities:

- An increasingly sustainable approach to the provision of adventure activities, through regional environmental charter agreements.
- Enhancing opportunities for businesses that populate the sector.
- Informing the need for the development of effectively managed and sustainable outdoor recreation facilities.
- Wide communications with the adventure tourism sector across Wales.
- Supporting the development of sustainable access solutions and increased provisions for outdoor recreation.

The Coastal Activity Feasibility Study included an on line survey that received 85 responses, a number of stakeholder consultations and was attended by 50 individuals from a cross cutting range of organisations. In addition site audits had been carried out to assess what was practical. Following these feasibility studies of quick wins and mid-term projects would be carried and this would lead up to a showcase event which would outline to the public what new business opportunities activities were available. The Group noted it was envisioned for the showcase event to be held during June of this year, with St. Donats being considered to host the event. The Group requested if information in relation to this could be shared with the Members.

In terms of the survey, and stakeholder consultations, the following responses were received:

- Community outdoor club organisations - 20%
- Activity business - 17%
- Freelance instructors - 4%
- Activity centre - 1%
- Local authority - 16%
- Conservation body - 3%
- Other public sector - 13%
- Other private sector - 12%
- Recreational user - 16%

- Other - 19%.

In response to a question 'Do you currently provide adventure activities in the Vale of Glamorgan', and 30% indicated that they did not. Of the organisations, 68% advised that they could deliver more/different activities in the Vale of Glamorgan.

In terms of what was preventing the delivery of more activities, organisations had outlined the following:

- Limited beaches
- Funding/finance
- Tides and pebbles
- Rights of Way
- Cliffs
- Footfall
- Access
- Sea swell
- Poor marketing
- River
- Unsafe parking
- Uncertainty.

Some of the key activities that were identified as possible for the Vale of Glamorgan included surfing, kayaking, canoeing, coast steering, open water swimming, rock climbing, paragliding, guided walks, nature walks, historic walks, mountain biking and rock pooling.

With regard to the actions that organisations required in order to develop activities, these included the following:

- Better showers,
- New accommodation,
- Better parking
- Improved toilet facilities,
- Permission from land owners,
- More funding;
- Better marketing,
- Central booking facilities and
- Better access to facilities.

The survey had also outlined what other aspects did organisations consider when looking to develop new activities. These included the:

- Landscape,
- Terrain,
- Current use,
- Landowners,
- Site infrastructure,

- Designations,
- Features and
- Conservation and wildlife.

Finally, Ms. Sumner-Smith referred to the creation of a map which outlined the locations of all activities undertaken in the Vale. This provided information and handy hints and tips about which activities were close by. In addition, Ms. Sumner-Smith raised the point of the creation of a central adventure hub which would be where visitors could book activities and receive information. She stated that it would be useful for this to be located by a train station in order to improve access. Ms. Sumner-Smith also referred to a showcase event which would be held in order to inform the public of the new activities that were being provided.

Mrs. Heather March stated that she could not see anything in relation to horse riding. In reply, Ms. Sumner-Smith stated that this was only because the subject of horse riding was not raised during the consultation. She stated that there was not a pre-prescribed list and she was sure that horse riding would be considered. In addition, Gwyn Teague, the Rights of Way Officer for the Vale of Glamorgan Council stated that a bid for funding had been made to Welsh Government in order to consider the feasibility of new bridle routes. It was hoped that confirmation of the bid would be received over the next few weeks.

The Chairman queried whether the paragliding activity would be progressed. In reply, Ms. Sumner-Smith stated that discussions with the company were still ongoing and the key issue was around permission with land owners. In addition, the Group noted that this activity would only be appropriate for the more experienced paragliders of a certain level, but they would also be able to offer tandem flights. Members also noted that the area being proposed for paragliding was a unique site and it was suggested that people would travel and far and away.

(d) Presentation by Site Ranger, Mr. Paul Locke - Achievements and Issues Since the Last Meeting -

In commenting on the works of the previous meeting, Mr. Locke outlined the following:

- The winter period had allowed the team to carry out a lot of conservation and Rights of Way improvement work.
- The help of volunteers was a massive asset and the team could not manage without their input. Mr. Locke praised the work that volunteers had carried out in the gardens in Southerndown and he stated that they did a fantastic job.
- A lot of Rights of Way work had been carried out with a number of problem routes opened up.
- For conservation work, this related to grass cutting in order to allow flowers to grow and provided a good habitat for thistles. It was vital to clear up grass cuttings as they would harm floral habitats.
- The Heritage Coast had received good publicity through the BBC Weatherman Walking show and in addition there had been a number of other TV programmes filmed along the coastline.

- A number of species of butterflies had benefited from the work of the team and the weather had generally been very good apart from a few days that had held up some work.
- The change in weather could have a dramatic effect on cliff falls and Mr. Locke provided a number of photographs to illustrate this point.
- A report for Natural Resources Wales had highlighted the need to bring up to standards certain routes. These were likely to be in relation to signs and way markers fitted to direct people. As result Paul and the Team had made sure that the routes were properly marked.
- For the summer months, it had been planned for a new pond to be developed which would encourage greater school visits. The pond would also have an information board that had been provided through Welsh Government Grant Funding.
- The half-term school holiday had been very busy, with the good weather encouraging people to visit.

The Chairman thanked Mr. Locke for the update and he suggested whether a letter of thanks could be sent to all volunteers.

AGREED - T H A T a letter of thanks and appreciation be sent to all volunteers who support the Glamorgan Heritage Coast.

(e) Rights of Way Improvement Plan - Verbal Update - Mr. Gwyn Teague, Public Rights of Way Officer -

Mr. Gwyn Teague provided an update on the work underway in order to update the Rights of Way Improvement Plan.

Mr. Teague stated that the current Plan had been devised over 10 years ago and was due for an update. This outlined how the Council would manage it rights of way routes.

Mr. Teague advised that the Local Access Forum had recently discussed an updated Plan which had been split into three elements. The Local Access Forum agreed that the vision of the Strategy Statement remained relevant but there were a few amendments to the principle of the document. These included the need to have greater reference to the ability for all to access Rights of Way paths and there was a caveat that maintenance and path clearance work was limited by resources. In addition, it was agreed by the Local Access Forum that greater reference should be made to technology and that sustainable development should acknowledge the change in public policy.

Mr. Teague advised that the draft Improvement Plan would be subject to a 12 week consultation which would then be brought back to the Glamorgan Heritage Coast for comment.

(f) Verbal Update on the Coastal Access Improvement Grant - Mr. Gwyn Teague, Public Rights of Way Officer -

In beginning his update, Mr. Teague referred to the completion of maintenance work at Cwm Bach, Llantwit Major and works undertaken following a cliff fall at Fontygary. He also referred to the creation of a path in Gileston and the reprofiling of a path at Lavernock.

In relation to funding for 2019/20, he stated that the Coastal Access Improvement Programme was a scheme funded by the Welsh Government, via Natural Resources Wales and delivered through local authorities. The current programme would run until March, 2021 with £200,000 allocated for 2019. From this, the Council could bid for money in order to improve the coastal paths.

In order to assess the quality of paths, a survey had been undertaken by Natural Resources Wales which related to the number and quality of structures and furniture's along with a number of issues identified. The key issue to have come out was the high percentage of structures that did not meet the required standards, which was mainly due to missing signs and logos. The improvements required had been put into a regional maintenance plan which covered the period to the end of March 2020. Mr. Teague advised that Paul Locke and his team had been out and about to address the issues.

In terms of projected bids from the Welsh Government funding, Mr. Teague referred to possible path improvements at Monk Nash, the raising of the path around Aberthaw Power Station and improvements to the path east of Nash Point. He also stated that funding would be sought for Cwm Colhuw to improve the surface and also to progress installation of new fences around Gileston Beach. He also stated that there were three bids that were outside of the Heritage Coast and these related to Lavernock, Porthkerry and Sully.

(g) Verbal Update on Proposed Section 106 Improvements at Ogmore by Sea -

Mr. Gwyn Teague provided an update on the £45k Section 106 money for Ogmore-by-Sea improvements. He stated that this money would be used to upgrade gates, as the surface of these gates were regularly flooded. In addition, new steps would be created on the way to the beach and repairs would be undertaken to stone walls.

The Group noted that replacement benches were being considered which could be made from recycled plastics which had a longer life.

(h) Matters to be Raised by Bridgend County Borough Council -

The Group was advised that Bridgend did not have any matters that it wished to raise at the meeting. The Group stated that it was concerned that no update had been provided for some time. These comments would be taken by to the appropriate officer.

(i) Matters to be Raised by Natural Resources Wales -

Ms. Barter from Natural Resources Wales (NRW) offered appreciation to improvement and conservation works that had been carried out. She informed the Group that the staff restructure had been carried, and the new representative from the NRW would attend the next meeting.

(j) Matters to be Raised by the Friends of Glamorgan Heritage Coast -

Mr. Acott, Chairman of the Friends of Glamorgan Heritage Coast, commented that an adopted footpath sign in Llantwit Major required repair. He also referred to the Seawatch Centre and the ongoing legal saga, and the recurring vandalism of the Centre. Mr. Acott also referred to a letter from Alun Cairns, MP, in relation to Nash Point Lighthouse and restrictions being imposed on public visitors. Mr. Guy advised that he would look into this matter. Mr. Acott also mentioned the minutes of the previous meeting, stating that his comments should have been attributed to John Hardman and not John Hartman.

(k) Chairman's announcement

The Chairman thanked Mr. Bob. Guy for all his hard work and commitment over the years, and the Chairman wished him all the best for his retirement. Mr. Bob Guy thanked the Chairman, and he introduced Mr. Phil Chappell who had been appointed as his successor.

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At the Cabinet meeting, the Deputy Leader and Cabinet Member for Education and Regeneration, as a member of the Advisory Group, outlined that the key aspects to come out of the meeting were the Coastal Activity Feasibility Study and the recognition of the huge contributions made by volunteers.

RESOLVED – T H A T the minutes of the Glamorgan Heritage Coast Advisory Group meeting be noted.

Reason for decision

To note the minutes.

**C4 BARRY TOWN CENTRE SUMMIT (REF) –**

On 4<sup>th</sup> April, 2019, the Environment and Regeneration Scrutiny Committee considered the report which had been referred by Cabinet for the Committee's consideration. It outlined the challenges and issues facing Barry town centre as discussed at the recent Barry Town Centre Summit held in November 2018, in light of the challenges facing high streets throughout the UK.

The Summit, set up in partnership with Barry Town Council, was held to address many of the issues currently affecting Holton Road, in particular given the recent closures of a number of large national stores.

The Summit was attended by representatives from across the business community in Barry Town Centre, Councillors from The Vale of Glamorgan Council and Barry Town Council, Officers from the Vale of Glamorgan Council and Barry Town Council, The Police, The Mosaic Partnership (consultants) and landlords (a full list of attendees was included in the report).

The Summit format was based on workshops to identify and discuss opportunities to improve the viability of the town centre, which would feed into the new Town Centre Framework document. A full report was attached at Appendix 1 to the report.

In providing some context to the report, the Operational Manager for Regeneration highlighted the challenging times that existed for high street retailers. These included rising costs, such as business rates, and an increase in the shop vacancy rates, which for Barry was currently 12.9%. This compared to the Welsh average of 9% and the UK average of 6%. Penarth and Llantwit Major vacancy rates were below the UK national average, but Cowbridge was similar to Barry.

The Operational Manager for Regeneration stated that footfall in Barry had recently improved as a result of the new B&M shop on Holton Road, but it had been recognised that a more innovative approach was required in order to attract new shops to the town centre. He then referred to the 2014 Town Centre Framework document that focused mainly on the physical appearance of town centre areas. This was now outdated, and so, a new document was required that reflected the need for a more creative approach. The Operational Manager outlined that the Council was one of a string of partners such as traders and the police that needed to work together. He stated that he wanted to work jointly with partners to ensure that the right approaches were being adopted, and so the Council had to be careful with how it invested its funding. Key priorities would include meeting the challenge of empty properties and how to attract new uses for space.

Councillor Dr. I.J. Johnson, not a member of the Committee, but with permission to speak, outlined that the Barry Town Centre summit was well attended and the major issues that was highlighted by the businesses was for there not be any car parking charges. Councillor Johnson added that there needed to be ongoing discussions with landlords, to identify what the Council could do to reduce the number of empty properties, and the key challenge was in attracting the right type of shop to Barry. He stated that all stakeholders needed to work together. He also stated that there was no point of introducing car parking charges when proposals for Barry would not generate any income, so the parking strategy needed to be looked at in more detail by all partners.

Councillor Mrs. S.D. Perkes, not a member of the Committee, but with permission to speak, called for a working group to be established in order to progress ideas. The group needed representation from the Vale Council, Barry Town Council, Traders and other local interested parties. Such a working group would be tasked with



looking at the viability of options, such as split units, new events, and how to attract new businesses to the town.

In referring to the idea of split retail units, a Committee Member stated that this was a concern, and it would be better for the Council to purchase units and buildings so that it could regulate the rental market. This idea had already been used by some other Local Authorities, but would require capital investment by the Council. The Member also advised that putting residential flats above shop units would be a “disaster”.

A Committee Member agreed with the previous comments regarding split units, and the Member stated that Barry required a total rebranding. He added that he wanted Barry to be a town that people wanted to visit, and he referred to implementation of the ‘Sense of Place’ programme and called for there not be any car parking charges in the town.

In providing his initial thoughts, another Committee Member stated that he agreed with what had already been said. He added that a big challenge facing towns were out of town shopping centres and on-line shopping, with most people under the age of 50 now buying more through the internet. The Council needed to change the habit of shoppers by encouraging them to visit their local towns, and all partners needed to work together in order better promote and market Barry. The Member stated that this was same for Llantwit Major, which struggled with the number of shops, and he stated that car parking charges for towns was “ridiculous”.

In picking up a previous comment regarding ‘Sense of Place’, the Principal Tourism and Marketing Officer advised that this was very integral to Council plans. She stated that a new staff member had been appointed to progress work and actions. She also stated that there had been a lot of discussion in relation to setting up craft units in Holton Road that would use local skills and people. In addition, the Operational Manager for Regeneration stated that there were some quick wins, such as visual improvements for vacant shop fronts that improved the look and character of high streets. He added that capital funding was available to make improvements, adding value with grant funding where possible. He welcomed the comments made by Councillor Perkes, as this was a joint responsibility and so it was important to achieve the best outcomes possible.

A Committee Member referred to the creation of a Barry Business Improvement District (BID) that was part of the discussion back last year. The Principal Tourism and Marketing Officer advised that the Council had been successful in requesting Welsh Government funding to look at the feasibility of Barry becoming a BID. The Council was committed in pushing this onto to next phase. She added that the BID would be driven by local traders and business, and it would be these partners that would decide what the priorities were. Further to this, the Operational Manager for Regeneration confirmed that it would be up to business to decide where any BID funding would be spent. He also referred to ‘pop-up shops’ and the challenges that existed with some landlords who understood loopholes that helped them to avoid paying rates. The Council was therefore looking at best practice and what other Local Authorities had done. He stated that Kings Square in Barry was a real asset, so the Council needed to look at what themed events could be held there.

From the perspective of traders, a Committee Member stated that he could not see what sort of visitor experience was being offered, and as the Town Centre Framework had been adopted four years ago, the Member asked whether it had been reviewed. In reply, the Operational Manager for Regeneration agreed that the visitor's experience needed to be considered. He advised that the Town Centre Framework was reviewed annually, which mainly focussed on the physical appearance of town centres. He stated that he wanted to work with stakeholders everyone in partnership to see how best to improve Barry town centre.

The Committee also queried whether the Council had considered its level of borrowing to invest in town centres. In reply, the Operational Manager for Regeneration stated that the Council was in the process of reviewing its assets and looking at different funding models, but it was important to consider what the Council could do legally.

Subsequently the Committee

#### RECOMMENDED -

(1) T H A T Cabinet agree to the setting up of a working group, to include representatives of the Vale Council, Barry Town Council, Traders and other local interested parties, in order to agree town centre improvement priorities and to progress actions.

(2) T H A T the Committee receives a report regarding funding models open to the Council for investment.

#### Reasons for recommendations

(1) In order for the Cabinet to consider the Committee's request for a working group of interest parties to be established, that would look at and progress improvement priorities for Barry town centre.

(2) For the Committee to consider the Council's investment strategy as a way of improving retail high streets.

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The Leader advised Cabinet that the feasibility study on the Barry Improvement District had been delayed until spring. In addition the Leader stated that consideration was needed of the current working arrangements in place such as the Place Board, and the Holton Road Traders Association. The Leader advised that the Council's Corporate Plan was in the process of being "revamped", as was the Town Centre Framework. Therefore consideration of a new working group would be taken into account as these documents were updated.

Cabinet, having considered the reference and recommendations of the Environment and Regeneration Scrutiny Committee

RESOLVED –

- (1) T H A T the comments of the Scrutiny Committee be noted
- (2) T H A T the request for the creation of a working group, to include representatives of the Vale Council, Barry Town Council, Traders and other interest parties, be noted and taken into account during the process to renew the Council's Corporate Plan and Town Centre Framework.

Reasons for decisions

- (1) To note the comments of the Scrutiny Committee
- (2) As the feasibility study around the Barry Improvement District had been delayed and to allow consideration of the establishment of a working group at a later date.

**C5 PUBLIC SPACES PROTECTION ORDERS – DOG CONTROLS  
(REF) –**

On 4<sup>th</sup> April, 2019, the Environment and Regeneration Scrutiny Committee considered the above report, which the Operational Manager Neighbourhood Services – Operations presented, outlining that the proposals were based on current byelaw controls and had been amended so that they were largely in accord with the results of the widespread public consultation exercise that had been undertaken.

In 2017 a staff survey was undertaken of those who maintained and worked in the parks, countryside and beaches within the Vale of Glamorgan. Though it involved a relatively small sample of employees the survey found 93% claimed there is an issue with people not removing dog faeces and 81% claimed this problem was all year round. Staff responsible for maintaining the featured parks had expressed their frustration with irresponsible dog owners and claimed that the problem with dog fouling was under reported to the Council.

The Local Environmental Audit and Management System (LEAMS) report undertaken by Keep Wales Tidy for 2018 / 2019 revealed the presence of dog fouling on 7.8% of the streets sampled. Whilst this figure was lower than previous years, any such incidence gave cause for concern.

A report was presented to Cabinet on 19<sup>th</sup> February, 2018 seeking authority to undertake an 8-12 week statutory consultation exercise on the proposed PSPO (Dog Controls) in the Vale of Glamorgan under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. Authority was granted for the consultation to be undertaken.

The consultation was undertaken between 27<sup>th</sup> June and 22<sup>nd</sup> August, 2018. The Consultation was largely based on existing byelaws, though some additional controls of dogs on sports fields were suggested and this was based on the opinions voiced by staff responsible for maintenance of our public open spaces and previous

incidences of football and rugby players who had experienced dog fouling problems on their sports fields over a number of years. A copy of the draft Order and control schedule was attached at Appendix 1 to the report.

Stakeholders were invited to share their views during the consultation. An online survey and a series of drop-in events also took place throughout the consultation period. 1,763 responses were made to the survey with 97% of those being Vale of Glamorgan residents. A copy of the consultation report was attached at Appendix 2 to the report. The document also included details of the controls proposed and the suggested amendments.

The public were asked if there should be a requirement for dog owners to remove their dog faeces. The results of the consultation showed there was overwhelming support for this proposed control. 99% of respondents to the survey either strongly agreed or agreed that dog faeces should be removed by the dog owner from all public spaces. Many stakeholders including Vale of Glamorgan Council Elected Members, Community Councils, Kennel Club, RSPCA Cymru and Dogs Trust supported the proposed control for owners to pick up dog faeces of their dog.

As a consequence no amendments had been made to the requirement of dog owners to pick up after their dog had fouled and it was recommended that this requirement be included in the PSPO (Dog Controls). It should be noted that the Dog (Fouling of Land) Act 1996 enabled Local Authorities to impose fixed penalty notices on owners who did not pick up after their dog had fouled on any land to which the public were entitled or permitted to have access. This legislation would continue to be used on areas of public land not covered by any PSPO.

### **A prohibition of dogs in entering certain specified areas and a separate requirement for dogs to be on leads**

Concerns were raised during the consultation relating to anti-social behaviour associated with unruly dogs and the impact on those wanting to enjoy open spaces.

The proposed areas for dog prohibitions mainly relate to children's play areas. There was support from the consultation for this prohibition to be introduced and in most cases such controls already existed, though via byelaws.

There were several areas where parks have children's play areas which were not currently fenced off. In such areas it was proposed that a control be introduced for dogs to be on a lead. This would prevent errant dogs from coming into contact with children; it would also help to ensure that such areas remained free of dog fouling. It might be necessary to review the number of children's play areas that were not fenced off currently and consider whether it would be appropriate to do so in future when finances become available, as fencing off play areas would remove the need for a requirement for dogs to be on leads in areas immediately surrounding the play areas.

On reviewing the consultation responses it would appear that the existing byelaws relating to dogs being on leads in certain areas such as the former Lido area in Barry were no longer appropriate or necessary. Therefore it was proposed to remove the

requirement for dogs to be on leads in certain areas where there was little evidence of anti-social behaviour associated with dogs being out of control.

Certain areas of high footfall had also been included within the requirements for dogs to be kept on a lead. These included the Promenades at Barry Island and Penarth.

### **A prohibition of dogs in entering certain specified areas/ beaches between 1<sup>st</sup> May and 31<sup>st</sup> September.**

Seasonal restriction (1<sup>st</sup> May – 31<sup>st</sup> September) were in place for five beaches under existing byelaws. Following the consultation and a review of the existing controls it was deemed that it would be appropriate to remove the seasonal prohibitions for dogs at Cold Knap and Penarth Beach and retain seasonal dog prohibitions at Whitmore Bay, Dunraven Bay and Cwm Colhuw. There were a number of anomalous dog areas under the former byelaws such as the breakwater at the Knap and the access path to Jacksons Bay. These had been addressed under the PSPO with dogs on leads or no controls being suggested for these areas in future.

From reviewing the usage of the named beaches and results of the consultation it was evident that Cold Knap and Penarth Beach were not considered as high footfall bathing beaches and a seasonal prohibition of dogs seemed unreasonable.

Therefore it was proposed that seasonal prohibition of dogs at Whitmore Bay, Dunraven Bay and Cwm Colhuw only were included within the proposed PSPO (Dog Controls).

Due to the high footfall at both the promenades at Whitmore Bay and Penarth Esplanade and Pier it was proposed that these areas had dogs on leads controls all year round. Whilst not a feature of the consultation responses, both areas featured high levels of pedestrian activity all year round and previously had seasonal dogs on leads controls. It seemed sensible to continue with such controls but for the full year. In the case of Penarth this would also permit owners with dogs on leads to access the Pier.

### **A prohibition of dogs on marked sports pitches**

The proposed prohibition of dogs on sports pitches was the most contentious proposals attracting extreme feelings from both “for” and “against” the proposed control. A further small scale survey was undertaken by Council officers and volunteers and it appeared that whilst there was evidence to suggest that dogs on sports pitches was currently an issue that caused anti-social behaviour, this evidence was limited.

Enforcement of this particular proposal might be difficult especially where sports pitches predominantly were in seasonal use or were not fenced off from the surrounding area.

The sports community remained largely silent on this proposal during the consultation. Though 57% of those who responded believed that dogs should be prohibited from sports fields when marked, the mechanism for doing this was

challenged as even with the best intentions of a responsible owner, a dog could stray onto a marked sports pitch if not constrained by a lead. It followed therefore that all dogs would really have to be on a lead in these areas to best support such a control. This was not pragmatic across all areas as often the sports field was the only area locally where a dog could be exercised.

Officers had given this issue considerable thought, as it was clearly the wished to have a set of balanced controls which allowed the majority of individuals to enjoy the open spaces, whilst penalising those who were irresponsible. The problem with this as a blanket control was that it risked penalising many, the majority of whom were responsible dog owners.

Further, there was little evidence that dogs on marked sports pitches would meet the legal test required to introduce this control, so it was therefore recommended that this control be removed from any proposed PSPO (Dog Controls) at this time.

Having taken into account the outcome of the public consultation the number of areas with restricted access currently was 80 (existing under current byelaws), it was proposed in this report that those areas were reduced to 62 areas. Also the number of areas requiring dogs on leads was currently 27 (under existing byelaws) and the report proposed that this number was reduced to 14 areas. A copy of the control schedule now proposed following the Consultation was attached at Appendix 3 to the report.

The Chairman then invited Mrs. Hazel Thomas, member of the public, to make her verbal representations to the Committee.

Mrs. Thomas outlined that Dog fouling was a serious health concern and she asked whether the Vale Council realised that all dog faeces went into bins which included recycling. She asked whether there was a possibility for this Council to provide suitable receptacles for dog poo bags in and around Barry.

Councillor Lis Burnett, not a Member of the Committee but with permission to speak, stated that the Council needed to learn from the consultation exercise as people had said that they were not talked to. Councillor Burnett outlined that the Council needed to talk directly to those affected and it seemed that the Council was not listening to the views presented.

Councillor Kevin Mahoney, not a Member of the Committee but with permission to speak, stated that he was frustrated that the will of the dog owning community had been forced onto the Vale Council, referring to the many instances of dog fouling on sports pitches across the Vale. Councillor Mahoney referred to the irresponsible dog owners that allowed their dogs to foul on public pitches which was a criminal offence and so owners needed to be properly prosecuted. Councillor Mahoney commented on the arrogance of some dog owners in not being willing to clean up the mess of their dogs and he asked for a complete ban on dogs on sports pitches.

A Committee Member agreed with the comments outlined by Councillor Mahoney, stating that for 50 years he had been involved with sports clubs and had regularly picked up dog mess before sports games. The Committee Member stated that this

was a problem for the dog community but he also outlined the failure of many sports clubs in not taking part in the consultation exercise and outlining their views. The Committee Member stated that dogs needed to be kept on a lead as enforcement was difficult for the Vale when there were only five or so officers covering the entire county. The responsibility therefore lay with dog owners and it was right for the Council to prosecute where necessary.

A Committee Member then asked a series of questions, the first was why had the ban been removed from 'Pebble Beach', the second question was whether fences had been considered for sports pitches and the third question was whether better signage would be erected. In reply, the Operational Manager stated that in relation to 'Pebble Beach' there was not enough evidence of a problem to justify a ban. With regards to fences, he stated that if this was a formal recommendation from the Committee then this would be reported back to Cabinet. The Operational Manager also outlined that fencing was costly and would require a large capital investment. In terms of signage, the Operational Manager outlined that this was very important as the Council would not be able to carry out enforcement without the proper signage. This would need to indicate what the resulting penalty would be and would need to be clearly displayed. It may also be possible to include a Code of Conduct.

In reply to a query regarding the use of receptacles, the Operational Manager stated that these were very important, but as there were limited resources there needed to be a specific problem in order for these to be put in place. The Operational Manager outlined that not putting dog mess into a bin or receptacle was littering and so this was an offence but it was impractical to put bins everywhere. In clarifying the resources available, the Operational Manager advised that the current budget was approximately £50,000 of which the budget for bins was around £10,000 to £15,000. This he stated was very small.

A Committee Member stated that the Council needed to undertake more enforcement and more prosecutions. In reply, the Operational Manager stated that the Enforcement Service was being brought back in-house and so this meant that the Council would have greater control. He stated that the Council would look to prosecute where there had been intelligence, with the time and date of the offence reported so that the Council would deploy officers to investigate. He advised that in order to prosecute an officer needed to witness the offence with the police also able to prosecute offenders. Members noted that during the last financial year, six individuals had been successfully prosecuted.

A Committee Member stated that local Ward Members needed to indicate to the service where bins were required. He also stated that members of the public may not be fully aware that dog mess could be deposited into ordinary litter bins. In terms of sports pitches, he asked whether a ban on dogs could be imposed during the sporting season. The Member then referred to Appendix 4 of the report and stated that there was an error in relation to Central Park as he was sure that there was a ban in place. The Member also referred to Hatch Quarry stating that this area and not just the play area had been dog free for some time. The Member also referred to Whitmore Bay and the need to highlight that this was the beach area. In coming back on the Members comments, the Operational Manager confirmed that larger replacement bins were being installed that would take all sorts of waste. In relation

to Central Park, he confirmed that there was a total ban and the indication for dogs being allowed on a lead was a mistake. For Hatch Quarry he stated that he would have to confirm the area to which the ban related to. In regards to Whitmore Bay, he advised that the ban related to two separate areas, so there would be distinction between the two.

The Chairman, in summarising the debate, outlined that the Council needed to undertake better consultation and engagement and asked whether the Committee should support the increased use of receptacles. The Chairman referred to a previous point in relation to sports pitches and whether a ban could be imposed during the sports season. The Committee noted that this may be difficult for certain sports in which there was not an 'off season'. The Committee agreed that it may be appropriate for the ban to be in place when a game or activity was taking place.

The Operational Manager commented that a review of the proposals would be undertaken after a 12 month period in order to assess the effectiveness of the orders and to look at the resources in place. The Chairman asked whether any further report could also include an analysis of where issues occurred.

Subsequently it was

#### RECOMMENDED -

- (1) T H A T Cabinet be asked to consider how the Council can carry out consultation and engagement in a better way.
- (2) T H A T the Committee receive an update report in 12 months' time on the effectiveness of Dog Control Orders, which also included an assessment of assets (including receptacles), and with an analysis of where issues occurred and possible solutions.

#### Reasons for recommendations

- (1) In order for the Cabinet to consider how the Council can better engage with members of the public.
- (2) For the Committee to receive an update report on the effectiveness of Dog Control Orders and also to consider assets and where issues occur.

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Cabinet, having considered the reference and recommendations of the Environment and Regeneration Scrutiny Committee

#### RESOLVED –

- (1) T H A T the comments of the Scrutiny Committee in relation to better engagement with members of the public be accepted.



(2) T H A T Cabinet recommends to Council that the introduction of Public Spaces Protection Orders – Dog Controls, be approved.

Reasons for decisions

(1) In order for the Council to consider how it carries out engagement with the public.

(2) So that the introduction of Public Spaces Protection Orders – Dog Controls, can be considered by Council.

**C6 WELSH PUBLIC LIBRARY STANDARDS PERFORMANCE 2017-2018 (REF) –**

On 9<sup>th</sup> April, 2019, the suggested annual return for 2017/18 was submitted to the Learning and Culture Scrutiny, with the Committee being requested to endorse the return to be submitted to Welsh Government by July 2018.

The report also provided feedback on the Library and Information Service performance received from the Welsh Government and the new performance indicators for libraries.

The Standards were reviewed and updated by Welsh Government on a three year cycle. The Annual Return submitted for 2017-2018 was the first report of the sixth quality framework of Welsh Public Library Standards 2017-2020. Named Connected and Ambitious Libraries, the sixth framework recognised the contribution libraries made to the seven goals of the Well-being of Future Generations Act. The framework also recognised the financial pressures on public services and the need to balance what was practical and what was possible.

Included as part of the report were the Welsh Public Library Standards – Assessment Report 2017-2018 at Appendix C, providing feedback on the Authority's performance under the Welsh Public Library Standards for 2017-18, and the Welsh Public Library Standards – Case Studies 2017-2018 at Appendix B, providing evidence that the library service had made a positive difference to individuals (or group of individuals).

The Library Services Manager, in presenting the report, advised of the following:

- The only Core Entitlement which the Vale had not achieved was the requirement to share data and policies online. This would be achieved by 31<sup>st</sup> March, 2019 by the creation of a page on the website where this information could be shared. It would include library policies and book issue data;
- The Vale partially met targets in relation to QI 3, the Quality Indicator which specified the range of training and skills expected at all libraries. In many cases the service was only expected to identify a minimum of one instance of specific training at each library, including Community Libraries. The Library Service would in future engage with Community Libraries more closely to

inform and support them to host the minimum levels of training required to achieve this Quality Indicator. Some of this training was scheduled to take place before 31<sup>st</sup> March, 2019;

- QI 13, the Quality Indicator which covered staffing levels and qualifications, was only partly met due to a shortfall in staffing per capita. Unfortunately volunteer staffing was not considered within this indicator and it was unlikely staffing levels would increase to attain the indicator in the short term. The Library Service would make the point wherever possible that volunteer staffing plus Council staff were adequate to the needs of the Library Service at this time;
- The Vale partially met QI 16, the Quality Indicator on staffed opening hours per capita. The Library Service did not meet this at present, and nor would it meet this if the 16 hours of unstaffed hours were also included. The Vale was, however, the only Library Service using Open+ technology to provide unstaffed hours in Wales at present, and unfortunately this was not taken into consideration under the sixth framework. Other services were interested in Open+ and as the technology continued to prove itself the argument for including unstaffed hours may become more difficult to dismiss. In the meantime, opening hours were deemed by the Library Service to be satisfactory for the type, location and staffing of libraries in the Vale and the flexibility for out of hours access through Open+ was welcomed by service users;
- The new National Performance Indicator, which reported the number of Quality Indicators achieved by the Library Service, would in future give a quick comparison of how each Library Service was performing in regards to the standards. The Vale Library Service was likely to be ranked as average or above average in this regard as there were some Authorities which achieved far fewer indicators than the Vale and a few which achieved one or two indicators more.

The Head of Service also commented on the excellent job undertaken by Volunteers who provided staffing hours within the Community Library service which unfortunately was not reflected in the Standards. These libraries also provided a considerable amount of activities for example, Welsh language opportunities and ICT facilities. It was also important to note that the Community Libraries as charities had been able to access over £1m of funding that the Local Authority would not have been able to access.

The Library Services Manager provided through the presentation a number of statistics identified as below, with the Vale rankings out of the 22 Local Authorities in Wales noted in brackets:-

Active borrowers 19,742 (11/22)  
 Visits in person 561,003 (10/22)  
 Virtual visits 45,100 (11/22)  
 Event attendees (9/22)  
 User training attendees (10/22)

A Member queried how the public's view of the service was captured, being informed that CIPFA surveys were undertaken which was used by a number of Local Authorities which allowed the Council to benchmark the service.

The Library Services Manager took the opportunity to ask all Members to advise him if there were any residents in their local communities who may require a library service.

The Chairman in conclusion stated that the Library Service was a great success and sought consent from the Committee for a letter of thanks to be sent to the Library Service in recognition of their support and commitment to the communities of the Vale which were also well managed by the staff.

Having fully considered the report, it was subsequently

#### RECOMMENDED –

- (1) T H A T the Annual Return for 2017-2018 to be submitted to the Welsh Government at Appendix A to the report be endorsed.
- (2) T H A T the performance of the Library and Information Service in relation to the quality framework for Welsh Public Libraries be noted.
- (3) T H A T the new National Performance Indicator for Libraries be noted.
- (4) T H A T a letter of thanks be forwarded by the Chairman on behalf of the Committee to the Library Service as outlined above.
- (5) T H A T the report be referred to Cabinet for its consideration.

#### Reasons for recommendations

- (1) To comply with the requirement of the Welsh Assembly Government for formal approval of the Annual Return for 2017-2018.
- (2) To keep Members informed of library progress in achieving the Standards.
- (3) For Members to be aware of the additional performance indicators from Welsh Government.
- (4) In recognition of the excellent work being undertaken by all in the Library Service.
- (5) To seek Cabinet's endorsement of the Annual Return for 2017/18.

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The Deputy Leader and Cabinet Member for Education and Regeneration, as the former Chairman of the Learning and Culture Scrutiny Committee, outlined that the report presented a good picture overall. She referred to the comments of the

Scrutiny Committee in relation to Community Libraries and the request for a letter to be sent to staff and volunteers commending them for their efforts. In addition, it was felt that a letter should be sent to the Welsh Government Minister to highlight the need to amend the performance indicators to take into account new working practices such as 'Open Plus' and to include greater recognition of the work of volunteers.

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

RESOLVED –

- (1) T H A T the Annual Return for 2017-2018 to be submitted to the Welsh Government at Appendix A to the report be endorsed.
- (2) T H A T the performance of the Library and Information Service in relation to the quality framework for Welsh Public Libraries be noted.
- (3) T H A T the new National Performance Indicator for Libraries be noted.
- (4) T H A T a letter be sent to the Welsh Government Minister advising that future performance indicators should take account of new working practices such as 'Open Plus' and should also include greater recognition of the work of volunteers.

#### Reasons for decisions

- (1) To comply with the requirement of the Welsh Assembly Government for formal approval of the Annual Return for 2017-2018.
- (2) To keep Cabinet informed of library progress in achieving the Standards.
- (3) For Cabinet to be aware of the additional performance indicators from Welsh Government.
- (4) To advise the Welsh Government Minister of the view that future performance indicators should take account of new working practices such as 'Open Plus' and to include greater recognition of the work of volunteers.

#### **C7 RESHAPING SERVICES – UPDATE ON IMPLEMENTATION (REF) –**

On 11<sup>th</sup> April, 2019 the Corporate Performance and Resources Scrutiny Committee was provided with the above report which was a summary of activity, with individual projects being reported as required for specific endorsement of actions to progress reshaping services activities.

The Head of Performance and Development stated that Cabinet had agreed for separate reports to be presented to the other four Scrutiny Committees, to outline progress for initiatives relevant to each Committee.

The update report detailed achievements under the programme, current initiatives being considered, budget implications for the projects and future proposals and challenges.

A Committee Member queried the Amber RAG status attributed to the Town and Community Councils and Voluntary Sector Reshaping Services. In reply, the Head of Performance and Development stated that the Amber status reflected that a process was in place to encourage Town and Community Councils and the Voluntary Sector to come forward with proposals. This also included the introduction of a protocol to cover Community Asset Transfers. The Head of Performance and Development went on to state that the likely reason why there had not been much uptake was because the Council services were being protected and properly managed. He stated that if services were to be withdrawn then Town and Community Councils may feel obliged to come forward and take over these services. The Head of Performance and Development stated that the Council could be in this situation in 2020/21.

In relation to the Town and Community Council Charter, a Committee Member stated that this was a good thing and other Local Authorities were “jealous”. The Member indicated that some Town or Community Councils, including Llandough were frustrated as the Vale Council had not identified what services or assets could be transferred. The Committee Member stated that there were very little assets in Llandough for the Community Council to take over, and he stated that greater progress and momentum was needed. In reply, the Head of Performance and Development stated that there was an offer there to Community Councils but there had been very little take up. He therefore stated that it may be appropriate for the Council to focus on the larger Town and Community Councils which had greater resources.

A Committee Member stated that for some of the programmes within the report, there were no savings attributed, adding that there was no comparison figure to indicate whether savings were on target. In reply, the Head of Finance agreed that the saving element needed to be included, has did information of why savings had not been achieved.

With regard to the number of Amber RAG statuses, a Committee Member stated that some projects, such as Catering and Youth Services were progressing, so he asked why these had not been given a Green status. In reply the Head of Performance and Development explained that in some cases, Amber would indicate where a project had not yet been fully developed, or was taking longer to implement. He agreed that more information was required which was why separate reports would be presented to all Scrutiny Committee meetings. The Committee suggested that in addition to the Red, Amber and Green statuses that a Yellow option should be available. This was formally recommended by the Committee.

Subsequently, it was

**RECOMMENDED -**

(1) T H A T the contents of the report be noted.

(2) T H A T Cabinet be advised of the recommendation of the Scrutiny Committee for outlining progress against targets, for an additional Yellow progress status to be added as an option.

Reasons for recommendations

- (1) Following the update on progress of the Reshaping Services programme.
- (2) In order to provide an additional progress status that sits between Amber and Red.

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The Leader referred to the Scrutiny Committee's request for an additional progress status to sit between Amber and Red. The Managing Director commented that there had been agreement that Cabinet and the Scrutiny Committees needed to be fully informed of progress, and so, there had been changes to the Board arrangements overseeing the Reshaping Services Programme. This would now involve a quarterly meeting of the Council's Cabinet with Corporate Management Team. It was also proposed that the All Projects Summary Highlight report and a summary of the meeting form the basis of the report to the Committee and on to Cabinet. This would provide the Committee with the level of detail discussed and be consistent with the Council's project management methodology.

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

RESOLVED –

- (1) T H A T the comments of the Scrutiny Committee be noted.
- (2) T H A T it be noted that new reporting arrangements were in place along with a new Reshaping Services Board.

Reason for decision

- (1) To note the comments of the Scrutiny Committee.
- (2) To note that new arrangements were in place which would address the shortcomings outlined by the Scrutiny Committee.

**C8 BUSINESS RATES – DISCRETIONARY RATES RELIEF (L)  
(CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE) –**

The report brought to Cabinet's attention an appeal from the Coastlands Family Church in respect of the Council's decision to refuse an award of Discretionary Business Rates Relief on its premises at Unit 2, Former Barry Magistrates Court, Thompson Street, Barry. It was proposed that Cabinet reaffirm the decision not to

awards Discretionary Business Rates Relief and that the appeal be therefore refused.

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 decision made on 18<sup>th</sup> December, 2018 by the Head of Finance, in consultation with the Leader, not to award Discretionary Business Rates Relief to the Coastlands Family Church be reaffirmed.

(2) T H A T the appeal lodged by the Coastlands Family Church on 7<sup>th</sup> January, 2019 in respect of Discretionary Business Rates Relive be rejected.

Reason for decisions

(1&2) To ensure a consistent approach was adopted in the way that the Council exercised its discretion when considering Discretionary Business Rates Relief in respect of charity shops owned by charitable organisations.

**C9 ADDITIONAL CAPITAL FUNDING ALLOCATION 2019/20 (L)  
(CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE) –**

Welsh Government had provided additional general capital funding of £1.927m for 2018/29 which was paid to the Council during February 2019. This sum had been carried forward into 2019/20 in line with the terms and conditions of the grant.

The report set out the proposals for the use of this sum and schemes were detailed in Appendix 1 to the report.

The Leader referred to paragraph 4.8 of the report, which mentioned the Dry Changing rooms in Barry Leisure Centre which were in need of urgent attention. The Leader requested that as the tenders for the works were unlikely to be issued until late in the financial year, that a further report would be presented to Cabinet prior to this scheme being approved. It was proposed that the remainder of the schemes be approved and that the funding required from the Building Fund be reduced by £100k accordingly. £100k would remain in the Building Fund to fund the Barry Leisure Centre scheme if it was approved at a later date.

The Cabinet Member for Social Care and Health commented on how successful Social Services had been in accessing monies from the Intermediate Care Fund in order to maintain and upgrade care settings.

In relation to his portfolio, the Cabinet Member for Neighbourhood Services and Transport referred to the introduction of a Mobile Parking Enforcement Vehicle,

which would mostly be used around schools, with a view to persuade people to park correctly.

The Cabinet Member for Legal, Regulatory and Planning Services referred to additional funding for a new modern Household Waste Recycling Centre facility within Llandow Industrial Trading Estate, commenting that this has been a keen wish for residents of the Western Vale.

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 inclusion of the schemes shown in Appendix 1 to the report totalling £2.277m into the 2019/20 Capital Programme which would be funded from the £1.927m grant from Welsh Government and £350k from the Building Fund be approved.

(2) T H A T an amount of £100k be set aside in order to progress works to improve the Dry Changing Rooms at Barry Leisure Centre, and for approval for this to be the subject of a future report to Cabinet.

(3) T H A T delegated authority be granted to the Director of Social Services, in consultation with the Cabinet Member for Social Care and Health, to allocate funding to older people's residential care homes, as prioritised, if additional funding was received from the Integrated Care Fund (ICF).

#### Reasons for decisions

(1) To approve the inclusion of additional schemes into the 2019/20 Capital Programme.

(2) To set aside monies to progress works to improve the Dry Changing Rooms at Barry Leisure Centre, and for this to be approved by Cabinet.

(3) To allow the use of further funding for additional improvements in the event of funding being made available from the ICF.

#### **C10 APPOINTMENTS TO OUTSIDE BODIES / JOINT COMMITTEES (L) (CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE) –**

Following the change in Administration at the Annual Meeting held on 20<sup>th</sup> May, 2019, changes to appointments to Outside Bodies was proposed as per Appendix A to the report. It was noted that a number of Outside Body appointments were appointed under the use of the Managing Director's Emergency Powers due to the fact that meetings of the organisations had been scheduled prior to the Cabinet meeting date.



It was proposed that all such appointments run for the life of the Council i.e. until the local government elections in 2022, subject to the agreement of the relevant body to which Members had been appointed.

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 Members be appointed or nominated to serve on the Bodies listed at Appendix A to the report until the local government elections in 2022.

(2) T H A T, where legally possible, attendance at meetings of organisations to which a Member has been nominated or appointed by the Council be classed as an approved duty for which travelling and subsistence allowances are payable, in accordance with the Council's scheme.

Reason for decisions

(1&2) To ensure continuity of representations by the Council on Outside Bodies.

**C11 SICKNESS ABSENCE REPORT 2018/19 (L) (CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE) –**

The report set out the sickness absence figures for the 12 month period 1<sup>st</sup> April, 2018 to 31<sup>st</sup> March, 2019 as part of the agreed performance management arrangements.

As could be seen, there had been a significant decrease in absence levels during 2018/19 compared with the same period for the previous financial year. The absence rates were set out in paragraph 4.1 of the report and showed a decrease from 10.1 days lost per FTE to 9.1 days over the period. The target for the year was set as 9.3 FTE days lost.

An analysis of the figures in each Directorate was set out in paragraph 4.4 of the report and an analysis of the reasons for absence was set out in paragraphs 4.10 to 4.19.

The decrease in absence levels was largely due to the improved management of the long term sickness cases. There had also been an increase in the level of scrutiny of absence cases which now took place on a monthly basis between the HR Business Partnership and Occupational Health teams, particularly reviewing staff with absences over four weeks and those who had regular absences to provide early intervention and support. Absence was discussed at Directorate Management Teams as part of their service based action plans.

Figures for the comparison for the rest of the Welsh Authorities would not be available until later in the year, but these would be shared when available. It was however anticipated that with an end of year figure of 9.1 this should put the Council in a favourable position, and an improvement on 2017/18 where the Council was in tenth position.

Even though there had been an improvement, there could not be any room for complacency in relation to the management of sickness absence. The Council continued to support its staff through a number of initiatives listed in paragraphs 5.2 to 5.4 of the report.

The performance management approach to absence management would continue throughout 2019/20 with further updates provided to Cabinet and Scrutiny as required.

This was a matter for Executive decision

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

RESOLVED –

- (1) T H A T the report and the yearly sickness absence figures provided in Appendix A to the report be noted.
- (2) T H A T progress in relation to the Care First Employee Assistance Programme as attached in Appendix B to the report be noted.
- (3) T H A T the report be referred to Corporate Performance and Resources Scrutiny Committee for consideration, with any comments referred back to Cabinet for further consideration.

#### Reasons for decisions

- (1) To bring matters to the attention of Members of the Cabinet in line with corporate objectives.
- (2) To inform Members of the Cabinet of the progress in relation to the Employee Assistance Programme.
- (3) To enable the Scrutiny Committee to maintain a continued focus on the management of sickness absence throughout all services of the Council and to make recommendations to Cabinet, as appropriate.

**C12 HOUSING COMPLIANCE POLICY REVIEW (HBS) (HOMES AND SAFE COMMUNITIES SCRUTINY COMMITTEE) –**

The Housing Compliance policies were first presented to Cabinet in October 2016 and subsequently adopted by the service following referral to the Homes and Safe Communities Scrutiny Committee.

It had been over two years since these policies were drafted and there had been a number of changes to the legislation and standards which now needed reflecting in these policies. Consequently they had been revised and were presented to Cabinet for consideration.

Additionally, the report contained information on the performance of the Housing and Building Services in execution of these policies which was for noting.

The Cabinet Member for Housing and Building Services referred to paragraph 2.10 of the report, which highlighted that performance for Electrical Compliance of the housing stock was just short of 100%. She added that the Council was on track to achieve 100% by the end of the year.

This was a matter for Executive decision

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

RESOLVED –

(1) T H A T the revised Housing Compliance Policies attached at Appendix:

- A - Council Housing Fire Risk Management Strategy,
- B - Council Housing Legionella Management Plan and Policy,
- C - Council Housing Electrical Compliance Policy,
- D - Council Housing Gas, Oil, and Solid Fuel - Safety and Servicing Policy

be approved in principle.

(2) T H A T the revised Housing Compliance Policies attached at Appendices A, B, C and D be referred to the Homes and Safe Communities Scrutiny Committee for consideration.

(3) T H A T the drafts and any comments received be returned to Cabinet for final approval.

(4) T H A T the performance of the Housing Compliance activity in relation to the areas covered by the Housing Compliance Policies be noted.

### Reasons for decisions

- (1) To agree the revisions to the Housing Compliance Policies in principle.
- (2) To provide the Homes and Safe Communities Scrutiny Committee opportunity to review the updates to the Housing Compliance policies.
- (3) To approve the draft policies for Housing compliance to ensure Housing and Building Services have clear and appropriate guidance to ensure the service continues to safeguard tenants and improve its service standards.
- (4) To update Cabinet on the performance of the Housing Compliance team in relation to maintaining a safe Council Housing stock for its tenants.

### **C13 HOUSING ASSET MANAGEMENT STRATEGY (HBS) (HOMES AND SAFE COMMUNITIES) –**

The Housing Asset Management Strategy ('the Strategy') was referred to the Homes and Safe Communities Scrutiny Committee following presentation of the Strategy to this Cabinet. At the Scrutiny Committee meeting two observations in respect of the draft Strategy were presented which had now been considered and addressed. The first was to include greater digital access for tenants and the second was to improve the Strategy in regard to the Council's development programme.

The Asset Management Strategy had been amended to incorporate a commitment to improving digital access, and in respect of the Council's development programme a separate strategy had been developed to address this important programme of work which would be presented to Cabinet at a future date.

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 new Housing Asset Management Strategy and the Housing Development Strategy be endorsed in principle and distributed for wider consultation with the 'Tenants Working Group'.
- (2) T H A T following the referral to the 'Tenants Working Group', any comments received be considered by Cabinet.
- (3) T H A T subject to no comments or amendments from the 'Tenants Working Group', the Housing Asset Management Strategy and the Housing Development Strategy be agreed.

### Reasons for decisions

- (1) To receive comments on the Housing Development Strategy prior to finalising the Strategy.
- (2) For Cabinet to consider observations and suggested amendments to the Strategy.
- (3) To approve the final Housing Asset Management Strategy.

### **C14 VALE OF GLAMORGAN COUNCIL HOMELESSNESS PREVENTION STRATEGY 2018 – 2022 (HBS) (HOMES AND SAFE COMMUNITIES) –**

The Housing (Wales) Act 2014 Act placed a statutory duty on Local Authorities to undertake a review of the Homelessness Service and to produce a Homelessness Strategy setting out how the Council in partnership with other stakeholders would develop and deliver the services required to help and support those in housing need.

The Act took effect on 27<sup>th</sup> April, 2015 and included the biggest change in tackling homelessness in Wales since the first Homeless Person's Act commenced in 1977. Its aim was to transform homelessness by creating a modern safety net where no one was turned away without help.

In compliance with the Act, the Council had developed a Homelessness Prevention Strategy in consultation with all stakeholders. It was accompanied by an Action Plan which set out the steps that would be undertaken by the Council and its partners to deliver the required outcomes for clients who were homeless or threatened with homelessness.

The finalised Homelessness Prevention Strategy and Action Plan would cover the next four year period but would remain a working document and kept under constant review. It would be delivered using the existing resources within the Council's Housing Solutions Team and would seek to ensure there was an effective homelessness service in place in the Vale of Glamorgan, which promoted community sustainability and supported the most vulnerable and socially isolated residents.

The Cabinet Member for Housing and Building Services commented that the aim of the Strategy was to prevent homelessness rather than for it to happen and then have to tackle.

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 Homelessness Prevention Strategy 2018 - 2022 and action plan, attached at Appendices 1 and 2 to the report, be adopted.
- (2) T H A T the name of the Cabinet Member is changed and any typographical amendments be delegated to the Director of Environment and Housing Services in consultation with Cabinet Member for Housing and Building Services

Reason for decision

- (1) To ensure that the Council met its statutory duty under the Housing (Wales) Act 2014 and that a robust multi-agency homelessness service was available to meet the needs of some of the most vulnerable members of our communities.
- (2) To update the Cabinet Member and to make typographical amendments.

**C15 CONSIDERATION FOR THE CONTINUED PARTICIPATION IN THE HOME OFFICE'S SYRIAN RESETTLEMENT PROGRAMME (HBS) (HOMES AND SAFE COMMUNITIES SCRUTINY COMMITTEE) –**

In May 2016, Cardiff Council and the Vale of Glamorgan Council agreed to participate in the resettlement of vulnerable Syrian refugees under the Vulnerable Persons Resettlement Scheme (VPRS) on a regional basis, under a three year Collaborative Agreement.

In May 2016, an Integration and Support Services contract was awarded to Taff Housing Association to provide resettlement support across the region, in accordance with the requirements set out in the regionally agreed Service Specification.

Both Agreements expired on 16<sup>th</sup> May, 2019, so Cabinet approval was required to continue to participate in the resettlement of vulnerable refugees until March 2020, on a regional basis, and to provide resettlement support in line with the Home Office scheme requirements.

Participation in the VPRS was on a voluntary basis, and was subject to grant funding being made available to the Vale of Glamorgan Council and Cardiff Council on an annual basis, to support the cost of resettlement and integration.

The Deputy Leader and Cabinet Member for Education and Regeneration commented on how successful the Open Learning Centre had been in supporting resettled families.

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 Vale of Glamorgan Council's continued participation in the resettlement of Syrian refugees under the Vulnerable Persons Resettlement Scheme (VPRS) until March 2020 be approved.
- (2) T H A T approval be granted for a new Collaborative Agreement for up to six years with Cardiff Council to be entered into, in order to benefit from the sharing of knowledge, experience and resources, including the Regional Resettlement Co-ordinator post.
- (3) T H A T approval be granted to extend the existing regional Governance arrangements, specifically the regional Leadership Group. Membership comprised and was attended by key regional stakeholders, including Council Members, Lead Officers and representatives from Housing, Health, Education, South Wales Police, third sector and Faith groups.
- (4) T H A T the resettlement of up to four additional families in the Vale of Glamorgan by March 2020, or until the UK Government achieves its target and therefore ends the current resettlement pathway, be agreed.
- (5) T H A T approval be granted to permit Cardiff Council's Commissioning and Procurement Services department to run a competitive tender for a single Provider to deliver Integration and Support Services across the region, for up to six years, in order to comply with the programme Grant conditions set out in the Home Office Funding Instructions 2019-20 (see Appendix One to the report).
- (6) T H A T, subject to Recommendations (1)-(5) above, delegated authority be granted to the Director of Environment and Housing Services, in consultation with the Cabinet Member for Housing and Building Services, to progress the regional arrangements for the delivery of the Syrian Resettlement Programme in the Vale of Glamorgan and Cardiff, specifically, to agree the terms of a Collaboration Agreement.
- (7) T H A T, subject to Recommendation (3) above, delegated authority be granted to the Monitoring Office / Head of Legal and Democratic Services to agree the terms and execute the necessary legal documentation evidencing the Collaboration Agreement.

Reasons for decisions

- (1) The UK Government VPRS programme enables the resettlement of vulnerable refugees from Syrian until March 2020. Cabinet Approval is therefore required to allow the Vale of Glamorgan Council to continue to support the arrival of a further four refugee families up to March 2020, or until the Home Office reaches its target. This will align local participation with the National delivery of the programme.
- (2) The Collaborative Agreement, between the Vale of Glamorgan Council and Cardiff Council, ended on 16<sup>th</sup> May, 2019. Cabinet approval was therefore required to execute a new Agreement for up to six years, to ensure both Authorities were able

to meet the needs of refugees for five years post-arrival, both for those already resettled in the region, and those that continued to arrive up until March 2020. This Agreement would ensure the continuation of all existing operational and administrative structures, and full compliance with the terms and conditions of the grant funding.

(3) In order to ensure a robust governance structure was in place for the regional scheme.

(4) To support the UK Government to achieve its pledge to resettle 20,000 of the most vulnerable refugees from Syria, by March 2020.

(5) The existing Integration and Support Services Contract expired on 16<sup>th</sup> May, 2019. Cabinet approval was therefore required to allow the regional tendering of a new support service for up to six years, to ensure compliance with the Home Office Funding Instructions, and to support the long term needs of both refugees that had already been resettled in the Local Authority Area, and those that arrive up until March 2020.

(6) To facilitate the continued partnership arrangements with regional stakeholders.

(7) To enable the completion and execution of the necessary legal documentation.

#### **C16 SOUTH LODGE, WINDSOR GARDENS, PENARTH (LAC) (HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE) –**

South Lodge in Windsor Gardens, Penarth was previously identified as an asset which could be disposed of as part of an Asset Management Review considered by Cabinet in July 2015. Work had been undertaken under delegation to the Director of Environment and Housing to explore a range of potential uses.

In January 2018, Cabinet approved proposals to progress a range of commercial opportunities in the Council's parks. South Lodge was identified as being suitable for a catering operation. The report delegated authority to the Director of Environment and Housing to undertake a marketing exercise for South Lodge based on a catering use.

In order to market the building, a compliant Energy Performance Certificate (EPC) was required. Works to ensure at least a minimum EPC rating to be able to market the building had recently been completed.

Throughout the intervening period, officers had identified that South Lodge may be suitable for a range of uses, including but not limited to a catering facility. As such, the report proposed that the asset be marketed for as wide a range of uses as the Council would consider appropriate in order to fully explore its potential.



The Cabinet Member for Leisure, Arts and Culture requested Cabinet consider an amendment to paragraph 2.6 of the report, with bidders being invited to submit proposals based on a lease period for 10 years or longer, if appropriate.

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 South Lodge, Penarth be declared surplus to Council's current requirements.

(2) T H A T, subject to Recommendation (1), approval be granted for the marketing and disposal (by way of lease for a period of 10 years or longer) of South Lodge for the range of commercial uses outlined in the report.

(3) T H A T, subject to Recommendations (1) and (2), delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, complete and execute the appropriate legal documentation on consultation with the Director of Environment and Housing and the Cabinet Member for Social Care and Health to dispose of South Lodge via the most appropriate and cost effective lease arrangement.

#### Reasons for decisions

(1) In order to market South Lodge and dispose of it by lease at the appropriate time.

(2) To market the asset for a range of appropriate uses.

(3) To enable the disposal, via lease, to be completed.

#### **C17 PENARTH CARDIFF BARRAGE SUSTAINABLE TRANSPORT CORRIDOR WELTAG STAGE ONE AND STAGE TWO UPDATE (NST) –**

The Leader and Cabinet Member for Neighbourhood Services and Transport requested the report be withdrawn in order for Cabinet to receive more up to date information.

Subsequently Cabinet:

RESOLVED – T H A T the report on the Penarth Cardiff Barrage Sustainable Transport Corridor WelTAG Stage One Study relating to improving sustainable connectivity through the corridor between Penarth and Cardiff Barrage be withdrawn.

Reason for decision

To provide Cabinet with up to date information.

**C18            VALE OF GLAMORGAN TOILET STRATEGY (NST)  
(ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE) –**

Whilst there was no statutory duty on Councils to provide public conveniences, Welsh Government had placed a responsibility on all Local Authorities in Wales to produce a Local Toilet Strategy by 31<sup>st</sup> May, 2019.

An officer working group was established to produce a Strategy and a number of consultation exercises had been undertaken.

The Strategy was drafted bearing in mind all current factors, including, but not limited to, the Council's financial position and the need to retain the most used toilets.

The Strategy, together with a Management Action Plan, was appended to the report.

Cabinet would receive further reports as necessary relating to the Management Action Plan.

The Cabinet Member for Neighbourhood Services and Transport requested that the Environment and Regeneration Scrutiny Committee receive information relating to current running costs, so that the Committee would be in a better position to assess the Strategy.

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 draft Toilet Strategy (contained in Appendix A to the report) be approved in principle.
- (2)    T H A T the draft Toilet Strategy be referred to the Environment and Regeneration Scrutiny Committee for its consideration, and for the Scrutiny Committee to receive a breakdown of associated costs.
- (3)    T H A T pursuant to Recommendation (2) above any comments from Environment and Regeneration Scrutiny Committee be further considered by Cabinet prior to approving the final version of the Toilet Strategy.

(4) T H A T pursuant to Recommendations (1) to (3), above, the final version of the Toilet Strategy be circulated to all Town and Community Councils and a copy of the final Strategy presented to the Community Liaison Committee.

(5) T H A T the final strategy be presented back to Cabinet for approval.

(6) T H A T Cabinet receive further update reports on the Strategy relating to the implementation of the Management Action Plan.

#### Reasons for decisions

(1) To approval in principle of the draft Toilet Strategy.

(2&3) To enable the Strategy to be considered by the Scrutiny Committee and its comments considered by Cabinet before a final version is approved.

(4) To ensure that all relevant partners are fully informed on the Toilet Strategy.

(5) To approve the final Toilet Strategy.

(6) To ensure the requirements of the Management Action Plan are met.

#### **C19 ADOPTING TOGETHER SERVICE (SCH) (HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE) –**

The Cabinet Member for Social Care and Health presented the report which outlined that Adopting Together had been established under the aegis of the National Adoption Service (NAS) in Wales. It was a collaborative working arrangement between St. David's Adoption Agency, Barnardo's Cymru and Adoption UK to provide adoptive placements and support to adoptive families.

St. David's and Barnardo's Cymru were the only two voluntary adoption agencies operating in Wales who assessed adopters to provide placements for children referred by Local Authorities.

Adopting Together was a new initiative and an extension of their usual service in that it targeted recruitment for specific children and provided therapeutic support to those children and families for a year following placement for adoption. Additional support was also provided to the adopters via a buddying scheme.

Adopting Together focused on the recruitment of adopters for children with additional needs who had been waiting for adoptive placements for over six months.

The partner agencies which formed part of Vale, Valleys and Cardiff Adoption Collaborative (VAC) i.e. Merthyr Tydfil County Borough Council, the Vale of Glamorgan Council, Cardiff Council and Rhondda Cynon Taff County Borough Council supported the project and had identified a number of children who met the criteria for the project.

To date, ten referrals of children had been made to the project from the region and six children had been placed on a spot purchase basis. These placements had been successful.

Securing adoptive placements for children requiring adoption was a function delegated to the Collaborative by its partner agencies although case responsibility for the child remained with the placing Authority.

Going forward there was a need to formalise the contractual arrangements between the placing Authorities and the constituent partners of Adopting Together (St. David's Adoption Agency, Barnardo's Cymru and Adoption UK) by way of a formal agreement. VAC was, under the terms of the Collaborative Agreement underpinning VAC, not able to enter into contractual arrangements with Adopting Together as it was not a legal entity and so authority was required to enable the Vale of Glamorgan Council as Host Authority to enter into the contractual arrangements.

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 approval be granted for the Vale of Glamorgan Council, as Host Authority for the Collaborative, to enter into contractual arrangements with St. David's Adoption Agency and Barnardo's Cymru for the provision of placements for hard to place children.

(2) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to agree terms and enter into forms of contract with the said bodies under the Adoption Together Service.

#### Reasons for decisions

(1) Adopting Together enhanced the range of placement options for children who had waited the longest for adoptive homes and provided additional support for those children and their new families.

(2) There was a need to formalise the current arrangements by entering into contractual arrangements which clarified expectations, roles, and responsibilities of partner agencies and the provider of the service.

(3) The partner authorities who comprised the Regional Collaborative had delegated the authority to secure placements for children requiring adoptive homes to the Regional Collaborative and seeking to formalise contractual arrangements with Adopting Together.

(4) Vice's Collaborative Agreement did not currently enable the Host Authority to undertake this role and so Cabinet authority was required to enable such contractual arrangements to be put in place.

**C20 CORPORATE PARENTING PANEL (SCH) (HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE) –**

Cabinet's approval was sought regarding the membership of the Corporate Parenting Panel following the change in the Council's Administration.

The Corporate Parenting Panel in its current format was appointed by Cabinet on 30<sup>th</sup> July, 2012. Cabinet had previously agreed (on 15<sup>th</sup> July, 2009) that the membership of the Panel be increased from 3 to 7 Members. In doing so, the Cabinet had taken into account, and agreed to, a recommendation from the former Scrutiny Committee (Social Care and Health) that the membership of the Panel include all political groups.

In 2017, as there was no other independent group on the Council, the Panel membership was reduced from 7 to 6 Members.

In terms of the size of the Panel, as there was now the Vale Independent Group on the Council, it was suggested that the Panel be increased to 7 Members from 6, i.e. 2 Conservative, 2 Labour, 1 Plaid Cymru, 1 Llantwit First Independent and 1 Vale Independent which was in line with the political balance of the Council.

Cabinet noted that membership of the Panel would include the Cabinet Member for Social Care and Health, as Chairman of the Panel, and this would be in addition to the 7 members from all political groups.

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 Corporate Parenting Panel be re-appointed, with its membership comprising, the Cabinet Member for Social Care and Health (Chairman of the Panel), 2 Conservative Group Members, 2 Labour Group Members and 1 Member each from the Plaid Cymru Group, Llantwit First Independents Group and the Vale Independents Group

Reason for decision

To facilitate the ongoing role of the Corporate Parenting Panel.

**C21 REGIONAL COMMISSIONING STRATEGY FOR ADULTS WITH A LEARNING DISABILITY (SCH) (HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE) –**

The report provided information regarding the development of a Regional Commissioning Strategy for Adults with a Learning Disability.

Cabinet approval was sought to approve the Regional Commissioning Strategy.

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 Regional Commissioning Strategy for Adults with a Learning Disability (attached at Appendix 1 to the report) be approved.

(2) T H A T the report be referred to Healthy Living and Social Care Scrutiny Committee for consideration.

Reasons for decisions

(1) To ensure that there was a clear strategic direction for the commissioning of services for adults with a learning disability.

(2) To ensure that there was wider oversight by Elected Members of the approved Regional Commissioning Strategy for Adults with a Learning Disability.