

**CABINET**

Minutes of a meeting held on 2<sup>nd</sup> December, 2019.

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

Also present: Councillor Christine Cave

**C156 APOLOGY FOR ABSENCE –**

This was received from Councillor B.T. Gray.

**C157 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 18<sup>th</sup> November, 2019 be approved as a correct record.

**C158 DECLARATIONS OF INTEREST –**

No declarations were received.

**C159 CARDIFF BAY ADVISORY COMMITTEE –**

The minutes of the Cardiff Bay Advisory Committee held on 6<sup>th</sup> November 2019, were submitted.

Present: Mr. A. Parker (Member in a personal capacity), Councillor L. Burnett (Vale of Glamorgan Council), Mr. C. Michael (RSPB), Captain R. Lewis (Harbour Master), W. Boland (Cardiff Bay Yacht Club), Mr. N. Ajax-Lewis (Wildlife Trust of South and West Wales), Mr. H. Kelsall (Assistant Marina Manager), Mr. S. Ellery and T. Gifford (Deputy Harbour Master) and Mrs. K. Bowen (Principal Democratic and Scrutiny Services Officer).

Also present: Mr. A. Ernest (Penarth Tourism and Visitor Association).

**(a) Apologies for Absence –**

These were received from Mrs. C. Dimond (Cardiff Flood Action Committee), Mr. J. Maidment (Cardiff Harbour Authority), Councillor C. Wild (Cardiff Council), Mr. A. Vye-Parminter (Cardiff Harbour Authority), Mrs. N. DeLongi (Natural Resources Wales), Councillor M. Michael (Cardiff Council), Mr. C. Pain (Cardiff Bay Yacht Club) and Councillor N. Humphries (Penarth Town Council).

**(b) Appointment of Chairman –**

Mr. A. Parker was appointed Chairman for the current municipal year.

(c) Appointment of Vice-Chairman –

Mrs. C. Dimond was appointed Vice-Chairman for the current municipal year.

(d) Timetable of Meetings –

The report proposed future meetings for the Committee, it being noted that in 2018 the Committee had agreed that for two out of the four meetings agendas and reports would be forwarded to all Members of the Committee via e-mail with comments on the documents being collated and disseminated by the Clerk. However, during the discussion it was agreed that the 18<sup>th</sup> December, 2019 suggested meeting date be moved to a date in January 2020 with the Clerk being requested to agree a date with all parties via e-mail. All Members to also be asked for their views of two of the four dates in the report being undertaken by e-mail.

It was subsequently

AGREED – T H A T:

- 18<sup>th</sup> December, 2019 suggested date be re-arranged for a date in January 2020.
- Wednesday, 1<sup>st</sup> April, 2020 be confirmed.
- Wednesday, 1<sup>st</sup> July, 2020 Annual General Meeting be confirmed to be held at the Conference Room, Harbour Authority Offices, Queen Alexandra Dock, Cargo Road, Cardiff, CF10 4LY.

(e) Navigational Safety – Cardiff Harbour Authority –

Mr. T. Gifford representing Cardiff Harbour Authority provided an update on recent events advising that dredging of the outer harbour and approach channel had been delayed as a result of the licensing process. It was noted that approximately 200 tonnes had been removed from the Bay with 85% of this being natural debris.

Annual maintenance of the Barrage would take place over the next three months and it was noted that Bridge 3 would be re-painted in April with the work taking approximately 12 weeks.

Mr. S. Ellery referred to an invasion of an invasive species namely the Asian Clam which had been discovered by scientists from the Welsh Museum in September 2019 in the wetlands area. There was, however, no other habitat to be found and it was only the second place in Wales where such species had been discovered and the only other area being Neath/Port Talbot although it had been noted that this had now been cleared and/or had died out. It was further noted that the species was also quite widespread in the Norfolk Broads. The species preferred a gravelly setting and spread quite readily. The Harbour Authority was looking to limit the spread by the use of cleaning and drying equipment on a regular basis.

Members were advised that the clams could impact on the environment and affect water intakes and pipes, it was a problem that Cardiff Harbour Authority had to try to minimise and work would be ongoing.

AGREED – T H A T the above report be noted.

(f) Natural Resources Wales Update –

Although Mrs. N. DeLonghi was unable to be present at the meeting a written briefing note had been forwarded to the Clerk for Member's information as outlined below:

**Summer 2019 Dissolved Oxygen Levels**

NRW received regular notifications from Cardiff Harbour Authority regarding Dissolved Oxygen sags within the Bay, however they were generally localised to the deep water channels and did not affect the overall water quality within the bay. The aeration system was in operation during these times.

**Ferry Road Landfill**

For a number of years there has been an ongoing issue concerning an intermittent polluting discharge in Cardiff Bay from an outfall located below the Watermark building, Ferry Road.

The source of the intermittent discharge had been the subject of an ongoing investigation, with the source previously suspected as leachate from the former Cardiff Council, Ferry Road Landfill site.

NRW has further progressed the investigation by facilitating a meeting with Cardiff Council and Cardiff Bay Retail Park agents to coordinate the final drainage survey – necessary to determine the route cause(s) of the polluting discharge.

The polluting discharge had been tested and there was evidence of leachate, raw sewerage and hydrocarbons and the NRW believed, from initial investigations, that there were a number of misconnections. This aspect of the investigation would run concurrently to the leachate investigation.

As the investigation had concluded, there would be a number of remedial actions and works required to stop the polluting discharge which would include drainage cleansing and misconnection repairs.

**Cardiff Harbour Authority and NRW Pollution Prevention Campaign**

There had been a number of reports concerning oil discharges into the bay at a number of locations, however the sources had yet to be identified. NRW had been working closely with CHA to address the issue and would be conducting a risk based and targeted pollution prevention campaign visiting boat clubs, commercial boat operators and adjacent industrial units to provide advice and guidance on oil and fuel storage. If during the course of the visits NRW identified that there was an unacceptable risk of surface water or groundwater pollution, NRW would intervene and ensure that the individual, operator or business take action to prevent surface water or groundwater pollution.

The site visits were due to commence mid-November.

### **Cardiff Bay Dredging Operations**

NRW had received a notification request regarding Cardiff Bay Barrage Act 1993 Schedule 3 approval to dredge within the Bay and the approach channel and inner harbour. The request was being assessed subject to CHA providing further information regarding details of the dredge operations, timings and location marked on a plan. Sufficient evidence and relevant data to demonstrate that any adverse effect on integrity of Severn Estuary EMS could be avoided.

AGREED – T H A T the above report be noted.

(g) International Sports Village Development Strategy – Cardiff Cabinet Report – 10<sup>th</sup> October, 2019 –

The report had been placed on the agenda for the Committee's information, it being noted that any queries that any Member had in relation to the Strategy could be referred to the Clerk who would obtain a response and reply accordingly.

(h) Any Other Business –

Councillor Burnett drew attention to the proposal to extend the e-Bike scheme into the Vale of Glamorgan which would be sponsored by the Vale and would be a positive asset for sustainability. Councillor Burnett agreed to provide a further progress update on the scheme to a future meeting.

Following a query from a Member regarding the Penarth Headland Link proposals Councillor Burnett advised that a report had recently been presented to the Vale of Glamorgan Council's Cabinet which could be circulated to all present for their information.

A Member requested whether the Cardiff Harbour Authority could consider the use of a wildlife friendly mower for the grass on the Barrage with the officer responding that he would look into this and report back appropriately.

Mr. Ajax-Lewis referred to a Strategy that was being undertaken regarding invasive non species referring to the quantity of Knotweed within the area. The representative from the Cardiff Harbour Authority advised that Knotweed tended to flow down in spades when there were high river flows. It had not been an issue on the edge of the Bay as yet. Mr. Gifford advised that the CHA had a contract in place for spraying twice a year and it appeared to be reducing.

At the end of the meeting, the Chairman reminded all present that if they had any queries or issues they wished to raise to contact the Clerk for placing on future agendas.

(i) Date of Next Meeting –

It was agreed that the Clerk would contact all Members by e-mail regarding a date in January, 2020.

RESOLVED – T H A T the minutes of the Cardiff Bay Advisory Committee meeting be noted.

Reason for decision

To note the contents of the minutes.

**C160 COUNCIL TAX BASE: 2020-21 (L) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the report to Cabinet to approve the Council Tax Base for 2020-21 in accordance with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995 (SI 1995/2561 as amended by SI 1999/2935 and the Local Authorities (Calculation of Council Tax Base) and Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004) SI 2004/3094.

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 pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations, the amount calculated by The Vale of Glamorgan Council as its Council Tax Base for the year 2020-2021 shall be:

- For the whole area: 60,806
- For the area of Town and Community Councils:

Barry	20,446	Pendoylan	351
Colwinston	376	Penllyn	1,047
Cowbridge with Llanblethian	2,665	Peterston-Super-Ely	561
Dinas Powys	3,843	Rhose	3,075
Ewenny	451	St. Athan	1,536
Llancarfan	477	St. Brides Major	1,438
Llandough	961	St. Donats	197
Llandow	434	St. Georges & St. Brides-Super-Ely	238

Llanfair	385	St. Nicholas & Bonvilston	688
Llangan	453	Sully & Lavernock	2,541
Llanmaes	256	Welsh St. Donats	316
Llantwit Major	4,188	Wenvoe	1,523
Michaelston	225	Wick	538
Penarth	11,597		

Reason for decision

It is essential that the Council Tax Base is set in order that it can be submitted to the Welsh Government and used by Councils and levying bodies to set precepts.

**C161 COUNCIL TAX REDUCTION SCHEME (L) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the report to confirm the re-adoption of the Council Tax Reduction National Scheme for 2020/2021 based on regulations and to reconfirm the Council's discretions.

The report set out the limited discretions available to the Council for consideration when re-adopting the Council Tax Reduction National Scheme for 2020/2021.

The report proposed that Cabinet recommends to Full Council the re-adoption of the Council Tax Reduction National Scheme for 2020/2021 together with the limited discretions available to the Council.

This was a matter for Executive decision by Council.

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

**RESOLVED –**

(1) T H A T Cabinet recommends to Full Council that the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations SI 2013/3029 ("the Prescribed Requirements Regulations") and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014 SI 2014/66 be adopted.

(2) T H A T any amendments to Regulations made by the Welsh Government be reflected in the scheme.

(3) T H A T the national scheme be adopted with the following discretions:

- That the Council should continue to allow Extended Payments up to a maximum of 4 weeks;
- That the Council should continue to disregard War Widow and War Disablement pensions in assessing income for Council Tax Reduction;
- That the Council should continue to allow Backdated Reductions for a period up to 26 weeks.

Reason for decisions

(1-3) To enable the Council Tax Reduction Scheme to be approved by Council by 31<sup>st</sup> January, 2020 and be in place for implementation from 1<sup>st</sup> April, 2020.

**C162 COUNCIL TAX UNOCCUPIED DWELLINGS: 2020-2021 (L) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the report to seek approval for the policy to be adopted for Council Tax on unoccupied dwellings for 2020-2021.

The report proposed that Cabinet reaffirm its previous decision not to grant any discount in Council Tax for long term empty properties and furnished second homes for the 2020-21 financial year.

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 policy with regard to the Council Tax due on unoccupied dwellings as agreed for 2019/2020, be agreed for 2020/2021.

Reason for decision

The Council was required to determine its policy on discounts in relation to unoccupied dwellings as defined in classes A, B and C to the Council Tax (Prescribed Class of Dwellings) (Wales) Regulations 1998 each year.

**C163 PRECEPT PAYMENT DATES 2020-2021 (L) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the report to seek approval for the payment of precepts for 2020-2021 and to approve the dates on which precepts were to be paid to the Police and Crime Commissioner for South Wales and the Town and Community Councils within the Vale of Glamorgan area.

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 payment due to the Police and Crime Commissioner for South Wales be paid in 12 equal instalments on the last working day of each month.
- (2) T H A T payment due to Town and Community Councils be paid in 3 equal instalments on the last working days of April, August and December 2020.

Reason for decisions

(1&2) The dates were determined to optimise the Council's cash flow in line with the regulations.

**C164 RESHAPING SERVICES: UPDATE ON IMPLEMENTATION (L)  
(SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the report to provide Cabinet with an update on the progress being made to implement projects and initiatives within the Reshaping Services Programme.

The Reshaping Services Programme was the Council's transformational change programme.

The report provided Cabinet with an update on the progress being made across the Council to deliver Reshaping Services projects. These projects aimed to protect priority services by working differently, in partnership and embracing innovation and change.

It was recommended that Cabinet refer the report to Corporate Performance and Resources Scrutiny Committee for consideration and that a copy be sent to all Elected Members, Clerks of Town and Community Councils, members of the Voluntary Sector Joint Liaison Committee, Community Liaison Committee and the Public Services Board.

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 content of the report, including the All Projects Summary Highlight Report at Appendix A, be noted.

(2) T H A T the report (including Appendix A) be referred to the Corporate Performance and Resources Scrutiny Committee for its consideration, with a particular emphasis on the administration and implementation of the programme.

(3) T H A T a copy of the report (including Appendix A) be sent to all Elected Members, Clerks of Town and Community Councils, members of the Voluntary Sector Joint Liaison Committee, Community Liaison Committee and the Public Services Board for their information and in order to provide an update on the progress being made on the Reshaping Services Programme.

(4) T H A T relevant projects be reported separately to Cabinet for approval prior to implementation.

(5) T H A T regular progress reports continue to be brought to Cabinet to provide information on the progress of the Reshaping Services Programme.

#### Reasons for decisions

(1) To provide Cabinet with an update on the progress of the Reshaping Services Programme.

(2) To provide the Corporate Performance and Resources Scrutiny Committee with an opportunity to consider the progress being made on the Programme as the lead Committee for the Programme.

(3) To provide these Committees, groups and the Public Services Board with an update on the progress being made on the Reshaping Services Programme.

(4) To ensure Cabinet approve any proposed changes resulting from Reshaping Services projects as appropriate.

(5) To ensure Cabinet are kept informed of the progress being made on the programme.

#### **C165 SCHOOL ADMISSION ARRANGEMENTS 2021-22 (ER) (SCRUTINY – LEARNING AND CULTURE) –**

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report to seek Cabinet approval to consult on the Local Authority's School Admission Arrangements as required by the Welsh Government's School Admission Code issued in July 2013 which included a revision to secondary school catchment areas.

The report had been presented in order to approve consultation on school admission arrangements for pupil admissions in the academic year 2021/22. This was required in order to meet the Council's obligations to annually consult and agree the admission arrangements by no later than 15<sup>th</sup> April, 2020.

The report proposed consulting on an amendment to the existing English medium secondary school catchment areas and policy for admissions into the academic year 2021/22. The consultation period would be from 11<sup>th</sup> December, 2019 to 3<sup>rd</sup> February, 2020. A report on the outcome of this consultation would be presented to Cabinet in March 2020.

The key changes proposed related to a change in the catchment areas for English medium secondary schools. There was also a proposed minor change to the over subscription criteria which would support attendance at a child's local school. Reference to an ongoing pilot programme for the introduction of co-ordinated admission arrangements was also included.

The proposed changes would ensure a more even distribution of school places to meet future demand for pupils within a defined catchment area requiring a school place.

It was recommended that Cabinet approve the contents of the report so that the statutory consultation on Schools Admissions Policy for 2021/2022 could take place within the statutory timescales. Use of the Emergency Procedure was recommended so that consultation could commence on 11<sup>th</sup> December, 2019, and in addition it was proposed to refer the report to Learning and Culture Scrutiny Committee as part of that consultation.

In addition, the Leader requested that the Director of Learning and Skills ensure that the 'Comparison of Current vs Proposed Catchment Area' maps used in Annex I to Appendix 2 be made larger as part of the consultation.

This was a matter for Executive decision.

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

**RESOLVED –**

- (1) T H A T the consultation required to agree Local Authority Admission arrangements (Appendix A) for all community schools in the Vale of Glamorgan be approved.
- (2) T H A T consultation on a proposed revision to secondary school catchment areas be approved.
- (3) T H A T the report be referred to Learning and Culture Scrutiny Committee as part of the consultation process.
- (4) T H A T the use of Article 14.14.2 (ii) of the Council's Constitution (urgent decision procedure) be authorised in respect of Recommendations (1), (2) and (3) above.

Reasons for decisions

- (1) Para 2.3 (page 6) of the School Admissions Code (Wales) July 2013 states that "Admission Arrangements must be consulted on for each maintained school between 1 September and 1 March, and be set by 15 April of the school years beginning two years before the school year in which the arrangements will apply".
- (2) The Council was required to keep school catchment areas under review to ensure a match between the supply and demand for school places in an area.
- (3) In order for Learning and Culture Scrutiny Committee to participate in the consultation process.
- (4) To allow the consultation to commence on 11<sup>th</sup> December, 2019.