

**CABINET**

Minutes of a Remote meeting held on 8<sup>th</sup> February, 2021.

The Committee agenda is available [here](#).

**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.

**C462 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 25<sup>th</sup> January, 2021 be approved as a correct record.

**C463 DECLARATIONS OF INTEREST –**

<b>Name of Councillor</b>	<b>Nature of Interest</b>
Councillor N. Moore	The interest related to Agenda Item 5 - Pay Policy 2021/2022. Councillor Moore had dispensation from Standards Committee to speak and vote at meetings of the Vale of Glamorgan Council when matters relating to the review of Council employment terms and conditions were considered in view of his daughter being employed by the Vale of Glamorgan Council.
Councillor Mrs. M.R. Wilkinson	The interest related to Agenda Item 5 - Pay Policy 2021/2022. Councillor Mrs. Wilkinson had dispensation from Standards Committee to speak and vote at meetings of the Vale of Glamorgan Council when matters relating to the review of Council employment terms and conditions were considered in view of family members being employed by the Vale of Glamorgan Council.

**C464 STATEMENT –**

The Leader and Cabinet Member for Performance and Resources reiterated that COVID-19 remained present in the Vale of Glamorgan, noting that infection numbers had gone down since the date of the last Cabinet meeting and thanked those that were complying with restrictions. He acknowledged there were still difficulties concerning some residents wishing to travel to certain locations for exercise. It was noted that there were now three vaccination centres up and running within the Cardiff and Vale Health Board area, with Holm View open from 8<sup>th</sup> February 2021. Only those with appointments were advised they should attend one of the centres. If

anyone over 70 years of age had not received a letter to attend for a vaccination, they should contact their GP surgery.

The Leader also reminded residents that even if they had received a first inoculation, this did not mean they were free from catching COVID-19 and would be more protected after receiving a second dose which would offer more protection; even then, there was a possibility that individuals could spread the disease so there was still a need to follow the current restrictions (wear a mask, socially distance, stay at home / work from home wherever possible, etc.). The Leader thanked all those continuing to comply with the restrictions.

## **C465 CORPORATE RISK REGISTER QUARTER 2 UPDATE (REF) –**

The reference from the Audit Committee of 14<sup>th</sup> December, 2020 was presented to Cabinet.

The Leader referred to some of the comments made by Members at the Audit Committee, noting:

- There were 16 corporate risks on the Register during the Quarter 2 period, but some risks on the Register were in a constant state of flux as a result of COVID-19 and Brexit risks;
- A series of new restrictions had been implemented to control the rising rates of coronavirus infections;
- There had been support given from Welsh Government to businesses which had been announced as part of a £300m financial support package to further complement the UK Government's furlough scheme 1;
- The Council had processed 1,395 non-domestic grant applications and had issued over £4.2m in grant payments to local businesses;
- The Council had also supported the administration of discretionary payments to those businesses that were not liable for business rates. As at 20<sup>th</sup> November, a total of £88k of discretionary grants had been processed.
- The Council had also supported the administration of 18 self-isolation grants to the value of £500;
- The Head of Policy and Business Transformation commented that for the COVID-19 situation, as it stood at that time, the number of cases had risen to 344 per 100,000 of the population. The Leader noted that this number had reduced since the Audit meeting had taken place;
- An update on Brexit developments and implications was outlined in a report to Cabinet on 30<sup>th</sup> November, 2020;
- A comment had been made at the meeting concerning testing for COVID-19 using lateral flow tests in schools. The Leader noted that that was a screening method rather than a test;
- With regard to some of the other key risks, the Head of Policy and Business Transformation highlighted the following:
  - Risk scores for Information Security, Waste Management, Integrated Social Care and Health had reduced;

- Risk scores for Environmental Sustainability, Welfare Reform, Reshaping services and the 21st Century Schools programme had increased.

The Leader noted that there was also a further report concerning the Corporate Risk Register Quarter 2 Update on the agenda under Item 6 for Cabinet consideration and discussion.

The recommendations from the Audit Committee were:

- (1) T H A T the Quarter 1 position of Corporate Risks for the period April to September 2020 be noted.
- (2) T H A T the report be referred to Cabinet for its consideration and endorsement.

Cabinet, having considered the recommendations of the Audit Committee

RESOLVED –

- (1) T H A T the Members of the Audit Committee be thanked for their comments, noting the details of the report and views of the Committee.
- (2) T H A T the Quarter 1 position of Corporate Risks for the period April to September 2020 report be noted at this stage of the agenda.

Reason for decisions

(1&2) Having regard to the contents of the reports and the discussions at the Committee meetings.

**C466 PAY POLICY 2021/2022 (L/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

*The Leader moved this item to the end of the agenda for consideration as the report concerned staff pay. Members of the Senior Management Team who were attending the meeting left for this item, with the exception of the Head of Human Resources and Organisational Development, who remained to provide advice on any matters raised, but left the meeting prior to any decision being taken. The Cabinet and Committee Services Officer remained in order to take the minutes of the decisions taken.*

The Council had a statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement for the new financial year 2021/22. The statement needed to be approved and published by 31<sup>st</sup> March, 2021. The document provided a framework for ensuring that employees were rewarded fairly and objectively, in accordance with the service needs of the Council and that there was openness and transparency in relation to the process.

The Pay Policy had been incrementally developed since 2012 to incorporate the following:

- Guidance from Welsh Government as contained in the document “Pay Accountabilities in Local Government in Wales” as updated January 2016;
- Changes as prescribed by the Local Authorities Standing Orders (Wales) (Amendment) Regulations 2014 which took effect from 1<sup>st</sup> July, 2014;
- Changes as prescribed by the Local Government (Wales) Act 2015 to ensure that any proposed changes to the salary of Chief Officers (as defined in the Localism Act 2011) were made following consultation with the Independent Remuneration Panel for Wales;
- Local Government Elections (Wales) Act 2021 has been taken into account as part of the annual Pay Policy Statement;
- Necessary refinements as a result of changes to the Council’s senior management structure over recent years;
- The effects of national and locally negotiated pay and associated benefit awards along with the provisions of the National Living Wage.

The Leader referred to a tabled item which would be a replacement to the published Pay Policy document which was attached as Appendix A to the report. As a result, there were changes required to the Recommendations within the report to note also. Changes were required so that the Pay Policy could accurately reflect as far as possible at this time, the terms of the Local Government and Elections (Wales) Act 2021 around two key issues – Elections Payments and the Head of Paid Service role (Managing Director / Chief Executive).

The Leader referred to paragraph 2.4 of the report which stated that the Pay Policy had been written having regard to the Local Government and Elections (Wales) Act 2021, but unfortunately the section on Elections did not adequately take the new Act into account as it referred to what would soon be an out of date payment system. As such, section 6.25 to 6.33 of the tabled Appendix A had been reworded to reflect this. Subsequent paragraphs had been re-numbered to take account of the addition of paragraphs 6.25 to 6.33 accordingly.

The issues covered would require further work ‘in-year’ as the issues referenced above would need to be worked on and a way forward agreed, particularly in regard to Elections, and as such the Leader suggested an additional Recommendation (3) to address that matter.

Section 6.7 of Appendix A had also been amended to reflect the requirements of the same Act to designate a Chief Executive.

It was also noted that paragraph 13.1 of Appendix A had been updated with reference to reviewing the Pay Policy.

The Leader asked that the tabled Appendix A not only be forwarded to the Corporate Performance and Resources Scrutiny Committee, but to all Members of the Council for their information.

Councillor Williams stated that revisions were necessary and had been made after the papers had been made available for the meeting and needed to be updated before being considered by the Scrutiny Committee and Full Council.

This was a matter for Executive decision and thereafter all Councils consideration and approval.

Cabinet, having considered the report and all the issues and implications contained therein and noting the amendments to Recommendations (1) and (2) and a new Recommendation (3)

RESOLVED –

(1) T H A T the required changes to the Council's Pay Policy 2021/22 as set out in the report and as incorporated in the revised Appendix A Statement tabled at the meeting be agreed.

(2) T H A T the Pay Policy be endorsed and referred for consideration to the Corporate Performance and Resources Scrutiny Committee on 11<sup>th</sup> February, 2021 and for final consideration and approval by Council on 10<sup>th</sup> March, 2021.

(3) T H A T Cabinet receives a further report to be referred on to Full Council in due course, setting out the proposed amendments to the Council's Pay Policy, as referenced in section 6.7 relating to the job designation of the Managing Director, and sections 6.25 to 6.33 under the heading 'Election Payments'.

#### Reasons for decisions

(1) To respond to the legal requirements under the Standing Orders (Wales) Amendment Regulations 2014, the Local Government (Wales) Act 2015 and related advice from the Welsh Government.

(2) To respond to the legal requirement under the Localism Act and to provide openness and accountability in relation to how the Council rewards its staff.

(3) To make the further necessary amendments following implementation of the new provisions referred to under permitted powers pursuant to section 39 of the Localism Act 2011.

#### **C467 CORPORATE RISK REGISTER QUARTER 2 UPDATE (L/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The report provided Cabinet Members with an overview of the Corporate Risk Register for Quarter 2 (April 2020-September 2020). A risk analysis was incorporated within the Corporate Risk Summary Report (Annex A to the report). This enabled officers and Members to identify and assess trends and the cross-cutting nature of risk with the ability to drill down to the detail of risks as and when required.

The Leader noted that the Corporate Risk Summary Report (Annex A) was split into 7 sections as described in paragraphs 2.3 to 2.9 of the report.

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 Quarter 2 position of corporate risks for the period April 2020-September 2020 as outlined in Annex A to the report and the reference received from Audit Committee be noted.

(2) T H A T the Corporate Risk Register for Q2 and the associated Corporate Risk Summary Report be endorsed.

Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting.

(2) To ensure effective oversight of the corporate risks and enable Cabinet to examine key emerging issues and actions to be taken as outlined in Annex A.

**C468 REVISED INITIAL BUDGET PROPOSALS 2021/22 (L/PR)  
(SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Council was required under statute to fix the level of Council Tax for 2021/22 by 11<sup>th</sup> March, 2021 and in order to do so, would have to agree a balanced revenue budget by that date.

The initial budget proposals presented to Cabinet on 30<sup>th</sup> November, 2020 outlined the potential financial picture for the Council in 2021/22. At the time the report was drafted, the Council had not received the provisional settlement from Welsh Government (WG) for 2021/22 and therefore the budget was modelled on three scenarios – a cash flat settlement, -1% and +1%.

The provisional settlement that had been received on 22<sup>nd</sup> December from WG, gave a headline increase of 4.9% over the current year. Taking into account adjustments, this was an increase in funding of £7.119m (4.42%) from the previous year. The final settlement was not due to be received until 2<sup>nd</sup> March, 2021. As a result of this change, further work had been done to the figures previously considered by Cabinet and Scrutiny Committees at the end of 2020.

In setting the proposed budget for 2021/22, funding had been provided towards cost pressures.

An efficiency target of £500k had been proposed for 2021/22 which covered all service areas. It was at a slightly increased level from 2020/21 as it represented a

refocusing of the Reshaping Services programme and was aligned to the Corporate Recovery Strategy. It was considered that the target set for 2021/22 was at a level that could be achieved by services.

It was proposed that the Band D Council Tax rate be set at £1,357.02 for 2021/22 which was an increase of 3.9% from the current year.

The Leader noted that the settlement from WG had assumed a 0% pay award for staff for the coming year, but negotiations in terms of pay awards for staff were yet to begin and the issue had not as yet been finalised and assumptions made to cover associated costs without cutting services or using existing reserves.

Cost pressures in November 2020 had been estimated at around £10.2m but had since been revised to £8.4m.

Effects had been felt both operationally and financially in terms of COVID-19 which had resulted in increased expenditure in some areas and a loss of income in others. It was unknown how long the effects of the pandemic would continue to be felt and some uncertainty whether the current support from WG would continue within the next financial year, making some predictions for the coming year difficult going forward. The assumptions within the estimates were that any ongoing financial impact on Council services as a result of the pandemic over the coming year would be supported by WG but was not guaranteed.

The Deputy Leader noted there were further opportunities for discussion of this report at Scrutiny, Cabinet and Council.

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 initial revenue budget proposals for 2021/22 be approved and referred for consultation to the Corporate Performance and Resources Scrutiny Committee.
- (2) T H A T the recommendations of Corporate Performance and Resources Scrutiny Committee be forwarded to Cabinet for consideration as part of the final budget determination.

#### Reasons for decisions

- (1) In order to gain the views of Corporate Performance and Resources Scrutiny Committee.
- (2) In order that Cabinet be informed of the recommendations of Corporate Performance and Resources Scrutiny Committee before making a final decision on the budget.

**C469 FINAL CAPITAL PROPOSALS 2021/22 TO 2025/26 (L/PR)  
(SCRUTINY – CORPORATE PERFORMANCE AND RESOURCE) –**

The report set out the Council's proposed Final Capital Programme for the period 2021/22 to 2025/26 at Appendix 1.

The total value of capital schemes over the next five years was £249.90m. This included £69.19m for the Band B 21st Century Schools Programme and £126.88m for the Housing Improvement Programme.

Welsh Government had advised that the Public Highway's Refurbishment Grant would continue and the Capital Programme would be amended accordingly when a formal award letter was issued to the Council. Council Funding of £480k (£300k plus £180k of asset renewal) for investment in highways during 2021/22 had been included in the five year Capital Programme.

The Leader noted that the proposed Programme for 2021/22 to 2025/26 attached at Appendix 1 to the report showed a total spend of £107.5m in 2021/22 and a total five-year Programme in excess of £249m. The Programme included £480k for road resurfacing. Welsh Government had indicated that the Highways Refurbishment grant would continue, and the Capital Programme would be amended when a formal offer letter had been received. The Leader noted a comment made at Scrutiny to include money in the Programme for such proposals, which was put in place and amended following confirmation of the continuation of the Highways Refurbishment grant.

The total Band B proposals for 21<sup>st</sup> Century Schools was allocated as £136m, anticipating £118m of which would be spent between 2021/22 and 2024/25.

The report also detailed the levels of investment required in order to maintain the Welsh Housing Quality Standard, flood prevention works, funding for Disabled Facility Grants and funding in relation to the Barry Regeneration Partnership.

The Deputy Leader welcomed the continued investment in schools.

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 final Capital Programme for the years 2021/22 to 2025/26 as set out in Appendix 1 to the report be approved.
- (2) T H A T the Final Capital Proposals 2021/22 to 2025/26 be referred to the Corporate Performance and Resources Scrutiny Committee for review and the comments of Scrutiny Committee be referred back to Cabinet.



(3) T H A T the reprofiling of the Band B programme for the School Investment Strategy for the years 2020/21 to 2025/26 as shown in paragraph 2.30 of the report be approved.

(4) T H A T the carry forward £15k of the 2020/21 Economic Stimulus scheme budget into the 2021/22 Capital Programme and vire to the Old Hall Cowbridge, renewal of roof coverings scheme be approved.

(5) T H A T the reprofiling of the Disabled Facilities Grant scheme for the years 2020/21 to 2025/26 as shown in paragraph 2.21 of the report be approved.

(6) T H A T the reprofiling of the Housing Improvement Programme for the years 2021/22 to 2025/26 as shown in paragraph 2.35 of the report be approved.

(7) T H A T the reprofiling of the City Deal scheme for the years 2020/21 to 2025/26 as shown in paragraph 2.23 of the report be approved.

#### Reasons for decisions

(1) To set and approve future Capital Programmes to 2025/26.

(2) In order to gain the view of Corporate Performance and Resources Scrutiny Committee.

(3) To reflect the work programme for the Band B Schemes.

(4) To allow schemes to proceed in current and future financial years.

(5) To reflect the work programme for the Disabled Facilities Scheme.

(6) To reflect the work programme for the Housing Improvement Schemes.

(7) To reflect the work programme for the City Deal Scheme.

#### **C470 COMPREHENSIVE REGENERATION OF LAND AT THE BUTTS (PROPOSED DISPOSAL FOR REDEVELOPMENT OF FORMER LIVESTOCK MARKET SITE AND ENHANCEMENT OF CAR PARK LAND ALONGSIDE TOWN WALL) (ER) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The Vale of Glamorgan Council owned the freehold interest of vacant land located alongside The Butts, Cowbridge (indicatively identified edged red in Appendix A to the report), which was previously a livestock market. The purpose of the report was to declare the land as surplus to the Council's requirements and seek authority to market and dispose of the land to a developer or investor for redevelopment, subject to statutory consents. On this basis the land would be marketed and disposed of for a food retail use and publicly available car parking provision with the aim of creating vital new jobs, encouraging greater retail spend in Cowbridge thereby boosting the local economy.

A food retail development proposal would, at planning application stage, be subject to a Retail Need Assessment / Impact Assessment. Hence, any proposals would be subject to any prospective developer proving (through a retail impact assessment) that there was enough capacity in the Cowbridge area to warrant this proposed use without significantly harming the Cowbridge town centre.

Subject to assessment it was anticipated a medium sized food retailer at this location would improve the retail offer of Cowbridge town centre, making it more resilient by reducing the need for residents to travel further afield to shop for food, which in turn was more environmentally sustainable.

Considering the Conservation Area status of the site, an emphasis would be made on scheme designs being sensitive to the historic context of the land and its proximity to the Town Wall.

Importantly the disposal of the main site would bring into the town a much-needed major capital investment. This was essential to raise funding to facilitate the physical improvement of the car parking areas alongside the Town Wall.

Hence, this project offered the opportunity to afford to deliver the comprehensive master planned regeneration of the Council's land either side of the Butts.

The report also referred to ongoing work associated with an Agri Hub concept to serve the farming industry in the Vale of Glamorgan. The Deputy Leader noted that discussions were ongoing with farmers, key stakeholders and other interested parties as to how to establish an Agri Hub to support the agriculture industry in the Vale of Glamorgan.

Councillor Gray added that he and the Deputy Leader had met with local Members on the plans, noted the work completed on medium-sized businesses as a driver for town centre regeneration which would be positive for the town centre in Cowbridge and looked forward to seeing what comes forward.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting the correct Portfolio title for the Deputy Leader,

**RESOLVED –**

(1) T H A T the site indicatively edged red in Appendix A to the report be declared as surplus.

(2) That authority be granted to the Head of Regeneration and Planning (in consultation with the Leader, Deputy Leader and Cabinet Member for Education and Regeneration, Managing Director and Head of Finance) to market and dispose of the site (as indicatively edged red on the plan at Appendix A to the report) by virtue of a 999 year lease at a peppercorn rental for a Food Retail use and publicly available car parking, subject to statutory consents.

- (3) T H A T authority be granted for the Property Section to facilitate the marketing exercise and appoint any consultants required to achieve project delivery.
- (4) T H A T authority be granted for a project budget of £50,000 to cover the cost of internal technical salaries, marketing, advertising and promotion of the site as a development opportunity and site surveys, and for the Capital Programme to be amended appropriately if required.
- (5) T H A T authority be granted for part or all of the capital receipt generated from the disposal of the land edged red on the plan at Appendix A to the report to be utilised towards the cost of implementing the physical enhancement (including the resurfacing and laying out) of the car parking area alongside the Town Wall subject to the works proceeding.
- (6) T H A T authority be granted for the Head of Regeneration and Planning (in consultation with the Leader, Deputy Leader and Cabinet Member for Education and Regeneration, Managing Director and Head of Finance) to let a works contract to physically enhance the car parking alongside the Town Wall subject to sufficient funding raised by the disposal of the land edged red on the Plan at Appendix A to the report and to amend the Capital Programme accordingly.
- (7) T H A T authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, execute and complete all legal documentation required to facilitate the disposal of the site.

#### Reasons for decisions

- (1) To endorse the site in Appendix A to the report being declared surplus.
- (2) To authorise the marketing and disposal of the site edged red in Appendix A.
- (3) To authorise the Property Section to carry out the marketing exercise and to appoint any necessary consultants if required.
- (4) To authorise a project budget and amend the Capital Programme if required.
- (5) To authorise utilising part or all the capital receipt from the land sale towards the cost of improving the car parking alongside the Town Wall.
- (6) To authorise the letting of a works contract to improve the car parking area alongside the Town Wall subject to funding.
- (7) To authorise the Monitoring Officer / Head of Legal and Democratic Services to prepare, execute and complete all legal documentation for the project.

**C471 PROPOSAL TO ESTABLISH A NEW CENTRE FOR LEARNING AND WELLBEING AND A SPECIALIST RESOURCE BASE AT GLADSTONE PRIMARY SCHOOL WHICH WOULD BE MANAGED BY YSGOL Y DERI FROM SEPTEMBER 2021 (ER) (SCRUTINY – LEARNING AND CULTURE) –**

On 16<sup>th</sup> November, 2020, Cabinet considered feedback submitted during the consultation period on the proposal to transform specialist education by:

- establishing a specialist resource base at Gladstone Primary School as a satellite of Ysgol Y Deri from September 2021;
- discontinuing Y Daith and establishing a new Centre for Learning and Wellbeing under the management of Ysgol Y Deri from September 2021; and
- constructing a new building for the Centre for Learning and Wellbeing pupils on the Court Road Depot site in Barry opening from January 2023.

On 16<sup>th</sup> November, 2020, Cabinet determined to progress the proposal through the publication of a Statutory Notice, which was published on 25<sup>th</sup> November, 2020. In accordance with the School Standards and Organisation (Wales) Act 2013, any person can object to the proposal within 28 days from the publication of the statutory notice.

The Council received one objection by the end of the 28-day objection period. This objection had been summarised and responded to in the attached objection report for Cabinet to consider as part of the decision-making process. The report could be found at Appendix D.

A decision was now required on whether to implement the proposal to establish a new Centre for Learning and Wellbeing and a specialist resource base at Gladstone Primary School which would be managed by Ysgol Y Deri from September 2021.

The Deputy Leader noted there had been widespread support for the proposal during the consultations. With regard to the new resource base at Gladstone Primary School as a satellite of Ysgol Y Deri, it was noted that 30 consultees were in support of the proposal, 2 opposed and 12 with no opinion either way. With regard to discontinuing Y Daith and establishing a new Centre for Learning and Wellbeing under the management of Ysgol Y Deri from September 2021, 32 consultees were in support of the proposal, 9 were Opposed, 2 offered no opinion either way and 1 response did not record a preference to the question.

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, the Consultation document, Consultation report, Statutory Notice, formal objection and Objection report be noted.

(2) T H A T implementation of the proposal to make a regulated alteration under section 2.3 of the School Organisation Code 2018 be approved by:

- establishing a specialist resource base at Gladstone Primary School as a satellite of Ysgol Y Deri from September 2021;
- discontinuing Y Daith and establishing a new Centre for Learning and Wellbeing under the management of Ysgol Y Deri from September 2021; and
- constructing a new building for the Centre for Learning and Wellbeing pupils on the Court Road Depot site in Barry from January 2023.

(3) T H A T it be noted that the major investment towards a new school building set out in the proposal was subject to the necessary funding being approved by Welsh Government.

(4) T H A T it be noted that implementation of the proposal was dependent on the existing Council services currently operating from Court Road Depot being relocated to an alternative site.

#### Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting.

(2) Following the completion of the period for the publication of the Statutory Notice, a decision was required on whether to implement the proposal to:

- establish a specialist resource base at Gladstone Primary School as a satellite of Ysgol Y Deri from September 2021;
- discontinue Y Daith and establish a new Centre for Learning and Wellbeing under the management of Ysgol Y Deri from September 2021; and
- construct a new building for the Centre for Learning and Wellbeing pupils on the Court Road Depot site in Barry from January 2023.

(3) To ensure Cabinet was aware that the full investment in the school building described in the consultation documentation was dependent on Welsh Government funding.

(4) To ensure Cabinet was aware that the existing services being provided from Court Road Depot would need to be fully funded to relocate to another location to facilitate the construction of the new Centre for Learning and Wellbeing planned to open from January 2023.

#### **C472 UPDATE ON THE PROPOSAL TO INCREASE THE CAPACITY OF YSGOL Y DERI TO MEET FUTURE DEMAND FOR SPECIAL EDUCATION IN THE VALE OF GLAMORGAN (ER) (SCRUTINY – LEARNING AND CULTURE) –**

The purpose of the report was to advise Cabinet of the outcome of the statutory consultation on the proposal to:

- Increase the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and
- Construct a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.

The Council received 102 responses by the closing date of 20<sup>th</sup> December, 2020. Consultees were asked to indicate whether they 'supported', 'did not support' or had 'no opinion' on the proposal. Of the total 102 individual responses received, 90 were in favour of the proposal, 11 were opposed, and 1 stated no opinion either way.

A summary of key themes and issues raised during the consultation exercise was included in the consultation report attached at Appendix B to the report.

Following the completion of the consultation period, a decision was now required on whether to progress the proposals further with the publication of the proposal for the regulated alteration in the form of a statutory notice.

The Deputy Leader stated there had always been a commitment to promote excellence in education for the children of the Vale of Glamorgan and was pleased to be able to demonstrate a commitment to those children that whatever challenges or education needs were faced that the correct type and quality of education would be available to them.

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, the consultation report and other appendices included as part of the report, which included minutes of the Learning and Culture Scrutiny Committee meeting held on 10<sup>th</sup> December, 2020, be noted.

(2) T H A T the proposal be agreed to:

- Increase the capacity of Ysgol Y Deri to accommodate an additional 150 pupils; and
- Construct a new school building on the preferred site located in Cosmeston, Penarth for September 2023 which would operate as an additional site under the management of Ysgol Y Deri.

(3) T H A T the proposal through the publication of the proposal in the form of a statutory notice be approved.

(4) T H A T it be noted that the major investment towards a new school building as set out in the proposal was subject to the necessary funding being approved by Welsh Government.

### Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To ensure the delivery of the Council's strategy to transform special education to best meet the needs of its most vulnerable learners.
- (3) To progress the proposal in accordance with the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018.
- (4) To ensure awareness that the full investment in the school building described in the consultation documentation was dependent on Welsh Government funding.

### **C473 FLOODING EVENT ON 23<sup>RD</sup> DECEMBER 2020 (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report provided Cabinet with details of the flooding incident which happened on 23<sup>rd</sup> December, 2020, causing internal flooding to many residential and business properties throughout the Vale of Glamorgan.

The report detailed the current position and actions being undertaken by the Council in response to the incident, including details of the investigations that were ongoing.

The report outlined the Council's legal duties, under the Flood and Water Management Act 2010, to produce investigatory reports under Section 19 of this Act and recommended that further reports be prepared for Cabinet's consideration on completion of said reports.

It was recommended that the report be referred to the relevant Scrutiny Committee for consideration due to the significant and widespread impact of the flooding experienced.

The Cabinet Member for Neighbourhood Services and Transport stated that Cabinet were aware of the incredible rainfall in December, culminating in flash flooding at various locations in our County. The event on 23<sup>rd</sup> December was a terrible time for such disruption to people's homes and Cabinet passed on sincere and active concern to all those affected.

Bringing the report now was the earliest opportunity to capture the facts and to allow scrutiny of the situations that had arisen, the initial works undertaken, other help provided to date and to confirm that all the relevant organisations were cooperating.

The report noted the appointment of a specialist, independent consultant to investigate and produce a Section 19 Report. It was hoped that the report would be completed by 31<sup>st</sup> March, with a further report to be brought to Cabinet to consider its findings in more detail.

The contents of the report, however factual, did not convey the misery that such flooding could cause, nor the ongoing anxiety felt by those affected. Councillor King

stated he found it hard not to think such extreme weather was a consequence of climate change and may not become so exceptional.

The Leader agreed that it had been thought that previous flooding in 2017 had been exceptional, but clearly it was becoming more of a regular issue, with the Vale experiencing more issues. Cabinet Members were anxious to see the findings of the Section 19 report and passed on commiserations to all those affected by the flooding so close to Christmas.

The Deputy Leader stated that two families had contacted her directly as a result of the flooding and she had contacted officers who provided support at speed for those families, passing on her thanks to those involved within the Neighbourhood Services Team.

Councillor King added that continuing prompt responses also applied to flooding claims where the Authority had received 42 applications, 20 of which had already been processed, 9 delayed whilst confirmation of bank details took place and 2 were awaiting inspection.

The Leader advised he had also spoken with the Minister for Housing and Local Government concerning available grant aid for support which was being processed by Offices in Finance, Environment & Housing and Regeneration.

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 be noted.
- (2) T H A T a further report be received by Cabinet in respect of the Council's investigation under Section 19 Flood and Water Management Act 2010 which the Council would prepare in conjunction with the appointed specialist consultants.
- (3) T H A T the report be referred to the Council's Environment and Regeneration Scrutiny Committee for consideration.

#### Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To advise Cabinet on the results of the Section 19 investigation which was the responsibility of the Council.
- (3) To allow the matter to be scrutinised.



**C474 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT –**

RESOLVED – T H A T the following matter which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

**C475 LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES - REVIEW OF ELECTORAL ARRANGEMENTS OF THE COUNTY BOROUGH OF THE VALE OF GLAMORGAN: FINAL RECOMMENDATIONS REPORT (LRPS) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**  
**(Urgent by reason of the need to apprise Cabinet of the Final Recommendations Report of the Local Democracy and Boundary Commission for Wales published on 5<sup>th</sup> February 2021 and the commencement of the 6 week period for comments to Welsh Government)**

The Local Democracy and Boundary Commission for Wales ('the Commission') had a duty under s29 of the Local Government (Democracy) (Wales) Act 2013 to review the electoral arrangements for each principal area at least once every ten years.

The Commission commenced its Review of the Vale of Glamorgan Council ('the Council') on 8<sup>th</sup> May, 2019, and the Council provided comments on the Commission's proposals as part of Stage 1 of the Review by 30<sup>th</sup> July, 2019.

At Stage 2 of the Review, the Commission published its Draft Proposals Report and re-opened its suspended consultation (suspended due to the COVID-19 pandemic) on 1<sup>st</sup> September, 2020 and closed on 20<sup>th</sup> October, 2020.

The report included a copy of the Commission's Final Recommendations Report published on 5<sup>th</sup> February, 2021 (attached at Appendix A), outlined the Commission's final recommendations to Welsh Government, the timescale for comments to be submitted to Welsh Government and recommended that the Commission's report be noted with no further suggested comments.

The Cabinet Member for Legal, Regulatory and Planning Services noted that some of the recommendations that had been addressed at Council had now been addressed by the Commission, and that there was further opportunity for comment at both Scrutiny and Council.

The Leader asked to amend Recommendation (4) to state that the report be referred to the 11th February, 2021 Corporate Performance and Resources Scrutiny Committee meeting for consideration, rather than for information, which was agreed.

It was further noted that any further comments concerning the Commission's recommendations to Welsh Government would be considered by Welsh Government and the final decision would be made before and in advance of the May 2022 local government elections.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and subject to the alteration to Recommendation (4)

RESOLVED –

- (1) T H A T Cabinet recommends to Council that the Local Democracy and Boundary Commission for Wales' recommendations for the Vale of Glamorgan Council's electoral arrangements (as detailed in its February 2021 Final Recommendations Report attached at Appendix A to the report) be noted with no further suggested comments.
- (2) T H A T the deadline of 19<sup>th</sup> March, 2021 for comments to Welsh Government regarding the Local Democracy and Boundary Commission for Wales' Final Recommendations Report be noted.
- (3) T H A T any comments on the recommended names of the electoral wards be submitted to the Welsh Government's Minister for Housing and Local Government.
- (4) T H A T the report be referred to the 11<sup>th</sup> February, 2021 Corporate Performance and Resources Scrutiny Committee meeting for consideration and to Council for consideration on 10<sup>th</sup> March, 2021.

Reasons for decisions

- (1) To note and consider the Commission's Final Recommendations Report.
- (2) To note the deadline for the submission of comments to Welsh Government.
- (3) To advise where to submit comments regarding recommended electoral ward names.
- (4) For both Corporate Performance and Resources Scrutiny Committee's and Council's consideration.