

## CABINET

Minutes of a Cabinet meeting held on 12<sup>th</sup> May, 2021.

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

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

Also Present: Councillor Dr. I.J. Johnson.

### **C561            APOLOGY FOR ABSENCE –**

This was received from Councillor N. Moore (Chairman).

### **C562            MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 26<sup>th</sup> April, 2021 be approved as a correct record.

### **C563            DECLARATIONS OF INTEREST –**

No declarations were received.

### **C564            GYPSY AND TRAVELLER SITE SEARCH UPDATE (REF) –**

The reference from the Homes and Safe Communities Scrutiny Committee of 14<sup>th</sup> April, 2021 was presented to Cabinet.

The recommendations of the Homes and Safe Communities Scrutiny Committee were:

***“(1) T H A T Cabinet further investigate other alternatives to the land currently used at the Gypsy and Traveller site at Hayes Road, Sully (existing tolerated site and adjoining land).***

***(2) T H A T Cabinet further investigate the feasibility of constructing an alternative emergency access at the current Gypsy and Traveller site.***

***(3) T H A T Cabinet consider the comments from the Homes and Safe Communities Scrutiny Committee.”***

The Deputy Leader noted the depth of the discussion that took place at the Scrutiny meeting and that a further report would be brought to Cabinet for consideration before any final decision was made.

Councillor Gray said there would be a number of points where members of the public and elected Members would be involved. The site location was the beginning of the journey of engagement and the discussions to date would be taken on board throughout the consultation.

Councillor Williams recognised that Cabinet Members had attended the Scrutiny Committee meeting and were able to hear the views of the Committee and residents as part of ongoing discussions.

Cabinet, having considered the recommendations of the Homes and Safe Communities Scrutiny Committee

RESOLVED –

(1) T H A T the Cabinet report comprehensively addressed the level of search to further investigate other alternatives to the land currently used at the Gypsy and Traveller site at Hayes Road, Sully that had taken place to date.

(2) T H A T the proposed feasibility work would undertake the exploration of alternative emergency access at the current Gypsy and Traveller site.

(3) T H A T the comments from the Homes and Safe Communities Scrutiny Committee be noted.

Reason for decisions

(1-3) Having regard to the contents of the report and the discussion at the Committee meeting.

**C565 PROJECT ZERO – DRAFT CLIMATE CHANGE CHALLENGE PLAN (REF) –**

The reference from the Environment and Regeneration Scrutiny Committee of 20<sup>th</sup> April, 2021 was presented to Cabinet.

The recommendations of the Environment and Regeneration Scrutiny Committee were:

***“T H A T the views of the Environment and Scrutiny Committee be referred to Cabinet, as outlined below:***

- ***Consultation should be as far as reaching as possible with emphasis given to engagement activities with rural communities and those people hard to reach.***
- ***Consideration be given to extending the consultation deadline past the 11<sup>th</sup> May 2021.***
- ***To highlight the importance of transport links and how rural parts of the Vale and towns could be better connected, with a suggestion for more***

***regular bus/public transport services to be introduced, which should be cheaper and offer a real alternative to travelling by car.***

- ***To highlight that there would be an impact on the Planning process, particularly around the development of new carbon neutral homes.***
- ***To highlight the need for more electric vehicle charging points, but also welcoming the ongoing work with Western Power.***
- ***To consider ways of offsetting the carbon footprint for all new types of developments, not just housing projects.***
- ***The highlight concern around future flooding and coastal erosion events.***

The Deputy Leader noted the wide range of contributions from Members of the Committee at the meeting. With regard to extending the consultation deadline, it was made clear at the Scrutiny Committee that discussions were ongoing, but there had to be certain points within the timeframe to allow consolidation of feedback and allow the discussion to continue.

Councillor Gray said there was a step-change in how the Council would be moving forward to achieve some challenging goals.

Cabinet, having considered the recommendations of the Homes and Safe Communities Scrutiny Committee

RESOLVED – T H A T the comments from the Homes and Safe Communities Scrutiny Committee be noted and would feed into the consultation.

Reason for decision

Having regard to the contents of the report and the discussion at the Committee meeting.

**C566            AUDIT WALES – SCRUTINY FIT FOR THE FUTURE ACTION PLAN UPDATE (REF) –**

The reference from the Corporate Performance and Resources Scrutiny Committee of 21<sup>st</sup> April, 2021 was presented to Cabinet.

The recommendations of the Corporate Performance and Resources Scrutiny Committee were:

***“(1) T H A T the progress made to date in delivering both the Audit Wales Action Plan (Appendix A to the report) and the Public Engagement Action Plan (Appendix B to the report) be endorsed and recommended to Cabinet for approval.***

***(2) T H A T the Revised Cabinet and Scrutiny Roles and Responsibilities Document (Appendix C to the report) be endorsed and referred to Cabinet for approval and uploading to the Council’s website.***

**(3) T H A T the Revised Scrutiny Public Participation Guide (Appendix G to the report) be endorsed and recommended to Cabinet for consideration and to Full Council for approval, and thereafter uploaded to the Council's website and the Council's Constitution amended accordingly."**

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

RESOLVED –

(1) T H A T the progress made to date in delivering both the Audit Wales Action Plan (Appendix A to the report) and the Public Engagement Action Plan (Appendix B to the report) be approved.

(2) T H A T the Revised Cabinet and Scrutiny Roles and Responsibilities Document (Appendix C to the report) be approved and uploaded to the Council's website.

(3) T H A T the Revised Scrutiny Public Participation Guide (Appendix G to the report) be approved and recommended by Cabinet to Full Council for approval, and if approved, thereafter uploaded to the Council's website and the Council's Constitution amended accordingly.

Reasons for decisions

(1-2) To approve the Audit Wales Action Plan, the Public Engagement Action Plan and the Revised Cabinet and Scrutiny Roles and Responsibilities Document.

(3) To approve the Revised Scrutiny Public Participation Guide and to refer to Full Council for consideration.

**C567 VALE OF GLAMORGAN LOCAL ACCESS FORUM –**

The minutes of Vale of Glamorgan Local Access Forum meeting held on 22<sup>nd</sup> March, 2021 as contained within the agenda were submitted.

The Cabinet Member for Legal, Regulatory and Planning Services referred to the volume of work that had taken place over the previous year which was referred to in the minutes of the meeting.

RESOLVED – T H A T the minutes of the Vale of Glamorgan Local Access Forum held on 22<sup>nd</sup> March, 2021 be noted.

Reason for decision

In noting the minutes.

**C568            CONSIDERATION OF SENIOR MANAGEMENT STRUCTURE  
WITHIN THE COUNCIL (L/PR) (SCRUTINY – CORPORATE PERFORMANCE  
AND RESOURCES) –**

*The Deputy Leader, at the request of the Managing Director, moved this item to the end of the agenda for consideration. Members of the Senior Management Team who were in attendance 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 Deputy Leader noted that the senior management structure was not being considered at the meeting, but that the report recommended that Cabinet assess the current arrangements relating to senior management in the context of the Local Government and Elections (Wales) Act 2021 as well as key learning arising from the Covid-19 pandemic. It was important to note that any proposed change to the structure would not be reflective of performance over the last few years, but more a way to assess how the Council could continue to develop and move forwards as an organisation.

Councillor Gray said there were no preconceived ideas as to what any new structure could look like, and that other Councils were going through similar exercises in order to focus on new challenges.

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 contents of the report be noted and delegated authority be granted to the Head of Human Resources and Organisational Development, in consultation with the Leader, to formally appoint a consultant to undertake a review of the Council's Senior Management arrangements as set out in the body of the report.

(2)     T H A T the report be referred to Corporate Performance and Resources Scrutiny Committee for consideration.

(3)     T H A T the findings and assessment and any recommended changes to the Senior Management structure be the subject of a further report to Cabinet, and if appropriate, Council before the end of 2021.

**Reasons for decisions**

(1)     To independently assess and consider the appropriateness of the current senior management structure.

- (2) To enable Corporate Performance and Resources Scrutiny Committee to consider the report.
- (3) To allow Cabinet and Council to further consider the matter in due course.

**C569 PENARTH PIER PAVILION (L/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The report provided an update to Cabinet on the return of the Penarth Pier Pavilion to the Local Authority following the surrender of the lease by Penarth Arts and Crafts Ltd. and sought approval to develop a sustainable business plan to support the future operation of the building.

The Deputy Leader said that the Council-owned Big Fresh Catering Company had allowed the quick opening of the café to take place, but noted it was a not-for-private profit venture. From a financial perspective, a solid financial basis would be required, and a Business Plan developed in relation to the outcomes of the consultation, or else the building could be at risk. Matters that were not considered core business had to be reviewed annually and had to be sustainable. Work would be ongoing to gather the views of the people of the Penarth with regards to the venue.

Councillor McCaffer said it was reassuring to have the building back in use and was grateful to the public for their consultation responses. The building was important to the people of Penarth but had to have a plan in place in order to be sustainable.

Councillor Gray said that the underlying feeling from the consultation was that there was a passion for the building to work and therefore a sustainable Business Plan would be crucial. He looked forward to further reports to Cabinet as and when available. He was also glad the Council had been able to take on the trading activity and for being able to open quickly.

The Deputy Leader also gave thanks to those in the Senior Leadership Team for their additional time and managing to bring the matter forward.

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 the development of a business plan, including the identification of appropriate funding, to support the future operation of the Penarth Pier Pavilion as described in the report, be approved.

- (3) T H A T that the operation of Penarth Pier Pavilion should be overseen by the Learning and Skills Directorate in recognition of the synergies between this building and the Council's Arts, Culture and Learning Services be approved.
- (4) T H A T the inclusion in the Capital Programme 2021/22 of a scheme entitled "Penarth Pier Pavilion" to be funded by the Building Fund be approved.
- (5) T H A T delegated authority be granted to the Head of Finance, in consultation with the Leader and Managing Director, to make funds available during the 2021/22 financial year to support the operation of the Pier Pavilion.
- (6) T H A T delegated authority be granted to the Managing Director, in consultation with the Leader, Deputy Leader, Cabinet Member for Leisure, Arts and Culture and the Head of Finance, to develop and implement a charging approach for use of the Pavilion.
- (7) T H A T a further update on matters relating to Penarth Pier Pavilion be received by Cabinet in due course.
- (8) T H A T Cabinet gave thanks in respect of the work of the Senior Leadership Team in securing the early reopening of the Pier Pavilion.

#### Reasons for decisions

- (1) Having regard to the content of the report and discussions at the meeting.
- (2) To ensure the Pier Pavilion could be operated on a sustainable basis in the future.
- (3) To ensure the Pavilion is allocated an operational 'owner' within the Council and to maximise the potential linkages with other Council-operated venues.
- (4&5) To ensure finance can be made available to support the operation of the Pier Pavilion.
- (6) To ensure a framework for charging for use of the Pavilion is developed and implemented consistently.
- (7) To ensure Cabinet Members are kept up to date with developments and appropriate approvals are sought as required.
- (8) To show appreciation for the work carried out by the Senior Leadership Team.

#### **C570 RENEWAL OF MICROSOFT ENTERPRISE AGREEMENT 2021 – 2024 (L/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The report sought approval to procure the renewal of the Council's Microsoft Enterprise Agreement via a call-off arrangement under a National Procurement

Services (NPS) Framework Agreement, which would enable it to enter into volume licensing programme for Microsoft software.

Approval was also sought to award and enter into the new three-year call-off contract for the supply of the Microsoft Enterprise Agreement, to replace the current three-year agreement which expires on 30<sup>th</sup> June, 2021.

The Microsoft Enterprise Agreement (EA) would allow the Council to obtain licences for the use of Microsoft software which would enable it to continue to benefit from the Office 365 suite of productivity, collaboration and communication tools such as Outlook, Teams, Forms, Intune for mobiles, etc.

The Deputy Leader said that there had been a marked level of digital transformation in the Council within the last year and during the pandemic, with extra reliance on licenced software that enabled the Council to function more remotely than before.

Councillors Gray and Williams both noted the advantages of the agreement and that the Council had moved on greatly in terms of digital transformation over the last 12 months.

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 delegated authority be granted to the Head of Strategy, Community Learning and Resources to commence a further competition process under National Procurement Services Framework Agreement (Ref.: NPS-ICT-0094 – 19) Lot 3: Licensing and Subscriptions in order to procure a three year call-off contract for the supply of a volume licensing program under the Microsoft Enterprise Agreement (EA).

(2) T H A T delegated authority be granted to the Head of Strategy, Community Learning and Resources, in consultation with the Managing Director, the Leader and the Head of Finance, to award the call-off contract to the successful supplier prior to the expiry of the existing Microsoft Enterprise Agreement (EA) on 30<sup>th</sup> June, 2021.

(3) T H A T delegated authority be granted to the Monitoring Officer /Head of Legal and Democratic Services to execute a call-off contract with the successful supplier together with all other relevant documentation for the provision of the Microsoft Enterprise Agreement and the software licences pursuant to it.

(4) T H A T a new contract be awarded on the most economically advantageous terms to the Council based on 80% cost and 20% quality.

#### Reasons for decisions

(1) To authorise commencement of the procurement process.



- (2) To allow the award of the call-off contract.
- (3) To have the appropriate contractual arrangements in place for the provision of Microsoft software licensing.
- (4) To have an appropriate contract in place for the cost-effective supply of Microsoft Licences.

**C571 NEIGHBOURHOOD SERVICES AND TRANSPORT - PROPOSED POLICY AND FEES FOR PLACING ITEMS ON HIGHWAY (TABLES AND CHAIRS, OUTSIDE TRADING SPACE, ADVERTISING BOARDS, SKIPS, SCAFFOLDING) (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report sought Cabinet's agreement for a new Policy on placing items on the adopted highway asset. Requests for placement of items on the adopted highway asset were controlled under Section 115E of the Highways Act 1980.

Historically, Council licence fees for adopted highway assets were set for three years and were not proportionate to the outside space required. The new fee charges proposed were based on the amount of outside space required and were annual, making them more flexible and cost effective for smaller businesses.

The report recommended that the Policy be introduced to ensure a fairer and safer use of the highway and greater opportunities for businesses, whilst also ensuring a clearer understanding of what was required from those who applied to place items on the highway asset.

The report also sought to update the Skips and Scaffolding Policies to bring those into line with similar principles but did not propose a change to the fees agreed for these by Cabinet in February 2021.

The Cabinet Member noted the Policy would go some way towards decluttering public spaces, making it clearer and safer for pedestrians and drivers and easier for traders. He also said how flexible the Council had been concerning the usually chargeable highway licences during the pandemic, with over 50 issues at no charge to assist local businesses.

The Deputy Leader said that some of the street café licences had been arranged exceptionally quickly with areas outside premises inspected, boundaries agreed, and trading could begin with little delay. Conversations had highlighted further issues concerning items on the highway that affected people differently.

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 proposed Policy for “Neighbourhood Services – Placing of equipment on the highway asset”, as set out in the report and at Appendix A (Annex 1 and 2) to operate from 1<sup>st</sup> July, 2021, be approved in principle.
- (2) T H A T the proposed Policies for “Skips and Scaffolding” as set out within the report and at Appendix A (Annex 3 and 4) to operate from 1<sup>st</sup> July, 2021 be approved in principle.
- (3) T H A T a further report, after 1<sup>st</sup> July, 2022, outlining how the Neighbourhood Services – Placing of Equipment on the Highway Asset Policy was working and whether any changes were needed, be received by Cabinet.
- (4) T H A T the report be referred to the Environment and Regeneration Scrutiny Committee for consideration, with any comments to be referred back to Cabinet.

Reasons for decisions

- (1&2) Having regard to the content of the report and discussions at the meeting.
- (3) To update Cabinet on the implementation of the Policy and to propose any changes (if necessary).
- (4) To allow the report to be considered by the appropriate Scrutiny Committee and for any comments received to be considered by Cabinet prior to final agreement of the Policies.