

## CABINET

Minutes of a Cabinet meeting held on 25<sup>th</sup> October, 2021.

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

The Meeting recording is available [here](#).

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

### **C700 ANNOUNCEMENT –**

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

### **C701 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 11<sup>th</sup> October, 2021 be approved as a correct record.

### **C702 DECLARATIONS OF INTEREST –**

No declarations were received.

### **C703 ACTIVE TRAVEL NETWORK – STATUTORY CONSULTATION PROCESS (REF) –**

The views of the Environment and Regeneration Scrutiny Committee of 21<sup>st</sup> September, 2021 were presented to Cabinet as contained within the agenda.

The Cabinet Member for Neighbourhood Services and Transport advised Cabinet that he would ask the Cabinet to note the comments but that he would take the opportunity to encourage any resident of the Vale of Glamorgan to view the maps on the website and comment on them. The Leader in referring to the views of the Scrutiny Committee stated that the Council currently had a strategy for the replacement of trees, Cabinet would also endorse the view of a more holistic approach to the greater use of cycle lanes and he noted that the committee clearly supported the link between Barry and Dinas Powys.

The Leader in conclusion stated that Welsh Government had consulted on 20 mph speed limits on roads with it subsequently being considered.

Having considered the reference, Cabinet

RESOLVED – T H A T the views of the Scrutiny Committee submitted as part of the consultation process be noted.

Reason for decision

Having regard to the contents of the reference and the report and the work currently ongoing within the Council.

**C704 CORPORATE RISK REGISTER QUARTER 1 UPDATE (REF) –**

The reference from the Governance and Audit Committee of 23<sup>rd</sup> September, 2021 had been presented for consideration as contained within the agenda.

The Leader in drawing attention to the fact that the Corporate Risk Register Quarter 1 Update report was also included within the Cabinet agenda at Item 8 suggested that the reference be noted at this point but accepting the need for the Council to keep an eye on future costs, workforce needs and demographics.

It was subsequently

RESOLVED – T H A T the comments of the Governance and Audit Committee be considered together with the report on the Corporate Risk Register for Quarter 1 under Agenda Item 8 on the agenda.

Reason for decision

Having regard to the contents of the reference and the report which had been considered by the Governance and Audit Committee on 23<sup>rd</sup> September, 2021.

**C705 CARDIFF BAY ADVISORY COMMITTEE –**

The minutes of the Cardiff Bay Advisory Committee meeting held on 8<sup>th</sup> September, 2021 as contained within the agenda were submitted.

The Cabinet Member for Education and Regeneration drew attention to the useful update that had been provided at the meeting on the Cardiff Barrage.

RESOLVED – T H A T the minutes of the Cardiff Bay Advisory Committee meeting held on 8<sup>th</sup> September, 2021 be noted.

Reason for decision

In noting the minutes.

**C706 PROJECT ZERO – DELIVERING THE CLIMATE CHANGE CHALLENGE PLAN (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES / ENVIRONMENT AND REGENERATION) –**

The Leader commenced by advising that the report detailed the proposed governance arrangements for Project Zero and as part of the governance arrangements a Project Zero Board had been established to take forward the Climate Change Challenge Plan and an initial project plan had been developed.

The Board had met and considered the challenges and associated steps detailed in the Plan and the Senior Reporting Officers had been tasked with developing the necessary arrangements to progress their areas of responsibility. Timeframes and approaches would vary but the Board would meet every two months to consider progress. The Board would ensure that work undertaken as part of Project Zero aligned to the response to the nature emergency declared by Council in July 2021.

The Leader drew attention to the 18 challenges framed around the need to demonstrate strong leadership for the Council to fulfil its responsibilities to current and future generations and to making a difference.

The Cabinet Member for Social Care and Health highlighted that it was a good report and referred to the Council's strategies policies and plans that would have a critical role in the Council's work to adapt to and to mitigate the impact of climate change as detailed at paragraph 2.5 of the report. The Cabinet Member also highlighted that there would still need to be buildings developed in the Vale of Glamorgan with areas where planning proposals would need to be taken into account and referred to the need to ensure they were dealt with effectively and justified.

The Leader, in response, stated that the arrangements did not mean that the Council needed to change everything it did as it would still have to have regard to its other statutory responsibilities.

The Cabinet Member for Education and Regeneration advised that she was also pleased with the report which identified the process the Council was going through and how it intended embedding the challenges of Project Zero within its work and further adding that the Council was also doing its best to make schools zero carbon.

In conclusion the Leader commented that it was important for the Council to engage with young people and other community groups recognising that the Council's building programme was also working towards a zero-carbon footprint.

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 governance arrangements for Project Zero (Appendix A to the report) be approved.

- (2) T H A T the Project Brief for Project Zero (Appendix B to the report) be endorsed.
- (3) T H A T the way forward for the delivery of Project Zero proposed by the Project Board as described in the body of the report be agreed.
- (4) T H A T it be noted that the Project Board would ensure alignment with activities undertaken as part of the response to the nature emergency declared by Council in July 2021.
- (5) T H A T the report be referred to Corporate Performance and Resources Scrutiny Committee and Environment and Regeneration Scrutiny Committee for consideration.
- (6) T H A T the report be distributed to all Vale of Glamorgan Council Elected Members, Town and Community Councils and the Public Services Board for their information.

#### Reasons for decisions

- (1) To approve the governance arrangements for Project Zero.
- (2) To approve the Project Brief for Project Zero.
- (3) To approve the way forward proposed by the Project Zero Board.
- (4) To confirm and ensure that the work on climate change and the nature emergency would be aligned.
- (5) To enable Corporate Performance and Resources Scrutiny Committee and the Environment and Regeneration Scrutiny Committee to consider how Project Zero is being taken forward.
- (6) To advise all on the arrangements in place to deliver Project Zero.

#### **C707 CORPORATE RISK REGISTER QUARTER 1 UPDATE (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The report provided Cabinet Members with an overview of the Corporate Risk Register for Quarter 1 (April 2021-June 2021). A risk analysis was incorporated within the Corporate Risk Summary Report (Annex A) which enabled officers and Members to identify and assess trends and the cross-cutting nature of risks with the ability to drill down to the detail of risks as and when required. The report was considered in conjunction with the reference from Governance and Audit Committee from the meeting held on 23<sup>rd</sup> September, 2021 as referred to earlier on in the agenda.

The Leader advised that the report was spilt into sections and drew Members' attention to paragraphs 2.13 – 2.18 which referred to the risks associated with Covid-

19. In referring to the vaccination roll out for 12 – 15 year olds by the October half term the Leader advised that this timescale had slightly slipped but that the opportunities were still available.

Having regard to Brexit the Leader drew attention to the fact that he had been made aware that the deadline for applications for all E.U. citizen children to stay in the U.K. had been extended but had now ended, albeit applications were still being processed for those eligible within the scheme. Other issues referred to in the report related to current HGV driver situation, the problems associated with limited materials being available, the loss of funding for regeneration and planning services and the issues around staff recruitment for Social Services. In recognising that there were a number of issues that the Council would need to be mindful of going forward including work force and safeguarding issues it was accepted that the report was a comprehensive report.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the Quarter 1 position of corporate risks for the period April 2021-June 2021 as outlined in Annex A to the report be noted.

(2) T H A T the Corporate Risk Register for Quarter 1 and the associated Corporate Risk Summary Report be endorsed.

#### Reasons for decisions

(1) Having regard to the contents of the report and reference 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

#### **C708 USE OF THE MANAGING DIRECTOR'S EMERGENCY POWERS (EL / PR) (SCRUTINY – ALL) –**

The report advised Cabinet of the exercising of Emergency Powers by the Managing Director since the last report of 13<sup>th</sup> September, 2021.

The Cabinet Member for Social Care and Health took the opportunity to thank and congratulate Councillor Gwyn John in respect of his appointment as Carers' Champion.

The Cabinet Member for Education and Regeneration drew Cabinet's attention to the funding award that had been received for tackling food poverty and addressing food insecurity (Penarth Food Pod) the aim of which was to provide a facility that would act

as an interest for social welfare with the objective of improving the health of tenants and residents living in the area advising that this was indeed a super initiative.

This was a matter for Executive decision.

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

**RESOLVED – T H A T** the use of the Managing Director's Emergency Powers as contained within the report be noted.

Reason for decision

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

**C709 DRAFT RESPONSE TO WELSH GOVERNMENT CONSULTATION ON SHAPING WALES' FUTURE: USING NATIONAL INDICATORS AND MILESTONES TO MEASURE OUR NATION'S PROGRESS (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The consultation sought views on proposals for the first wave of national milestones for Wales that would assist Ministers in assessing progress towards achieving the seven Well-being goals set out in the Well-being of Future Generations (Wales) Act 2015. The consultation also asked whether any revisions needed to be made to the existing national indicators following the experiences of the COVID-19 pandemic.

Nine national milestones were proposed as well as changes to the set of national well-being indicators.

The report attached (Appendix A) Welsh Government's consultation document and (at Appendix B) the Council's response to the consultation. Cabinet was asked to consider the contents of the Welsh Government consultation and approve the draft consultation response for submission to Welsh Government by 26<sup>th</sup> October, 2021.

Due to the response deadline, Cabinet approval was also being sought to agree the use of the Urgent Decision Procedure as set out in Section 14:14 of the Council's Constitution in order to refer the matter to Welsh Government before the response expiry deadline.

This was a matter for Executive decision.

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

**RESOLVED –**

(1) **T H A T** the contents of the Welsh Government consultation document (attached at Appendix A to the report) be noted and the draft consultation response (attached at Appendix B to the report) be approved for submission to Welsh Government by 26<sup>th</sup> October, 2021.

(2) T H A T the use of the Urgent Decision Procedure as set out in Section 14:14 of the Council's Constitution in order to refer the matter to Welsh Government before the response deadline be agreed.

### Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting and to allow the draft consultation response to be submitted to Welsh Government.

(2) The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

### **C710 TRANSFORMING TOWNS: SUPPORT TO IMPROVE TOWN CENTRES (DL/ER) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report presented an overview of the Welsh Government's Transforming Towns programme of investment for consideration.

The Transforming Towns Programme had been launched by Welsh Government in January 2020 to address the decline in town and city centres and the reduced demand for high street retail. The Council was prioritising its share of this programme of investment in the following town and district centre shopping areas (as defined in the Vale of Glamorgan Local Development Plan 2011 – 2026): High Street / Broad Street, Barry Town Centre; Holton Road, Barry Town Centre; Cowbridge Town Centre; Llantwit Major Town Centre; and Penarth Town Centre.

The report recommended the approval of delegated powers to finalise the Service Level Agreements for the Placemaking Grant 2021/22 and the Business Fund 2021/22 (Recommendations 2 and 3) and to authorise grants for third parties in Holton Road, Barry Town Centre (Recommendation 4). The report also recommended delegated powers to approve the use of the Placemaking Grant 2021/22 and the Business Fund 2021/22 (Recommendation 5).

Furthermore, the report recommended delegated powers (Recommendation 6) to prepare, complete and execute the required legal documentation with third parties for the purposes outlined in paragraphs 2.11 of the report; and delegated powers to appoint third-party suppliers / providers where required (Recommendations 7 and 8).

The Cabinet Member for Education and Regeneration stated that the programme was ambitious and innovative with the Council having also been awarded a revenue grant for 2021/22 to part fund the preparation of a 20-year regeneration programme for Barry.

The Cabinet Member for Legal, Regulatory and Planning Services highlighted the ongoing work for Llantwit Major following some investment in the past few months. The Leader took the opportunity to confirm that the Council would be prioritising its share of the Transforming Towns programme of investments in the Town and District centre shopping areas as detailed in paragraph 2.1 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 progress made in respect of the Transforming Towns programme of investment be noted.

(2) T H A T delegated authority be granted to the Head of Regeneration and Planning (in consultation with the Deputy Leader and Cabinet Member for Education and Regeneration, the Head of Finance / Section 151 Officer and the Monitoring Officer / Head of Legal and Democratic Services) to undertake all necessary actions to agree the terms of the Service Level Agreements for the Placemaking Grant 2021/22 and the Business Fund 2021/22.

(3) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, complete and execute the Service Level Agreements for the Placemaking Grant 2021/22 and the Business Fund 2021/22.

(4) T H A T delegated authority be granted to the Head of Regeneration and Planning (in consultation with the Deputy Leader and Cabinet Member for Education and Regeneration, the Head of Finance / Section 151 Officer and the Monitoring Officer / Head of Legal and Democratic Services) to approve grants in Holton Road, Barry Town Centre as outlined in paragraph 2.5 of the report; and that delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, complete and execute the required legal documentation with third party grant applicants.

(5) T H A T delegated authority be granted to the Head of Regeneration and Planning (in consultation with the Deputy Leader and Cabinet Member for Education and Regeneration, the Head of Finance / Section 151 Officer) to approve the use of the Placemaking Grant 2021/22 and the Business Fund 2021/22.

(6) That delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, complete and execute the required legal documentation with third parties for the purposes outlined in paragraph 2.11 of the report.

(7) That the Head of Regeneration and Planning (in consultation with the Head of Finance / Section 151 Officer and the Monitoring Officer / Head of Legal and Democratic Services) be authorised to negotiate terms and conditions for the appointment of third-party suppliers / providers where required.

(8) That the Monitoring Officer / Head of Legal and Democratic Services (in consultation with the Head of Finance / Section 151 Officer) be authorised to prepare, complete and execute the required legal documentation to enable third-party suppliers / providers to be appointed where required.



(9) That changes to the 2021/22 Capital Programme as outlined in paragraph 4.1 of the report be approved; and that changes to the revenue budget as outlined in paragraphs 4.2 and 4.3 of the report be approved.

(10) That the use of Article 14.14.2(ii) of the Council's Constitution (urgent decision procedure) be agreed in respect of the above resolutions.

#### Reasons for decisions

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

(2&3) To obtain authority to enter into Service Level Agreements for the Placemaking Grant 2021/22 and the Business Fund 2021/22.

(4) To obtain authority to approve grants in Holton Road, Barry Town Centre as outlined in paragraph 2.5 of the report; and, to prepare, complete and execute the required legal documentation with third party grant applicants.

(5) To obtain authority to approve the use of the Placemaking Grant 2021/22 and the Business Fund 2021/22.

(6) To obtain authority to prepare, complete and execute the required legal documentation with third parties for the purposes outlined in in paragraph 2.11 of the report.

(7&8) To obtain authority to appoint of third-party suppliers / providers; and in doing so, contribute to the delivery of future investment and development opportunities in Vale of Glamorgan town centres.

(9) To obtain authority for the funding to be included within the 2021/22 Capital Programme and the revenue budget.

(10) The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

#### **C711 HOUSING WELSH HOUSING QUALITY STANDARD (WHQS) EXTERNAL WALL INSULATION REFURBISHMENT SCHEME 2021-22 (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) –**

The report advised Cabinet of the tender process for delivery of the Housing WHQS External Wall Insulation Refurbishment Scheme 2021-22.

Cabinet would be requested to agree the most economically advantageous tenderer for this scheme via a Part II report later in the agenda.

This was a matter for Executive decision.

Cabinet, having considered the report

RESOLVED – T H A T the contents of the report be noted, with a view to taking decisions on the award of the contract detailed within the Part II report later in the agenda.

Reason for decision

In order that the Part I and Part II reports may be considered together.

**C712 COWBRIDGE TENNIS CLUB – LAND FOR NEW COURTS (LAC)  
(SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) –**

The Cabinet Member for Leisure, Arts and Culture commenced by advising that Cowbridge Tennis Club was looking to construct two further Tennis Courts at its present site. The Club had secured the necessary funds for the development and already owned the majority of the land at the site and it was now requesting a long-term lease of two very small parcels of land currently in the Councils' ownership to accommodate the proposed new courts.

Presently, as there were no public courts provided in Cowbridge the Club had allowed non-members to book their existing courts at certain times. The Cabinet Member for Leisure, Arts and Culture, was therefore seeking Cabinet approval for the lease of the land at a peppercorn rent of £1.00 per annum subject to no public objections being received. It was also proposed that the agreement for the lease include the restriction for the use of the land for recreational use as tennis courts and that the new courts be available for public use for 10 hours per week. The peppercorn rent was being proposed having regard to the wider public benefit that would be obtained.

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 authority be delegated to the Monitoring Officer / Head of Legal and Democratic Services to advertise the proposed disposal of the public open space by way of transfer in accordance with s123(2A) Local Government Act 1972.

(2) T H A T, subject to no public objections being received, the grant of a long leasehold interest for two small parcels of land in Cowbridge in order to allow the construction of two new publicly accessible Tennis Courts in Cowbridge at a peppercorn rent of £1.00 per annum be approved.

(3) T H A T the Monitoring Officer / Head of Legal and Democratic Services, in consultation with the Head of Finance and Director of Environment and Housing Services, be authorised to prepare execute and complete the required legal documentation for transfer and use.

(4) T H A T any legal and surveying costs resulting from the transfer of land be recharged to the Tennis Club.

(5) T H A T Cowbridge Tennis Club continue their commitment to allow non-members to book two courts at certain times by guaranteeing public access for a minimum of 10 hours per week as part of the lease arrangements.

(6) T H A T the necessary access requirements for the Tennis Club be approved during the construction phase of the work on the condition that the area is reinstated to its former condition on completion of works, including any amendments to the adjoining highway drainage scheme.

#### Reasons for decisions

- (1) To comply with legal requirements.
- (2) To support Cowbridge Tennis to increase opportunities for Tennis in the local area.
- (3) To comply with legal requirements.
- (4) To comply with standard charging protocol.
- (5) To ensure that the Courts are not used exclusively by club members.
- (6) To allow the new Tennis Courts to be constructed.

#### **C713 EXCLUSION OF PRESS AND PUBLIC –**

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

#### **C714 HOUSING WELSH HOUSING QUALITY STANDARD (WHQS) EXTERNAL WALL INSULATION REFURBISHMENT SCHEME 2021-22 (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) (EXEMPT INFORMATION – PARAGRAPHS – 12, 14 AND 12A) –**

The report sought Cabinet approval to accept the most economically advantageous tender for the Housing WHQS External Wall Insulation Refurbishment Scheme 2021/22.

The Cabinet Member for Housing and Building Services therefore recommended that the tender be awarded to SMK Building and Maintenance Ltd and that the Monitoring Officer / Head of Legal and Democratic Services be delegated to prepare and execute the contract via JCT Intermediate Work contract 2016.

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 award of the contract to SMK Building and Maintenance Ltd. be approved.

(2) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services, to prepare and execute a JCT intermediate 2016 contract with SMK Building and Maintenance Ltd.

Reasons for decisions

(1) As the most advantageous tender received and to comply with the Council's Contract Standing Orders, which require contracts with a value in excess of £300k to be authorised by Cabinet.

(2) To enable the contract documentation to be finalised with the successful contractor.