

## **CABINET**

Minutes of a meeting held on 24<sup>th</sup> January, 2022

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

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

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

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

### **C789 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”.

### **C790 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 10<sup>th</sup> January, 2022 be approved as a correct record.

### **C791 DECLARATIONS OF INTEREST –**

No declarations were received.

### **C792 AUDITOR GENERAL FOR WALES: REVIEW OF TOWN CENTRE REGENERATION IN WALES (REF) –**

The reference from Governance and Audit Committee on 13<sup>th</sup> December, 2021 was presented.

The Leader, in discussing the reference from Governance and Audit Committee following referral from the Environment and Regeneration Scrutiny Committee, referred to the discussion that took place regarding improvements in Barry which needed to be funded to tackle key issues and that the Managing Director and Head of Regeneration and Planning had developed an action plan and a bid would be made to the UK Government’s Levelling Up Fund and future Shared Prosperity Fund. There had also been discussion concerning engagement with landlords to ensure that properties were not empty for long periods and that the Council hold a record of properties in order to be aware where action was needed.

The Leader did refer to one typographical error in the final paragraph of the reference which should have read “In response, the Head of Regeneration and Planning stated that a percentage of any revenue stream was needed for staff and administration costs”.

The Deputy Leader said that the Vale of Glamorgan had five or six diverse town centres which required a diversified approach when working together. Often the types of available funding would come with different criteria and had to be matched to the challenges faced by those diverse town centres.

It was subsequently

**RESOLVED – T H A T** the Governance and Audit Committee and Environment and Regeneration Scrutiny Committees be thanked for their comments and the key findings arising from Audit Wales' review of Town Centre Regeneration (Appendix A) and the Council's response to the review and Audit Wales' recommendations (Appendix B) be endorsed.

Reason for decision

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

**C793            AUDIT WALES: FINANCIAL SUSTAINABILITY ASSESSMENT OF THE VALE OF GLAMORGAN COUNCIL (REF) -**

The reference from Governance and Audit Committee on 13<sup>th</sup> December, 2021 was presented.

The Leader, in discussing the reference from Governance and Audit Committee following referral from the Corporate Performance and Resources Scrutiny Committee, referred to the conclusion that the Vale of Glamorgan Council was well-placed to maintain its financial resilience with a healthy level of reserves and sustainable plans for their use.

It was subsequently

**RESOLVED – T H A T** the contents of both the national and local financial sustainability reports including the key findings arising from Audit Wales' Assessment of the Vale of Glamorgan's Financial Sustainability (Appendix A to the report) and the Council's response to the assessment findings and Audit Wales' Proposal for Improvement, be endorsed and that proposals from Audit Wales would be addressed when considering the budget.

Reason for decision

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

**C794 DRAFT COUNTER FRAUD STRATEGY & FRAMEWORK 2021 TO 2024 (REF) –**

The reference from Governance and Audit Committee on 13<sup>th</sup> December, 2021 was presented.

The Leader, in discussing the reference from Governance and Audit Committee, said that the Counter Fraud Strategy & Framework 2021 to 2024 outlined the aims and objectives of the Strategy, identified fraud risks, and included a 3-year action plan which would further improve the Council's resilience to fraud, bribery and corruption.

It was subsequently

**RESOLVED – T H A T** the Governance and Audit Committee be thanked for their work on the matter and the draft Counter Fraud Strategy and Framework 2021 to 2024 be endorsed.

Reason for decision

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

**C795 CORPORATE SAFEGUARDING MID TERM REPORT (REF) –**

The reference from Homes and Safe Communities Scrutiny Committee on 16<sup>th</sup> December, 2021 was presented.

The Leader, in referring to the reference, said that the Council had a corporate responsibility to ensure effective safeguarding arrangements were in place for children and adults who required specific Council services.

There had been discussion concerning Members not receiving Disclosure and Barring Service (DBS) checks as part of their role. The Head of Housing and Building Services had advised he would seek further clarification on the issues raised with the lead officer in this area and with Democratic Services.

The Committee noted the Corporate Safeguarding Mid-term Report and requested that Cabinet consider the comments made by the Homes and Safe Communities Scrutiny Committee on DBS checks for Elected Members of the Vale of Glamorgan of Council and sought clarification as to whether all Elected Members should be required to undertake such checks as part of their role.

The Leader recalled that Council had previously discussed the matter where Members were advised they could have a DBS check if they felt it was required for their role, as not all Members would require one.

Councillor Gray said there were existing standards and advice from the Welsh Local Government Association and all Councillors after the May elections would meet those standards as part of their training process.

The Director of Social Services, who was involved with the Regional Safeguarding Board and Corporate Safeguarding Group, explained that there was guidance specifically for school Governors in Elected Councillor roles. Corporate Safeguarding Group would also look to carry out a review on the matter.

It was subsequently

**RESOLVED – T H A T** the comments of the Homes and Safe Communities Scrutiny Committee be noted and an assurance sought that the Authority adhered to current guidelines and advice concerning Disclosure and Barring Service (DBS) checks for Elected Members, which would be updated following the elections in May 2022 by the Corporate Safeguarding Group.

Reason for decision

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

**C796 INITIAL CAPITAL PROGRAMME PROPOSALS 2022/23 TO 2026/27 (REF) –**

The reference from Corporate Performance and Resources Scrutiny Committee on 22<sup>nd</sup> December, 2021 was presented.

The Leader, in referring to the reference, said there had been discussion concerning the Welsh in Education Strategic Plan (WESP) in relation to the Capital Programme and the transition to this from the ending of the Band B 21st Century Schools programme in terms of timescales. It was confirmed that Welsh-medium schools were considered as part of the programme going forward.

An issue had been raised concerning the importance of prioritising capital bids within the area of Neighbourhood Services relating to statutory services such as Waste and Highway Maintenance. The Leader said that the example of the wall near to the highway in Boverton was already being addressed.

It was subsequently

**RESOLVED – T H A T** the comments of the Corporate Performance and Resources Scrutiny Committee on the Initial Capital Programme Proposals for 2022/23 to 2026/27 be noted and that all the considerations discussed would be considered by the Budget Working Group as part of the budget setting process.

Reason for decision

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

**C797 INITIAL REVENUE BUDGET PROPOSALS 2022/23 AND MEDIUM TERM FINANCIAL PLAN 2021/22 TO 2024/25 (REF) –**

The reference from Corporate Performance and Resources Scrutiny Committee on 22<sup>nd</sup> December, 2021 was presented.

The Leader, in referring to the reference, said there had been discussion concerning the importance of funding cost pressures related to statutory services such as Waste and Highway Maintenance, adequate funding for free school meal provision and that further clarification was required regarding the Intermediate Care Fund.

There was also discussion concerning the funding and cost implications of public sector pensions schemes, the ongoing importance of maintaining healthy reserves in order to fund various Council schemes, consumer and retail price indices and that Scrutiny Committees needed to highlight both priority areas of funding and those areas which could be reprioritised and therefore where savings could be made.

It was also asked whether the 10.6% increase as part of the settlement from Welsh Government could be passed on to taxpayers through lower Council Tax rates. The Leader said that with nearly £30m of cost pressures that Council Tax levels had to be looked at realistically.

It was subsequently

**RESOLVED – T H A T** the comments of the Corporate Performance and Resources Scrutiny Committee as part of the consultation process for the initial revenue budget proposals for 2022/23 and the final budget proposals for 2022/23 be noted and that all the considerations discussed would be considered by the Budget Working Group as part of the budget setting process.

Reason for decision

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

**C798 INITIAL HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS 2022/23 AND REVISED BUDGET 2021/22 – (REF) –**

The reference from Corporate Performance and Resources Scrutiny Committee on 22<sup>nd</sup> December, 2021 was presented.

The Leader, in referring to the reference, said that there had been a change in the increase of bad debt / doubtful debt provision (the amount had reduced) and in the Capital Expenditure funded from the Revenue Account, recalculated at £18.786m, which was an increase of £12.394m. This was as a result of not being able to carry out the capital expenditure as planned and therefore did not have to borrow as much as intended.

The level of the rent increase was not known at the time of the Scrutiny Committee meeting but was currently being worked on and a Cabinet report would follow on the matter when addressing the final budget proposals.

It was subsequently

**RESOLVED – T H A T** the comments of the Corporate Performance and Resources Scrutiny Committee on the initial Housing Revenue Account budget proposal for 2022/23 be noted and that all the considerations discussed would be considered by the Budget Working Group as part of the budget setting process.

Reason for decision

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

**C799 CORPORATE PARENTING PANEL MEETING –**

The minutes of the Corporate Parenting Panel meeting held on 15<sup>th</sup> November, 2021 as contained within the agenda, were submitted.

Councillor Gray said that the Panel continued to oversee all the areas of the Council involved with Children Looked After and those on the edge of care. There had been an educational focus at the meeting that looked at Key Stage 4, work at Y Daith and looked at the latest quarterly returns concerning reduction expectations to Welsh Government. He passed on thanks to all concerned with looking after the Children Looked After population.

**RESOLVED – T H A T** the minutes of the Corporate Parenting Panel meeting held on 15<sup>th</sup> November, 2022 be noted.

Reason for decision

In noting the minutes.

**C800 ANNUAL DELIVERY PLAN MONITORING REPORT: QUARTER 2 PERFORMANCE 2021/22 (EL/PR) (SCRUTINY – ALL) –**

The Executive Leader and Cabinet Member for Corporate Performance and Resources presented the quarter 2 performance results for the period 1<sup>st</sup> April 2021 to 30<sup>th</sup> September 2021 in delivering the Council's 2021/22 Annual Delivery Plan commitments as aligned to Corporate Plan Well-being Objectives.

The Council had made positive progress in delivering in-year commitments in relation to the Annual Delivery Plan (2021/22). The performance had contributed to an overall Green status for the Plan at quarter 2 (Q2).

All 4 Corporate Plan Well-being Objectives were attributed a Green performance status at Q2 to reflect the progress made to date. This was positive given the ongoing challenges arising from the pandemic.

95% (296 out of 313) of planned activities outlined in the Annual Delivery Plan had been attributed a Green performance reflecting the positive progress made during the quarter, 2% (5) an Amber status and 3% (12) of planned activities were attributed a Red status.

Of the 12 actions attributed a Red performance status during the quarter, 25% (3) were directly a result of service reprioritisation measures undertaken in response to the impact of the ongoing COVID-19 pandemic. In relation to those areas, where appropriate, work was now recommencing as part of the Council's recovery plans and strategy.

Of the 42 quarterly performance measures aligned to Corporate Plan Well-being Objectives, data was reported for 36 measures where a performance status was applicable. 61% (22) measures were attributed a Green performance Status, 6% (2) an Amber status and 33% (12) a Red status. Data was unavailable for 6 quarterly measures due to reprioritisation measures undertaken in response to the impact of the ongoing COVID-19 pandemic. A performance status was not applicable for 107 measures including a number of annual indicators (89) and those establishing baseline performance for the year (18).

In relation to the 12 measures attributed a Red performance status during the quarter, the impact of COVID-19 had contributed to 58% (7) missing target.

All five Scrutiny Committees had reviewed Q2 performance reports between 7<sup>th</sup> and 22<sup>nd</sup> December 2021 and upon consideration, had noted the performance results and progress to date in relation to the Annual Delivery Plan 2021/22 and Coronavirus recovery.

The Deputy Leader said the report covered the period to the end of September 2021, but that progress had been made on a number of matters since then. For example, since the launch of the Food Pod in Penarth a purpose-built Food Pod had been installed and would be in operation for three sessions a week from this week with the support of volunteers.

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 performance results and progress towards achieving the Annual Delivery Plan 2021/22 commitments as aligned to the Council's Corporate Plan Well-being Objectives as presented in the report and appendices be noted.

(2) T H A T the views and recommendations of all Scrutiny Committees in relation to Q2 performance results be noted and identified remedial actions as a basis to address areas of underperformance and to tackle the key challenges identified be endorsed.

(3) T H A T the progress being made through the Council's recovery strategy in response to the ongoing Coronavirus pandemic be noted.

#### Reasons for decisions

(1) To ensure the Council clearly demonstrated the progress being made towards achieving its commitments in the Annual Delivery Plan 2021/22 aimed at making a positive difference to the lives of Vale of Glamorgan citizens.

(2) To ensure the Council was effectively assessing its performance in line with the requirement to meet our performance requirements as outlined in the Local Government & Elections (Wales) Act 2021 and reflecting the requirement of the Well-being of Future Generations (Wales) Act 2015 that it maximised its contribution to achieving the well-being goals for Wales.

(3) To ensure Cabinet Members maintained an oversight of the recovery issues impacting on the work of the Council and their respective Scrutiny Committees.

### **C801 DRAFT PUBLIC PARTICIPATION (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Executive Leader and Cabinet Member for Performance and Resources presented the report which sought Cabinet endorsement of the draft Public Participation Strategy for public consultation.

The Vale of Glamorgan Council was committed to engaging residents and other key stakeholders in decision making. 'Working with and for our communities' was one of the four objectives set out in the Corporate Plan 2020-25. The Council had previously published a Public Engagement Framework.

Part 3 of the Local Government and Elections (Wales) Act 2021 focused on promoting access to local government. The Act established a duty to encourage local people to participate in decision-making and a requirement that Local Authorities publish, consult on, and regularly review a public participation strategy.

The Act stipulated the Strategy must address:

- Promoting awareness of Council's functions
- Promoting awareness of how to become a Councillor
- Facilitating access to decisions made or to be made
- Promoting and facilitating processes for local people to make representations to the Council about a decision.

In order to set out clearly to Vale of Glamorgan citizens how the organisation was working to improve public participation, and to ensure the Council met the requirements of the Act, a draft Public Participation Strategy 2022-25 had been produced.

The report sought Cabinet endorsement of the draft Strategy in order to begin a period of public and key stakeholder consultation.

The Leader clarified that there was a requirement to publish the Public Participation Strategy before 5<sup>th</sup> May, 2022 as part of the Local Government and Elections (Wales) Act 2021. He referred to an error in paragraph 1.6 of the report which stated that the Council must publish a Public Participation Strategy by June 2022, but clarified that the Strategy needed to be published before 5<sup>th</sup> May, 2022.

Councillor King requested that Recommendation 3 of the report be amended to also refer the report to the Environment and Regeneration Scrutiny Committee for consideration as part of the programme of consultation, which was agreed.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the draft Public Promotion Strategy 2022-25 (Appendix A to the report) as the basis for consultation as described in the report be approved.
- (2) T H A T the consultation approach and timetable as set out in the report be approved, noting the amendment to the date in Paragraph 1.6 of the report to before 5<sup>th</sup> May, 2022.
- (3) T H A T the report and appendices be referred to Scrutiny Committees (Corporate Performance and Resources and Environment and Regeneration) as part of the programme of consultation.
- (4) T H A T a further report setting out the results of the consultation, a draft final version of the Strategy, and accompanying action plan in due course be received.

#### Reasons for decisions

- (1) To enable Cabinet to consider the draft Public Participation Strategy (2022-25).
- (2) To ensure that effective consultation was undertaken within the necessary timeframes for publishing the Public Participation Strategy.
- (3) To ensure that all relevant Scrutiny Committees had the opportunity to consider the draft Public Participation Strategy and provide feedback as part of the programme of consultation.

(4) To ensure that a revised Public Participation Strategy could be published in line with the statutory deadline set by the Local Government and Elections (Wales) Act 2021.

**C802 UPDATE ON STATUTORY CONSULTATION HELD BY ST NICHOLAS CHURCH IN WALES PRIMARY SCHOOL GOVERNING BODY TO ALTER THE LOWEST AGE RANGE OF THE PRIMARY SCHOOL FROM 4 TO 3 YEARS OLD AND ESTABLISH 24 PART TIME NURSERY PLACES (DL/ER) (SCRUTINY – CORPORATE LEARNING AND CULTURE) –**

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report to advise Cabinet of the upcoming statutory consultation to be held in relation to altering the lowest age range of St. Nicholas Church in Wales Primary School from 4 to 3 years old to allow for the inclusion of 24 nursery places at the school.

The statutory consultation was being run by the Council on behalf of the Governing Body of the Primary School. The proposal would result in the redevelopment of the existing Primary School to accommodate 126 pupils which was the same as the existing school capacity but with an additional 24 part time nursery places as part of the re-development.

The establishment of a nursery would develop continuity and progression in children's learning from the age of three.

Feedback received throughout the consultation period would be considered by the Governing Body. However, the final determination of the proposal would need to be authorised by Cabinet following the Statutory Notice period.

The Deputy Leader referred to paragraphs 1.6 to 1.8 of the report which discussed the three options that were considered, with Option 2 being the preferred option as the school wanted to remain where it was to maintain its connection to the Church.

Councillor Grey was glad to see the matter moving forward as the school building was not currently fit for purpose and looked forward to seeing the outcome of the consultation. The proposals fitted in with the school ethos of other nursery schools across the Vale of Glamorgan.

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 statutory consultation process for St Nicholas Church in Wales Primary School be noted.

(2) T H A T the implementation of the proposal would be subject to the relevant statutory processes and that Welsh Government capital funding would be subject to approval of a rigorous business case be noted.

(3) T H A T the implications for the Local Authority where the Governing Body received objections during the Statutory Notice period and wished to proceed with the proposal be noted. The Local Authority would need to decide whether to approve, reject or approve with modifications, the proposal.

Reasons for decisions

(1&2) Having regard to the contents of the report and discussions at the meeting.

(3) To ensure Cabinet were aware of the next steps to progress the proposed school scheme.

**C803 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.

**C804 ACTIVE TRAVEL – RESULTS OF CONSULTATION FOR THE ACTIVE TRAVEL NETWORK MAP UPDATE 2021 (REF) – (Urgent for the need for the comments of the Environment and Regeneration Scrutiny Committee to be considered by Cabinet prior to final submission to Welsh Government by 31<sup>st</sup> January 2022.)**

The reference from Environment and Regeneration Scrutiny Committee on 18<sup>th</sup> January, 2022 was presented.

The Leader, in referring to the reference, said that following the public consultation, three amendments had been made to the maps since the Committee had last seen them on 21<sup>st</sup> September 2021, which included:

- the addition of the route down to Llantwit Major Beach East.
- Aberthaw had now been included.
- Dingle Park in Penarth added.

At the Committee meeting there had been discussion concerning the Active Travel route between Dinas Powys and Barry, engagement with schools and parents and some concerns raised by residents of the Marina in Penarth.

Councillor King advised that during the Scrutiny Committee meeting there had been discussion concerning a key piece of work being carried out by the Cardiff Capital Region. The work was spearheaded by Cardiff Council rather than the Vale of Glamorgan Council as a project to look at various routes between Newport and Barry which included the journey between Dinas Powys and Barry. That matter would be subject to a subsequent report that would go to the Environment and Regeneration

Scrutiny Committee. He felt that the three recommendations of the Scrutiny Committee had already been substantially addressed or were in the process of being addressed.

It was subsequently

RESOLVED – T H A T the comments of the Environment and Regeneration Scrutiny Committee made at the meeting held on 18<sup>th</sup> January 2022 be noted and endorsed, and there were no further formal changes to be submitted to Welsh Government.

Reason for decision

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