

CABINET

Minutes of a hybrid meeting held on 8th September, 2022.

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

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

Present: Councillor L. Burnett (Chair); Councillors R.M. Birch, G. John, S. Sivagnanam, M.R. Wilkinson, E. Williams and M.R. Wilson.

Also Present: Councillors Dr. I.J. Johnson, N.C. Thomas and N.J. Wood.

C55 ANNOUNCEMENT –

Prior to the formal commencement of the meeting, the Leader expressed the Cabinet's concern at the news from Buckingham Palace and sent their best wishes to Her Majesty and her family who would be very much in everyone's thoughts.

The Leader welcomed all parties to the Cabinet meeting following the August recess and reminded all present that under the Council's Multi-Locations Policy the meeting was being live streamed and recorded for archive purposes on the Vale of Glamorgan Council website. The meeting was being undertaken on a hybrid basis, although Cabinet Members taking part, were in the Chamber on this occasion.

Cabinet Members were asked to mute themselves whilst not speaking and should Members wish to speak, they should raise their hand on screen or indicate in the chat function.

With regard to voting on recommendations, if there was no dissent to a recommendation, silence would be accepted as agreement.

C56 APOLOGY FOR ABSENCE –

This was received from Councillor B.E. Brooks.

C57 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 21st July, 2022 be approved as a correct record.

The Leader referred to Agenda Item 11 which was a report concerning Capital Monitoring for the Period 1st April to 31st May, 2022. She asked Cabinet to note that Recommendation 2 to the report referred the report to Corporate Performance and Resources Scrutiny Committee, but that this was superfluous as the Scrutiny

Committee Corporate Performance and Resources had itself considered the report at its meeting on 13th July, 2022 recommending that the contents be noted.

C58 DECLARATIONS OF INTEREST –

No declarations were received.

C59 Q4 SICKNESS ABSENCE REPORT 2021/2022 (REF) –

The reference from Corporate Performance and Resources Scrutiny Committee of 16th June, 2022.was presented.

Members had drilled down into the available data and questioned some of the information provided by the staff survey. The Leader advised that both quantitative and qualitative data were taken into account. The HR team were skilled professionals and benchmark across a number of sectors.

The Leader referred to further initiatives that ran alongside examples such as the Menopause Café, and bowel and bladder screening. There was a focus on the well-being of staff.

Scrutiny Committee had come forward with a number of recommendations for Cabinet which proposed a number of reports for both Cabinet and Committee on areas as listed in the reference. The Leader said that Cabinet already received a comprehensive report on a quarterly basis and proposed that the HR Team be mindful of the topics raised by the Scrutiny Committee and give consideration to those topics as part of the next quarterly report, noting any trends, causality or impacts in sickness absence.

Councillor Wilson referred to Page 4 of the reference as Cabinet Member for Neighbourhood and Building Services, saying that many staff in that Service Area were frontline staff doing a lot of physical work which could lead to musculoskeletal issues. Those issues were mitigated as much as possible, and staff received training to avoid and reduce incidents where injury could occur. He, as Cabinet Member, along with Senior Officers monitored sickness levels carefully.

Councillor Williams thanked the Scrutiny Committee for their comments. He concurred with the Leader's suggestion for the HR Team to address the matter raised as part of the next quarterly report.

Having considered the reference, it was subsequently

RESOLVED – T H A T the reference from Corporate Performance and Resources Scrutiny Committee of 16th June, 2022 be noted and that the HR Team be mindful of the topics raised by the Scrutiny Committee as part of the Recommendations to the reference and consider those matters as part of the next Quarterly Sickness Absence Report.

Reason for decision

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

C60 CORPORATE RISK REGISTER QUARTER 4 UPDATE (REF) –

The reference from Governance and Audit Committee of 11th July, 2022 was presented.

The Leader said it was an interesting meeting, with all Members of the Council taking part in a detailed and insightful discussion. She referred to pages 11-13 of Annex A to the Report which discussed the risk descriptions, corporate register summary and risk heat map. The Committee had discussed the usefulness of the register to make it relevant and accessible to the public, as well as inclusive of recent pressures. It had been suggested by the Committee to remove the Welfare risk and include a Cost of Living risk on the Register for the next quarter.

Councillor Wilson said that many measures had been put in place concerning welfare reform which were ongoing to help Vale of Glamorgan residents and concurred with the recommendations of the Committee.

Councillor Williams referred to CR17 and 18 as contained within Annex A to the Report concerning capacity and market fragility which were a recognised challenge for the Council, but that the risk had been identified and was being managed.

The Leader added that it was reassuring that the knowledgeable Committee were assessing such risks during challenging times, and thanked the Committee for their comments.

Having considered the reference, it was subsequently

RESOLVED – T H A T the reference from Governance and Audit Committee of 11th July, 2022 be noted and the removal of the Welfare risk and the inclusion of Cost of Living risk on the Register for the next quarter be agreed.

Reason for decision

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

C61 AWARD OF CONTRACTS FOR SUPPORTED LOCAL BUS SERVICES CALL-IN (REF) –

The reference from Environment and Regeneration Scrutiny Committee of 12th July, 2022 was presented.

The Leader said the Cabinet report had discussed how the Council supported some bus services in the Vale of Glamorgan that were not economically viable but essential for supporting vulnerable groups or travel at off-peak hours. There had been a

detailed discussion at the Scrutiny Committee which noted the contents of the Cabinet report and that the contents of the report and the resolutions of Cabinet made on 9th June, 2022 be accepted. They further suggested the need for more promotion and awareness raising of the supported local bus services. The Leader said that the Council did publish timetables and promote local bus services through the Vale of Glamorgan communication channels and transport social media stream.

Having considered the reference, it was subsequently

RESOLVED – T H A T the reference from Environment and Regeneration Scrutiny Committee of 12th July, 2022 and that the Vale of Glamorgan Council already promotes and raises awareness of the supported local bus services be noted.

Reason for decision

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

C62 CARDIFF CAPITAL REGION REGIONAL CABINET –

The minutes of the Cardiff Capital Region Regional Cabinet Committee meeting held on 27th June, 2022 as contained within the agenda, were submitted.

The Leader said that following the Local Elections in May there had been necessary changes in CCR membership from Councils across south-east Wales that were addressed at the meeting. She was delighted to hold the Portfolio for Shared Prosperity and Place within the Regional Cabinet and further minutes from future meetings would follow once available.

RESOLVED – T H A T the minutes of the Cardiff Capital Region Regional Cabinet Committee meeting held on 27th June, 2022 be noted.

Reason for decision

In noting the minutes.

C63 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL-SELF ASSESSMENT 2021/22 (EL/PR) (SCRUTINY – ALL) –

The Draft Vale of Glamorgan Annual Self-Assessment report (Appendix A) drew on a wide range of information sources to assess the progress made by the Council in meeting its Annual Delivery Plan commitments for 2021/22 as aligned to the Corporate Plan Wellbeing Objectives. The findings would enable the Council to identify how to further enhance internal processes and use of resources to improve and support achievement of the Annual Delivery Plan commitments and Corporate Plan Well-being Objectives.

The Annual Self-Assessment report was a new requirement for Welsh Local Authorities under the Local Government and Elections (Wales) Act 2021, which

required the Council to keep performance under review, consult on and then publish a report setting out the conclusions of its self-assessment once in respect of every financial year.

Overall, based on the review of last year's performance, it was believed that on balance the Annual Delivery Plan commitments for 2021/22 had been met, in what continued to be a challenging year for the Council. The conclusion would be reviewed to reflect the findings from consultation work with citizens, partners, Council staff and other key statutory consultees following conclusion of engagement activities at the end of September.

A programme of engagement activities was currently underway during August-September 2022, targeting local people and businesses, Council staff and other key stakeholders via an online survey, various social media communications, as well as attendance at a number of public events across the Vale of Glamorgan. The Draft Self-Assessment report would also be widely circulated with a request for comments from key partners including the recognised Trade Unions.

As part of the engagement work, elected Members via Scrutiny Committees would be consulted on the draft report with their views informing the final Vale of Glamorgan Annual Self-Assessment report. Governance and Audit Committee have a specific role set out in the Local Government and Elections (Wales) Act 2021, in contributing to the Annual Self-Assessment report and a draft must be provided to the Committee to review with the Council responding to any recommendations for changes to the conclusions or actions that it intends to take.

The findings from the consultation work would be reflected within the final Vale of Glamorgan Annual Self-Assessment report which would be subject to further scrutiny by Governance and Audit Committee and Cabinet prior to being presented for endorsement by Full Council in November.

The final Vale of Glamorgan Annual Self-Assessment report would be used to inform the Council's Annual delivery Plan for 2023/24 and associated Service Plans for the same period.

The Leader proposed two minor amendments to the detail within the Executive Summary, changing bullet point 1 on Page 2 of the Report, changing 'engagement activities at the end of September' to 'engagement activities at the end of September / early October' and bullet point 2 on Page 2 of the Report, changing 'engagement activities is currently underway during August-September' to 'engagement activities is currently underway during August-October', which were agreed.

Councillor Wilson highlighted the issues in the report concerning Climate Emergency and the ongoing work on Project Zero, the cost of living crisis and rising inflation and the importance of including local communities and providing help and support where possible.

The Leader said it was important to remember what had been achieved recently, including the delivery of five new schools last year with three more new schools currently under development and due for completion in 2023. It was important to take

account of the hugely challenging financial issues experienced by the residents of the Vale of Glamorgan and the Council itself, but that the Council would continue to be ambitious whilst prioritising the well-being of the residents of 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 Draft Vale of Glamorgan Annual Self Assessment report 2021/22 (Appendix A) as the basis for consultation as described in this report and Recommendation Two be endorsed.

(2) T H A T the Draft Vale of Glamorgan Annual Self-Assessment report 2021/22 be referred to the Governance and Audit Committee and all Scrutiny Committees for their consideration as part of a programme of consultation, with any views and recommendations for changes to the judgements or proposed actions (areas for future focus) being referred back to Cabinet for their consideration prior to the final Vale of Glamorgan Annual Self-Assessment report being considered by Governance and Audit Committee and presented for endorsement by Full Council.

(3) T H A T the use of paragraph 15.14.2(ii) of the Council's Constitution (urgent decision procedure) be authorised to allow the Draft Vale of Glamorgan Annual Self - Assessment 2021/22 to be referred to the Environment and Regeneration Scrutiny Committee meeting taking place on 13th September, 2022 for consideration.

Reasons for decisions

(1) To ensure that consultation was undertaken on the findings of the Council's Annual Self-Assessment in line with requirements of the Local Government and Elections (Wales) Act 2021.

(2) To ensure all Scrutiny Committees and the Governance and Audit Committee (as per section 114 of the Local Government and Elections (Wales) Act 2021) have oversight of the Draft Vale of Glamorgan Annual Self-Assessment report 2021/22 and their views inform the Council's approach to meeting the new performance requirements.

(3) In order that the Draft Vale of Glamorgan Annual Self-Assessment 2021/22 can be referred to the next meeting of the Environment and Regeneration Scrutiny Committee to enable their consideration during the timetable for consultation.

C64 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (EL/PR) (SCRUTINY – ALL) –

The report sought to advise Cabinet of the exercising of Emergency Powers by the Chief Executive since the last report of 23rd June, 2022.

The Leader said that there were no formal meetings over recess in August and that Emergency Powers were used so as to continue with work during that period, largely concerning matters that had either been considered by Cabinet previously or accepting grant funding. She referred specifically to active travel transport and road safety grants which were made available during recess and work was able to begin following the use of Emergency Powers. She further referred to the hugely successful Big Bocs Bwyd Project and Penarth Pier Refurbishment matters which had been agreed since the last report.

Councillor Birch also noted the grant for the Makerspace in Barry Library, following on from the successful project in Penarth Library which had recently been visited by Rebecca Evans MS, Minister for Finance and Local Government.

This was a matter for Executive decision.

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

RESOLVED – T H A T the use of the Chief Executive's Emergency Powers be noted.

Reasons for decision

To inform Cabinet.

C65 PROPOSAL TO PROVIDE NURSERY PROVISION AT ST NICHOLAS CHURCH IN WALES PRIMARY SCHOOL (EAWL) (SCRUTINY – LEARNING AND CULTURE) –

The report sought to advise Cabinet of the outcome of the statutory notice on the proposal to add nursery provision to St Nicholas Church in Wales (CiW) Primary School by changing the lowest age range of pupils at St Nicholas CiW Primary School from 4 to 3, to include 24 part time nursery places.

The Council received one objection by the closing date of 12th July, 2022. The objection had been categorised under themes and outlined in the attached objection report for Cabinet to consider as part of the decision-making process. The report could be found at Appendix A.

Following the completion of the period of statutory notice, a decision was now required on whether to implement the proposal to add nursery provision to St Nicholas CiW Primary School as set out under the proposal.

The Cabinet Member said that the one objection received had concerned costs, but it was accepted that due to current circumstances the costs for many matters had escalated and would be considered as part of ongoing planning.

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 findings of the objection report on the proposal be noted.
- (2) T H A T the implementation of the proposal to add nursery provision to St Nicholas CiW Primary School by changing the lowest age range of pupils at St Nicholas CiW Primary School from 4 to 3, to include 24 part time nursery places, be approved.
- (3) T H A T the major investment towards a new school building set out in the proposal was subject to the necessary funding being approved by Welsh Government be noted.

Reasons for decisions

- (1) To ensure the views of objectors were taken into account in the decision-making process.
- (2) Following the completion of a period of statutory notice, a decision was required on whether to implement the proposal to add nursery provision to St Nicholas CiW Primary School.
- (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.

C66 VALE OF GLAMORGAN COUNCIL'S DRAFT WELSH IN EDUCATION STRATEGIC PLAN (WESP) 2022-2032 (EAWL) (SCRUTINY – LEARNING AND CULTURE) –

Welsh Government's Welsh in Education Strategy placed a duty on all local authorities in Wales to increase the proportion of all school year groups that receive their education through the medium of Welsh and placed a particular emphasis on increasing the number of learners in Year 1 taught through the medium of Welsh.

Aligned to this, the Council was required to prepare, consult on, and submit a Welsh in Education Strategic Plan (WESP). The plan had to cover a ten-year period from 2022-2032 and had to be presented to Welsh Ministers for approval no later than 31st January, 2022.

The Council produced a draft ten-year WESP vision and strategy which was subject to consultation from Friday 15th October, 2021 to Friday 10th December, 2021 and approved by Cabinet on 15th March, 2022.

A key commitment within the plan was the draft proposal to increase the number of Year 1 children taught through the medium of Welsh to 24% by 2031-32. That

equated to approximately 390 Year 1 places being made available by 2031-32 based on current population projections. The draft target was challenging and in the middle of the target range we had been set by Welsh Government.

Following feedback from Welsh Government seeking clarification on a few points, several amendments were made in order to strengthen the Welsh in Education Strategic Plan which was submitted to Welsh Government on 24th June in order to meet statutory deadlines. The revised plan (attached at Appendix A to the report) was submitted subject to approval or amendment by Cabinet. Confirmation was received from Jeremy Miles, Minister for Education and Welsh Language on 20th July, 2022 that the amendments had been approved.

The targets set in the draft WESP were challenging and would require significant investment over the lifespan of the plan. The Council's WESP strategy would be a key component in developing plans for the Sustainable Communities for Learning Programme (previously named the 21st Century Schools programme).

This was a matter for Executive decision.

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

RESOLVED – T H A T the revised ten-year Plan submitted to Welsh Government on 24th June, 2022 be approved.

Reason for decision

To meet Welsh Government's requirement for the Welsh in Education Strategic Plan which was submitted by 24th June, 2022 to be approved by Cabinet retrospectively.

C67 TENNIS COURTS REFURBISHMENT (LSW) (SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) –

The tennis courts at Millwood (Barry), Wenvoe and Penarth Athletic Field (2 Courts) as shown in Appendix A to the report, whilst being used at present, were currently in a poor condition.

Tennis Wales, the governing body for Tennis in Wales, had offered the Council approximately £120,000 to upgrade the surfaces at those sites and introduce pay gates to monitor usage and reinvest income into tennis in the Vale of Glamorgan.

Following completion of works, the sites at Millwood (Barry) and Wenvoe would be managed and maintained by Tennis Wales via a 7-year lease as had recently been agreed and completed at the Romilly Park tennis courts in Barry. The Courts at the Penarth Athletic Field would continue to be operated by the Council until a transfer of responsibilities was agreed with the Penarth Athletic Club.

The enhanced facilities should encourage greater use and sports development opportunities as well as improving the health and wellbeing of those who played.

The Cabinet Member said it was a great opportunity for this Council to have four tennis courts improved to a good standard such as at Romilly Park.

Councillor Wilson said that improvements to municipal courts were a way to encourage people to participate in sport and possibly consider joining a club.

Councillor Birch said that it was good to see those facilities brought back to beneficial use for as many people as possible via the offer of grant funding.

The Cabinet Member expressed his personal gratitude to Tennis Wales. He said it was great to see 300 children at the opening day of the courts at Romilly park recently which was attended by one of the coaches from the Lawn Tennis Association who also visited schools and some tennis clubs to encourage the playing of tennis outside of Wimbledon fortnight, and the provision of good facilities would encourage that going forward in the Vale of Glamorgan.

The Leader said that encouraging increased physical activity opportunities for people within the Vale of Glamorgan was to be encouraged.

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 Director of Environment and Housing, in consultation with the Head of Finance / 151 Officer, be authorised to accept a grant from Tennis Wales' to refurbish the Tennis Courts at Millwood (Barry), Wenvoe and Penarth Athletic Field (Two Courts) subject to Resolution 3 below.

(2) T H A T the Monitoring Officer/Head of Legal and Democratic Services, in consultation with the Director of Environment and Housing Services and the Cabinet Member for Leisure, Sport and Well-being, be authorised, subject to up-grading works being satisfactorily completed and subject to no objections being received in respect of Resolution 3 below, to agree terms and execute a 7 (seven) year lease to Tennis Wales to manage and maintain the Tennis Courts at Millwood (Barry) and Wenvoe.

(3) T H A T authority be delegated to the Monitoring Officer/Head of Legal and Democratic Services to advertise for the disposal of the land forming the Tennis Courts by way of lease in accordance with s123 Local Government Act 1972, with any comments being reported back to Cabinet for further consideration.

(4) T H A T the 2022/23 Capital Programme be increased by the grant award amount of £120 000 on receipt of the award letter from Tennis Wales.

Reasons for decisions

- (1) To allow the Tennis courts to be refurbished protecting their use for future generations.
- (2) To provide a sustainable business partnership for the management of the refurbished facilities.
- (3) To comply with the Council's legal duty for the disposal of public open space.
- (4) To comply with the Council's financial regulations.