

## CABINET

Minutes of a Remote meeting held on 19<sup>th</sup> January, 2023.

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

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

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

Also Present: Councillors G. Bruce, I. Buckley, S.M. Hanks, W.A. Hennessy and Dr. I.J. Johnson.

### **C178           ANNOUNCEMENT –**

The Leader welcomed all parties to the Cabinet meeting and reminded everyone present that the meeting was being Live Streamed as well as recorded via the internet and this recording archived for future viewing.

She asked if all participants please ‘mute’ themselves when not speaking in order to avoid any background noise or feedback when other participants were speaking, and if a participant wished to speak if they could put their hand up (to be seen on screen) or use the ‘raise hand’ function.

Members were asked to ensure that all debate was raised verbally and not via the ‘chat’ function for the sake of the recording. The ‘chat’ function could be used to highlight any technical issues and/or to get the attention of the Chair or Democratic Services Officer.

### **C179           APOLOGY FOR ABSENCE –**

This was received from Councillor M.R. Wilkinson.

### **C180           MINUTES –**

RESOLVED – T H A T the minutes of the meetings held on 15<sup>th</sup> December, 2022 and 5<sup>th</sup> January, 2023 both be approved as correct record.

### **C181           DECLARATIONS OF INTEREST –**

Councillor L. Burnett	The interest related to Agenda Item 12 - Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024. The Leader advised that she had a personal and prejudicial interest in the matter,
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	having a family member in receipt of Telecare, as referenced in Appendix 7 to the report. She had dispensation from the Standards Committee to speak and vote on such matters.
Councillor G. John	The interest related to Agenda Item 12 - Vale of Glamorgan Council – Proposed Fees and Charges for 2023/2024. Councillor John advised that he had a personal and prejudicial interest in the matter, as a lifelong member of Llantwit Major Football Club but had dispensation from the Standards Committee to speak and vote on such matters.

### **C182 DRAFT OLDER PERSONS HOUSING STRATEGY (REF) –**

The reference from Homes and Safe Communities Scrutiny Committee of 7<sup>th</sup> December, 2022 was presented.

The Leader thanked the Scrutiny Committee for their comments and said that the Committee’s recommendations were valid and would be considered as part of the Older Persons Housing Strategy.

Having considered the reference, it was subsequently

**RESOLVED – T H A T** the comments of Homes and Safe Communities Scrutiny Committee be noted and considered as part of the final Older Persons Housing Strategy.

#### Reason for decision

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

### **C183 CORPORATE RISK REGISTER QUARTER 2 UPDATE (REF) –**

The reference from Governance and Audit Committee of 12<sup>th</sup> December, 2022 was presented.

The Leader said that the Corporate Risk register had been mostly noted by the Committee but referred to Resolution (2) which called for the reframing of the Reshaping risk to a financial fragility risk on the Register to be agreed.

Having considered the reference, it was subsequently

**RESOLVED –**

(1) **T H A T** the reframing of the Reshaping risk to a financial fragility risk on the Register be agreed.

(2) T H A T the comments of Governance and Audit Committee be noted.

Reason for decisions

(1-2) Having regard to the contents of the reference and discussions at the meeting.

**C184 PSB DRAFT WELL-BEING PLAN SCRUTINY REPORT (REF) –**

The reference from Corporate Performance and Resources Scrutiny Committee of 14<sup>th</sup> December, 2022 was presented.

The Leader thanked Members of the Committee for their comments and discussion at the meeting. It was asked if a ‘reflections document’ would be available from the PSB in order to evaluate the previous Plan (2017- 2022) which the Leader agreed with in terms of ongoing learning from these types of initiatives.

Having considered the reference, it was subsequently

RESOLVED –

(1) T H A T feedback from the Corporate Performance and Resources Scrutiny Committee on the draft Wellbeing Plan be forwarded to the Public Services Board (PSB).

(2) T H A T the comments of the Corporate Performance and Resources Scrutiny Committee be noted.

Reason for decisions

(1-2) Having regard to the contents of the reference and discussions at the meeting.

**C185 CABINET QUARTERLY WORK PROGRAMMES – OCTOBER TO DECEMBER 2022 AND JANUARY TO MARCH 2023 (EL/PR) (SCRUTINY - ALL) –**

The Leader presented the report, the purpose of which was to involve, engage and consult Members of the progress to date in respect of Cabinet Quarterly Work Programmes for the period October to December 2022 and to confirm the Quarterly Work Programme for January to March 2023.

The Leader noted that Project Zero had been to Scrutiny and would come back to Cabinet for consideration if the Committees that met that week had any comments for Cabinet to consider. The People Strategy and Supporting Documents report was due to be considered in January but had now been held over to the February cycle of meetings for consideration.

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 updates to the Cabinet Quarterly Work Programme for October to December 2022 attached at Appendix 1 be agreed.

(2) T H A T the Cabinet Quarterly Work Programme January to March 2023 attached at Appendix 2 be endorsed.

Reasons for decisions

(1) To monitor progress.

(2) To approve the Work Programme for January to March 2023.

**C186 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (EL/PR) (SCRUTINY – ALL) –**

The Leader presented the report, the purpose of which was to notify Cabinet of the exercising of Emergency Powers by the Chief Executive since the last report on 17<sup>th</sup> November, 2022.

The Leader pointed Members to the detail concerning the Emergency Powers listed in Paragraph 2.1 of the report. She referred to the decision taken under Paragraph 2.1 (a) concerning Eagleswell School in Llantwit Major as there had been some local discussion. The Leader confirmed that the site was allocated as part of the Local Development Plan as a housing site but was not ready to be used for that purpose currently. Discussions were ongoing with the Local Health Board in relation to their strategic assessment of healthcare provision in the Western Vale also. Councillors John and Williams had joined the Leader in meeting with the Chief Executive of the Local Health Board to discuss that topic and had assurances that there would be consideration within their planning of that site as part of future health provision in the Western Vale. In the interim period, use of the land had been identified in order to provide more appropriate temporary accommodation for Ukrainian refugees who were not able to live in their home country and in desperate need currently, whom the Council had a statutory duty to rehouse. She said that the people of Llantwit had historically been hugely welcoming to people in such positions and was sure they would again for this temporary solution prior to future development.

Councillor John was pleased to hear that the Chief Executive of the Local Health Board was positive as Llantwit Major did need better health facilities as part of their reshaping of clinical services. He said that some residents had expressed concern over how long the temporary accommodation would be on site and that it was difficult to say but would potentially be for the next two years. He was sure the people of Llantwit would welcome the Ukrainians with open arms.

Councillor Wilson referred to Paragraph 2.1 (g) concerning the Atlantic Trading Estate Fleet Parking Site which was a good news story as it contributed to the Council's Project Zero targets for 2030 in reducing the amount of travel undertaken. He also referred to Paragraph 2.1 (i) concerning Hayeswood Road in Barry and how pleased he was that the Council was able to take on the project which would hopefully be completed within the next few months.

The Deputy Leader referred to Paragraph 2.1 (f) concerning the Barry Regeneration Partnership Project Fund, advising that Officers were having positive discussions with the developers currently.

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.

Reason for decision

To inform Cabinet.

**C187 CAPITAL MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2022 (EL/PR) (SCRUTINY – ALL) –**

The Leader presented the report, the purpose of which was to advise Cabinet of the progress on the 2022/23 Capital Programme for the period 1<sup>st</sup> April to 30<sup>th</sup> November, 2022 and to request changes to the Capital Programme.

At the time of the report being written the approved programme totalled £90.4m which included some aspects that had slipped from other years. Were all the requests in the report to amend the Capital Programme be approved then the revised forecast outturn was projected to be a slight reduction to £88.2m and spend to the end of November was £30.1m. There was a new section in Appendix 1 concerning a progress update on Capital Programmes.

Councillor Wilson had visited the site and was delighted with the progress concerning the Waste Transfer Station and Reuse Shop. He had also visited the Cwrt Y Vil, Multi Use Games Area in Penarth with Officers which was also welcomed by the community.

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 on delivering the 2022/23 Capital Programme be noted.
- (2) T H A T the use of Delegated Authority as set out in the report be agreed.
- (3) T H A T the use of Emergency Powers as detailed in the attached Appendix be agreed.
- (4) T H A T the following changes to the 2022/23 and future years' Capital Programme be approved:
  - Free School Meals 2022/23 – Carry Forward £993k into 2023/24 Capital Programme.
  - St Andrews Major C/W Primary School – playground re-surfacing –Include this scheme in the 2022/23 Capital Programme with a budget of £15k to be funded by a contribution from the school's revenue budget.
  - Ysgol Sant Curig Primary All Weather Football Pitch– Increase this scheme budget by £23k in the 2022/23 Capital Programme, to be funded by a contribution from the school's revenue budget.
  - Llansannor Primary Extension – Carry forward £130k into the 2023/24 Capital Programme.
  - Llansannor Primary WC Refurbishment – Carry forward £60k into the 2023/24 Capital Programme.
  - Wick & Marcross Primary –Merge the Wick & Marcross Rewire scheme and the Wick & Marcross Primary – Internal Alterations in the 2022/23 Capital Programme.
  - St Illtyd Primary WC refurbishment - Vire £15k from the Gladstone Primary Replacement of Rainwater Downpipes scheme and £20k from the Gladstone Primary Toilet Refurbishment scheme to the St Illtyd Primary WC refurbishment scheme in the 2022/23 Capital Programme.
  - Salisbury Road No. 91 (YOS) External Repairs Phase 2 – Carry forward £15k into the 2023/24 Capital Programme.
  - Monitoring and Evaluation B4265 Aberthaw to Gileston and Fonmon – request to delete this scheme budget of £3k from the 2022/23 Capital Programme.
  - Llanmaes Construction – Carry forward £540k to the 2023/24 Capital Programme.
  - Neighbourhood Services buildings for compliance issues and community centres – request to vire £7k in the 2022/23 Capital Programme from the Neighbourhood services community and leisure centre scheme.
  - Penarth Leisure Centre Boiler Renewal –Vire £5k from the Leisure Centre Works budget scheme to this scheme in the 2022/23 Capital Programme.
  - Barry Leisure Centre Boiler – Vire £70K to the Leisure Centre Works budget in the 2022/23 Capital Programme.
  - Barry Leisure Centre Flume – Vire £6k from the Leisure Centre Works budget to this scheme budget in the 2022/23 Capital Programme.
  - Knap Skate Park – Carry forward £240k into the 2023/24 Capital Programme.

- Fire Alarm at Community Enterprise Centre, Holm View – Include this scheme in the 2022/23 Capital Programme with budget of £18k, to be funded from the regeneration and planning reserve.
- Train Shed Roof and Windows – Include this scheme in the 2022/23 Capital Programme with a budget of £24k, to be funded from the regeneration and planning reserve.
- Local Places for Nature Capital Funding 2022-23 – Increase this scheme in the 2022/23 Capital Programme in the sum of £17k, to be funded from Welsh Government grant.
- Business Service Centre 2 – carry forward £300k into the 2023/24 Capital Programme.
- Barry Regeneration Partnership Fund – Carry forward £86k into the 2023/24 Capital Programme.
- Penarth Renewal Area – Carry forward £5k into the 2023/24 Capital Programme.
- Building Stronger Communities Grant – New play Area at Caerleon Road, Dinas Powys – Increase this scheme in the 2022/23 Capital Programme with a budget of £72k, to be funded from a contribution from S106.
- Building Stronger Communities Grant – Colwinston Old Ford – Increase this scheme budget in the 2022/23 Capital Programme by £20k, to be funded from the Stronger Communities Grant revenue budget.
- Building Stronger Communities Fund – Enhancement of play equipment at King George V Memorial Playing Field – Increase this scheme in the 2022/23 Capital Programme by £12k, to be funded from the Stronger Communities Grant revenue budget.

#### Reasons for decisions

- (1) To advise Cabinet of the progress on the Capital Programme.
- (2) To advise Cabinet of the use of Delegated Authority.
- (3) To advise Cabinet of the use of Emergency Powers.
- (4) To allow schemes to proceed in the current and future financial years.

#### **C188 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2022 (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Leader presented the report, the purpose of which was to advise Cabinet of the progress relating to revenue expenditure for the period 1<sup>st</sup> April to 30<sup>th</sup> November, 2022.

The Leader had given evidence at the Senedd Finance Committee concerning the pressure faced in transporting children and young people to and from school, the school transport pressure not being met within the service but could be met through the policy underspend. There was a one-off underspend in Adult Services due to a

change in accounting approach for deferred income as recommended by Audit Wales.

Councillor Williams referred to the level of detail that had been provided in the figures within the report as well as the level of transparency concerning the current financial position. He thanked the Finance Officers for all the work that had gone into preparing the report, which was echoed by the other Cabinet Members.

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 position with regard to the Authority's 2022/23 Revenue Budget be noted.
- (2) T H A T the arrangements to offset the projected overspends in 2022/23 as set out in the report be noted.
- (3) T H A T the Amended Revenue budget for 2022/23 as set out in Appendix 1 be approved.

Reasons for decisions

- (1) Having regard to the projected revenue outturn for 2022/23.
- (2) To respond to emerging pay and price inflationary pressures in 2022/23.
- (3) To adjust the Amended Revenue Budget for 2022/23 for movements between Directorates.

**C189 BUDGET 2023/24 FOR CONSULTATION AND FURTHER MTFP UPDATE (EL/PR) (SCRUTINY – ALL) –**

The Leader presented the report, the purpose of which was to present initial budget proposals for consultation in order to come forward with a balanced budget for approval in February.

The Leader confirmed that the report would go forward to be considered at every Scrutiny Committee and subject to much consultation and discussion over the coming month, before coming back to Cabinet and then on to Full Council for consideration in March.

There would have had to have been a 45% increase in Council Tax were the initial £38m deficit to have been met from Council Tax alone, which clearly was not a consideration, and the Report brought forward budget proposals to discuss with residents.

The size of the budget gap had much improved since it was considered in October 2022 as a result of the budget settlement announced on 14<sup>th</sup> December, 2022 but still remained at £9.3m. The Vale of Glamorgan had received a better settlement than expected partly due to demographic factors, with the Vale of Glamorgan having the third highest allocation in Wales at 8.9% with other Authorities ranging between 5.4% and 9.3%.

Previous Council Tax assumptions in October 2022 had been modelled at 3.9%, but the report proposed a Council Tax increase of 4.9%. The £9.3m budget gap was proposed to be funded by a one-off use of reserves of £3.2m partly to reduce the pressure of expected energy price increases but also to reduce the pressure of medium term homeless costs. £6.1m of savings would be achieved through various efficiencies via service review and income generation. Some increases would be passported to schools, but Education would have a £2m efficiency requirement that would be determined at an individual school level. In order to protect the most vulnerable in society, £8.4m would be invested in Social Services.

The Leader asked that everyone get involved in the consultation on the proposals. Some residents had already been in touch to share their views and people were welcome to register to speak at the various Scrutiny Committees where the matter would be discussed also, before coming back to Cabinet and Full Council in March 2023.

One minor amendment was referred to as part of Page 2 of Appendix C to the Report, where the Budget Adjustment Pre-Tenancy Adviser and VATs budget showed a '6' in the total column which should have read as '26', which was noted and would be amended going forward for consideration.

The Leader also requested that the wording to Recommendation (2) to the report be amended to refer the report and all Appendices to all Scrutiny Committees for comment and that these comments are referred to Corporate Performance and Resources as the lead Scrutiny Committee, with any recommendations being referred back to Cabinet on 27<sup>th</sup> February, 2023, which was agreed.

Cabinet also agreed to include an additional Recommendation thanking the Finance Officers and members of the Senior Leadership Team who were involved in developing the budget proposals since last summer, working collaboratively without silos to consider how to best move forward whilst facing and managing the scale of the budget deficit.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting the amendment required on Page 2 to Appendix C to the report, the amendment to Recommendation (2) and inclusion of additional Recommendation (7),

RESOLVED –

- (1) T H A T the updated financial position be noted.
- (2) T H A T the revised funding and spend assumptions and saving proposals be approved and The report and all Appendices be referred to all Scrutiny Committees for comment and that these comments are referred to Corporate Performance and Resources as the lead Scrutiny Committee, with any recommendations being referred back to Cabinet on 27<sup>th</sup> February, 2023.
- (3) T H A T the realigned reserves to match the risks the Council now faced be approved.
- (4) T H A T the savings proposals to be published for consultation with Vale of Glamorgan residents and other groups impacted by the Council's budget be approved.
- (5) T H A T the early work necessary to ensure all savings were delivered in full for 2023/24 be noted.
- (6) T H A T the urgent decision procedure as set out in Section 15.14 of the Council's Constitution be used in order to begin the consultation without delay.
- (7) T H A T Cabinet extend their thanks to the Finance Officers and members of the Senior Leadership Team who were involved in developing the budget proposals since last summer, working collaboratively without silos to consider how to best move forward whilst facing and managing the scale of the budget deficit.

Reasons for decisions

- (1) It was important for Cabinet to be regularly appraised of the Council's medium term financial position.
- (2) Scrutiny was an essential part of the budget setting process and it was important that the funding and savings assumptions were validated and the savings proposals were realistic and deliverable and would not have any unintended impacts.
- (3) The review of the reserve was a fundamental of the Financial Strategy.
- (4) To ensure the savings proposals were included in the annual budget consultation.
- (5) To ensure all savings could be delivered in full for 2023/24.
- (6) To allow the consultation to begin without delay.
- (7) To thank Officers for the preparation of the proposals for consideration.

**C190 VALE OF GLAMORGAN COUNCIL – PROPOSED FEES AND CHARGES FOR 2023/2024 (EL/PR) (SCRUTINY – ALL) –**

The Leader presented the report, the purpose of which was to propose changes in service charges for functions managed by the Council in the following directorates for the financial year 2023/24:

- Environment and Housing
- Managing Director
- Corporate Resources
- Learning and Skills
- Place
- Social Services

The Leader said that it was apparent as part of the revenue budget discussions how important income generation was to be able to deliver a balanced budget. Some basic principles of fairness were applied during consideration of fees and charges whilst also considering inflationary pressures. In terms of non-statutory services, consideration had been given to those where, if possible, they could be cost-neutral either now or in the future.

Service costs had been benchmarked against other Local Authorities and related service provision in order to be comparable, with some services rounded up the nearest 5p or 10p.

The Leader said that there would be a separate report to Cabinet concerning car parking as there were various strategic aims within the Council's approach to car parking that had to be considered, for example, tiered charges.

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 proposals for amendments to fees and charges and associated policy and process changes as set out in the report and the associated appendices be approved.

(2) T H A T the report be referred to all Scrutiny Committees for comment and that those comments be referred to Corporate Performance and Resources as the lead Scrutiny Committee.

(3) T H A T in pursuance of Resolution (2), Corporate Performance and Resources Scrutiny Committee refer comments to Cabinet for consideration as part of the final fees and charges setting at the meeting on 27<sup>th</sup> February, 2023.

(4) T H A T delegated authority be given to the Director of Environment and Housing in consultation with the Head of Finance/Section 151 Officer and the

relevant Cabinet Member, to agree and set any new charges or amend the values of existing charges for the Directorate that may arise during the course of the financial year 2023/24.

(5) T H A T delegated authority be granted to set Registrars fees to the Operational Manager (Democratic Services) as the Proper Officer for the Council's Registration Service, in consultation with the Director of Corporate Resources, Head of Finance/Section 151 Officer and the Cabinet Member for Performance and Resources.

(6) T H A T delegated authority be granted to the Director of Social Services in consultation with the Head of Finance/Section 151 Officer and the relevant Cabinet Member, to agree and set any new charges or amend the values of existing charges for the Telecare Service following the review that was currently being undertaken.

### Reasons for decisions

(1) Having regard to the fees and charges proposed for 2023/24.

(2) To ensure the Corporate Resources and Performance Scrutiny Committee considers the comments of other Scrutiny Committees.

(3) To enable Cabinet to consider the views of the Scrutiny Committee when reaching a determination on the matters.

(4) To enable new charges to be introduced as early as possible for any new services provided by the Council.

(5) To ensure appropriate fees could be set for future years for the Registrars service.

(6) To enable the changes to the Telecare system to be implemented in a timely manner.

### **C191 DRAFT CAPITAL PROGRAMME PROPOSALS 2023/24 TO 2027/28 (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Leader presented the report, the purpose of which was to set out the draft proposals for Cabinet Members to consider, prior to consultation, in respect of the final capital budget for the financial year 2023/24 to 2027/28.

The Leader asked that people contribute to the consultation as part of Scrutiny consideration of the report or by contacting their local ward Member.

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 Capital Programme for 2023/24 to 2027/28 be agreed and submitted for consultation with all of the Scrutiny Committees.
- (2) T H A T any recommendations of all Scrutiny Committees be passed to Corporate Performance and Resources Scrutiny Committee as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.
- (3) T H A T the reprofiling of the Band B Penarth Cluster – Review Primary Provision be approved to Include Cosmeston scheme as detailed in paragraph 2.31 of the report.
- (4) T H A T the reprofiling of the Changing Rooms, Ancillary facilities and replacement boxing club at the Buttrills playing field scheme be approved as detailed in paragraph 2.32 of the report.
- (5) T H A T the reprofiling of the Housing Improvement Programme for the years 2023/24 to 2027/28 be approved as shown in paragraph 2.39 of the report.

Reasons for decisions

- (1) In order to consult Members on the Capital Programme for 2023/24 to 2027/28.
- (2) In order that Cabinet be informed of the comments of Scrutiny Committees before making a proposal on the Capital Programme.
- (3) To reflect the work programme for the Sustainable Communities for Learning Programme.
- (4) To reflect the work programme for the Changing Rooms, Ancillary facilities and replacement boxing club at the Buttrills playing field scheme.
- (5) To reflect the work programme for the Housing Improvement Schemes.

**C192 ANNUAL DELIVERY PLAN MONITORING REPORT: QUARTER 2 PERFORMANCE 2022/23 (EL/PR) (SCRUTINY – ALL) –**

The Leader presented the report, the purpose of which was to present quarter 2 performance results for the period 1<sup>st</sup> April, 2022 to 30<sup>th</sup> September, 2022 in delivering the Council's 2022/23 Annual Delivery Plan commitments as aligned to the Council's Corporate Plan Well-being Objectives.

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 performance results and progress towards achieving the Annual Delivery Plan 2022/23 commitments as aligned to the Council's Corporate Plan Well-being Objectives within the remit of the Committee, as presented in the report and Appendices be approved.
- (2) T H A T the views and recommendations of Scrutiny Committees in relation to Quarter 2 performance and approve identified remedial actions as the basis to address areas of underperformance and to tackle the key challenges identified be agreed.

Reasons for decisions

- (1) To ensure the Council clearly demonstrated the progress being made towards achieving its commitments in the Annual Delivery Plan 2022/23 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 the Council's 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 maximises its contribution to achieving the well-being goals for Wales.

**C193 DRAFT TRANSGENDER INCLUSION TOOLKIT AND GUIDANCE DOCUMENT FOR SCHOOLS AND OTHER SETTINGS (EAWL) (SCRUTINY – LEARNING AND CULTURE) –**

The Cabinet Member presented the report, the purpose of which was to inform Cabinet of the review and proposed consultation of a revised Vale of Glamorgan Council Transgender toolkit for schools.

Councillor Sivagnanam said that the Council were committed to equality and the protection of all those with protected characteristics and encouraged people to take part in the discussion.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the report, the draft revised Vale of Glamorgan Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings (Appendix A) and the Equality Impact Assessment (Appendix B) be approved.

(2) T H A T the Director of Learning and Skills be authorised to undertake a consultation from 23<sup>rd</sup> January, 2023 to 24<sup>th</sup> February, 2023 on the revised Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings as described in the body of the Report.

(3) T H A T the report be referred to the Learning and Culture Scrutiny Committee and the Corporate Performance and Resources Scrutiny Committee for consideration as part of the proposed consultation exercise.

(4) T H A T Cabinet receive a further report upon the conclusion and evaluation of the consultation exercise and updates to the Toolkit and/or Guidance.

(5) 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 consultation to begin on 23<sup>rd</sup> January, 2023.

### Reasons for decisions

(1) To ensure that Cabinet was fully appraised of the content of the report and the revised Vale of Glamorgan Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings and relevant documents.

(2) To ensure that Cabinet was aware of the views and responses of those consulted when deciding whether or not to approve the Council's revised Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings.

(3) To ensure that the Learning and Skills Scrutiny Committee and the Corporate Performance and Resources Scrutiny Committee were consulted on the proposal.

(4) To enable Cabinet to consider the outcome of the consultation process.

(5) In order to avoid unnecessary delays in starting the consultation.

### **C194 OBJECTION REPORT- DRYDEN ROAD, PENARTH PROPOSED TRAFFIC CALMING MEASURES AND ONE-WAY TRAFFIC REGULATION ORDER (NBS) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The Cabinet Member presented the report, the purpose of which was to advise Cabinet of objections received and to propose an appropriate way 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 objections to the proposals for the reasons contained in the report be rejected and that the proposed traffic calming measures and one-way traffic regulation order be implemented.

(2) That the objectors be advised of this decision.

Reasons for decisions

(1) To allow the proposed traffic calming measure and one-way system to be implemented.

(2) To enable the Orders to be made.

**C195 OBJECTION REPORT: RHOOSE WAY RHOOSE – PROPOSED PROHIBITION OF WAITING, LOADING, AND UNLOADING AT ANY TIME AND THE PROHIBITION OF WAITING, LOADING, AND UNLOADING MON TO FRI 8AM TO 9:30AM AND 2:30PM TO 4PM TRAFFIC REGULATION ORDER (NBS) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The Cabinet Member presented the report, the purpose of which was to advise Cabinet of objections received and to propose an appropriate way 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 objections to the proposals be rejected for the reasons contained in the report and the proposed prohibition of waiting, loading, and unloading at any time, and a prohibition of waiting, loading, and unloading Monday to Friday 8:00am to 9:30am and 2:30pm to 4:00pm traffic regulation order on Rhoose Way (Part) and Greenmeadow Way (Part) be implemented.

(2) That the objectors be advised of this decision.

Reasons for decisions

(1) To allow the Traffic Regulation Order to be made and implemented.

(2) To confirm the Council's position.

**C196 DISPOSAL OF LAND TO THE REAR OF 42 & 46 FONMON ROAD (NBS) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Cabinet Member presented the report, the purpose of which was to seek approval to dispose of a small parcel of land located at the rear of 42 and 46 Fonmon Road, Rhoose subject to agreeing a suitable sale value together with terms and conditions.

The Monitoring Officer / Head of Legal and Democratic Services advised Cabinet Members of an error within the report that required amendment. The report referred to 42 and 46 Fonmon Road in Rhoose, whereas the report title referred to Fonmon Park Road, which was incorrect. An additional delegation was requested for the Monitoring Officer / Head of Legal and Democratic Services to clarify that the area in consideration was Fonmon Road rather than Fonmon Park Road in consultation with the Director of Environment and Housing and the Cabinet Member for Neighbourhood and Building Services in order to assess the correct parcels of land, which was agreed.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting additional Recommendation (6)

**RESOLVED –**

(1) T H A T, subject to Resolutions (2)-(5), the land identified at Appendix "A" to the report be declared surplus to the Council's requirements and a parcel sold to each of the adjacent property owners, namely the registered proprietors of 42 and 46 Fonmon Road, Rhoose at market rate, subject to covenants restricting future development on the land being included in the terms of sale.

(2) T H A T authority be delegated to the Monitoring Officer / Head of Legal and Democratic Services to advertise the proposed loss of two small parcels of open space land (in accordance with s.123 (2A) of the Local Government Act 1972) which were intended to be sold to the adjoining residents.

(3) T H A T the Head of Finance be authorised to appoint an external valuer to provide a market valuation report for the land referred to in Appendix 'A' and agree Heads of Terms for the sale in consultation with the Head of Neighbourhood Services and Transport.

(4) T H A T any objections to the public open space notice be reported back to Cabinet for consideration prior to any final decision on disposal.

(5) T H A T if there were no objections to the public open space notice advert the Monitoring Officer / Head of Legal and Democratic Services be authorised to complete all necessary legal documentation required to dispose of the land.

(6) T H A T delegated authority be given to the Monitoring Officer / Head of Legal and Democratic Services to clarify that the area in consideration was Fonmon Road rather than Fonmon Park Road in consultation with the Director of Environment and Housing and the Cabinet Member for Neighbourhood and Building Services in order to assess the correct parcels of land.

#### Reasons for decisions

- (1) To allow a parcel of land to be transferred to each of the occupiers of the neighbouring properties
- (2) To ensure the Council's fiduciary and statutory obligations are met within the transaction by ensuring compliance with Section 123 (2A) of the Local Government Act 1972, the land being part of an open space.
- (3) To allow for the land to be disposed on suitable terms and conditions.
- (4) To ensure public open space notice process was followed correctly and any potential objections are considered.
- (5) To legally formalise the disposal of the land.
- (6) To assess the correct parcels of land.

### **C197 RECYCLING AND WASTE MANAGEMENT SERVICE CHANGES 2023/24 (NBS) (SCRUTINY – ENVIRONMENT AND REGENERATION)**

The Cabinet Member presented the report, the purpose of which was to seek approval to revise the current recycling and waste service provision to reflect the current budget position and the financial challenges for 2023/24 and beyond.

The Cabinet Member said there had been some confusion concerning the proposals and emphasised that there would not be a reduction in the number of black bags that would be collected but would be three bags every three weeks. He hoped that people would consider what was being put out for collection and that the correct material was placed in the correct bags, e.g., not putting food waste into black bags as that currently accounted for around 15% of the contents of black bags.

It was also confirmed that residents were able to put waste into metal bins as these would still be emptied and that the Authority was looking into the feasibility of collecting and recycling textiles.

The standard service for green bag collection would be £20 for the current year and would have up to 4 bags collected every fortnight. Heavy users of the green waste service would be charged at an additional 50p per bag. Residents could still take green waste to their local Household Waste Recycling Centre (HWRC) free of charge.

Councillor Wilson encouraged residents to share their views at Scrutiny Committee, contacting him as the Cabinet Member or contacting their local ward Member.

The Leader said that the Vale of Glamorgan was the second highest recycler in Wales, which also placed the Vale of Glamorgan as one of the top recyclers globally in terms of collection and disposal.

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 an annual subscription charge for the collection of green waste on a frequency of once per fortnight between March and November and on a ring and request service on a first come first serve basis, between December and February for subscribers of the service be approved.

(2) T H A T the introduction of the charge based on the above service from 1<sup>st</sup> July, 2023 be approved.

(3) T H A T the introduction of 3-weekly black bag collections based on 3 bags per household, every 3 weeks, from 1<sup>st</sup> July, 2023 be approved.

(4) T H A T the Residual Waste Policy be updated to reflect the changes detailed in the report.

(5) T H A T Resolutions (1), (2), (3) and (4) above be referred to the Environment and Regeneration Scrutiny Committee for their consideration.

(6) T H A T the service changes in Resolutions (1), (2), (3) and (4) be approved should no views to the contrary be expressed by the Environment and Regeneration Scrutiny Committee.

#### Reasons for decisions

(1) To ensure that waste services were provided within budget and that service efficiencies and budget challenges were met.

(2) To provide income for non-statutory services to meet the unprecedented financial challenges.

(3) To reduce residual waste service delivery costs, increasing performance by capturing additional recycling still contained within black bags and reduce the Council's carbon footprint positively contributing to Project Zero and a carbon neutral Wales by 2030.

(4) To ensure that residual waste restrictions were appropriately managed and communicated and that consideration be given to households where necessary.

(5) To provide the Environmental and Regeneration Scrutiny Committee with an opportunity to consider the details of the report.

(6) To assist in enabling the service area to prepare to make the necessary service changes as promptly as possible.

**C198 RECYCLING AND WASTE MANAGEMENT STRATEGY (2022-2032)  
(NBS) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Cabinet Member presented the report, the purpose of which was to seek authority to approve the new Recycling and Waste Management Strategy (2022-2032).

He thanked the members of the public who had taken the time to comment as part of the 12-week public consultation.

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 public consultation report (Appendix A referred) in relation to the draft Recycling and Waste Management Strategy (2022-2032) be noted.

(2) T H A T the Management Action Plan contained within Appendix A, created in response to the comments received ensuring that these were considered and integrated into the Strategy be noted.

(3) T H A T the draft Recycling and Waste Management Strategy (2022-2032) be amended to reflect Cabinet's decision, in relation to the Waste Service Changes and Savings Report, considered earlier on the agenda.

(4) T H A T the progress on new and ongoing infrastructure namely the Resource Recovery Facility construction update, the new reuse shop, the proposed fleet parking, and the replacement HWRC at Llandow be noted.

(5) T H A T the report be referred to the Environment and Regeneration Scrutiny Committee for their consideration.

(6) T H A T the draft Recycling and Waste Management Strategy (2022–2032) be approved if there were no Strategic amendments recommended by the Environment and Regeneration Scrutiny Committee for Cabinet to consider.

Reasons for decisions

- (1) Having considered the views of the public in relation to the draft Recycling and Waste Management Strategy (2022-2032).
- (2) To ensure comments raised by members of the public were considered and integrated into the Strategy.
- (3) To ensure that waste services were provided within budget and that service efficiencies and budget challenges were met.
- (4) In noting infrastructure progress and service developments.
- (5) To provide the Environmental and Regeneration Scrutiny Committee with an opportunity to consider the results of the public consultation.
- (6) To ensure the Council had a defined consulted on strategic plan to achieve its statutory recycling targets, its environmental ambitions and complies with current waste legislation.

**C199 GYPSY TRAVELLER ACCOMMODATION ASSESSMENT (PSHTE) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Cabinet Member presented the report, the purpose of which was to seek approval of the Vale of Glamorgan Gypsy and Traveller Accommodation Assessment (GTAA) 2022.

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 Gypsy and Traveller Accommodation Assessment, 2022 be approved.
- (2) T H A T the report and the Gypsy Traveller Accommodation Assessment be referred to the Homes and Safe Communities Scrutiny Committee for consideration and agrees to submit the Gypsy and Traveller Accommodation Assessment, 2022 to Welsh Government.
- (3) T H A T the Director of Place be endorsed to issue a letter to the travellers currently occupying the unauthorised site at Hayes Road, Sully, to inform them that whilst no planning enforcement action would be pursued in respect of their residential use of the site, there could be no implied rights to claim adverse occupation of the site.

Reasons for decisions

(1-2) To ensure that the Council complied with its statutory requirements under the Housing (Wales) Act 2014 and adopted the Gypsy and Traveller Accommodation Assessment, for submission to Welsh Government.

(3) To protect the Council against any future claims for adverse possession of the current unauthorised site.

**C200 THE COUNCIL'S RESPONSE TO THE WELSH GOVERNMENT CONSULTATION: ELECTORAL ADMINISTRATION AND REFORM WHITE PAPER (CEERS) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Cabinet Member presented the report, the purpose of which was to seek Cabinet approval for the proposed response to the Welsh Government's consultation paper on Electoral Administration and Reform White Paper.

The Council was broadly in favour of the 6 principles for electoral reform described in Question 1 within Appendix A but there was some concern over divergence from the Electoral Act in the UK. Cabinet Members were supportive of making participation and standing in elections easier and that some reform to encourage people to stand for election was required, but agreed that there had to be representative representation amongst elected Members, e.g., gender balance, etc. There was discussion concerning the important role of agents, making being able to vote as accessible as possible and support for new Members.

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 response attached to the report at Appendix A be submitted to Welsh Government.

(2) 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 response to be sent to Welsh Government by the extended deadline of 23<sup>rd</sup> January, 2023.

Reasons for decisions

(1) To apprise Welsh Government on the Council's views on the matter, including in the Consultation.

(2) In order to meet the Welsh Government timescale.

**C201 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.

**C202 AUDIT WALES NATIONAL STUDY: LEARNING FROM CYBER-ATTACKS (REF) (EXEMPT INFORMATION – PARAGRAPH 18) –**

The reference from Governance and Audit Committee of 12<sup>th</sup> December, 2022 was presented.

Having considered the reference, it was subsequently

RESOLVED –

- (1) T H A T an action plan be developed in order to respond to questions and challenges posed in exhibits 2 to 8 of the Audit Wales National Study: Learning from Cyber-Attacks.
- (2) T H A T the comments of the Governance and Audit Committee be noted.

Reason for decisions

(1-2) Having regard to the contents of the reference and discussions at the meeting.