

## VALE OF GLAMORGAN COUNCIL

Minutes of a meeting held on 28<sup>th</sup> September, 2015.

Present: Councillor Fred Johnson (Mayor); Councillors Antony Bennett, Richard Bertin, Janice Birch, Rhiannon Birch, Jonathan Bird, Bronwen Brooks, Lis Burnett, Philip Clarke, Geoff Cox, Claire Curtis, Rob Curtis, Pamela Drake, John Drysdale, Kate Edmunds, Stuart Egan, Christopher Elmore, Christopher Franks, Eric Hacker, Howard Hamilton, Val Hartrey, Keith Hatton, Nic Hodges, Jeff James, Hunter Jarvie, Gwyn John, Dr. Ian Johnson, Maureen Kelly Owen, Peter King, Kevin Mahoney, Anne Moore, Neil Moore, Andrew Parker, Bob Penrose, Anthony Powell, Rhona Probert, Gwyn Roberts, John Thomas, Ray Thomas, Rhodri Traherne, Stefan Wiliam, Christopher Williams, Clive Williams, Edward Williams and Mark Wilson.

### 410 APOLOGIES FOR ABSENCE -

This was received from Councillor Margaret Wilkinson.

### 411 DECLARATIONS OF INTEREST -

No declarations were received.

### 412 MINUTES -

The minutes of the meeting held on 24<sup>th</sup> June, 2015 and the three Special Meetings held on 22<sup>nd</sup> July, 2015 were approved as a correct record.

### 413 ANNOUNCEMENTS -

The following Petitions were received:

- (i) Petitions opposing proposals to introduce short term car parking charges in Barry and Cowbridge and requesting the Council to reconsider the proposals and to consult with residents and traders before proceeding further (submitted by Councillor John Thomas).
- (ii) Petition against the proposed developments in the Woodlands Road, Barry area (submitted by Councillor Dr. Ian Johnson).

The Mayor made the following announcements:

- In June he had been honoured to be invited to Westminster Cathedral Hall to commemorate the 2<sup>nd</sup> Anniversary of Pope Francis.
- His Civic Service was held in July and he thanked Reverend Canon Pat O’Gorman for conducting such a considerate and meaningful service and he also thanked everyone who attended.

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- The Mayor's Parlour had received The Gideon Bible organisation, the Parks Department who were presented with Green Flag awards and Mr Andre Forte of Barry Island and his family on the occasion of his 90<sup>th</sup> birthday.
- A reception had been held for The St Vincent de Paul volunteers.
- The Vale Show was another enjoyable and productive day, with an outstanding business breakfast in the morning and an afternoon tea, to which he had welcomed The Lord Lieutenant, The High Sheriff, The Lord Mayors of Cardiff and Swansea, Mayors, Civic Heads and also Vale volunteers from different organisations.
- A successful and enjoyable Twinning visit was made to Rheinfelden.
- He had fulfilled many Civic Engagements including the The Royal Welsh Show.
- He had led the parade for the Retired Butlins Redcoats Association to honour their close association with Barry Island.
- He had attended many fundraising events and was delighted to recently host his own Charity Golf Tournament where the total amount raised for the Mayor's charities was £4000. He thanked Councillor Parker for his support and assistance at the event.

#### 414 NOTICE OF MOTION -

The following Notice of Motion (submitted by Councillors Dr. Ian Johnson, Chris Franks, Steffan Wiliam and Nic Hodges) had been included on the agenda for discussion:

"This Council disagrees with charging for town centre car park places in the Vale of Glamorgan and will not introduce them."

In introducing the Motion, Councillor Dr. Johnson indicated that, due to necessity, the Notice of Motion had been submitted prior to the previous week's Cabinet meeting. As such, he considered that while the review – or any postponement of town centre car park charging – was to be welcomed, the Cabinet response showed that a debate at Full Council remained necessary.

He questioned where the car park charging proposals had come from, suggesting not from various consultants engaged by the Council to advise on town centre regeneration, but from proposals for income from a Council budget line. He expressed concern regarding "Council processes" as well as expressing the view that the policy would have negative implications for town centres. He considered there to have been a lack of consultation with local traders and residents.

He reminded Members of his concerns submitted to the Scrutiny Committee (Economy and Environment) Committee regarding the proposals, i.e..

- Failure to consult with local residents and traders who would be impacted by the changes
- Failure to consider economic development of town centres as part of the proposals

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- The poor cost-benefits return of this scheme compared to the potential economic damage that could be caused.
- Failure to consider alternatives to car use in the town centres

In the context of The Council's £215m budget, he considered the projected £200,000 income from the proposals to have the potential to do significant damage to the local economy.

He welcomed the decision of Cabinet to review the proposals and hoped it would lead to the policy being dropped. He considered the Cabinet Member responsible for the service area was "being hung-out to dry" as no other policy promoted by a Labour Cabinet Member had provoked such a response and widespread opposition. He had attended the Cabinet meeting in July when the matter was discussed and had been surprised to see no comments made by any Barry Cabinet member regarding the proposals.

Turning to Council processes, he alluded to the purpose of a "call-in" as being to register concern about a decision, and for that decision to be suspended pending consideration of the relevant Scrutiny Committee. His call-in request had not been accepted as the report had already been referred to the Committee. He stated that, subsequently, the decision was not suspended and, therefore, actioned. He suggested such a process allowed Cabinet to avoid, or ignore, the call-in process by referring matters to Scrutiny Committees, whilst continuing with progressing their decisions subject to a negative response from the scrutiny committee, referral back and then a second Cabinet decision. He would be asking the Chairman of the Democratic Services Committee to investigate.

He formally moved the Motion in the name of himself, Councillors Franks, William and Hodges that "This Council disagrees with charging for town centre car park places in the Vale of Glamorgan and will not introduce them."

Councillor Dr. Johnson also asked that a Recorded Vote take place and the requisite number of Members stood to confirm that this would be the case.

The motion was formally seconded by Councillor Franks.

Councillor Franks felt that, whilst most of the focus was on car parks, the report was far wider than that, in that it included on-street parking, which had also been deferred, as had consideration of "Residents Only" parking regulations. There was also reference to additional off-street parking in the Vale and to potential charges at Country Parks, such as Cosmeston and Porthkerry. He understood officers were already investigating elements of this additional charging potential. As such, whilst the Cabinet had put on hold off-street parking proposals in Cowbridge and Barry, he considered it unclear as to what was happening regarding the other elements of the report.

The Mayor pointed out that the Motion before Council related to town centre car parks and that it did not mention Country Parks, so the comments relating to the latter should be withdrawn. Councillor Franks indicated he would not withdraw any of his remarks.

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Councillor Hodges confirmed his support for the Motion. He felt all Members hoped for “joined up” government and he alluded to the briefing for Members prior to the meeting on the Council’s Reshaping Services strategy.

He alluded to an application for an out-of-town supermarket on the edge of Barry, to be considered by the Council’s Planning Committee later in the week, and questioned why the Council was seeking to implement town car parking charges in Barry, especially, which would have a detrimental effect on the “fragile businesses” in the town centre. He also echoed Councillor Franks’ comments regarding Country Parks.

Councillor Hodges requested a legal ruling on the issue of whether Country Parks could be discussed within the Motion. The Monitoring Officer advised Council that the debate had to be specific to the Motion, which solely related to town centre car park places.

Councillor Hodges alluded to the fact that the proposals did not apply to Llantwit Major and wondered why that was the case. He also questioned why Members had received “little or no notice” of the Cabinet’s decision to further review the proposals. He felt the Council should be trying to revitalise, not to help further stagnate, the town centres.

Councillor Wiliam, whilst acknowledging the need to address the turnover of vehicles within town centres, felt this could be achieved without the introduction of charges. He referred to the standardisation of hours for which cars were allowed to park in High Street, Barry as being a successful approach. Whilst car parking charges might be viable in ‘thriving’ town centres, he considered many of the traders in Barry and Cowbridge would not regard the town centres as thriving. He considered the proposals to be short-sighted and expressed his support for the Motion.

Councillor John Thomas, whilst having no problem in supporting the Motion, considered it to be rather ‘blunt’. He considered there to be problems in certain town centres, particularly Cowbridge, with long term parking. However, he believed this aspect could be addressed without introducing a ‘tax’ on car owners. He referred to many places having ceased car parking charges, which had resulted in an uplift in footfall in those town centres. As such, he proposed an amendment to the Motion as follows ‘This Council disagrees with charging for town centre car park places in the Vale of Glamorgan and will not introduce them. It will, however, investigate means of restricting long term parking by the use of Civil Enforcement Officers and limited waiting times’.

Councillor Traherne, in formally seconding the amendment to the Motion, indicated he could not support the introduction of car parking charges. He considered them to be another ‘tax’ on hard working people and also considered ‘high streets’ within the Vale to be extremely fragile and that such charges would place their future in peril.

Councillor Traherne disagreed with any suggestion that traders supported the proposals. Furthermore, he suggested that shoppers and nearby residents were also opposed to the proposals. He considered the argument that the introduction of

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charges would result in people not leaving their vehicles in a car park all day (and subsequently increasing capacity in the car parks and footfall in the town centre) to be disingenuous. He considered that all that was required was the introduction of a maximum waiting time which, if exceeded, could be enforced. Whilst understanding the need for the Council to raise additional finance, he did not consider this approach to be an appropriate means of doing so.

As far as the 'high street' itself was concerned, Councillor Traherne regarded them as being part of the fabric of society and vital components of towns. When the retail sector failed, he felt that it was, inevitably, the poor, elderly and young who suffered most. He felt town centres to already be under great pressure, with trading conditions still difficult despite some improvement in economic growth and business confidence. He also alluded to the competition from out of town shopping centres, which themselves provided free parking facilities for shoppers. He also referred to the close proximity of Cardiff and to the difficulty nearby towns faced in competing with a capital city. Pressure on the high street also arose from increasing use by the public of internet shopping.

In concluding, Councillor Traherne also referred to the significant amount of business rates which traders were required to pay and to all the staffing costs incurred before any profits even occurred. He hoped that, if the Administration changed following the Council election in May 2017, one of its first acts would be to abolish car parking charges.

Councillor Bertin welcomed the decision to review the proposals as he considered that, if introduced, it would drive shoppers and visitors away from a town centre in Barry that was already failing. He hoped that the proposals would be dropped completely and suggested that his views were supported by many shoppers, traders and residents in Barry. He had always been against such proposals and considered they would put the town centre of Barry at further risk. As such, he would be supporting the Motion put by the Plaid Cymru Group.

Councillor Mahoney referred to the time when he had first been elected to the Council and to Councillor John putting forward both an economic, and moral/social, argument for not imposing car parking charges in Llantwit Major. He had agreed with Councillor John at the time and now questioned Councillor John's stance, given that, as a Member of the current Cabinet, he was now supporting the introduction of such charges in other areas.

Councillor Cox referred to the fact that he had also called in the matter for consideration by the Scrutiny Committee (Economy and Environment). He welcomed the Cabinet's response to the Committee's recommendations. As far as Cowbridge was concerned, he considered the problem to be one of long term parking resulting in congestion in the car park and the lack of turnover of parking spaces. He did not consider that the original Motion before Council would address that point, but that the amended Motion would. He considered that the parking issues in Cowbridge would not improve unless some form of control was introduced. A number of proposals within the Local Development Plan would result in additional housing developments in Cowbridge and the surrounding area. He alluded to the report by Capita, in that, even with the proposed developments on the Cattle Market

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and Sheep Market sites, an increase of just 21 parking spaces would result. Consequently, in addition to the existing situation, he felt the Administration needed to look at long term car parking capacity generally.

Councillor Anne Moore reiterated the reasons why she had not accepted the matter as a Call-in for the Scrutiny Committee. Firstly, it had already been included on the agenda for a meeting. Secondly, Cabinet had referred the matter to the Committee for comment and consideration. Finally, the issue had been on the Committee's Forward Work Programme for some time. In her view, the request had not constituted a 'genuine' call in, a situation which she felt Members of the Committee had accepted at the meeting. She reiterated Councillor Wiliam's earlier comments regarding the debate as being a very good one.

Councillor King, whilst having an element of sympathy with the amended Motion, felt there to be no such thing as free parking. As a motorist himself, he understood the argument put in terms of additional costs falling on motorists. He was aware of approaches elsewhere, such as outsourcing of car parks, but that was an approach which he did not support. He referred to the potential use of Automatic Number Plate Recognition, which he considered would be a much better way forward and an approach which the Scrutiny Committee had requested be investigated. In terms of the difficulties facing businesses, it was difficult to quantify whether the car parking charging proposals would be better, or worse, than the status quo. However, he believed the Council had to take an approach to managing car parking and acknowledged that, perhaps the amended Motion might be one possible way to increase footfall.

Councillor King referred to anecdotal comments regarding long term use of car parks (for example in Cowbridge by Sixth Form students). He pointed out that the Scrutiny Committee had recognised the need for further engagement with stakeholders, which was the main reason why the Committee had referred the matter back to Cabinet. In conclusion, he felt the Council should, at this point, reject both the original, and amended, Motions in order to allow consultation to take place.

Councillor Penrose expressed his support for the amended Motion, but indicated he would like to propose a further amended Motion, to include reference to Country Parks car park places. The Mayor informed Councillor Penrose that Council could only deal with one Motion at a time. Councillor Penrose reserved the right to put a Motion later in the meeting.

Councillor John, as the Cabinet Member responsible for the matter, disputed the suggestion he had been 'hung out to dry'. He acknowledged he had been totally against car parking charges in the past, but the budget pressures which the Council was facing meant that the situation had changed. He did not wish to deal with the matter by engaging in 'political games'. The Council was required to meet significant savings over the next three years and the proposals had been drawn up with that in mind. He understood the resistance to car parking charges, but pointed out that charges were in place almost everywhere (quoting Cardiff City Council's intention to increase existing charges).

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Councillor John referred to a visit he had made to Cowbridge in 2013, when the Chairman of the Chamber of Trade had implored the Council to introduce charges, given the parking problems at the town hall car park. At the time, he had asked for free car parking to be linked with charges, i.e. significant charges coming into being after a period of two hours. Councillor John, therefore, considered it strange that the argument was now being put that charges should not be introduced. He also referred Members to the fact that the percentage of the total car parking area in Barry which would be affected was only around 8%. The proposals had taken some time to formulate, because the Council had looked at ways of avoiding such an approach. However, the cost of repairing car parks had to be met. He acknowledged the quality of the debate at the Scrutiny Committee, but reiterated the fact that income had to be generated to meet the ongoing costs of maintaining car parks.

Councillor John suggested that, as far back at 2003, a prominent member of the then Conservative Cabinet had wanted to introduce car parking charges. He alluded to the fact that, were the Council to withdraw from providing car parking (which was a non-statutory service) any alternative approach, such as outsourcing, would certainly result in the implementation of charges.

The Leader confirmed that the introduction of car parking charges had been on the 'horizon' for some time and had been part of the Council's ongoing budget strategy. He was aware that the matter had been under consideration by the previous Administration and felt that the current Administration's approach to the matter was very open and transparent. He alluded to the recommendations within the Capita report, but confirmed that the cabinet had not taken all their suggestions or recommendations on board. Instead the Cabinet was recommending adopting a different approach, including consideration of the rationale around car parking within the two town centres concerned. His personal wish was to have some form of free car parking. To do so, however, would require either additional Civil Enforcement Officers to monitor/enforce the provisions or the introduction of Automatic Number Plate Recognition (an issue which he had raised at the Scrutiny Committee). He was currently attempting to ascertain whether such a system was allowable within Wales, having written to the relevant Welsh Minister, as he was aware of the Conservative Minister for Transport in the United Kingdom having written to Authorities in England, stating that the system could not be used by Councils. Another alternative was some form of 'arms-length' company, but it would have to be a company associated with the Council and not a private initiative.

The Leader referred to false information having been issued by people following the Scrutiny Committee meeting regarding the proposed approach to the matter. He also pointed out that in terms of car parking generally, 92% in Barry and 88% in Cowbridge would still be free. He was concerned that some of the car parks administered by the Council were occupied by people parking all day. He had been amazed to hear a comment regarding Sixth Form pupils in Cowbridge parking their cars for the whole day. He reiterated Councillor John's comments regarding the fact that car parks cost the Council to maintain and felt that the Council should at least be trying to recover those costs, which was part of the scenario / rationale for the proposed charges.

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Acknowledging that it could be seen as a 'tax' on car owners, the Leader pointed out that Council Tax would need to be increased if the Council did not seek to implement its budget strategy effectively.

Turing to the Call-in procedure, he pointed out that the procedure was for use when the Cabinet had made a decision. In this case, he pointed out that Cabinet had not yet made a decision, but had referred the matter to the Scrutiny Committee for 'consideration and comment'. He concurred with previous comments that the Scrutiny meeting had been a very good one. Responding to the comment from Councillor Hodges earlier in the meeting regarding Members having received limited knowledge of the issue, the Leader pointed out that all Members received Cabinet Agendas in advance of the meeting along with Cabinet Minutes within two days of the meeting, so it was misleading to suggest that awareness only came via a press article. In terms of the Motions, he indicated he would oppose them as the Cabinet had already indicated that any further report would take into account the comments made by the Scrutiny Committee (which included aspects such as Automatic Number Plate Recognition as well as elements of free initial car parking provision).

Councillor Lis Burnett welcomed the opportunity for the Council to consult more fully regarding the proposals, not least because she pointed out that consultation was actually very difficult. The Council had invested in a Town Centre Manager to increase engagement with the town centres across the Vale. However, the officer concerned spent a lot of time administering matters relating to the Holton Road Traders' meetings. Councillor Burnett also pointed out that the Town Centre Manager had attended the Cowbridge Chamber of Trade Annual General Meeting when just three traders had turned up and to another meeting being cancelled due to the Secretary not being in attendance. She referred to a meeting held a few days before the Chamber itself had met when, together with Councillors Cox and Parker, she had met with around 20 Cowbridge businesses and had had a very productive conversation. All present had been of the same mind in wanting to have vibrant, viable and vital town centres. However, a major problem in Cowbridge was a lack of adequate parking and the consequent impact on footfall. That was why she had originally supported the proposals for a very small percentage of spaces in both Barry and Cowbridge to be subject to charges.

As far as the Town Centre Manager was concerned, she was working extremely hard to attempt to revitalise town centres in line with the Council's Town Centre Framework and that work would continue. Councillor Burnett referred to the Member briefing which had taken place prior to the meeting regarding the Council's Reshaping Services Strategy and to the various non-statutory services that the Council was currently providing but, in turn, were incurring costs. The Council was looking to 'future-proof' its town centres. She looked forward to further dialogue with traders and felt that, once they understood that nowhere in the initial report were there proposals for car parking charges on streets, their position would change. She could not agree with either of the Motions submitted.

Councillor Drysdale felt that all Members were keen to 'foster' improvement of the shopping centres within the Vale. To do so, clearly required an improvement in throughput of the people being able to park, shop and move on again. Parking charges were one element of an approach to this, as were free periods of parking,

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which had been alluded to by the Leader and Cabinet Members. He considered it would be very foolish to eliminate the possibility of the use of charges as a means of improving the overall parking situation. Rather than a 'tax', Councillor Drysdale felt charges would represent a service charge, designed to assist in covering the cost of that service. Whilst out of town supermarkets did, indeed, provide free parking, he was also aware of the fact that, after a certain period, they too would enforce/fine long stay parkers. Councillor Drysdale indicated he was opposed to both the Motions before Council.

Councillor Dr. Johnson referred to the many Members who had spoken during the debate and considered that to illustrate the importance of the matter. He felt the amended Motion put by the Conservative Group to essentially build upon the original Plaid Cymru Motion. On that basis, he indicated his Group would support the amended Motion, albeit they would stand by their own unamended original Motion. The original Motion reflected the Plaid Cymru Group's concern regarding the fact that town centres were not thriving as well as they should do.

He was particularly concerned regarding the need to increase footfall within town centres and he alluded to the importance of the town centre economy. He was concerned regarding the effect on the economy of surrounding streets and of residents living in those areas. Referring to the 92% of car parking spaces in Barry that would remain free, they were outside people's houses. He stated that the Council's original proposal in 2013 had identified a potential £390,000 saving, which had now reduced to approximately £200,000, thereby leaving a significant gap to fill.

Referring to the Call-in process, Councillor Dr. Johnson indicated that his Call-in request had been in respect of Recommendation (1) of the Cabinet report and its purpose had been to query, question and seek to reverse that decision. He considered that the reference by Cabinet of the matter to the Scrutiny Committee for 'consideration and comment' did not stop the proposals being progressed. He asked that Members be assured that any matters that were referred by Cabinet to a Scrutiny Committee in such a way were not actioned until the relevant Scrutiny Committee had considered the matter and that the letter accompanying the Cabinet minutes sent to Members clearly stated such.

In concluding, he felt there to be a contradiction in that the Cabinet was both seeking to make savings via such proposals whilst, at the same time, promoting economic development. He supported economic development, but did not support the impact he considered the proposals would result in.

In respect of the amended Motion that "This Council disagrees with charging for town centre car park places in the Vale of Glamorgan and will not introduce them. It will however, investigate means of restricting long term parking by the use of Civil Enforcement Officers and limited waiting times", voting took place as follows and it was

**RESOLVED - T H A T** the amended Motion be lost.

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<b>For the Motion</b>	<b>Against the Motion</b>	<b>Abstain</b>
Councillors A.G. Bennett	Councillors Mrs. M.E.J. Birch	
R.J. Bertin	Ms R. Birch	
J.C. Bird	Ms. B.E. Brooks	
P.J. Clarke	L. Burnett	
G.A. Cox	Mrs. C.L. Curtis	
C.P. Franks	R.F. Curtis	
Mrs. V.M. Hartrey	Mrs. P. Drake	
K. Hatton	J. Drysdale	
N.P. Hodges	Ms. K.E. Edmunds	
H.J.W. James	S.C. Egan	
T.H. Jarvie	C.P.J. Elmore	
Dr. I.J. Johnson	E. Hacker	
Mrs M. Kelly Owen	H.C. Hamilton	
K.P. Mahoney	G. John	
A. Parker	F.T. Johnson	
R.A. Penrose	P.G. King	
J.W. Thomas	Mrs. A.J. Moore	
R.P. Thomas	N. Moore	
R.L. Traherne	A.G. Powell	
S.T. William	Ms. R.F. Probert	
A.C. Williams	G. Roberts	
C.J. Williams	E. Williams	
	M.R. Wilson	
<b>22</b>	<b>23</b>	

There being no further amended Motions, voting took place on the original Motion that "This Council disagrees with charging for town centre car park places in the Vale of Glamorgan and will not introduce them" and it was

RESOLVED - T H A T the Motion be lost.

<b>For the Motion</b>	<b>Against the Motion</b>	<b>Abstain</b>
Councillors A.G. Bennett	Councillors Mrs. M.E.J. Birch	
R.J. Bertin	Ms R. Birch	
J.C. Bird	Ms. B.E. Brooks	
P.J. Clarke	L. Burnett	
G.A. Cox	Mrs. C.L. Curtis	
C.P. Franks	R.F. Curtis	
Mrs. V.M. Hartrey	Mrs. P. Drake	
K. Hatton	J. Drysdale	
N.P. Hodges	Ms. K.E. Edmunds	
H.J.W. James	S.C. Egan	
T.H. Jarvie	C.P.J. Elmore	
Dr. I.J. Johnson	E. Hacker	
Mrs M. Kelly Owen	H.C. Hamilton	
K.P. Mahoney	G. John	

No.

A. Parker	F.T. Johnson	
R.A. Penrose	P.G. King	
J.W. Thomas	Mrs. A.J. Moore	
R.P. Thomas	N. Moore	
R.L. Traherne	A.G. Powell	
S.T. William	Ms. R.F. Probert	
A.C. Williams	G. Roberts	
C.J. Williams	E. Williams	
	M.R. Wilson	
<b>22</b>	<b>23</b>	

#### 415 DEPUTISING ARRANGEMENTS FOR MANAGING DIRECTOR (L) -

The Managing Director, Director of Learning and Skills and Director of Social Services left the meeting for the duration of this item.

In 2012 Council approved the provision of "deputy" cover arrangements for the newly appointed Managing Director in the circumstances of her absence on, for example annual leave or sickness. The arrangements were based on the designation of the then three Directors (and the formerly designated Chief Learning and Skills Officer) as joint Deputy Managing Directors on a three monthly rotating basis. Such arrangements were set in place to cover the range of Managing Director delegations as set out in the Council's Constitution.

The delegations included the power to act, after consultation with the appropriate Cabinet Member (and the Leader, Section 151 Officer and appropriate Chief Officer on matters involving financial commitments) on issues that required immediate action and did not justify holding a special meeting or where the issues are of such urgency or emergency as not to allow time to convene a meeting of the appropriate body).

The above arrangements were, at the time agreed for the period of the previous Managing Director's interim appointment (i.e. up to 31<sup>st</sup> July 2015).

It was important to now reintroduce deputy cover arrangements in the light of the appointment of the Council's new Managing Director as from 1<sup>st</sup> May 2015 and the expiration of the previous arrangements on 31<sup>st</sup> July 2015. It was proposed that such cover be provided from amongst the three current Corporate Directors (Director of Social Services, Director of Environment and Housing, and Director of Learning and Skills) and by nomination by the Managing Director.

The arrangement would provide greater certainty and flexibility for the Council than the former provisions, and arrangements which were more likely to be appropriate to the circumstances prevailing at a particular time.

The revised arrangements, if approved, would be implemented with immediate effect. The Council's Constitution, as currently written, would not need to be revised to accommodate the change.

No.

RESOLVED -

(1) T H A T Council approve the provision of deputy cover arrangements for the Managing Director to cover the circumstances of any future absence and to ensure that the Managing Director delegations as set out in Part 8 of the Council's Constitution can be discharged.

(2) T H A T such arrangements are approved with immediate effect and exercised by nomination by the Managing Director from amongst the Director of Social Services, the Director of Environment and Housing and the Director of Learning and Skills.

416 REPRESENTATION ON GLAMORGAN HERITAGE COAST ADVISORY GROUP (MD) -

At a meeting of the Glamorgan Heritage Coast Advisory Group on 17<sup>th</sup> April, 2015, the Group considered a request that a representative be sought from the Vale of Glamorgan Tourist Association to sit on the Glamorgan Heritage Coast Advisory Group. The Operational Manager for Countryside and Economic Projects at that meeting advised that the request highlighted a gap on the Group from the tourism sector and that such representations would fit well with current priorities. The Group then recommended to Cabinet that an appointment be sought.

Cabinet considered the recommendation on 11<sup>th</sup> May, 2015, with the Cabinet Member for Regeneration advising that having a representative from the tourism sector would fit well within the remit of the Advisory Group. Cabinet subsequently resolved that the recommendation of the Advisory Group be accepted and a representative be sought from the Vale of Glamorgan Tourist Association and the appointment recommended to the next available Council.

Following a discussion with the Vale Tourist Association and an officer from the Democratic Services Team the organisation had confirmed that, if approved by Full Council, they would be more than happy to accept an invitation for a representative to be invited to attend meetings of the Glamorgan Heritage Coast Advisory Group.

RESOLVED -

(1) T H A T the Vale of Glamorgan Tourist Association be included in the list of representatives to be invited to attend meetings of the Glamorgan Heritage Coast Advisory Committee.

(2) T H A T the Council's Constitution be amended accordingly.

417 SCRUTINY COMMITTEES' ANNUAL REPORT MAY 2014 - APRIL 2015 (MD) -

The draft Annual Report had been considered and approved by all five Scrutiny Committees and contained details of the work of the Committees over the year, together with statistical information. In submitting the report to Council, Councillor Wilson, as Chairman of the Scrutiny Committee Chairmen and Vice-Chairmen Group, referred Members to the 'Key Highlights' section and also thanked officers for their assistance and support throughout the year.

RESOLVED - T H A T the Scrutiny Committees' Annual Report 2014 - 2015 be received.

418 USE OF THE MANAGING DIRECTOR'S EMERGENCY POWERS (MD) -

The following use of the Managing Director's Emergency Powers were reported:

**(a) Membership of Scrutiny Committee (Social Care and Health)**

Authority to replace Councillor Kate Edmunds with Councillor Fred Johnson on the Scrutiny Committee (Social Care and Health) with immediate effect and until further notice)

(Scrutiny - Corporate Resources)

**(b) Disabled Facilities Grant**

Authority to increase Disabled Facilities Grant Scheme by £130k, of which £120k to be funded from Reserves and £10k to be funded from Capital Receipts.

(Scrutiny - Economy and Environment)

**(c) Membership of Committees**

(i) Authority to replace Councillor Keith Hatton on the Planning Committee with Councillor Chris Franks with immediate effect and until further notice.

(ii) To replace Councillor Chris Franks on the Standards Committee with Councillor Keith Hatton with immediate effect and until further notice.

(Scrutiny - Corporate Resources)

**(d) Housing Revenue Account Subsidy Buyout 2015/16**

Authority to include £63,155,896 in the Capital Programme to allow for the correct accounting for the Housing Revenue Account Subsidy Buyout.

(Scrutiny - Housing and Public Protection)

No.

**(e) Replacement of Councillor G. Roberts on the Scrutiny Committee (Economy and Environment)**

Authority to replace Councillor G. Roberts with Councillor J. Drysdale on the Scrutiny Committee (Economy and Environment) due to increased personal / family responsibilities until September 2015 at the earliest.

(Scrutiny - Economy and Environment)

**(f) 2014/15 Capital Slippage Request**

Authority to approve slippage of unspent but committed capital budgets for 2014/15 into 2015/16 in relation to those schemes set out in the Appendix to the report to Cabinet on 13<sup>th</sup> July 2015, which showed the slippage requests and the amended 2015/16 budgets.

(Scrutiny - Corporate Resources)

**(g) Slippage of DDA Funding from 2014/15 to 2015/16 and acceptance of tender for new Civic Offices Passenger and Goods Lift**

Authority to approve slippage of the underspend on the 2014/15 DDA Council Buildings Phase 3 (£34,155) and 4 (£39,569) from the 2014/15 Capital Programme and be added to the 2015/16 allocation of £75k for DDA Adaptations to Council Buildings Phase 4 resulting in revised capital allocation of £148,724.

Authority to accept the tender received from Triangle Lift Services Ltd for the replacement passenger and goods lift to enable an order with Triangle to be placed as soon as possible.

(Scrutiny - Corporate Resources)

**(h) Division of 'Victorian Schools' budget into separate budgets within the Capital Programme and acceptance of tender for Victoria Primary School: External Refurbishment Works**

(a) Authority to amend the 2015/16 Capital Programme which currently contains a financial allocation of £1,060,514 for Victorian Schools be split as follows:

(i)	Victoria Primary School: External Refurbishment Works	£270,000
(ii)	Overboarding Lath and Plaster Ceilings	£740,514
(iii)	Sandstone repairs	£ 50,000

(b) Authority to accept the lowest compliant tender for the External Refurbishment Works at Victoria Primary School tender submitted by Pinit Building and Civil Engineering Ltd.

(Scrutiny - Lifelong Learning)

**(i) Changes in Labour Group Membership on Committees**

To implement with immediate effect (i.e. 21<sup>st</sup> August, 2015), the following changes to the Labour Group Membership of certain Committees:

- Licensing Committee - Councillor Chris Elmore to replace Councillor Neil Moore
- Planning Committee - Councillor Bronwen Brooks to replace Councillor Rhona Probert
- Scrutiny Committee (Economy and Environment) - Councillor Gwyn Roberts to replace Councillor John Drysdale.

(Scrutiny - Corporate Resources)

RESOLVED - T H A T the report be noted.

**419 STATEMENT OF ACCOUNTS 2014-15 (S151O) -**

The Audit Committee on 21<sup>st</sup> September considered an agenda item entitled 'Audit of the 2014/15 Financial Statements - Reporting to Those Charged with Governance'. The Committee recommended that the report of the Wales Audit Office be approved and the Financial Statements, including the Final Letter of Representation, be recommended for signature by those authorised.

Under the Accounts and Audit Regulations, the Statement of Accounts must be approved before the 30<sup>th</sup> September and signed and dated by the Mayor as Chairman for the Council. The Statement of Accounts was attached to this report which had already been considered and endorsed by the Audit Committee.

In addition, the Annual Governance Statement needed to be formally approved by Council and signed and dated by the Leader of the Council. This statement had already been considered and endorsed by the Audit Committee.

Councillor Dr. Ian Johnson asked that Members note that reserves as of 2013 were shown as approximately £68 million, compared to an up to date figure of approximately £76 million (which constituted an £8 million increase during a period of austerity). He alluded to the figure being substantially more than the projected figure quoted in February 2013.

The Leader reminded Members that some reserves were usable, whereas others were not (i.e. they were earmarked for specific purposes). That aspect had been covered within the Statement of Accounts and the budget process itself. He also reminded Members of the need for the Council to identify £25 million of savings over the next three years. In terms of future settlements, a statement from the Chancellor was anticipated to be issued on 25<sup>th</sup> November, 2015. Once the content of that statement was known, the Council would need to consider whether the use of more reserves was necessary / appropriate. The process set out in the Statement of Accounts regarding use of the General Fund would continue. His hope was that the

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issuing by the Welsh Government of a final settlement would enable the Council to finalise its budget in early March 2016.

RESOLVED -

- (1) T H A T the Letter of Representation to the Wales Audit Office be noted and that it be agreed and signed and dated by the Chair of Audit Committee.
- (2) T H A T the Annual Governance Statement (within the Statement of Accounts) be approved and signed and dated by the Leader of the Council at page 83.
- (3) T H A T the Statement of Accounts for 2014/15 be approved and signed and dated by the Mayor as Chairman of the Council at page 14.

420 TREASURY MANAGEMENT (REF) -

RESOLVED - T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C2866, 27<sup>th</sup> July, 2015, be approved.

421 YOUTH REPRESENTATION ON SCRUTINY COMMITTEE (LIFELONG LEARNING) (REF) -

RESOLVED - T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C2888, 7<sup>th</sup> September, 2015, be approved.

422 GENERAL PLANNING MATTERS: THE TOWN AND COUNTRY PLANNING (FEES FOR APPLICATIONS, DEEMED APPLICATIONS AND SITE VISITS) (WALES) REGULATIONS 2015 (REF) -

Councillor Traherne considered the Planning Officers to be meeting the required targets, albeit whilst under severe pressures. He referred to the expectation in the Minister's letter regarding Authorities retaining any increase in income for use within the Planning Service. As such, he hoped that the income would not be diverted for use elsewhere within the Council.

The Leader acknowledged that the letter was clear in terms of which area the money was to be utilised in. He referred to the Council's Planning Service as not only being one of the hardest working in Wales, but also the best.

Councillor Franks queried whether additional resources would be provided in terms of staffing levels as a result of the increase in fees. In response, the Leader assured Members that he would look to ensure that the service continued to remain resilient. He indicated he would provide a more detailed response in writing to the queries raised and circulate to all Members.

RESOLVED - T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C2907, 21<sup>st</sup> September, 2015, be approved and current scheme of delegation be

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amended to include all applications which are recommended for refusal of planning permission, in order to avoid having to refund a planning fee for an application which is considered to be unacceptable but would exceed the determination date if it were necessary to report to Planning Committee.

423 IMPROVEMENT PLAN PART 2: ANNUAL REVIEW OF PERFORMANCE 2014-15 AND LOCAL GOVERNMENT PERFORMANCE 2014/15 (REF) -

Councillor Dr. Johnson sought clarification as to what the Objective Benchmarks were for Objective 4, in terms of targets to be met. Notwithstanding the fact that the information was likely to be capable of being obtained from the report itself, The Leader indicated he would provide a written reply to all Members.

RESOLVED - T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C2913, 21<sup>st</sup> September, 2015, be approved.

424 DISABLED FACILITIES GRANTS PERFORMANCE REPORT FOR QUARTER 1 2015 - 16 (REF) -

The Leader confirmed that waiting times for adaptations had reduced considerably and that the Council was now the 8<sup>th</sup> best-performing in Wales in terms of that Performance Indicator.

RESOLVED - T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C2198, 21<sup>st</sup> September, 2015, be approved.

425 REVIEW OF THE COUNCIL'S CONSTITUTION (MO) -

Since the formal introduction of the Council's new executive arrangements in May 2002, the Constitution had remained under review and would continue to be so on an ongoing basis. Under Article 15 of the Constitution the Monitoring Officer had a duty to monitor and review the operation of the Constitution to ensure that the aims and principles contained therein were given full effect. Any changes considered necessary were subject to approval by the Full Council after consideration of the proposals by the Monitoring Officer. A number of reports amending / updating the Council's existing Constitution had been submitted to / approved by Council during the period that the overall document had been subject to review.

A cross-party Constitution Working Party was established to consider amendments to the Council's existing Constitution, taking into account the new Model Version issued for consideration/adaptation by Local Authorities in Wales. As anticipated, the exercise had taken a considerable time, given the length / complexity of the document. Indeed, it appeared that very few Welsh Local Authorities had concluded a review exercise such as that undertaken by this Council. The period during which this particular piece of work took place also saw significant changes to the Council's

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senior management / departmental structures, which, in turn, had had to be reflected in the revised document.

Various officers had been going through the existing Constitution and preparing draft revised sections for consideration by the Working Party. Often, the text was very similar to the current version. However, there had also been various new legislative requirements and provisions which needed to be taken into account and which had been incorporated in earlier reports to Council and were reflected in the revised document.

The Working Party had now concluded its work and a revised draft Constitution had been drawn up. Given the size of the document (over 300 pages) a copy of the Draft had been placed in each of the Group Rooms and an electronic link sent to all Members. A copy of the final / approved version would be made available to Members in due course (possibly in CD format, with a hard copy available on request). The composition of the Working Party (which included all Group Leaders) had provided an excellent opportunity for open discussion on the draft Constitution as a whole and, in particular, those areas considered to be of particular relevance to Members (e.g. rules relating to Full Council, the Executive and Scrutiny Committees).

Whilst the revised draft Constitution looked quite different from the existing version, by its very nature, the document largely comprised the same elements. These included Procedural Rules (for Council, the Executive and Scrutiny Committees), Financial Rules and Codes of Conduct. Meetings of the Working Party had been informed by the extensive review of all sections of the document by relevant officers. In reality, the extent of actual changes in terms of how the Council worked were quite small. Indeed, throughout its consideration of this matter, the Working Party had generally been of the view that (notwithstanding changes to the format of the revised version) significant elements of the existing Constitution remained "fit for purpose". Consequently, significant elements of the Sections governing how the Full Council, the Executive and the Scrutiny Committees operate remained largely the same, if not identical, to the current version.

In summary, all sections of the existing, and revised Model versions, had been reviewed, compared and updated as considered appropriate by officers and the Working Party itself. Certain sections, such as the Budget and Policy Framework Procedure Rules (Section 15), Financial Procedure Rules (Section 16) and Contracts Procedure Rules (Section 17) had been reviewed thoroughly and updated accordingly. As far as these were concerned, the current Constitution outlined the authorisation rules for changes to the Capital Programme. This included the requirement for Council's approval of transfers between schemes of over £100,000 and revenue contributions to capital also over £100,000. Due to the timeframe between Council meetings, there was frequently the need to request the Managing Director to use Emergency Powers to approve such changes, as schemes could not proceed without this approval and would be delayed. In order to reduce the use of Emergency Powers, it was proposed that these financial limits be increased to £500,000.

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It was also proposed that capital slippage between years, which resulted in no increase to the approved total budget for a scheme, was approved by Cabinet instead of Council, which was the current requirement. These changes were as a result of timing issues and did not alter the existing total approved budget. This change would also reduce the need for the use of Emergency Powers. Other limits had been updated as they have not been changed for a number of years.

Section 4 ("Full Council") included, subject to approval by Council, making permanent the revised arrangements relating to Council Questions, which had been operating on a trial basis for several meetings.

The Guide to Public Speaking at Planning Committee was incorporated (Section 19).

Section 24 comprised a detailed "suite" of Member Role Descriptions and Person Specifications. Subject to these being approved by Council, they would form part of the Council's Member Development Strategy, which, in itself, was to be reviewed and updated.

Importantly, there were a number of elements / provisions within the draft Model version which officers and the Working Party considered should not be included in the draft version submitted to Council. In particular, these related to:

- limitations on the number of questions which Members and / or political groups as a whole would have been entitled to submit / ask at Council meetings;
- similarly, limitations and / or tighter provisions surrounding the submission by Members of Notices of Motion in advance of Council meetings;
- a provision which would have made it more difficult for the Leader of the Council to be removed by Members.

The Leader reminded Members that the revised Constitution (if approved by Council) would also take account of the previous agenda items in relation to:

- representation on Glamorgan Heritage Coast Advisory Group
- youth representation on Scrutiny Committee (Lifelong Learning)
- General Planning Matters: The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015.

The Leader thanked the Group Leaders for their input and contributions to the Working Party, which had considered and drawn up the revised Constitution. He also thanked the Managing Director, Monitoring Officer, Head of Democratic Services and Principal Democratic and Scrutiny Services Officer for their work.

Finally, the Leader asked Members to consider agreeing an additional delegation to the Monitoring Officer in order to review the Council's current Licensing Committee arrangements, in consultation with Group Leaders.

No.

RESOLVED -

- (1) T H A T the revised Council Constitution (attached as Appendix A to the report) be approved.
- (2) T H A T the Monitoring Officer be authorised to make any minor amendments, correct typographical or drafting errors and ensure all cross-references within the Constitution are correct prior to publication; these being reported to Members accordingly.
- (3) T H A T the Monitoring Officer be authorised to undertake a review of the Licensing Committee arrangements operating within the Council, in consultation with Group Leaders and reflect the same in the Council Constitution.
- (4) T H A T Members of the Working Party be thanked for their contribution to the drawing up of the revised Constitution.
- (5) T H A T the Managing Director, Monitoring Officer, Head of Democratic Services and Principal Democratic and Scrutiny Services Officer also be thanked for the work undertaken on the revised Constitution.

426 EXTERNAL FUNDING: INSPIRE2ACHIEVE AND INSPIRE2WORK ESF GRANTS, WELSH INDEPENDENT LIVING GRANT AND SPECIFIC WASTE MANAGEMENT GRANT (REF) -

RESOLVED - T H A T the use of the Urgency Decision Procedure (Cabinet Minute No. C2823, 29<sup>th</sup> June, 2015) as set out in Article 13.09(a)(ii) of the Council's Constitution, in order to enable submission of the application prior to the required deadline, be noted.

427 CORPORATE POOL CAR SCHEME: PROGRESS REPORT (REF) -

RESOLVED - T H A T the use of the Urgency Decision Procedure (Cabinet Minute No. C2894, 7<sup>th</sup> September, 2015) as set out in Article 13.09(a)(ii) of the Council's Constitution, in order to enable the necessary authority in terms of procurement to be in place and the relevant electronic auction deadline to be met, be noted.

428 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 8.2 -

Due notice had been given of the following questions:

(i) **Question from Councillor Steffan Wiliam**

What progress has been made with regards to installing free WiFi for Barry Island and other areas in the Vale?

No.

### **Reply from the Cabinet Member for Regeneration**

A feasibility study has been carried out with regards to providing free public access wi-fi on Barry Island beach front and, whilst it is technically feasible and a scheme of works has been prepared, funding for the project had not until recently been identified. Councillor William will, however, appreciate the considerable and welcomed investment in the Island over the last few years and I see this initiative as the next logical step. It is for this reason that a sum has been identified from a capital sum for on-going regeneration in Barry. This will allow us to take this initiative forward and I hope that the scheme will be delivered in this financial year.

### **Supplemental**

Councillor Wiliam asked when the programme might be “rolled out”.

The Cabinet Member reiterated her comment regarding the current financial year.

### **(ii) Question from Councillor Rhodri Traherne**

How many of our schools contain asbestos?

### **Reply from the Cabinet Member for Children’s Services and Schools**

I can confirm that asbestos containing materials (ACMs) have been identified in 50 schools within the Vale. All Vale schools have been provided with an Asbestos Management Plan specific to the school which identifies all known ACMs. These materials are annotated on a plan which is made available to all maintenance contractors working on the site and a log kept to confirm this. A further intrusive asbestos survey is carried out to identify ACMs within the building structure if major works or demolition is planned. All construction works which could affect ACMs are carried out by suitably trained operatives in accordance with Health and Safety Executive good practice guidance and legislation.

All remaining ACMs are in a good condition, encapsulated or in sealed areas preventing unauthorised access. A regular inspection programme is carried out to ensure the integrity of the remaining ACMs and any damaged materials are dealt with in accordance with HSE good practice immediately. Following advice from the Asbestos Management Unit, funding is regularly included in the Education capital programme to remove or encapsulate ACMs where required.

### **Supplemental**

Councillor Traherne understood that the symptoms of cancer caused by exposure to asbestos could take up to 30 to 40 years to develop and that children were at a higher risk of developing cancer as a result of exposure to asbestos than adults. He asked whether, despite the reassurances that the Cabinet Member had given, he was sure that the children and young people in the Vale’s schools that did contain asbestos were safe.

No.

The Cabinet Member thought children were as safe as they could be. The Council followed all the Health and Safety Executive's advice, guidance, UK Government legislation and it also had an Asbestos Officer. He quoted an example, in that there was an issue fairly recently in Bryn Hafren Comprehensive School in Barry where asbestos could have been interfered with, but where, in fact, it had not. However, the relevant procedure was followed immediately. There were no children in the classroom when that happened. The member of staff in question was checked that could have interfered with the asbestos, so the Council's processes were very rigorous. As such, he had absolute confidence (as he trusted all previous Administrations had done) in regard to the Council's checks on asbestos within its schools. As the current Administration continued its programme of building new schools, the risk of asbestos would drop.

(iii) **Question from Councillor Rhodri Traherne**

Is the Council going to achieve the Welsh Government's 'Recycling Target' of 58% of 'Waste' in 2015 – 2016?

**Reply from the Cabinet Member for Visible and Leisure Services**

We are working hard to achieve the 2015 / 2016 Statutory Recycling Target of 58% by the end of the financial year. In addition to the existing performance of our collection service, we have introduced a couple of new initiatives this year, in accordance with Welsh Government's "Towards Zero Waste -The Waste Strategy for Wales" and it is anticipated these initiatives will have long term benefit in the continuous diversion of waste from landfill / incineration and provide more resources for recovery through recycling and composting, which will not only add to our recycling performance, but enhance the environment .

With the introduction of these initiatives, as an Authority we are anticipating that, by the end of 2015 / 2016, we will achieve the 58% target and set the foundation for increasing performance to meet future recycling targets. The Council is very close to the target at present.

**Supplemental**

Referring to a suggestion from some within the Welsh Local Government Association that, if future targets were to be met, it might be necessary to fine people for failing to recycle, Councillor Traherne asked whether the Cabinet Member supported such a proposal.

The Cabinet Member responded that people who made little or no effort to recycle might well deserve to be fined. Some people were working really hard in terms of recycling and the Council had a lot of new initiatives in place in terms of encouraging more and more residents to recycle. Obviously, the Council did not wish to be in the position of failing to meet its targets at 31<sup>st</sup> March next year. Consequently, the aim was to be above that target by that time. He alluded to the next recycling target for 2019/20 of 64%. The targets were challenging and could only be met as a result of

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the efforts of residents. However, the Council could not force people to recycle, but only persuade them to do so.

(iv) **Question from Councillor Rhodri Traherne**

Over 18 months ago I asked you a question at Council. This question was as follows: *Could I ask the Leader whether he has considered the introduction of a publicly accessible disclosure log of all requests received under the Freedom of Information Act (2000)? Having a dedicated page on the Council's website where all responses to freedom of information requests would be located would cost very little, and certainly far less than the thousands of pounds spent on the chairs that we are all sitting on this evening. As I am sure the Leader would agree, the introduction of such a measure would promote greater openness and greater transparency in regard to the work of the Council, and as such should surely be implemented without delay.* You may recall that you said: *"To answer your question, I have indeed considered this and have had some discussions with officers already but, as yet, no decision has been made."* And *"In conclusion, I have thought about it and it will be considered"*. I was wondering if your considerations were complete and, if not, perhaps you can tell Council whether we are going to have to wait another 18 months for a decision.

**Reply from the Leader**

I am surprised at the tone of your question. It is something I would not have attributed to you. However, I would answer the question as such:

Yes, I have reconsidered the issue. I am surprised you expected an answer from me, as you neither asked me for one and I certainly did not say I would give an answer. But, as it's not on the website it probably answers the question, if you needed one. So for completeness, I have reconsidered it and, no, I do not intend placing anything on the website.

**Supplemental**

Stating that some 18 months ago the then Welsh Government Minister for Local Government in Government business in answer to a written Assembly question stated "The Information Commissioner's Office encourages public authorities to publish significant disclosures as a matter of good practice. This is usually within a disclosure log. I support this decision", Councillor Traherne asked whether, given the Leader's reply, he fundamentally disagreed with that stance.

The Leader indicated that, as with many things in Welsh Government, he did disagree.

(v) **Question from Councillor Rhodri Traherne**

How much additional money will the Council require in order to pay our staff the new 'Living Wage' in April 2016.

No.

### **Reply from the Leader**

The latest estimated cost for the implementation of the new National Living Wage for employees across the Council is £51,000.

This is based on anticipated salary levels at April 2016, including an assumption of a 1% national pay award. The figure includes costs related to additional overtime and agency rates but not any projected additional costs for external contractors.

### **Supplemental**

Councillor Traherne quoted a figure of approximately 95% of domiciliary care for patients being commissioned by the Council from the independent sector and to many workers in that sector earning less than £7.50 per hour. Referring to substantial additional staffing costs falling upon independent providers, which would need to be passed onto the Council, he asked how the Council would identify how much additional funding would be required.

The Leader reiterated to the figure of £51,000 quoted in his original reply. That figure included costs relating to additional overtime and agency rates, but not any projected additional costs for contractors which were currently unknown. The projected costs related to the new National Living Wage of £7.20 per hour as included in the Conservative Chancellor's budget in May and which obviously replaced the Minimum Wage, which everybody had to pay anyway. The costs were distinct and separate from those related to the Voluntary Living Wage, which was currently £7.85 per hour and which, if adopted by this Council, would cost an estimated £750,000.

### (vi) **Question from Councillor Rhodri Traherne**

As part of the '*Reshaping Services Agenda*'; has the Council been able to identify any services that might be carried out more efficiently by the private sector?

### **Reply from the Leader**

The Council is currently reviewing the first tranche of services within the Reshaping Services programme. These reviews are seeking to identify the potential for making efficiencies via a range of alternative models of service delivery, including the potential for working with public interest companies, the private sector and, indeed, the voluntary sector..

This was the subject of a Members' information session that took place prior to this meeting.

As you are probably aware and if you were here earlier the Council is currently reviewing the first tranche of services within Reshaping Services Programme. These reviews are seeking to identify the potential for making efficiencies via a range of

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alternative models of service delivery, including potential for working with private partners, voluntary sector and other, in fact other Councils. This was the subject of the Members briefing you had earlier. I don't know if you were here or not, I don't think you were, but I think it was covered in all that, but yes we are seeking service delivery models with public interest companies and other organisations. Indeed the reason we work with Cardiff and Bridgend for Regulatory Services, it is part of the Reshaping Services. We will look at everything and even an arm's length company if necessary.

### **Supplemental**

Councillor Traherne asked whether the Leader had not ruled out outsourcing services to the private sector.

The Leader indicated that it would be his preference not to outsource to the private sector. If that approach was to be considered (and as alluded to earlier) it could be through an "arm's length" company, either set up by the Council or, alternatively, with another Council as had been proposed by some other Councils working together. However, he again stated that his preference would be not to go to the private sector. However, it could be argued that the private sector approach was already in existence in areas such as independent sector care providers.

### **(vii) Question from Councillor Antony Bennett**

In view of the recent Car Parking Charges debate, could I seek an assurance from the Cabinet Member responsible, that there are no plans to introduce Car Park Charging within the Llantwit Major area, specifically in the Town Hall Car Park, The Rugby Club Car Park, areas around the Railway Station and the Car Park at Llantwit Major Beach. All of these car parks are owned/controlled by the Vale of Glamorgan Council.

### **Reply from the Cabinet Member for Visible Services and Leisure**

Thank you for your question relating to car parking charges in Llantwit Major. I can confirm that following the feedback received from local traders, residents, and the Council's Economy and Environment Scrutiny Committee, a decision has now been taken (by Cabinet on Monday of last week) to reappraise certain aspects of the Phase 1, Car Park Charging proposals for Town Centre car parks in Barry and Cowbridge before a final decision is taken in this matter.

As a result, therefore, I can advise that any potential charging within areas such as Llantwit Major is not currently being planned or considered by Council officers or Members at this time.

### **Supplemental**

Councillor Bennett asked whether the Cabinet Member could provide an assurance that the car parks in Llantwit Major would continue to be repaired by the Council,

No.

given the indication being that income from charges within Barry and Cowbridge would be used to supplement the repair of car parks in those locations.

The Cabinet Member commented that Councillor Bennett might like to provide information regarding which car parks needed repairing. He acknowledged one particular car park was in a state of disrepair and had been so for some time. He reminded Members that no decision had yet been made regarding car parking charges, pending a further report.

(viii) **Question from Councillor Antony Bennett**

In relation to the incident of fire which occurred at the Siteserve Premises on Llandow recently and in light of the significant Constituent concern expressed to myself and no doubt my fellow Councillors in Llantwit Major, what specific action will the Vale of Glamorgan Council be taking in relation to this matter with regard to the future use and safety of the site.

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

Primarily, the activities associated with existing and future waste operations of the SiteServ Waste Transfer on the Llandow Trading Estate rests with the Environmental Regulatory Body, Natural Resources Wales, who issue and enforce the relevant Environmental Permit. Clearly, where there are health and safety issues within the site, then the Health and Safety Executive will have responsibilities, together with our own Regulatory and Planning officers, who will also have legislative responsibilities to ensure that the site operates within the terms of any relevant consents issued by this Council.

Our emergency planning officers, also work closely with the regulatory bodies to ensure that our residents are as safe as they can be from the waste management operations being carried out by this company.

The Vale of Glamorgan Council is continuing to work with Natural Resources Wales (NRW), who currently permit / regulate the site, and other agencies involved in providing a multi-agency response to the latest fire at the site

Identifying the cause of the fire is an important part of the investigation and South Wales Fire and Rescue Service have indicated that the fire was caused accidentally, possibly initiated by the waste stockpile overheating.

A further multi-agency meeting will be taking place to discuss the cause of the fire at the site and will consider any consequential action being taken by NRW. The meeting will also look at recommending any actions or interventions that could be put in place to help prevent future occurrences.

No.

(ix) **Question from Councillor Philip Clarke**

With regard to discretionary payments would the Council Leader tell me how much discretionary compensation has been paid over the last 5 financial years?

I understand that Cardiff Council have reduced the level of discretionary payments by about 50%. Will the Vale of Glamorgan Council be similarly reviewing its discretionary payments policy particularly for high earners?

**Reply from the Leader**

A summary of discretionary payments for employees who were made redundant by the Council over the last five financial years is set out below:

2010/11	£129k
2011/12	£94k
2012/13	£124k
2013/14	£79k
2014/15	£114k

With regard to whether or not we will be reviewing our policy, I can confirm that all employment policies are continually subject to review, particularly in the current context of increasing financial pressures. It is, however, worth noting that unlike many other local authorities in Wales, the Council's Scheme limits all payments to a maximum of £30,000, regardless of seniority or length of service.

Perhaps I should also confirm that Cardiff did review their scheme and reduced it by around 29%. Perhaps I should also confirm that only Cardiff and two other authorities have schemes that are less than ours.

**Supplemental**

Councillor Clarke asked whether the Leader considered that the lowering of discretionary payments would be a good way of assisting in the Council to deal with the austerity it faced.

The Leader reiterated his earlier comment regarding employment policies being continually subject to review. However, he also felt it important to remind Members that there was a 'cap' of £30,000 in place.

(x) **Question from Councillor Philip Clarke**

The procedure as described in the Council's Constitution says that 'Publicity will not be given to the names of the Members involved in the complaint unless it is decided that there is a basis to the complaint and that the Member be censured.' In addition, there is no internal right of appeal against the decision. It is only if the complainant is successful and the Member censured that names may be released.

No.

Would the Leader agree with me that this rather one-sided and confidential procedure favours the accusers, conflicting with the rules of natural justice?

How many times has the procedure been used over the last 5 years and what proportion of complaints have been made by the Members of the political party in power against Members from the opposition side of the Council?

### **Reply from the Leader**

The Council's Procedure was agreed by Council on 25<sup>th</sup> June 2014 and it is in line with the Public Services Ombudsman for Wales' expectations.

It is noteworthy that one of the advantages identified by the Ombudsman of introducing such a Procedure is that it "avoids the unnecessary escalation of the situation which might impact on personal relationships within the Authority and damage the Authority's reputation".

Prior to the introduction of the Council's Procedure, Group Leaders were consulted and no suggested amendments were received.

In response to the specific queries raised:

- Firstly, I do not agree that the Procedure is one-sided or that the Procedure conflicts with the rules of natural justice.

As you rightly point out "publicity will not be given to the names of the Members involved in the complaint unless it is decided that there is a basis to the complaint and that the member be censured." Further, should a complaint be dealt with at stage 3 of the Procedure, which is a hearing before an independent member of the Standards Committee, then careful attention is given to ensure that the rules of natural justice are adhered to.

- Secondly, as I previously indicated, the Procedure has not been in place for 5 years. It was approved by Council in June 2014. At this stage I am advised that only 3 complaints have been determined as being appropriate to be dealt with in line with the Procedure. Two have been resolved and one is currently being processed.

You asked about the ratio. The ratio is 2 : 1

### **Supplemental**

Councillor Clarke asked why the procedure provided for complainants being allowed to choose to progress to Stage 3, rather than be dealt with at Stage 2, whereas the other party had no such right.

The Leader reminded Councillor Clarke that the procedure had been agreed in consultation with Group Leaders. The ability to progress to Stage 3 was on the basis that Stage 2 was a "conciliation" meeting and, if it was thought that there could be no conciliatory agreement at that stage, then Stage 3 was the next part of the process.

No.

(xi) **Question from Councillor Dr. Ian Johnson**

The Labour / Llantwit First Vale of Glamorgan Council has recently introduced a part-time lighting scheme in many Vale streets where street lights are turned off between midnight and 6am. What considerations were made about which lights and which areas of the Vale would be first affected by this 'switch off', and what consultation did the Council hold regarding safety issues prior to introducing this policy?

**Reply from the Cabinet Member for Visible Services and Leisure**

I am very surprised to receive this question, given that Councillor Johnson and all other Members have been given detailed information by the Council's Operational Manager (Highways and Engineering) regarding the implementation of part-night lighting throughout the Council's local highway network.

This information clarified that, to ensure the part-night lighting strategy is implemented safely and with minimal risk to the Vale's citizens; a Part-Night Lighting Project Board was set up, comprising key stakeholders, including the Police, Safer Vale Partnership as well as Council Road Safety Officers and Chartered Engineers as part of the consultation process. Further consultation was carried out direct with the South Wales Fire Service and Ambulance Service. The key role for the Project Board was to devise a robust risk assessment criteria and methodology to determine which lights can be safely turned off and allow for the implementation of part-night lighting throughout the Council's highway network with minimal risk to citizens and businesses alike.

This risk assessment criteria is in place and the implementation process commenced in July this year, starting in Penarth and Llandough areas, with a roll-out in phases across the Vale, from east to west. The reason for starting in the eastern part of the Vale was an operational decision to appropriately and efficiently manage the implementation process, whilst also maximising the number of street lights that could be turned off in the denser populated areas during the lighter hours of British Summer Time to reduce the overall impact on residents.

The Council's contractor is currently finalising conversion of street lights within the Barry Wards before moving onto more rural areas further west. The commencement of works in Barry was also notified to all Ward Members in Barry and at the same time a web link provided to further information relating to part-night lighting via the Council's website to enable Ward Members and residents to monitor the street lighting lanterns converted to part-night lighting as the implementation works progressed.

Councillor Johnson will be aware that part-night lighting within the Vale was approved by Cabinet on Monday 20<sup>th</sup> October, 2014 and prior to implementation in July there was a press release to keep residents fully informed and a further press release in August to advise Barry residents that part-night lighting was progressing to Barry. Finally, further detailed information relating to part-night lighting within the

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Vale has been available to residents and businesses, as well as all other interested parties, throughout the part-night lighting process.

### **Supplemental**

Councillor Dr. Johnson referred to an increasing number of complaints being received from local residents regarding lighting. He had observed conditions in the early hours of the morning and found many places to be 'pitch black'. He asked whether the position could be looked at again as far as certain streets around Barry were concerned.

The Cabinet Member indicated he would speak to the relevant Operational Manager regarding the reference to complaints. However, he reminded Councillor Johnson that consultation had taken place on the proposals.

### **(xii) Question from Councillor Dr. Ian Johnson**

The Vale of Glamorgan Council has recently established a joint working relationship with Bridgend County Borough and Cardiff County Councils with regards to regulatory services, including environmental health, food legislation, trading standards etc., with a Shared Regulatory Services Joint Committee on which we are represented by the Cabinet Member for Housing, Building Maintenance and Community Safety and the Chair of Licensing. What is the process for ordinary Members of this Council to scrutinise the decisions and actions of this Committee and our representatives upon it?

### **Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

The scrutiny process will, initially, be conducted through existing channels, i.e. - through the relevant Scrutiny Committee - Housing and Public Protection.

However, as part of their consideration of related matters at the scrutiny stage last year, all three Councils acknowledged the desirability of establishing some form of joint scrutiny arrangements. The Joint Working Agreement contains reference to the fact that the constituent Authorities "shall consider joint scrutiny arrangements with a view to avoiding duplication of effort".

A preliminary meeting at officer level has recently been held by Scrutiny Officers from all three authorities to discuss the facilitation of joint scrutiny arrangements, including, scrutiny models which could, potentially, be implemented. Further discussions are to be held shortly.

### **Supplemental**

Councillor Dr. Johnson referred to there being only six people on the Joint Committee. He asked what constituted a quorum and what happened if the Cabinet Member and Chairman of Licencing were both unable to make a meeting.

No.

Acknowledging that there had been difficulties in arranging meetings, the Cabinet Member reminded Members that there was only one vote per Local Authority, resulting in one Member being able to exercise the vote in the absence of the second Member. Every effort was made to arrange meetings to seek to ensure that, hopefully, both Members from each Authority were able to attend.

(xiii) **Question from Councillor Dr. Ian Johnson**

In June this year I asked what discussions the Council has held regarding the Vulnerable Persons Relocation Scheme and was informed that delays to accepting refugees were a result of a lack of clarity from Welsh Government about health spending and that this would be discussed at the next Local Services Board. As is clear, the situation has worsened in recent months and the number of refugees fleeing conflict in the middle-east and north Africa has increased. Could Council be updated about proposals to receive refugees in the Vale of Glamorgan and support that the Council and other bodies will provide?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

I would refer Councillor Johnson to the report that was presented to Cabinet on Monday which provided a full assessment of the current position and the Council's involvement in responding to the unfolding crisis

**Supplemental**

Councillor Dr. Johnson asked whether the Cabinet Member could clarify whether a target was being set for the number of people that the Council anticipated helping during the remainder of the current financial year.

The Cabinet Member was unable to give a definitive answer as the Council was still awaiting further clarification from the Home Office and, in turn, the Welsh Government. That was why the Task Force had been established. She emphasised that she would not turn her back on people in a humanitarian crisis.

(xiv) **Question from Councillor Kevin Mahoney**

What is the total number of individuals or families currently on the waiting list for local authority housing in the Vale of Glamorgan?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

There is one waiting list for all social housing in the Vale of Glamorgan, the Homes4U Scheme, which currently has 3,083 households on the list.

No.

(xv) **Question from Councillor Kevin Mahoney**

What is the total number of individuals or families currently waiting for Local Authority funded disabled access and other adaptations to their houses in the Vale of Glamorgan whether they be Council or private houses?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

The Council provides Disabled Facility Grants to eligible applicants in private housing. There are currently 106 applications awaiting determination or completion of improvement works. A further 7 applicants have submitted for grant but are awaiting the first stage of the process.

(xvi) **Question from Councillor Kevin Mahoney**

What is the estimated number of local authority or housing association dwellings in the Vale of Glamorgan that it is estimated require to be built or bought over the next 10 years in order to provide sufficient homes to cater for the current and future estimated shortage of homes for the current population of the Vale of Glamorgan?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

The Housing Department has recently completed a new up to date Local Housing Market Assessment (LHMA) based on the methodology approved by Welsh Government. This report is due to be submitted to Cabinet in November, 2015.

The annual net need for affordable housing in the Vale of Glamorgan has to be assessed for a five year period and the results show that an additional 559 affordable homes per annum are required, which equates to 2,795 over five years. These can be broken down into 331 social rented homes and 228 intermediate homes per annum.

It is not possible to forecast accurately the number of additional affordable homes required over a longer ten year period as the housing market could change. The Housing Department will, however, be updating the figures for a five year period every year, so that the information is kept up to date as far as possible.

(xvii) **Question from Councillor Kevin Mahoney**

Does the Leader of the Vale of Glamorgan Council feel that migrants or other classifications of peoples from countries outside of the UK should be given preference to housing in the Vale of Glamorgan before current Vale of Glamorgan residents?

No.

### **Reply from the Leader**

The Cabinet Member has referred to the Cabinet report and I would urge all members to read that as many of the issues are covered within the report.

To answer your question:

The Council recognises the desperate situation that Syrian families and other refugees currently face and as a consequence the Cabinet has committed to support the relocation of Syrian families and individuals to the Vale, along with other councils throughout the country have done or will be shortly doing so. I would also remind Council that we are carrying out this exercise with both Cardiff Council and the Cardiff and Vale Health Board.

However I cannot be specific as to the number involved at this stage, as we do not have the details of the people that may need resettlement. Without that knowledge it is difficult to assess their housing needs. That said the numbers are likely to be low in comparison to other areas already identifies as Asylum Dispersal Areas.

As Members are aware, social housing is a scant resource and the Vale has very little housing that it would class as 'long term void' in nature. Officers from the Vale and Cardiff Councils are therefore currently working with registered social landlords in considering housing options outside the social housing sector. We have also been party to discussions that indicate that a number of private sector landlords are interested in supporting the resettlement scheme.

### **Supplemental**

Councillor Mahoney asked the Leader whether his reply constituted a 'yes' or 'no'.

The Leader felt it depended on what was meant by "preference of housing". He pointed out that everybody's individual needs had to be considered. There was clearly a significant need for those asylum seekers and refugees to be taken into account and that is what was occurring, not just by the Council, but by Councils throughout the country. He considered it to be a humanitarian gesture, of which the Council should be proud.

### (xviii) **Question from Councillor Kevin Mahoney**

Does the Leader of the Vale of Glamorgan Council feel that the Vale of Glamorgan Council should provide housing for those already living in the Vale of Glamorgan especially those on current housing waiting lists before providing housing for those currently living outside the UK.

### **Reply from the Leader**

I would refer you to the answer given by my colleague in relation to question 14 which makes the position clear, as does my response to the last question.

No.

I would confirm that currently work is being undertaken with private sector landlords as a way forward.

As I state in my previous response, there are private sector landlords who are desperate to help people in need and, indeed, we are working with them. Their preference is to house the refugees and asylum seekers and we will do our utmost to ensure that we help them to achieve that.

### **Supplemental**

Councillor Mahoney questioned whether the Leader had actually answered the question.

The Leader reiterated his comments regarding the Council having a duty to help those people who are refugees from areas like Syria and that it would house them where possible. As already indicated, there were not a lot of long term vacancies and the Council was working with Cardiff and the University Health Board, along with other Councils in Wales, to assess the need and work with private sector landlords.

### **(xix) Question from Councillor Dr. Ian Johnson**

The new Conservative Government in Westminster has made a series of announcements regarding welfare reform, including reductions in the benefit cap. When will a report be published on the impact of those reforms upon residents of the Vale of Glamorgan and upon the Council?

### **Reply from the Leader**

In April 2013 the work of the Welfare Reform Task and Finish Group of the Scrutiny Committee (Corporate Resources) was approved by Scrutiny Committee. Since that date regular updates have been reported to that Committee. The impact of the changes resulting from Welfare Reform continue to be monitored and a further update report will be presented to Scrutiny Committee in November.

### **Supplemental**

Referring to the fact that the Social Fund Reform (SFR) might again be different with regards to welfare, Councillor Dr. Johnson asked whether the Leader would be identifying from where additional funding could be found to support people who would be affected by cuts to welfare.

The Leader indicated that was why budgets had been allocated for this purpose, which he recalled Councillor Dr. Johnson questioning previously. The impact of welfare reform had not been felt by the Council as early as it had originally been anticipated. He thanked the work of officers who had ensured that, to date, no individuals had lost their homes. The forthcoming budget process would include looking at what impact welfare reform would have and, if necessary, putting budgets in place to address such.

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(xx) **Question from Councillor Dr. Ian Johnson**

The Conservative Government in Westminster announced a 1% social rent reduction for each of the next four years in their Emergency Budget. What impact will this have upon the Council's Business Plan?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

The Welsh Government has asked all eleven stock holding local authorities to model five rent setting scenarios that differ from the existing rent setting policy, one of which is a 1% rent reduction, and report on the impact of such.

In respect of the Vale's Housing Business Plan a one percent rent reduction, based on our existing commitments in terms of regeneration and new build Council housing, would result in a breach of the borrowing cap (set by Welsh Government and Treasury at the time the Council exited the Housing Revenue Account subsidy system).

In order to meet the rent reduction and not exceed the borrowing cap the Council would need to significantly amend its aspirations in terms of new build Council housing and regeneration.

**Supplemental**

Councillor Dr. Johnson asked whether the Cabinet Member would be prioritising new Council housing for children, particularly disabled children in need, as part of the Business Plan.

The Cabinet Member informed Members that the Council had previously made its views very strongly known. At present, the Council was awaiting which direction the Welsh Government was looking to take and she confirmed that was the Council's priority.

(xxi) **Question from Councillor Dr. Ian Johnson**

What grants have been allocated for improvements to Holton Road in (a) 2014-15 and (b) 2015-16, how much of this funding has been spent and on which projects?

**Reply from the Cabinet Member for Regeneration**

Under the Welsh Government Vibrant & Viable Places grant the Council has a £33,000 grant towards Commercial Improvement Areas for 2015/16. To date £7,434 has been spent on one scheme to improve a shop front and a further 4 schemes are pending approval.

No.

Also under Vibrant & Viable Places we have recently been awarded £842 000 in repayable funding for the current year. Three housing led schemes are to benefit, 2 of which will be in Holton Road. The split of funding between schemes is yet to be determined.

Within Castleland Renewal Area, the Council was awarded Welsh Government grant of £677,981 in each of 2014/5 and 2015/6, which is enhanced substantially from the Council's own Capital Programme. Of the total, £183,866 was spent on Holton Road in 2014/5, with all grant drawn down, and to date this year, £247,092 has been spent on Holton Road. It is anticipated that the whole Welsh Government grant will be spent, with a total spend on Holton Road under the renewal area programme in excess of £1.1 million in the current year. The programme targets improvements to both commercial and residential properties.

### **Supplemental**

Councillor Dr. Johnson asked what the Council would do to increase uptake from commercial properties to make improvements, particularly on the northern side of Holton Road.

The Cabinet Member considered the figures "to speak for themselves". She considered the scheme to have been incredibly successful, with a huge level of uptake. Particularly encouraging was when one of the Inspiring the Vale Bursary winners came along to talk about his proposed business. They already identified a property being renovated in Holton Road, not knowing that it was actually being renovated by the Council. They were now "up and running" and she hoped many more future successful businesses would be in that area (albeit it was a very popular scheme).

### **(xxii) Question from Councillor Philip Clarke**

I had commenced legal proceedings regarding a Right of Way against the Council prior to my election as a Councillor in 2012. Shortly after I requested from you a key to the lock which restricted my access. Following a refusal, I had no alternative but to continue these proceedings. Subsequently, the Council lost the case costing the public in excess of £100k.

1. Would you agree that the Council's decision not to provide a key was not in the public interest as this dispute concerned primarily, a Private Dispute over Private Land.
2. Has any member of staff involved in the decision process been rebuked or asked to leave as a result of this costly decision.
3. What safeguards are now in place, so that such a reoccurrence is unlikely in the future.

No.

### **Reply from the Cabinet Member for Regeneration**

This matter related to a claim of a private vehicular right through Porthkerry Country Park which exited along a footpath. The matter of a key was incidental to the claimed right. You issued the claim on the 3<sup>rd</sup> September, 2012 following your election to this Council in May 2012.

The Council did not agree that the claimed right existed and sought to protect its position and that of other users. In doing so it acted in the public interest.

In this case, with the benefit of historic information, the Court did not support the Council's position. The merits of the Council's case were reviewed by the Council's Legal Services department in consultation with a barrister, who advised the Council on the prospects of the Council successfully defending the claim. The details of the hearing and the judgment are a matter of public record.

I will not be commenting upon matters relating to staff and employee relations.

The Council, when it defends legal proceedings considers each case on its merits and, similarly, when considering whether to appeal an order of the court, consideration is also given to the merits of proceeding with an appeal.

### **Supplemental**

Councillor Clarke asked whether, should such matters arise in the future, the Council should weigh up the probability of some success and be mindful of the fact of the expense regarding such legal proceedings.

The Cabinet Member confirmed that the merits of the Council's case were reviewed by the Council's Legal Services Department, in consultation with a barrister, who advised the Council on the prospects of the Council successfully defending the case.

### (xxiii) **Question from Councillor Richard Bertin**

Given recent complaints about inconsiderate parking outside schools, will this Council consider stepping up action and launching a new campaign to put a stop to this dangerous parking?

### **Reply from the Cabinet Member for Children's Services and Schools**

Following a public consultation on civil parking enforcement last year which revealed concerns over the instances of dangerous parking in the Vale, we are acutely aware of the need for a parking campaign. The consultation highlighted problems such as parking on busy corners, across dropped kerbs, on pavements and irresponsible parking outside schools at peak dropping off / picking up periods.

We will shortly be launching a social media campaign to promote safer parking throughout the Vale, including parking outside school sites. The aim of the campaign is to highlight examples of bad parking, to educate residents and visitors on the rules

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of the road and to encourage people to park considerately and in accordance with the Highway Code.

(xxiv) **Question from Councillor Richard Bertin**

I am saddened and disappointed to learn about the closure of the Zeon Plant in Barry. Can the Cabinet Member please advise if any support and advice will be offered to the employees of this site?

**Reply from the Cabinet Member for Regeneration**

It is unfortunate that Zeon has chosen to close its Barry site. The Council provides support for unemployed individuals in specific programmes such as Communities First and the Work Programme. The latter has helped around 600 long term unemployed people back into work over the last few years.

Broader provision is already available from Careers Wales, which provides a free, national support service for those under threat of redundancy, which includes re-training under the ReAct programme. Support for employers taking on an individual who has been made redundant is also available through this route.

**Supplemental**

Councillor Bertin asked when the site would be marketed and when Members were likely to have some information.

The Cabinet Member indicated it would be a commercial decision for the private owner of the site.

(xxv) **Question from Councillor Richard Bertin**

A huge number of people living in Barry have had calls from fraudsters claiming to be Council staff asking for personal bank details. What advice can be given to those affected?

**Reply from the Cabinet Member for Housing, Building Maintenance and Community Safety**

These types of telephone fraud are becoming increasingly common. However, this is the first scam that has specifically targeted residents of Barry.

Trading Standards have received a number of calls on this matter and this, in itself, does illustrate that many Vale residents are rightfully suspicious of unsolicited calls and are able to identify potential scams.

However, fraudsters prey on the unsuspecting and through media releases we have been reminding all residents that legitimate organisations would never request bank

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details over the telephone. Moreover, regardless of the supposed caller, residents should never give out personal information in an unsolicited telephone call.

**Supplemental**

Councillor Bertin asked whether information was available regarding the number of people affected.

The Cabinet Member indicated she would provide a written reply.