

VALE OF GLAMORGAN COUNCIL

Minutes of a meeting held on 28th September, 2016.

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

376 JENNIFER HILL –

The Mayor referred to the recent tragic death of the Council's former Director of Learning and Skills, Jennifer Hill. Members stood in silence as a mark of respect.

377 APOLOGIES FOR ABSENCE –

These were received from Councillors John Drysdale, Keith Hatton, Hunter Jarvie, Rhona Probert and Ray Thomas.

378 DECLARATIONS OF INTEREST –

The following Members declared an interest in the Agenda Item No. shown and, having been advised by the Monitoring Officer that the nature of the interest was personal and prejudicial, withdrew from the meeting during consideration of the item:

Name of Member	Agenda Item / Nature of Interest
Councillor Bertin	Agenda Item No. 12(e) – Member of Barry Leisure Centre
Councillor Egan	Agenda Item No. 12(e) – Member of Barry Leisure Centre
Councillor Dr. Johnson	Agenda Item No. 12(e) – Member of Barry Leisure Centre
Councillor King	Agenda Item No. 12(e) – Wife is a member of Cogan Leisure Centre
Councillor Wilson	Agenda Item No. 12(e) – Member of Cogan Leisure Centre

379 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 20th July, 2016 be approved as a correct record.

380 ANNOUNCEMENTS –

The Managing Director made the following announcements.

He paid tribute to the Council's former Director of Learning and Skills, Jennifer Hill, who had been tragically killed at the end of July in a cycling accident. He had been privileged to have been asked to speak at Jennifer's funeral and he paid tribute to her enthusiasm in her role and her commitment to the service and its ongoing development. Jennifer had been an important member of the Council's Corporate Management Team and would be sadly missed.

(Councillor Franks, the Leader of the Plaid Cymru Group, concurred with the Managing Director's comments.)

He referred to the recent Corporate Assessment report issued by the Wales Audit Office (WAO), which had resulted in an extremely positive outcome for the Council. He thanked all Members for their contributions to that outcome, including those who had been either interviewed and / or participated in focus groups facilitated by the WAO. The Corporate Assessment report had alluded to the recently-introduced new Performance Management Framework and the associated scrutiny arrangements under development. He was grateful for Members' support during this period of change.

The Mayor made the following announcements:

Earlier in the day he had been privileged to attend Stanwell Comprehensive School for the visit by Prince Edward, Earl of Wessex, to the School, as one which had now qualified to run Duke of Edinburgh Award schemes.

It had been with the greatest pleasure that he had written, on behalf of the Council and the people of the Vale of Glamorgan, to congratulate Hannah Mills on her outstanding success in winning her Olympic gold medal.

He thanked all those who had attended his Civic Celebration. It had been a truly memorable, sincere and very genuine day that had been very important to him. He also thanked Lorraine Barrett and Her Majesty's Deputy Lieutenant, Mr. Colin Jones.

The Mayor's first Charity Coffee Morning for the Llandough Hospital Orchard Charity Project and the Penarth and District Lesotho Trust had been a great success. Future coffee mornings would take place on the first Wednesday of every month at the Llandough Hospital Plaza from 10:30 a.m. to 12:00 noon.

He was pleased to announce the launch of his Christmas Card Competition, which was open to all school age children in the Vale of Glamorgan.

Members and officers were cordially invited to sponsor and “name a dragon” for the Mayor’s fund raising Dragon Racing evening on 22nd October.

Finally, he informed Members that, by kind permission of Sir Brooke Boothby, and assisted by Mr. Roy Noble, there were limited tickets available for his exclusive whisky tasting evening at Fonmon Castle on Friday, 18th November, 2016.

381 CORPORATE ASSESSMENT: WALES AUDIT OFFICE (WAO) REPORT –

Mr. Steve Barry, Audit Manager Local Government (WAO) was in attendance to address Members in respect of the above report.

Mr. Barry referred to the report as being highly positive as far as the Council was concerned and confirming that it was well placed in terms of its vision and future development. He alluded to some of the main “messages” contained in the report, which had been based on the comprehensive assessment itself. These included:

- The strength and spirit of officers and Members and the associated openness, transparency and excellent working relationships existing.
- The WAO had been particularly impressed with the scale and pace of change which had occurred, and was occurring, within the Council (e.g. in terms of its vision for the future of the Vale of Glamorgan and its residents).
- The introduction of the Council’s Learning Café had been cited as a good case study and an example of positive practice.
- Given the extremely wide ranging and broad nature of a Corporate Assessment report, he referred to the fact that a small number of Proposals for Improvement had been identified (albeit certain of these had already been identified as issues to address by the Managing Director and Corporate Management Team and / or on which some work was already underway).
- He had attended the Cabinet meeting on 26th September, 2016 to, again, address Members and had acknowledged the clear plan which the Council had in place in terms of monitoring the Proposals for Improvement through its Cabinet and Scrutiny arrangements.
- It was possible that the WAO would undertake some further observations around Scrutiny Committees in terms of their monitoring of the new Performance Managing Framework arrangements.
- Finally, he alluded to the dialogue which would be undertaken with the Managing Director in terms of planning for the future and reviewing further progress following the Corporate Assessment.

Members were afforded the opportunity of asking questions of Mr. Barry.

Whilst not having a question as such, Councillor Franks felt there to be a need for additional resources to be allocated to the Council’s Scrutiny process if the Council was to continue to improve. He felt there to be limited capacity, albeit

acknowledging the fact that existing officer support was, in his view, first class. Nevertheless, he considered there to be a lack of provision in terms of research / policy support for Members. He did, however, allude to the initiative of School Performance Panels, a process which he considered to be very effective.

Councillor Mahoney, referring to Mr. Barry's comment regarding the openness and transparency within the Council, felt that he, arguably, was the only Councillor on the Council displaying those traits, given his various attempts to introduce a process whereby all votes were recorded, thereby enabling the public to identify how individual Members voted on issues.

Given the reference to the Council's ICT provision within the Corporate Assessment report, Councillor Bertin asked whether there was any suggestion of recognition that the service perhaps needed to be merged with Education ICT provision in the best interests of the Council.

Responding to the above, Mr. Barry pointed out that, at the time of the Corporate Assessment process, the Council's draft ICT Strategy was in development. As such, it had not been clear at the time to the WAO how the ICT service and the Strategy itself would align with the Council's overall provision. For instance, there would be a need to identify / confirm how the Strategy would assist in the Council's delivery of its Reshaping Services programme and associated savings. This was covered within a Proposal for Improvement which would be followed up by the WAO.

The Leader thanked Mr. Barry for attending both the Cabinet and Council meetings. He also wished to place on record his own thanks to everybody concerned in contributing to the Corporate Assessment process and the extremely positive outcome for the Council. He reminded Members of the vital process that staff played in the running of the Council and formally thanked staff for that.

RESOLVED – T H A T the Wales Audit Office Corporate Assessment Report 2016 and the Annual Improvement Report 2015-16, and its very positive outcome, be noted and welcomed and the Report be referred to the Audit Committee for consideration.

Reason for decision

To note the outcome of the Corporate Assessment process and to facilitate Audit Committee consideration of the report.

382 SCRUTINY COMMITTEES' ANNUAL REPORT MAY 2015 – APRIL 2016 (MD) –

Councillor Hodges, as Chairman of the Council's Scrutiny Committee Chairmen and Vice-Chairmen Group, introduced the Annual Report.

The Annual Report had been produced in accordance with Section 7.4.4 of the Council's Constitution which stated that "Scrutiny Committees must report annually

to Full Council on their workings, with recommendations for their future work programmes and amended working methods if appropriate”.

At the Scrutiny Committee Chairmen and Vice-Chairmen Group held on 19th July, 2016, a draft Annual Report was submitted for initial consideration / comment prior to it being formally reported to all five Scrutiny Committees.

At that meeting, Members of the Group raised a number of issues relating to the style / format / layout and length of the Report. It was suggested that the work of the Scrutiny Committees be described in a far more concise way, for example simply alluding to a few highlights rather than a detailed description and narrative. It was therefore subsequently recommended that the Head of Democratic Services explore alternative formats for the Scrutiny Committees' Annual Report and submit a revised suggested format. Each Chairman was also requested to provide a short summary of their respective Committee's highlights and achievements during 2015/16 from their perspective.

A revised version of the draft Annual Report, which was a more concise document and considered to be more user-friendly in terms of the likelihood of engaging the public was prepared and had been considered by the Scrutiny Committees, with any amendments agreed having now been incorporated.

The revised format detailed the role of Scrutiny, how Scrutiny was undertaken in the Vale of Glamorgan and highlighted key achievements from the work of each Scrutiny Committee, significant events during the year and future working, specifically in relation to the Council's agreement that the work of Scrutiny should be closely aligned to four wellbeing objective outcomes that form the main basis of the Council's new Corporate, Plan which was published in April 2016.

For information, Members were advised that the Annual Report was only "reported to Council" as opposed to it requiring actual approval.

Councillor Hodges thanked the five Scrutiny Committee Chairmen and other Scrutiny Committee Members for their contributions and support during the process and during the year as a whole.

RESOLVED – T H A T the Scrutiny Committee's Annual Report for the period May 2015 – April 2016 be received.

Reason for decision

To receive the Annual Report as required under the Council's Constitution.

383 USE OF THE MANAGING DIRECTOR'S EMERGENCY POWERS (MD) –

The following use of the Managing Director's Emergency Powers was reported.

(a) The authorisation of certain officers of the Council and a specific named employee of 3GS UK Ltd to issue Fixed Penalty Notices related to the Rhoose Point Bye-laws

(Scrutiny - Environment and Regeneration).

(b) The granting of authority to the Head of Strategy, Community Learning and Resources or the Head of Achievement for All (both in consultation with the Managing Director) to carry out, where necessary, the delegated functions of the Director of Learning and Skills, as set out in the Council's Constitution, together with any other ad hoc delegations given to the Director of Learning and Skills by Cabinet or Council. The authority to take immediate effect and pending consideration by Cabinet and/or the Senior Management Appointment Committee in relation to any further interim, or of longer term, arrangements.

(Scrutiny - Learning and Culture).

RESOLVED – T H A T the report be noted.

Reason for decision

To inform Council.

384 STATEMENT OF ACCOUNTS 2014/15 AND 2015/16 (\$1510) –

The Audit Committee on 21st September, 2016 considered an agenda item entitled “Audit of the 2015/16 Financial Statements - Reporting to Those Charged with Governance”. Committee recommended that the report of the Wales Audit Office (WAO) be approved and the 2015/16 Financial Statements, including the Final Letter of Representation, be recommended for signature by those authorised.

As mentioned above, the WAO required the Authority to sign a final Letter of Representation, which was attached at Appendix 1 to the report.

Under the Accounts and Audit Regulations, the Statement of Accounts must be approved before 30th September and signed and dated by the Mayor as Chairman of the Council. The Statement of Accounts was attached at Appendix 2 to the report and 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.

2014/15 Statement of Accounts

The 2014/15 Statement of Accounts was approved by Council on 26th September, 2015. On 30th September, 2015, the Appointed Auditor provided an opinion on the 2014/15 Financial Statements. However, at the time of providing this opinion, he

was unable to certify the completion of the audit due to a number of issues raised by electors that remained outstanding at that date. These matters had now been resolved and had no impact in respect of the Financial Statements or upon the wider responsibilities of the Auditor General. On the basis that these matters were now closed, the Appointed Auditor had re-issued the audit opinion for the 2014/15 Financial Statements and certified the completion of the audit subject to their re-approval by Council. As part of the 2015/16 audit, it was necessary to make a technical adjustment to the 2015/16 Financial Statements. This adjustment had also been actioned in the 2014/15 Financial Statements. Both these adjustments were of a technical nature and had no impact on the Council's useable reserves.

The Audit Committee on 21st September, 2016 also considered and approved the revised 2014/15 Statement of Accounts and recommended them for signature by those authorised. A revised 2014/15 Statement of Accounts, together with the original Annual Governance Statement, was attached at Appendix 3 to the report and required signing by the Mayor as Chairman of the Council and the Leader of the Council respectively.

The WAO required the Authority to sign a final Letter of Representation for 2014/15, which was attached at Appendix 4 to the report and must be signed by the Mayor as Chairman of the Council.

The Leader referred Members to the slightly different approach which the Council had been asked to adopt following the change of its Auditor from Grant Thornton to the WAO. Consequently, there had been a need to make some minor adjustments which basically constituted a "housekeeping" exercise. He could provide details of the changes for Members should they be required.

Councillor Dr. Ian Johnson referred (as he had done so in the past) to the fact that the projected income from Council Tax for both 2014/15 and 2015/16 as initially indicated to Members was subsequently exceeded by approximately £2m, suggesting a "systemic over-collection" compared to the figure anticipated at the start of the financial year. He also alluded to the difference in terms of earmarked reserves between the estimated / anticipated amount shown at the end of March 2016 and the actual figure contained in the Statement of Accounts. He considered that to have meant that the earmarked reserves figure had increased after the Council had been required to make its decision on any level of increase in Council Tax.

In response, the Leader stressed his preference for a "systemic" over collection rather than an under collection. He also pointed out that the introduction of Universal Credit was now beginning to take effect.

RESOLVED –

(1) That the Letter of Representation to the Wales Audit Office for 2014/15 and 2015/16 be noted and they be agreed and signed and dated by the Mayor as Chairman of the Council.

(2) T H A T the Annual Governance Statement (within the Statement of Accounts) for 2014/15 and 2015/16 be approved and signed and dated by the Leader of the Council.

(3) T H A T the Statement of Accounts for 2014/15 and 2015/16 be approved and signed and dated by the Mayor as Chairman of the Council.

Reasons for decisions

- (1) That the signed representation letters are returned to Wales Audit Office.
- (2) That the Annual Governance Statements are signed and dated as required.
- (3) That the Statement of Accounts are approved prior to the deadline.

385 UPDATE TO OFFICER DELEGATIONS (MO) –

The Planning Wales Act 2015 and the related enactment legislation had introduced considerable changes to the way in which the Planning, Planning Enforcement, Appeals and Building Regulations operated in Wales. This had led to a need to review and consolidate the Council's current Scheme of Delegation relating to Building Control and Planning, which was attached at Appendix A to the report. The proposed reviewed Scheme of Delegation was attached at Appendix B.

The report sought Council's approval to update the existing officer delegation relating to the Building Control and Planning function and exercised by the Head of Service for Regeneration and Planning and the Operational Manager for Development Management.

A schedule of the changes proposed and the reasons for those changes could be found at Appendix C to the report.

The opportunity had also been taken to make any minor typographical / housekeeping changes to bring the relevant delegations up to date.

RESOLVED – T H A T the scheme of delegation found at pages 294 - 300 of the Council's Constitution with regard to Building Control and Planning be amended as detailed in Appendix B of the report.

Reason for decision

To update / modify the Constitution in line with current requirements and to ensure that the Scheme of Delegation is consolidated and updated in light of recent changes in legislation introduced by the Planning Wales Act 2015 and related legislation.

386 COMMUNITY REVIEW – LAVERNOCK WARD (SULLY AND LAVERNOCK COMMUNITY COUNCIL) (ERO) –

The Council under section 31 of the Local Government (Democracy) (Wales) Act 2013 ("the Act") might conduct a review of the electoral arrangements for a community in its area either of its own initiative, at the request of the Community Council for the community or at the request of not less than 30 local government electors registered in the community.

A request was received from the Sully and Lavernock Community Council, ("the Community Council") following an Ordinary Meeting of the Community Council, for a review to be undertaken of the number of Members elected to the Lavernock Ward. The request highlighted that the Community Council considered that the ratio of Members to the electorate in the Lavernock Ward was inconsistent with the ratio of Members to the electorate in the Sully Ward, and proposed increasing the number of Members for the Lavernock Ward from one to two.

Consequently, Cabinet received a report at its meeting on 30th November, 2015 when it resolved:

"(1) THAT delegated authority be granted to the Electoral Registration Officer to conduct a review of electoral arrangements relating to the number of Members representing the Lavernock Ward on the Sully and Lavernock Community Council, in accordance with the Local Government (Democracy) (Wales) Act 2013.

(2) THAT the terms of reference of the review and the timetable attached at Appendix 1 to the report be approved."

(Minute No. C2992).

The outcome of the Electoral Registration Officer's review was considered at Cabinet on 25th July, 2016 when the final recommendations were endorsed and referred to Council as follows:

"(1) T H A T the Final Recommendation for Change as set out in Appendix 4 to the report, and consequently the following proposed electoral arrangements relating to the number of Members representing the Lavernock and Sully Wards on the Sully and Lavernock Community Council, in accordance with the Local Government (Democracy) (Wales) Act 2013, be endorsed:

Lavernock Ward - 2 Community Councillors
Sully Ward - 7 Community Councillors

(2) T H A T the matter be reported to Council in September 2016 for consideration and approval."

(Minute No. C3254)

A comprehensive review of the electoral arrangements for Sully and Lavernock Community Council was carried out between 11th December, 2015 and 17th June, 2016 in line with the approved terms of reference, which were attached at Appendix 1 to the report to Cabinet on 25th July, 2016

The stakeholders detailed in Appendix 2 to the report to Cabinet on 25th July, 2016 were consulted and Appendix 3 to that report detailed a summary of the representations received.

Pursuant to sections 35(6) and 36(4)(c) of the Act, a reference to a proposal for change was a reference to any change that the reviewing body might recommend or make (including consequential change) in relation to the type of review being conducted.

The final proposed Recommendation for Change was attached at Appendix 4 to the report to Cabinet on 25th July, 2016 for consideration.

In line with Section 36 of the Act should Council be in agreement with the recommendations contained in this report, the Council must:

- publish this report electronically and make it available for inspection (without charge) at the Council's offices for at least six weeks beginning with the date of publication;
- send a copy of the report to the mandatory consultees, Ordnance Survey and the Welsh Ministers; and
- inform any other person who submitted evidence or made representations in relation to the report published how to obtain a copy of the report.

To implement the Final Recommendation for Change (as detailed in Appendix 4 to the report to Cabinet on 25th July, 2016), an Order (as detailed in the Appendix to the report) would need to be sealed following the expiration of a period of six weeks beginning with the date on which the Council published its report. It was proposed that the report be published on 29th September, 2016, and the Order sealed on 11th November, 2016 or soon thereafter.

Councillor Penrose confirmed that the two local Members for Sully endorsed the proposals contained in the report.

RESOLVED –

(1) T H A T the Final Recommendation for Change as set out in Appendix 4 to the report to Cabinet on 25th July, 2016 be endorsed and, consequently, the following proposed electoral arrangements relating to the number of Members representing the Lavernock and Sully Wards on the Sully and Lavernock Community Council, in accordance with the Local Government (Democracy) (Wales) Act 2013:

Lavernock Ward – 2 Community Councillors
Sully Ward – 7 Community Councillors.

(2) T H A T the publication of the report commencing on 29th September, 2016 be authorised for a period of six weeks.

(3) T H A T the Order as set out in the Appendix to the report be approved and the Electoral Registration Officer be authorised (following the conclusion of the six week period referred to in Resolution (2) above) to make arrangements for the sealing of the Order on behalf of the Council and witness the same on 11th November, 2016 or soon thereafter.

Reasons for decisions

(1) To inform and seek the views of Council on the final proposals as recommended by the Electoral Registration Officer following a statutory review pursuant to the Local Government (Democracy) (Wales) Act 2013.

(2&3) To implement the Final Recommendation for Change (if deemed appropriate).

387 COUNCIL CONSTITUTION: PROCEDURE RE RECORDED VOTES (REF) –

The following Notice of Motion (submitted by Councillors Kevin Mahoney and Christopher Williams) was considered by Full Council on 27th April, 2016.

“To change the provision of 4.23.5 Recorded Vote in the Constitution to :-

4.23.5 Recorded vote

If one member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.”

Consideration of the matter by Full Council (including an amendment to the Motion being approved) resulted in it being resolved that a report be prepared for consideration by the Democratic Services Committee on options to change the provision of the requirements of Recorded Votes (paragraph 4.23.5) in the Council's Constitution.

The Constitution currently provided (in Section 4.23.5) that "if six Members present at the meeting demand, the names for and against the Motion or Amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot."

The above provision had been in place since the introduction (via the provisions of the Local Government Act 2000) of the requirement for Local Authorities to adopt a Constitution. Prior to that time, an equivalent provision had been contained within the previous Standing Orders. More recently, no change had been proposed to this aspect of the Constitution during the extensive review undertaken in 2014/2015,

which culminated in the current Constitution being adopted by Council in September 2015.

The views of the Democratic Services Committee were sought as to whether it was considered there should be any change to the existing provisions regarding Recorded Votes which, in turn, would need to be considered by Full Council.

Reference was made to the considerable amount of work undertaken by the Member Working Party in terms of reviewing the Council's Constitution. This had resulted in the relatively recent production of a new Council Constitution. It was confirmed that, during that process, there had been no suggestion that the Council's current procedure regarding the recording of votes was in need of being amended or requiring improvement. A number of Members of the Committee acknowledged the fact that any individual Member could already request that their own position in terms of a vote being formally recorded in the minutes.

Members agreed that the current requirement whereby six Members were required to request a Recorded Vote remained appropriate and that a reduction to, for example, two Members would arguably devalue the process. In conclusion, there was a unanimous view amongst the Members present that there was no need to change existing arrangements.

During the discussion at the Committee, the concept of electronic recording of votes was raised. The Head of Democratic Services had confirmed that this was an option that could be facilitated by the Council in the event that the Council formally decided it wished to adopt such an approach. Again, any future changes to such processes would be a matter for consideration by Elected Members (with any changes to the Constitution to facilitate such a process requiring approval of Full Council).

In addition to the report itself, the Committee also took into account an e-mail received from Councillor Bertin (who had been unable to be present at the meeting). Councillor Bertin had requested a reduction in the number required for a Recorded Vote from six to a single Member and seconder. He had also asked the Committee to consider a suggestion that audio recordings be made of meetings of the Planning Committee and Full Council on a trial basis. The former point had already been addressed during the discussion. The Head of Democratic Services suggested that there would be no point in audio recording Planning Committee meetings, which were already webcast. He also alluded to the item which, if approved by Members, would see the webcasting arrangements extended to include Full Council on a trial basis.

The Democratic Services Committee subsequently

RESOLVED – T H A T it be recommended to Full Council that no changes be made to the procedures governing the recording of votes as currently set out in the Council's Constitution.

In introducing the reference from the Democratic Services Committee, of which he was the Chairman, Councillor Hodges reminded Members of the unanimous view of

Members present at the Committee that the existing provision remained appropriate. However, he also alluded to the fact that the Committee had indicated that the concept of electronic voting would continue to be taken into account by the Committee.

Councillor Mahoney felt Members would be well aware of his views regarding his desire to see electronic voting introduced in order to improve transparency and openness and ensure the electorate could identify how Members voted on issues. He alluded to the possibility of a Recorded Vote on this very issue at the meeting and suggested that he would seek the appropriate number of Members' support to facilitate that.

Councillor Chris Williams pointed out that there were at least two Members supporting the above concept (referring to a formal question he had asked at Council in June 2013 regarding the recording of meetings). He considered that the recording of meetings would eliminate the possibility of any confusion regarding the nature of the debate and what individual Members had said.

In conclusion, Councillor Hodges welcomed any moves towards the further recording of meetings through webcasting and pointed out that the Council Meeting itself was the subject of a trial webcast internally, with a view to formal webcasting of Full Council from the December 2016 meeting onwards.

He also commented on the period when Councillor Mahoney had been a member of the Planning Committee and had tended to vote against many proposals without necessarily joining in the debate on the matters. In terms of Councillor Mahoney's attendance at the Democratic Services Committee, he could have attended and asked to address the Committee but had not done so.

RESOLVED – T H A T no changes be made to the procedures governing the recording of votes as currently set out in the Council's Constitution.

Reason for decision

To reflect the fact that Members consider the current process to be appropriate.

388 TREASURY MANAGEMENT (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C3256, 25th July, 2016, be approved.

Reason for decision

To formally approve the Annual Report on Treasury Management 2015-16.

389 LICENSING ACT 2003 STATEMENT OF LICENSING POLICY 2016-2021
(REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C3280, 5th September, 2016, be approved and the amended Statement of Licensing Policy approved.

Reason for decision

To accord with the provisions of Section 5 of the Licensing Act 2003.

390 IMPROVEMENT PLAN PART 2: ANNUAL REVIEW OF PERFORMANCE
2015/16 AND LOCAL GOVERNMENT PERFORMANCE 2015/16 (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out Cabinet Minute No. C3298, 26th September, 2016, be approved and the Improvement Plan Part 2: Annual Review of Performance 2015/16 be approved.

Reason for decision

To meet the requirements of the Local Government (Wales) Measure 2009 to publish an annual review of Council performance and ensure that action was taken to continually improve.

391 SCRUTINY OF THE VALE OF GLAMORGAN PUBLIC SERVICES BOARD
(REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C3299, 26th September, 2016, be approved, viz:

- (1) T H A T the Corporate Performance and Resources Scrutiny Committee be designated the Local Authority Committee with responsibility for scrutinising the Public Services Board.
- (2) T H A T the Terms of Reference for the Corporate Performance and Resources Scrutiny Committee be amended to make specific reference to scrutiny of the Public Services Board.

Reasons for decisions

- (1) To clarify arrangements for the scrutiny of the Public Services Board.
- (2) To ensure the Scrutiny Committee's role in scrutinising the Public Services Board is clearly stated within the Committee's Terms of Reference.

392 LEISURE CENTRE IMPROVEMENT WORKS (REF) –

Councillors Bertin, Egan, King, Dr. Ian Johnson and Wilson, having earlier declared an interest in this item, left the meeting during the consideration of the item. As the Mayor, Councillor Egan, was one of the Members who had withdrawn, the Deputy Mayor took the Chair for this item.

The wet and dry changing facilities at Penarth Leisure Centre and the wet facilities at Barry Leisure Centre were in a poor condition and had not been upgraded since the Centres were first opened. During recent customer surveys carried out by both the Council and Legacy Leisure, the Council's leisure management partner, the quality of these facilities had been the major point of criticism and the most widely cited as the reason why potential customers did not use the Centres. The dry changing facilities in Barry were opened in 1998 and were refurbished in 2012, and therefore did not require upgrading at this time.

The sports hall floor in Barry Leisure Centre was original to the Centre and had been properly maintained. It was now, however, in need of replacement as it was badly worn in several areas and was structurally weak.

The responsibility for replacing / upgrading these facilities under the 2012 Leisure Management contract was the Council's, whilst the day to day maintenance remained the responsibility of Legacy Leisure. Legacy Leisure would also have a duty to ensure that facilities were in the same condition at the end of the contract as they were at the commencement of the contract. This duty would be extended to include the proposed improvements detailed in this report.

As the works would benefit Legacy Leisure in attracting new customers once complete, it had been agreed that there would be no claim for loss of income during the works.

The estimated cost of the wet changing room works in Barry Leisure Centre was £640,000. At Penarth Leisure Centre the dry changing room upgrading was estimated at £296,000, with the wet changing facilities estimated at £726,000. Replacement of the main hall floor in Barry was estimated at £200,000. An additional £50,000 had been added as a contingency sum for the schemes giving a total of £1,912,000.

Whilst acknowledging the importance of the facilities for residents of the Vale of Glamorgan, Councillor John Thomas queried where the £1.9m proposed contribution had been found from and whether the proposals had any connection to the fact that the Council elections would be taking place in May 2017.

Councillor Mahoney sought clarification as to how the showering arrangements would work, given recent press articles regarding the unisex nature of the changing facilities.

Councillor Chris Williams asked if there was any intention that membership fees be raised to contribute to the funding of the works.

Responding to the above, the Cabinet Member for Visible, Leisure and Regulatory Services referred to his efforts over a number of years to progress the necessary upgrading of the facilities. He refuted any suggestion that the bringing forward of the proposals was down to the forthcoming 2017 Council elections. He confirmed that there would be individual cubicles, together with group changing rooms which could be used for, e.g. groups of children. He also confirmed that there would be no increase in membership fees related to the proposals. He reminded Members that the Vale of Glamorgan was one of the top counties in Wales in terms of its leisure facilities and to the need to maintain / improve quality of facilities where necessary.

RESOLVED – T H A T an amendment to the Capital Programme of £1,912,000 be approved to fund the Leisure Centre Improvement works, which will be funded from the Council's Building Fund.

Reason for decision

To arrange the appropriate amendment to the Capital Programme required due to the value of the works.

393 LIBRARY STRATEGY: ESTABLISHING COMMUNITY LIBRARIES (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C3268, 25th July, 2016) as set out in Section 14.14 of the Council's Constitution, in order to facilitate the granting of relevant delegations to officers to progress the matter, be noted.

Reason for decision

In accordance with the Council's Constitution, to note the use of the Urgent Decision Procedure.

394 SCHOOL AND COLLEGE TRANSPORT POLICY (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C3287, 5th September, 2016) as set out in Section 14.14 of the Council's Constitution, in order to enable the publication of the revised School and College Transport Policy, be noted.

Reason for decision

In accordance with the Council's Constitution, to note the use of the Urgent Decision Procedure.

395 CEMETERY ROAD PARK SCHEME – AWARD OF CONTRACT FOR MAIN WORKS (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C3290, 5th September, 2016) as set out in Section 14.14 of the Council's Constitution, in order to award the contract and facilitate mobilisation of the works to site, be noted.

Reason for decision

In accordance with the Council's Constitution, to note the use of the Urgent Decision Procedure.

396 QUESTIONS PURSUANT TO SECTION 4.18 OF THE COUNCIL'S CONSTITUTION –

Due notice had been given of the following questions:

(i) **Question from Councillor R.J. Bertin**

I fully understand the need of this Authority to save money and improve recycling rates. Given the recent problems experienced and waste bags being left for days on doorsteps, does Councillor John agree that recent changes to our waste collection services could have been handled better, and will he ensure that better and more information will go out in future before any changes?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

The recent changes to Waste Management Collection Days, as part of the Council's Reshaping Services programme, commenced on 1st August 2016.

All households in the Vale of Glamorgan received a letter in late July 2016 advising of the reasons for the changes, along with full details of the new arrangements which included a table outlining the exact days their waste would be collected. There were also numerous social media posts and advertisements in local newspapers advising of the changes. The changes were also promoted on the front page of the Council's website. In addition all Councillors received an email from the Operational Manager (Waste Management and Cleansing) advising of the changes to collection days with full details of why the changes were being made.

The changes are necessary to maximise waste collection savings. As you will be aware the Visible Services and Transport area, which includes Waste Management, has substantial savings targets to meet this year and next and such changes are essential to ensure the service operates within budget.

This has been a change in working arrangements for many waste management staff, many of whom are operating in new areas and with new teams. There were some initial teething problems with the revised arrangements, which we have learnt from

and most issues are now resolved. It is not surprising that there have been a few initial teething troubles associated with a major change to a large service which is used by all residents within the Council's area. To help put matters into perspective our waste and recycling crews make over 160,000 individual collections every week and since the change of collection days, and 23rd September when there were over 1 million individual collections, we received only 123 formal complaints.

The Welsh Local Government Association has ranked the Vale of Glamorgan as the 3rd lowest cost service provider in Wales for its waste services for the last three years. However, notwithstanding this, our financial position as a Council means that we must continually strive to reduce our costs.

Despite our ongoing challenges I am delighted to advise Council that last year we exceeded the statutory recycling target of 58% by reaching a new recycling high of 64%, the second best recycling figure in the whole of Wales. This is very much due to the performance of our waste staff and the commitment of residents to our co-mingled recycling, composting and green waste schemes.

Supplemental

Councillor Bertin suggested that evidence indicated that the "message" had not reached the general public and that there had been confusion. He asked whether an assessment had been carried out of the impact of the changes and what could be learned.

The Cabinet Member considered comments made by Councillor Bertin in the press criticising staff involved in delivering the service to have been "appalling" and "disgraceful". He informed Members that he had asked Councillor Bertin by e-mail for the evidence of the problems alluded to and, having initially been told there were far too many to list, he had offered to receive a small number in order that he could speak to the residents concerned. He indicated that no such information had subsequently been forthcoming.

(ii) Question from Councillor R.L. Traherne

At its meeting on the 30th of November 2015 the then Social Care and Health Scrutiny Committee recommended that the Cabinet be requested to make three separate written representations to Welsh Government on the following:

The additional costs incurred by the Council as a result of the UK Government's introduction of the National Living Wage and the requirement for domiciliary care providers to pay travel time.

The fact that the Social Services and Well Being Act was not cost neutral and that the Council has incurred substantial additional costs as a result of the introduction of this Welsh Government legislation.

The fact that the Council now has to fund much of the integration agenda in view of the cessation of RCF and the transfer of the ICF to health boards, and that the Council is also having to fund elements of the Supporting People Programme.

At its meeting of the 11th of January 2016 the then Deputy Leader commented that Cabinet was mindful of the concerns raised by the then Scrutiny Committee (Social Care and Health) and that Cabinet would make representations to Welsh Government on these issues. It was resolved that the Leader would raise the following three separate representations with Welsh Government:

- The additional costs incurred by the Council as a result of the UK Government's introduction of the National Living Wage and the requirement for domiciliary care providers to pay travel time.
- The fact that the Council does not anticipate that implementing the Social Services and Well-being Act will be cost neutral, given the range of additional responsibilities accruing from the new legislative framework as a whole, including regulations and codes of practice.
- The fact that the Council has lost from its budget the integration finance previously made available by Welsh Government.

Did you make these three separate representations to the Welsh Government and are you able to share with Members the response of the Welsh Government?

Reply from the Leader

The Leader indicated he did not recollect giving any commitment to do so and that, in fact, Cabinet did not agree to the Committee's suggestion of writing.

Councillor Traherne may be aware that the reference from the Scrutiny Committee to Cabinet arose from consideration of the Initial Revenue Budget Proposals for 2016/17. Cabinet agreed that it was important to advise Welsh Government about the significant additional costs incurred by the Council in providing social care services for reasons that were completely outside its control. Nevertheless, the Council had to carry out its duties as required under legislation. It was agreed that I raise the issues and that is what happened when the opportunity arose.

Also, following the meeting I held discussions with the then Cabinet Member and the Director of Social Services about how best to expedite the matter. Given the fact that discussions were already taking place (both in the WLGA and elsewhere) about the factors that should influence the budget settlement from Welsh Government, it was agreed that we would use opportunities we all had in place for direct dialogue with the Minister and Welsh Government officials in pre-arranged meetings. These mechanisms included representation within the Welsh Local Government Association (WLGA) and ADSS Cymru.

The outcome was that there was some very robust dialogue and that had been the subject of ongoing discussions with Welsh Government by this Council, the WLGA, ADSS Cymru, the NHS Confederation and numerous other lobby groups, etc. Whenever he met a Minister the settlement figure, particularly in terms of Social

Services, was something the Council always raised (i.e. in terms of its concern). Legislative changes did impact and should be accompanied by additional finance.

It would be fair to say that the responses from past and current Ministers and officials had been long on sympathy but rather short on viable solutions, but the Council would keep on trying.

I suppose the question is being raised as it is timely and I know that Social Services are under particular strain with the budget. That has been reported on a regular basis to the Scrutiny Committee and to Cabinet and it is the reason why some reserves have been put in place for this year. The Council will be entering budget setting processes with Welsh Government and, indeed, I will be meeting next week through the Partnership Council for Wales. I sit on the Finance Sub-Committee and will be raising these issues again.

As you've indicated, most of the pressures arise from factors outside our control.

I suspect, therefore, that our continuing discussions with Welsh Government about the settlement this year will have elements of déjà vu, as we rehearse the same arguments from last year about:

- the impact of demographic changes;
- evidence of increasing demand,(especially for older people's domiciliary care);
- rising costs in all the services commissioned externally by the Social Services Directorate, because of the National Living Wage and other factors;
- the adverse effects on our finances of the "£60 cap"; and
- the need to reform how we as a nation pay for social care.

Supplemental

Referring to his view that it was unfortunate that, despite being asked by the Scrutiny Committee to raise specific issues in writing with Welsh Ministers, the Leader had not done so, Councillor Traherne asked whether the Leader felt he would get any joy from future negotiations with Ministers regarding these matters.

The Leader confirmed that there had been robust discussions. However, he suspected continuing discussions with Welsh Government about the settlement issue would have some elements of déjà vu as the same arguments from last year were rehearsed. He acknowledged the impact of demographic changes and the evidence of increased demand, especially in domiciliary care. He and the then Deputy Leader had met with the residential care providers and reached a solution, not one which they were happy with, but a solution on fees for the current year. He referred to the Medium Term Financial Plan and issues in relation to the National Living Wage and other factors which the Administration had looked to try and incorporate. That was the reason why the reserves had been put in place for this year, because it could be seen that it was coming. He alluded (as he had done many times previously) to the impact of the "£60 cap". He had asked, through the WLGA and other organisations, that the settlement be brought out as soon as

possible. He had met with the Minister for Finance and he understood that some sort of statement was to be issued next week. He hoped that the cut would not be too great (if there was a cut at all, which he assumed there would be some in some shape or form). He had also asked through Treasurers and again through the WLGA that they review the formula and he hoped that something could be achieved with that, as well as a review of the “£60 cap”.

(iii) **Question from Councillor R.L. Traherne**

In May 2013 the Cabinet took a report on “The future of St. Paul’s Church” after a community consultation exercise. In September 2013, I asked you a number of questions and in your various responses you promised a “full options appraisal”. In March 2014 Cabinet took a further report entitled St. Paul’s Church Penarth - Way Forward and I assume this took into account your “full options appraisal”. It was recommended:

That authority is granted to market an opportunity for the use of St. Paul's Church, Penarth for community/recreational uses or as a mixed use scheme including community / recreational uses and other appropriate uses, subject to the relevant planning processes and the approval of the Leader; Cabinet Member for Leisure, Parks, Culture and Sport Development; Managing Director, and the Director of Development Services;

That authority is granted to appoint property agents and other consultants as may be required to assist with the delivery of the project.

It is now well over two years since the Cabinet Report. On 18th July, 2016 the Healthy Living and Social Care Scrutiny Committee took a report on the ‘Closure of Accounts 2015/16’. At Appendix 2 there is a line in the ‘Capital Monitoring’ for St. Paul’s Church which states that there is £16,000.00 for and I quote ‘Reviewing Strategy’, which has not been spent. At the same meeting the Committee also took its usual “Revenue and Capital Monitoring Report” and at Appendix 4 under “Capital Monitoring” St. Paul’s Church again appears. There is £233,000.00 allocated and in the comments it states: “Legal Strategy currently being implemented in accordance with the Board”.

We are now well over three years down the line. Are you really seeking to resolve the future of St. Paul’s Church or have you decided to continue to kick the issue “into the long grass” and leave it for the “New 2017 Administration” to take the necessary decisions?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

A great deal of hard work has been undertaken over the past few years and remains ongoing by the Council in order to resolve the future of St Paul’s. In accordance with Cabinet Minute C2256 (Cabinet report of 24th March, 2014) the Council appointed Savills as marketing agents and they comprehensively marketed the property from the end of 2014 through to early 2015 as an opportunity for

“...community / recreational uses or as a mixed use scheme including community/ recreational uses and other appropriate uses, subject to the relevant planning processes...”

Following this marketing exercise a community group called “St. Paul’s Shared Space CIC” came forward with a proposal to convert the property into a mixed use community venue. However, as reported to Cabinet at its meeting of 23rd March, 2015 (Cabinet Minute C2709 refers) additional time (four months) was offered to the community group to provide further information, including completing a Business Case demonstrating their scheme was financially viable. In the Autumn of 2015 it was concluded that, unfortunately, the community group had not demonstrated to the satisfaction of the Council a viable business case.

Currently (i.e. during 2016) the Council has been engaged in an ongoing confidential legal process concerning the building. Following its conclusion the Council will set out the way forward for the property. Following the resolution of the legal matter a report will be submitted to Cabinet in due course clarifying the way forward to achieve project delivery. I can confirm that the Council remains focused on securing a long term solution for the property.

Supplemental

Councillor Traherne felt that, after 3¼ years, the Council was no further forward in resolving the issue and asked whether there was any indication of the timescale involved.

The Cabinet Member referred to the matter being in the hands of legal officers and that, at present, he could not say anything further, other than the Council was pressing for a resolution. He also referred to his personal view as to the unsafe nature of the building currently.

(iv) Question from Councillor R.L. Traherne

Members will be aware that Ysgol y Deri is a new school that the Council built to bring together three schools in the area, Maes Dyfon, Ysgol Erw’r Delyn and Ashgrove School. Ty Deri is the residential provision for the School. It provides an extended curriculum for up to 19 children and young people aged between 6 and 19 years of age with autistic spectrum conditions and children and young people with complex needs. It provides opportunities for weekly boarding and respite short stays for children with a statement of special educational needs and assessed for placement by the Vale of Glamorgan.

CSSIW inspected the residential provision on 8th October, 2015 and reported that:

- *“The young people and staff do not enjoy the stability of an efficiently run boarding provision because it lacks clear operational management structure/arrangements.”*

- *“The young people are looked after by staff, who do not receive regular supervision and support.”*
- *“There is not a unified format used for supervision and the deputy manager has not undertaken training to provide supervision.”*
- *“There was no evidence of the governing body monitoring the welfare of young people*

In regard to Ysgol y Deri, more recently BBC Wales reported that “concerns over working practices” at the school have triggered an independent review of the institution by Peter Watkin Jones who carried out the high-profile inquiry into mortality rates at the Mid Staffordshire NHS Foundation Trust. BBC sources stated that there were serious “issues over staff sickness-levels and low morale” at Ysgol y Deri, and there have been allegations of “confusion over leadership” and a “lack of consistency” in the care of pupils.

I am now advised that you may be intending to close the residential provision. I have a number of questions:

How much did it cost to plan, build and staff the residential provision ‘Ty Deri’? I am aware that members of staff have been made redundant at ‘Ty Deri’. How many members of staff have been made redundant and how much has this cost the Council?

Can you confirm whether or not you are intending to close the residential provision?

If you do close the residential provision where will parents turn for Monday to Friday boarding during term time if their children have autistic spectrum conditions or complex needs?

If you do close the residential provision where will parents turn for short term respite stays for children with a statement of special educational needs?

If you do close the residential provision can you explain why the Council built it only to close it a couple of years later?

Who was responsible for the business plan to build the residential provision and who is going to take responsibility for its abject failure should the provision close?

Are you satisfied that the low staff morale and the lack of consistency regarding the care of pupils at Ysgol y Deri have been resolved?

Are you satisfied that the ‘Leadership’ of the School is able to cope with the demands of running a ‘Special School’ such as Ysgol y Deri.?

And finally, and in the interests of transparency and openness, will you share the Peter Watkin Jones Independent Review of Ysgol y Deri with Members by placing a copy in the Members’ Room?

Reply from the Cabinet Member for Regeneration and Education

You correctly point out that the CSSIW inspection of the residential provision in October 2015 did make some recommendations for improvement, but it also stated that “the quality of life for young people at the school was good” and the report as a whole was very positive.

The BBC Wales report referred to in your question contains inaccuracies. The review was commissioned jointly by the Cardiff and Vale University Health Board and the Education Authority. The purpose of the review was to consider joint working arrangements at Ysgol Y Deri and to make recommendations to ensure best possible outcomes for children and young people attending the school. The report is subject to legal and professional privilege and is therefore confidential. Contributors to the report participated on this basis and it would therefore not be appropriate to provide a copy of the report.

Other claims made in the BBC Wales report are also inaccurate. In a recent report on Ysgol Y Deri, the Central South Consortium (CSC) has said of the school that “standards are good” and that the “school offers a wide range of therapies and enrichment activities to develop wellbeing”. It is also stated that “teaching is judged to be good or better in most cases” and that “senior leaders have developed a strong vision of ambitious expectations for all” and praised them “for developing high quality innovative provision”.

The CSC recognises that senior leaders and the governing body have faced a significant challenge in managing the transition of pupils and staff from three separate and very different provisions into one new school. The transition for a very few members of staff had created problems in terms of their performance or attitudes. However, they state that “subsequently senior leaders and the governing body worked well with the local authority to address these staff related issues, which are now resolved”.

For a number of reasons the demand for the specialist residential respite care offered at the Ty Deri centre has proven not to be as high as was anticipated when the facility was planned in 2010. This necessitated a review of provision, including the staffing establishment, resulting in a reduction in childcare officers which equates to 8.72 full time equivalent posts. This new staffing level came into effect from 1st September and is appropriate to the current level of use. Ty Deri, which cost in the region of £2.8 million to build, continues to be available for use by children and young people with complex needs. In order to identify how best to utilise this excellent facility in future, an analysis of current usage trends, projected demand and financial considerations is being undertaken. It is intended that a more detailed report in respect of the above will be shared with Elected Members in due course.

Supplemental

Councillor Traherne asked whether there was any intention to close Ty Deri.

The Cabinet Member confirmed that there were no such plans.

(v) Question from Councillor R.L. Traherne

On 23rd May Cabinet agreed to lease the Peterston-Super-Ely Playing Fields to Peterston-Super-Ely Community Council. In late July the Community Council has still not heard from the Vale Council. However, as a result of the efforts of the

Cabinet Member a draft lease was sent to the Community Council on 4th August; well over two months after the Cabinet's instructions. The lease was finally signed off by the Community Council on 13th September. However, at time of writing, the work to dedicate the land as a "Field in Trust" has yet to be completed. On 9th June Planning Committee agreed that enforcement action should be effected on the "Land and Buildings at Hendrewennol Fruit Farm". Some six weeks later the enforcement notice had still to be served. I was advised by the Planning Department that the notice was still with the Legal Department. After a little bit of pressure the notice was eventually served on 27th July. These two small examples are issues that I have been involved with recently. If similar delay is taking place across every other "Council Ward" and if there is corporate legal work experiencing comparable delay; then I would suggest to you that the Council has a problem. I have three questions:

Do you feel that the Legal Department has sufficient lawyers to deal with the volume of work?

Do you feel that the Legal Department is operating in an efficient, effective and timely manner?

Do you not agree that delays in completing relatively straightforward legal documentation reflect badly on the Council?

Reply from the Leader

Thank you for your three questions.

The answers are:

Yes

Yes

No.

Supplemental

Councillor Traherne felt the Leader to be wrong in defending the Legal Services Department and expressed the view that the Department was not working as it should and that it would not be tolerated in the private sector. As such, he asked whether the Leader considered there to be scope for outsourcing much of the routine legal work, thereby enabling its completion in a "much more timely and efficient manner".

The Leader totally disagreed and refuted the allegations made and went on to give specific examples as to why he considered Councillor Traherne to be wrong.

Within thirteen days of the Legal Services Officer with contact or responsibility for the Playing Fields receiving instructions, a draft release was sent to Peterston-Super-Ely Council. Comments were received back from their solicitor instructed by the

Community Council within ten working days, with a draft lease being agreed four working days thereafter. The lease was then signed and returned by the solicitor who was acting for the Community Council within a further sixteen days, with the lease executed by the Vale of Glamorgan after a further two working days. The Community Council had been provided with the relevant documentation and presentation to assist in progressing with the application to dedicate the land as “fields in trust” and Legal Services had liaised with the relevant officers to expedite the dedication of the land.

With regard to the enforcement action to which Councillor Traherne referred, Legal Services received instructions on 14th June, 2016 and provided advice on 15th June, 2016. On 13th July the client officer requested that the Notice be signed in readiness for the service. This was actioned by the Legal Services Department on the same day, with the client department serving Notice on 27th July. The difference between the times was because, during that time, the interim negotiations were taking place before the Notices were served in line with enforcement action and guidance.

The Legal Department was a small department and at times volumes of instructions were high and priorities were determined, but the Leader also confirmed that, on occasions, private practices were used. He referred to a report under the previous Administration which had shown Legal Services to be excellent and he saw no reason why they had changed. As far as he was concerned, he encouraged Members if they required an update on any matters being dealt with by Legal Services, to either contact the Head of Legal Services or the Operational Manager or, indeed, himself. In conclusion, he refuted Councillor Traherne’s claims.

(vi) **Question from Councillor Dr. I.J. Johnson**

What assessment has the Council made of the impact upon Barry Town Centre of reducing Council utilised office space in the centre of town?

Reply from the Cabinet Member for Regeneration and Education

Any reduction in Council, utilised office accommodation would be in line with the objectives of the Councils Corporate Asset Management Plan to have a lean, sustainable portfolio that is fit for purpose to support service delivery across the Vale.

With regard to the Town Centre itself, the Council continues to support traders through the implementation of the town centres framework. This includes investment in shop improvements which are currently being supported by grant, and plans currently in hand for an exciting Christmas event. The Town Centres Development Officer has instigated a new Town Centre Forum, inviting all traders to attend on 12th October, which it is hoped will provide support and advice to traders going forward and will provide an opportunity for traders to work more closely with the Council on the future of the Town Centre.

Supplemental

Councillor Dr. Johnson expressed concern that the Council's efficiency savings were "not always in step with the best interest of the wider community". He asked whether the Cabinet Member would ensure that there would be baseline for the use of Holton Road, in order to assist Members' understanding of the effective changes as a result of the Space Project in the future.

The Cabinet Member questioned the relevance of the Space Project. She referred to the Councillors undertaking research into usage of the Town Centre and did not understand how the occupancy of buildings had an impact when the numbers of staff within those buildings would actually be reducing. The Council had a plan in terms of Reshaping Services and to undertake corporate asset management which would have an impact on staff numbers. She suggested that, should Councillor Dr. Johnson clarify what he was seeking, there were likely to be figures available to assist.

(vii) Question from Councillor Dr. I.J. Johnson

What assessment has been made of the impact of the changes in waste collection timetables implemented in August 2016?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

I have already addressed this issue in some detail in response to the question from Councillor Bertin. The aim of the service change, as all Councillors were advised by e-mail, is to contribute towards our transport savings of over £400k for this financial year.

As has been previously indicated, there have been some teething problems, which we expected with such a fundamental service change. However, the problems that our residents have experienced with their collections have been extremely low when compared to the number of those successfully completed.

In terms of the potential effects on recycling volumes and participation, no negative effects have been noted and, whilst cost savings are being realised, it is too early to provide exact details of this. The full year saving from the round changes is estimated at £340k and we will be in a position to advise on the actual savings by the end of this financial year, but this is likely to be in the region of £170k.

Supplemental

Councillor Dr. Johnson, referring to the level of efficiency savings being made in the service, questioned whether it would be better to have a reduced amount of cuts and, consequently, investing that into increased numbers of staff, thereby ensuring areas were better covered.

The Cabinet Member referred to having observed problems in his own Ward as a result of black bags being left after collections had already been made. He referred to there being instances of contractors seeking to utilise domestic collection facilities. Acknowledging that there had been teething problems, he nevertheless asked that Councillors report the problem(s) to the Director, rather than go to the press. He also reiterated the point that the number of complaints had decreased considerably since the first few weeks of the new arrangements.

(viii) **Question from Councillor Dr. I.J. Johnson**

What discussions has the Cabinet Member held regarding the continuation of Welsh Government regeneration funding after the completion of the current Vibrant and Viable Places programme?

Reply from the Cabinet Member for Regeneration and Education

A meeting has been held with the relevant officers in Welsh Government with the aim of clarifying the future and format of any replacement for the VVP scheme.

The Leader as the portfolio holder for Regeneration, Economic Development and Regulatory Services has also had discussions with the past and present Minister / Secretary on behalf of all Authorities in Wales. There had also been informal discussions with a number of Cabinet Secretaries.

There is currently no clear timeline in place for a replacement programme and the advice that has been received from Welsh Government is that any new scheme will not be in place in time for the next financial year.

However, the Council has been encouraged to continue to submit schemes under the existing pipeline procedures, whereby additional proposals above and beyond, but complimentary to, the Council's ongoing VVP schemes, are assessed by WG for further funding. Officers have been advised that this process is likely to continue until a new scheme is in place.

Supplemental

Councillor Dr. Johnson asked whether the Cabinet Member had confidence in the Welsh Government to actually follow through on the regeneration proposals.

The Cabinet Member replied that she did.

(ix) **Question from Councillor A. Riley**

The changes to waste collection routes since 1st August have not been without teething problems. Will the Executive Member disclose the projected savings resulting from these changes for 2016/17, 2017/18 and 2018/19 under each of these

headings: a) staff costs; b) fuel and other transport costs: and c) number of refuse vehicles required?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

All Councillors have previously been advised that the round changes have been introduced to assist us in meeting the planned transport savings of over £400k for 2016 / 2017.

With reference to my previous answer on this point, the savings projected for 2016 / 2017 is £170k. The projected full year saving from the changes for 2017 / 2018 and beyond is £340k per annum.

The changes feature a reduction of three vehicles and the savings comprise £145k in transport related costs with the remaining saving of £195k per annum due to the staffing being reduced by nine posts.

Supplemental

Councillor Riley asked whether the Cabinet Member was satisfied that the waste management service was adequately resourced for the present time and on an ongoing basis.

The Cabinet Member responded that he was satisfied that adequate resources were in place and informed Members that the nine posts lost had been agency personnel and not full-time employed staff. He referred to there being a very good management team in place and, notwithstanding initial problems, he was very confident that the waste management requirements would be well-managed.

(x) **Question from Councillor A. Riley**

The Executive Member may be aware of a recent initiative in Cornwall where a new book using images of children who have Down's syndrome has been produced in a partnership between Cornwall Council and Cornwall Down's Syndrome Support Group. The book, called, "Going to School" is aimed at three and four year olds and is being given by Cornwall Council to every rising school age child in their BookStart Treasure Pack to help promote a positive message about inclusion in schools. Is she prepared to consider something similar for the Vale of Glamorgan?

Reply from the Cabinet Member for Regeneration and Education

The Library service takes great care in acquiring a wide range of reading material for children that is relevant and representative of diversity. Bookstart Cymru, funded by Welsh Government, is mindful of the needs of children with additional learning needs. As well as providing a changing starter pack of books for all children born in the Vale they also offer packs for children with additional learning needs by request to health visitors. These packs include Bookstart Touch for visually impaired children and Bookstart Smile for children with hearing loss.

The Library Service will suggest that the book from Cornwall is considered for adoption for Bookstart packs in Wales, if suitable. There may also be some scope for their use with Pori Drwy Stori, which is a Bookstart Cymru collaboration with schools in Wales targeted at reception classes. The Library Service will also investigate purchasing a number of the books to join current library book titles aimed at children starting school.

Careful consideration would need to be given to producing a book such as that available through the Cornwall model, as it would require input from relevant charities and Bookstart Cymru support and funding if it were to be taken up by them for delivery with all their packs.

That said, we have a history of innovation in the Vale of Glamorgan and only recently the third book in the series of books written by local parents for their children was launched at the hugely successful CBBC event at Barry Library. "The Wrong Story", follows on from "The Vulture and the Lion" and "My Monster and Me" which have been praised by actor Michael Sheen and Children's Laureate Michael Morpurgo. Each book tackles an issue faced by children and deals with it in an accessible form. All are available in both Welsh and English.

(xi) **Question from Councillor C.P. Franks**

We have heard about the improving GCSE and A level results across the Vale. This is indeed very good news. However the situation in each individual school indicates a more varied picture.

In reality there are areas where the results are still unsatisfactory. Will you comment where you consider more focus is required to improve educational standards?

Reply from the Cabinet Member for Regeneration and Education

There is indeed a varied picture in individual schools across the Vale. There remain a few indicators where the results are unsatisfactory, although there are significantly more indicators where improvements were significant in 2016 and results and outcomes are now good.

A report on performance is being reported to Cabinet on Monday, 3rd October and that report is in the public domain, and available for all Members to read and digest.

Supplemental

Referring to the financial burdens being placed on schools, Councillor Franks asked whether the Cabinet Member regretted failing to have "adequately invested in schools and specifically to invest in pupils".

The Cabinet Member referred to hearing within the Chamber the comment "outrageous" in response to the question from Councillor Franks and she totally

concurred with that view as to his suggestion being outrageous. The Administration had, in successive years, spent above Indicator Based Assessment (IBA), something that had not happened as a matter of course in the past. The Administration was committed to education in the Vale.

(xii) **Question from Councillor C.P. Franks**

Will you indicate the level of allocated and unallocated reserves held by the Council on 31st March, 2016? Further will you state where this considerable sum is invested?

Reply from the Cabinet Member for Resources and Inward Investment

The Council holds reserves for a range of purposes which can be used to fund either revenue or capital expenditure.

The Council Fund reserve is held for general purposes and as such is unallocated.

In addition, the Council has a range of specific reserves where funding has been earmarked for a specific purpose and therefore allocated.

As at 1st April, 2016 the Council Fund had a balance of £10m with earmarked reserves totalling £68m. However, I should emphasise that a large proportion of these earmarked reserves have a planned use during 2016/17 and beyond whilst £33m will be used for capital expenditure and will not support revenue expenditure.

The balance of reserves and working capital is invested in accordance with our Treasury Management strategy and, therefore, the Council prioritises the security and liquidity of sums over return. Full details are contained within reports presented tonight and regularly throughout the year.

However, to give an example, and given the high cost of borrowing in contrast to the relatively low level of return on investments, the Council's approach, in accordance with the advice from our investment advisors, is to maximise internal borrowing. In short, this means we finance sums which we would otherwise have borrowed from the Public Works Loan Board from our internal cash balances, which maximises internal investment income and keeps borrowing costs low.

Supplemental

Councillor Franks asked whether there was not an opportunity to invest more in the Vale's communities.

The Cabinet Member pointed out that the Council had, indeed, invested in its communities, for example in schools throughout the county, and that it continued to do so. He referred to the earmarked reserves of £68m and that the Cabinet Member could see what the reserves were for by reading the relevant report and / or

Statement of Accounts (pages 36 to 38 of the latter including a breakdown of those earmarked reserves).

(xiii) **Question from Councillor C.P. Franks**

Members will be aware of the calls for urgent action regarding the pressures on care homes and domiciliary care sector. Can you indicate the situation in the Vale?

Reply from the Cabinet Member for Housing and Social Care and Health

I can confirm that providers of social care services across both residential and domiciliary care sectors have been reporting difficulties in managing rapidly increasing demand or in providing quality care within the financial resources available to them.

The overall situation appears to have many causes, including demography and faster hospital discharge. One outcome is that our services are increasingly catering for a much older population, with a higher number of medical conditions and greater need for care and support. Costs have been affected by factors such as introduction of the National Living Wage and case law which requires changes to the way in which staff are remunerated.

It is difficult to gauge the scale of the problem because the position can change in response to seasonal and other factors. However, as Councillor Franks says, the issue is the subject of concern nationally, regionally and locally. This Council is very actively engaged in work to find solutions in all these arenas. The position is vigorously robustly monitored by the Healthy Living and Social Care Scrutiny Committee and by the Cabinet, both to safeguard the interests of vulnerable service users and to deal with the adverse impact upon the Council's finances.

One of the ways in which we have sought to deal with capacity and sustainability issues in respect of independent providers of care and support is to increase the fees paid by the Council above the rate of inflation. All providers across the sector have been offered a 3.5% increase. We also propose to introduce from 1st October a base or minimum rate that the Council will use to purchase an hour of domiciliary care. As a consequence of these changes, the Community Care Budget in social services could outturn with an adverse variance of up to £1 million by year end and we may need to make use of reserves.

Beyond immediate fixes, we are involved in a raft of initiatives to help deal more appropriately with the scale of increased demand for care and support by reshaping services to enhance people's opportunities to remain as independent as possible.

These initiatives include winter planning with the UHB, use of the Intermediate Care Fund, increased reablement and introducing a pilot scheme which will use outcome-based approaches to commissioning domiciliary care

Supplemental

Referring to the substantial growth in people aged 85 or over across the country and the Vale of Glamorgan, Councillor Franks asked whether the Cabinet Member considered the Council would be able to cope with those people, often who had complex needs.

The Cabinet Member referred to there being no simple answer and to it constituting a mix of approaches. The Council was supporting the work of the National Commissioning Board, which had recently completed a census of all care home placements for over 65 over 80 year olds. The Board was proposing to work on developing a national contract for care homes as well and the Council was looking forward to learning from the CSSIW on the work that resulted from that. She also acknowledged the importance of working with care providers across the whole area in terms of mutual concerns and interests. There had been some difficulties in getting independent service providers to take up individual contracts via the brokerage service, but that situation was easing. A “multi-approach” to the issue was required. Whilst figures were increasing at the moment, that would not be the case forever. However, it was important to recognise there was an aging population and people were actually staying in domiciliary care and in their own homes and living as independently as possible.

(xiv) **Question from Councillor S.T. William**

Visitors to Barry Island are charged £1 for an hour but must then pay an astronomic £5 for anything over that time.

This acts as a deterrent to visitors and a disincentive for those who would otherwise stay on in our cafes after having walked their dogs.

The current structure punishes our traders and harms our local economy.

Isn't it time to implement a more reasonable and economically literate parking charge structure that would entice people to stay on the Island and spend their money?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

The £5 per day charge for all-day parking at Barry Island has been in place since 2014 / 2015 and was considered and agreed by the Economy and Environment Scrutiny Committee of 1st April 2014, a former Committee of which you were a member.

There is no evidence that the charge deters visitors or that it punishes traders or the local economy. In the first year of the £5 per day charge, 2014 / 2015, the net income obtained from the two Barry Island car parks was £179,234. In 2015 / 2016,

this figure was £233,663 and to date in 2016 / 2017 the net figure is already £262,632.

These car parks are used primarily by visitors to the area and the income received helps to fund the high level of front line services required at this most popular resort.

Fees for all services are reviewed annually, as you are aware, and the fees for car parking will be assessed early in the New Year as is always the case.

There is therefore no evidence whatsoever to back up your claim (and I quote) “the structure punishing traders and harming the economy”. Such comments do nothing to aid in the promotion of our flagship destination.

It is also particularly galling to read your quote in the summer edition of The Barrian where you say in the context of the Island and car parking “we must seek a solution for the inevitable increase in traffic that will come with greater numbers of visitors”.

So, it is make your mind up time - either car parking charges are punishing traders and visitors (as per your question) or we need to cater for the inevitable increase in visitors (as your quote in your recent publication). It cannot be both.

Supplemental

Councillor Wiliam asked the Cabinet Member why the Council was not introducing a parking tariff with structured hourly charges and referred to his view that it would help local businesses and visitors if the Council “future proofed” the economy of the Island by adopting provision such as multi-storey car parking.

The Cabinet Member considered the figures referred to early as demonstrating opportunities among visitors that come to the Island and who did not mind paying the £5 charge. He also alluded to the £1 charge as not necessarily meaning those users are visitors to the Island as they might be local people using their cars rather than walking to the location. He suggested that Councillor Wiliam raise the matter at the appropriate time, i.e. when all charges were being discussed / reviewed in the New Year.

(xv) Question from Councillor Dr. I.J. Johnson

What was the number of FTE employees across Cardiff, Bridgend and the Vale of Glamorgan working in Regulatory Services on 1st April, 2014 and 1st April, 2016, before and after the merger of the services?

Reply from the Cabinet Member for Visible, Leisure and Regulatory Services

On 1st April, 2014, the Regulatory Services across Bridgend, Cardiff and the Vale of Glamorgan employed 237.18 FTE officers. The 2014 figure includes officers undertaking functions such as the Cardiff Dogs Home, the Cardiff Pest control

function and other out of scope activities that did not form part of the Shared Service when it came into being on 1st May, 2015.

On 1st April, 2016, the Shared Regulatory Service employed 165.35 FTE officers. The figure includes some new functions that are provided by the Shared Service, such as the officers undertaking the additional licensing functions for HMOs in the Plasnewydd area. There were still some vacancies in the structure on 1st April; most of which have now been filled and the FTE in the service at 1st September was 177.85.

Supplemental

Recognising that the numbers were not necessarily comparable, Councillor Dr. Johnson nevertheless questioned whether it would have made more sense to have used the £850,000 underspend due to vacant posts to have kept people in posts as part of the restructuring.

The Cabinet Member confirmed that the minutes of the Shared Regulatory Services Joint Committee would be available in due course and that, quite simply, the underspend was being used to good effect, with the service having developed extremely well over the last twelve months.

(xvi) Question from Councillor Dr. I.J. Johnson

BBC Wales recently reported that one of our social workers was struck off for falsifying visiting information. Can the Cabinet Member confirm how this was uncovered, when this was first brought to their attention and what action was taken by this Council?

Reply from the Cabinet Member for Housing and Social Care and Health

Councillor Johnson will be aware that there is a statutory register of Social Care Workers which puts workers on a similar footing to that of other public service professions (such as medicine and teaching). This is seen as a crucial element in protecting vulnerable service users. Everyone on the Register will have demonstrated to the independent Care Council for Wales that they are fit to practice.

In the first instance, then, the obligation to work in a professional way rests with social workers themselves. However, this Council also has a raft of additional measures in place to safeguard people from poor practice – including safe recruitment, regular supervision, compliance audits and a robust complaints process. It was through these processes that the social work manager became aware of concerns about the individual social worker named in the report.

We found that she had not monitored care arrangements or recorded her interventions with clients as required. When these failings came to light in December 2014, she was immediately suspended and the Care Council informed. The Directorate allocated all of the clients under her supervision to other social workers

and reviewed each case. It emerged that, despite the practice failings, no clients or members of the public had come to harm. The Council then fully investigated the matter using its disciplinary procedures and the social worker was dismissed in August 2015. We co-operated fully with the investigation by the Care Council. At a recent hearing, a Removal Order was made on the grounds that her Fitness to Practise is currently impaired. The record of the proceedings is made public on the Care Council website.

Supplemental

Whilst pleased to hear that the Council's procedures were working and that nobody had come to any harm, Councillor Dr. Johnson nevertheless expressed concern that he had first read of this matter on the BBC news website, rather than being informed through any internal procedures. He asked whether it would be possible to extend the existing procedure under "Part II" whereby the Healthy Living and Social Care Scrutiny Committee received information regarding the performance of providers, to be extended to cover such issues.

The Leader reiterated the fact that, despite the shortcomings in social work practice, no client or member of the public had come to harm, procedures had been put in place and that the Council had operated effectively in dealing with the matter.

The Appeal lodged by the employee against the decision had only been heard recently and the Leader had been involved in hearing that Appeal. Given that the matter was then referred to the Care Council for Wales, no publicity could be given to it until the Care Council had made their decision, given its confidential nature. He confirmed that all procedures, including the suspension of the employee and the Appeal process, had been undertaken correctly.

(xvii) **Question from Councillor Dr. I.J. Johnson**

How many housing completions have been made in each year since 2011, what is the total number of completions for the period 2011-16 and what percentage does this represent of the proposed LDP total for 2011-26?

Reply from the Cabinet Member for Social Care and Health

The figures below have already been provided in response to an action point identified by the appointed inspector dealing with the Local Development Plan hearings. Properties completed are broken down by years as follows:

2011/12 – 162
 2012/13 – 188
 2013/14 – 115
 2014/15 – 272
 2015/16 – 621

This totals 1,358, which is 14.3% of the overall dwelling requirement of 9,460 for the 15 year plan period (2011-2026) identified in the latest version of the LDP (as amended by the MAC schedule).

Supplemental

Referring to the Brecon Court facility, Councillor Dr. Johnson asked whether the Cabinet Member could give an update on what was likely to happen to the facility in the future, given that it was not part of one of the identified sites in the Local Development Plan.

The Cabinet Member referred to the site as still being allocated as part of the work of social housing. She was unable to give an exact timescale at present but confirmed that, despite it being a slow process, the process was ongoing.

397 QUESTIONS FROM THE PUBLIC -

The following question was submitted and replied to as shown, in accordance with the protocol agreed by Council on 5th May, 2010:

(i) **Question from Miss. P. Williams**

Can the Dinas Powys Pony Club fields be re-opened? We equestrians need somewhere to go and yes I understand we have Cosmeston, but I'm sure if you ask any rider that rides there it's the same old scenery and dogs are a huge problem! If not the Pony Club fields please may you make more bridle paths available in Cosmeston?

Reply from the Deputy Leader / Cabinet Member for Regeneration and Education

The Council owned land, adjacent to the former St. Cyres Lower School site is not available for use by the Pony Club. In accordance with Cabinet Minute C2195(1) (10th February, 2014) the land referred to is earmarked for disposal as a master planned mixed use development of residential, community/recreational uses (subject to planning). The Council has selected a preferred bidder for the mixed use development subject to ongoing legal processes.

With regard to the use of Cosmeston for equestrian purposes, anyone who obtains a license to ride horses at Cosmeston does not need to follow the bridleway only. Riders can follow a much broader network of shared paths and enjoy much of the country park. Most dog owners ensure their pets are well managed, but anyone experiencing problems with dogs out of control should report this to the Ranger Service. The Council has developed new bridleways elsewhere, and in the last few years some 11.5km of new bridleway have been created in the Vale.

398 ENVIRONMENTAL ENFORCEMENT: AWARD OF CONTRACT (MD) –

On 25th July, 2016 Cabinet authority was sought to enter into a formal agreement with a private environmental enforcement company to undertake enforcement duties aimed at reducing incidents of littering, fly tipping, dog fouling and compliance with byelaws. The Part II report to that Cabinet meeting was a separate item on the Council agenda (Agenda Item No. 18).

The Council had a legal duty under Part IV of the Environmental Protection Act 1990 to keep relevant land clear of litter and refuse.

At its meeting on 25th July, 2016, Cabinet had resolved "That authority be sought from Council for 3GS (UK) Limited to issue FPNs on behalf of the Council for the duration of the agreement".

Since the above resolution was made, the company had formally written to the Head of Service for Visible Services and Transport requesting that, to ensure that any and all 3GS staff engaged in the contract were authorised to issue Fixed Penalty Notices (FPNs) and the company had requested the resolution to Council be amended to read "That authority be sought from Council for any and all appointed members of 3GS (UK) Limited staff to be authorised to issue Fixed Penalty Notices on behalf of the Council for the duration of the agreement".

Councillor Chris Williams, in welcoming the report, referred to incidences of dog fouling on Dinas Powys football pitches and queried whether the Cabinet Member would be prepared to look into the possibility of a total ban on dog walking on all sports pitches in the Vale of Glamorgan.

Councillor Mahoney referred to a previous pilot scheme involving a company undertaking enforcement action on behalf of the Council. Whilst acknowledging the difficulties in catching people whose dogs were responsible for fouling, he suggested that the previous scheme had not been effective. He also questioned the effectiveness of the fixed penalty set at £75 and considered that Local Authorities should seek discussion with Magistrates' Associations with a view to putting pressure on for the implementation of higher fines (given his understanding that the maximum penalty for such offences was £1,000). He felt there to be a need to make examples of people whose animals were those fouling the environment.

Councillor Bertin asked whether the Council's own staff would continue to play a part in the service, whether there would be any form of educational campaign undertaken and whether the current Administration intended to introduce a zero-tolerance approach to "environmental crimes".

Councillor James welcomed the introduction of the service as he felt that it was essential that the introduction of any byelaws (as had occurred recently in Rhoose) was effectively enforced.

Councillor Ian Johnson hoped that the scheme would prove more successful than the previous scheme provided by a different company and he also asked whether

any consideration had been given to utilising the Council's own workforce to deal with these issues.

The Leader confirmed that the matter had been under consideration for some time and that he had every confidence in the ability of the company (3GS (UK) Limited) to provide a very effective enforcement service. He considered that the £75 fine approach would prove to be effective and referred to the fact that seeking to implement higher fines would necessitate utilising the Courts, with any resultant income then not actually falling to the enforcement company itself, but to the Government. He confirmed that there would, indeed, be ongoing educational campaigns (as had occurred to date), for example through the media. He also confirmed that, amongst the various options considered prior to the proposals being formulated, use of the Council's own workforce had been considered.

In concluding, the Cabinet Member for Visible, Leisure and Regulatory Services acknowledged the severe difficulties that dog fouling created on sports grounds. The Administration would continue to look at such matters, albeit solutions to such were not easy to implement. He was firmly of the view that the company involved would provide a very professional service, incorporating a "split-shift" system, thereby maximising the period when enforcement officers were on duty.

It was pointed out that, in the event of the recommendation before Council being approved, there would be no need for Council to go into "Part II" and that the related report within "Part II" would, therefore, simply be before Members for information.

RESOLVED – T H A T approval be granted for any and all appointed members of 3GS (UK) Limited staff to be authorised to issue Fixed Penalty Notices (FPNs) on behalf of the Council for the duration of the agreement.

Reason for decision

To ensure that any and all appointed members of 3GS (UK) Limited staff have the necessary legal powers to undertake enforcement activities within the Vale of Glamorgan.