

## THE VALE OF GLAMORGAN COUNCIL

Minutes of a meeting held on 27<sup>th</sup> February, 2019.

Present: Councillor Leighton Rowlands (Mayor); Councillors Julie Aviet, Vincent Bailey, Rhiannon Birch, Jonathan Bird, Lis Burnett, George Carroll, Christine Cave, Janice Charles, Amelia Collins, Robert Crowley, Andrew Davies, Vincent Driscoll, Stewart Edwards, Ben Gray, Owen Griffiths, Stephen Griffiths, Sally Hanks, Nic Hodges, Hunter Jarvie, Gwyn John, Dr. Ian Johnson, Gordon Kemp, Peter King, Kevin Mahoney, Kathryn McCaffer, Anne Moore, Neil Moore, Michael Morgan, Jayne Norman, Rachel Nugent-Finn, Andrew Parker, Bob Penrose, Sandra Perkes, Andrew Robertson, Ruba Sivagnanam, John Thomas, Neil Thomas, Steffan Wiliam, Margaret Wilkinson, Edward Williams, Mark Wilson and Marguerita Wright.

### 765 FORMER COUNCILLOR BLODWEN GRIFFITHS –

The Mayor referred to the recent death of former Councillor Griffiths who had previously represented the Baruc Ward in Barry. Members stood in a minute's silence as a mark of respect.

### 766 APOLOGIES FOR ABSENCE –

These were received from Councillors Ms. B.E. Brooks, G.A. Cox and Mrs. P. Drake.

### 767 DECLARATIONS OF INTEREST –

The following declarations were received:

<b>Name of Member</b>	<b>Agenda Item / Nature of Interest</b>
Councillor Rhiannon Birch	Agenda Item No. 10(b) – Daughter is an employee of the Council.
Councillor Lis Burnett	Agenda Item Nos. 10(a) and (f) – Great-niece is a pupil at Ysgol Sant Baruc. Dispensation granted by the Standards Committee to speak and vote.
Councillor Nic Hodges	Agenda Items 10(a) and (f) – Local Authority Governor on schools receiving funding (Ysgol Sant Baruc)
Councillor Dr. Ian Johnson	Agenda Item Nos. 10(a) and 9(f) – Local Authority Governor on schools receiving funding (Whitmore High School).
Councillor Gordon Kemp	Agenda Item No. 10(b) – Daughter is an employee of the Council. Dispensation

	granted by the Standards Committee to speak and vote.
Councillor Anne Moore	Agenda Item No. 10(b) – Daughter is an employee of the Council. Dispensation granted by the Standards Committee to speak and vote.
Councillor Neil Moore	Agenda Item No. 10(b) – Daughter is an employee of the Council. Dispensation granted by the Standards Committee to speak and vote.
Councillor Steffan Wiliam	Agenda Item Nos. 10(a) and (f) – Local Authority Governor on Ysgol Bro Morgannwg.
Councillor Margaret Wilkinson	Agenda Item No. 10(b) – Two family members employed by the Council. Dispensation granted by the Standards Committee to speak and vote.
Councillor Mark Wilson	Agenda Item No. 10(b) – Family member is an employee of the Council. Dispensation granted by the Standards Committee to speak and vote.

## 768 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 12<sup>th</sup> December, 2018 be approved as a correct record.

## 769 ANNOUNCEMENTS –

The Mayor made the following announcements. Since the last Full Council meeting he had given out a further three Foundation Grants to Celtic Capability Sailings based in Penarth, Vale Surf Life Saving Club Voluntary Lifeguard Club in Barry and Cardiff and Vale District Raynet based in Penarth.

He had had the pleasure of attending the Vale of Glamorgan Council Building Control Awards, the awards which recognised good standards of building as well as environmental, communication and disability requirement. The Vale of Glamorgan award winners had the opportunity of being put forward to the South Wales Region “Building Excellence” Awards, and subsequently being forwarded to the national awards which are held in London.

As it was LGTB History Month, he was honoured to attend the launch of GLAM along with other Council colleagues in particular Councillor Owen Griffiths. The Council’s network for LGBT colleagues and allies’ aim was making the Council’s workplace more inclusive for lesbian, gay, bisexual, transgender (LGBT+) people. It worked to

have a positive impact for LGBT+ colleagues in the workplace; raise overall awareness and visibility of its work; and provide a social and support environment.

He officially opened this year's Holocaust Memorial Day commemoration and art exhibition. Holocaust Memorial Day took place each year on 27<sup>th</sup> January – marking the anniversary of the liberation of Auschwitz. This year's theme, set by the Holocaust Memorial Trust, "Torn from Home".

He was invited by the No. 1 Welsh Wing RAF Air Cadets at RAF St. Athan to watch them take part in their activity day and to watch them parade.

He attended the Launch of the Welsh Veterans Awards in Cardiff Bay and he looked forward to celebrating this coming St. David's Day and will attend the Lord Mayor of Cardiff's St. David's Day Civic Service. Here in the Vale Council there would be Welsh cakes available in reception with a donation box for the Mayor's Foundation.

#### 770 NOMINATION OF MAYOR ELECT AND DEPUTY MAYOR ELECT FOR THE MUNICIPAL YEAR 2019/20 (MD) –

Section 22 of the Local Government Act 1972 provided for the Chairman of the Principal Council to be elected annually by the Council from among the Councillors. Section 23 of the Act provided for the election of the Chairman to be the first business transacted at the Annual Meeting of the Principal Council. Section 25A of the Local Government Act 2000 provided that the Chairman of the Council was entitled to the style of "Mayor" or "Maer". On 30<sup>th</sup> October, 2002 the Cabinet considered the legal provision relating to the style of Mayor and resolved that the entitlement of the Chairman to use the style be supported and introduced with effect from the Annual Meeting of the Council in 2003.

It had also been decided to nominate a Deputy Mayor Elect at this meeting.

Councillor Ben Gray moved that Councillor Christine Cave be nominated as Mayor of the Council for 2019/20, the proposal being duly seconded.

Councillor Ben Gray moved that Councillor Robert Crowley be nominated as the Deputy Mayor of the Council for 2019/20, the proposal be duly seconded.

Upon being put to the vote it was

RESOLVED –

(1) T H A T Councillor Christine Cave be nominated for election as Mayor at the Annual Meeting to be held on 8<sup>th</sup> May, 2019.

(2) T H A T Councillor Robert Crowley be nominated for election as Deputy Mayor at the Annual Meeting to be held on 8<sup>th</sup> May, 2019.

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

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

(a) Membership of the Scrutiny Committee Healthy Living and Social Care

The Leader of the Labour Group requested that Councillor N. Thomas replaced Councillor O. Griffiths on the above Scrutiny Committee with immediate effect.

(Scrutiny - Corporate Performance and Resources)

(b) Membership of the Licensing Committees – Public Protection and Statutory Licensing

Councillor Michael Morgan be replaced with Councillor Kathryn McCaffer on the above Committees with immediate effect.

(Scrutiny - Corporate Performance and Resources)

RESOLVED - T H A T the report be noted.

Reason for decision

To inform Council.

772 CONSULTATION WITH NON-DOMESTIC RATEPAYERS (MD) –

To comply with the Non-Domestic Ratepayers (Consultation) Regulations 1992 (Statutory Instrument No. 3171).

An advertisement inviting non-domestic ratepayers to inspect the Council's expenditure proposals and to submit representations on the same was placed in the Western Mail on 20<sup>th</sup> February, 2019.

Copies of the Council's expenditure proposals had been forwarded to local non-domestic ratepayers, who had been invited to submit any comments by 12.00 noon on 27<sup>th</sup> February, 2019. At the time of the meeting no responses had been received.

RESOLVED – T H A T the position be noted.

Reason for decision

To comply with the Non-Domestic Ratepayers (Consultation) Regulations 1992 (Statutory Instrument No. 3171) and Section 65 of the Local Government Finance Act 1992.

## 773 HOUSING REVENUE ACCOUNT BUSINESS PLAN (DEH) –

The report set out the Council's 30 year business plan for housing in support of the Council's continued MRA investment from Welsh Government.

Welsh Government (WG) required all Local Authorities with retained housing stock to submit a fit for purpose annual Housing Business Plan, incorporating a detailed financial forecast in the form of a 30 year financial model.

The Business Plan incorporated a forward statement from the Leader of the Council and the Cabinet Member for Housing and Building Services, reflecting the work being undertaken to develop sustainable communities and neighbourhoods where residents could be proud to live.

Guidance for the submission of the Housing Business Plan was received from WG in January, with a submission deadline of 31<sup>st</sup> March, 2019. This would be the first Cabinet the Business Plan could be practically presented to, however, it also required approval by Council. In order to achieve this, it would be requested to use Article 14.14 of the Council's Constitution (urgent decision procedure).

The provision for doubtful debts had remained at 6% of rental income to allow for the negative impact of Welfare Reform and in particular, Universal Credit on rent collection, with a reduction to 3% from 2022 onwards.

The Housing Business Plan was both viable and sustainable in terms of meeting the Council's obligations on WHQS for existing stock, the level of debt and the potential for New Build and Regeneration.

Councillor Johnson – Of course we support the Housing Business Plan here, however I would like to note, as I do on every occasion, my concern that the doubtful debt here as a result of the UK Government's Welfare Policy and I hope that the Leader will begin to support me in opposing those.

RESOLVED – T H A T the Housing Business Plan be approved.

Reason for decision

To enable the submission of the above Plan to Welsh Government by the required deadline of 31<sup>st</sup> March. 2019.

## 774 COMMONS REGISTRATION AMENDMENTS TO REGISTER (MO / HLDS) –

The Council's approval was sought to authorise the Monitoring Officer / Head of Legal and Democratic Services to act pursuant to The Commons Act 2006 and associated Regulations and establish Council procedures and set relevant fees for processing such applications.

The Council as Commons Registration Authority held the statutory registers for

both Common Land and Town and Village Greens. The original legislation did not provide a mechanism to rectify or amend a registration.

To address this, the Commons Act 2006 brought in statutory powers in relation to correction, non-registration or mistaken registration of common land. These were now applicable in Wales by virtue of 2006 Act and associated Regulations which came into force in 2017 and which established a process in relation to determination of applications. It gave individuals the right to make such application for amendment of the Register including adding or removing land.

Applications may either be determined by the Commons Registration Authority itself or referred to the Planning Inspectorate, should the former have an interest in the outcome of the application or proposal, to ensure confidence in its impartiality, or in the event that the Commons Registration Authority had received objections from those with a legal interest in the land and where the application was looking to add or remove land from the Register or correct an error in the number of rights of common in the Register.

Registration Authorities may set their own reasonable fees and details of these were set out in Appendix 1 to the report. The Welsh Government had given a commitment to reimburse the costs incurred by the Commons Registration Authority in respect of public interest provisions.

The report therefore proposed practical arrangements to implement these provisions to enable such applications to be made. It also dealt with granting of the relevant delegations to the Monitoring Officer / Head of Legal and Democratic Services.

#### RESOLVED –

(1) T H A T the Monitoring Officer / Head of Legal and Democratic Services be granted delegated authority to determine applications under The Commons Act 2006 and The Commons Act 2006 (Correction, Non-registration or Mistaken Registration) (Wales) Regulations 2017, including the appointment of an independent person to chair inquiries where appropriate and make referrals to the Planning Inspectorate in line with the 2017 Regulations.

(2) T H A T the Monitoring Officer / Head of Legal and Democratic Services be granted delegated authority to establish processes and procedures as are necessary to the comply with The Commons Act 2006 and The Commons Act 2006 (Correction, Non-registration or Mistaken Registration) (Wales) Regulations 2017. The procedures are set out in the Guidance for Commons Registration Authorities which were set out in Appendix 2 to the report and a summary of the procedure was set out in Appendix 3 to the report.

(3) T H A T the Council's Constitution be amended to reflect the new legislative regime in that the reference in paragraph 33 Part B of Section 13 be amended to include applications under The Commons Act 2006 and The Commons Act 2006 (Correction, Non-registration or Mistaken Registration) (Wales) Regulations 2017.

(4) T H A T the initial Schedule of Fees as set out in Appendix 1 to the report be approved as the Council's fees in relation to possible applications. Disbursements would be charged at cost.

(5) T H A T the Public Protection Licensing Committee be given delegated authority to deal with objected applications and the Terms of Reference of the Committee be extended appropriately.

#### Reasons for decisions

(1-3) To effectively implement The Commons Act and The Commons Act 2006 (Correction, Non-registration or Mistaken Registration) (Wales) Regulations 2017.

(4) To authorise charging.

(5) To provide authority to the Public Protection Licensing Committee.

#### 775 21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME – BAND B UPDATE AND CURRENT POSITION (REF) –

The Cabinet had previously considered the matter at its meeting held on 7<sup>th</sup> January, 2019 and had approved the below proposals (Cabinet Minute No. C539 refers) subject to final approval by Full Council. The report sought approval to amend the proposed Band B phase of the 21st Century Schools Programme following recently announced changes affecting Welsh Government's intervention rate for funding.

As a result of the intervention rate change, Welsh Government funding would increase from £84.567m to £101.074m whilst the Council's funding would reduce from £59.337m to £42.830m. This would release £16.507m within the Band B Capital Programme.

It was proposed that £5.120m of the £16.507m be reallocated within the 21st Century Schools Programme to deliver a more robust 21st Century Schools Programme and the Programme was updated to take into account priorities and cost pressures around ALN provision.

The proposed amendments to the Programme would result in the requirement for £11.387m less capital to be allocated to the Programme, however this was not unallocated money but meant that less prudential borrowing was required for the Programme.

#### **Band B Current Position**

The amended Strategic Outline Programme had been submitted to Welsh Government for approval.

Pencoedtre High School – RIBA Stage 2 – retendered for new build solution – Contractor to be appointed mid-March;  
 Whitmore High School – RIBA Stage 3 – Pre Application Consultation (PAC) to be issued next week;  
 Ysgol Bro Morgannwg – RIBA Stage 3 – Pre Application Consultation (PAC) was issued in mid-February;  
 Ysgol Sant Baruc – Consultation closed – consultation report being drafted;  
 St. Davids – Consultation closes on 15<sup>th</sup> March;  
 St. Nicholas – Consultation to start on 18<sup>th</sup> March.

RESOLVED – T H A T the agenda item be considered in conjunction with Agenda Item No. 10(f) later in the agenda.

Reason for decision

In order to approve the Council's Final Capital Proposals 2019/20 to 2023/24.

776 EMPLOYEE PAY POLICY (REF) –

The Council had a statutory requirement under the Localism Act 2011 to prepare, approve and publish its Employee Pay Policy statement for the next financial year 2019/20.

The statement provided a means to ensure that Council employees were rewarded fairly and objectively, in accordance with the service needs of the Council and that there remained openness and transparency in relation to the process.

The Employee Pay Policy had been developed over the years and incorporated the following:

- Guidance from Welsh Government as contained in the document “Pay Accountabilities in Local Government in Wales”;
- Changes as prescribed by the Local Government (Wales) Act 2015 and associated Standing Orders and Regulations;
- Refinements as a result of changes to the Council's senior management structure over recent years;
- The effects of national and locally negotiated pay and associated benefit awards along with the provisions of the National Living Wage provisions;
- The Council's new 2019/20 pay structure for NJC Green Book under the joint Collective Agreement made between the Council and the recognised Trade Unions.

The attached draft Employee Pay Policy Statement had been approved by Cabinet on 4<sup>th</sup> February and by Corporate Performance and Resources Scrutiny Committee on 14<sup>th</sup> February, 2019.

RESOLVED – T H A T the Employee Pay Policy for 2019/20 be approved.



Reason for decision

To respond to the legal requirement under the Localism Act and to provide openness and accountability in how the Council rewards its staff.

## 777 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES 2019 – 2022 (REF) –

The Gambling Act 2005 identified the Council and the Gambling Commission as Licensing Authorities. Oversight of the Council's activities were delegated to the Licensing Committee.

Every three years the Council was required to publish its statement of licensing policy which set out how the Council would ensure the Licensing objectives set out in the Act would be administered, namely:

- Prevent gambling from being a source of crime or disorder;
- Protect consumers by ensuring that gambling was fair and open;
- Protect children and vulnerable persons from being harmed by gambling.

In terms of responsibilities:

- The Gambling Commission oversaw the National Lottery, remote gambling (online or through other means) and advertising to consumers;
- The Council administered Betting shops, bingo halls, lottery registrations and gambling permits for pubs, clubs and other establishments for low-level gambling. The Council discharged that duty by regular enforcement at a range of venues like the slot arcades at the Island and at venues that had "fruit machines" that might encourage unlawful or irresponsible gambling.

Bridgend Council recently approved their policy and the main topic of discussion was about online gambling and advertising. These were not issues for the Council to control, but a letter was drafted for the Leader at Bridgend Council to send to the Gambling Commission. Last month he, representing the WLGA, and the Head of Shared Regulatory Services met the Gambling Commission and the Chief Medical Officer to talk more about the impact gambling had upon health and debt.

RESOLVED – T H A T the amended Statement Principles 2019 to 2022 be approved.

Reason for decision

To comply with the requirements to publish a Statement of Principles relating to the Council's Gambling Policy.

## 778 FINAL PROPOSALS FOR THE REVENUE BUDGET 2019/20 (REF) –

The Leader indicated that the report before Council presented the final proposals for the revenue budget for the financial year 2019/2020.

The setting of the 2019/2020 revenue budget had been done in a climate of ongoing financial challenge within Local Government in Wales. The Initial Revenue Budget Proposals report for 2019/20 was presented to Cabinet on 19<sup>th</sup> November, 2018 and at that stage reported a £10.4m shortfall in the revenue budget for the coming financial year. The proposals had been considered by all Scrutiny Committees and the Budget Working Group since that time. The budget setting process also included consultation with residents of the Vale of Glamorgan and the budget presented today had taken into account the comments received as part of that exercise.

Welsh Government had provided the Council with final figures for next year's settlement which for this Council showed a total Standard Spending Assessment (SSA) of £228.101m, which represented an adjusted increase of £4.491m over 2018/19. Certain grants had been transferred to the Revenue Support Grant (RSG) in 2019/2020 which had gone some way to answering the requests from Local Government that the monies could be better used to meet local needs if included in the RSG rather than received via a grant system.

The final settlement figure from Welsh Government for 2019/2020 was £110.31m for RSG and £41.76m for Non Domestic Rates. Together, these amounts totalled a final Aggregate External Finance (AEF) of £152.07m for the Council. Taking into account adjustments for additional funding and transfers into the RSG, this was an effective reduction in AEF of £1.181m or 0.77% from the previous year.

During 2019/2020, additional pressure would continue to be placed on staffing budgets as a result of the implementation of the National Living Wage which was an increase of 4.85% from the 2018/19 rate of £7.83 per hour for workers aged 25 and above. The Council's new pay structure which would be implemented from 1<sup>st</sup> April, 2019, would comply with these requirements and this had been fully funded in the proposed budget. The change would, however, have a significant impact on services that the Council commissioned from external providers.

The Leader stated that one of the largest cost pressures facing the Council over the next two years was the increase in the employer's contribution into the Teachers' Pension Scheme which was due to increase from 16.48% to 23.6% from September 2019 and would cost this Council around £3.1m over two years. No additional funding had been provided by Welsh Government as yet to fund this cost pressure however the impact that this additional pressure would have on schools was recognised and it was confirmed that the full cost of this pressure had been included in the budget for schools for the coming year.

The same budget pressure also applied to the South Wales Fire and Rescue Service and that organisation had had to approve a higher than normal budget settlement in order to cover this additional cost. This equated to £285,000 for the Council and this had been accounted for in the budget proposal.

The proposed budget for 2019/20 had been set in line with the current financial strategy and a summary of the overall position was attached at Appendix C to the report.

The Budget Working Group had reviewed and updated the cost pressures. Those which could not be mitigated or reduced were included within the Net Growth figure of £5.488m. The breakdown of this sum was shown at Appendix D to the report.

The savings had also been reviewed by the Budget Working Group. Services had had to find savings in excess of £55m in the past nine years and each year it became increasingly difficult to identify budgets to reduce whilst still trying to maintain front line services. The proposed savings target for 2019/20 was £2.92m excluding schools and £3.744m including schools. This was lower than in previous years and reflected the increasing difficulty in identifying and delivering new savings. It was confirmed that those savings had been assessed and were considered to be achievable.

The report detailed the proposed budgets for all services for the coming year, and the key points are summarised below.

With regards to schools, the proposals had taken into account the pressures reported during the current year, within the funding available. This budget would continue to fund schools £4.799m above their indicator based assessment for 2019/2020. As already mentioned, the increased pension costs were fully funded and, in addition, there was new monies in the budget to address the pressures within the Additional Learning Needs Budget which had been reporting budget pressures during the current financial year.

With regards to other services, the Council had been mindful of the pressures facing social services both as a result of increasing costs within the independent sector and the increasing demands for services to support the ageing population in the Vale. This budget therefore provided additional funding for that service. Welsh Government had announced a £30m grant for Social Services across Wales for the coming year, however the details of this had not been received at the time of finalising the report. It was proposed that any new funding received from that grant stream would be transferred to Social Services, in addition to the cost pressure awarded in these budget proposals.

Account had been taken of the increased pressures on the waste management service and this was reflected by providing additional funding for the service in 2019/2020.

The Leader indicated that when Cabinet considered the draft estimates it was reported that there would be a £4m underspend during the current financial year. In November, it was agreed that this would be placed in the Council Fund to be considered as part of the final budget setting process. As can be seen from the report, it was proposed that £2m of this be utilised to support the revenue budget in 2019/20 with a further £1m to be utilised in 2020/2021. This acknowledged the

financial pressures that services were facing and the fact that the level of changes now required need time to plan and implement.

As part of the budget setting process the Council was also required to look at the budget situation for the coming financial years. The report detailed two scenarios for the following financial years. These made assumptions with regard to future levels of funding available from Welsh Government and two different options with regard to the increase in Council Tax going forward. These scenarios indicated a possible shortfall in funding for 2020/2021 and 2021/2022 of between £9.604m and £13.894m. Whilst it was proposed to use the Council Fund to support the revenue budget in the immediate future, it was imperative that plans to identify deliverable savings from 2020/2021 were put in place as a matter of urgency.

The report detailed the reserves held by the Authority together with the likely draw down on these in the coming years. Between 31<sup>st</sup> March, 2019 and 31<sup>st</sup> March, 2022 it was estimated the level of reserves would fall by £29.1m to £42.6m. The details of the Council's reserves were shown in Appendix H of the report. The estimated level of the Council Fund Reserve at 1<sup>st</sup> April, 2019 was £13.634m with a planned drawdown of £2m in 2019/2020 and £1m in 2020/2021.

The Cabinet and Budget Working Group had taken into account the increased pressures on the Waste Management service and this had been reflected in the budget by additional funding of the service in 2019/20.

The Budget proposals in the report would set a net revenue budget of £226.098m for 2019/20, resulting in a Council Tax increase of 4.9%.

The Leader concluded by stating that the balancing of the budget for 2019/20 had been difficult due to the competing pressures experienced by the Authority. However, he believed the proposed budget before Council was achievable and Moved the following:

- (1) Fix the budget for 2019/20 at £226.098 million including a provision of £240k for discretionary rate relief to rural shops and post offices and charitable organisations.
- (2) Approve the budgets for 2019/20 as set out in Appendix C to the report and in the following table:

	<b>Proposed Budget 2019/20 £000</b>
Schools	87,896
Strategy, Culture, Community Learning & Resources	11,110
Achievement for All	5,339
School Improvement	1,030
Directors Office	234
Children & Young People	16,098

Adult Services	47,957
Resource Mgt & Safeguarding	272
Youth Offending Service	741
Neighbourhood & Transport Services	26,702
Building Services	0
Regulatory Services	2,041
Council Fund Housing	1,309
Resources	109
Regeneration	2,057
Development Management	972
Private Housing	1,209
General Policy	23,022
Use of Reserves	(2,000)
<b>Grand Total</b>	<b>226,098</b>

(3) Approve the recommendations regarding Net Growth for 2019/20 as set out in Appendix D and Savings for 2019/20 as set out in Appendix E to the report.

(4) Set the Council Tax for 2019/20 for its own purposes (excluding Police and Town and Community Council precepts) at the following levels:

<b>Band</b>	<b>Council Tax £</b>
A	830.04
B	968.38
C	1,106.72
D	1,245.06
E	1,521.74
F	1,798.42
G	2,075.10
H	2,490.12
I	2,905.14

(5) The proposed draft report on Education Budget and Indicator Based Assessment (IBA) at Appendix A to the report be endorsed and the Director of Learning and Skills make arrangements for it to be forwarded to the School Budget Forum.

The Deputy Leader duly seconded the above Motion.

Councillor Neil Moore, Leader of the Labour Group, acknowledged that 'mathematically' the budget stacked up, in that it balanced by taking £2m from reserves and proposed a 4.9% Council Tax increase.

He did not expect anything other than a balanced budget from officers and he thanked them for their work.

However, in looking at the budget he could not ignore the underlying trends in the budgets that have been managed by the current Administration.

It was clear that the Administration was not making the savings they should have been making neither last year nor the current year and referred to a shortfall of at least £724k, plus possibly some more that may have not been reported.

Referring to the 89% of savings made, he took the view that it was actually an 11% failing on the target of £6.3m.

He considered that the Council needed to understand that in order to balance the budget, the shortfall of £724k had to be funded from reserves, which he considered not to be ideal or acceptable when taking into consideration the “unplanned savings” of £107k in Learning and Skills and £315k in Environment and Housing.

Councillor Moore felt that these “unplanned savings” of £422k, when taken together with the £724k amounted to a £1.146m shortfall in real terms, equivalent to a shortfall of 18.2%.

He also referred to the Managing Director and Resources savings down by £100k taking the savings shortfall to £1.246m or 19.8%.

He also alluded to the Disabled Facilities Grant (DFG) income target shortfall which would be taken from Reserves. However, there was no figure given or an indication given where the money would be taken from, given the reserve for the DFGs had been exhausted already.

Overall he did not consider it to be a very successful management of the savings that should have been achieved and therefore no surprise that the Administration had taken the decision to delay other savings and re-profiled the savings targets to further years.

He noted the proposals to use £2m of the Council General Fund Reserve in the current year with £1m being proposed for 2020/21, reducing the Council General Fund Reserve to £10.634m.

Councillor Moore was concerned that £1.8m of those funds had come from an over collection in Council Tax in the current year, however he was unsure that such a windfall would be available in the future due to the effects of Universal Credit.

He acknowledged the reported growth of £5.488m and the reported Cost Pressures in the initial Budget of £9.244m. He further acknowledged that savings were set at £3.744m as detailed in Appendix E. However, in regard to savings, he was fearful that Environment and Housing Directorate were required to make massive savings of £1.140m next year which he believed were unachievable given current shortfalls.

Councillor Moore also touched upon the lack of progress with capital schemes which would have been delivered e.g. LED street lighting. He also made reference to the lack of progress in the “so-called” income generation schemes as another example.

Councillor Moore's attention then turned to the MTFP which last year predicted a Council Tax rise of 2%, whereas it was 3.9% and this year the MTFP predicted a Council Tax rise of 2.5%, whereas the Administration were now proposing a 4.9% increase.

He wondered if the MTFP was a sham by stating figures that Members had queried in Scrutiny over the previous years.

In concluding, he could not end without stating that despite all protestations in the past of the Conservative Group, the proposed 4.9% Council Tax increase was higher than any year of the previous Labour Administration. He recalled that the Members of the current Administration opposed each budget proposal he had presented and called for a 0% increase. He further noted that the current level of Reserves would reduce from £66.085m at the beginning of the year to £32.018m by March 2022. He reiterated his previous comment and concern relating to the sustainability of the Environment and Housing Directorate to make savings of £1.140m given Neighbourhood Services Reserve began the year with a balance of £7.2m and at the end of March it would be £3.808m. The following year predicted to be £2.640m, and March 2021, £220k.

Therefore he and his Group could not support the proposed Revenue Budget.

Councillor Dr. Johnson, Leader of the Plaid Cymru Group, joined Councillor Moore in thanking the Section 151 Officer and her staff for their hard work in developing the Budget. He considered it to be very transparent, making it very clear the situation the Council faced in the same way that it seemed quite clear to many Local Authorities across Wales and the problems that they faced. That was the only aspect of Councillor Moore's speech which he agreed with.

He made reference to his attendance at a briefing from the Wales Governance Centre on the impact of the UK Government's budgets and Welsh budgets upon different departments. It was notable that the local government's budget for Wales was in overall cash terms cut while every other budget heading in Wales saw an increase. Extra money had been found later in the budget process for Social Services, but the point remained the same. Local Government was being poorly treated by the Labour Government in Cardiff Bay for exactly the same reasons that the UK Government passed on the cuts to Cardiff. Many had said that austerity was over due to a slight loosening of the purse strings according to the Wales Governance Centre, however that would not be until 2023/24 and real term spending for Wales would be at the same level as it was when the Conservative Party took over the UK Government in 2010 and that was assuming that Brexit was delivered in an orderly manner.

Councillor Dr. Johnson considered in all for this to be a double whammy for local government that came from Westminster and from Cardiff Bay from the Conservatives and the Labour party.

He was completely disappointed, as the Leader referred to, that there had not been any movement from the Welsh Government regarding Teachers' Pension superannuation costs.

He made reference to Councillor Moore's comments regarding savings targets being missed; he believed the Council set ambitious savings targets last year, more than £6m, of which around a quarter of these came from minimum revenue provision funding. Many of the savings targets that were missed or likely to be missed were in areas that he did not want to be hit because, he did not want them at the expense of services that were being provided at a good level to residents and he did not want to see, for example, car parking charges in town centres. He considered that these savings were not actually beneficial to the people the Council were supposed to be helping. Referring to the overall savings target shortfall of £724k, if correct, was not significant when taking into account the £4m received which had not been anticipated, he considered this to be good business in that it represented £3.25m more than the Council had expected.

As in previous years, Councillor Dr. Johnson referred to the level of reserves held by the Council. He took the view that the level of reserves was in fact £15m more than the figures contained in the report. That said, he welcomed the use of such for example on the 21st Century Schools Programme. He considered it was better to use these rather than borrow funding from external markets, which had been acknowledged as sensible at a recent meeting of the Council's Audit Committee which he had attended. He further welcomed the use of reserves to support the revenue proposals in 2019/20, however he felt the use of reserves should be more than that proposed given that £13m was currently contained in the General Fund with the level being £10m in 2021/22.

Councillor Dr. Johnson stated that on the above basis his Group could not support a Council Tax rise of 4.9%, but proposed that in 2019/20 the Council set aside £3m reserves from the General Fund, with a further £2m and £1m in subsequently financial years.

Councillor Dr. Johnson moved the following Amendment:

"That £3m be taken from Reserves for the financial year 2019/20 thereby reducing the General Fund balance in the overall total accordingly, and consequently, the Council Tax rise proposed would be reduced to 3.48% equivalent to a Council Tax level for Band D reduced to £1,228.22 with all other bands being altered accordingly."

Councillor Hodges duly seconded the Amendment.

Councillor Mahoney indicated that he was unable to support the Revenue Budget proposals on the basis of the costs to the Council associated with children placed in secure accommodation. He was concerned that there had been no proposals put forward by officers to address the issue despite him raising the matter at the meetings of relevant Scrutiny Committee. He viewed the costs of providing the service to be equivalent to a near 1% Council Tax rise for residents.



Councillor John, Leader of the Llantwit Major Independent Group, echoed the earlier comments made by Councillor Moore and Councillor Dr. Johnson. He went on to express his concerns in terms of the potential impact the proposals would have on families on fixed income when taking into consideration the rise in the cost of living and utilities bills. He was also concerned with the proposed increase in the police precept.

He shared the same sentiments expressed by Councillor Dr. Johnson and that his Group would be supporting the Amendment. He concurred with Councillor Moore's comments regarding the need to achieve savings targets, but acknowledged the difficulties for Neighbourhood and Transport Services to do so. In conclusion, he felt that house developers in the County should be asked to pay more than they currently did.

Councillor Wilson stated he was absolutely amazed that the Administration was advocating 4.9%. He recalled the time when the Conservative Group was always opposed to high increases in Council Tax. He suggested that the reason behind the proposed 4.9% increase was due to the Administration's inability to deal with the Reshaping Services Programme and made reference to an example where the Council could have worked with Penarth Town Council to secure the future of The Kymin.

Councillor Wilson's attention turned to Welsh Government proposals for separation of waste and the need for three waste transfer stations, but saw no plans in the budget to provide for such. He considered that the Administration needed to be innovative when considering raising finances. He was also unconvinced with the progress made relating to the Council's Catering Service. Taking into account that the Administration was nearly half way through its term of office, it would become increasingly difficult to find the savings.

Councillor King was troubled by the general use of reserves and particularly the use of specific service reserves. He qualified his comments in the content of missed savings targets and referred to LED lighting and related energy savings. He was therefore unable to support Councillor Dr. Johnson's Amendment.

Councillor Moore echoed previous comments relating to Council Tax over collection rates and the ongoing reliance on such. He did not support the further use of additional reserves as proposed by Councillor Dr. Johnson given the implications for the Council's base budget.

The Leader indicated that he would be resisting the Amendment.

Upon being put to the vote, the Amendment was lost.

The Leader, concurring with the other Group Leaders, thanked the Section 151 Officer and her staff for preparing the budget. Referring to Councillor Moore's comments relating to saving budgets, suggested he should concentrate on the 89% achieved. He did not agree with Councillor Dr. Johnson's use of additional reserves.

The use of £2m reserves had not come from longstanding reserves. He acknowledged Council Tax over collection was likely to decrease in the future as the Council moved close to its budget. He accepted savings targets for Environment and Housing would be difficult and commended the Director to date for his efforts. If schools were to be protected there were few areas in the Council budget to make savings. Council Tax and the MTFP were a guesstimate and when looking at setting the Council Tax at a rate of CPI it had been his aim and his Administration to set the Council Tax rise at that level, but unfortunately with reducing settlements from Welsh Government it had not been possible. There were only two or three Councils in Wales who had set their Council Tax lower – one of those was RCT. He referred to RCT's more favourable treatment of funding received from Welsh Government.

The Leader reminded the Council that the Welsh Government should make a decision on what local government should provide in terms of services and appropriately fund to enable those services to be provided. Turning to the matter of car parking charges, the Leader considered that was a discussion for another day.

In regard to the level of reserves, he indicated that most of the reserves were specific and for specific purposes and would be needed to be used as and when necessary. As in previous years, the General Fund reserve had fluctuated and this year it had gone up and therefore his proposals clearly indicated the use of reserves from the General Fund to reduce the level of Council Tax increase.

In regard to schools, the Leader sincerely hoped that schools did not have to set their specific budgets and in terms of required savings, schools were only being asked going forward to make savings in keeping with those savings already achieved by the Council. He had also taken the decision to fund the teachers' pension contributions as opposed to schools paying these contributions themselves and he was aware that other Authorities were passing on those costs to the schools in their areas.

Referring to Councillor Mahoney's comments in regard to children in secure accommodation and related costs, that was a matter that was outside of the Council's control and he considered it unfair to say that no attempt had been made to reduce the impact of such costs on budgets.

The Leader, taking up the point raised by Councillor John in relation to the South Wales Police precept, stated that was also a matter outside the control of the Council. However, he gave an assurance to Councillor John that the Council made its representations known to the Police and Crime Commissioner's Panel. Indeed Councillor Charles (the Council's nominated representative) voted against the increase in precept, but to no avail.

In regard to increases in Council Tax in previous years, he did not intend to reopen the discussion on those matters.

In referring Councillor John's point regarding charging developers more, whilst it was an interesting concept, he reminded Councillor John that the Council secured the most Section 106 funding than any other Council in Wales. Indeed, he considered

that the building of more houses equalled more Council Tax, however that also meant that the Council was required to provide more services.

The Leader then turned to the point raised by Councillor Wilson in relation to The Kymin, and reminded Councillor Wilson that Penarth Town Council had raised their Council Tax precept by 7% for the coming year. He also suggested to Councillor Wilson that he raise the issue of waste segregation with his Labour colleagues at Welsh Government. The fact of the matter was that the Council was receiving capital funding to enable the separation of waste and it was not the Council's decision to cease the collection of co-mingled recycling.

As to Councillor King's comments regarding the use of reserves, the Leader indicated that he did not intend to reiterate his previous comments, but did acknowledge Councillor King's comments relating to the replacement of street lighting with LED lighting which had been slow starting, but was well on the way to being completed with the assistance of Salix funding.

Finally, the Leader hoped that Members would support his budget proposals.

The proposed budget for 2019/20 had been set in line with the current financial strategy and a summary of the overall position was attached at Appendix C to the report. The overall budget had been prepared based on the following matters.

Asset Rentals were accounting adjustments reflecting charges to services for the use of assets. They did not constitute "real" expenditure and were reversed out and replaced by the cost of capital within Policy. Similarly IAS 19 changes were technical accounting adjustments to the costs of pension contributions, which were reversed out in Policy. Neither of these adjustments were therefore a part of the total expenditure of the Council.

Recharges / Transfers related to movements in charges between internal Council Services and the transfer of functions. Overall there was a neutral impact on the budget.

Budget Adjustments related to the £330k reduction in the use of the Social Services Fund in 2019/20.

Inflation relating to pay awards of £3.2m had been included. Due to the shortage of funding, no provision had been made for non pay inflation.

Transfers into the RSG had been allocated to the relevant service area.

The Budget Working Group had reviewed and updated the cost pressures. It was not possible to fully fund all the cost pressures submitted by services due to the reduction in funding. Careful consideration had therefore been given to the allocation of funding and it had been allocated to areas where the pressures could not be mitigated or reduced. The total of Net Growth for 2019/20 was £5.488m and the breakdown of this sum was shown at Appendix D to the report.

The level of savings to be achieved had been reviewed by the Budget Working Group and the proposed savings for 2019/20 totalled £2.920m excluding Schools and £3.744m including Schools. Details were contained in Appendix E to the report. This figure was lower than the £6.298m savings target for 2018/19 excluding Schools, however, it was anticipated that the shortfall against this target would be £724k and services were intending to drawdown from reserves. The services had had to find savings of over £55m in the last nine years and each year it became increasingly difficult to identify budgets to reduce. Within this context, the savings targets that had been set for 2019/20 had been assessed and were considered to be achievable.

After providing funding for cost pressures and allocating savings there was still a large gap between available resources and the required budget. As part of the Initial Revenue Proposals report presented to Cabinet on 19<sup>th</sup> November, 2018 it was projected that the outturn for Policy for 2018/19 would be a favourable variance of £4m and this sum should be transferred into the Council Fund. It was therefore proposed that £2m of the Council Fund be used in 2019/20 and a further £1m be used in 2020/21 to fund the gap in future years. It was proposed that the remaining £1m was retained in the Fund due to the large shortfall in funding projected in 2020/21 and 2021/22.

If the Council decided to budget at £226.098m, deducting from this Revenue Support Grant of £110.31m, redistributed non-domestic rates of £41.76m produced a requirement of £74.028m to be met from Council Tax. Dividing this by the Council Tax base of 59,457 gave a level of Council Tax for the Council's purposes (excluding Police and Community Council precepts) for Band D properties of £1,245.06. This was an increase over the current year's Council Tax which was £1,186.92 of £58.14 or 4.9%. The average of the Council Tax set by Councils in Wales for 2018/19 at Band D was £1,219.07.

The Budget Working Group's view was that the proposed increase in Council Tax at 4.9% was a reasonable compromise between the pressure on services, particularly in light of the reduction in AEF and consequent level of savings required and the financial pressures facing Council Tax payers.

### Learning and Skills

	<b>Schools</b>	<b>Strategy, Culture, Comm Learning &amp; Resources</b>	<b>Achievement for All</b>	<b>School Improvement</b>	<b>Directors Office</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Budget 2018/19	84,458	11,555	4,650	1,033	232	101,928
Recharges/Tfrs	(227)	(206)	342	25	0	(66)
Changes in Asset Rentals/IAS 19	0	(316)	0	0	0	(316)
Pay Inflation	1,500	106	104	1	2	1,713

Net Growth	2,478	74	273	0	0	2,825
Transfer into RSG	511	0	0	0	0	511
Savings	(824)	(103)	(30)	(29)	0	(986)
<b>Budget 2019/20</b>	<b>87,896</b>	<b>11,110</b>	<b>5,339</b>	<b>1,030</b>	<b>234</b>	<b>105,609</b>

A breakdown of the net growth was shown in Appendix D to the report. After adjustments, the Education SSA had increased by £1.417m from 2018/19. In light of this and the comments made by the Learning and Culture Scrutiny Committee, additional funding of £2.825m had been allocated to this service, in addition to £1.713m for pay inflation.

Funding had been provided to Schools to fund the full increase in costs as a result of the increase in the employer's pension contribution rate increasing from 16.48% to 23.6%, even though no additional funding had been received from Welsh Government. There were some teaching staff who were based in central Education and these budgets had also been increased to fully fund additional pension costs. £770k had also been provided to contribute towards other pressures in schools such as demographic growth.

During the year it had been reported that the complex needs Out of County placements, independent placements and Looked After Children residential placements budget would overspend in total by £319k. Part of this overspend was being offset by budget underspends within the Directorate. There were also other pressures within the central Education budget and the Budget Working Group had allocated recurring funding of £200k to this area, which would be allocated to specific areas by the Director of Learning and Skills. Funding had also been provided for the increase costs of Microsoft licences.

A breakdown of the savings target was shown in Appendix E to the report. A savings target of £824k had been allocated to Schools.

It was suggested that the Schools Budget Forum be consulted before any final decision was made on the split of the funding between Central Education and the Schools. It was recommended that delegated authority be given to the Director of Learning and Skills to determine the split in the light of that consultation.

Welsh Government had transferred two grants into the RSG from 1<sup>st</sup> April, 2019, namely Teachers Pay and School Meal grants.

After the changes above, the Education budget would be substantially above the IBA.

**Social Services**

	<b>Children &amp; Young People</b>	<b>Adult Services</b>	<b>Resource Mgmt. &amp; Safeguarding</b>	<b>YOS</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Budget 2018/19	15,235	46,644	201	728	62,808
Recharges/Tfr	399	(265)	3	(6)	131
Adjustments	0	330	0	0	330
Pay Inflation	97	400	68	14	579
Net Growth	525	963	13	5	1,506
Transfer into RSG	0	260	0	0	260
Savings	(149)	(378)	(18)	0	(545)
Changes in Asset Rentals/IAS 19	(9)	3	5	0	(1)
<b>Budget 2019/20</b>	<b>16,098</b>	<b>47,957</b>	<b>272</b>	<b>741</b>	<b>65,068</b>

The Social Services Directorate had been reporting an overspend of £500k during 2018/19 however this had been offset by the receipt of a one off grant from Welsh Government to support Sustainable Social Services which for this Council was £513k. There remained continuing pressures on the service, particularly on the Children's Placement budget which was resulting in a projected overspend of £500k for Children's Services. This was due to the increasing complexities of the children currently being supported, which resulted in their placement in very high cost units. There was also continuing pressure on the adult care packages budget.

A breakdown of the net growth was shown in Appendix D to the report. Having regard to the current financial pressures and the concerns raised by the Healthy Living and Social Care Scrutiny Committee, the Budget Working Group acknowledged that there were significant issues in this area. Not only was there an increase in the population, but clients were increasingly frail with complex needs. There was a "knock on" effect from pressures within Health and work was ongoing to ensure integration between the two services. It was also acknowledged that service providers would require an increase in fees to fund the increase in the National Living Wage. The Budget Working Group had taken all these factors into account and it was proposed that an additional £500k is allocated to Children's Services and £923k to Adult Services, however, the split by service of this additional funding may be reviewed during the new financial year by the Director of Social Services once details of Welsh Government grant funding was received. Funding had also been provided for the increase costs of Microsoft licences.

The Social Services SSA for 2019/20 had increased by £1.981m from 2018/19, however Welsh Government announced as part of the provisional settlement an extra £30m for Social Care across Wales. It was not known at this stage the value of the allocation to the Council or whether there were specific terms and conditions attached as no formal correspondence had been received from Welsh Government, however, it was anticipated that the additional funding could be worth around £1m and would be allocated directly to the Social Services budget once received.

Additional funding of £260k had been included in the final settlement for the increase in the capital limits for Residential Care from £40k to £50k and had been included in the Adult Services budget for 2019/20.

Welsh Government had advised that the maximum weekly charge for non-residential care would increase next year from £80 per week to £90 which would provide additional funding to the service. The Intermediate Care Fund (ICF) grant would continue to be provided to Health by Welsh Government and the Service would work with Health to ensure the monies were spent in the most cost effective way.

A breakdown of the savings target was shown in Appendix E to the report.

### Environment and Housing

	<b>Neighbour -hood and Transport</b>	<b>Building</b>	<b>Regulatory</b>	<b>Council Fund Housing</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Budget 2018/19	26,842	0	2,239	1,383	30,464
Recharges/Tfr	57	0	(96)	(3)	(42)
Pay Inflation	413	0	0	27	440
Net Growth	660	0	0	8	668
Savings	(932)	0	(102)	(106)	(1,140)
Changes in Asset Rentals/IAS 19	(338)	0	0	0	(338)
<b>Budget 2019/20</b>	<b>26,702</b>	<b>0</b>	<b>2,041</b>	<b>1,309</b>	<b>30,052</b>

A breakdown of the net growth was shown in Appendix D to the report. During 2019/20 there would be a further pressure on the Waste Collection and Recycling services from increasing costs in this sector and concern was expressed by Scrutiny Committee. The Budget Working Group had therefore been able to allocate funding of £625k to this area which included funding for the projected increase in waste contracts. Funding had also been provided for the increase costs of Microsoft licences.

A breakdown of the savings target was shown in Appendix E to the report.

### Managing Director and Resources

	<b>Resources</b>	<b>Regen</b>	<b>Develop Mgt</b>	<b>Private Hsing</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Budget 2018/19	497	2,055	1,076	11,007	14,635
Recharges/Tfr	(259)	(26)	(46)	(9,844)	(10,175)
Pay Inflation	357	56	45	10	468
Net Growth	140	9	7	39	195

Savings	(679)	(29)	(110)	(3)	(821)
Changes in Asset Rentals/IAS 19	53	(8)	0	0	45
<b>Budget 2019/20</b>	<b>109</b>	<b>2,057</b>	<b>972</b>	<b>1,209</b>	<b>4,347</b>

A breakdown of the net growth was shown in Appendix D to the report. There was support from Scrutiny Committees to provide funding for the continuation of the Homes Loan Service and the necessary funding had been provided. There had also been additional pressure identified in the Democratic Services area which had been funded. Funding had also been provided for the increase costs of Microsoft licences.

A breakdown of the savings target was shown in Appendix E to the report.

A virement of £9.94m was approved as part of the initial budget proposal report. The Council Tax Reduction Scheme had been held under the Private Housing heading. Due to changes in guidance received from the Wales Audit Office, the Council had been asked to report this scheme under the Central Policy heading. A virement was therefore approved and was shown under the Recharges/Tfr line in the above table.

In setting the revenue budget, the Council needed to consider its corporate priorities as set out in the Corporate Plan 2016-2020 through the four well-being outcomes which are shown below with examples of how the Council was providing support through the 2019/20 revenue budget.

- An Inclusive and Safe Vale – Funding would be provided for the Homes Loan Service;
- An Environmentally Responsible and Prosperous Vale – Additional funding was being allocated to support the waste and recycling service;
- An Aspirational and Culturally Vibrant Vale – Funding had been provided for schools; and
- An Active and Health Vale – Funding had been provided to support Social Services and collaborative work would continue with Health as part of the ICF grant funding.

These outcomes demonstrated the Council's commitment to the Well-being of Future Generations Act which aimed to improve the social, economic, environmental and cultural well-being of Wales and ensured that the needs of the present were met without compromising the ability of future generations to meet their own need. Even with reductions in funding, where practical, the Council would strive to maintain services which contributed towards this agenda.

In developing the Corporate Plan, the Council had reflected on the way it worked and had stated five principles it would follow. These budget proposals reflected this new approach to working. The five ways of working are:

- Looking to the long term – The budget proposals were a means of planning for the future and took a strategic approach to ensure services were sustainable and that future need and demand for services was understood;



- Taking an integrated approach – The budget proposals highlighted and encouraged ways of working with partners;
- Involving the population in decisions – As part of the budget proposal process there had been engagement with residents, customers and partners;
- Working in a collaborative way – The budget proposals recognised that more could be achieved and better services could be provided by collaboration and it encouraged this as a way of working in the future;
- Understanding the root cause of issues and preventing them – The budget process was proactive and allowed an understanding of the financial position so that issues could be tackled at the source.

The 2014/15 final budget proposals were informed by a budget review exercise that included the reappraisal of the Council's financial strategy. Consequently, separate strategies were put in place for Education and Schools, Social Services and all Other Services.

The Budget Working Group had continued to have regard to the appropriateness of these strategies given the significant level of savings that now had to be found, the relative size of the Education and Schools and Social Services budgets as a proportion of the Council's net budget requirement and the pressures on the services.

The Council would continue to strive to ensure that the Education and Schools increases should match the overall percentage change in the Council's budget as amended for adjustments to the Council Tax reduction scheme (CTRS) and the Council Tax base and that the budget for Education would be the same proportion of the Council's total budget as the Education SSA was to the total SSA where it was feasible to do so. However, this would be dependent on future settlements and would become increasingly difficult if reductions in funding continued in future years.

The Budget Working Group considered that the principles applied above to Education and Schools also continue to apply to Social Services. It was proposed that the financial strategy for all Other Services would need to continue. This would require services to manage downwards or meet the bulk of their cost pressures through additional savings. For the purpose of these projections, it had been assumed that the financial strategies set out in the report for Education and Schools and Social Services would continue to be applied.

Welsh Government had not provided the Council with indicative settlement figures for 2020/21 or beyond. The MTFP was based upon a cash reduction of 1% in both 2020/21 and 2021/22. Each 1% change in AEF affected the Council by approximately £1.5m. As there had been no indication from Welsh Government that there would be a positive settlement for Local Authorities in future years, it was considered necessary to take a prudent approach to future settlements and a reduction of 1% had continued to be used for the projections contained within this report.

Pay inflation for the next two years had been based upon a similar increase to the 2019/20 pay award. This assumption would be reviewed again when the next iteration of the MTFP was produced.

As previously stated the Council had been required to make a high level of savings for a number of years. Identifying further savings was becoming more challenging. The Reshaping Services change programme would continue to identify further savings. Appendix F to the report included the proposed identified savings for 2020/21 and 2021/22. These were currently at a low level, however work would start immediately to establish detailed proposals for savings for future years.

Cost pressures for future years had been considered and assessed by the Budget Working Group and totalled £10.550m for 2020/21 and 2021/22. Details were attached at Appendix G to the report. This included a possible level of funding for schools and the full year effect of the increase in employers pension contribution for Teachers. Also included was a sum for the pressures in Social Services as a result of increased demographic growth and further increases in the National Living Wage. Any further cost pressures would need to be managed down or mitigated by Services in order to avoid further savings targets being required.

It was proposed that £1m of the Council Fund reserve be utilised in 2020/21 to support the revenue budget. After the use of the fund as details above, the balance as at 31<sup>st</sup> March, 2022 would be £10.634m. However, there was considerable uncertainty on the effects of Britain's exit from the Europe Union. In addition, after achieving savings over the past years it was becoming increasingly difficult to achieve savings in the short term and they would need a longer lead in time to implement. That being the case, the Council Fund could be used further to support the budget in the coming years, while at the same time, being mindful that the Section 151 Officer required a balance of £7m to be maintained as a minimum balance for this particular fund.

The tables below showed the projected shortfall in 2020/21 and 2021/22 firstly assuming a Council Tax increase in each of the two years of 2.1%, based on CPI for December 2018 and secondly based on the same increase in Council Tax as proposed for 2019/20. It must however be emphasised that these projections were based upon information available at the current time and they would be subject to change e.g. changes in AEF.

<b>Financial Projections to 2021/22 BASED ON 2.1% COUNCIL TAX INCREASE</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>Total £000</b>
Assumed Decrease in AEF (1% and 1%)	1,521	1,505	3,026
Cost Pressures	6,111	4,439	10,550
Pay Inflation	3,554	3,554	7,108
Net Savings Targets Allocated - Non Schools	(732)	(116)	(848)
Net Savings Targets Allocated - Schools	(881)	(919)	(1,800)
Use of General Fund	(1,000)	0	(1,000)
Assumed 2.1% Gross Council Tax Increase	(1,555)	(1,587)	(3,142)
<b>(Surplus)/Shortfall in Savings Required</b>	<b>7,018</b>	<b>6,876</b>	<b>13,894</b>

<b>Financial Projections to 2021/22 BASED ON 4.9% COUNCIL TAX INCREASE</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>Total £000</b>
Assumed Decrease in AEF (1% and 1%)	1,521	1,505	3,026
Cost Pressures	6,111	4,439	10,550
Pay Inflation	3,554	3,554	7,108
Net Savings Targets Allocated - Non Schools	(732)	(116)	(848)
Net Savings Targets Allocated - Schools	(881)	(919)	(1,800)
Use of General Fund	(1,000)	0	(1,000)
Assumed 4.9% Gross Council Tax Increase	(3,627)	(3,805)	(7,432)
<b>(Surplus)/Shortfall in Savings Required</b>	<b>4,946</b>	<b>4,658</b>	<b>9,604</b>

This indicated that the possible shortfall in funding for 2020/21 and 2021/22 could total between £9.604m and £13.894m and required savings of between £10.452m and £14.742m, excluding schools. The position would be reassessed as part of the MTFP and options for achieving the shortfall in savings would be addressed further.

Reserves were a way of setting aside funds from budgets in order to provide security against future levels of expenditure and to manage the burden across financial years. Funds no longer required may be transferred to the Council Fund and then set aside for other purposes or used to reduce Council Tax.

The Council had always taken a prudent approach with regard to Specific Reserves and used them to mitigate known risks (financial and service) and contingent items, e.g. Insurance Fund. Other Reserves had been established to fund Council priorities, e.g. Neighbourhood Services and in particular the Capital Programme, e.g. School Investment Reserve, Project Fund, Building Fund. This was important as the Council had limited capacity to realise sufficient sums from the sale of assets for capital investment. Sums had also been set aside to assist in budget management. The Housing Revenue Account Reserve was ring-fenced to Housing and the majority would be used to fund improvements to the Council's housing stock.

The Council presently benefitted from a reasonable level of reserves, however, they were not inexhaustible and had taken years of careful financial management to develop to their current position. After several years of real term reductions in funding and with no confirmation of positive settlements in the foreseeable future, there was reducing contingency in the normal operational Council budgets and the management and use of reserves would become increasingly important to be able to continue to provide services and to mitigate risks, while still trying to deliver corporate priorities.

The level of reserves needed to be considered in the context of the financial risk facing the Council over the coming years.

One of the main risks to the Council's financial planning was the uncertainty as to the level of funding to be received from Welsh Government in future years. Welsh Government had not provided an indication of the change in the settlement in 2020/21 and beyond. Projections had therefore been based on the assumed cash reduction in AEF of 1% which was equivalent to around £1.5m.

Projecting forward on this basis, there was a gap in funding in the coming years that would need to be identified. Excluding Schools, savings of between £13.372m and £17.662m needed to be achieved over the next three years. This figure was extremely challenging and there would be significant pressure on services to deliver this level of savings. There was a risk of non-achievement of these savings and the ability to identify and implement savings given the already high level of savings previously delivered by services over the past years. Reserves had been set up where possible to facilitate this process e.g. Early Retirement / Redundancy Fund, Reshaping Services Fund.

There were risks in the budget and the most significant of these were set out in the report. Even though additional funding had been proposed for 2019/20, further action would need to be undertaken by Directorates to achieve a balanced budget going forward.

Pay and price inflation was a further risk. From 2020/21 onwards, provision had been made in the budget at a similar rate to 2019/20 for pay, with no provision for non pay inflation. The Consumer Price Index for the 12 months to December 2018 rose by 2.1%. Services would need to manage spending as costs rises.

Details of all specific grants had not yet been finalised by Welsh Government and there was a risk that should grants be cut and it was not possible to reduce expenditure correspondingly, the Council could overspend. This risk should be mitigated by the fact that Services should have in place “exit” plans for any specific grant ceasing and were usually aware of likely developments in the level of grant. In the first place each Service would be expected to fund any shortfall from its revenue budget. There were however some reserves held to cover future grant reductions but these could only be seen as a contingency in the short term e.g. Adult Community Learning and Youth Offending reserves. The payment of redundancy costs, when a grant ceased, was not normally allowed as eligible expenditure to be set against the grant and therefore it was for the Council to set aside funds to cover this eventuality. A Grant Exit Strategy reserve was being held under the Social Services heading to fund such costs if they arose and in the main related to the Flying Start grant.

Legislative changes provided a major risk to the Council. The increase in the National Living Wage would put further pressure on staffing budgets. There was uncertainty for future recycling costs due to changes in the global market. In addition, the impact of changes to welfare reforms were at present not clear and a reserve was held for this purpose.

There were risks associated with climate change, in particular energy costs and the Council held an Energy Fund to implement energy saving initiatives. The effect of adverse weather conditions increased the cost of running and maintaining the Council’s infrastructure and provision needed to continue to be set aside to fund works over and above that held in the normal operational revenue budget, as covered for instance by the Bad Weather reserve.

Whilst covered by a separate report on the agenda, it was important to point out that a large proportion of the reserves were held for capital expenditure as well as for revenue purposes. There was a large commitment required for the future development of local schools and for the risks in maintaining aging premises. Also, the Council relied heavily on its ICT infrastructure and the Wales Audit Office had recommended that a corporate technology development fund should be held.

The Council also held funds to enable it to fulfil its priorities set out in the Corporate Plan through the four well-being outcomes. The Council needed to demonstrate its commitment to the Well-being of Future Generations Act and ensure that the needs of the present were met without compromising the ability of future generations to meet their own need, thus ensuring that funding was available in the long term through sound financial planning.

As part of the usual Budget process, an examination of the level of reserves was undertaken to ascertain their adequacy and strategy for use. The reserves were examined with a view to their level (i.e. whether the amount held in the fund was sufficient to meet requirements) and purpose (i.e. whether the need to hold the fund was still relevant). The requirement for each specific reserve had also been considered in light of the Council's priorities.

The estimated level of the Council Fund Reserve at 1<sup>st</sup> April, 2019 was £13.634m with a planned drawdown of £2m in 2019/20 and a further £1m in 2020/21.

The Section 151 Officer's view was that the minimum level for the Council Fund Reserve was £7m. This was considered sufficient to cover unforeseen expenditure whilst, in the short term, maintaining a working balance. Unforeseen expenditure could be substantial and several instances could occur in a year. Whilst there was no set requirement for the minimum level for the Council Fund Reserve, some commentators used 5% of the net budget as a guide. For the Vale of Glamorgan this was currently about £11.3m. However, in view of the prudent approach the Council took with regard to Specific Reserves, £7m was considered a reasonable minimum.

There were Schools balances which were unspent budgets delegated to individual schools. As at 31<sup>st</sup> March, 2018 the aggregate nursery, primary and secondary balances were £2.6m

Attached at Appendix H to the report was a schedule showing the reserves and the anticipated balances at 31<sup>st</sup> March, 2019, 2020, 2021 and 2022. The Appendix set out the title of the reserve together with its purpose. A summary of the position is set out below and excludes Schools balances and the Housing Revenue Account (HRA).

<b>Summary of Estimated Reserves Projected to 2021/22</b>	<b>Est. Bal. 31/3/2019 £000</b>	<b>Net Movement £000</b>	<b>Est. Bal. 31/3/2022 £000</b>
General Reserves	13,634	(3,000)	10,634
Specific Reserves :			

Insurance Fund	3,452	0	3,452
Capital Reserves	28,796	(18,809)	9,987
Other Specific Reserves	25,937	(7,358)	18,579
<b>Total Council Fund Reserves(excl. Schools and HRA)</b>	<b>71,819</b>	<b>(29,167)</b>	<b>42,652</b>

It was projected that there would be a large fall (41%) in the level of reserves over the three year period as substantial calls on funds were made. However, these were still deemed to be adequate as known risks were largely covered and the Council Fund Reserve was at a reasonable level, not expected to fall below £7m.

A Recorded Vote then took place on the recommendations before Council (Cabinet Minute No. C580 refers):

<b>Members</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Julie Aviet		√	
Vince Bailey		√	
Rhiannon Birch		√	
Jonathan Bird	√		
Lis Burnett		√	
George Carroll		√	
Christine Cave	√		
Janice Charles		√	
Millie Collins		√	
Robert Crowley	√		
Andrew Davies		√	
Vince Driscoll	√		
Steward Edwards	√		
Ben Gray	√		
Owen Griffiths		√	
Stephen Griffiths	√		
Sally Hanks		√	
Nic Hodges			
Hunter Jarvie	√		
Gwyn John		√	
Ian Johnson		√	
Gordon Kemp	√		
Peter King		√	

Kevin Mahoney		√	
Kathryn McCaffer	√		
Anne Moore		√	
Neil Moore		√	
Michael Morgan	√		
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker	√		
Bob Penrose	√		
Sandra Perkes		√	
Andy Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas	√		
Neil Thomas		√	
Steffan Wiliam		√	
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
<b>TOTAL</b>	<b>18</b>	<b>25</b>	<b>0</b>

The Motion, having been lost, it was

RESOLVED – T H A T the Cabinet recommendations of 18<sup>th</sup> February, 2019 (Minute No. C580 [1.1 to 1.5]) be not approved.

Reason for decision

As a consequence of the revenue budget for 2019/20 being not approved.

779 FINAL HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS  
2019/20 (REF) –

In presenting the report, the Leader referred to the final Housing Revenue Account (HRA) budget proposals for 2019/20 previously considered and approved by Cabinet at its meeting held on 18<sup>th</sup> February, 2019 and to the proposed rents and service charges for the coming financial year, commencing on 1<sup>st</sup> April, 2019.

Each Local Housing Authority was required under Section 74, of the 1989 Local Government and Housing Act to keep a Housing Revenue Account. Section 76 of the Act required Local Authorities to set a budget for their Housing Revenue Account (HRA) on an annual basis. The budget must be such that the HRA was not in deficit at the year end.

During the course of the year, Local Authorities had to review their HRA expenditure and income and if, on the basis of the information available the account was heading for a deficit, they needed to take steps that were reasonably practical to prevent this deficit. A Local Authority was not prohibited from being in deficit but would need to demonstrate that the deficit had arisen through exceptional circumstances and that it had revised its original proposals so far as reasonably practical to avoid the deficit. Such a deficit should be carried forward and must be made good the following year.

Each Local Authority should endeavour to have a working balance on the HRA, for any exceptional circumstances that may arise.

The basis for rent increases was set by the Welsh Government (WG) Policy for Social Housing Rents. The policy set a target rent band for each Authority. In order to comply with the rent policy, social landlords must ensure their average weekly rent for their general needs and sheltered housing was within their target rent bands.

The Leader indicated that in setting the rent level for 2019/20 his Administration had been mindful to ensure that it complied with the Policy for Social Housing Rents which was issued by Welsh Government in December 2018. This meant that the maximum allowable uplift had been set by Welsh Government at CPI (as at September 2018) which was 2.4%. However, he indicated where a social landlord's average rent was below their target rent band and was required under the rent policy to be within the rent band, an additional £2 per week could be applied.

The initial HRA budget proposals were considered by Cabinet on 19<sup>th</sup> November, 2018 (Minute No. C481). They were subsequently referred to the Homes and Safe Communities Scrutiny Committee on 5<sup>th</sup> December, 2018, who noted the proposals as did Corporate Performance and Resources Scrutiny Committee on 13<sup>th</sup> December, 2018.

Accordingly, the Leader indicated that a rent increase of 2.4% would result in the Council's average rent falling just below the Welsh Government target rent band. It was therefore proposed that rent would increase by 4% which was an average increase of CPI plus £1.22 and was below the maximum level.

As well as increasing rents, the report also outlined the proposed increases in other charges.

### **Base Budget 2019/20**

The Budget Strategy for 2019/20 outlined that, in order to establish a baseline, services should prepare revenue budgets for next year based on the cost of providing the current level of service and approved policy decisions.



Due to the nature of the HRA in that it was ring fenced and any growth had to be funded from the balance, no cost pressures had been formally identified.

The proposed 2019/20 budget was set out at Appendix 1 to the report and was identified over the following areas:

- Supervision and Management (General) – This budget head related to the general management of the Council's housing stock, for work carried out within the Housing service, and for various issues relating to the Council tenancies excluding the repairs and maintenance function.
- Supervision and Management (Special) – This budget related to the running expenses and the cost of staff employed directly within the Housing Service, in relation to functions such as sheltered housing schemes, running the hostel and temporary accommodation.
- Repairs and Maintenance – This budget related to the revenue repairs and maintenance service for the Council Housing Stock.
- Capital Financing Costs – Costs associated with financing debt.
- Rents, Rates, Taxes and Other Charges – This budget head related to items such as expenditure on Council Tax at long void properties, legal expenses, surveying costs, compensation and insurance.
- Increase in Provision for Bad Debts – This budget identified the amount by which the current level of provision should be increased by in year.
- Capital Expenditure from Revenue Account (CERA) – This budget related to a contribution made from the Housing Revenue Account to fund capital expenditure.
- Dwelling Rents – This was the net rent due to the Council for all properties whether General Needs, OAP designated, Sheltered Complexes, Hostel or Temporary Accommodation.
- Non Dwelling Rents – This represented the net rental income due to the Council for HRA owned garages.
- Interest – This budget related to interest receivable on the average HRA Reserve Balance.
- Charges for Services and Facilities – This budget identified amounts due to the Council by tenants and leaseholders and some private individuals for services and facilities provided by the HRA.
- Contribution towards expenditure – This budget identified any contributions received from outside bodies or persons towards expenditure which had been incurred by the HRA.
- Grant Income – This budget related to revenue grant income received. From 2019/20 onwards the HRA would receive the Affordable Housing Grant (AHG) from WG which supported new Council house building. The Council would take out a loan to fund capital expenditure and the AHG would be paid as an annual grant over a 28 year period and would be used to finance the interest and capital repayments of the debt.

In summary, the change in the budget was itemised as follows:

2018/19 Original Budget	Pay Inflation	Committed Growth / (Savings)	Dwelling & Non Dwelling Rent Increase	Increase / (Decrease) in CERA	2019/20 Proposed Budget
£000	£000	£000	£000	£000	£000
(21)	70	(544)	(787)	1,261	(21)

Pay inflation of £70k related to the pay awards for 2019/20 as per the new single status pay structure agreed by Council on 12<sup>th</sup> December, 2018 (Council Minute No. C483).

The net saving of £544k was due to a number of factors:

- A decrease in Capital Financing charges of £387k in relation to unsupported borrowing being taken out in 2019/20 to fund the Housing Improvement Programme;
- A decrease in the provision for bad and doubtful debts of £564k due to the delay in the mass roll-out of Universal Credit;
- An increase in staff costs of £143k, £100k of which was for investment in Apprentices and Trainees within the Housing department;
- An increase of £79k in central recharges;
- An increase in Premises costs of £16k largely due to increases in the grounds maintenance and cleaning contracts;
- An overall increase in Supplies and Services of £202k. There was an anticipated investment of £250k in digital transformation in 2019/20. This had been offset by the following savings: the Incentive to Move scheme had been amended (as per Cabinet Minute No. C237) resulting in a budget reduction of £34k and there were various other savings of £14k;
- An increase of £7k on interest received on balances due to an increase in the base rate;
- An overall decrease in Charges for Services and Facilities and Contributions towards expenditure of £25k;
- An increase in Grant Income of £51k based on forecast Affordable Housing Grant receivable.

An increase in Capital Expenditure from Revenue Account (CERA) to finance the Housing Improvement Programme of £1,261k had been assumed. The amount of revenue contribution required was dictated by available revenue balances and the value of the Housing Improvement Programme. Adjusting the level of CERA by this amount would leave a minimum HRA Reserve of £873k as at 31<sup>st</sup> March, 2020, which was broadly in line with the Housing Business Plan.

### **Proposed Increase in Rents**

The WG rent policy set a target rent band for each landlord and landlords were required to operate with average weekly rent levels that fell within the scope of those bands. The target rent band provided a low end figure, a mid-point and a high end

figure for each landlord. The average weekly rent level for each social landlord was compared to the target rent band for 2019/20. In addition, the maximum amount a social landlord could increase an individual tenant's weekly rent was CPI only (2.4%). However, where a social landlord's average rent was below their target rent band and was required under the rent policy to be within the rent band, an additional £2 per week could be applied.

It was usual practice that the Vale of Glamorgan Council only increased rent by an amount which would not breach the Housing Benefit Rent Rebate Limitation set by the Department of Work and Pensions (DWP). Breach of the limitation would mean that the HRA would be liable for a proportion of the additional increase. The draft limit was issued by WG on 31<sup>st</sup> January, 2019; the proposed average rent for 2019/20 was within this draft limit.

A rent increase of CPI (2.4%) only would result in the Vale of Glamorgan Council's average rent falling just below WG's target rent band. It was therefore proposed that rents were increased by 4% which was an average increase of CPI (2.4%) plus £1.22 and was below the maximum limit of CPI plus £2.00. The rents had been set in line with the Council's existing rent policy, which took into account the number of bedrooms, type and size of property along with location, whilst still ensuring that the current Housing Business Plan commitments were achieved. The rent increase per property type is detailed below:

Type	Current Average Rent for 2018/19 (Based on 50 Chargeable Weeks)	Proposed Average Rent Incr (+) / Decr (-) (Based on 50 Chargeable Weeks)	Proposed Average Rent for 2019/20 (Based on 50 Chargeable Weeks)
Bungalow	£97.45 per week	+ £3.90 per week	£101.35 per week
Flat	£85.11 per week	+ £3.34 per week	£88.45 per week
House *	£106.04 per week	+ £3.62 per week	£109.66 per week
Maisonette	£93.00 per week	+ £3.72 per week	£96.72 per week
TOTAL *	£97.23 per week	+ £3.52 per week	£100.75 per week

\* Average calculation includes reduction in stock numbers between years due to right to buy sales

### **Proposed Increases in Other Charges**

Garage Rents – The rent of freestanding garages was currently £7.81 per week. It was proposed that rents for all garages be increased by 4% to £8.12 per week. This percentage increase was in line with the rent increase.

Ty lolo Hostel – The current charge for persons accommodated was £174.68 per week. It was proposed that the weekly rent charge be increased by a maximum of

2.4% + £2 per week to £180.87 per week. As rooms at the hostel were classified as HRA dwellings, the rents charged were also subject to Housing Benefit Rent Rebate Limitations, which meant that hostel rents should be in line with the WG recommended rent increase.

28 Evans Street, Barry – This property, owned by the Council, was let to Llamau Housing Trust and comprised of six units of accommodation. The current weekly charge was £572.58. It was proposed that the charge be increased by a maximum of 2.4% + £2, in line with the recommended increase for the Hostel. The weekly charge would therefore be £588.32 per week.

Temporary Accommodation – The average current weekly charge including additional management, utility and service charge costs was £172.84. It was proposed that the rent element be increased by a maximum of 2.4% +£2. The total charge would therefore be £178.98 per week.

Sheltered Housing Guest Suites – It was proposed that the charges for guest room facilities be increased by 4% to £13.60 per person per night for double occupancy and £19.44 for single occupancy.

Vale Community Alarm Service (VCAS) – This was a charge which formed part of the inclusive rent, but was separately identifiable. The proposed new charges for Alarm Monitoring and Alarm Maintenance were required to identify the separate elements. It was proposed that the new charges were £1.24 (which was funded by the Supporting People Programme Grant for eligible service users) and £2.14 per week (payable by the tenant) respectively.

The following paragraphs outline the main changes to the Service Charges. The proposed charges were based on the agreed Service Charge Policy which stated that charges would be based on the best estimated cost of providing the service in the forthcoming year, using prior year's information and any known contract costs:

Heating – The cost of providing heating to sheltered properties had increased. It was proposed that the charge be increased from £5.74 per week to £6.83 per week based on the actual costs incurred in the 12 months prior to the budgeting period.

Warden Housing Management Charge – Warden Management costs had increased. It was proposed that the charge be increased from £9.97 per week to £10.14 per week.

Cleaning of Communal Areas – The cost of cleaning communal areas had increased. It was proposed that the charge be increased from £2.31 per week to £2.45 per week based on the estimated costs for 2019/20.

Lighting of Communal Areas – The cost of providing lighting had increased. It was proposed that the charge be increased from £0.94 per week to £1.21 per week based on the actual costs incurred in the 12 months prior to the budgeting period.

Lift Maintenance – The cost of lift maintenance had increased, due to an increase in the number of emergency call-outs. It was proposed that the charge be increased from £0.48 per week to £0.75 per week based on the actual costs incurred in the 12 months prior to the budgeting period.

Sewerage Treatment Plants – The charge to owners of all purchased and private dwellings connected to Council owned and maintained treatment plants was currently £341.93 per annum, based on the average charge payable if the properties were connected to the main sewerage system. It was proposed that these dwellings continue to be charged at a similar sewerage rates to the Water Schedule 2019/20 issued by Dwr Cymru Welsh Water. The Welsh Water Schedule was not available at the time of writing.

Cesspool Emptying – The current charge of £6.60 per week was based on an equivalent rate to those properties connected to the main sewerage system. It was proposed therefore that these dwellings continue to be charged a rate equivalent to the Water Schedule 2019/20 issued by Dwr Cymru Welsh Water. Whilst the schedule was not available at the time of writing, the 2019/20 equivalent charge could be in the region of £6.54 per week.

Councillor Dr. Johnson, in referring to the proposals contained within the report, expressed his concern to increase the current average rent for Council properties for 2019/20 and indicated he would be voting against the proposed rent increases. The Leader in response indicated that he stood by the proposals set out in the report.

#### RESOLVED –

- (1) T H A T the final Housing Revenue Account budget proposals for 2019/20 be as outlined below be approved:

	<b>Proposed Budget 2019/20 £'000</b>
<b>Expenditure</b>	
Supervision & Management	5,361
Repairs & Maintenance	4,043
Capital Financing Costs	4,590
Rent, Rates & Taxes & Other Charges	215
Increase in Bad Debt Provision	595
Capital Expenditure from Revenue Account (CERA)	5,846
<b>Income</b>	
Dwelling Rents	(19,552)
Non Dwelling Rents	(172)
Interest	(10)
Charges for Services and Facilities	(491)
Contribution towards expenditure	(312)
Grant Income	(134)

**(Surplus)/Deficit for the Year (21)**

**Working Balance Brought Forward as at 1<sup>st</sup> April 2019 (852)**

**Working Balance Carried Forward as at 31<sup>st</sup> March 2020 (873)**

- (2) T H A T an average rent increase of 4% be approved, as set out in paragraphs 4.8 - 4.10 of the report.
- (3) T H A T the increase suggested for other services be approved, as set out in paragraphs 4.11 - 4.24 of the report.
- (4) T H A T the following charges for 2019/20 financial year be approved:

<b>50 Week Basis</b>	<b>Current Charges</b>	<b>Proposed Charges</b>
Heating	£5.74 per week	£6.83 per week
Warden Housing Management	£9.97 per week	£10.14 per week
VCAS:		
- Piper	£4.34 per week	Shown Below
- Communicall	£4.92 per week	Shown Below
VCAS:		
- Monitoring	Shown Above	£1.24 per week
- Maintenance	Shown Above	£2.14 per week
Grounds Maintenance	£1.35 per week	£1.38 per week
Cleaning of Communal Areas	£2.31 per week	£2.45 per week
Lighting of Communal Areas	£0.94 per week	£1.21 per week
Laundry Facilities	£0.26 per week	£0.27 per week
Window Cleaning	£0.17 per week	£0.17 per week
Lift Maintenance	£0.48 per week	£0.75 per week
Door Entry	£0.73 per week	£0.67 per week
Intercom	£0.71 per week	£0.71 per week
CCTV	£0.90 per week	£0.90 per week
Sewerage Treatment Plants	£341.93 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2019/20

Cesspool Emptying	£330.00 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2019/20
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- (5) T H A T all changes to rents and service charges be implemented from 1<sup>st</sup> April, 2019 and that increase notices be sent to tenants 28 days in advance of the new charges coming into effect.

Reason for decisions

(1-5) In order that charges are approved, new rent levels are set within the specified Welsh Government (WG) guidelines and to meet the tenant notification deadline as required by statute.

780 CAPITAL STRATEGY 2019/20 AND FINAL CAPITAL PROPOSALS 2019/20 TO 2023/24 (REF) –

The Leader indicated that the report was in a new format version of the CIPFA Prudential Code, released in December 2017, required Authorities to produce a Capital Strategy. The report therefore included the first Capital Strategy for the Council and the Final Capital proposals for 2019/2020 to 2023/2024.

The Capital Strategy provided a framework which outlined how capital expenditure, capital financing and treasury management activity contributed to the provision of corporate objectives. The Strategy took a longer term view of the Council's capital investment priorities and how those priorities may be funded.

Having considered the service priorities and the possible funding available over the coming 10 year period, it was currently estimated that the funding gap could be in the region of £12m. It was acknowledged that this was the first year that a Capital Strategy had been produced and it would be updated on an annual basis and would evolve over future years. This funding gap would be reviewed on a regular basis.

The Initial Capital Programme Proposals were presented to Cabinet on 19<sup>th</sup> November, 2018 and were subsequently referred to Scrutiny Committees in December 2018. The comments from the Scrutiny Committees had been taken into account in the development of this five year programme.

All bids had been prioritised in terms of corporate priority, the risk to the Authority if they were not progressed and the contribution they made to the Wellbeing and Future Generations criteria.

The programme detailed in the report would be funded through a number of different sources, including General Capital funding from the Welsh Government, the use of capital receipts resulting from the sale of assets, the use of reserves that had been

established for that purpose, S106 monies or borrowing money which had to be repaid through the revenue budget.

When the Welsh Government announced the final capital funding settlement for the coming financial year, the Council received an increase of £1.1m by way of General Capital Funding over the figures announced in the provisional settlement. Welsh Government had also announced new funding for the Public Highways Refurbishment Grant which covered the period 2018 to 2021. The Council had been advised that the funding for the current financial year could be carried forward into 2019/2020 through reserves due to the late announcement of the funding.

In addition, Welsh Government had made an extra £100m of capital funding available over a three year period. The 2018/2019 allocation for the Council was £1.927m and Welsh Government had advised that this sum could also be carried into the next financial year through reserves. It was proposed that, as it was late in the budget setting process, this funding was placed in a specific reserve and consideration for its allocation was made early in the new financial year.

The proposed programme for 2019/2020 to 2023/2024 was attached at Appendix 2 to the report and showed a total spend of £80m in 2019/2020 and a total five year programme in excess of £270m.

The programme also included a significant investment in the resurfacing of the roads in the County. The £1m provided by the Council had been supplemented by the new funding outlined above resulting in an allocation of £2.5m on highway refurbishment.

In January 2019 Cabinet agreed a revised programme of works within the 21<sup>st</sup> Century Schools Programme. The total value of this Band B programme was now £143.792m with £140.713m being spent between 2019/2020 and 2023/2024. These proposals were now included in the five year Capital Programme.

The report also detailed the levels of investment required to maintain WHQS standards, flood prevention works, funding for disabled facility grants and funding in relation to Barry Regeneration Partnership.

Councillor Neil Moore, Leader of the Labour Group, again thanked the Council's Section 151 Officer and her team for the work undertaken in putting the Capital Budget Proposals together.

He referred to the reference from the Learning and Culture Scrutiny Committee which had considered the Cabinet's Initial Budget Proposals at that time (Minute No. C573 refers) and subsequently recommended that the Cabinet be urged to reconsider the use of £11.387m which represented the Council's reduction in the contribution for the 21<sup>st</sup> Century Schools Programme and be utilised instead to fund repairs to older primary schools in the County. He also disagreed with the Cabinet Member's comments at the time in that the £11.387m did not represent additional funding from the Welsh Government. He alluded to the intervention rate that had changed from 50% to 65%, in effect a 15% increase, which therefore provided the additional £11.387m than originally budgeted for. The fact of the matter was that the Council had a provision to fund its 21<sup>st</sup> Century Schools Programme made up by the



use of Capital receipts (£4.3m), Section 106 monies anticipated, but not yet received (£1.5m) and access to Prudential External Borrowing (£5.6m). Therefore, taking account that the Welsh Government had now provided additional funding for the Council's 21<sup>st</sup> Century Schools Programme it was, in his opinion, a significant opportunity to use the equivalent capital funding that the Council would have had to put into the Capital Programme to upgrade and refurbish other schools, such as Victorian Schools and those schools built in the 1960s and 1970s which were now in dire need of repair.

Councillor Moore signalled that he would be moving an amendment to the Capital Programme to amend it to include the amount of £11.387m within the Capital Programme for school improvement and refurbishment of Victorian Schools and other schools which had been built in the 1960s and 1970s instead of the 21<sup>st</sup> Century Schools Programme.

Councillor Moore also indicated that he would also be proposing a further separate amendment and thanked Councillor John for bringing the matter to his attention, in relation to the proposed Capital Programme, Asset Renewals – New Bids which totalled £3.755m. He indicated that one of the new bids related to the Council's proposed Car Parking Policy of £145k which had been added into the Capital Programme, but had not been the subject of a bid as part of the initial Capital Programme report nor mentioned in the final Capital Budget Proposals which were linked to the Budget Working Group considerations which had subsequently made some additions to the original bids such as carriageway resurfacing and Jenner Park lighting. None of the additional new bids had been specifically mentioned elsewhere apart from what he considered to be sneakily referenced at paragraph 4.26 of the report which touched upon the issue of his concern. Whilst he acknowledged that some of the additions may be acceptable, he found it incredulous that the funding for the Council's proposed Car Parking Policy had been identified as a priority scheme in such a manner. He considered this to be particularly relevant as no decision had been made by the Council on any such policy let alone agreement reached to buy parking meters. He also considered the matter to be premature and therefore he would be seeking the deletion of this priority scheme from the proposed Capital Programme.

Councillor Moore indicated that he would be moving each Motion individually.

The Leader, in referring to Councillor Moore's comments considered these to be more than a play on words in regard to the monies received from Welsh Government. The fact of the matter was that the Council would have to find an additional £11.387m had the intervention rate not change. He acknowledged that the breakdown of how the Council intended to fund the £11.387m was as indicated by Councillor Moore. However, the stark reality was that the Council would not have to fund the above amount which was now subject to Welsh Government funding. He indicated that he would be voting against Councillor Moore's Amendment.

Councillor Hodges, referring to the issue at hand, reminded Members that he was the Vice-Chairman of the relevant Scrutiny Committee. At that time he supported the Committee's recommendation requesting that the Cabinet utilise the £11.387m to support repairs and maintenance to those schools that were not subject to the

21<sup>st</sup> Century Schools Programme. Whilst he was sympathetic to Councillor Moore's position, his preference was that an appropriate programme be prepared explaining how schemes would be prioritised and funded. Without the necessary information it would be difficult to agree the amount of funding that should be included in the Capital Programme going forward.

Councillor Burnett indicated that she wished to clarify a number of points in relation to the report. She alluded to the challenge she had found in keeping abreast of the ever changing figures in the 21<sup>st</sup> Century Schools Programme over the past month. She reminded Members the Learning and Culture Scrutiny Committee first considered the initial Capital Programme at its meeting held on 11<sup>th</sup> December, 2018 which included the Council's proposed 21<sup>st</sup> Century Schools Programme. She also alluded to a press release of 2<sup>nd</sup> January, 2019 by Councillor Penrose (the relevant Cabinet Member) stating that the Council's contribution was £59.37m. She indicated that she knew herself that this press release was incorrect in that the correct figure was circa £41m, now reducing to £29m in the report before the Council. She considered this to be unacceptable. She referred to the Learning and Culture Scrutiny Committee's deliberations at its meeting held in January on the new 21<sup>st</sup> Century Schools Programme funding in the light of the additional Welsh Government funding and the consequential £11.387m surplus. The Scrutiny Committee at that time suggested that the surplus should be used to improve the Authority's Victorian schools which had no opportunity for repairs and renovations as part of the Council's 21<sup>st</sup> Century Schools Programme. Councillor Burnett then referred to the Learning and Culture Scrutiny Committee's meeting held in February which at that time considered the new proposals for Welsh medium school provision at Barry Waterfront. She praised the intentions to increase the number of Welsh medium primary places in Barry and the aspirations for 480 surplus places in an effort of the country becoming bilingual. However, this drew into sharp focus the situation in other areas of primary education in the County. She referred to in contrast to there only being 177 surplus English medium primary school places available in Barry, yet there was a need for 183 places forecasted from the Waterfront development in Barry. Councillor Burnett indicated that she considered that treating the report separately gave no holistic consideration to primary provision in Barry.

Councillor Burnett's attention turning to the huge increase in Welsh Government funding provided for 21<sup>st</sup> Century Schools Programme describing it as a rare opportunity to make a huge difference to older Victorian schools across the County. The making available of the £11.387m surplus would enable schools which would never have had an opportunity to be rebuilt or reaching 21<sup>st</sup> Century Schools Programme standards. She was mindful of the current funding arrangements which dictated that asset renewal focused on health and safety issues and concurred with Councillor Hodges' point in regard to the issue of repairs to Victoria schools. In all, Councillor Burnett indicated that she was extremely proud of the Council's Capital Programme on schools over the previous ten years and the number of new schools built in the County. However, she was aware that certain schools were funding capital works from their balances built up from revenue funding and she reminded Members that that funding should be used for teaching. She considered the matter not to be equitable, especially in circumstances where certain primary schools in

Barry and Rhoose were funding their own capital repairs only to see new schools planned nearby with state of the art facilities at no cost to themselves. Therefore, she was not able to support a capital budget that did not treat schools equitably.

The Leader, taking on board everything that had been said, indicated that he tended to agree with Councillor Hodges' comments in regard for the need for officers to be given some time to bring forward appropriate schemes with associated costings and he was content for officers to prepare an appropriate report for consideration by Cabinet and Scrutiny on the matter. However, he reiterated that he would be resisting Councillor Moore's Amendment.

At this juncture, Councillor Neil Moore, Leader of the Labour Group, moved the following Amendment:

“That £11.387m which was included in the Capital programme for 21<sup>st</sup> Century Schools be vired into the Capital Programme for repairs to Victoria, 50s, 60s and 70s or any other schools outside the 21<sup>st</sup> Century Schools Programme envelope”.

Councillor Burnett duly seconded the Amendment.

A Recorded Vote then took place as indicated below on the following Amendment:

“That £11.387m which was included in the Capital programme for 21<sup>st</sup> Century Schools be vired into the Capital Programme for repairs to Victorian, 50s, 60s and 70s or any other schools outside the 21<sup>st</sup> Century Schools Programme envelope”.

<b>Members' Names</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Julie Aviet	√		
Vince Bailey		√	
Rhiannon Birch	√		
Jonathan Bird		√	
Lis Burnett	√		
George Carroll		√	
Christine Cave		√	
Janice Charles		√	
Millie Collins		√	
Robert Crowley		√	
Andrew Davies		√	
Vince Driscoll		√	
Steward Edwards		√	
Ben Gray		√	
Owen Griffiths	√		

Stephen Griffiths		√	
Sally Hanks	√		
Nic Hodges		√	
Hunter Jarvie		√	
Gwyn John	√		
Ian Johnson		√	
Gordon Kemp		√	
Peter King	√		
Kevin Mahoney		√	
Kathryn McCaffer		√	
Anne Moore	√		
Neil Moore	√		
Michael Morgan		√	
Jayne Norman	√		
Rachel Nugent-Finn		√	
Andrew Parker		√	
Bob Penrose		√	
Sandra Perkes	√		
Andy Robertson		√	
Leighton Rowlands		√	
Ruba Sivagnanam	√		
John Thomas		√	
Neil Thomas	√		
Steffan Wiliam		√	
Margaret Wilkinson	√		
Edward Williams	√		
Mark Wilson	√		
Marguerita Wright		√	
<b>TOTAL</b>	<b>16</b>	<b>27</b>	

The Amendment was lost.

The Mayor requested Councillor Moore at this juncture to repeat his second Amendment.

Councillor Moore moved the following Amendment:

“That the inclusion of £145,000 as a new bid to fund the purchase of the necessary car parking meters to support the implementation of the Council’s Car Parking Strategy be deleted from the Capital Programme for 2019/20, until such time as the Council had made a decision on the matter”.

Councillor Burnett duly seconded the Amendment.

Councillor Hodges, referring to the Amendment, indicated that he was somewhat confused in that Councillor Moore’s first Amendment had the intention of seeking funding that was not originally there and without not knowing how that funding would be spent, but now he was attempting to remove funding for a project that may not actually happen.

Councillor John, Leader of the Llantwit Major Independent Group, thanked the Section 151 Officer for preparing the budget report and her staff, and concurred with Councillor Moore’s comments that the insertion of funding for a Car Parking Policy had come out of the blue. He referred to the last time that matters were discussed relating to car parking charges was in October 2018 and since that time nothing had been reported to Cabinet or indeed other Members of the Council and he was amazed to hear that funding had been made available in the proposed Capital Programme. He indicated that he and his Group would be supporting Councillor Moore’s Amendment.

The Leader reminded Members that the report indicated that nothing had been predetermined and the purchase of car parking meters was one of the potential uses of the funding. He acknowledged that the use of the funding was dependant on the Council’s decision on the matter, however, it was better to have the funding in place and ready to be used if necessary. Therefore, given the views expressed, he indicated that he would not be opposing the Amendment.

Councillor Dr. Johnson, Leader of the Plaid Cymru Group, referred to proposals in general and were supported. However, he referred to one major white elephant which was missing from the proposed Capital Programme, that being the Dinas Powys by-pass. Alluding to the preparatory work for the financing of the Council’s 21<sup>st</sup> Century Schools Programme he enquired of the Leader what parity in funding arrangements were being put in place to deliver the project.

The Leader reminded Councillor Dr. Johnson that the Council had applied to Welsh Government for additional funding for the next stage. Should funding not be forthcoming from Welsh Government he had been assured by officers that the funding would be available to progress the study to the next stage. The delivery of the by-pass itself would require significant funding and this would be sought from Welsh Government.

Councillor King, alluding to the Dinas Powys by-pass delivery and associated capital funding requirements, sought an assurance that any study would not solely focus

upon the Dinas Powys settlement itself, but also the impact on either end, Barry and Penarth. He expected this to be included as part of the WelTAG surveys.

A Recorded Vote then took place as indicated below on the following Amendment:

“That the inclusion of £145,000 as a new bid to fund the purchase of the necessary car parking meters to support the implementation of the Council’s Car Parking Strategy be deleted from the Capital Programme for 2019/20, until such time as the Council had made a decision on the matter”.

<b>Members’ Names</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Julie Aviet	√		
Vince Bailey	√		
Rhiannon Birch	√		
Jonathan Bird	√		
Lis Burnett	√		
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Robert Crowley	√		
Andrew Davies		√	
Vince Driscoll	√		
Steward Edwards	√		
Ben Gray	√		
Owen Griffiths	√		
Stephen Griffiths	√		
Sally Hanks	√		
Nic Hodges	√		
Hunter Jarvie	√		
Gwyn John	√		
Ian Johnson	√		
Gordon Kemp	√		
Peter King	√		
Kevin Mahoney		√	
Kathryn McCaffer	√		

Anne Moore	√		
Neil Moore	√		
Michael Morgan	√		
Jayne Norman	√		
Rachel Nugent-Finn	√		
Andrew Parker	√		
Bob Penrose	√		
Sandra Perkes	√		
Andy Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam	√		
John Thomas	√		
Neil Thomas	√		
Steffan Wiliam	√		
Margaret Wilkinson	√		
Edward Williams	√		
Mark Wilson	√		
Marguerita Wright	√		
<b>TOTAL</b>	<b>41</b>	<b>2</b>	

The Amendment was carried and it being duly

RESOLVED –

(1) T H A T the Capital Strategy 2019/20 as set out in Appendix 1 to the report be approved.

(2) T H A T the final Capital Programme for the years 2019/20 to 2023/24 as set out in Appendix 2 be approved subject to Resolution (3) below.

(3) T H A T the inclusion of £145,000 as a new bid to fund the purchase of the necessary car parking meters to support the implementation of the Council's Car Parking Policy be deleted from the Capital Programme for 2019/20, until such time as the Council had made a decision on the matter.

(4) T H A T the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to make additions, deletions or transfers to or from the 2019/20 to 2023/24 Housing Improvement Programme as appropriate.

(5) T H A T the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to make additions, deletions or transfers to or from the 2019/20 to 2023/24 Asset Renewal budgets as appropriate.

(6) T H A T the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to make additions, deletions or transfers to S106 funded schemes subject to Member consultation as required under the existing process.

(7) T H A T the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to make additions, deletions or transfers to or from the 2019/20 Energy Conservation Refit budget as appropriate.

#### Reasons for decisions

- (1) To approve the Capital Strategy for 2019/20.
- (2) To set and approve future Capital Programmes to 2023/24.
- (3) In acknowledgement that no decision to date had been made in regard to a Car Parking Policy.
- (4) To enable the Housing Capital budget to be managed effectively.
- (5) To enable the Asset Renewal budgets to be managed effectively.
- (6) To enable S106 schemes to be managed effectively.
- (7) To enable the Energy Conservation Refit budget to be managed effectively.

#### 781 COUNCIL TAX UNOCCUPIED DWELLINGS (REF) –

In presenting the report, the Leader referred to Cabinet on 18<sup>th</sup> February, 2019 considered and approved a proposal to remove the 50% empty property discount currently afforded to owners of empty properties and second homes.

He referred to the Council's existing discretionary powers to determine the level of Council Tax discount to be applied to unoccupied dwellings. The report outlined the current procedure adopted by the Council when applying empty property discounts and the financial implications of continuing to award these discounts.

The Leader outlined the two key reasons for the review of the discounts, namely:

- Bringing empty homes back into use could have many positive impacts for the property owner, the local neighbourhood, the wider community and the local economy;



- Due to possible changes in the way that Welsh Government intended to account for these discounts, the cost of these discounts may have to be borne by the Council in the future.

The Leader alluded to the small number of residents who had responded to the recent consultation on the proposed changes and had raised concerns regarding the impact on them of these changes. He indicated that where appropriate, the Council could award reductions to Council Tax payments in mitigating circumstances and this would be considered for anyone who could prove exceptional circumstances as a result of this change.

RESOLVED – T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C582, 18<sup>th</sup> February, 2019 be approved.

Reasons for decision

- (1) The Council is required to determine its policy on discounts in relation to unoccupied dwellings each year.
- (2) To ensure all of those impacted by the removal of the discount are aware of the changes.

782 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2019/20 AND UPDATE FOR 2018/19 (REF) –

The Leader, in presenting the report, indicated that the meeting of Cabinet on 18<sup>th</sup> February, 2019 considered and agreed the interim report on the Council's Treasury Management operations for the period 1<sup>st</sup> April, 2018 to 31<sup>st</sup> December, 2018 and the proposed 2019/2020 Treasury Management and Investment Strategy. He also reminded Members that the report had also been considered by Audit Committee on 25<sup>th</sup> February, 2019.

Insofar as the Council's Treasury Management operations entered into for the above period were concerned, all activities were in accordance with the Council's approved strategy on Treasury Management. Details of the monies borrowed and repaid were set out in the report.

RESOLVED – T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C587, 18<sup>th</sup> February, 2019, be approved.

Reason for decision

To meet the requirements of the Local Government Act 2003.

783 TO SET THE COUNCIL TAX 2019/20 –

RESOLVED – T H A T this matter be deferred for further consideration to a Special Meeting of Council in light of the Revenue Budget proposals not being approved.

Reason for decision

Council did not approve the final proposals for the Revenue Budget for the financial year 2019/20.

784 TARGETED REGENERATION INVESTMENT PROGRAMME 2018/19 –  
2020/21: UPDATE (PART I) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C541, 7<sup>th</sup> January, 2019) as set out in Section 14.14 of the Council's Constitution, be noted.

Reason for decision

To meet the deadlines for the Welsh Government's Targeted Regeneration Investment Programme in 2018/19 financial year.

785 TARGETED REGENERATION INVESTMENT PROGRAMME 2018/19 –  
2020/21: UPDATE (PART II) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C545, 7<sup>th</sup> January, 2019) as set out in Section 14.14 of the Council's Constitution, be noted.

Reason for decision

To meet the deadlines for the Welsh Government's Targeted Regeneration Investment Programme in 2018/19 financial year.

786 WHITE PAPER REFORM OF FIRE AND RESCUE AUTHORITIES IN  
WALES – COUNCIL RESPONSE –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C572, 4<sup>th</sup> February, 2019) as set out in Section 14.14 of the Council's Constitution, be noted.

Reason for decision

So that submission is made before the Welsh Government's deadline of 5<sup>th</sup> February, 2019 and the Council's Constitution is observed.

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

Due notice had been given of the following questions:

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

When will the Cabinet Member announce the outcome of the Council's consultation on the Draft Parking Strategy that ended in September last year?

**Reply from the Cabinet Member for neighbourhood Services and Transport**

A report on the outcome of the Council's consultation on Capita's Draft Parking Strategy is due to be considered by Cabinet on 18<sup>th</sup> March, 2019.

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

As Corporate Parents, how many Looked After Children are in the Council's care in February 2019 compared with the same time in February 2016?

**Reply from the Cabinet Member for Social Care, Health and Leisure**

There are currently 276 children looked after in the Vale of Glamorgan compared to 183 children in February 2016.

**Supplemental**

Councillor Dr. Johnson, alluding to an approximate 50% increase in demand over the past three years, asked if the Cabinet Member could provide an update on discussions held with the WLGA and Welsh Government on providing additional funding to support Looked After Children in the Vale of Glamorgan.

The Cabinet Member referred to the constant requests, particularly through the WLGA, for Welsh Government additional funding. He acknowledged that the numbers were at their highest, but they did fluctuate over time. Rather than just looking at the cost of supporting such children, more should be done to look at the circumstances of each child and the measures that the Council should take to keep the numbers as low as possible. He suggested that this issue could be discussed in detail if necessary at the next meeting of the Corporate Parenting Panel of which Councillor Dr. Johnson was a Member.

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

What plans does the Council have for the Court Road Depot site in Barry?

### **Reply from the Executive Leader and Cabinet Member for Performance and Resources**

Court Road depot site in Barry is currently occupied by the Neighbourhood Services, Operations team (Cleansing, Parks and Leisure).

There is an aspiration to move these operations to either another location in Barry or to the Alps depot in Wenvoe, freeing up the site for possible future development.

As the Member will be aware, the Adopted Local Development Plan (to 2026) allocates Court Road depot for residential development.

### **Supplemental**

Referring to many of his constituents having problems moving from the Gladstone Road area towards the Barry Road area, he asked the Cabinet Member if he could consider the construction of a new road which connected Barry Road with the junction at Gladstone Road.

The Cabinet Member indicated that he would consider all and any issues when the time came and a plan was put in place for the area.

#### **(iv) Question from Councillor Dr. I.J. Johnson**

What potential risks has the Leader identified to the Vale of Glamorgan Council, local businesses and residents as a result of the UK leaving the European Union next month, and what actions has he taken to reduce these risks?

### **Reply from the Executive Leader and Cabinet Member for Performance and Resources**

As the Member will be aware, there is ongoing uncertainty relating to the UK leaving the European Union. However, the Council has sought to take a proportionate approach to identifying and mitigating potential risks associated with this.

The Council has well-established Business Continuity Planning arrangements in place. The highest priority service areas are currently updating their Business Continuity Plans and this exercise is due to be completed in early March. In parallel with this exercise, all Heads of Service are currently undertaking a Brexit Impact Assessment for their respective service areas. This is based on a series of risks that have been identified by the Home Office and Local Resilience Forum and have been identified by the Management Team as being relevant to the Council's services and our role in our community.

### **Supplemental**

Councillor Johnson asked if the Cabinet Member would bring forward a Cabinet report which detailed the issues and risks that were being discussed by the Council

so that the public could have confidence that Council was involved in liaison and resilience work with all of the relevant partners, in particular the airport and health services, to ensure that nothing went wrong whatever happens with Brexit.

The Cabinet Member indicated that he was agreeable for a report to be presented to Cabinet on the matter.

(v) **Question from Councillor Ms. A.M. Collins**

What recent discussions have the Council held with Natural Resources Wales, Welsh Government and any other relevant bodies with regards to the Barry Dock Incinerator?

**Reply from the Cabinet Member for Regeneration and Planning**

Officers from the Shared Regulatory Service liaise with NRW as issues of concern surrounding the operation of the plant are raised. The last formal discussions took place in March 2018 during the construction and preparation of the plant for wood burning.

I am aware that officers from the Planning department have also recently sought an update on Welsh Government's stance on the need for an Environmental Assessment and when a decision is likely to be made.

(vi) **Question from Councillor Mrs. J.M. Norman**

Could the Cabinet Member please advise me as to the cost of the road changes on the B4265 at Sycamore Chase, Boverton? Did the Developer pay for these changes, and the traffic management, or was it out of council budget, and, if so, how much did it cost?

**Reply from the Cabinet Member for Neighbourhood Services and Transport**

The cost of changes or works being carried out at present to the Council's local highway network on the B4265 at Sycamore Chase, Boverton are fully funded by the developer Barratt / David Wilson Homes (BDW). These works include lighting, kerbing, drainage and new footway / cycleway and partial realignment of the carriageway to form a new right hand turn ghost island for safe access into the development. This work is in accordance with the approved planning permission for the housing site.

The works form part of a Section 278 legal agreement under the Highways Act 1980 that permits a developer to access the adopted highway with the permission of the Council to undertake agreed alterations and / or improvements to a public highway, as part of a planning application.

The Council's highway development team has scrutinised and approved the ongoing works and will continue to inspect throughout the construction period to ensure the works are provided as agreed and to the appropriate specification and standards required. The temporary traffic management is necessary for the safety of both the generally public and contractors and is being closely monitored to ensure as far as reasonably practicable it minimises disruption and inconvenience to residents and the travelling public.

### **Supplemental**

Councillor Mrs. Norman enquired of the Leader of the likely completion of the related work.

The Leader indicated that he would write to the Member with an answer given that the matter was not in his portfolio.

#### **(vii) Question from Councillor Mrs. J.M. Norman**

Will the Cabinet Member please advise me on what action this Council intends to take against Developers who constantly leave the roads around Llantwit Major covered in mud?

We are surrounded by new building works, and with this brings increasing amounts of mud on the roads, which is both dangerous and unsightly.

Something must urgently be done.

#### **Reply from the Cabinet Member for Neighbourhood Services and Transport**

I can confirm that the Council is well aware of concerns relating to mud on the road in Llantwit Major as a consequence of development works. I can assure you that we already closely monitoring the relevant development sites. I am pleased to advise that wherever mud on highway has been identified as a safety issue the Council's professional highway officers have taken swift action to deal with such occurrences and sought to ensure appropriate measures are in place and steps taken to keep roads clean and safe for all road users.

As an example, the site at Plasnewydd Farm has recently been the cause of significant problems with mud on the highway. Here the Council immediately contacted the Health and Safety Executive (HSE) raising concerns about standards of health and safety at this development site relating to mud on the road. The HSE intervened using their powers to assist us in requiring the contractor to install a wheel wash facility, a holding area for vehicles and a haul road for use of delivery vehicles within a period of 2 weeks, to rectify the safety issues.

I am pleased to advise that a subsequent inspection by the Council shortly afterwards revealed that site operations and road conditions appeared to have significantly improved. The contractor had laid a hard core internal road with a

banksman at the entrance and a wheel wash facility was due for delivery which has now been successfully installed. These actions and repair of the verge area with tarmac surface made a significant and immediate improvement to the condition of the road and safety of road users in the immediate vicinity of this site.

(viii) **Question from Councillor M.R. Wilson**

With the cuts recently announced to bus services, is this Conservative administration prepared to let this happen? What representations have been made and would you consider subsidising these services as the previous Labour Administration has done?

**Reply from the Cabinet Member for Neighbourhood Services and Transport**

The recently announced Cardiff Bus cuts are extremely worrying for the bus industry and to Local Authorities. Cardiff Bus, as has been reported, has made cuts to a number of services that they consider not to be economically viable, in the Vale and Cardiff, due to the financial predicament they find themselves in.

Talks between officers have taken place with other bus operators about the possibility of any of the missing gaps in the network being filled, with Cardiff Bus having been asked to provide patronage data. We await decisions from these operators.

With regard to current funding we continue to fund the same services as the previous Administration and there has been no cut to supported local bus funding.

The possible use of Section 106 funding is being considered currently to fund these services but this is only a stop gap and will not all of a sudden increase passenger growth. This was seen when Section 106 money was put into the 98 service recently where, again, Cardiff Bus reduced frequency. The trial of funding the service with Section 106 did not see the required passenger growth and the service was subsequently withdrawn after the trial.

Until we have information from alternative bus providers I cannot confirm if, or how, the Council would intend on funding these services. Once we are made aware of any commercial services operators are willing to run we can consider our options. Our officers are currently working on this and will conclude this work in March.

If residents do have any concerns about which services to use, Traveline Cymru provides a very good travel planning tool that informs users of available public transport options, locations and times.

My officers have also produced a table showing the affected services and possible alternatives which I would be more than happy to share with you.

**Supplemental**

Alluding to the bus service 95A and 95B operating from Penarth which he understood would cease imminently, Councillor Wilson sought an assurance from the Leader and Deputy Leader to expedite the matter quickly so that clarity could be provided to local Members on the bus service and to allow the public to be made aware.

The Deputy Leader assured Councillor Wilson that he would request officers to look into the matter and update him and other members as to what arrangements would be put in place.

**(ix) Question from Councillor M.R. Wilson**

I note that three CCTV cameras are still out of action within Penarth Town Centre. When will all of these become fully operational as they were under the previous Labour Administration?

**Reply from the Cabinet Member for Housing and Building Services**

I am unsure why Councillor Wilson has sought to make this a political matter. I could have responded providing details of just how many CCTV cameras across the Vale were not functioning prior to May 2017 but this would not have been particularly constructive. I can confirm that the cameras referred to have been reported and we are awaiting a report identifying the reason for the faults and subsequent recommendation to rectify the issues. There are a range of factors that cause cameras to fail, including inclement weather, damaged cables and fibre links (underground) which are out of the Council's control.

The Vale's Community Safety Team liaise closely with Bridgend County Borough Council who manage the service of behalf of the Vale to review faults and prioritise repairs and we will continue to liaise closely with them to expedite repairs as soon as possible.

**Supplemental**

Councillor Wilson enquired when would these become fully operational.

The Cabinet Member indicated that he would address the matter with the relevant officers and would contact Councillor Wilson.

**(x) Question from Councillor M.R. Wilson**

Is the Vale Council supportive of our Town Centres? How much money has it spend on promoting Penarth Town Centre?



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

The Town Centre Development Officer works very closely with the Penarth Traders group and offers support in liaising between other departments both within the Council, and Penarth Town Council, in addition to supporting initiatives developed to increase footfall to the town centre. In addition, Penarth is specifically included in the Council's Town Centres Framework document, an update of which was recently presented to Cabinet and Economy and Regeneration Scrutiny Committee.

Penarth Town also receives a great deal of support through the Council's Events programme. During 2018/19 Penarth received the following:

Penarth Summer Sounds £5,000 over 6 weekends.  
 Distinguished Gentleman's Ride - £1,000  
 Summer Festival - £5,000  
 Christmas support - £1,500  
 Carnifal Penarth Carnival - £500

In addition the Council's Events Officer provides ongoing support to all the events.

With regards to promotion, Penarth is a key part of the work that the Tourism Team undertake to market the Vale.

### **Supplemental**

Thanking the Cabinet Member for listing the events, Councillor Wilson considered the amount to be zero and asked the Cabinet Member to consider updating the Council website containing information about Penarth which was out of date in relation to traders.

The Cabinet Member indicated he would do what he could to get the Council's website updated, but he disagreed that the amount was zero. He acknowledged that it was a difficult time for all town centres and Penarth Town was as equally valued as the other town centres in the Vale.

### **(xi) Question from Councillor M.R. Wilson**

Bearing in mind of future developments, when will we get a new primary school in Penarth and what steps are being made to accommodate pupils in local schools throughout Penarth?

### **Reply from the Cabinet Member for Learning and Culture**

On 7<sup>th</sup> January Cabinet approved an amended Band B Programme as part of the Council's 21<sup>st</sup> Century Schools Programme following a favourable change in intervention rate from Welsh Government. Contained within the Cabinet report is the funding profile for each of the schemes of work, which form part of the Council's

Strategic Outline Programme. This scheme of work includes an allocation of over £9m for primary provision in Penarth.

### **Supplemental**

Referring to the fact that the proposed new school was in the Sully Ward and therefore, no plans for new schools in Penarth, Councillor Wilson asked the Cabinet Member to meet with him to discuss insufficient school places in Penarth.

The Cabinet Member reminded Councillor Wilson that the LDP spelt out new school provision for Cosmeston, which was at the edge of Penarth. Whilst not wishing to dwell on the geography, he alluded to the Council's 21<sup>st</sup> Century Schools Programme and the increased capacity this would bring. He also pointed out the recent consultation approved by Cabinet in relation to the Council's Admission Policy, he was only too pleased to meet Councillor Wilson on the issue.

### **(xii) Question from Councillor M.R. Wilson**

Given that we are the worst performing Council in responding to potholes, what steps are being made to improve our performance?

### **Reply from the Cabinet Member for Neighbourhood Services and Transport**

The article published on the BBC website in January 2019 was inaccurate and ill-informed and did not correctly portray the Vale's true position and performance in connection with pothole repairs. The Council complained to the BBC regarding the publication of this article at the time with a comment from the Council subsequently added to the article to fully clarify our position and performances in this service area.

In the most recent performance data published by APSE, the Association of Public Service Excellence, which applies to the last financial year, the Council is the top performing Authority when it comes to dealing with the most serious potholes or Category 1 defects. These are potholes that present a significant danger to the public, with the majority being repaired within 2 to 3 hours.

The response times to lower category potholes are in line with those from other Welsh Councils, and we are also continuing with our very successful Big Fill campaign, which visits all Wards throughout the County for an intensive session of highway repairs dealing with pothole concerns specifically reported by residents within each community.

In addition to the Big Fill, I can also confirm that our officers undertake regularly inspections of its entire local highway network, including carriageway and footways, in accordance with the document Well-maintained Highways: Code of Practice for Highway Maintenance Management as well as the Council's own Highway Safety Inspection Manual.

In accordance with these documents, the Council's highway maintenance team inspect each road in the Vale either two, four or twelve times annually, depending on the specific category of that road to identify any specific defects or hazards meeting the intervention levels specified in its Highway Safety Inspection Manual.

Where a defect or pothole meeting the Council's intervention level, generally 40mm deep on carriageway or 20mm deep on footway, is identified they are marked and recorded for repair. Subject to whether the defect or pothole is deemed an immediate hazard or danger, it is repaired either within a maximum of 24 hours or for more standard repairs within 15 working days from the date identified.

### **Supplemental**

Requesting a copy of the communication sent to the BBC, Councillor Wilson requested that the Council's "App" could be upgraded, including obtaining feedback on how good the App was by users, Members and the public alike.

The Cabinet Member indicated that he would look into the feasibility of his request.

### (xiii) **Question from Councillor Mrs. J.E. Charles**

With the recent pressure and great concerns on car parking issues and charges, can the Cabinet assure us that the concerns of the local traders in Barry are being considered?

### **Reply from the Cabinet Member for Neighbourhood Services and Transport**

I can assure you that all comments received as part of the consultation exercise on Capita's Draft Parking Strategy have been carefully considered. The consultation report will be produced in full as part of the Cabinet report documentation and the Parking Policy I will be proposing at Cabinet on 18<sup>th</sup> March reflects many of the comments received from traders.

### **Supplemental**

Thanking the Cabinet Member for his reassurance referred to hers and High Street traders concerns relating to the impact that parking charges could have on footfall, killing off businesses and driving people away, and enquired if he shared her concerns.

Acknowledging those concerns, the Cabinet Member suggested that the Member await the imminent report to Cabinet on the matter which should be pleasing to her.

**(xiv) Question from Councillor L. Burnett**

Many residents across the Vale have asked when the concept of 20mph zones will be further explored in the Vale of Glamorgan. Could the Cabinet Member provide an update on the current state of play and timescales for decisions?

**Reply from the Cabinet Member for Neighbourhood Services and Transport**

I assume that Councillor Burnett is referring to 20mph limits which are different 20mph zones. The Council already has a number of 20mph zones. These zones are self-enforcing, that is they have traffic control measures such as humps, and have been delivered by the Council as a result of grant specific funding from Welsh Government or developers and are often located outside schools.

I have recently explored with my officers the evidence surrounding the need for the Council to designate 20mph limits in the Vale of Glamorgan. These limits have no physical self-enforcing measures and are reliant on drivers complying with the limit or the Police enforcing the limit.

There are a number of local and National groups promoting the safety and environmental benefits of 20mph limits. The Department for Transport recently commissioned research into the effectiveness of 20mph limits and their report on this has just been published. Whilst this research is broadly positive about the introduction of such limits, their conclusions on all factors are not categorical. We therefore have well organised local and National lobbies promoting such limits, limited evidence of their success, and many members of the public who will be dead against their introduction. This juxtaposition, coupled with the fact that the introduction of such limits across all the Vale's residential streets could cost in the region £700k, I believe requires the direction from our National Government and the formulation of a 20mph speed limit policy for Wales.

Accordingly, I have recently written to Ken Skates to ask for the Welsh Government's formal position on 20mph limits, whether he will be issuing guidance / funding opportunities and to update me on the position of Welsh Government's stance in respect of a Wales wide rollout of 20mph limits. I await that response.

**Supplemental**

Wishing Councillor Cox a speedy recovery from his recent illness, Councillor Burnett referred generally to traffic speeds on roads and looking to increase safety for residents, particularly children, in the Vale communities, alluded to an expected report to Business Cabinet and requested if the report could be referred to the relevant Scrutiny Committee for consideration.

Being aware that his colleague Councillor Cox was awaiting a response from the relevant Welsh Government Minister on the subject, indicated that he would pass Councillor Burnett's comments on him.

(xv) **Question from Councillor L. Burnett**

As we are now approaching one month to B-day, could the Leader outline the preparations this Council has made for Brexit whether deal or no-deal?

**Reply from the Executive Leader and Cabinet Member for Performance and Resources**

I would refer Councillor Burnett to my earlier reply provided in response to Councillor Johnson's question on the same topic.

(xvi) **Question from Councillor L. Burnett**

Could the Cabinet Member provide an update on the expected completion date for the renovation work at Penarth Leisure Centre?

**Reply from the Cabinet Member for Social Care, Health and Leisure**

Regrettably, there were delays at both Barry and Penarth Leisure Centres due to the underground drains not being installed as per the plans we hold. This matter has now been resolved and works are progressing well. A handover of the dry side changing rooms in Penarth is due to take place on Monday, 4<sup>th</sup> March with work then starting immediately on the wet side changing rooms.

Work on the wet changing rooms at Penarth Leisure Centre is scheduled to last 26 weeks.

**Supplemental**

Councillor Burnett enquired what the completion date would be and sought a personal guarantee from the Cabinet Member that it would be achieved.

Referring to certain publicity possibly linked to Legacy Leisure rather than the Council, the works were anticipated to take 26 weeks. The Cabinet Member indicated that he was unable to give a personal guarantee as he could not predict what would be found once work commenced which may hold the project up, however, he would do his best to ensure the work was completed on time.

(xvii) **Question from Councillor L. Burnett**

Noting the recent advertisements for the Strong Communities Fund, could the Cabinet Member give details of total funding allocated since inception and how much of that funding has been allocated within the areas of Barry, Penarth and the Western Vale?

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

34 Strong Communities grants totalling £472,994.00 have been approved to date.

- 16 Wards have benefited.
- 10 further applications were recommended for approval by the Panel at its meeting on 12<sup>th</sup> February. The recommendations are subject to ratification by Cabinet in the next month.

It is hard to pinpoint the Ward level benefits because some of these have users spanning several wards for example, Tennis Clubs, YMCA, etc.

All Ward Members have received a copy of the latest Strong Communities Grant fund report which gives details of all projects funded.

However it should be noted that these totals do not include the amount of Section 106 funding awarded using the scheme or any other external additional funds levered in.

I have a long list which is based on the location of the award recipient – far too long to read out here, and I will ensure it is forwarded to you, Councillor Burnett.

<b>Ward</b>	<b>Projects</b>	<b>Grant</b>
Rhose	3	£36,224.00
Cowbridge	6	£71,355.80
Llandow / Ewenny	4	£23,345.00
Augstines	1	£33,732.00
Gibbonsdown	2	£39,686.00
Llantwit Major	1	£53,094.00
Illtyd	1	£28,059.00
Llandough	1	£44,634.00
Dinas Powys	1	£35,000.00
St. Athan / Llantwit Major (Joint Project)	1	£37,578.40
Court	3	£39,129.00
St. Brides Major	2	£8,495.00
Cadoc	3	£7,103.00
Castleland	1	£3,665.75
Sully	1	£1,857.00
Wenvoe	1	£8,146.00
Buttrills	1	£1,000.00
St. Athan	1	£891.00
<b>Total</b>	<b>34</b>	<b>£472,994.00</b>
Barry	11	£118,643.00
Penarth	1	£33,732.00
Other	22	£320,619.00
<b>Total</b>	<b>34</b>	<b>£472,994.00</b>

**Supplemental**

Noting the list of projects funded across the electoral Wards it had not escaped Councillor Burnett's attention that only one application had been received from the Penarth area and enquired if this was correct.

Being unable to confirm if the figure was correct, the Cabinet Member acknowledged Councillor Burnett's concern finding himself in a similar situation with his own Ward. He suggested that all Members encourage individuals or organisations to make applications including enlisting the support of Town Councils, Penarth and alike, to support applications.

**(xviii) Question from Councillor S.J. Griffiths**

I would like an update on how are the changing room facilities at Penarth Leisure Centre progressing? As a user of the amenities on offer at the Leisure Centre, I am keen to understand a potential ETA on completion of the men's changing room along with commencing date of the other changing rooms.

**Reply from the Cabinet Member for Social Care, Health and Leisure**

As confirmed earlier, the handover of the dry side changing rooms at Penarth is due to take place on Monday, 4<sup>th</sup> March with work then starting immediately on the wet side changing rooms.

At Barry the wet side changing rooms will now be completed by the end of June 2019.

**Supplemental**

Councillor Griffiths enquired if the Cabinet Member had learned any lessons along with Legacy Leisure on how the Council could better manage future projects.

The Cabinet Member referred to his previous comments in response to Councillor Burnett's earlier question, but acknowledged that improvements could be made in terms of providing information to stakeholders.

**(xix) Question from Councillor B.T. Gray**

Budgetary issues have been cited as one of the reasons that the Council is unable to place reproduction lamps in Penarth's conservation area as a result of the ongoing upgrade to LED process. Can the Cabinet Member confirm whether any efforts have been made to secure grant funding for the retaining of these unique features in Penarth's heritage?

### **Reply from the Cabinet Member for Neighbourhood Services and Transport**

As part of our current LED programme, we are replacing 68 cast iron lighting columns in Penarth. 4 of these are in a Conservation Area. The significantly increased costs of replica or ornamental columns is not the only reason why such columns are not being used.

The use of replica columns or standardised pastiche lighting columns is not considered to be an appropriate option by the Council's Conservation Officer. Such columns would likely not retain the authenticity of the character of the street. It is generally not possible to obtain replicas of a compatible character and style to that of the old existing columns.

The cost of reproduction columns, which would not necessarily fully match the original or retain the authenticity of the street, could cost up to £500 per column depending on specification and type. This would likely increase if an LED lantern was specified. The cost of the standard steel street lighting columns which are being installed is £75 excluding the LED lantern.

Whilst the Council is unaware of any grant funding currently available for the purchase of replica or reproduction columns, I would advise that no significant work has been undertaken in this regard based on the position that standardised pastiche lighting columns are not considered appropriate to use and will not retain the authenticity of the character of the street.

It is also the case that over previous years a number of old cast iron columns have already been replaced with steel due to structural and electrical issues. Therefore to install pastiche columns at this stage would likely lead to requests to consider replacing these previously installed steel columns to match.

I believe that our officers have acted appropriately in this case in replacing the columns as they have, where all matters are taken into consideration.

### **Supplemental**

In terms of the street lamps, Councillor Gray sought a commitment from the Cabinet Member that he would do all he could to save all the heritage lamp posts, including those which were unsafe.

The Cabinet Member shared Councillor Gray's concern. Indicating that he would pass on those concerns to Councillor Cox and relevant officers, he was mindful that there was a need to save money by installing energy efficient lighting. If it was possible to refit the older lamp posts with LED fittings that approach may be considered.



**(xx) Question from Councillor A.R. Robertson**

Would the Cabinet Member for Environment and Regeneration agree with me that more progress has been made towards achieving a by-pass for Dinas Powys in the two years since the last election and the Conservatives took the four Vale Council seats than at any time in the past thirty years? This would include a period when there were four Plaid Cymru Councillors in control of Dinas Powys and a Plaid Cymru AM with the portfolio for Transport in the Welsh Government.

**Reply from the Cabinet Member for Neighbourhood Services and Transport**

As the Cabinet Member for Neighbourhood Services and Transport I absolutely agree that more work has been progressed on moving towards delivering a by-pass for Dinas Powys than Plaid Cymru ever did when representing the Ward. I presented a comprehensive report last week to Cabinet outlining the significant progress that has been made to date on the road. It is a complex scheme and I am pleased to see that further work will continue to be undertaken and the scheme moved further forward over the coming year. (I would also like to thank the local Conservative Member for his help in progressing the Dinas Powys by-pass to this stage.)

**Supplemental**

Councillor Robertson asked the Leader if he agreed with him that the Dinas Powys by-pass project is alive and well, contrary to politically motivated reports of its demise by certain Plaid Community Councillors in Dinas Powys and that with the full backing of his Cabinet and the hard working officers of the Council, the project was progressing well towards WeITAG Stage 2.

The Leader totally agreed with Councillor Robertson.

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

Considerate construction is an important part of the planning process. When the Council introduces a planning condition regarding the timings of construction traffic to avoid peak traffic times, school pick-up and drop-off times in particular, do those times refer to site entry or to the passage through busy residential streets?

Residents in Dinas Powys have frequently reported construction vehicles upon the roads during periods which are supposedly out with the construction management plan and are concerned that both the spirit and letter of the planning conditions are being ignored.

Given the scale of development taking place across the Vale, and complaints that I have previously made regarding vehicles travelling to Barry Waterfront development sites, again in contravention of their construction management plan, I would appreciate clarification regarding how these conditions can be effectively enforced by our officers.

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

When planning permission is granted for major developments, conditions are attached which require the developers to submit a Construction Environmental Management Plan (CEMP) and/or a Construction Traffic Management Plan (CTMP). These documents specify elements such as construction traffic routes and times, site working hours, and wheel washing arrangements. Details submitted in compliance with the conditions are considered by Planning, in consultation with colleagues in Highways and Shared Regulatory Services.

Once the details are approved, the Council can take formal action if breaches occur. However, legislation and good practice guidance specifies that negotiation should always be the first option and formal action should not be taken against minor or infrequent breaches. If there is evidence of consistent and significant breaches of the agreed arrangements, a formal Enforcement Notice will be served on the developer.

Over the past six months, a range of formal Notices have been served on the developers of major housing sites within the Vale of Glamorgan and these Notices continue to help in securing compliance.

### **Supplemental**

Councillor Dr. Johnson, in a non-partisan spirit to the previous question, asked if the Cabinet Member conceded that voting for the LDP and building some of the largest housing developments in Dinas Powys in the last 40 years probably was not a good idea if he was concerned about the by-pass.

The Cabinet Member indicated that he did not concede the point.

### **788 PUBLIC QUESTIONS –**

The following questions were submitted and replied to as shown, in accordance with the protocol agreed by Council on 5<sup>th</sup> May, 2010:

#### **(i) Question from Mr. D. Weston**

In the penultimate Full Council meeting I raised a question concerning the Local Authority allowing motorcycles to use bus lanes around the Vale as is the case in other and neighbouring Authorities. We were advised that a meeting was to take place in December where this was to be discussed and decided upon. Would the Cabinet Member please advise on the outcome of this and will this now help to deter the practice of motorcycles weaving through traffic jams and dodging oncoming traffic?

### **Reply from the Cabinet Member for Neighbourhood Services and Transport**

I am pleased to advise Mr. Weston that our traffic officers have now concluded their deliberations on this matter and a report will be considered by Cabinet in either March or April of this year recommending the introduction of an experimental Traffic Regulation Order permitting motorcycles to use bus lanes in the Vale of Glamorgan on a trial basis for a period of up to 18 months. Should the trial prove successful the Order allowing motorcycles to use the bus lanes will be made permanent.

#### **(ii) Question from Mr. D. Weston**

The Cabinet is to be applauded by raising the salary paid to those earning the lowest amounts in the Local Authority. Could the Councillor please advise what financial assistance has been given to those departments affected by this policy? As a School Governor, I have sat through many meetings where efforts to balance an ever increasing budget challenges have been discussed. In the last meeting the increase of pay to school cleaners etc. has been discussed and has had another blow to the ability of the school to operate within budgetary constraints. Could the Cabinet Member please advise on what financial assistance will be forthcoming from the Authority or will schools and the like just be expected to absorb the cost i.e. has the Authority implemented a policy, however good the intentions, without supplying those at the coal face with the resources to implement it fairly?

### **Reply from the Cabinet Member for Learning and Culture**

This year, funding has been provided to Schools to fund the full increase in costs as a result of the increase in the employer's pension contribution rate increasing from 16.48% to 23.6%, even though no additional funding has been received from WG. There are some teaching staff who are based in central Education and these budgets have also been increased to fully fund additional pension costs. £770k has also been provided to contribute towards other pressures in schools such as demographic growth.

Overall, the Education and Schools 2019/20 budget is £4.799m above Welsh Government's indicative spending level, referred to as the Indicator Based Assessment (IBA). Previously, in 17/18 and 18/19 the Council has also funded education above IBA at £3m. The reality however, is schools are and educational services are still under a great deal of financial pressure in order to manage within budgeted resources. The Council continues to work with schools and on the Reshaping Services agenda with the aim to make savings by changing the way services are provided.

#### **(iii) Question from Mr. K. Power**

I ask the Council to take seriously the impact of sea gulls nesting on roofs. The result being screaming birds from dawn until dusk and being attacked by same birds when eggs hatch. A postman being attacked, unable to deliver mail. Having

suffered with health issues and repairs to a damaged roof, along with trying different deterrents, perhaps you can understand my concern knowing that they will return to a food source where people feed them.

### **Reply from the Cabinet Member for Social Care, Health and Leisure**

A similar question to this was raised by Councillor Aviet at the Council meeting of 25<sup>th</sup> April, 2018, which I answered in full.

The Herring Gull may be perceived as aggressive in certain situations. This apparent aggressiveness is often seen in areas where food is regularly and freely available. Herring Gulls are very competitive with fellow Herring Gulls for food and for that reason may try to take food before it is thrown or discarded, for example, snatching food from a child's hand.

Owner of a building or the occupier can take action against Gulls causing a nuisance, subject to them obtaining the necessary licence to do so from Welsh Government.

Though every year many members of the public complain to the Council about the effects of Gulls, we do not have any legal duty to manage or control them and we always have to be conscious that as a coastal Authority their presence is expected and a naturally occurring situation.

Further advice on seagulls is available on the Council's SRS website.

#### (iv) **Question from Mrs. S. Bailey**

In recognising that the Vale of Glamorgan Council are able to address 'Dangerous Buildings and Structures' using their powers under the Building Act 1984, Section 77 by issuing legal notices for the owner to undertake any necessary works to remove the danger, why does the online Building Control, Buildings Register record these under Dangerous Structures as 'Informal Notices' when the Act makes no such provision for this?

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

There is no legal notice under section 77 of the Building Act and the legislation makes no provision for such a notice. Action under this Act is taken directly in the Magistrates Court, usually following the Council writing to those parties who are established as the owners responsible for the building or structure. Any letters written by officers of the Council, either to try and establish ownership or to require the removal of the dangerous structure or building are considered as notifying the respective parties of their responsibilities and the requirement to remove the danger. For clarity it is established good practice, prior to instigating legal proceedings to put potential parties 'on notice' of a potential action with the intention that the necessity for formal legal proceedings can be avoided.

This is commonly known as 'serving informal notice' and in the vast majority of cases when this is raised with recipients they are afforded the opportunity to voluntarily address the Council's concerns, which in the vast majority of cases they do.

(v) **Question from Mr. L. Bailey**

In respect of the Local Authority using its powers under the Buildings Act 1984, Dangerous Buildings and Structures, Section 77, if an owner contests ownership when a notice is issued, would you expect an expert boundary report to be provided as evidence to support this? For example, would solely the contention of a [REDACTED] (who is not a boundary expert) representing a homeowner's interests be sufficient?

**Reply from the Cabinet Member for Regeneration and Planning**

The Council must be legally satisfied that a legal owner has been identified before it can progress to formal action under the building act. The Council would normally do this through the Land Registry. However where this proves inconclusive or where possible owners dispute the matter, the Council may seek further expert advice to try and establish ownership or responsibility. It would be expected that in the very rare cases where this becomes necessary any information provided by any of the parties disputing ownership would be considered before seeking that expert advice, in an attempt to resolve ownership.

In addition I am aware that in this particular case, advice has been provided by the Council's Legal Officer that ownership through an application to the High Court for a declaration of title is an option which could be pursued. However such an application to determine ownership of a wall between two neighbouring properties is a private law matter and not a matter that the Council would become involved in.

(vi) **Question from Mr. D. Clarke**

Following the call by the Vale of Glamorgan Council to the Welsh Government to require the plant on Woodham Road Barry to have an Environment Impact Assessment, could this Council confirm it is of the view that the project falls within Schedule 1 Paragraph 10 namely it is a "Waste disposal installation for the incineration or chemical treatment (as defined in Annex IIA to Council Directive 75/442/EEC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day" thus making it mandatory that an EIA is made or explain for the benefit of residents why the Council either believes otherwise or why it cannot say one way or the other.

[Note: [http://ec.europa.eu/environment/eia/pdf/cover\\_2015\\_en.pdf](http://ec.europa.eu/environment/eia/pdf/cover_2015_en.pdf) at page 28: "The WFD uses the term 'incineration' but does not define it. Article 3(40) of the IED defines 'waste incineration plant' as 'any stationary or mobile technical unit and equipment dedicated to the thermal treatment of waste, with or without recovery of the combustion heat generated, through the incineration by oxidation of waste as

well as other thermal treatment processes such as pyrolysis, gasification or plasma processes, if the substances resulting from the treatment are subsequently incinerated'." That might mean it is only the amount of waste that needs to be considered for an answer to be given?]

**Reply from the Cabinet Member for Regeneration and Planning**

Consideration of the Need for an EIA for application 2017/01080/FUL remains with Welsh Government following a call-in request being made in February 2018. The Council has sought updates from Welsh Government for a decision or an update on this matter but has to date received no definitive response on this matter.

(vii) **Question from Mr. L. Robertson**

Will the Council inform NRW that the Biomass incinerator as built does not conform to the 2015 planning consent (2015/00031/OUT) and suggest that NRW withdraw permissions to operate until the planning status is regularised?

**Reply from the Cabinet Member for Regeneration and Planning**

This is a matter for Natural Resources Wales, and this organisation is fully aware of the current position with regard to the planning permission for this site.

(viii) **Question from Mr. D. Clarke**

Public concern over the burning of diesel, whether in vehicles or otherwise, is growing as evidence of its health destroying impact grows. NRW told us recently that the incinerator on Woodham Road will use diesel to start up, shut down and to maintain temperature during operation. NRW has also admitted that their analysis of the emissions plume confirms that when running at less than the optimum operating temperature the plume is expected to exit the stack horizontally from where it will impact on the town, as photographs taken last March demonstrate. NRW has not said how they calculate these emissions will impact on the town. They have not even said how much diesel will be used, there seems to be no limit. Will the Vale Council enquire into precisely what amounts of diesel are likely to be used per day if this incinerator is going to supply electricity only during peak periods thereby requiring start-up and shut-down twice a day at least? Will the Vale ensure that proper investigation is made into the possible impact the plume may have on vulnerable residents who suffer the plume peaks that seem inevitable?

**Reply from the Cabinet Member for Social Care, Health and Leisure**

The Council liaises regularly with NRW who regulates compliance with the Environmental Permit issued for the Plant.

We have confirmed with NRW that the activity referred to last March was atypical and is not to be replicated during the normal running of the plant. The diesel firing activity carried out then was a necessary stage in the construction and preparation of

the plant for waste wood treatment. In particular, the gasifier furnace linings had to be dried out using the start-up diesel burners to provide the heat. The pollution during this activity was not expected and was due to a malfunction of the burner system. Management of the preparation for this work was found to be inadequate by an NRW investigation and led to them formally warning the operator that they considered them to be in breach of the law.

The plant is designed to operate continuously and it will be impractical and uneconomic to operate as a “peaking” plant, so start-ups and shut-downs will be very infrequent once the plant is fully commissioned. It is anticipated that emissions associated with normal diesel firing will be a very low and have no impact on local air quality standard compliance.

I can assure residents and the local community that the Vale of Glamorgan Council will continue to discharge their duties to monitor and report on local air quality as required by legislation.

(ix) **Question from Mr. M. Wallis**

Does the Council agree that Biomass incineration plant as now built does not comply with the planning consent 2015/00031/OUT, because of larger site area and details including the firewater tank significantly departing from the consented design? Is the Council empowered to therefore insist that the plant does not operate until a fresh (retrospective) planning application is submitted and approved and if not what else can it do?

**Reply from the Cabinet Member for Regeneration and Planning**

The Council would not expect the plant to be brought into operation until the most recent planning application, 2017/01080/FUL is determined. The determination of this application remains delayed by the consideration of Welsh Government of the need or otherwise for an EIA.

(x) **Question from Mrs. C. Ockerby**

Beautiful Barry are setting up a Refill scheme in Barry so businesses can allow residents and visitors to fill up their bottles with water at their premises. What support can the Council give us with this and what date will the promised drinking water fountains be installed in parks in Barry?

**Reply from the Executive Leader and Cabinet Member for Performance and Resources**

We will continue to encourage local businesses to reduce their non-recyclable plastic waste and to offer free drinking water to visitors whenever they can. I am aware that a number of Town and Community Council and Chambers of Trade are involved in projects providing free drinking water to visitors and Llantwit Major is a good

example of this. As Mrs. Ockerby will no doubt know, whilst we can advise and support businesses that wish to go down this route, the provision of free drinking water is very much a matter for them and their personal stance on protecting the environment. We should all seek to do our bit and this includes all commercial operators, many of whom produce considerable amounts of non-recyclable wastes as a result of their operations.

For our part, in addition to the drinking water fountains we already have in place, we are planning the installation of a further fourteen fountains throughout the Vale area over the next two financial years, 2019/20 and 2020/21. The majority of these will be installed during the spring and summer of 2019/20.

Seven of these will be installed in the Barry area: two in Romilly Park, one in Upper Gladstone Gardens, one in The Knap Gardens, one in Central Park and two on the Promenade at Barry Island.

(xi) **Question from Mrs. C. Ockerby**

At Berth 31 the wood being stored for the incinerator by JML has been at the site since February 2018 until its removal over the last couple of weeks. The permit issued by NRW stated it should be at the site for no longer than 3 months. NRW claims to be able to supervise the more complex plant that is the incinerator but the inexcusable lax approach to the relatively simple supervision of wood piles is enough to instil a significant lack of trust. Will the Vale Council make enquiries to find out why the supervision by NRW was so deficient so as to allow the wood pile to remain for 9 months more than guidelines say, so as to put the local residents at risk? Or alternatively see what can be done to ensure NRW take these matters more seriously and not be lax simply because it is Barry? Is it really acceptable for this wood to be allowed to remain at the site for this length of time with no checks being carried out by any authority?

**Reply from the Cabinet Member for Regeneration and Planning**

This site is the subject of application 2017/00806/LAW and consideration of this application is ongoing. With regard to the role and responsibilities of NRW, this is a matter for them and the Council would not wish to comment.

(xii) **Question from Miss. T. Paulakis**

Does the Director of Planning agree that a future dock-based planning application from JEML, who are contracted to supply waste wood-chip to the Biomass incinerator, must be considered as linked to the incinerator and bundled into the expected application for the Biomass incinerator as a whole?



**Reply from the Executive Leader and Cabinet Member for Performance and Resources**

Any future planning application which may or may not be submitted would be assessed in accordance with the relevant local and national policies at that time along with any other material considerations.

(xiii) **Question from Mrs. A. Greagsby**

The Council is surely aware of the UK-wide arguments over the provision of single sex facilities in schools. Does the Council now recognise that schools in Wales are by law required to provide separate washrooms for girls and boys aged 8 and over? Will the Council advise schools to stop planning changes that fail to comply with this law and modify its Transgender Inclusion 'Toolkit' accordingly?

**Reply from the Cabinet Member for Learning and Culture**

The Council is aware that there are a minority of people who are against the provision of single sex facilities in schools. Since 2009, the Council has installed individual toilet cubicles with full floor to ceiling doors and walls. These have a central washbasin facility that opens directly onto the corridor. These are predominately strategically placed near staff offices to provide passive supervision with CCTV cameras monitoring the entrance area. In practice, schools have denoted all toilets as either male or female with all female toilets being supplied with sanitary fittings.

When developing such provision, the Council consults with a number of key stakeholders including governing bodies, school councils, staff and pupils. The Council is liaising with Welsh Government who in turn has agreed to work with the Children's Commissioner's Office to consider whether further guidance to Local Authorities is required.

At present, the Council is confident that the current facilities meet the needs of children and young people and are not intending at this time to issue any other advice or make any modification to the Transgender Toolkit.

(xiv) **Question from Mrs. J. Cheek**

Is the Vale working with Comm Comm UK and Biomass 2 Ltd to liaise with local residents to address their concerns regarding the environmental damage the energy plant could create, as stated on their Website? If so, how much is this consultation costing and I have seen no evidence of their claim to be establishing a relationship with local residents and businesses?

**Reply from the Executive Leader and Cabinet Member for Performance and Resources**

The Council has no business relationship with Comm Comm UK and is unaware of the company.