

THE VALE OF GLAMORGAN COUNCIL

Minutes of a meeting held on 26th February, 2020.

Present: Councillor Christine Cave (Mayor); Councillors Julie Aviet, Vincent Bailey, Rhiannon Birch, Jonathan Bird, Bronwen Brooks, Lis Burnett, George Carroll, Janice Charles, Millie Collins, Geoff Cox, Robert Crowley, Pamela Drake, 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, Leighton Rowlands, Ruba Sivagnanam, Neil Thomas, Steffan Wiliam, Margaret Wilkinson, Edward Williams and Mark Wilson.

697 LATE FORMER COUNCILLOR JANICE BIRCH –

The Mayor made reference to the recent sad passing of former Councillor Janice Birch and Members of the Council stood in a minute's silence as a mark of respect.

698 APOLOGIES FOR ABSENCE –

Apologies were received from Councillor Andrew Davies, Anthony Hampton, John Thomas and Marguerita Wright.

699 DECLARATIONS OF INTEREST –

The following declarations were received:

Councillor Ms. J. Aviet	Agenda Item No. 8 – Housing Revenue Account Business Plan; The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Ms. J. Aviet	Agenda Item No. 9(a) – The Renting Homes (Fees etc.) (Wales) Act 2019: Implementation Arrangements for the Vale of Glamorgan Council and Rent Smart Wales. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.

Councillor Ms. J. Aviet (Member of Barry Town Council)	Agenda Item No 9(e) – Final Proposals for the Revenue Budget 2020/21; Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Ms. J. Aviet	Agenda Item No 9(f) – Final Housing Revenue Account (HRA) Budget Proposals 2020/21. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor V.J. Bailey (Member of Barry Town Council)	Agenda Item Nos. 7 and 13(i) – Consultation with Non-Domestic Ratepayers. The nature of his interest was that he was a business owner in the Vale, however he had not taken part in the consultation and would not be making representations tonight.
Councillor V.J. Bailey (Member of Barry Town Council)	Agenda Item Nos. 9(e) and (e)(i) – Final Proposals for the Revenue Budget 2020/21 Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Ms. R.M. Birch	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. The nature of the interest was that she was a LA School Governor of Victoria Primary School. Dispensation to speak and vote.
Councillor Ms. R.M. Birch (Member of Penarth Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor J.C. Bird (Member of Wenvoe Community Council)	Agenda Item Nos. 9(e) and (e)(i) – Final Proposals for the Revenue Budget 2020/21.

Councillor Ms. B.E. Brooks (Member of Barry Town Council)	Agenda Item No 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. Councillor Ms. Brooks was an LA School Governor. Dispensation to speak and vote.
Councillor Ms. B.E. Brooks (Member of Barry Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor L. Burnett	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. Family members in attendance at a school in the Vale of Glamorgan. Dispensation to speak and vote.
Councillor Mrs. C.A. Cave	Agenda Item Nos. 7 and 13(i) – Consultation with Non-Domestic Ratepayers. Personal, non-prejudicial interest – she rented a Council commercial property but had not taken part in the consultation and would not be making representations tonight.
Councillor Mrs. C.A. Cave	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. Family members in attendance at a school in the Vale of Glamorgan.
Councillor Mrs. J.E. Charles (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – – Final Proposals for the Revenue Budget 2020/21. Dispensation from the Standards Committee to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Mrs. J.E. Charles (Member of Barry Town Council)	Agenda Item No. 9(f) – Final Housing Revenue Account (HRA) Budget Proposals 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.

Councillor Miss. A.M. Collins (Member of Barry Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Miss. A.M. Collins (Member of Barry Town Council)	Agenda Item No. 9(f) – Final Housing Revenue Account (HRA) Budget Proposals 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor G.A. Cox	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Governor of Y Bont Faen Primary School and Cowbridge Comprehensive School. Dispensation to speak and vote.
Councillor G.A. Cox (Member of Cowbridge with Llanblethian Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor G.A. Cox	Agenda Item No. 9(h) – Request for Consideration – Museum Provision in the Vale of Glamorgan – Trustee of the Cowbridge and District Museum.
Councillor R. Crowley	Agenda Item No. 9(c) – Pay Policy 2020/2021. Family members employed by the Council. Dispensation to speak and vote.
Councillor R. Crowley (Member of Dinas Powys Community Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Mrs. P. Drake	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA School Governor of Gladstone and Holton Road Primary Schools. Dispensation to speak and vote.

Councillor Mrs. P. Drake (Member of Barry Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor V.P. Driscoll	Agenda Item Nos. 7 and 13(i) – Consultation with Non-Domestic Ratepayers. The nature of his interest was that he was a business owner, however he had not taken part in the consultation and would not be making representations tonight.
Councillor V.P. Driscoll (Member of Dinas Powys Community Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor B.T. Gray	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA appointed Governor of Evenlode Primary School. Dispensation to speak and vote.
Councillor B.T. Gray (Member of Penarth Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor S.J. Griffiths (Member of Dinas Powys Community Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor S.J. Griffiths (Member of Dinas Powys Community Council)	Agenda Item No. 9(f) – Final Housing Revenue Account (HRA) Budget Proposals 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.

Councillor Mrs. S.M. Hanks (Member of Llantwit Major Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor N.P. Hodges	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Ysgol Sant Baruc. Dispensation to speak and vote.
Councillor N.P. Hodges (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor T.H. Jarvie	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Cowbridge Comprehensive School. Dispensation to speak and vote.
Councillor G. John (Member of Llantwit Major Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Dr. I.J. Johnson (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor G.C. Kemp	Agenda Item No. 9(c) – Pay Policy 2020/2021. Family member employed by the Council. Dispensation to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor G.C. Kemp	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25.

	LA Appointed Governor. Dispensation to speak and vote.
Councillor G.C. Kemp	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Councillor Kemp was an LA Appointed Governor. Dispensation to speak and vote.
Councillor G.C. Kemp	Agenda Item No. 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. His wife was a Member of Llancafarn Community Council.
Councillor P.G. King (Member of Llandough Community Council Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor K.F. McCaffer	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Evenlode Primary School; children in attendance at a Primary School. Dispensation to speak and vote.
Councillor K.F. McCaffer (Member of Penarth Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Mrs. A. Moore	Agenda Item No. 9(c) – Pay Policy 2020/2021. Family member employed by the Council. Dispensation to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor Mrs. A. Moore	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when issues are raised (including budgets) in respect of All Saints Church in Wales Primary School; and car parking charges.

Councillor N. Moore	Agenda Item No. 9(c) – Pay Policy 2020/2021. Family member employed by the Council. Dispensation to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor N. Moore	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when issues are raised (including budgets) in respect of All Saints Church in Wales Primary School; and car parking charges.
Councillor Mrs. J.M. Norman (Member of Llantwit Major Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor Mrs. R. Nugent-Finn	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor Cadoxton Primary School. Dispensation to speak and vote.
Councillor Mrs. R. Nugent-Finn (Member of Barry Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor A.C. Parker	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Cowbridge Comprehensive School and Ysgol Bro Morganwg. Dispensation to speak and vote.

Councillor R.A. Penrose	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor. Dispensation to speak and vote.
Councillor R.A. Penrose	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. LA Appointed Governor. Dispensation to speak and vote.
Councillor Mrs. S.D. Perkes	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Holton Road Primary School. Dispensation to speak and vote.
Councillor Mrs. S.D. Perkes (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor A.R. Robertson (Member of Dinas Powys Community Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor L.O. Rowlands (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.
Councillor S.T. Wiliam	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Ysgol Bro Morganwg. Dispensation to speak and vote.
Councillor S.T. Wiliam (Member of Barry Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.

Councillor Mrs. M.R. Wilkinson	Agenda Item No. 8 – Housing Revenue Account Business Plan. The nature of Councillor Mrs. Wilkinson’s interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Mrs. M.R. Wilkinson	Agenda Item No. 9(a) – The Renting Homes (Fees etc.) (Wales) Act 2019: Implementation Arrangements for the Vale of Glamorgan Council and Rent Smart Wales. The nature of Councillor Mrs. Wilkinson’s interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Mrs. M.R. Wilkinson	Agenda Item No. 9(c) – Pay Policy 2020/2021. Family member employed by the Council. Dispensation to speak and vote.
Councillor Mrs. M.R. Wilkinson (Member of Barry Town Council)	Agenda Item Nos. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council’s Reshaping Services strategy were discussed.
Councillor Mrs. M.R. Wilkinson	Agenda Item No. 9(f) – Final Housing Revenue Account (HRA) Budget Proposals 2020/21. The nature of Councillor Mrs. Wilkinson’s interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor E. Williams	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Llantwit Major Comprehensive School. Dispensation to speak and vote.
Councillor E. Williams (Member of Llantwit Major Town Council)	Agenda Item No. 9(e) and 9(e)(i) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan

	Council's Reshaping Services strategy were discussed.
Councillor M.R. Wilson	Agenda Item No. 9(d) – Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25. LA Appointed Governor of Victoria Primary School. Dispensation to speak and vote.
Councillor M.R. Wilson (Member of Penarth Town Council)	Agenda Item No. 9(e) – Final Proposals for the Revenue Budget 2020/21. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services strategy were discussed.

700 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 9th December, 2019 be approved as a correct record.

701 ANNOUNCEMENTS –

The Mayor made the following announcements:

The Mayor indicated that she wished to move away from tradition and alluding to the recent passing away of former Councillor Janice Birch, she felt that she could not do justice to her and invited Councillor Rhiannon Birch to say a few words on her behalf to pay tribute.

The Mayor also referred to the upsetting and recent scenes associated with the bad weather and flooding which had affected many parts of Wales and her thoughts and sympathies went out to those who had been affected over the last week and recent months.

702 NOMINATION OF MAYOR ELECT FOR THE MUNICIPAL YEAR 2020/21 (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 30th 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.

Councillor G. John moved that Councillor Mrs. J.M. Norman be nominated as Mayor of the Council for 2020/21, the proposal being duly seconded.

Councillor V.J. Bailey moved that Councillor G.C. Kemp be nominated as Mayor of the Council for 2020/21, the proposal being duly seconded.

Upon being put to the vote it was

RESOLVED – T H A T Councillor Mrs. J.M. Norman be nominated for election as Mayor at the Annual Meeting to be held on 4th May, 2020.

703 NOMINATION OF DEPUTY MAYOR ELECT FOR THE MUNICIPAL YEAR 2020/21 (MD) –

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

Councillor P.G. King moved that Councillor Ms. R.M. Birch be nominated as the Deputy Mayor of the Council for 2020/21, the proposal being duly seconded.

Councillor V.J. Bailey moved that Councillor G.C. Kemp be nominated as Deputy Mayor of the Council for 2020/21, the proposal being duly seconded.

Upon being put to the vote it was

RESOLVED – T H A T Councillor Ms. R.M. Birch be nominated for election as Deputy Mayor at the Annual Meeting to be held on 4th May, 2020.

704 NOTICE OF MOTION –

The following Notice of Motion (submitted by Councillors V.J. Bailey, L.O. Rowlands and G.D.D. Carroll) had been included on the agenda for discussion:

“The Vale of Glamorgan Council:

1. Shares public concern that an Environmental Impact Assessment has never been undertaken in relation to the Barry Incinerator;
2. Calls for an Independent Review of the Vale of Glamorgan Council’s determination of all planning applications related to the Barry Incinerator;
3. Urges the Welsh Government to designate the Barry Incinerator as a Development of National Significance (DNS).”

In introducing the Motion, Councillor Bailey stated that he had become aware that Ofgem had recently designated the plant as now being live. Referring to the planning history of the development of the site and the ongoing impasse of more than two years in regard to the requirement to produce an Environmental Impact

Assessment which he considered was a mistake when planning officers originally considered the merits of developing the site for a Barry incinerator, it was now time for the Council to install transparency and provide public confidence in the Council's planning processes by urging all Members to support the Motion.

Councillor Mahoney, whilst being broadly in agreement with the Motion, was staggered by the level of hypocrisy displayed by the Conservative and Labour Parties handling of the development of the site for an incinerator since it was first proposed in 2010. As far as he was concerned, during the consideration of the planning merits of the proposals and subsequent development of the site, it was only Independent Councillors and the Plaid Cymru Party who had shown any real opposition to the development.

At this juncture, Councillor Mrs. Charles moved the following Amendment to the Motion (the amendments being shown in bold):

- “1. Shares public concern that an Environmental Impact Assessment has never been undertaken in relation to the Barry Incinerator;
2. Calls for an Independent Review of the Vale of Glamorgan Council's determination of all planning applications related to the Barry Incinerator;
3. Urges the Welsh Government to designate the Barry Incinerator as a Development of National Significance (DNS);
4. **That we call on the Welsh Government – in light of the plant's current status, to issue a Discontinuance Order;**
5. **Urges the Vale of Glamorgan Council to consider taking enforcement action in relation to the Barry incinerator.”**

The Amendment was seconded by Councillor Kemp.

The Mayor asked Members whether they were happy to agree the Amended Motion as being the Motion for discussion.

Councillor Bailey, speaking to the proposed Amendment, indicated that Welsh Government should have considered the development of an incinerator at Barry as a development that qualified as National Significance. He also considered the actions of the developer as taking a “creep approach” in its questionable activities. Notwithstanding this, the developer and operators of the site had still yet to fulfil current planning application conditions which had been required when planning permission had been granted. He further expressed concern in the approach taken by the Council's planning officers when dealing with potential enforcement matters.

Councillor Dr. Johnson indicated that he would be supporting the Amendment and hoped that there would be wider cross-party support for it.

Councillor Miss. Collins, who was the Ward Member, echoed Councillor Dr. Johnson's support for the Amendment and reiterated the high level of public concern regarding the lack of progress being made by Welsh Government and the Council to resolve outstanding issues.

Discussion ensued with a number of Members reminding the Chamber that the development of the incinerator had been granted on appeal by the Welsh Government's Planning Inspectorate.

The Leader, in response to the Amendment, dealt with each element on a point by point basis and referred to the planning history which had led to the subsequent development of the incinerator. He set the record straight by indicating that he did not personally agree with the development of an incinerator at the site on Barry Dock. In regard to the viability of a Discontinuance Order being put in place, that was out of the Council's hands and was subject to Ministerial approval at Welsh Government. He was also further aware that the site was currently not operational and that any enforcement action that would be required regarding outstanding conditions attached to granted planning permission would prove difficult. He was aware of only one outstanding condition not currently met and this was subject to the site becoming fully operational, i.e. lighting arrangements. He considered the lighting situation to be a moot point of their operational relationship. If the Council so wished to pursue the matter with Welsh Government regarding the matter of a Discontinuance Order, it could do so. However, in regard to an independent review of the Council's determination of all planning applications relating to the incinerator, he was unsure how this would be undertaken and by whom.

At this juncture the Mayor asked Councillor Bailey if he was in agreement to accept the Amendments to his original Motion and Councillor Bailey signalled his agreement.

At this juncture Councillor Bird enquired that given the number of Members of the Planning Committee present at the meeting, whether there would be any implications i.e. in terms of their future consideration of related planning matters, arising from their participation in the debate on this item.

Standing Orders were waived to allow the Monitoring Officer to provide legal advice. The Monitoring Officer advised that with regard to the exact wording of the Amendment, with particular provision for Point 5 which read "**Urges the Vale of Glamorgan Council to consider taking enforcement action in relation to the Barry incinerator**", she was satisfied with the wording that Members of Planning Committee could still take part in the debate and decision.

Referring to the Amended Motion, the Leader reiterated his previous comments in regard to the historical planning history of the site and the role of the Welsh Government Planning Inspectorate who had granted planning permission on appeal. He was largely content to accept the Amendment with the exception of Points 2 and 3 and Moved that these be deleted from the Motion.

This was duly seconded by Councillor Bird.

Councillor Dr. Johnson disagreed with the stance taken by the Leader given the potential impact on the public and community the incinerator would cause and took the view that there was a particular need for an investigation to be undertaken into the planning application process surrounding the incinerator. He understood the

development was of national significance given the very little difference between the indicated energy generation levels and the plant's capacity capability which was close to the 10kw, the threshold for it to be considered so. It was also relevant to point out that if the construction of the plant had been undertaken prior to the new 2017 Regulations, it would have been viewed as a Development of National Significance and therefore it was important that Welsh Government took a view on the issue. He asked the Leader to withdraw his Amendment.

Councillor Carroll, referring to the Leader's proposed Amendment, saw no reason to remove the requirement for an independent review to be undertaken. Whilst he acknowledged that Welsh Government were largely to blame for the lack of public confidence in the planning process, there was still a requirement for an independent review to be undertaken of how the Council's planning division had handled the matter and indicated that he would not be supporting the Leader's Amendment.

At this juncture the Mayor asked Councillor Bailey if he was in agreement with the Amendment as proposed by the Leader.

Councillor Bailey indicated that whilst he was prepared to accept the deletion of Point 3, he was not prepared to agree to the deletion of Point 2. The Leader agreed to withdraw reference to the deletion of Point 2. The Amended Motion for further debate read as follows:

“The Vale of Glamorgan Council:

- 1. Shares public concern that an Environmental Impact Assessment has never been undertaken in relation to the Barry Incinerator;**
- 2. Calls for an Independent Review of the Vale of Glamorgan Council's determination of all planning applications related to the Barry Incinerator;**
- 3. That we call on the Welsh Government – in light of the plant's current status, to issue a Discontinuance Order;**
- 4. Urges the Vale of Glamorgan Council to consider taking enforcement action in relation to the Barry Incinerator.”**

Councillor Dr. Johnson, speaking to the Motion as Amended by the Leader, signalled his support and respected the decision of Councillor Bailey to agree to the removal of Point 3 from the original Motion. He went on to reiterate his concerns regarding the planning history surrounding the development and also alluded to a report commissioned by Barry Town Council which had identified specific fire risks. He took the view that the developers' practices were no more than an attempt to manipulate the planning system and get what it wished and that was not in the interest of residents and therefore he signalled he would be supporting the Motion.

Councillor Carroll, in thanking the Leader for withdrawing the deletion of Point 2, reiterated his previous comments in regard to the planning process given that it was a shambles in his view. He indicated that he would be supporting the Motion.

Councillor Williams (Cabinet Member for Legal, Regulatory and Planning Services) reminded Members that the Council's position was unambiguous and that the responsibility for the development rested with the Welsh Government Planning Inspectorate and Natural Resources Wales (NRW). He further reminded Members that planning officers had requested an Environmental Impact Assessment (EIA) and whilst certain information had been submitted by the developers, the information was not in an assessment format. Further, the Council was in no position regarding taking enforcement action, but officers were checking the activity at the plant on a daily basis. Whilst he acknowledged that there was one outstanding issue regarding the provision of lighting, the water tower condition had been withdrawn as it had been deemed unnecessary by NRW. In the event of the Motion being approved, he was concerned in regard to how an independent review would be undertaken, the methodology of that review and the cost to the Council and therefore he indicated that he would not be supporting the Motion.

Councillor William was surprised by the comments of the Cabinet Member, particularly the uncritical comments of NRW in terms of its handling of the development of the site. He deemed personally that an EIA was necessary and that there had been a degree of creative collusion and coverup and indicated that he would be supporting the Motion.

Councillor Bailey, in summing up, explained why he had agreed to the deletion of Point 3 from his original Motion as he was aware of advice relating to a change in legislation. Regarding Councillor Williams' comments, he did not accept his argument for not undertaking an independent review as clearly there were sufficient reasons to do so and therefore he could have supported the Motion. He also reminded Members that he was on record since his election to the Council in 2017 objecting to the development of the incinerator. He hoped all Members would support the Motion and urged them to do so.

A Recorded Vote then took place on the above Amended Motion.

Members	For	Against	Abstain
Julie Aviet	√		
Vincent Bailey	√		
Rhiannon Birch	√		
Jonathan Bird	√		
Bronwen Brooks	√		
Lis Burnett	√		
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox	√		

Robert Crowley	√		
Pamela Drake	√		
Vince Driscoll	√		
Stewart 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	√		
Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam	√		
Neil Thomas	√		
Steffan Wiliam	√		
Margaret Wilkinson	√		
Edward Williams		√	
Mark Wilson	√		
TOTAL	42	1	0

The Motion was duly carried and it was:

RESOLVED – T H A T the Vale of Glamorgan Council:

- (1) Shares public concern that an Environmental Impact Assessment has never been undertaken in relation to the Barry Incinerator.
- (2) Calls for an Independent Review of the Vale of Glamorgan Council's determination of all planning applications related to the Barry Incinerator.
- (3) That we call on the Welsh Government – in light of the plant's current status, to issue a Discontinuance Order.
- (4) Urges the Vale of Glamorgan Council to consider taking enforcement action in relation to the Barry Incinerator.

705 CONSULTATION WITH NON-DOMESTIC RATEPAYERS (MD) –

In accordance with Section 65 of the Local Government Finance Act 1992, the Council had consulted with representatives of local non-domestic ratepayers regarding the current and preceding years' expenditure proposals. An advertisement had been placed in the press and representations had been invited. No responses had been received.

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 19th February, 2020.

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.

706 HOUSING REVENUE ACCOUNT BUSINESS PLAN (DEH) –

The Appendix to 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 31st March, 2020.

The provision for doubtful debts has 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 2022/23 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 Dr. Johnson supported the recommendation but highlighted finance considerations when considering a 30 year model. The Leader agreed that this could be an issue when tackling challenges from year to year rather than over a 30 year period.

Councillor Dr. Johnson also expressed concern regarding increasing rents in line with inflation as tenants were being asked to pay more due to Governmental Welfare Reforms. The Leader added that Universal Credit had also been an issue, but the rise was necessary to address all the issues, and thanked Councillor Dr. Johnson for supporting the report.

The Leader added that some amazing work was already taking place, emphasising the building of new homes in the Vale of Glamorgan as an important step forward.

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 31st March, 2020.

707 THE RENTING HOMES (FEES ETC.) (WALES) ACT 2019: IMPLEMENTATION ARRANGEMENTS FOR THE VALE OF GLAMORGAN COUNCIL AND RENT SMART WALES (REF) –

The Act would make it an offence to require a tenant, or contract-holder to make any payment that was not specified as a 'permitted payment' in the legislation. This included the administration involved in creating or renewing an occupation-contract, check out fees, conducting property viewings and reference checks.

An enforcement authority would have the power to issue Fixed Penalty Notices. Local Authorities would have the ability to enforce the requirements of the Act, along with Rent Smart Wales. This legislation was currently outside the scope of the existing delegation from the Vale of Glamorgan Council to the Shared Regulatory

Service Joint Committee. Cabinet was asked to note the implementation of the new legislation, namely the Renting Homes (Fees etc.) (Wales) Act 2019 and to amend the Scheme of Delegation and allocate these functions to the Shared Regulatory Service and also to authorise Rent Smart Wales to enforce the provisions of the Act.

The Leader noted the report had been considered by Cabinet on 16th December, 2019, advising that the Renting Homes (Fees etc.) (Wales) Act came into force on 5th May, 2019 and would make it an offence to require a tenant, or a contract-holder to make any payment that was not specified as a 'permitted payment' in the legislation.

RESOLVED –

(1) T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C180, 16th December, 2019, be approved.

(2) T H A T the scheme of delegation within the Council's Constitution in respect of the Joint Working Agreement dated between the Vale of Glamorgan (24 April, 2017), Bridgend (29 March, 2017) and Cardiff (20 July, 2017) be amended.

Reason for decisions

(1&2) In order that necessary amendments to the scheme of delegation within the Council's Constitution in respect of the Joint Working Agreement dated between the Vale of Glamorgan (24 April, 2017), Bridgend (29 March, 2017) and Cardiff (20 July, 2017) can be made.

708 LEISURE MANAGEMENT CONTRACT EXTENSION (REF) –

The Leader noted the report had been considered by Cabinet on 16th December, 2019, with the report brought to Council to request an increase the Council's Capital Programme by £600,000 subject to the successful conclusion of contract negotiations as referred to in Recommendation (3) of the report. It was further noted that there had been a successful partnership with Legacy Leisure to date, and it would be beneficial to keep this relationship going forward.

Councillor Rowlands agreed that investment in Leisure Centres, which were a non-statutory function, was vital to keep residents of the Vale of Glamorgan fit and healthy physically as well as in terms of those with mental health issues.

Councillor John welcomed the contract extension, having signed the original contact in 2012, and was delighted to see progress that would last until 2027.

The Leader thanked Members for their supportive comments and agreed that such an extension would be an important asset.

RESOLVED – T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C181, 16th December, 2019, be approved.

Reason for decision

In order to increase the Council's Capital Programme.

709 PAY POLICY 2020/2021 (REF) –

The Leader introduced the report, noting the Council had a statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement for the new financial year 2020/21, which needed to be approved and published by 31st March, 2020.

The document provided a framework for ensuring that employees were rewarded fairly and objectively, in accordance with the service needs of the Council and that there was openness and transparency in relation to the process.

The Pay Policy had been incrementally developed since 2012 incorporating:

- Guidance from Welsh Government;
- Changes as prescribed by the Local Authorities Standing Orders Regulations 2014;
- Changes as prescribed by the Local Government (Wales) Act 2015;
- the Localism Act following consultation with the Independent Remuneration Panel for Wales;
- Necessary 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.

The Cabinet agreed the changes to the Council's Pay Policy 2020/21 as set out in the report and as incorporated in the revised statement at Appendix A to the report as did the Corporate Performance and Resources Scrutiny Committee – with some recommendations for further reports to that Committee:

- more clarity should be provided regarding how performance-based assessments were carried out for members of staff eligible for non-consolidated increments within their pay ranges;
- further benchmarking be undertaken in relation to Chief Officer and Senior Officer salaries;
- the Council should continue to reduce the gender pay gap with the aim for all scale levels to have equal representation.

RESOLVED – T H A T the Employee Pay Policy for 2020/21 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.

(N.B. – All Chief Officers withdrew from the meeting during consideration of the item.)

710 CAPITAL STRATEGY 2020/21 AND FINAL CAPITAL PROPOSALS 2020/21 TO 2024/25 (REF) –

The Council's Capital Strategy for 2020/21 was set out at Appendix 1 and provided a framework which outlined how capital expenditure, capital financing and treasury management activity contributed to the provision of corporate objectives, along with an overview of how associated risk is managed and the implications for future financial sustainability.

When the initial proposals were considered by Cabinet on 18th November, 2019, Minute No. C139, the Council had not received the provisional settlement from Welsh Government for 2020/21. The consequence of the late announcement was that a draft Capital Programme was not included in the initial proposals report. The report therefore detailed the requests for funding that had been received from Directorates and these bids were presented to Scrutiny Committees in December 2019 for comment.

In responding to the report, the following recommendation in relation to the requests for funding was made by the Environment and Regeneration Scrutiny Committee at a meeting held on 17th December, 2019:

- That the Corporate Performance and Resources Scrutiny Committee recommend to Cabinet, for emphasis to be given to bid NST1 – Carriageway resurfacing / Surface treatments, which should be successful in order to maintain roads to an acceptable standard and because resurfacing is recognised as a major challenge as standards could deteriorate very quickly.

All other Scrutiny Committees recommended:

- That the Initial Capital Programme Proposals for 2020/21 to 2024/25 be noted.

The recommendations of Scrutiny Committees were referred to the Corporate Performance and Resources Scrutiny Committee, which was the lead Scrutiny Committee for the budget. On 19th December, 2019 this Committee recommended that:

- That the Initial Capital Programme Proposals for 2020/21 to 2024/25 were considered along with recommendations from other Scrutiny Committees and the recommendations be forwarded to Cabinet.
- That the Committee recommend to Cabinet that priority be given to those capital bids that fall within the criteria for Health and Safety legislation (Priority Level A) and those of Economic Sense/Invest to Save (Priority Level Ci).
- That the Committee recommend to Cabinet for emphasis to be given to bid NST1 – Carriageway resurfacing/Surface treatments, which should be

successful in order to maintain roads to an acceptable standard and because resurfacing is recognised as a major challenge as standards could deteriorate very quickly.

The Budget Working Group (BWG) had considered the recommendations of the Scrutiny Committees when preparing the 2020/21 Capital Programme.

Cabinet considered the Council's proposed Final Capital Programme for the period 2020/21 to 2024/25 at Appendix 2 at its meeting on 3rd February, 2020 (Cabinet Minute No. C211 refers).

The total value of capital schemes over the next five years was £286.295m. This included £117.863m for the Band B 21st Century Schools Programme and £115.373m for the Housing Improvement Programme.

Additional grant funding for three years, commencing 2018/19, had been provided by Welsh Government (WG) as part of the Public Highways Refurbishment grant and together with Council funding, this would provide £1.714m for investment in highways during 2020/21.

WG had provided additional capital funding for school's maintenance via a grant of £1.905m for 2019/20 which was due for payment to the Council during January 2020. This sum could be carried forward into the next financial year through reserves. It was proposed that as it was very late in the budget setting process the additional funding for 2019/20 be transferred into a specific reserve for further consideration in the new financial year.

Councillor Carroll thanked the Leader and officers for all the work that had gone into the report, in particular the Head of Finance / Section 151 Officer, and stated he was broadly supportive of the report.

Councillor Carroll Moved the following Amendment:

“Delete from Appendix 2 to the report, Page 2, under the 21st Century School Improvement Programme Band B for the Western Vale schemes which referenced the closure of Llancafarn Primary School”.

The Amendment was duly seconded by Councillor Bailey.

Councillor Dr. Johnson sought clarification of what the effect of removing that project would have on education in Rhoose as he needed to understand the impact of the Amendment.

Councillor Carroll clarified that his Amendment only referred to the aspect involving Llancafarn Primary School closing and a new school opening in its place.

Councillor Burnett, Deputy Leader, referred to the implications and potentially put at risk the developments at two other primary schools, school catchment areas and to

the Band B programme as a whole as the project was part of the Band B funding envelope should the Amendment to be agreed.

Councillor Gray looked forward to hearing the view of the Member for Rhoose who was present, but felt the implications were too great and signalled that he would not be supporting the Amendment.

The Leader noted that there had been an opportunity last year to oppose those proposals via the Capital Programme consideration. They were also part of a development plan and would be funded from Section 106 funding to provide a brand new school for the Rhoose community and beyond, subject to available spaces. He stressed the importance of the 21st Century Schools plan, therefore he could not support the Amendment.

A Recorded Vote took place on the above Amendment.

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	√		
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins		√	
Geoff Cox		√	
Robert Crowley	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart 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		√	
Andrew Robertson			√
Leighton Rowlands			√
Ruba Sivagnanam		√	
Neil Thomas		√	
Steffan Wiliam		√	
Margaret Wilkinson		√	
Edward Williams		√	
TOTAL	8	29	4

The Amendment was lost.

Councillor Dr. Johnson was pleased to see the report come forward, but based on a five year structure that saw heavy spending in the first two to three years, questioned how the Council looked at asset renewal over longer periods as well as defining appropriate needs going forward.

The Deputy Leader indicated that she was proud of the School Improvement Programme which had made outstanding differences to children. The Mutual Investment Model (MIM) would provide additional funding for the Band B proposals and WG were contributing £76m. Reserves and revenue play a part in the funding model, so the relevant Authority contributions had to be kept aside for such schemes.

Officers within the 21st Century Schools team had already started planning for Band C and the delivery of community benefits as part of one of the largest regeneration initiatives in Wales. As part of Band A, WG targets were more than exceeded in terms of community benefits and the Council already exceeded targets for supply

chain interventions in partnership with Economic Development and had established Project Bank Accounts to ensure that suppliers were paid promptly, often within three working days which made a huge difference to businesses.

The Leader commended outstanding delivery by the officers concerned who were addressing priorities annually based on known priorities.

RESOLVED –

- (1) T H A T the Capital Strategy 2020/21 as set out in Appendix 1 to the report be approved.
- (2) T H A T the final Capital Programme for the years 2020/21 to 2024/25 as set out in Appendix 2 to the report be approved.
- (3) 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 2020/21 to 2024/25 Housing Improvement Programme as appropriate.
- (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 2020/21 to 2024/25 Asset Renewal budgets 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 S106 funded schemes subject to Member consultation as required under the existing process.
- (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 or from Energy Management Schemes.
- (7) T H A T the Project Fund be redesignated and that £496k be used to create a new reserve called the Capital Economic Regeneration reserve and that the remaining balance on the reserve of £2.354m be renamed as the Commercial Opportunities and Invest to Save reserve.
- (8) T H A T the Capital Strategy 2020/21 and Final Capital Proposals 2020/21 to 2024/25 be referred to the Corporate Performance and Resources Scrutiny Committee for review and the comments of Scrutiny Committee be referred to Cabinet, in advance of consideration by Council.
- (9) T H A T the reprofiling of the Band B programme for the School Investment Strategy for the years 2019/20 to 2024/25 as shown in paragraph 2.36 of the report be approved.

(10) T H A T the reprofiling of the City Deal scheme for the years 2019/20 to 2024/25 as shown in paragraph 2.32 of the report be approved.

Reasons for decisions

- (1) To approve the Capital Strategy for 2020/21.
- (2) To set and approve future Capital Programmes to 2024/25.
- (3) To enable the Housing Capital budget to be managed effectively.
- (4) To enable the Asset Renewal budgets to be managed effectively.
- (5) To enable Section 106 schemes to be managed effectively.
- (6) To enable the Energy Management Schemes to be managed effectively.
- (7) To rename and create a new reserve.
- (8) In order to gain the view of Corporate Performance and Resources Scrutiny Committee.
- (9) To reflect the work programme for the Band B Schemes.
- (10) To reflect the work programme for the City Deal Scheme.

711 FINAL PROPOSALS FOR THE REVENUE BUDGET 2020/21 (REF) –

The initial budget proposals presented to Cabinet in November 2019 outlined the potential financial picture for the Council in 2020/21 and the final proposals at its meeting on 3rd February, 2020 (Agenda Item Nos. 9(e) and 9(e)(i) on the Council agenda were taken together).

The provisional settlement from Welsh Government (WG), when taking into account adjustments, was an increase of £6.626m (4.29%) from the previous year.

In setting the proposed budget for 2020/21, funding had been provided towards cost pressures, including the remainder of the cost pressure associated with the increase in employer's contributions into the Teachers' Pensions Fund. This was estimated to cost the Council £1.204m in 2020/21. The Council proposed to provide funding to schools to fully fund this pressure.

An efficiency target of £247k had been proposed for 2020/21 which covered all service areas and was at a level which was significantly lower than the targets that had to be set in previous years and with no savings required from schools. It had become increasingly difficult for services to deliver further savings without reducing service provision following £59m of savings which have been achieved in the last 10

years. It was considered that the target set for 2020/21 was at a level that could be achieved by services.

In order to deliver these budget proposals, it would be necessary to use £1m from the Council Fund reserve in 2020/21, as previously approved as part of the 2019/20 budget proposals. This was not ideal as it would move the financial pressure onto future years where higher levels of savings would need to be achieved however it was considered to be an appropriate approach.

It was proposed that the Band D Council Tax rate be set at £1,306.08 for 2020/21 which was an increase of 4.9%.

In light of no indication being received from WG for future years' settlements, it was considered prudent to assume that there may be a flatlined settlement going forward. If Council Tax continued to increase by 4.9% this could result in the possible total shortfall in funding for 2021/22 and 2022/23 of £10.596m. Whilst it had been possible to set efficiency targets at a lower level in 2020/21 this may not be the case going forward and in light of projected levels of shortfall in future years, services were requested to continue to plan ways of achieving further efficiencies which would be innovative and transformational with regards to service delivery.

The Leader concluded by indicating that the proposed budget as proposed was prudent and Moved the following:

- (1) Fix the budget for 2020/21 at £240.438 million including a provision of £290k for discretionary rate relief to rural shops and post offices and charitable organisations.
- (2) Approve the budgets for 2020/21 as set out in Appendix C to the Cabinet report for 3rd February, 2020 and as set out in the following table:

	£000
Schools	93,950
Strategy, Culture, Community Learning and Resources	11,344
Additional Learning Needs	2,921
Standards and Provision	4,080
Directors Office	231
Children & Young People	17,255
Adult Services	50,526
Resource Management & Safeguarding	371
Youth Offending Service	737
Neighbourhood & Transport Services	28,309
Building Services	0
Regulatory Services	1,894
Council Fund Housing	1,339

Resources	651
Regeneration	2,024
Development Management	1,016
Private Housing	848
General Policy	23,942
Use of Reserves	(1,000)
Grand Total	240,438

(3) Approve the recommendations as set out in the report to Cabinet on 3rd February, 2020 regarding Net Growth for 2020/21 as set out in Appendix D and Efficiencies for 2020/21 as set out in Appendix E.

(4) Approve the proposed draft report on Education Budget and Indicator Based Assessment (IBA) at Appendix A to the report to Cabinet on 3rd February, 2020 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.

A lengthy discussion ensued with the undermentioned Members referring to related matters.

Councillor Bailey, referring to the proposals, indicated that he was unable to support a 4.9% increase in Council Tax as it was disproportionate. All Members were aware of the financial pressures and the receipt of lower than expected settlements over previous years but felt that it was not fair to ask the public to pay more rather than use more of the reserves.

Councillor Bailey Moved the following Amendment:

“That an additional £2.2m of General Reserves be utilised as a one-off due to the higher than expected Welsh Government settlement.”

The Amendment was duly seconded by Councillor Carroll.

Councillor Dr. Johnson noted that Council Tax was not on the agenda and asked Councillor Bailey to clarify his Amendment. Councillor Bailey stated that it was relevant with Council Tax being part of the Revenue Budget. Councillor Wilson raised a Point of Order as there was a scheduled Special Full Council meeting on 9th March, 2020 specifically to discuss Council Tax. Councillor Carroll argued that the budget was set on the basis of the Welsh Government settlement and Council Tax collection made up the difference, making the level of Council Tax relevant to the Revenue Budget. Councillor Wilson asked if it would be prudent to suspend Standing Orders to get clarification and officer advice.

As a Point of Clarification, the Mayor referred to Section 4.21.6(a) concerning Amendments to Motions within the Council’s Constitution: as such, the proposed Amendment was not relevant.

Councillor Bailey reiterated that the budget was set with Council Tax forming an important aspect, so would be relevant as it was mentioned in the report and asked for clarification.

The Mayor ruled that the figures had been agreed and therefore it was not possible to disagree with them now.

Councillor Dr. Johnson reminded Members that the report had to refer to Council Tax, but the Authority had not initially had final confirmation of the budget settlement from Welsh Government. The Council was therefore asked to set a £240m budget, but how that was reached was still being discussed. Such discussions had taken place at the Corporate Performance and Resources Scrutiny Committee where different revenue budget proposals were discussed including teachers' pensions, collection rates, etc. He noted that figures were also presented to Audit Committee for discussion.

Councillor Dr. Johnson welcomed additional investment and fewer cuts and would be proposing a further Amendment to the use of General Fund reserves up to £2.2m.

Councillor Wilson referred Members to Appendix H to the report which clearly demonstrated that the Authority were spending reserves, down from £64m on 31st March, 2019 to £58m on 31st March, 2020 and dropping to £34m by 31st March 2023. Reserves could not be used twice. Reserves were vital as a resource to avoid cuts in the future. With settlements reflecting austerity since 2010, an increasingly ageing population where people had more complex needs, and demographic change in the Vale, reserves were vital for future generations.

Councillor Bailey argued that he had not agreed with the figures, but suggested that the use of General Reserves should be changed.

The Leader stated that the settlement from WG had been better than expected, but asked Members to remember how much had been lost from settlements over recent years. If any Amendment was to be made, then it would have to be paid either from reserves or services. A Council Tax increase of 4.9% would still be short of the Authority's Standard Spending Assessment (SSA) and would keep Council Tax in the Vale of Glamorgan under the Welsh average.

The Mayor asked Councillor Bailey to clarify his Amendment if his intention was to raise the figure on Page 2 of the report by £1.2m to £2.2m or raise the figure to a total of £3.2m. Councillor Bailey confirmed the latter.

The Amendment was put to a vote and it was lost.

Councillor Dr. Johnson Moved a further Amendment as follows:

“To use General Reserves up to £2.2m to limit the proposed Council Tax rise.”

The Amendment was duly seconded by Councillor Hodges.

The Amendment was put to a vote and it was lost.

Councillor Dr. Ian Johnson Moved an Amendment that the decision on the Revenue Budget be deferred to the 9th March Special Council meeting.

This was duly seconded by Councillor Hodges.

The Leader signalled he would not be supporting the Amendment as the budget had to be set, despite the issues with the timing of funding from Westminster to WG. A budget had to be set and adequate notice given. Setting the budget and agreeing Council Tax had been done separately before, therefore the Leader Moved the report as published.

The Amendment was put to a vote and it was lost.

RESOLVED –

(1) T H A T the budget for 2020/21 be fixed at £240.438 million including a provision of £290k for discretionary rate relief to rural shops and post offices and charitable organisations.

(2) T H A T the budgets for 2020/21 as set out in Appendix C to the report and in the following table be approved:

	£000
Schools	93,950
Strategy, Culture, Community Learning & Resources	11,344
Additional Learning Needs	2,921
Standards and Provision	4,080
Directors Office	231
Children & Young People	17,255
Adult Services	50,526
Resource Management & Safeguarding	371
Youth Offending Service	737
Neighbourhood & Transport Services	28,309
Building Services	0
Regulatory Services	1,894
Council Fund Housing	1,339
Resources	651
Regeneration	2,024
Development Management	1,016
Private Housing	848
General Policy	23,942

Use of Reserves	(1,000)
Grand Total	240,438

(3) T H A T the recommendations regarding Net Growth for 2020/21 as set out in Appendix D and Efficiencies for 2020/21 as set out in Appendix E to the report be approved.

(4) T H A T 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.

Reasons for decisions

- (1) To set the 2020/21 budget in line with statutory requirements.
- (2) To allocate budgets to services.
- (3) To reduce risk to services and balance the budget.
- (4) To present the report to the Schools Budget Forum.

712 FINAL HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS 2020/21 (REF) –

In presenting the report, the Leader referred to the above which had been previously considered and approved by Cabinet on 3rd February, 2020 and to set the proposed rents and service charges for the forthcoming rent year beginning on 1st April, 2020.

In setting the rent level for 2020/21 the Council had ensured that it had complied with the Policy for Social Housing Rents which was issued by Welsh Government in December 2019. The maximum allowable uplift had been set at CPI (as at September 2019) 1.7% plus 1%, details of which were set out in Cabinet Minute No. C213.

The Council proposed to increase its rent by an average of 2.7% and this would result in the Council's average rent falling just below Welsh Government's target rent band.

Councillor Dr. Johnson welcomed the 50 Week Basis, but expressed concerns of the impact of Universal Credit on bad debt provision. He also wished to avoid increasing rents above inflation due to the impact on some tenants and as such opposed the proposals.

RESOLVED –

(1) T H A T the final Housing Revenue Account budget proposals for 2020/21 as outlined below be approved:

	Proposed Budget 2020/21
	£'000
Expenditure	
Supervision & Management	5,570
Repairs & Maintenance	3,543
Capital Financing Costs	4,947
Rent, Rates & Taxes & Other Charges	199
Increase in Bad Debt Provision	1,234
Capital Expenditure from Revenue Account (CERA)	5,665
Income	
Dwelling Rents	(20,066)
Non Dwelling Rents	(174)
Interest	(10)
Charges for Services and Facilities	(489)
Contribution towards expenditure	(303)
Grant Income	(133)
Working Balance Brought Forward as at 1st April 2020	(873)
Working Balance Carried Forward as at 31st March 2021	(890)

(2) T H A T an average rent increase of 2.7%, as set out in paragraphs 2.8–2.10 of the report to Cabinet on 3rd February, 2020, be approved.

(3) T H A T the increase suggested for other services, as set out in paragraphs 2.11–2.24 of the report to Cabinet on 3rd February, 2020, be approved.

(4) T H A T the following charges for 2020/21 financial year be approved:

50 Week Basis	Current Charges	Proposed Charges
Heating	£6.83 per week	£6.66 per week
Warden Housing Management	£10.14 per week	£10.71 per week
VCAS:		
- Monitoring	£1.24 per week	£1.24 per week
- Maintenance	£2.14 per week	£2.18 per week
Grounds Maintenance	£1.38 per week	£1.38 per week
Cleaning of Communal Areas	£2.45 per week	£2.49 per week
Lighting of Communal Areas	£1.21 per week	£1.15 per week
Laundry Facilities	£0.27 per week	£0.24 per week

Window Cleaning	£0.17 per week	£0.17 per week
Lift Maintenance	£0.75 per week	£0.75 per week
Door Entry	£0.67 per week	£0.47 per week
Intercom	£0.71 per week	£0.74 per week
CCTV	£0.90 per week	£0.90 per week
Sewerage Treatment Plants	£345.78 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2020/21
Cesspool Emptying	£340.08 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2020/21

(5) T H A T all changes to rents and service charges be implemented from 1st April, 2020 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 guidelines and to meet the tenant notification deadline as required by statute.

713 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2020/21 AND UPDATE FOR 2019/20 (REF) –

The Leader, in presenting the report, indicated that the meeting of Cabinet on 3th February, 2020 considered and agreed the interim report on the Council's Treasury Management operations for the period 1st April, 2019 to 31st December, 2019 and the proposed 2020/2021 Treasury Management and Investment Strategy. He also reminded Members that the report had also been considered by Audit Committee on 3rd February, 2020.

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. C214, 3rd February, 2020, be approved.

Reason for decision

To meet the requirements of the Local Government Act 2003.

714 REQUEST FOR CONSIDERATION – MUSEUM PROVISION IN THE VALE OF GLAMORGAN (REF) –

At the meeting of the Learning and Culture Scrutiny Committee on 16th January, 2020, Councillor Dr. I.J. Johnson presented his Request for Consideration which related to museum provision in the Vale of Glamorgan, details of which were set out in Minute No. C221.

(1) T H A T Cabinet agree for officers to scope opportunities to work with historic societies and community groups around the establishment of local exhibitions on a small scale and for the outcome of this to be reported back to the Scrutiny Committee.

(2) T H A T Cabinet receives a report on museum provision in order for it to consider what the Council can do and to outline the Council’s strategy.

(3) T H A T Cabinet agree that the budget for the Arts and Culture is either held at the current level or increased in order to retain development.

(4) T H A T Cabinet approves officers to look at possibilities of displaying artefacts in Vale of Glamorgan Council spaces such as libraries or community facilities in partnership with historical societies and community groups in order to share costs.

(5) T H A T the Scrutiny Committee receive a presentation from the Chairman of the Sense of Place Board regarding cultural heritage.

Reasons for recommendations

(1) To explore the possibility of establishing local exhibitions on a small scale and for the outcome of this to be reported back to the Committee.

(2) In order to outline the Council’s strategy and in order to maintain funding.

(3) To maintain or increase spending on the development of the Arts and Cultural heritage.

(4) In order to consider the feasibility of displaying artefacts in the Vale of Glamorgan Council spaces such as libraries and community facilities.

(5) In order for the Committee to consider the work undertaken to protect cultural heritage.

=====

The Cabinet considered this issue at its meeting on 10th February, 2020. At that time Councillor Burnett, who had been in attendance at the Scrutiny Committee meeting, had noted there had been detailed and widespread discussions concerning the ongoing work in the Vale.

Cabinet agreed that Recommendation (2) be referred to the Scrutiny Chairmen and Vice-Chairmen Group in order to consider establishing a Task and Finish Group for the matter.

Cabinet further noted that the Recommendations referenced the current ongoing consultation concerning the Arts Strategy and interested parties should use the consultation to include comments on aspects such as museums as part of their returns, which would be relevant as part of wider conversations.

Cabinet, having considered the recommendations of the Learning and Culture Scrutiny Committee, subsequently

RESOLVED –

(1) T H A T the contents of the report, the amount of work currently ongoing in this area, the current consultation process concerning the Arts Strategy and current budgetary considerations be noted and be referred to Full Council on 26th February, 2020.

(2) T H A T

Reasons for decisions

(1) In view of the contents of the report.

(2)

The Deputy Leader advised she had been present at the Learning and Culture Scrutiny Committee meeting that took place on 16th January, 2020 that led to the reference to Cabinet that was considered on 10th February, 2020.

There had been a wide ranging discussion at Scrutiny, but no final consensus on the way forward. With regards the request to Cabinet receiving a report on museum provision in order for it to consider what the Council could do and to outline the Council's strategy, Cabinet referred the matter to the Scrutiny Committee Chairmen and Vice-Chairmen Group in order to consider establishing a Task and Finish Group for further consideration.

The Scrutiny Committee had also asked Cabinet to agree a budget for Arts and Culture; at that time, the budget had already been to Cabinet and was due for consideration at Council which was why the reference was referred. Members were asked to note that the budget for Arts and Culture had actually increased rather than reduced, and the revenue report had been agreed earlier in this meeting.

As such, Members were being asked to note the report.

Councillor Kemp agreed with Councillor Burnett that there had been no consensus going forward from the Scrutiny Committee, but there had been consensus on the recommendations which he felt had been watered down by Cabinet. He expressed concern about the reference to Scrutiny Committee Chairmen and Vice-Chairmen Group as a potential Task and Finish item and would have preferred it coming back to Scrutiny. He also expressed concerns over the Arts Strategy.

Councillor Dr. Johnson advised he had made the initial Request for Consideration in January 2019 and found it concerning that it had taken a year to come forward. He also agreed that the debate at Scrutiny had been wide ranging but was also concerned that the Scrutiny Committee Chairmen and Vice-Chairmen Group may not be the right place to take matters forward but looked forward to hearing from them. He also looked forward to the public's response at Scrutiny as part of the Arts consultation.

Councillor Wilson, responding as the Chairman of the Scrutiny Committee Chairmen and Vice-Chairmen Group, stated that the Group would consider the matter, openly and objectively. Consideration would be given to required resources, time, Members' interest, etc., and weighed against all current issues for consideration.

The Leader reminded Members that Cabinet had considered the response from the Scrutiny Committee, agreeing that officers scope opportunities to work with historic societies and community groups around the establishment of local exhibitions on a small scale and for the outcome of this to be reported back to the Scrutiny Committee.

The current consultation on the Arts Strategy could include reference to museums specifically and would be completed and reported back to both Scrutiny and Cabinet, so clearly would be considered again.

As such, he felt the report as it stood should be noted at this time.

The Deputy Leader added that the Scrutiny Committee Chairmen and Vice-Chairmen Group would hopefully recognise the potential of a Task and Finish matter run by a cross-party group as a way of drawing in the issues experienced so far and for the public to contribute, as the public should be involved.

RESOLVED – T H A T the report be noted.

Reason for decision

In view of the contents of the report.

(N.B. Councillor G.A. Cox withdrew from the meeting during consideration of the item.)

715 DRAFT VALE OF GLAMORGAN COUNCIL CORPORATE PLAN 2020-25 (REF) –

The Cabinet, at its meeting held on 10th February 2020 had considered the above matter which included how the Council had developed the draft Corporate Plan 2020-25, including details of the consultation undertaken on the draft Corporate Plan 2020-25 between October and December 2019 and the feedback received. The report also set out the changes made to the draft Corporate Plan in response to the consultation undertaken and feedback received.

The report set out the key commitments in the Corporate Plan and how the Council would contribute to the national well-being goals.

The timetable and arrangements for developing the Annual Delivery Plan and Service Plans was included, as well as arrangements for the monitoring and scrutiny of the Corporate Plan, Annual Delivery Plan and Service Plans.

RESOLVED – T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C222, 10th February, 2020, be approved.

Reason for decision

To ensure the Corporate Plan contains the most up to date information regarding budget and resources at the time of publication.

(N.B. Councillor G.C. Kemp withdrew from the meeting during consideration of the item.)

716 LOCAL AUTHORITY'S REGISTER OF GIFTS AND HOSPITALITY (REF) –

Under the Local Government Act 2000 section 51 provided that the mandatory provisions in the (then) New Model Members' Code of Conduct be adopted within six months of 1st April, 2008 by all County, County Borough and Town and Community Councils in Wales. In addition to this the Standards Committee also requested that the Council set a value for the registration of any gift, hospitality, material benefit or advantage in accordance with the Model Code of Conduct. The Vale of Glamorgan Council on 23rd April, 2008 (Minute No. 1049 refers) resolved that the following values for the registration of any gift, hospitality, material benefit or advantage in accordance with paragraph 17 of the Code of Conduct be set to take effect from 5th May, 2008 – gifts £50 and hospitality £25.

Having regard to the above guidance of January 2019, the Standards Committee recommended to Full Council that the Vale of Glamorgan Council's threshold for registering gifts, material benefits or advantages and hospitality be amended to read as follows:

- Gifts, material benefits or advantages - £50.00 or totalling £100.00 over a year from a single source;
- Hospitality - £25.00 or totalling £100.00 over a year from a single source.

RESOLVED – T H A T the Vale of Glamorgan Council's threshold for registering gifts, material benefits or advantages and hospitality be amended to read as follows:

Gifts, material benefits or advantages - £50.00 or totalling £100.00 over a year from a single source;

Hospitality - £25.00 or totalling £100.00 over a year from a single source.

Reason for decision

Having regard to the Committee on Standards in Public Life's recommendation in their guidance entitled Local Government Ethical Standards: A Review by the Committee on Standards in Public Life dated January 2019.

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

Due notice had been given of the following questions:

(i) **Question from Councillor L.O. Rowlands**

Will the Cabinet Member for Leisure, Arts and Culture give an update on the policy they have introduced for the over 60s postcode lottery swimming?

Reply from the Cabinet Member for Leisure, Arts and Culture

I should begin by confirming that the new policy is not policy of this Council.

I believe that you are referring to the Welsh Government's free swimming initiative. Regrettably, as you may know, Welsh Government recently reduced by 50% the grant funding for the free swimming initiative. Sport Wales, who administer the scheme on behalf of Welsh Government, subsequently issued a new set of guidelines to accompany this reduction in funding.

As the provision of free swimming is a requirement of our Leisure Management Contract, our Officers have worked with Legacy Leisure, to submit a proposal to Sport Wales that allows the new grant to be claimed. Whilst this exceeds the minimum requirements of the new guidelines, given the reduction in funding, it does represent a significant reduction in the amount of free swimming previously offered, but this is as a direct result of the changes to the funding regime.

The most significant changes to these guidelines have seen a requirement to concentrate on deprived areas for over 60 free swimming. Rather than seeking to identify specific people who live in the deprived areas, Legacy agreed with us that

they would offer the free-swimming opportunities to the whole of the qualifying population living in the CF63 postcode; where most of our deprived areas are located.

Clearly some disadvantaged senior citizens will live in other wards throughout the Council area and a significant number of senior citizens who used to swim regularly for free have seen this opportunity reduced to once a week.

Supplementary

Councillor Rowlands, acknowledging it was Welsh Government policy, enquired if the Council could fund the shortfall in funding.

Alluding to discussions that were already taking place to assess if there was any opportunity to get Welsh Government to reverse their decision, the Cabinet Member intimated that the actual costings in relation to funding would be looked at in the future.

(ii) Question from Councillor L.O. Rowlands

Can the Cabinet Member for Leisure, Arts and Culture provide an update on the number users at Barry Leisure Centre?

Reply from the Cabinet Member for Leisure, Arts and Culture

Current annual usage for customers participating in recreational activities in Barry Leisure Centre is 312,343.

Supplemental

Councillor Rowlands enquired if the Council had any evidence that Council staff were using the Centre's car park to the detriment of users.

As parking at Leisure Centres across all of the Vale was being looked at, the Cabinet Member agreed to look into it.

(iii) Question from Councillor L.O. Rowlands

Does the Cabinet Member for Leisure, Arts and Culture have a plan for Art Central Gallery?

Reply from the Cabinet Member for Leisure, Arts and Culture

Not at this time, as we are currently consulting on that very aspect. I would like you to take part in the consultation, I hope that you will decide to complete a consultation form for us, I would be grateful.

Supplemental

Referring to the matter being recently discussed at a Scrutiny Committee and the lack of publicity over the issue, Councillor Rowlands sought an assurance that when the Strategy was being looked at, that publicity of the issue be given more prominence.

The Cabinet Member confirmed she would.

(iv) Question from Councillor Mrs. R. Nugent-Finn

When considering engagement with the public and the future of Arts Central do you have any other plans to engage with other service users to gauge and capture opinions further afield?

I am only aware of an online engagement process and wanted to pose the question of contacting other relevant users such as local art groups, colleges, sixth form students and local historians?

Reply from the Cabinet Member for Leisure, Arts and Culture

In addition to the online survey which has been launched, I can confirm that hard copies of the questionnaire have been circulated to community venues, such as libraries and meetings that have been held with local arts groups such as the Friends of Arts Central.

The consultation has also been shared via the Council's social media and website.

Alongside this, all of our Vale schools have been emailed with a link to the consultation and asked to contribute their views, as has the 50+ Forum, the Youth Cabinet and the Youth Forum.

The Learning and Culture Scrutiny Committee, which Councillor Rowlands referred to, had several speakers there including representatives from the local arts groups, the 50+ Forum and some artists.

I am grateful to all those who have already made comments and hope that as many people and as many organisations complete our questionnaire.

(v) Question from Councillor Mrs. R. Nugent-Finn

Are there any plans to clear up this area? Residents are contacting me over the future of this particular area. It is the first sight you have when you disembark at Barry Railway station and it is in a state of over growth and the entrance is now gated. The history of this piece of land is another issue but my concerns are the current state, no public access, an unwelcoming eyesore for visitors of Barry and safety of the structure.

Reply from the Cabinet Member for Neighbourhood Services and Transport

The Walkway known as 'Birdcage Walk' has indeed been closed for some time to protect public safety due to the defects and possible instability of the retaining wall structure forming the western boundary of the walkway and the reasons for the defects and instability of the retaining wall structure are currently the subject of investigation and discussions with third parties concerning liabilities.

Whilst these legal matters are being progressed, it has been necessary to implement a formal closure of the Walk in the interests of continued public safety. However, in order to address the concerns that you and residents have raised regarding the visual appearance, I can confirm that the Council's highways team will be making arrangements to weed spray this area at an appropriate time this coming Spring and thereafter review what further action may be required to improve the general appearance of the area, whilst discussions continue to try and resolve the current instability and safety conditions.

Supplemental

Councillor Mrs. Nugent-Finn enquired if the Cabinet Member knew the history of Birdcage Walk?

The Cabinet Member indicated that he did not.

(vi) Question from Councillor Mrs. R. Nugent-Finn

Following the attendance of the Health Board at Healthy Living and Social Care Scrutiny Committee and subsequent public consultation via the Community Health Council, a recommendation was that Health report back to the Healthy Living and Social Care Scrutiny Committee with the outcomes and findings of the public of Barry and surrounding areas. Even though this is on the forward working programme I would appreciate any update with regards to outcomes, future plans, Cabinet reports, and planned change for this ward.

Reply from the Cabinet Member for Social Care and Health

Perhaps I should remind you that the Vale of Glamorgan Council does not own, run or manage Barry Hospital. It is a health facility of Cardiff and Vale University Health Board therefore no Cabinet report is planned.

As the Councillor is Chair of the Healthy Living and Social Care Scrutiny Committee, you are in an excellent position to receive feedback directly from Cardiff and Vale University Health Board regarding their consultation about the Sam Davies Ward. Indeed, you say that you are expecting feedback from the UHB, so I would urge you as Chair of that Committee to put it on an agenda as soon as practicable, where your questions will no doubt be answered by the University Health Board.

Supplemental

Councillor Mrs. Nugent-Finn enquired if the Cabinet Member knew the position of the Community Health Council?

The Cabinet Member indicated that as he was not the Community Health Council, he did not know their position.

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

Planning application 2017/01080/FUL for the Barry Biomass Plant on David Davies Road is listed on the Vale Council Planning Portal as being withdrawn. This application seeks to vary planning permission granted in 2015. Could the Cabinet Member update Council on the implications of the withdrawal of this application, noting that the building clearly exists, but presumably not built in accordance with the 2015 application?

Reply from the Cabinet Member for Legal, Regulatory and Planning Services

The applicants have now withdrawn the 2017 application and advised that they will be removing the water tank and proposals for parking outside of the application site to ensure that the development would accord with application 2015/00031/OUT.

This approach will require the applicants to discharge a number of further conditions before the plant is brought into beneficial use, which has not yet occurred.

Supplemental

Alluding to the discussions that had taken place earlier, Councillor Bailey enquired if the Cabinet Member considered the removal of the fire water tower made it safer or less safe?

As it was not his field of expertise to judge the safety of the issue or indeed all the other issues, the Cabinet Member relied on those who did have the expertise, but noted that there was no requirement under the 2015 Planning consent. He also reminded Councillor Bailey of his comments made earlier in the meeting regarding other statutory bodies who looked after such matters.

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

My ward includes residents in both CF62 and CF63 postcodes who have been told that their free swimming at Barry Leisure Centre must take place on different days of the week, due to a reduction in grant made available. What plans does the Vale Council have to ensure that our leisure partners re-introduce free swimming for all seniors in Barry, rather than making arbitrary discrimination through a postcode lottery that literally runs down the middle of the road?

Reply from the Cabinet Member for Leisure, Arts and Culture

As previously advised, due to the significant reduction in Welsh Government funding, there are presently no plans to increase the days that free swimming is offered.

Supplemental

Referring to LSOAs within CF62 being amongst the lowest in the Welsh index of multiple deprivation and in respect of concerns of residents, Councillor Dr. Johnson asked if the Cabinet Member would be lobbying for additional funding including working with other Members of the Council to consider what would be a fairer system.

The Cabinet Member, referring to the difficult circumstances given the restrictions, felt Legacy Leisure had dealt with the matter as fairly as it could have. She would take on board the point made by Councillor Dr. Johnson and would look at the deprivation index again.

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

Recent national figures have shown an increase in homelessness in Wales. What are the most recent figures in the Vale of Glamorgan for those (a) sleeping rough and (b) 'sofa-surfing' without a permanent address. How many people have Vale Council been able to assist in the past twelve months to avoid homelessness, and how many were we unable to support?

Reply from the Cabinet Member for Housing and Building Services

In answer to your questions:

Your question on the number of rough sleepers is difficult to answer as the numbers can vary every day, every night, but the Council, in common with all Councils in Wales is required to conduct a rough sleeper count one night each year and this year one rough sleeper was recorded in the County.

I cannot give you the number of sofa surfers without permanent addresses in the Vale, as this is not data we are required to collect or return to Welsh Government.

We deal with homelessness as it happens. In respect of homelessness we have the Housing Solutions Team who assisted 744 household for the period 1st January, 2019 to 20th February, 2020. 125 of the 744 were classed as being statutory homeless and were helped as required by law.

During the year we receive a number of reports throughout each year, all of which are investigated by staff visiting the area where they have been reported to offer advice and assistance. We do get people on the street sitting there and then when we go to see them, they do not want help. They say they are brought in from Cardiff and they are picked up to be taken home to Cardiff. We ask them regularly to come

to the office and I know of a Councillor in this building now, sitting here, who spoke to one person, asked them to come with her and they would find help and they refused because they said they were being picked by someone in Cardiff at 5 o'clock. So we do get that in Barry and the homeless team were aware.

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

Last week's Storm Dennis caused major damage across Wales. However, it thankfully appears that the Vale of Glamorgan was largely unaffected. As we saw from the flooding in Barry in 2007 and other parts of the Vale, this is a traumatic process for households and business owners when it occurs. What processes does the Vale Council have for monitoring and participating in updated flood prevention measures, given the increasing impact of extreme weather as a result of climate change?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Like you, I share the view that we have been very fortunate. The Flood Risk Regulations 2009 place a duty on Natural Resources Wales to identify flood risk areas where there is significant flood risk from the sea, main rivers and reservoirs and the Council, as Lead Local Flood Authority, to identify significant flood risk in its area from other sources, e.g. surface water.

An assessment is undertaken on a six yearly cycle starting with preliminary flood risk assessments and where significant flood risk is identified progressing through to the production of flood risk management plans.

The Flood and Water Management Act 2010 defines the Vale of Glamorgan Council as a Lead Local Flood Authority with a number of responsibilities in relation to flood risk management.

As the Lead Local Flood Authority the Council has a role in overseeing the management of local flood risk, including: surface water runoff, groundwater flooding and ordinary watercourse (streams and ditches). In addition, the Council has responsibilities as Highway Authority relating to drainage and flooding of the highway.

The Local Flood Risk Management Strategy sets out how the Council will work with other interested parties to manage local flood risk and must be consistent with the National Flood and Coastal Erosion Risk Management Strategy for Wales, which will be updated later this year.

Where locally significant flood risk is identified, either based on local reports of flooding received by the Local Flood Risk Management Strategy and / or Natural Resources Wales' National Flood Mapping, the Council will develop local risk mitigation works for feeding into the national investment programme.

Recent examples include the Coldbrook Catchment Flood Risk Management Scheme and Boverton Brook Flood Risk Management Strategy, which both involved significant civil engineering works.

The creation of a small swale and bund in Pencoedtre playing fields to protect several properties from surface water flooding has also recently attracted grant funding, and property level flood resilience measures have been provided in the village of Llanmaes.

The implementation of appropriate Sustainable drainage systems (SuDS), regulated by the newly created SuDS Approving Body will also help provide future resilience to the potential impacts of climate change, particularly relating to extreme rainfall.

Supplemental

Making reference to the length of time taken to resolve the Coldbrook Catchment flooding issues, Councillor Dr. Johnson enquired where the Council was currently in terms of plans and whether any work was going to be brought forward as a result of the recent storms so that issues could be identified in advance.

Referring to a meeting he had attended earlier in the day, the Cabinet Member indicated there was actually quite a lot of work ongoing all the time which included small scale maintenance of streams and other elements funded by private land owners. Enforcement action, where necessary and appropriate, would be taken.

(xi) Question from Councillor S.T. Wiliam

Many Councils have publicly supported doubling local tree cover and drawing up a plan to deliver this ambition. Increasing tree cover would boost biodiversity, help clean our air, reduce flood risk and improve our wellbeing. How many trees exist within the Vale of Glamorgan and what actions is the Vale Council undertaking to double or at least significantly improve the tree cover within our area, as part of our Council's Climate Change Action Strategy?

Reply from the Cabinet Member for Education and Regeneration

Thank you for raising the important issue of the tree canopy in the Vale of Glamorgan. I have been contacted by a number of residents, as I am sure quite a lot of us have, over recent months with the same question.

To know if we are increasing our tree canopy we need an accurate baseline. The survey undertaken by Natural Resources Wales in 2013 showed a reduction and it is crucial that we reverse that trend. That will not be easy in the face of major challenges ahead from Ash Dieback.

Whilst we hold significant data on our trees, particularly those on the adopted highway, we do not have an inventory of all our trees on all our land, so this will be the starting point both for our Tree Strategy and for our management and control of Ash Dieback. We also have to recognise that much of the land in the Vale is in

private ownership and so achieving the scale of increase we aim for will involve partnership with many others.

The Council's strategic plans to address climate emergency will also include a Tree Strategy and the existing Biodiversity Plan as all are inter-related. In March an event at St. Donats will launch a Local Nature Partnership which we hope will bring together organisations across the Vale that share our aims.

Our officers are in the process of developing an interim Tree Management Plan, which will also include the early management arrangements for Ash Dieback, whilst the comprehensive inventory which will ultimately inform the Tree Strategy is being produced. In the interim however we are not inactive as 5,300 new trees have been planted in our Country Parks this year and 17,000 new trees planted alongside the alterations to Five Mile Lane. We have also supported local community groups with tree planting activities.

Supplemental

Councillor Wiliam enquired if the Cabinet Member could update him as to what considerations were being made to replace trees that have been removed from the streets of towns in the Vale, for example The Parade in Barry?

The Cabinet Member responded by reminding Councillor Wiliam that the issue was covered by the Tree Strategy and she would ask Councillor King to provide a written reply on the matter.

(xii) Question from Councillor N.P. Hodges

What funding has been provided to the Vale Council to implement a Whole School Approach to mental health and wellbeing, and how has this money been utilised in 2019-20? What plans are in place for this funding in 2020-21?

Reply from the Cabinet Member for Education and Regeneration

The Vale of Glamorgan has received £78,187 in grant funding from Welsh Government this financial year.

A proportion of that funding has been utilised to fund the creation of therapeutic workshops to develop the skills of school staff to utilise a range of therapeutic approaches with children and young people. These have included Music Therapy, Play and Creative Arts Therapy, Occupational Therapy, Drama Therapy and a workshop on understanding the functions of behaviour. These workshops are being delivered for school staff by specialists in their field currently working in the Vale of Glamorgan's special school Ysgol Y Deri.

The Vale of Glamorgan has also developed an online assessments tool of social and emotional wellbeing called SELFIE (Social and Emotional Learning for Improvements in Education). Funding from the grant has been utilised to provide support to schools to ensure that the online assessments are fully utilised and that

the data is used to direct systemic developments within schools and enable the identification and targeting of support for individuals.

In addition, funding has been utilised to deliver direct individual and group therapy sessions to children and young people identified as having significant social, emotional and mental health difficulties. These include access to play, drama and music therapy, delivered by qualified therapists in their respective fields.

Welsh Government have indicated that funding for 2020-21 will be available but this has yet to be confirmed.

(xiii) **Question from Councillor N.P. Hodges**

In the last meeting, I asked about the Supplementary Planning Guidance powers used by planning officers in conservation areas, and the use of permitted rights. The response suggested that permitted rights could not be controlled or influenced by the Council. Could the Cabinet Member explain Article 4 of the General Permitted Development Order 1995 and whether this is in force in any location within the Vale of Glamorgan?

Reply from the Cabinet Member for Legal, Regulatory and Planning Services

The question related to Supplementary Planning Guidance, you did ask a question at last Council and it is one of those contentious bits and I will probably want to discuss that with you further.

An Article 4 Direction can be made by the Local Planning Authority, which is obviously us, in order to restrict the scope of permitted development rights either in relation to a particular area or site, or a particular type of development within the Authority's area.

The process for designating an area-wide Direction requires consultation with all property owners affected and with any other interested parties and requires the Council to consult with the Welsh Ministers prior to confirmation in certain circumstances.

This process is simplified in respect of urgent designations where buildings are threatened by demolition.

I can confirm that an Article 4 Direction was introduced in respect of the Penarth Conservation Area in 1999 covering all those buildings that were dwelling houses at the time the Direction was made.

More recently, an Article 4 Direction was served in respect of a locally listed 'County Treasure' in the Colwinston Conservation Area which had been threatened with demolition.

Supplementary

Councillor Hodges did not see this issue as being “contentious”. It was his understanding that it was not contentious because it had been done in Penarth. Barry Town Council had put forward requests for local conservation areas in Barry to be considered for Supplementary Planning Guidance in conservation areas and hoped these requests would be given active and prompt consideration.

Acknowledging Councillor Hodges’ point, the Cabinet Member indicated that hopefully they would be brought to Planning Committee in due course.

(xiv) **Question from Councillor V.J. Bailey**

What opportunities are there for young adults and children with disabilities to play sport in the Barry?

Reply from the Cabinet Member for Leisure, Arts and Culture

The Council has a long-term partnership in place with Disability Sport Wales with the primary objective of increasing opportunities for people with disabilities to play more sport.

A part-time officer is employed in the Sports Development Team as part of the partnership and notably achievements in the past year include the introduction of new swimability sessions, couch to 5k initiatives, a highly successful boccia league, a series of disability specific events that allow children and young people to try new activities and the delivery of Disability Inclusion Training.

There are currently 54 disability specific or inclusive sports clubs / sessions registered on the disability sport database. Specifically, within Barry these include opportunities in angling, athletics, bowls, dance, gymnastics, karate, air target shooting, kayaking and cycling.

In addition, through partnership working with the Disability Sport Wales Talent ID Programme, a number of Vale young people have been identified as talented athletes who now have the opportunity to go and represent Wales. Our officers also provide ‘Play Together’, a course designed to help Primary School Pupils include their disabled friends when they play sport in and outside of school. To date we have trained 3,077 pupils within the Vale in 24 Primary Schools.

Supplemental

Councillor Bailey referred to a recent visit to Barry Town United Disabled Football Club, he was very disappointed to discover that they paid the full hire rate of rental of pitches, given other groups were able to obtain discounts for the hire of Council pitches; he asked the Cabinet Member if she would look into giving the disabled team at Barry Town United the same opportunity.

The Cabinet Member confirmed that she would look at this case.

(xv) **Question from Councillor V.J. Bailey**

What independent assessments have been made in the last five years of potential efficiencies or cost savings that could be made by the Vale of Glamorgan Council; including a list of those organisations?

Reply from the Leader

As part of the Council's Reshaping Services Programme, the Council makes use of external assessments on occasion to provide additional capacity, specialised skills that would not be feasible to maintain in the Council or to offer a degree of independence.

For example, to inform the approach to the Reshaping Services Programme for 2016/17, including procurement savings, a review of the establishment, the creation of the Digital and the Income Generation strategies, the Council contracted Price Waterhouse Coopers to undertake an assessment and suggest areas of focus.

Reviews are commissioned across the organisation and therefore, I can provide the following examples of individual commissions for service specific projects:

- PeopleToo to undertake an early options appraisal for Neighbourhood Services and Transport;
- Capita regarding the Car Parking Strategy;
- Arlingclose for a review of the Council's Minimum Revenue Provision levels.

These commissions were for time limited, tightly scoped packages of work that have subsequently been delivered by the Council's officers and overseen by the Reshaping Services Programme Board and Cabinet.

The Council also has annual audits undertaken independently of the budget and financial management arrangements by the Wales Audit Office. These have resulted in unqualified accounts being published. We are awaiting the findings of a recent financial resilience audit from the Wales Audit Office and expect this to make useful suggestions also.

(xvi) **Question from Councillor V.J. Bailey**

Will the Cabinet Member provide an update on plans to change the way CCTV is operated in the Vale?

Reply from the Cabinet Member for Legal, Regulatory and Planning Services

Discussions are still ongoing in respect of the current CCTV Service with partners, including the Police and the Police and Crime Commissioners Office, so to be honest an update is premature at this time.

Supplemental

Councillor Bailey enquired if the Cabinet Member would provide a guarantee that in any changes going forward for the provision of CCTV, that Holton Road would in no way see reduced coverage of this service?

Acknowledging the system was not functioning as he would like and alluding to Council funding that had been identified and discussions with South Wales Police, the Cabinet Member indicated that they would work in consultation to find the right solution. He was unable to provide a guarantee if the evidence did not support the case.

(xvii) **Question from Councillor V.J. Bailey**

Article 4 of the General Permitted Development Order was instigated in Penarth Conservation Area in 1999. Is it acceptable that two decades later no such protection is in place for conservation areas in Barry, such as the Garden Suburb?

Reply from the Cabinet Member for Legal, Regulatory and Planning Services

Yes.

Supplemental

Councillor Bailey, referring to the restrictions that were placed on home owners not to change their homes, he asked the Cabinet Member if he thought it was justifiable that the Council had decided to, in principle, ignore its own advice and rip out the old Victorian lamp posts and put modern ones instead, changing the character of that town?

The Cabinet Member reminded Councillor Bailey that street lighting was a highway matter and therefore not his portfolio and indicated that he would arrange for a written reply on the matter.

(xviii) **Question from Councillor V.J. Bailey**

How many of CAPITA's £48,000 Car Parking Ideas have been used in the Council's new proposals?

Reply from the Cabinet Member for Neighbourhood Services and Transport

I think that you, and the other Members, will be able to assess this for yourself, should you so wish, now that we have published our proposals.

(xix) **Question from Councillor L.O. Rowlands**

Can the Cabinet Member for Leisure, Arts and Culture give an update on the Holm View Leisure in Barry?

Reply from the Leader

The reason it's for me is that Cabinet declared that Holm View was surplus to requirements and therefore it's in the property portfolio and its within my area.

All I would say Councillor Rowlands is I would refer you to the report that was considered at Cabinet on 24th February.

I am surprised that you ask this question when you and your colleagues seem to know all about it as you have issued press releases already.

Regrettably, you are once again scaremongering by claiming that the intention is to build houses on the site. If you read the report it is plain that the intended uses will be for community purposes. Your suggestion that there may be no bidders is really unhelpful and counterproductive in our efforts to secure a sustainable community use for this building.

We are confident that there will be community groups that will come forward and look forward to receiving as many bids as possible, so we can ensure the best use of – as you call it – an 'Iconic Building'.

Yes, I think you should be actually quite ashamed of this, but I expect nothing else from you, your Group and your MP in degrading what we are trying to do.

Supplemental

Referring to residents' concerns, Councillor Rowlands sought an assurance that the site would not be allowed for housing.

The Leader considered Councillor Rowlands was once again, scare mongering and suggested he read the report. There was no such intention with the matter out for expressions of interest for taking over the building.

As the report advised, Holm View Leisure Centre was due to be returned to the Council on 1st January, 2021 and in preparation for this, the facility would be marketed with the offer of long-term lease for use of a much needed community facility for the area. He was excited about the proposal and anticipated that there would be interest.

(xx) **Question from Councillor G.D.D. Carroll**

What discussions has the Leader has with officers in relation to the management of the Authority's assets?

Reply from the Leader

Thank you for your question.

I can confirm that I meet with the Managing Director and Operational Manager, Property Services, on a monthly basis, if not more often, to discuss issues regarding the Council's property holdings.

I am also a member of several Project Boards within the Council which meet regularly to address issues concerning the management and future use, like Holm View, of many of the Council's assets.

I would also point you to the Corporate Asset Management Plan 2019 – 2022 which was discussed and agreed at Cabinet on 29th July, 2019 and contains information on all of the Council's assets.

(xxi) **Question from Councillor G.D.D. Carroll**

Will the Leader please provide an update on any measures the Council are putting in place to improve the Authority's ICT services?

Reply from the Leader

The Council's ICT service supports the whole operation of the Council. Due to the general nature of your question it is difficult to determine exactly what information you require, but perhaps this will assist.

There is a significant amount of work being undertaken to upgrade our ICT services and to improve the way in which ICT supports the work of the Council. Some examples are:

- Office 365 is being implemented across the Authority on a phased basis;
- A significant investment is being made in the ICT infrastructure across our school estate supported by funding from the WG. This will enable all our schools to meet the requirements for digital learning;
- We have recently launched a new StaffNet+ which enables staff across the Council to access information on their personal devices (that is the devices that they use which we give them) – anywhere at any time. This will ensure that all of our staff can receive key messages, which is a significant development for our front line staff in particular.

Supplemental

Referring to the Office 365 project, Councillor Carroll urged the Leader to make sure that this was prioritised and roll out the scheme in full as soon as possible.

The Leader confirmed that it was already being rolled out.

(xxii) Question from Councillor G.D.D. Carroll

The recent report to Cabinet, "Car Parking – Guiding Principles and Charges", indicates a supplementary report on enforcement parking will be brought forward. Will the Cabinet Member please confirm when this report is likely to be published?

Reply from the Cabinet Member for Neighbourhood Services and Transport

A report on Civil Parking Enforcement and specifically the transfer of these responsibilities to this Council from Bridgend CBC and our plans for the use of a camera car will be presented to Cabinet in April.

Supplemental

Making reference to the current Cabinet report and the issue of residents' parking which was a hot potato in many Wards, including his own. Councillor Carroll sought clarification from the Cabinet Member that there were no plans to change the current policy despite the report suggesting a further report would be forthcoming on enforcement parking.

Acknowledging the point raised by Councillor Carroll and alluding to the sequence the Council was required to go through, he was enthusiastic regarding enforcement. He genuinely believed that once there was a sensation that individuals would be caught and fined, attitudes would start to change.

(xxiii) Question from Councillor Mrs. J.E. Charles

What steps are being taken by the Council to address the continual congestion problems on the A4050 to Culverhouse Cross?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Regrettably the congestion being experienced at this and many other locations in the UK is due to the ever increasing car ownership and the over reliance on the car as the main mode of travel for both work and pleasure.

The Council has a specific policy of promoting and encouraging sustainable forms of transport to reduce reliance on private cars in favour of public transport, walking, cycling wherever possible and has over a number of years successfully implemented several miles of shared footway / cycleway or Active Travel routes connecting

destinations throughout the Vale, including a shared footway / cycleway along the Port Road corridor being one example, and along to Culverhouse Cross and indeed the dedicated bus lane along Port Road in Wenvoe which is now open to motorcycles.

Supplemental

Councillor Mrs. Charles enquired if the Cabinet Member would consider the introduction of a system such as the one currently used in Bristol where vehicles carrying two or more passengers were allowed to use bus lanes at certain times to encourage car sharing.

The Cabinet Member was not prepared to do so yet. He considered the priority to be getting people out of cars, which could only be achieved by more reliable and regular public transport.

(xxiv) Question from Councillor Mrs. J.E. Charles

At the last Scrutiny Committee session of Healthy Living and Social Care it was noted that parking charges are being looked at for the benefit of Leisure Centre users – how will this be implemented and what measures are currently being considered?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Discussions are currently ongoing with the Council's Leisure Management Contractor in relation to this issue as there is significant dissatisfaction from customers using both Barry and Cowbridge Leisure Centres during weekdays in relation to the shortage of car parking close to their centres.

We are keen to find a solution that will enable as many customers as possible to enjoy the leisure facilities we offer, whilst also deterring drivers not attending our leisure centres from using the spaces available.

It has not yet been determined what arrangements we will put in place to deal with this but as advised in the car parking report presented to Cabinet on Monday, this will be the subject of a future report to Cabinet.

Supplemental

Alluding to users of Barry Leisure Centre being frustrated that much of the car parking was often used by Council staff, Councillor Mrs. Charles enquired if the Cabinet Member would look at the issue and also consider systems where Leisure Centre users were able to have their parking cost refunded if they could prove that they have used the Leisure Centre as they do in Bridgend?

The Cabinet Member suggested to refund charges the Council would need to charge for car parking and accepted it was an issue that would be looked at, but he noted

that the usage figures at Barry Leisure Centre had actually gone up despite the difficulties with parking, which did not appear to back up the argument for refunds.

(xxv) **Question from Councillor Mrs. J.E. Charles**

Is the Cabinet Member satisfied that drainage issues on the new Five Mile Lane have been properly resolved and can they explain why the upgraded drainage system was not built at the same time as the road?

Reply from the Cabinet Member for Neighbourhood Services and Transport

I would advise that I am not yet satisfied that the drainage system constructed alongside the new sections of the A4226 Five Mile Lane Road Improvement Scheme, I don't believe they are sufficiently adequate.

Contract completion with the main contractor has not yet been agreed and officers are continuing discussions with the main contractor regarding additional drainage works.

The current position is that whilst the constructed drainage works appear to be coping with the recent rainfall, the capacity of the system constructed appears to be limited, and may not be as required by the contract in terms of its ability to deal with a 1 in 30 year flood event.

Additional design work is therefore being undertaken and officers are seeking a revised programme from the contractor to indicate whether or not more or different work is required and when those works will be completed.

Supplemental

Councillor Mrs. Charles enquired how much money it had cost the tax payer to build the additional drainage after the road was completed?

The Cabinet Member indicated that there was no additional cost.

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

Could the Cabinet Member give an indication of how many complaints have been received by this Council from members of the public and from Councillors relating to infringements of planning obligations by developers since the last LDP was passed in 2017, how many of those complaints were upheld and the total amount of fines that were collected as a result?

Reply from the Cabinet Member for Legal, Regulatory and Planning Services

The Council does not record the number of complaints from members of the public or Councillors specifically relating to infringements of planning obligations by developers.

However, planning obligations contained within Section 106 Legal Agreements are continually and pro-actively monitored by the Council's Section 106 Officer and therefore such breaches are usually identified without receipt of a complaint.

Where complaints are received these will often be associated with other breaches of planning control and registered as planning enforcement cases and dealt with accordingly.

Officers will be preparing a yearly update report to Planning Committee for the May meeting outlining recent enforcement activity, including in relation to major developments.

This will include reference to any significant breaches in Section 106 Agreements.

If possible details of fines would be provided in the update report to Planning Committee. However, Councillor Robertson was at liberty to raise the issue of fines directly with officers.

Supplemental

Alluding to the next LDP process, Councillor Robertson invited the Cabinet Member to agree with him that more robust and effective means of monitoring activities of developers in the Vale of Glamorgan should be introduced with heavier penalties for breaches of planning permissions and stricter enforcement.

The Cabinet Member reminded Councillor Robertson that his original question did not relate to the LDP, as did not his reply. He had not made a judgement on the previous LDP and would not agree to any future change to that process.

(xxvii) **Question from Councillor A.R.T. Davies**

Will the Cabinet Member please outline the Council's policy for removing disused bus shelters, with particular regard to maintaining disabled access?

Reply from the Cabinet Member for Neighbourhood Services and Transport

The Council does not have a specific policy on the removal of bus shelters, simply because they are no longer in service use.

Where possible and provided shelters are in good repair they will remain, either to be used by pupils who can access school transport or for any bus services that could be introduced in the future, such as the recent variance to the New Adventure Travel

304 service that has been re-routed along Fonmon Road, following on from requests from residents.

While we do not have a specific bus shelter replacement budget or programme, but shelters are routinely inspected with cleansing and minor repairs undertaken as required. In addition, a number of shelters on our main highway routes are provided by a private company, 'Clear Channel', and these are maintained and cleansed at their cost.

Pleasingly the Council has recently been successful in obtaining Welsh Government funding to upgrade several bus shelters on the A48 and other strategic bus corridors, such as Barry Island. In addition, the Council uses Section 106 sustainable transport developer contributions to upgrade or install new shelters. Any new or upgraded shelter will always include the installation of raised kerbs in order to provide access for those with disabilities.

If you have details of any specific bus shelters which are no longer in use and could be posing a problem, particularly for disabled residents, I would be more than happy to discuss these with you.

(xxviii) **Question from Councillor A.R.T. Davies**

Will the Cabinet Member please confirm what maintenance measures the Council will be undertaking to improve road service and traffic management on Fontygary Road in the next 12 months?

Reply from the Cabinet Member for Neighbourhood Services and Transport

I am a little surprised that you have asked this question as you have already been given a full explanation in writing by Council officers relating to the ongoing works on Fontygary Road and you also attended a meeting with officers to discuss those works last year.

Whilst I appreciate that these works are now extending into next financial year, I am confident that you have been fully involved in the proposals. However, for your further assistance I would reiterate the position as follows:

As you will recall from the meeting with officers, there are plans to carry out highway improvement works primarily associated with the footway along Fontygary Road in Rhoose using available Section 106 development monies. As a consequence, the planned resurfacing of Fontygary Road from the Spar to Wesley Avenue, which is identified in the Council's highway resurfacing 3-year plan, has been delayed until these works could be implemented. However, I can confirm that the resurfacing of the section of road from the Wesley Avenue to Milburn close was successfully completed on 1st November, 2019.

I am also pleased to confirm that the concept design for the proposed new footway / cycleway and further improvements on Porthkerry Road / Station Road and

Fontygary Road up to the school has been completed in readiness for a Public Consultation which is being held on Thursday, 27th February at the Community Centre Station Road.

Following consultation, any specific requirements or issues will be addressed and included in the detailed design, which is programmed to be completed by mid-April 2020. The scheme will then be tendered through the South East Wales Highways Framework and thereafter subject to appropriate contractor appointment.

It is anticipated that the works will commence on site mid-June to early July and will take some 16 to 20 weeks to complete. The resurfacing of Fontygary Road will take place once the footway and other improvement works are completed in order to avoid any abortive works.

In the interim period I would reassure you that the Council will continue to maintain and repair the road surface along Fontygary road in accordance with our current service standards.

(xxix) **Question from Councillor A.R.T. Davies**

Will the Cabinet Member please set out the action the Council will be taken to address the chronic breakdown of the road surface between the Aubrey Arms on the A48 and Cattwg Cottages in Llancarfan?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Again, I would express my surprise that you have raised this question as I am aware you received an email from officers regarding this matter at the beginning of February 2020. I would however reiterate the position as follows:

The length of road between the A48 and Cattwg Cottages was inspected earlier in January and numerous defects were identified for repair which should now have been completed. Furthermore, the Council is aware of constant verge damage along this stretch of rural lane, however, the verge areas do not form part of the carriageway and therefore should not normally be trafficked by vehicles, particularly large tractors and HGVs, using this route. This Council is not responsible for improving or widening these rural lanes only maintaining the highway over its current extent.

I would further reassure you that this road is inspected at regular intervals and any necessary safety repairs actioned in accordance with the Council's highway safety manual and duty to "repair" and "keep in repair" the carriageway as required under the Highways Act 1980. These inspections are carried out by appropriately trained and experienced staff within the Council's highways maintenance team.

The Council also maintains a highway resurfacing 3 year plan which is reviewed annually. The highway resurfacing 3 year plan provides a method whereby individual roads are identified and prioritised for resurfacing through consideration of

several specific criteria, which includes but is not limited to road classification, ongoing maintenance costs, customer complaints and third party claims. This process enables the Council to implement an annual programme of resurfacing works on a priority basis so as to manage its highway asset in the most cost effective and beneficial manner subject to the funding available annually for such works. The highway resurfacing 3 year plan also includes other essential works such as surface dressing and micro-asphalt as preventative treatments to seal the road surface and improve surface texture.

(xxx) **Question from Councillor A.R.T. Davies**

Will the Cabinet Member please confirm when the new road between the A48 and Cross Inn will be open for public use, and if there is to be a continued delay, will he please confirm why?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Whilst I thank Councillor Davies for the question, my understanding is that the three local Ward Members have been closely involved and liaising with officers and residents throughout the consultation and I am aware that Councillor Davies received an email regarding this matter at the end of January from our Officers confirming the position, that remains unchanged.

As advised, the construction phase of the works for the new link road are substantially complete, however, there remain a number of key issues that need to be addressed prior to the Council being able to provide the developer with a Certificate of Substantial Completion and the road being opened to live traffic.

One of the main issues is the need to carry out remedial works identified as part of a recently completed Stage 3 Road Safety Audit (RSA) which was undertaken by independent specialists late last year. It is necessary from a highway safety perspective that the identified safety issues are adequately addressed before the road is opened to live traffic, on the basis of public safety, and to ensure that the Council is not exposed to any unnecessary risk or liability.

The developer is responsible for constructing the new road to appropriate standards and for undertaking any of the remedial works identified in the Road Safety Audit as referred to above. We are therefore pressing the developer for a programme to address the necessary safety critical works and whilst we are still unable to provide a specific date at this time when the new road may be fully and safely opened to live traffic, I am informed that the Council's negotiations with the developer are progressing well and it is likely that a date for the opening of the road will be agreed in the very near future.

(xxxix) Question from Councillor A.R.T. Davies

Will the Cabinet Member please confirm that all actions undertaken and public statements made by the Council and Cabinet Members in relation to the closure of Llancarfan School are compliant with both the School Standards and Organisation Act 2013 and the School Organisation Code?

Reply from the Cabinet Member for Education and Regeneration

Yes.

(xxxix) Question from Councillor A.R.T. Davies

Will the Leader please confirm the average response time for calls made to Contact One Vale over the past 3 months, the longest response time recorded and any measures being put in place to improve the service?

Reply from the Leader**Performance**

The information I can provide to the Councillor is for the three month period to January 29th 2020 when the telephone system at Contact OneVale was migrated to a new platform:

- The total number of calls made to C1V was 58,458;
- The average wait time was 268 seconds (approximately 4.5 minutes);
- The single longest wait time was 33 minutes (in December);
- The single shortest wait time was 59 seconds.

The Councillor will note that C1V receives calls from customers about a wide variety of council services. On average, C1V dealt with 82% of enquiries at the first point of contact. This is a key indicator of quality – whether the customer receives the service they require and the answer they want from their call, as well as how quickly it is answered.

During the three month period, C1V placed a key focus on improving response times specifically for adult services customers requesting a proportionate assessment. Over the period the backlog of these enquiries reduced from 300 to 30 as a result of dedicating five staff to this work.

The Councillor will note that new recycling arrangements were introduced last year. Changes were also announced nationally requiring the renewal of concessionary travel passes. In quarter 3 of this year, the number of calls to C1V rose by 11,289 in comparison with the year before.

Improvement Work

There are several areas of improvement work underway at C1V:

- A new contact centre system will allow enquiries from a range of methods (telephone, email, webchat) to be dealt with more efficiently by C1V colleagues. For example, multiple webchats can be carried out at the same time.
- Recruitment practices are being prioritised so that there will be less agency staff and more permanent recruits. This should improve the retention of skilled call handlers and reduce vacancy rates.
- Training and development is always a focus, but will be further developed once the current recruitment round is completed.

(xxxiii) Question from Councillor G.C. Kemp

Will the Cabinet Member provide an update on the business case submitted to Welsh Government in respect of the new school in Rhoose?

Reply from the Deputy Leader

The business case is due to be submitted to Welsh Government in April 2020.

Supplemental

Referring to the business case, Councillor Kemp enquired if it would contain estimates of pupil numbers at the school.

The Deputy Leader indicated that the business case related to the allocation of Welsh Government funding to undertaken new build works in this and did not affect the proposal that was approved previously and in accordance with the Schools Standards and Organisation (Wales) Act in 2013.

718 PUBLIC QUESTIONS –

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

(i) Question from Dr. H. Davies

The Vale of Glamorgan Council has debated the Gypsy and Travellers Policy for over three years, with very little or no progress. The travellers' site at the bottom of Llangan is half vacated. What developments are anticipated with this policy in 2020?

Reply from the Cabinet Member for Housing and Building Services

The Vale of Glamorgan Council, in compliance with the Housing (Wales) Act 2014, completed a Gypsy and Traveller Accommodation Assessment in May 2016 which identified the need for a site.

Since then, despite extensive and detailed site investigations being completed and discussions taking place with the residents of the unauthorised site in Sully, suitable land has not been identified for the development.

Cabinet therefore gave approval on 20th January, 2020 for Officers in the Planning Division to undertake a 'Call' for Candidate sites and agreed proposals to identify suitable land on which to develop a gypsy and traveller site or sites.

The initial stage will involve a six-week consultation period, during which time interested parties can submit sites for consideration.

Once the consultation has closed, any sites submitted will be compiled into a 'Register' which can be inspected on the Council's website.

All sites submitted will then be subject to a full assessment.

(ii) Question from Mr. J. Evans

In recent years I have had occasion to complain to the Council regarding how Welsh Water carry out emergency works on highways in and around Dinas Powys with little or no apparent consideration of their impact on the local community. In October 2018 I raised concerns regarding 24 hour temporary traffic lights on Leckwith Hill when no work was taking place by Welsh Water contractors. On 7th January, 2020 I contacted the Council to complain about the closure of Penyturpike Road by Welsh Water not as a result of roadworks but apparently to facilitate the movement of water tankers to maintain water supply, an action which caused major congestion in Dinas Powys and beyond over a 24 hour plus period.

In relation to the Leckwith Hill incident, the Council accepted that Welsh Water's contracting and management arrangements were of some concern and did not help in programming or completing works in a timely manner. Via the Council's Managing Director I had an extremely helpful response from the Council's Engineering Operational Manager which concluded with the following – the Council is waiting for a detailed investigation by Welsh Water to explain fully their actions and management of this particular situation – any utility company can legally enter a highway for emergency works but must then notify the Council within 2 hours of doing so. The Council cannot prevent such action but will work with the utility company to minimise impact as far as reasonably practicable – the utility company complied with the New Roads and Streetworks Act 1991 for emergency works and therefore followed procedures, albeit we have concerns over their contracting and management arrangements which will be raised with Welsh Water and at regional

coordination meetings with all utilities – the Council will be serving a Section 65 notice for inadequate traffic management of the works.

My first question is:

- (i) Were all the above actions promised by Council officers taken and what were the outcomes?
- (ii) If the actions were not taken in full or part why not?

My other questions relate to the closure of Penyturnpike Road for a period in excess of 24 hours on 7th and 8th January, 2020.

- (iii) What precisely was the issue that caused Welsh Water to close the road?
- (iv) Did Welsh Water full comply with the relevant legislation referred to above in their closure?
- (v) How was the closure monitored by the Council?
- (vi) Was the site inspected by Council officers?
- (vii) If so at what level of seniority?
- (viii) If not why not?
- (ix) Are you satisfied that the only option open to Welsh Water and subsequently to the Council was road closure?
- (x) What other options were considered and why were they discounted?
- (xi) What attempts were made to inform residents along Penyturnpike Road in particular and the public generally as to what was occurring?
- (xii) What information if any was placed on the Council's website?
- (xiii) Were you as responsible Cabinet Member apprised as to what was happening?
- (xiv) If so, what action did you take?
- (xv) If not why not?
- (xvi) Are you satisfied that the Council took all the action it could have to minimise the chaotic consequences of the road closure, particularly having regard to the following – the road was not directly affected so it would appear by the emergency – the water tankers used by Welsh Water were big but no bigger than the many construction and other vehicles that regularly use the road – between 7 and 10am when my son attempted to use the road and I used the

road ignoring the signs there was very little activity other than a number of tankers parked up off the road in the lay-by – minimal activity overnight and certainly in the early morning of the 8th January after which the road was reopened at 9am?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Thank you, Mr. Evans, for your 16 questions which I will seek to answer in their numbered order.

- (i) Your first 2 questions relate to works undertaken on Leckwith Hill by Welsh Water in October 2018. After further investigation of these Welsh Water works, it was determined that the works on the highway was provided in accordance with the necessary requirements. The problem was with the temporary traffic lights installed on the highway during peak times with no works being undertaken by Welsh Water on site, which was a totally unacceptable situation. As a consequence, Welsh Water was made aware of the inappropriateness of their works and instructed to complete the repair to by 3:30pm that afternoon before peak commuter traffic times. As a further meeting was held with Welsh Water to discuss their operations and management of utility works on the highway. Welsh Water advised that their contractual arrangements led to delays in completion site. To address these issues Welsh Water explained that they were in the process of implementing new contract arrangements which are now subsequently in place. The Council maintains regular contact with Welsh Water and other statutory utility companies to ensure that disruption associated with planned or emergency works on highway is minimised but regrettably, on occasion there will be disruption depending on the extent of the works.
- (ii) As explained all actions identified were considered to be adequately addressed.
- (iii) Question 3 onwards concerns works undertaken by Welsh Water as an emergency in January of this year. This work relates to the failure of a large bore water main serving Dinas Powys and Llandough as well as Llandough Hospital which required immediate action to repair.
- (iv) Yes.
- (v) The Council's highway maintenance team attended site and remained in regular contact with Welsh Water.
- (vi) Yes.
- (vii) A Senior Highways Technician.
- (viii) This question is not applicable.
- (ix) Yes.

- (x) Various options from temporary signals to stop and go boards were considered but were discounted. The maintaining of water supplies to the hospital essential for patient safety was, in particular, considered to significantly outweigh individual motorist attempting to use the road or inappropriately ignoring road closed signs.
- (xi) The Council's Communications team posted Social media messages following this notification. Updates were provided by the highway maintenance and communications team throughout the day.
- (xii) The Council issued social media messages as well as the temporary signage erected on site. The Council also contacted Bro Radio to advise of the situation and request that they add details of the road closure to their news and travel bulletins.
- (xiii) Yes, as were the Dinas Powys Ward Members.
- (xiv) I sought to ensure that the highway maintenance team had all the necessary resources available to enable them to monitor and liaise effectively with Welsh Water to resolve the situation and reopen the road at the earliest opportunity, as well as confirming that the communications team had taken all necessary and effective steps to advise and update the travelling public as the situation progressed.
- (xv) This question is not applicable.
- (xvi) YES.

719 MATTER WHICH THE MAYOR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Mayor had decided was urgent for the reason given beneath the minute heading be considered.

720 NON-DOMESTIC RATES – HIGH STREET AND RETAIL RATES RELIEF (REF) –

Urgent by reason of the need to enable a scheme to be adopted using discretionary relief powers under Section 47 of the Local Government Finance Act 1988 for the provision of High Street and Retail Rates Relief for qualifying business premises within the Vale of Glamorgan area

Cabinet considered the above matter at its meeting on 24th February, 2020.

The report at that time brought to the attention of Cabinet the Council's discretionary powers to award non-domestic rates relief to businesses within the Council's area under Section 47 of the Local Government Finance Act 1988, including highlighting

proposed funding that would be provided by Welsh Government in order to support High Street and Retail businesses through the Council's area.

The report proposed that Cabinet recommend that Council adopt the High Street and Retail Rates Relief Scheme for 2020-21, in accordance with the above provisions.

The Cabinet had resolved to recommend the following to Council for approval:

“(1) T H A T the High Street and Retail Rates Relief Scheme for 2020-21 be adopted in accordance with the provisions contained in Section 47 of the Local Government Finance Act 1988.

(2) T H A T relief be awarded to all qualifying businesses as in accordance with the Non-domestic Rates High Street and Retail Rates Relief Guidance issued by the Welsh Government at Appendix A to the report to Cabinet on 24th February, 2020.

(3) T H A T entitlements be automatically awarded to those qualifying businesses that can be identified through records held by the Council.

(4) T H A T entitlements be awarded to the remaining businesses that may be eligible following receipt of a valid application form.”

RESOLVED – T H A T the Cabinet resolutions as set out in Cabinet Minute No. C238 be endorsed.

Reason for decision

To enable a scheme to be adopted using discretionary relief powers under Section 47 of the Local Government Finance Act 1988 for the provision of High Street and Retail Rates Relief for qualifying business premises within the Vale of Glamorgan area.