

No.

THE VALE OF GLAMORGAN COUNCIL

Minutes of a Remote meeting held on 21st September, 2020.

The Agenda is available [here](#)

Present: Councillor Jayne Norman (Mayor); Councillors 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, Vincent Driscoll, Stewart Edwards, Ben Gray, Owen Griffiths, Stephen Griffiths, Anthony Hampton, 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, Rachel Nugent-Finn, Andrew Parker, Bob Penrose, Sandra Perkes, Andrew Robertson, Leighton Rowlands, Ruba Sivagnanam, John Thomas, Neil Thomas, Steffan Wiliam, Margaret Wilkinson, Edward Williams, Mark Wilson and Marguerita Wright.

41 APOLOGIES FOR ABSENCE –

Apologies were received from Councillor Andrew Davies.

42 DECLARATIONS OF INTEREST –

No declarations were received.

43 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 26th February, 2020 and the Special Meeting held on 9th March, 2020 be approved as a correct record subject to an amendment being made to Member question (vii) relating to the Barry Biomass Plant (supplemental question), by inserting Councillor Dr. Johnson's name in place of Councillor Bailey's.

44 ANNOUNCEMENTS –

(i) The Mayor made the following announcement:

She had had the honour of attending the RAF Battle of Britain commemoration held on Sunday, 20th September on behalf of the Council.

(ii) Statement by the Leader – Covid 19, Local Restrictions

“The number of confirmed cases of Covid-19 in the Vale of Glamorgan is continuing to rise.

No.

The number of cases has doubled in the space of five days. The latest figures show the rate of infection for the Vale was at 22.5 per 100,000 per head of population on 18th September.

Local lockdowns are currently in place in Caerphilly and Rhondda Cynon Taff. Today it has been announced that the same restrictions will come into effect tomorrow for those living in Blaenau Gwent, Bridgend, Merthyr Tydfil, and Newport.

My message for residents of the Vale is a simple one. This is our last chance to prevent similar measures being imposed on our towns and villages.

Slowing the spread of the virus is not difficult, but it requires us all to work together and follow the same basic guidelines:

- Wear a mask when indoors in public places;
- Always observe social distancing;
- Wash your hands regularly;
- If you meet another household, outside your extended household, stay outdoors;
- Work from home if you can;
- Stay at home if you or anyone in your extended household has symptoms;
- If you have symptoms get a test.

I know the vast majority of Vale residents want to do what is right. Earlier this year we all made great sacrifices to stop the spread of Covid-19 and protect our families, friends, and the most vulnerable in our communities. We have made huge progress towards a return to life as we once knew it in the months since. We must not now undo all of this hard work. The Vale of Glamorgan Council will be doing everything it can to share this message as widely as possible.

Our teams will also be working hard, as they have been since the outbreak of the pandemic, to make our public spaces as safe as possible and those businesses with a responsibility to do the same are following the guidelines.

I would like to thank all residents in advance for continuing to work with us. Together we can keep the Vale safe and our communities open.”

45 REINSTATEMENT OF THE 6 MONTH RULE FOR MEMBERS: SECTION 85 OF THE LOCAL GOVERNMENT ACT 1972 (MO / HLDS) –

The Leader drew attention to the report which detailed that “Section 85(1) of the Local Government Act 1972 (“the Act”) provided, subject to exceptions, that if a Member failed to attend a Meeting of his / her Local Authority throughout the period of six consecutive months then the Member would be disqualified unless the reason for failure to attend was approved by the Local Authority prior to the 6 month period lapsing. This was commonly known as the “6 Month Rule”.

An additional exception to the 6 Month Rule was introduced by the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 which applied in respect of the

No.

Vale of Glamorgan Council for the period 22nd April, 2020 to 3rd July, 2020 for all Members other than Cabinet Members (with a deadline of 13th July, 2020 for Cabinet Members).

In line with the delegated authority granted by Council to the Managing Director to make emergency decisions on the Council's behalf (Council's Constitution, Section 25) the Managing Director approved on 4th July, 2020 (reference no. EP COVID-19, 84) for Members' continued non-attendance at Meetings in line with Section 85(1) of the Act.

The report recommended the reinstatement with immediate effect of the 6 Month Rule given the ability for all Members to attend virtual meetings in line with the Regulations.

If agreed by Council, the 6-month clock would recommence with immediate effect and attendance at the Council meeting would be regarded as counting towards meeting the 6 month rule. For avoidance of any doubt the Monitoring Officer's report made it clear that the period 22nd April to 20th September, 2020 would be disregarded when calculating the period of non-attendance for the purposes of meeting the above Act.

RESOLVED –

(1) T H A T the cessation of the Managing Director's Emergency Power reference number EP COVID-19, 84 dated 4th July, 2020 with immediate effect be approved.

(2) T H A T in line with the provisions of Regulation 10 of the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, it be noted that the period 22nd April, 2020 to 3rd July, 2020 (and 13th July, 2020 for Cabinet Members) be disregarded when calculating the 6 Month Rule for the purposes of Section 85(1) of the Local Government Act 1972 in respect of Vale of Glamorgan Councillors.

(3) T H A T it be noted that the period from 4th July 2020 to 20 September 2020 be disregarded when calculating the 6 Month Rule for the purposes of Section 85(1) of the Local Government Act 1972 in respect of Vale of Glamorgan Councillors.

Reasons for decisions

(1) To reinstate the 6 Month Rule governing Members attendance at Meetings.

(2&3) For Members' information.

46 CAPITAL MONITORING FOR THE PERIOD 1ST APRIL 2020 TO 31ST JULY 2020 (REF) –

The Leader referred to the Cabinet's consideration, on 7th September, 2020, of the above report which outlined the position with regard to the Capital Programme for the above period, considering the impact of the pandemic and the ability of the Council to deliver the full Programme. The Leader noted that delivery of the Capital

No.

Programme would be challenging this year as a result of the pandemic as people were often unable to work and some supplies and materials were not as readily available, etc.

In April it had been agreed that the Council would not tender for Capital schemes due to concerns over the availability of contactors. The reliability of supply chains and ability to meet timescales were also considered. This position had subsequently been reviewed and Services were now tendering for works again, which had enabled works to be continued and completed on school buildings over the summer period.

He also referred to the additions to the Programme and to the associated reasons which related to slippage of £13m from 2019 to 2020; receipt of additional Welsh Government grants and additions as a result of using Section 106 monies.

RESOLVED –

(1) T H A T the resolutions of the Cabinet as set out in Cabinet Minute No. C322 (1,2,3 & 5), 7th September, 2020 , be noted.

(2) 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 Capital Programme in relation to the Capital Economic Regeneration Reserve.

Reasons for decisions

(1) In view of the information contained within the report.

(2) To enable the Capital Economic Regeneration Reserve to be managed effectively.

47 LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES – REVIEW OF ELECTORAL ARRANGEMENTS OF THE COUNTY BOROUGH OF THE VALE OF GLAMORGAN (REF) –

The Cabinet Member for Legal, Regulatory and Planning Services referred to the above report considered by Cabinet at its meeting held on 7th September, 2020 (Minute No. C327) and was now being referred on to Council for approval.

The Local Democracy and Boundary Commission for Wales ('the Commission') had a duty under s29 of the Local Government (Democracy) (Wales) Act 2013 to review the electoral arrangements for each principal area at least once every ten years.

The Commission commenced its Review of the Vale of Glamorgan Council ('the Council') on 8th May, 2019, and the Council provided comments on the Commission's proposals as part of Stage 1 of the Review by 30th July, 2019.

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As part of Stage 2 of the Review, the Commission had published the Draft Proposals Report and sought views on the proposed electoral arrangements detailed in the same by 20th October, 2020.

The report outlined the Commission's draft proposals for consideration as set out below recommended further proposals for submission to the Commission as detailed in paragraphs 2.7 and 2.8 of the Cabinet report.

Section 29 of the Local Government (Democracy) (Wales) Act 2013 defined electoral arrangements as:

- The number of Members of the Council for the principal area;
- The number, type and boundaries of the electoral wards into which the principal area was for the time being divided for the purpose for the election of Members;
- The number of Members to be elected for any electoral ward in the principal area; and
- The name of any electoral ward (if a new ward was created).

The Cabinet Member alluded to the representations objecting to the proposed reduction in representation for the Dinas Powys ward, to that Cabinet meeting and made reference to comparative proposals for the Buttrills ward, which would continue with 2 Councillors with an under-representation based on 2019 and 2024 figures of 18% and 20% respectively and therefore the proposed percentage under-representation for Dinas Powys (of an under-representation of 12% and 17%) although not ideal compared favourably.

He also alluded to the debate that took place at the Council's Meeting in July 2019 and subsequent representations made to the Commission to retain the number of Councillors for the Dinas Powys ward at 4, however that had not been agreed by the Commission.

He reminded Members of the Commission's current proposals which would see an increase in Membership from the current figure of 47 to 53 (whereas it the initial proposals was for a total of 51 Members) Members. This would significantly improve the ratio of electors to Councillors seeing a county average reduction from 2,039 to 1,809.

Other than the proposals relating to the Cornerswell and Llandough electoral wards which it was recommended continue to be 2 separate wards Llandough was a distinctively separate community to Penarth with no community ties and a distinctive boundary; and the Electoral Registration Officer's recommendations in respect of the names of the proposed electoral wards as detailed in paragraph 2.8 of the Cabinet report had been supported following consideration by the Cabinet.

The Cabinet Member for Legal, Regulatory and Planning Services Moved the following Motion:

"That the Local Democracy and Boundary Commission's proposals for the Vale of Glamorgan Council's electoral arrangements (as detailed in its February 2020 Draft

No.

Proposals Report) be accepted save for the proposals relating to the Cornerswell and Llandough electoral wards which it was recommended continue to be two separate electoral wards for the reasons detailed in paragraph 2.7, of the report including the names of the proposed electoral wards as detailed in paragraph 2.8 of the report.”

The Deputy Leader duly seconded the above Motion.

Councillor Dr. Johnson, alluding to the Group Leaders’ meeting with the Boundary Commission last year, stated that he had been broadly in agreement with the previous recommendations made at that time. However, he also referred to his written submission to the Cabinet meeting on 7th September, 2020 on behalf of his Group and reiterated that the Council submission should recommend four Councillors for the Dinas Powys ward, in line with the previous Stage One submission made in 2019. Under the 2024 estimated population figures, Dinas Powys would have the second greatest under-representation at 17% (ironically, after his own Buttrills ward) if there were three Councillors, whilst it would have an over-representation of 12% with four Councillors, it would be well within the population guidance of the Boundary Commission. Four wards proposed by the Boundary Commission (and a fifth proposed within the report) would he stated have greater over-representation, in the Western Vale in particular. He subsequently indicated that his Amendment would be seconded by Councillor Hodges.

Accordingly, Councillor Dr. Johnson Moved the following Amendment:

“That the Council’s submission should recommend four Councillors for the Dinas Powys ward, in line with the previous Stage One submission made in 2019.”

The Amendment was duly seconded by Councillor Hodges.

Councillors S. Griffiths indicated his support for the Motion.

A Recorded Vote took place on the above Amendment.

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

No.

Geoff Cox		√	
Robert Crowley	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths		√	
Stephen Griffiths	√		
Anthony Hampton	√		
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		√	
John Thomas		√	
Neil Thomas		√	
Steffan Wiliam	√		
Margaret Wilkinson		√	
Edward Williams		√	

No.

Mark Wilson *			
Marguerita Wright	√		
TOTAL	18	26	

* Unable to vote due to audio technical difficulties.

The Amendment was lost.

Councillor Kemp referred to the longstanding connections between Llanccarfafan and Rhooſe. Llanccarfafan had formed part of the Rhooſe ward ſince at leaſt 1974. That connection was being increased by the transfer of Llanccarfafan School to the village of Rhooſe. Bonvilſton had been part of the Rhooſe ward until the 1980s. There was no connection between St. Georges-Super-Ely and the reſt of the propoſed St. Nicholas and Llanccarfafan ward. He conſidered that the change would not increase the number of Councillors being propoſed by the Commiſſion.

Accordingly, Councillor Kemp Moved the following Amendment:

1. That Rhooſe ward be increased to 4 Members.
2. That Llanccarfafan remain in the Rhooſe ward.
3. That St. Nicholas and Bovilſton be added to the Rhooſe ward.
4. That St. Georges remain in the Peterſton-Super-Ely ward.
5. That the propoſed ward of St. Nicholas and Llanccarfafan not be eſta bliſhed.”

The Amendment was duly ſeconded by Councillor Bailey.

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

Councillor Morgan referred to a recent telephone con verſation with Chairman of the St. Georges and St. Brides-Super-Ely Community Council. He indicated that the Community Council was not in agreement with the propoſals that they be removed from the Peterſton-Super-Ely ward and included in the propoſed new St. Nicholas and Llanccarfafan ward for the following reaſons:

1. Hiſtorically their community had always been linked with Peterſton-Super-Ely;
2. Geographically the move made no ſenſe as the villages were nearer to Peterſton-Super-Ely than they were to St. Nicholas and Llanccarfafan;
3. Diſagreed with coſt of increasing the number of Councillors.

Accordingly, Councillor Morgan Moved the following Amendment:

“That the Communities of St. Georges-Super-Ely and St. Brides-Super-Ely remain within the Peterſton-Super-Ely ward of the Vale of Glamorgan Council with the current arrangements continuing.”

The Amendment was duly ſeconded by Councillor Gray.

Councillor Dr. Johnson, referring to the propoſed Amendment, highlighted that if accepted would create a ward circa 40% below the threshold required by the

No.

Commission.

Councillor Morgan stressed that he was simply asking on behalf of those communities who he represented that the current arrangements remain as they were.

Councillor Gray, in support, indicated the Amendment to be a statement on principles.

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

Making reference to the previous proposed amendments, Councillor Cave felt that it was a sad situation that Members were choosing to vote along party lines rather than listening to the wishes of local communities.

Councillor Cave, referred to the communities of Colwinston, Llandow, Llangan, St. Brides Major, St. Donats and Wick being widely regarded locally as the Western Vale, all comprising of small rural settlements, sharing many characteristics and strong local ties. She supported the Commission's proposals to increase representation for these areas from 2 to 3. However, she highlighted the current under representation of the wards of Llandow / Ewenny and St. Brides Major, of 10% and 24% respectively and above the County average. Further, she also welcomed the inclusion of St. Donats within the St. Brides Major ward. That said, she had concerns relating to the proposed boundaries of Llandow and St. Brides Major ward as it would split established and long held links with these communities, particularly impacting on the Ewenny community and was not supported by those local communities.

Accordingly, Councillor Cave Moved the following Amendment:

"That the existing Llandow / Ewenny and St. Brides Major wards be combined along with the community of St. Donats to create a new 3 Councillor ward and that the ward be named the Western Vale."

The Amendment was duly seconded by Councillor Rowlands.

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

At this juncture, a number of comments were made in regard to the amendment previously carried relating to the retention of current arrangements in regard to Communities of St. Georges-Super-Ely and St. Brides-Super-Ely remained within the Peterston-Super-Ely ward. Councillors Carroll and Rowlands considered that Councillor Kemp's earlier Amendment should be reconsidered in the light of agreeing Councillor Morgan's Amendment.

The Monitoring Officer provided clarification that that matter had been already voted upon earlier in the debate and not agreed and therefore it could not be again considered.

No.

The Leader sought further clarification in that if the Motion as Amended were to be approved this could have potentially unintended implications for County ward boundaries, if this were to be the case, which he considered it to be so, he signalled that he would be voting against the Amended Motion.

The below Amended Motion was put to a vote:

(1) That the Local Democracy and Boundary Commission's proposals for the Vale of Glamorgan Council's electoral arrangements (as detailed in its February 2020 Draft Proposals Report) be accepted save for the proposals relating to the Cornerswell and Llandough electoral wards which it was recommended continue to be two separate electoral wards for the reasons detailed in paragraph 2.7 of the report, including the names of the proposed electoral wards as detailed in paragraph 2.8 of the report.

(2) That the Communities of St. Georges-Super-Ely and St. Brides-Super-Ely remain within the Peterston-Super-Ely ward of the Vale of Glamorgan Council with the current arrangements continuing.

The Amended Motion was lost.

RESOLVED – THAT the Cabinet proposals as set out in Cabinet Minute No. C327 (as amended and indicated above) not be approved.

Reason for decision

The Council was unable to reach agreement on the Local Democracy and Boundary Commission for Wales Stage 2 Review, Draft Proposals.

(N.B. Councillor Mahoney was not able to participate in the voting on any of the above matters due to audio interference.)

48 ANNUAL TREASURY MANAGEMENT REPORT 2019/20 (REF) –

The Leader, referring to matters previously considered by the Cabinet earlier that afternoon, outlined the Council's borrowing requirements which had increased by £731k in 2019/20 giving a Total Capital Financing Requirement of £199.08m at 31st March, 2020. At the same date, the Council held £153.91m of Gross Borrowing. The Council was therefore under borrowed by £45.17m as at 31st March, 2020.

The Council's External Borrowing was well within the Authorised Limit and Operational Boundary set for 2019/20.

The Council held Loans from PWLB (£145.21m), Concessionary Loans from Welsh Government (£2.6m), Market Loans (£6m) and a Temporary Loan (£0.10m) at 31st March, 2020. No new external loans were taken out in year and the Council continued to finance new Capital Expenditure (£5.871m) from internal borrowing.

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The Council held investments of £98m at 31st March, 2020 and the majority of this was invested with Local Authorities (£87m) with an annual return of 0.7875%. The overall return on investments in 2019/20 which included Treasury Bills and Deposits with the Debt Management Office was £761k at a rate of 0.7498%.

RESOLVED – T H A T the Annual Treasury Management Report 2019/20 be approved.

Reason for decision

To approve the Annual Treasury Management Report 2019/20.

49 VALE OF GLAMORGAN ANNUAL REPORT (IMPROVEMENT PLAN PART 2) 2019/20 (REF) –

The Leader outlined progress towards achieving the Council's Well-being (Improvement) Objectives agreed in April 2019. The matter had been considered earlier in the afternoon by the Cabinet.

He indicated that the report also incorporated an end of year position statement on corporate risks, an annual review of progress against regulatory proposals, the Head of Internal Audit's opinion on the Council and incorporated statutory reporting requirements. The progress in relation to all planned activities for the period had been assessed and local performance data had been used where available. However, certain aspects of performance, most notably, end of year national performance indicator information and national benchmarking data had not been available to enable comparison of performance. Statutory statistical obligations from the Welsh Government and the Welsh Local Government's Public Accountability Measures were suspended indefinitely at the end of 2019/20 to enable focus of energies on supporting communities through the worst of the COVID-19 global pandemic. When the data became available, it would be reported to Members as appropriate and as part of the Council's quarterly performance reports.

The Annual Improvement Report from Audit Wales would be issued later than usual, in the autumn 2020, due to the pandemic.

The Corporate Plan 2016-20 set out the vision for both the Vale of Glamorgan and its citizens to create 'Strong Communities with a Bright Future'. The majority of the priorities aligned to the vision focused on the long term and aimed to address complex challenges, in line with the Well-being of Future Generations Act so, whilst good progress had been made in delivering on those priorities to date, there was still some way to go to demonstrate the full impact. On balance, looking back on the progress made during the final year of this Corporate Plan, significant progress had been made in achieving the vision, giving an overall performance (RAG) status of Green for the Corporate Plan.

Strong progress in delivering the final year's priorities in the Corporate Plan 2016-20 had also contributed positively to the national Well-being Goals for Wales, as priorities had sought to maximise contribution to the national goals. Achievements to

No.

date demonstrated commitment to improving the social, economic, environmental and cultural well-being of citizens and promoting the sustainable development principle in all activities.

The Insight Board Action Tracker incorporated all regulatory proposals for improvement as well as areas for further development identified by the Council. Overall, positive progress has been made during the year.

RESOLVED - T H A T the Draft Vale of Glamorgan Annual Report (Improvement Plan Part 2) 2019/20 be approved.

Reason for decision

To ensure the Council fully discharged its duties under both the Well-being of Future Generations (Wales) Act 2015 (WBFG) and the Local Government (Wales) Measure 2009 (LGM) to publish an annual review of Council performance against its Well-being (Improvement) Objectives by 31st October as per the statutory timetable.

50 REVIEW OF WELSH GOVERNMENT CONSULTATION PAPERS: DRAFT SENEDD CYMRU (REPRESENTATION OF THE PEOPLE) (AMENDMENT) ORDER 2020 AND DRAFT SENEDD CYMRU (DISQUALIFICATION) ORDER 2020 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C312(4)), 27th July, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

51 PREVENTION OF ALCOHOL RELATED ANTI-SOCIAL BEHAVIOUR – RESORTS, TOWN CENTRES AND PUBLIC OPEN SPACES (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C313(4)), 27th July, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

No.

52 CAR PARKING DISPLACEMENT – COASTAL AREAS AND OTHER LOCATIONS WITH HIGH VISITOR NUMBERS (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C314(6)), 27th July, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

53 LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES – REVIEW OF ELECTORAL ARRANGEMENTS OF THE COUNTY BOROUGH OF THE VALE OF GLAMORGAN (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C327(4)), 7th September, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

54 ANNUAL TREASURY MANAGEMENT REPORT 2019/20 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C332(2)), 21st September, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

55 VALE OF GLAMORGAN ANNUAL REPORT (IMPROVEMENT PLAN PART 2) 2019/20 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C333(2)), 21st September, 2020 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

No.

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

Due notice had been given of the following questions:

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

What new services were implemented by the Vale Council to ensure the safety of vulnerable people during Lockdown, with particular reference to the provision of accommodation for homeless people?

Reply from the Cabinet Member for Housing and Building Services

There has been a significant increase in the demand for all temporary accommodation resulting from the Covid19 pandemic.

In response, the Vale of Glamorgan had established a Group consisting of a range of partners, that meets remotely to co-ordinate and manage the temporary accommodation arrangements.

Since April 2020, the Council has entered into legal agreements with three hotels to block book rooms to provide emergency B&B accommodation to respond to the increase in homelessness / rough sleeping due to the pandemic.

As many of those requiring accommodation have support needs, they have had access to daily telephone support, and more recently, face to face support from the Council's Supporting People Team.

In addition, the Housing Solutions Team has retained 4 Council properties for use as alternative accommodation or emergency accommodation if an outbreak of the virus occurs and where the resident may have problems self-isolating without direct support.

The team has also leased two private rented sector properties which are managed in liaison with Atal Y Fro, to provide emergency / temporary accommodation for families fleeing domestic abuse.

Supplemental

Councillor Charles enquired if the Cabinet Member had the actual figure for the costs associated for all temporary accommodation resulting from the Covid 19 pandemic.

The Cabinet Member indicated that she did not have the exact figures to hand. She would write to Councillor Charles post meeting on the issue however, she indicated that £10m of additional funding support had been provided by the Welsh Government.

No.

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

The Welsh Government announced a cash boost for Local Authorities of £260 million - how much of that is earmarked for the Vale of Glamorgan, what restrictions (if any) are going to be placed on what the money is spent on and when will we receive it?

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

The Welsh Government has not earmarked any money to a specific council area. They have been consistent in requesting each Local Authority to provide a monthly schedule of expenses and loss of income as a direct result of Covid-19. These claims are assessed and paid to the relevant Local Authority on a quarterly basis and we received the first quarter payment in July. We continue to make monthly claims and will await the further payments in due course.

On top of that the Welsh Government made up-front payments of the Rate Support Grant and initially 3 months payments were made in April.

Can I also refer you to the Cabinet report of 7th September, when a full breakdown was supplied.

(iii) **Question from Councillor V.P. Driscoll**

Given that you have publicly supported the Penarth Headland link what are you doing to speed the process up? This is a very popular project among the people of Penarth and especially the Penarth traders.

Given that this project is of enormous benefit to Penarth, Cardiff and the Vale of Glamorgan, what is the Council doing to secure other involvement? Is the Council taking full advantage of the assistance offered by Cardiff Council and the Trustees of the Headland Link charity?

Reply from the Cabinet Member for Neighbourhood Services and Transport

The Council has been actively progressing work to prove the case for the Penarth Headland Link through the WelTAG process I am not sure what you mean by what are we doing to speed this up, as the process involves various stages which have to be followed in turn. Put simply, it is not within this Council's remit to determine the process.

I am unclear what other involvement you could be referring to that we could secure. The process is a WelTAG Scheme and as such all avenues are being explored.

To date, Stage 2 WelTAG has been completed and full details can be found on the Council's website.

Despite bidding for grant funding to Welsh Government for WelTAG Stage 3 for the Link, it was determined by Welsh Government that other transport schemes were of a higher priority in the Vale of Glamorgan for funding in 2020/2021. That said, we

No.

continue to liaise and have regular dialogue with partners in order to progress the project through WeITAG Stage 3.

Supplemental

Councillor Driscoll asked the Cabinet Member if he would confirm that he had agreed to a spend of £23m on the project.

The Cabinet Member reminded Councillor Driscoll that much of the work carried out on the project and related information predating his stewardship as a Cabinet Member, and therefore, not an amount he had agreed to himself.

(iv) Question from Councillor V.P. Driscoll

Will the Council further support this fantastic development by helping with the parking situation? This could be done by releasing part of the adjacent land that is earmarked for the Cardiff and Vale College. Even if it's for a limited period until the College are ready to develop.

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

I can confirm that we will further support this fantastic development and help with the parking situation, which is currently in hand and one which I have had several conversations about with the relevant officers, as has my Cabinet Colleague.

However, we will not be doing what you suggest.

Supplemental

Councillor Driscoll reiterated his original question and asked the Leader if it was possible to allow the use of the land earmarked for the Cardiff and Vale College project to be used even if only on a temporary basis.

The Leader mentioned that he agreed that the Hood Road Goods Shed development was a flagship mixed use regeneration project located within the Innovation Quarter at Barry Waterfront. It was in a central sustainable location well served by road, rail, cycleways and footways. It was also granted planning permission on this basis.

The Innovation Quarter was establishing itself as a popular destination with the exciting new Goods Shed development adding to the success of Barry Pumphouse, the Premier Inn and Brewers Fayre, the BSC and West Quay Medical Centre. It demonstrated beyond doubt the value of partnership between this Council and the Welsh Government.

Convenient car parking was recognised as important to help the businesses and community uses flourish at the Innovation Quarter and had very recently opened up for public use circa 80 no. space car park in front of The Engine Shed (the Council's BSC2 project at the rear of Barry Pumphouse).

No.

This parking, combined with the parking provided on the Goods Shed site, the space available on the nearby highways and the site's excellent location close to Barry train station meant that sufficient space was available.

Furthermore, he explained further why he would not take up Councillor Driscoll's suggestion and reminded him that the existing road access from Fford Y Mileniwm into the undeveloped Innovation Quarter land, which was earmarked for the college and school was not available for public access, because it would be used exclusively for construction traffic for the pending school works contract and thereafter, the remainder of the land would become a construction site for the college. He was sure that Councillor Driscoll would accept that construction work and a public car park did not mix as it would be a health and safety disaster and one that he was not prepared to sign up to, let alone suggest.

(v) **Question from Councillor V.P. Driscoll**

Will the Council reconsider their decision to give this building to their preferred developer? The fact that no work has started suggests they don't have the finance in place to complete the building. Does the Cabinet Member agree they have been given enough time?

Reply from the Leader

A simple answer to your first question is no, because the preferred developer has a contract in place with the Council setting out terms for an 'Agreement to Lease' and a 'Lease' document.

In answer to your second question, I believe that as we are currently in a pandemic, it is not unexpected that there have been delays in the development, although I accept this is taking a lot longer than I would have envisaged when the contracts were agreed.

To that end, negotiations are currently ongoing with the developer to advance matters as soon as possible and those negotiations continue to be fruitful.

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

Could the Cabinet Member provide an update on progress towards a Dinas Powys bypass road and an Active Travel Route between Barry and Dinas Powys?

Reply from the Cabinet Member for Neighbourhood Services and Transport

The WelTAG Stage 2 plus Report for "Improvements to Transport in Dinas Powys", (including the consideration of a bypass), is due to be presented to Cabinet in November 2020.

In respect of the Active Travel Route between Biglis roundabout in Barry and Dinas Powys, the Council made a funding bid to Welsh Government (WG) for 2020/21 in order to progress this key Active Travel Scheme.

No.

The bid to WG for 2020/21 comprised a request for funding to undertake a detailed topographical survey (£50k), further ground investigations (£60k) and a public / stakeholder consultation (£1k).

Unfortunately, this Scheme was not prioritised for funding by WG this year, but as and when the opportunity arises I will continue to seek funding for the scheme which forms an important Active Travel link for the Council.

Supplemental

Councillor Dr. Johnson, referring to a 20% increase in the Dinas Powys population and to the completion date of 2020 for the Active Travel route between Barry and Dinas Powys, asked if the Cabinet Member would be prepared to allocate funding that he has discussed to kick start the provision of this important route.

The Cabinet Member indicated that if the opportunity arose he would consider progressing as it was a route he was keen to see completed.

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

Could the Leader provide an update on progress towards Living Wage Accreditation, in line with the Motion agreed by Full Council in December 2018, with particular reference to the pay of social care staff (directly and indirectly employed by the Council), and others whose value and hard work has been shown during the recent pandemic?

Reply from the Leader

Thank you for your question.

I refer to the resolution that said:

That the Vale Council works towards becoming a formally accredited Living Wage Employer with the Living Wage Foundation and commits to paying all direct employees, the Real Living Wage, as well as developing policies to ensure that the Real Living Wage is paid to indirectly employed staff.

With regards to the Council, the lowest hourly rate currently payable is £9.43 an hour, which exceeds both the National Living Wage (£8.72 for over 25's) and the Voluntary Real Living Wage £9.30). The Council's minimum rate of £9.43 per hour is also paid to agency workers, therefore, meeting a significant part of the Living Wage Foundation terms.

During the pandemic, the Council did recognise the contribution made by front line staff who continued to provide services to our communities by paying a 10% uplift to these staff for the period April to August 2020. This payment was also made to external social care providers.

No.

Discussions are ongoing with regards to the implications of a full rollout of the Living Wage across all those organisations who provide services to and on behalf of the Vale of Glamorgan.

Supplemental

Councillor Dr. Johnson enquired of the Leader if any decision had been made to continue the payment of the uplift during the crisis.

The Leader reminded Councillor Dr. Johnson that the payment of the uplift ceased at the end of August 2020 and staff had been informed accordingly of the situation and the payment would not continue beyond that date.

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

What challenges have been faced by Homelessness Services in meeting need during the Coronavirus pandemic, with particular reference to the goal of ending rough sleeping and future-proofing services ahead of a second wave?

Reply from the Cabinet Member for Housing and Building Services

I refer you to the answer I gave at Question 1.

Supplemental

Councillor Dr. Johnson enquired if the Cabinet Member would outline plans to maintain service improvements during the winter.

The Cabinet Member indicated that appropriate plans were in place and these would be followed. The Council had been helped by Welsh Government's recent announcement that the Phase 1 Homelessness Funding would continue until 31st March, 2021.

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

What services have been provided to vulnerable migrants to support them during the coronavirus pandemic?

Reply from the Cabinet Member for Housing and Building Services

Thank you for the question and I will summarise some of the work that has been carried out during Covid-19.

As you know the Authority currently provides accommodation and support to vulnerable refugees under a Home Office resettlement scheme.

As face to face contact with the refugees was not possible a digital platform was used as an alternative.

No.

This was used to maintain the priority services, which reported a short-term increase in reactive and crisis interventions, particularly in relation to Universal Credit claims.

Safeguards were put in place to identify the welfare of vulnerable users and ensure access to food, medication and other vital supplies was available, along with regular welfare checks being made digitally or personally as necessary.

We sought to ensure that adults could continue their studies online and support home-schooling, when face to face learning ceased.

An online brochure was created, which contained links to various online resources for the whole family and included supplementary language tuition; gardening; cookery; yoga and other fun activities.

This is an ongoing situation and those individuals would be kept informed and not let them down.

Supplemental

Councillor Dr. Johnson enquired as to how many individuals had been able to be resettled during the pandemic period or had work been put on hold.

The Cabinet Member indicated that she did not have the information to hand and she would write to the Councillor confirming the details.

(x) **Question from Councillor Mrs. C.A. Cave**

In the Rural Vale we have narrow country lanes that were not designed for today's mix and volume of traffic. The past few months have seen a dramatic increase in the number of cyclists, walkers and runners who have to navigate the country lanes alongside speeding traffic and heavy farm equipment.

Does the Cabinet Member for Neighbourhood Services and Transport believe that we should have a Rural Roads Policy that better reflects and accommodates the variation in the rural Vale from the urban norm?

Reply from the Cabinet Member for Neighbourhood Services and Transport

Thank you for the question, but I do not consider that there is a need to have a separate Rural Roads policy, as safety and traffic conditions are already considered specific to each circumstance and route based on the evidence available regardless of the route classification.

Supplemental

Councillor Cave enquired if the Cabinet Member was prepared to undertake a visit with herself of routes in the rural Vale to appreciate the conditions experienced by cyclists, walkers and runners alike.

No.

The Cabinet Member considered that poor driving was not necessarily limited to the rural Vale and given his age and exposing himself to risk due to the current Covid situation, he would not be taking up Councillor Cave's invitation.

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

Can the Cabinet Member give us an update on how the WeITAG Stage 2 report is progressing in relation to the Dinas Powys ByPass?

Before the COVID-19 lockdown, our Group was given an update in August that the collation of the report was at its final stages. Now with the return of Virtual meetings and a somewhat new normal, do we have a date in which the report will be published?

Reply from the Cabinet Member for Neighbourhood Services and Transport

The WeITAG Stage 2 plus Report for "Improvements to Transport in Dinas Powys", (including the consideration of a bypass), is due to be presented to Cabinet in November this year.

Supplemental

Alluding to the Covid 19 period and related delays, Councillor Griffiths enquired if there had been any lessons learned that could be taken on board so that a report could be collated and inform the consultation to maintain momentum.

Acknowledging delays during the stated period, the Cabinet Member stressed that it was still important to receive the full facts. He considered that it was preferable to receive a late response that was correct as opposed to one that was wrong.

(xii) **Question from Councillor Mrs. R. Nugent-Finn**

As a Group, supporting young people is fundamental and very much at the heart of our ethos.

Will the Vale of Glamorgan Council take up the opportunity of the government kick start scheme for 16- 25 year olds?

And support local businesses to partnership up with this Local Authority?

Reply from the Cabinet Member for Education and Regeneration

Yes, I am happy to support this KICK START initiative for 16-24 year olds. We are currently reviewing the scheme and the best way to structure this through the Council.

In addition, an Officer Working Group consisting of Human Resources, Economic Development and the Youth Support team are assessing how to best support smaller businesses to take up this opportunity, using the Council as the umbrella organisation.

No.

Supplemental

Councillor Nugent-Finn enquired how the activity would be structured, delivered and promoted.

The Cabinet Member, referring to her earlier reply, reiterated that officers were currently working on those matters, but it had to be recognised that the scheme was not a cure all for the challenges that would be faced in the Vale of Glamorgan and she was grateful for the opportunity to outline the scale of that challenge. Referring to young people aged 18 to 24 in the Vale of Glamorgan who were in receipt of financial support and recorded as not in employment, there had been a significant growth from 5.6 in March 2020 to 11.5 in August 2020. This equated to a total of 1,075 young people aged 18 to 24 who were now in receipt of financial support in the Vale of Glamorgan. In reality, a scheme for just 350,000 young people across the UK for six months would not come close to dealing with the challenges facing the County. The Cabinet Member went on to indicate that if the UK Government's furlough scheme ended as planned in just over a month, it was likely that mass unemployment would be seen within Vale of Glamorgan communities and wide-scale business failure and consequently no placements available.

The Council would work hard to make sure that any scheme developed was more than being cheap labour to pull pints and flip burgers, noting that the minimum wage for a 16 year old was £4.55 and whilst the Council was putting a scheme together for young people in the Vale of Glamorgan, she asked Councillor Nugent-Finn to use any communication channels available to her to ensure the UK Government did not pull the rug out from under the County's young people in October.

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

How has the Vale of Glamorgan Council dealt with emergency placements for our children during the lockdown period?

Have we as a Local Authority created other viable and safe options for our children in need of support?

Reply from the Cabinet Member for Social Care and Health

As you will be aware, having attended the Healthy Living and Social Care Scrutiny Committee on 15th September, they received a presentation regarding the Social Services Directorate's response to Covid 19 which included "Managing Placement Demand".

Children and Young People Services have continued to prioritise the welfare of children and acted to safeguard children in all circumstances where this has been necessary.

We have experienced an increase in children becoming looked after and our Placements Team has worked tirelessly to identify suitable provision. This has included maximising our in-house placement availability, working creatively to do so,

No.

and seeking placements in the independent sector where in house capacity hasn't allowed.

We have also worked with wider family members to support them in caring for children where they haven't been able to remain with their parents, providing additional support as necessary.

Supplemental

Councillor Nugent-Finn referred to her question being more specific to the question she raised at the recent Scrutiny Committee meeting and enquired of the Cabinet Member if, as a result of the lockdown, any further practice / procedures had been created for the placement of children.

The Cabinet Member, recalling that the question was the same as raised previously and answered by the officers at that time, he would write to the Member with the view to identifying and addressing her concerns.

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

Will the Leader please provide an update on the total cost to the Authority to date of the COVID-19 pandemic?

Reply from the Leader

I refer you the answer given at Question 2.

I would also refer you to the Cabinet Report on 7th September 2020, which included details of the position with regards to the estimated costs of Covid 19 and how the Authority is claiming these costs back from Welsh Government via the Hardship Fund.

I also refer you to the Revenue reports that have been reported to each Scrutiny Committee in the last week and due to be completed this week. I specifically refer you to the Lead Scrutiny Committee, Corporate Performance and Resources on Wednesday, of which you are a member.

Supplemental

Councillor Carroll, alluding to rumours in the media recently in relation to Council Tax rises, enquired of the Leader if he was prepared to take the opportunity to rule out an inflation busting Council Tax rise next year.

The Leader indicated that he could not consider such and referred Councillor Carroll to the above report to Cabinet and reiterated this detailed the position of the Council in regard to the estimated costs of Covid 19 including, the provision by Welsh Government of the Hardship Fund which the Council was accessing. He also referred to the current Council Tax collection rate which was £1m short of where it should be, however he hoped that this would be addressed and if it could, the Council's budget could be reassessed. He reminded Councillor Carroll that

No.

challenges remained and that the Welsh Government had yet to announce the budget for the next financial year. Therefore, he could not provide any guarantees. He did not have a crystal ball and neither did Councillor Carroll.

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

Will the Cabinet Member please provide an estimated timescale for the implementation of the Council's proposed Resident Parking Controls Policy?

Reply from the Cabinet Member for Neighbourhood Services and Transport

It is hoped that consideration will be given to this important issue in November 2020, and subject to that consideration, potential implementation in early 2021.

Supplemental

Councillor Carroll referred to his and the Cabinet Member's recent attendance at a Llandough Community Council meeting where concerns had been raised relating to various roads within the Llandough area and the desire to include these areas in the Policy and asked the Cabinet Member if he would join him to get these roads included.

The Cabinet Member acknowledged that he had received a letter from the Community Council concerned, however his concerns remained in that it was important to receive public backing for any proposals and his preference was to introduce residential parking controls successfully in the first instance rather than expand any proposals further without public support, thus failing from the outset.

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

Will the Cabinet Member give an update on the current situation of the Leisure Centres and the effects Covid19 has had on them?

Reply from the Cabinet Member for Leisure, Arts and Culture

I can confirm that Legacy Leisure is currently implementing its service recovery plan.

All sites are now open but obviously usage is significantly down given the restrictions on numbers, the social distancing rules and the fact that some customers do not feel it safe to return at present. We are currently looking at support measures to further support Legacy to continue to operate.

Unfortunately, Covid 19 has had a very significant impact on Legacy and the leisure sector generally. We are however aware that due to their use of the Government's furlough scheme during lockdown, the additional costs experienced by this Council are significantly less than those Councils operating in Wales with either DSOs or 'inhouse' trusts, where in most cases it proved difficult to use the furlough scheme.

No.

Supplemental

Councillor Rowlands enquired as to how much it had cost the Council so far.

Referring to the financial support provided to the company, the Cabinet Member indicated that she was unable to discuss the matter due to the commercial sensitivity of the information, however she agreed to write to Councillor Rowlands on the matter.

(xvii) Question from Councillor L.O. Rowlands

Will the Leader give an update on the Council's IT infrastructure to enable Members to take part in virtual meetings?

Reply from the Leader

In response to the COVID-19 pandemic, the Council has re-engineered its networking infrastructure to support mobile and home working, improve information security, and increase internal and external bandwidth speeds by a factor of 10.

These upgrades have been fundamental in ensuring availability of the necessary bandwidth and technologies for remote meetings and collaborative working on the Council's network, with over 7000 direct and concurrent remote connections to the infrastructure daily.

Members have been provided with a secure and stable method to remotely connect to the Council's network, allowing them to attend virtual meetings and access their emails and calendars from any location using Council hardware, while ensuring their data remains safe.

As part of this programme of work, Members' tablets and laptops were recalled and upgraded to ensure all functionality was available, all system updates were installed, and all security protocols were in place on their devices. This programme also ensured that these devices were staged, in readiness for the next phase of the Council's Microsoft 365 rollout.

Members will need to continue to use their ICT equipment to ensure that software is regularly updated to ensure that devices are compliant from a Cabinet Office 'Public Services Network' (PSN) perspective and can take advantage of any changes or new functionality being rolled out centrally.

In response to the COVID-19 pandemic, the Council has invested over £250,000 in re-engineering its networking infrastructure.

Supplemental

Councillor Rowlands referred to the Regulations for remote meetings that took effect on 21st April, 2020 and enquired of the Leader why it had taken the Council until July to commence virtual meetings, why it had taken so long to resolve ICT issues in regard to Members' ICT devices and why the virtual solution currently used for

No.

conducting meetings did not display all Members and not use an alternative solution such as Microsoft Office 365.

The Leader acknowledged that there had been difficulties experienced using the current solution, however Office 365 would be available from November 2020 to use for conducting meetings. In regard to Member devices, these required software updates, the problem compounded by certain Members not using their devices for some time. He reiterated that the Council was investing in its ICT infrastructure.

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

Will the Cabinet Member confirm that it remains Vale Council policy to support the controversial development of a new road linking Junction 34 of the M4 to the A48?

Reply from the Cabinet Member for Neighbourhood Services and Transport

We will very shortly be seeking views on the possible highway options which may be taken forward for detailed design and further consultation. Those options relate to potential improvements of links from the M4, J34 to Sycamore Cross at the A 48 and follows previous studies and work relating to this corridor.

Supplemental

Councillor Bailey referred to the financial pressures the Council and devolved Governments were under and asked the Cabinet Member if he would agree with him that it would be better for the Council to refocus its priorities and scrap the A48 link road plans and instead upgrade the existing infrastructure and put greater emphasis on the Dinas Powys bypass.

Referring to one of the reasons for the delays which was due to the Council taking on board his suggestion to improve the online route, the Cabinet Member indicated that work had been carried out on that suggestion. However, his main concern was planning blight and if the current work could be completed it may help residents.