

## THE VALE OF GLAMORGAN COUNCIL

Minutes of a remote meeting held on 7<sup>th</sup> December, 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, Andrew Davies, Pamela Drake, Vincent Driscoll, Stewart Edwards, Ben Gray, Owen Griffiths, Stephen Griffiths, Anthony Hampton, Sally Hanks, 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.

### 229 APOLOGY FOR ABSENCE –

This was received from Councillor Nic Hodges.

### 230 DECLARATIONS OF INTEREST –

No declarations were received.

### 231 MINUTES –

**RESOLVED – T H A T** the minutes of the meeting held on 21<sup>st</sup> September 2020 and the special meeting held on 5<sup>th</sup> October, 2020 be approved as a correct record.

### 232 ANNOUNCEMENTS –

(i) The Mayor made the following announcement:

Since the last meeting the Mayor had undertaken a virtual tour of new facilities at the Bellavista Care home in Barry on 21<sup>st</sup> October, represented the Vale at the Llantwit Major remembrance Sunday Service on 8<sup>th</sup> November.

The Vale Council's Annual Armistice Service had been held on 11<sup>th</sup> November, 2020 at the Merchant Navy Memorial on the Civic Offices Forecourt and although the numbers in attendance had been limited in adherence to Welsh Government social distancing measures, the service had been a truly fitting service of remembrance that was broadcast live on social media.

On 19<sup>th</sup> November the Mayor advised that she had attended the RFCA Reserve Forces and Cadets Association Virtual Annual Meeting.

## (ii) Statement by the Leader – COVID-19.

The Leader stated that figures for the Vale of Glamorgan were 220 cases per 100,000 and escalating and asked that people be careful and take the precautions required due to the increasing numbers in the hope of being able to spend time together over Christmas. The Leader urged all to take care, not to mix unless absolutely necessary, keep to household bubbles, wear a mask, wash your hands regularly, use hand gel if unable to wash hands and remain socially distanced at 2 metres apart from others. The disease can be transmitted before individuals even know they have contracted COVID-19 and before any symptoms appear, so everyone should be careful and think about protecting themselves, their families and the community in the hope of having a good Christmas.

## 233 NOTICE OF MOTION

The following Notice of Motion submitted by Councillors R.A. Penrose and K.P. Mahoney had been included within the agenda for discussion:

“I request the Vale of Glamorgan Council countermand the decision made by the Education Department to appropriate £2,000,000 of Section 106 monies received from Taylor Wimpey (in respect of the Cog Development - allocated for education in the Sully ward) which they now plan to allocate to a new Ysgol y Deri school satellite building under the Welsh Government “Band B” schedule.

I require this decision to be reversed as the Section 106 monies are for education in Sully and should be allocated to the replacement or the remodelling of Sully Primary School.”

In introducing the Motion Councillor Penrose stated

“The reason I have placed this Motion before Council this evening, is because the actions proposed by the Education department creates a precedence and flies in the face of the democratic process for both the residents and the local elected Members. At a virtual ‘Teams’ meeting with the Section 106 manager and senior education managers, Councillor Mahoney and myself, were informed that £2m of the Sully S106 monies for education were being appropriated to finance a new remote location of Ysgol y Deri school without any consultation with the two local elected Members. When queried by myself I was told that this action was permissible and did not require the consultation or agreement of the local Members owing to delegated powers passed by Council some time ago.

I find this situation totally unacceptable and could only assume Councillor Mahoney and myself would not have been made aware of the proposed scheme, had we not insisted on calling the S106 meeting.

At this point I would like to emphasise that neither Councillor Mahoney or myself are opposed to the concept of a satellite educational facility for Ysgol y Deri and that we both appreciate the excellent and sterling work undertaken by this school; our

objection is purely against the undiscussed acquisition of £2m of funds from the Sully S106 education monies.

I would now like to briefly state the financial funding of this project for the benefit of all elected Members who may not be aware.

The total funds for the new school amounts to £11m of which Welsh Government, under 21st Century Schools 'Band B' schedule, will be funding £8.25m, leaving a balance to the Vale of Glamorgan Council of £2.5m, of which £2m will be taken from Sully S106 monies, that is 75%.

My point is that Ysgol y Deri is a special educational needs school for the benefit of pupils throughout the Vale of Glamorgan and beyond, being utilised by other Local Authorities such as Cardiff, who pay direct to the Council for their students to attend.

Accordingly, the funding of any additions to the main school should be funded proportionally by all wards of the Vale of Glamorgan as well as a major contribution from central Council Funds and certainly not fall upon one particular ward, as is definitely the case in this instance.

I therefore call upon all elected Members present to vote on this issue and to support my motion, furthermore I request a recorded vote.

Councillor Mahoney, who seconded the Motion, stated that he endorsed all that Councillor Penrose said but commented that by using reserves he stated Sully residents would be paying twice and urged all Members to support the Motion.

Councillor Moore stated that he was surprised that Councillor Penrose had brought the Motion in view of the fact that as a previous Cabinet Member, he had agreed the Section 106 procedure and the Band B procedure. Sully School at that time was not to be included in Band B but likely to be in Band C, therefore the remodelling of Sully School to include more blocks to replace temporary buildings and increase resources would take place after 2024. The Band B schemes had also been agreed by Welsh Government and Sully School, although full, was not full of catchment children. Sully School was capable of taking all predicted catchment children to 2025.

The Motion, in his view, had also been brought prematurely as no decision on the use of Section 106 monies had been made for Phase 1 of Cog Road and Phase 2 had yet to be built. The Legal definition of use of Section 106 monies for educational purposes he quoted was "to provide or enhance educational facilities in schools serving the Sully catchment for the nursery, primary and secondary provision" and did not say it had to be spent exclusively for the Sully and Lavernock ward. No decisions had yet been made on what Band C Section 106 would be spent on.

Councillor Bird commented that he was fully aware that the Section 106 guidelines had been changed during his time as a Cabinet Member but was disappointed that the ward Members in the area had not been consulted and queried how this would affect Band C proposals in the future.

Councillor Moore reminded Members that Section 106 monies would be funded from across all wards.

Councillor Carroll spoke in favour of the Motion and that the principle of the use of Section 106 monies had been raised. He appreciated that matters were conducted correctly and in adherence to the rules and procedures in a technical sense, but the real purpose of Section 106 monies was to compensate communities for the impacts that developments had in their areas. The issue as highlighted could not only affect the Sully ward, as in this instance, but could also be relevant to other communities across the Vale. Section 106 monies should be spent on their intended communities rather than County-wide projects.

Councillor King stated that some wards are already fully developed and populated, with no foreseeable opportunity for any Section 106 funding to contribute that all wards would share. However, there remained the opportunity for monies to benefit those residents, and their children.

Councillor Dr. Johnson referred to the discussion being around Section 106 monies but asked about the principle as to how education that helps children from across the Vale was funded. The question would then concern where that money would come from and how it was appropriated. The concern in this case was that the contribution was coming from one specific ward for one specific development but would support education provision for children across the Vale. Councillor Dr. Johnson was not happy with the Motion as worded as it called for the automatic allocation of funds to Sully Primary School which would be within any Band C discussions. There should be a consideration for the money to be found from a more central pot rather than Section 106 contribution from one ward.

Councillor Burnett re-stated that no decision had been taken on two counts connected to the Motion; firstly, in relation to a specific proposal concerning the Ysgol y Deri satellite, and secondly, in relation to the specific details of the use of Section 106 funding. The proposal for the satellite was currently under consultation until the end of December, and should Cabinet decide to progress a proposal there would be a formal Planning application and further consultation.

Councillor Burnett noted that on 22<sup>nd</sup> January, 2018, Councillor Penrose's report to Cabinet on 21<sup>st</sup> Century Schools Band B specifically referred to flexibility in relation to the use of Section 106 funding. On 16<sup>th</sup> July, 2018, Cabinet agreed a deviation to the adopted Section 106 protocol for the allocation of Section 106 contributions to support 21<sup>st</sup> Century Schools Band B and gave delegated powers to appropriate Officers in consultation with the relevant Cabinet Members. Capital budget proposals each year detail the 21<sup>st</sup> Century Schools Programme and sources of funding and adapted each year.

In a Cabinet report on 7<sup>th</sup> January, 2019, Councillor Penrose sought permission to amend Band B, which included the expansion of Ysgol y Deri, the need for a Local Authority contribution of £2.75m. The expansion of Ysgol y Deri was also included in the Band B update to Cabinet on 15<sup>th</sup> July and the proposed capital budget on 18<sup>th</sup> November, 2019 but was not called in to Scrutiny or challenged at that time.

The Motion stated that Section 106 funds should be used for education in Sully, and specifically for replacement or remodelling of Sully Primary School. No formal decision had yet been made as to how any funding would be allocated to deliver the Ysgol y Deri expansion and was only a discussion matter between Officers and the local Members. Neither Member had raised the issue directly with the relevant Cabinet Member and raised a Motion to Council when no decisions had been taken.

Section 106 monies from that development were to provide or enhance educational facilities in schools serving the Sully catchment area, for nursery, primary and secondary children. The proposed Ysgol y Deri satellite was in the Sully ward. Section 106 funding would not be available were there no need to create additional places.

Projected pupil numbers showed that Sully Primary currently had sufficient capacity for Reception intake from the catchment area, including from the development, until 2025. Currently, a third of pupils who attend the school were from outside of catchment.

Two of the key components for 21<sup>st</sup> Century Schools were demonstrating value for money and prioritising need. The current preferred option would be to provide an enhanced school within Band C of the 21<sup>st</sup> Century Schools Programme which used Section 106 monies as match funding for Welsh Government support. Section 106 funds from Cog Road could and would be used as match funding for such purposes.

Councillor Penrose advised that a definite statement had been made at a meeting with Councillor Mahoney and officers that a decision had been made and local Members had no right of reply.

Additional funding was put into Band B when Councillor Penrose had been on the Cabinet for extension to Ysgol y Deri, which at the time was for an extension on the exiting site at Penarth Learning Centre. The first mention made to any extension of Ysgol y Deri was when an application was made at the Glebe Fields in Sully.

The Leader had correctly quoted the terms of Section 106, but Councillor Penrose suggested including the category for special educational needs which had been omitted and was not clearly defined other than reference to nursery, primary, and secondary education. The matter could be challenged by Taylor Wimpey as funds not being used for the proposes that had been originally discussed.

With regards Sully School, Councillor Penrose asked why a number of families in Sully were not able to gain places in certain years at the school when there were no spare places available.

Councillor Penrose had previously declared an interest and suggested that Sully School should be part of Band B rather than Cosmeston Primary School but was told by educational planning that the Cosmeston development would go ahead first and Section 106 money made available and was overruled.

Sully School had a hall that held 100 children but there were 420 pupils at the school. It had 6 terrapin classrooms with no separate toilet facilities. There were

only 3 separate toilet cubicles for 63 staff and a staffroom that only held 30. The school was not currently fit for purpose.

Councillor Penrose then re-stated the Motion.

A Recorded Vote then took place on the above Motion.

<b>Members</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Julie Aviet		√	
Vincent Bailey	√		
Rhiannon Birch		√	
Jonathan Bird			√
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins			√
Geoff Cox			√
Robert Crowley	√		
Andrew Davies	Not present		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths		√	
Stephen Griffiths	√		
Sally Hanks		√	
Anthony Hampton	√		
Nic Hodges	Not present apols		
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		√	
Mark Wilson		√	
Marguerita Wright	√		
<b>TOTAL</b>	<b>18</b>	<b>21</b>	<b>6</b>

RESOLVED – T H A T the motion be lost.

## 234 USE OF THE MANAGING DIRECTOR'S EMERGENCY POWERS –

The following use of the Managing Director's emergency powers were reported –

### **(a) Annual Meeting and Full Council meetings Remote Meeting Procedure**

To seek approval to implement a Remote Attendance Procedure for the conduct of Annual Meeting and Full Council meetings during COVID-19 and for this Procedure to be followed for meetings undertaken during the period of the restrictions in place during the pandemic.

This Procedure is in addition to the Council's Procedure Rules as contained within the Council's Constitution which will only be varied as referred to in this Procedure and, which will only be applied until determined otherwise by the Managing Director or Council.

(Scrutiny – Corporate Performance and Resources)

### **(b) Standards Committee Procedure via Remote Attendance**

To seek approval to implement a Remote Attendance Procedure for the conduct of Standards Committee meetings and hearings during COVID-19 and for this Procedure to be followed for meetings undertaken during the period of the restrictions in place during the pandemic.

This Procedure is in addition to the Council's Procedure Rules as contained within the Council's Constitution which will only be varied as referred to in this Procedure and which will only be applied until determined otherwise by the Managing Director or Council.

(Scrutiny – Corporate Performance and Resources)

**(c) Remote Meeting Procedure in response to the COVID-19 pandemic for the Early Retirement / Redundancy Committee, Welsh Church Act Estate Committee, Democratic Services Committee and Senior Management Appointment Committee**

In light of the COVID-19 pandemic a Procedure is required for meetings of the Early Retirement / Redundancy Committee, Welsh Church Act Estate Committee, Democratic Services Committee and Senior Management Committee.

(Scrutiny - Corporate Performance and Resources)  
(Scrutiny - Environment and Regeneration)

**(d) Remote Committee Procedures for the vale of Glamorgan's Community Liaison Committee, Voluntary Sector Joint Liaison Committee, Shared Regulatory Services Joint Committee and Vale of Glamorgan Local Access Forum**

To seek approval to implement a Remote Attendance Procedure for the conduct of Community Liaison Committee, Voluntary Sector Joint Liaison Committee, Shared Regulatory Services Joint Committee and Vale of Glamorgan Local Access Forum meetings during COVID-19 and for this Procedure to be followed for meetings undertaken during the period of the restrictions in place during the pandemic.

This Procedure is in addition to the Council's Procedure Rules as contained within the Council's Constitution which will only be varied as referred to in this Procedure and which will only be applied until determined otherwise by the Managing Director or Council.

(Scrutiny – Not Applicable)

**(e) Treasury Management Strategy 2020/21 Investment with UK Institutions**

The Council has reviewed its existing Investment Strategy following an announcement by the Debt Management Office and consultation with the Council's Treasury Management Advisors, Link Asset Management, and proposes that the limits set in the Council's Treasury Management Strategy 2020/21 be amended.

(Scrutiny – Corporate Performance and Resources)

**(f) The Big Fresh Catering Company (Local Authority Trading Company)**

To confirm the appointment of the Cabinet Member for Education and Regeneration as the Council's Elected Member representative on The Big Fresh Trading Company (Local Authority Trading Company) together with the Council's Managing Director in his capacity as Director of Resources who will represent the Council as shareholders of the Company and who will be advised by a Shareholder Advisory Panel, consisting of Council officers, as noted by Council on 9th December, 2019.

(Scrutiny – Corporate Performance and Resources)



**(g) All Council Meetings**

To seek approval following the reinstatement of the Council's Calendar of Meetings by Cabinet on 27th July, 2020 that all Council and Committee Remote Meeting Procedures be amended, where required, to reflect that the Council is dealing with business as usual as opposed to matters of an urgent nature.

(Scrutiny – Corporate Performance and Resources)

**(h) Variations to the Remote Meeting Procedure for the Annual Meeting and Full Council Meetings**

To seek approval for the following variations to the Remote Meeting Council Procedure of September 2020 for Annual Meetings and Full Council meetings –

- To allow, at the Annual Meeting and Full Council meetings for the \* Managing Director, \* Monitoring Officer and / or the Democratic Services Officer, to speak on matters relating to the smooth administration of the meetings and
- That Council Standing Orders be suspended in such instances;
- That the Council Procedure Rules be amended so that Members do not need to stand when addressing Annual Meetings and Full Council meetings when held remotely.

N.B. \* In the absence of the Managing Director, the nominated Deputy and in the absence of the Monitoring Officer, the Deputy Monitoring Officer.

(Scrutiny – Corporate Performance and Resources)

RESOLVED – T H A T the use of the Managing Director's Emergency Powers be noted.

Reason for decision

Having regard to the Council's Constitution.

**235 RENEWAL OF PUBLIC SPACE PROTECTION ORDERS FOR THE PREVENTION OF ALCOHOL RELATED ANTI SOCIAL BEHAVIOUR (DEH) –**

The Cabinet Member for Neighbourhood Services and Transport advised that approval was being sought to renew the existing Public Space Protection Orders (PSPOs) that expired in October 2020, for a further 3 years and to add 6 new locations aimed at the prevention of alcohol related Anti-Social Behaviour. The Council had undertaken a 12-week consultation period over the summer and the report included the results of the feedback, for Council consideration.

Councillor Dr. Johnson stated that although his responses were detailed within the report, he considered that the process should have included Members being contacted in advance to ascertain whether they had any areas they wished included in the consultation prior to it taking place. For example, he would like to have seen

areas such as the Waterfront, Cemetery Approach Gardens, Central Park, Kings Square and Holton Road in its broader sense included in the consultation.

In response, the Cabinet Member stated that he had an open mind in considering other areas, but the Council needed the support of the Police to do this. Police evidence to date had resulted in the areas consulted upon in light of anti-social behaviour issues. He further advised Members that the proposals were not about banning “drinking” but its association with anti -social behaviour.

The Leader added that if Members had other areas to put forward that the Police would consider and accept then such areas could also be submitted.

Councillor Dr. Johnson also referred to a mis-spelling of a street name in Appendix C, stating ‘Cbs Llawhaden’ rather than ‘Clos Llawhaden’.

RESOLVED, noting the amendment to the mis-spelling in Appendix C, -

- (1) T H A T the outcome of the 12 week consultation exercise be noted.
- (2) T H AT the renewal of the existing Public Space Protection Orders for a further 3 years be agreed.
- (3) T H A T the new Orders at the 6 new locations detailed within the report for a 3 year period be agreed.

Reason for decisions

(1-3) Having regard to the contents of the report.

236 REVIEW OF THE JOINT CONSULTATIVE FORUM CONSULTATIVE FORUM CONSTITUTION (MD) –

In presenting the report the Leader referred to requests from the Joint Consultative Forum for Council approval for an amendment to the wording of the Constitution for the Joint Consultative Forum and the associated areas of the Council Constitution.

The amendments applied to paragraph(s) 5.3 and 6.3 of the Constitution for the Joint Consultative Forum, and to 13.16 (q), (3) of the Council Constitution ('RESPONSIBILITY FOR COUNCIL FUNCTIONS: COMMITTEES' TERMS OF REFERENCE') in relation to the eligibility and membership criteria for the election of the Chairman of the Forum and the number of Directorate Consultative Groups to be included.

For Paragraph 5.3 of the Joint Consultative Forum Constitution and 13.16 (q), (3) of the Council's Constitution it was also recommended that the wording “a Vale of Glamorgan Councillor” and "by all Elected Members" be inserted; and Paragraph 6.3 – that the number of Directorates indicated be changed from five to four.

RESOLVED – T H A T the changes to the Terms of Reference of the Joint Consultative Forum as outlined within the report and below be accepted and the Council's Constitution amended accordingly -

- (i) That the Chairperson of the Forum will be a Vale of Glamorgan Councillor, elected at the first meeting of the Joint Consultative Forum by all Elected Members, following the local government elections for the duration of the current administration.
- (ii) That consultations should take place as close as possible to operational activity in order to resolve difficulties and improve communications. Consequently the main Forum will be supported by four Directorate consultative groups as follows:
  1. Social Services – covering all operational and employee matters within Adult Services, Children and Young People's Services, Business Management & Innovation and Youth Offending Services.
  2. Learning and Skills – covering all operational and employee matters within Schools, including Teachers, Strategy & Performance, Additional Learning Needs, School Improvement, Libraries, Youth Service, Adult Community Learning and Catering.
  3. Environment and Housing Services – covering all operational and employee matters within Visible Services and Transport, Building Services, Housing Services and Shared Regulatory Services.
  4. Managing Director and Resources – covering all operational and employee matters within Democratic Services, Financial Services, Human Resources Service, ICT Services, Legal Services, Performance and Development, Regeneration and Planning and Resource Management.

Reason for decision

To update the Terms of Reference of the Joint Consultative Forum and to amend the Council's Constitution accordingly to reflect the changes.

237 COUNCIL TAX REDUCTION SCHEME (REF) –

The Leader presented the report, the purpose of which was to confirm the re-adoption of the Council Tax Reduction National Scheme for 2021/2022 based on regulations and to reconfirm the Council's discretions.

The report set out the limited discretions available to the Council for consideration when re-adopting the Council Tax Reduction National Scheme for 2021/2022.

The report, which had been circulated to all Members within the Cabinet agenda had also been agreed by Cabinet that day, who had made the following resolutions -

- (1) T H A T it be recommended to Full Council that the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations SI 2013/3029 ("the Prescribed Requirements Regulations") and the Council Tax Reduction Schemes

(Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014 SI 2014/66 be adopted.

(2) T H A T any amendments to Regulations made by the Welsh Government be reflected in the scheme.

(3) T H A T the national scheme be adopted with the following discretions:

- That the Council should continue to allow Extended Payments up to a maximum of 4 weeks
- That the Council should continue to disregard War Widow and War Disablement pensions in assessing income for Council Tax Reduction
- That the Council should continue to allow Backdated Reductions for a period up to 26 weeks.

(4) T H A T the urgent decision procedure set out at Section 14:14 of the Council's Constitution be used in respect of Resolutions (1) – (3) above.

RESOLVED – T H A T the resolutions of Cabinet (1) - (3) above be approved.

Reason for decision

In order that the Council Tax Reduction Scheme for 2021/22 is formerly approved.

238 LEISURE MANAGEMENT CONTRACT – COVID-19 IMPLICATIONS (REF) -

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C365), 2<sup>nd</sup> November, 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.

239 DAY SERVICES RESPONSE TO THE CORONAVIRUS PANDEMIC (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C381), 16<sup>th</sup> November, 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.

240 COVID-19 HOMELESSNESS AND HOUSING RELATED SUPPORT SERVICES PHASE 2 PROJECT – FORMER CIVIC AMENITY SITE, COURT ROAD, BARRY (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C384), 16<sup>th</sup> November, 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.

241 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. R. Nugent-Finn**

Can you please provide an update on the NERS scheme including current waiting list, provisions of contact for our service users, current referral process for the scheme and any anticipated date of return?

**Reply from Cabinet Member for Leisure, Arts and Culture**

This is a matter we have little control over as we have to follow the instructions given to us by Public Health Wales (PHW). At present PHW, who administer the scheme nationally, have not given any permission to restart the exercise referral scheme.

There is also not an official waiting list as PHW has put the service on hold for the time being.

**Supplemental**

Councillor Nugent-Finn referred to the fact that there were a lot of people waiting and the vulnerable should be a priority.

The Cabinet Member advised that the Council had no control as a Local Authority on what referrals were made by GPs. The Council had however made contact to say please do not refer at this time as it could not administer the scheme at the moment. The Cabinet Member advised that she would also be happy to have a conversation with Councillor Nugent-Finn re the number of vulnerable people she was referring to.

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

The Path at the eastern side of Barry Island has been out of access for some time now and is subsequently blocked with railings. Is there any planned maintenance?

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

The Cabinet Member in response advised that the Council's Engineering Team was currently dealing with the repairs needed to the footpath, together with repairs that were necessary to the Barry Island Eastern shelter.

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

Could you provide details of the Vale of Glamorgan's fully adopted plans of Central Governments 'Kickstart' scheme both internal and external including the engagement of Local Businesses, details of where these opportunities are going to be offered within our current service lines and figures of current and planned placements?

**Reply from Cabinet Member for Education and Regeneration**

The Council had recently received approval from DWP to proceed as an employer for the initial bid. This has taken longer than anticipated and has delayed our recruitment and selection process.

We have 72 placements in the Council across all four Directorates that we will be advertising with DWP in the next week, with an aim of interviewing and starting successful individuals in the new year. We have also started to gather expressions of interest for further placements across the Council and anticipate submitting a further bid in the new year.

The Council has also applied to the DWP to act as a Gateway on behalf of other employers in the Vale. Staff from within Education and Regeneration have already begun the process of contacting employers in readiness for this. There is limited information to present until this process is complete and at least 30 Kickstart placements have been identified and approval to proceed from DWP is granted.

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

Does the Vale of Glamorgan Council have any plans to communicate with retailers over the sales of electronic scooters with regards to the legality of them on road and pavements?

Also, as an Authority are we looking to introduce a licenced E scooter hire project similar to our neighbouring authorities for example Inter Vehicle Group with the aim and objective being to offer sustainable, safe and legal transport and technology?

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

It was currently illegal to ride an electric scooter anywhere other than on private land. Any illegal riding of electric scooters should be dealt with by the Police. It was not

illegal to sell electric scooters and retailers will be aware of the law regarding riding them on the public highway.

The Council was not looking to introduce any E scooter hire schemes in the Vale of Glamorgan.

(v) **Question from Councillor M.J.G. Morgan**

**Background**

The first consultation on these proposals started in 2017.

A second consultation is now in progress, ending on 23<sup>rd</sup> December, 2020.

On 29<sup>th</sup> July, 2019 this Council resolved to join with Welsh Government and other Councils across the UK in declaring a global 'climate emergency'.

On 26<sup>th</sup> November, 2020 The South East Wales Transport Commission published its findings into creating an alternative to the proposed M4 relief road after the plans were finally scrapped in July 2019.

At the heart of their proposals is a railway "backbone" to complement plans for the South Wales Metro. There are walking, cycling and rapid bus recommendations. The Commission report states that "Alternatives to driving are also crucial to improve air quality, reducing the need for petrol and diesel cars and promote a healthier lifestyle."

The Future Generations Commissioner for Wales, Sophie Howe has said: "The debate around the future of the chronically congested M4 has been too much about the needs of the car and not enough about the needs of the people of South East Wales and our environment.

**Question**

**In view of this background and the changes in approach to Climate Change and Traffic Management since 2017 should the Vale Council and the Welsh Government now reconsider the Junction 34 proposals and concentrate not on the "needs of the car" but on the "needs of the people" of the Vale of Glamorgan and our environment?**

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

The WelTAG study for the M4 Junction 34 to A48 had been developed over a number of years with input in particular from the Technical Review Group for the Project, which included the local community councils in the area.

Additional work as part of the current WelTAG Stage Two Plus study, undertaken following feedback from the review group and the previous consultation, means there are now five revised infrastructure options in the latest report – do minimum, East

and West new alignment and two on-line options where the existing road is upgraded. The report is currently being consulted on and we are really grateful for the high number of responses and suggestions. The current consultation closes on 23<sup>rd</sup> December 2020 and we would welcome further comments on how people view this scheme in relation to the larger climate change agenda. Briefings on the current consultation have been given to local community councils, the Youth Cabinet, the over 50s forum as well as the City Region and views on the project vary significantly.

The climate emergency and the effects of Covid-19 had been considered as part of the revised report, and this is detailed in pages 7 onwards of the outline business case. However, as mentioned the main part of this report was originally produced before the climate emergency was declared and before the onset of Covid-19.

It was important to note that no decision has been taken by Cabinet on this latest Study or any preferred route, rather a decision was taken to fully consult on the draft report and the options provided. The climate emergency and Covid-19 pandemic will be paramount considerations when the results of the consultation are presented to Cabinet in the new year. At this point the future of the scheme will be decided upon.

For information, in terms of the railway there are parallel plans for a new a new station and transport interchange at Junction 34 of the M4. This Study had been recently reported to Cabinet and scrutinised by the Environment and Regeneration Scrutiny Committee, and is recognised as a possible regional project as part of the City region.

### **Supplemental**

Councillor Morgan asked the Cabinet Member if he could confirm the timescale on the publication of the report and the subsequent steps should the matter proceed further.

The Cabinet Member, in response, advised that he could assure the Member that the Council was moving ahead and he was anticipating bringing a report to Cabinet early in 2021.

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

How many Social Houses are currently planned to be built in the Vale before the end of this term 2022?

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

The Council has completed 31 new Council homes to date. By 31<sup>st</sup> March, 2022 the Council will have completed a further 101 homes and will be on site building a further 146 as part of its ambitious Council House development programme.



## **Supplemental**

Councillor Charles asked the Cabinet Member, in noting that there were over 6,000 homes required, whether the Cabinet Member believed the Council was doing enough to address the shortfall in Council houses and asked if the Cabinet would write to Jane Hutt and Welsh Government Minister to urge them to support the Vale in its endeavours to build more affordable homes for residents.

The Cabinet Member, in response, advised that she would provide a detailed response re current figures advising that it was the Local Authority's responsibility to find the land and landlords to sell the land. However, the Council would be endeavouring to build more homes.

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

Will the Cabinet Member outline any initiatives being brought forward by the Vale of Glamorgan Council to combat rogue landlords, particularly given the financial pressures on many families as a result of Covid-19?

### **Reply from Cabinet Member for Legal, Regulatory and Planning Services**

During the year Shared Regulatory Services (SRS) had received just under 300 service requests in the Vale of Glamorgan area, in relation to housing disrepair and tenancy issues. These had been responded to by giving advice to both tenants and landlords and signposting them to our website which has been updated to include links to Welsh Government information, to assist those worried about eviction and those who are struggling to pay rent.

The service also worked closely with Rent Smart Wales, the Licensing Authority for Wales, to ensure that landlords met their statutory obligations, and investigate referrals from Rent Smart Wales in relation to property condition, and provide information so they can make assessments as to whether landlords and agents are fit and proper to hold a licence to manage properties.

SRS also worked closely with the Housing Solutions team carrying out pre tenancy checks of properties to ensure that some of the most vulnerable in the private rented sector have access to accommodation which was safe, and free from serious hazards.

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

Whilst I understand that temporary staff from agencies can provide a useful way to plug short term skills gaps in the workforce, we need to ensure that the taxpayer is not overly burdened with unnecessary costs such as Agency fees for those staff employed on temporary agency contracts for the financial year 2019/20?

**Reply from the Leader**

This is a statement not a question, so I cannot answer something that is not a question.

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

Will the Leader please provide figures of staff sickness absences for each quarter so far in 2020-21, and corresponding figures for each respective quarter in 2019-20?

**Reply from the Leader**

As part of the monitoring of sickness levels across the Council the 2020/21 Q2 sickness report was discussed at a recent Cabinet meeting on 16<sup>th</sup> November and at the Corporate Performance and Resources Scrutiny Committee held on 18<sup>th</sup> November 2020, where the Councillor was present.

**Supplemental**

Councillor Carroll asked the Leader why, in his view, there was a decrease in figures and would he provide an update on what work was being done going forward.

The Leader, in response, advised that every Member of the Council would have been aware of the figures through the receipt of the Cabinet papers and the Corporate Performance and Resources Scrutiny Committee papers.

The Leader advised that the reports had referred to the following FTE sickness days lost for each quarter since 2019/20 and 2020/21.

**FTE sickness days lost per person**

	<b>2019/20</b>	<b>2020/21</b>
<b>Q1</b>	2.66	1.69
<b>Q2</b>	4.74	3.40
<b>Q3</b>	7.63	-
<b>Q4</b>	10.51	-

Although it was noted that the absence figures had decreased, the decrease was largely due to the ongoing global pandemic and it was important to note that the Council and other organisations had not dealt with a situation like this before and therefore there was little comparative data based on previous years' results.

Close monitoring of the sickness rates would continue.

The decrease was largely due to the pandemic and the Leader advised that he hoped this could be maintained at the levels referred to but as there was a pandemic he would not expect them to be maintained on the same level but the Council would

continue to monitor sickness rates. The Council was also continuing to support all its staff and provide advice and help via the HR department.

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

Could the relevant Cabinet Member provide Council with an update on the Arts Consultation, which concluded on 23<sup>rd</sup> March, 2020?

**Reply from the Cabinet Member for Leisure, Arts and Culture**

Engagement and feedback from the consultation was good, with over 300 responses submitted. From 24<sup>th</sup> March to mid-April work was underway in analysing the responses, however progress was understandably halted due to the need to refocus the Council's efforts in its response to COVID-19.

Although officers are continuing work in responding to the COVID pandemic, the Council is now in a better position to complete this work. I anticipate this will be completed early in the New Year, with the subsequent publication of the consultation report.

**Supplemental**

Councillor Dr. Johnson requested if he could have a briefing on the matter going forward as a local ward member.?

The Cabinet Member agreed to look into this for the Member.

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

Further to the response provided by the Cabinet Member for Neighbourhood Services and Transport to Council in September 2020, why was the 'Improvements to Transport in Dinas Powys' report not considered by Cabinet in November 2020? What opportunities has the Cabinet Member identified for progressing an Active Travel route between Barry and Dinas Powys?

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

The Council is due to receive the draft WelTAG Stage 2 plus report "Improvements to Transport in Dinas Powys report" from the Consultants undertaking the work on this project this month. Local Members are due to be briefed on the draft report on 15<sup>th</sup> December 2020. It is anticipated that the Review Group for the Project will meet prior to the Christmas break and depending on their technical views a report presented to Cabinet in the first quarter of 2021.

In terms of active travel, over the last few years we have been trying to progress an active travel route from Biglis Roundabout, Barry to Dinas Powys. Unfortunately this was not funded in the last financial year and we have been advised by Welsh Government that we need to look in more detail at the route from Dinas Powys to the

Merrie Harrier. We are planning to do this in the next few months with a view to seeking funding again.

### **Supplemental**

Councillor Dr. Johnson enquired as to whether the Cabinet Member had had an opportunity to meet with the Deputy Minister on the matter.

The Cabinet Member stated that he had received an invitation to an Active Travel meeting and would provide an update at an opportune moment when able to do so.

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

What matters will be taken into consideration when the Council decides whether or not to implement car parking charges in Barry's Wyndham Street car park in April 2021?

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

The Cabinet minute on this matter (C346) is self-explanatory. It advised that car parking charges will be implemented in Wyndham Street Car Park, Barry and Cowbridge Town Hall Car Park on 1<sup>st</sup> April, 2021 ***unless 'the COVID-19 restrictions were still in place, in which case charges would not be implemented until the Local Restrictions had been lifted'***.

### **Supplemental**

Councillor Dr. Johnson sought further clarification as to when the Cabinet Member thought a decision on the matter was likely to be made or whether there would be a delay in the implementation.

The Cabinet Member advised that he considered that three and a half months certainty at the moment was all he could give in light of the pandemic but that he hoped with the introduction of the vaccine etc., he was moderately confident as the Council progressed to April that he could provide a period of certainty.

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

The Vale of Glamorgan Council consulted on six locations to be included within the new Public Space Protection Orders for alcohol restriction powers. Why were local Councillors not asked to recommend potential locations before this consultation was approved, and how will suggestions for other alcohol restriction PSPOs be treated now that the consultation has ended?

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

As the matter in his view had been fully covered in the discussions earlier in the meeting on the same subject the Cabinet Member asked Councillor Dr. Johnson if he had a supplementary question.

**Supplemental**

Councillor Dr. Johnson enquired as to which Cabinet Member should he be discussing issues with going forward as the Cabinet Member for Neighbourhood Services and Transport had presented the previous report on the agenda.

The Cabinet Member for Legal, Regulatory and Planning Services advised that there was an overlap in Cabinet portfolios and he could contact both.

(xiv) **Question from Councillor Miss. A.M. Collins**

Could the Cabinet Member please confirm that all documents relating to the incinerator on Woodham Road which are disclosable under the Environment Information Regulations 2004 have been added to the planning register? If they are not up-to-date, could they be brought up-to-date without delay?

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

The planning register was used to publish information / correspondence relevant to the application, subject to data protection provisions such as redacting personal information, but any specific requests should be directed to the FOI Unit. The online record had now been updated with the most recent documents, and correspondence with consultees and the applicant/agent. This was always done as quickly as possible after the receipt of information and having regard to all relevant legislation and finally having regard to the current more challenging conditions created by the pandemic. The online planning register (for all applications) did not contain neighbour representations as a matter of course given that there was no statutory requirement to do so and this involved a significant redaction workload in many cases. However, these representations could be redacted and uploaded on request. The file would continue to be kept up to date going forward subject to the continuing more difficult conditions.

**Supplemental**

Councillor Collins asked what steps would the Cabinet Member be taking to push the Minister to make a decision on an environmental impact assessment.

The Cabinet Member advised that the Council was currently seeking Counsel opinion on the matter and once received it could hopefully move forward.