

## THE VALE OF GLAMORGAN COUNCIL

Minutes of a remote meeting held on 10<sup>th</sup> March, 2021.

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, 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.

### 459 DECLARATIONS OF INTEREST –

The following declarations were received:

Councillor Ms. J. Aviet (as a Member of Barry Town Council)	Agenda Item No 11(e) – Final Proposals for the Revenue Budget 2021/22; The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Ms. J. Aviet	Agenda Item No 11(f) – Final Housing Revenue Account (HRA) Budget Proposals 2021/22. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Ms. J. Aviet	Agenda Item No. 11(h) – Housing Revenue Account Business Plan; The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor L. Burnett	Agenda Item No. 11(d) – Capital Strategy 2021/22 and Final Capital Proposals 2021/22 to 2025/26. Family members in attendance at a school in the Vale of Glamorgan. Dispensation granted to speak and vote.

Councillor R. Crowley	Agenda Item No. 11(c) – Pay Policy 2021/2022. Family members employed by the Council. Dispensation granted to speak and vote.
Councillor R. Crowley (as a Member of Dinas Powys Community Council)	Agenda Item Nos. 11(e) – Final Proposals for the Revenue Budget 2021/22. Dispensation to speak and vote when matters involving the Vale of Glamorgan Council's Reshaping Services Strategy were discussed.
Councillor N.P. Hodges	Agenda Item No. 11(d) – Capital Strategy 2021/22 and Final Capital Proposals 2021/22 to 2025/26. LA Appointed Governor of the Barry Waterfront school.
Councillor G.C. Kemp	Agenda Item No. 11(c) – Pay Policy 2021/2022. Family member employed by the Council. Dispensation to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor Mrs. A. Moore	Agenda Item No. 11(c) – Pay Policy 2021/2022. Family member employed by the Council. Dispensation to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor N. Moore	Agenda Item No. 11(c) – Pay Policy 2021/2022. Family member employed by the Council. Dispensation granted to speak and vote when matters relating to the review of Council employment terms and conditions were considered.
Councillor Mrs. M.R. Wilkinson	Agenda Item No. 11(c) – Pay Policy 2021/2022. Family member employed by the Council. Dispensation granted to speak and vote.
Councillor Mrs. M.R. Wilkinson (as a Member of Barry Town Council)	Agenda Item No. 11(e) – Final Proposals for the Revenue Budget 2021/22. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.

Councillor Mrs. M.R. Wilkinson	Agenda Item No. 11(f) – Final Housing Revenue Account (HRA) Budget Proposals 2021/22. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.
Councillor Mrs. M.R. Wilkinson	Agenda Item No. 11(h) – Housing Revenue Account Business Plan. The nature of the interest was that she was a Council tenant, however her personal interest did not equate to a prejudicial interest.

#### 460 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 7<sup>th</sup> December, 2020 be approved as a correct record.

#### 461 ANNOUNCEMENTS –

(i) The Mayor made the following announcement –

Following an awareness raising exercise of the Mayor's Foundation Grant Fund, a number of applications had been received which would be considered in due course. Members were reminded about the application process and requested to encourage applications from their areas.

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

It being almost a year since the COVID lockdown in March 2020, the Leader took the opportunity to thank all staff for the way in which work and all arrangements during the pandemic had been undertaken which he said had been superb. The frontline staff had been outstanding, and he referred to the fact that the recycling service had continued to grow, schools had been open on and off and vulnerable children supported. The Leader also stated that the Council's Senior Officers had also been phenomenal in his view. However, he wished to also remind everyone that COVID-19 pandemic challenges still remained and thanked NHS staff and those providing the vaccine and also urged those who had received the vaccination to still take precautions.

The Leader, in conclusion, wished to thank all the residents of the Vale for their support during the pandemic.

(iii) Petition –

Councillor Mrs. Cave presented a petition via email to the Mayor on behalf of Colwinston Community Council, residents living in the area, parents and

grandparents of children who attended St. David's School, which requested that the Vale Council work with Western Power to re-site the Western Power substation sited near the school.

#### 462 NOTICE OF MOTION –

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

**“The Vale of Glamorgan Council:**

- Regrets the permanent environmental impact that the A48-M4 link road would have on the Ely Valley, decimating the local countryside;
- Notes the changing financial implications for the Local Authority as a result of Covid and the additional challenge of providing funding for this scheme;
- Acknowledges local opposition to an A48-M4 link road; and
- Urges the Administration to withdraw support for the scheme, which will provide little benefit to Vale residents, and to instead make the Dinas Powis Bypass its primary infrastructure project.”

In introducing the Motion, Councillor Bailey thanked the Mayor for the opportunity to bring the Motion forward taking each point in turn.

Alluding to the Permanent Environmental Impact of the scheme, he considered it went without saying that the construction of this road would have devastating consequences for the environment and local countryside. He intimated that he would allow his colleague to expand on this point, but The Woodland Trust had warned that the plans would damage and destroy at least six ancient woodlands – causing irreversible damage to biodiversity and irreplaceable habitats for wildlife. There was also the very real threat of increased air pollution and noise from the increased flow of HGV traffic if the road was built. Not to mention the clear and present danger to homeowners, whose properties faced being bulldozed to make way for the road. The construction of any new road scheme came with environmental challenges that must be weighed against other considerations - such as reducing congestion. He felt it was difficult to see the case for this project, which his Group believed would bring very little benefit to Vale residents whilst effectively puncturing the county's green lung.

Referring to the background of changing financial implications, this was a scheme that was currently expected to cost the public purse more than £66 million, and most credible economic forecasts predicted a significant rise in inflation in the years ahead.

Public funding was self-evidently being stretched to breaking point by an economic crisis caused by the Pandemic and whilst it may be true that this was the Welsh Government's pet project, and that they would (along with City Deal) foot the bill for its construction, the public were entitled to ask if this was the best use of public funding to improve transport infrastructure in the Vale.

If the Vale of Glamorgan was to see a material benefit from the City Deal scheme, it was difficult to see how anyone would seriously believe that local residents would not receive better value for money from a Dinas Powys bypass which would open up horribly congested roads between one of Wales' largest towns and the Capital City. There was also the very real issue of who would pay for the road's maintenance going forward. It was highly likely that the bill would have to be met by the people of the Vale.

A study commissioned by the Vale Council had claimed that the area risked losing out economically unless transport issues were tackled, because of poor local roads and congestion. It was those issues which were felt keenly in Barry, and in Dinas Powys, where other proposals were supported.

It came back to the fact that his Group believed that congestion issues in and around Pendoylan could be addressed in a much more cost-effective way through upgrades to the existing infrastructure. Ultimately, it was highly likely that the Welsh Government would be forced to choose between these two schemes. The decision could be made easier by the Council supporting the Motion and withdrawing support for the scheme to go ahead.

Making reference to local community opposition, which was not being given the hearing it deserved, he felt that local residents had already been through this before and were once again being forced to endure a nightmare of uncertainty and concern about the value of their homes and the future of the local countryside. The community campaign opposing the new road had been clear that they felt ignored. Their campaign had been tireless with the Vale Communities for Future Generations representing than 200 local people in and around Pendoylan. The Council had received thousands of objections to the scheme and he supported their calls to drop the plan.

He also echoed their concerns about the manner in which the recent consultation process was conducted; taking place as society entered a second lockdown, with a renewed emphasis on staying at home. Attempts to address this with online-only consultation documents marginalised those without access to the internet, and disproportionately affected elderly residents.

He concluded by alluding to the expected decision date in April on the future of the project and enquired why the Council should wait until then. He acknowledged the recent positive comments made by the Cabinet Member on the Dinas Powys bypass however, his Group believed that the issue was a simple matter of priority.

He considered that there was a need to focus on the option that would deliver meaningful benefits to Vale residents and put all of our energy into the one with community support. Instead of pressing on with an unpopular road in Pendoylan, the Council should be unrelenting in making the case for a bypass.

He urged colleagues to support the Motion.

The Motion was duly seconded by Councillor Rowlands.

Councillor Mahoney made reference to his own ward as being inundated with new housing developments with no road infrastructure. He agreed with the need for the Dinas Powys bypass but felt that stopping the creation of large new estates was prudent to avoid the need for new road infrastructure and allowing existing roads to cope with demand. He was also disappointed to see the countryside being built over for housing and roads, as well as potential use of Compulsory Purchase Orders. The link to the scheme and the Dinas Powys bypass was not helpful as they were two separate schemes. He felt no more houses should be built until adequate infrastructure was in place to support them.

Councillor King (Cabinet Member) stressed that additional housing was needed. He expressed surprise that the Motion was sponsored by Councillor Carroll, as the Motion proposed moving forward with the Dinas Powys bypass would lead to the removal of the Merrie Harrier public house in Llandough. He considered that bullet points 1 to 3 of the Motion could apply equally to the Dinas Powys bypass in terms of significant environmental impact, financial cost and opposition. He felt that the Dinas Powys bypass would ease traffic in the village of Dinas Powys but would do nothing for Penarth or Llandough or ease the issues on Redlands Road, or from the Merrie Harrier to Windsor Road. The Dinas Powys bypass was discussed at Cabinet on 8<sup>th</sup> March, 2021 where Cabinet agreed to seek funding from Welsh Government and allowed it to go forward to a 12-week public consultation exercise. The WelTAG Stage 2 to date had been funded by the Council from Neighbourhood Services and Transport reserves, which was an unsustainable position. He added that the proposal was not just for a bypass but contained other elements for consideration. As such, he would not be supporting the Motion.

Councillor Morgan indicated his support of the Motion as the local ward Member covering the area impacted by the proposed. Over the last three and a half years he had engaged closely with the community and maintained an independent position to enable residents to freely engage. Referring to Councillor Bailey's misplaced criticism of him on social media for "sitting on the fence" he was merely abiding by the Councillors' Code of Conduct. He reminded all that at the end of the consultation in December, 2020 it was clear that the majority view of the residents was to oppose the road proposals, which he supported, but that he would have expected to have been consulted by Councillor Bailey on a Motion which referred to local opposition within his own ward. He also reminded Councillor Bailey of the relevant section of the Standard of Conduct protocol required by a Councillor dealing with matters relating to another Member's electoral division to inform that Member. He had received no such notice of the intended Motion and considered it to be premature as the results of the consultation report had not yet been received. Although he agreed with Councillor Bailey in principle, the factual evidence was therefore not available to be able to support the Motion. He was aware that the report was due on the 16<sup>th</sup> March, 2021 and would go to Cabinet on 22<sup>nd</sup> March, 2021 and he expected the matter to then proceed to Scrutiny. He felt that that process should have been completed prior to bringing a Motion to Full Council. The Motion he felt could have a counter-productive effect as the matter could not return to Council for a further six months unless 12 Councillors supported another Motion. Councillor Morgan said he supported the Motion as it was of great importance to the residents of Pendoylan.

Councillor Carroll's view was that the proposed Junction 34 / M4 link road and the proposed solutions to the traffic problems in the area, particularly linking to Cardiff Airport, were not the answer. He felt the proposal were disproportionate, that the resources would be better directed elsewhere and were over-engineered. He was not convinced that any of the proposed solutions set out in the consultation document were necessary to achieve the desired objectives and did not reflect the best use of resources. Councillor Carroll felt it was important to consider the views of campaigners on the issue and noted that consultations to date may not have reflected the views of all residents because of online submission issues. In relation to Councillor King's comments concerning the Llandough ward, Councillor Carroll indicated that any proposals in relation to the Dinas Powys bypass would have to go out for consultation. In conversations held with residents of Llandough there seemed to be support in principle for a bypass as they were more than aware of congestion issues in Dinas Powys but would not support proposals that would affect the Merrie Harrier junction.

Councillor Dr. Johnson said he would be supporting the Motion in front of Members. He said that much of the Motion was similar to comments he had made to Full Council in 2016 when discussing the improvements to Five Mile Lane and felt that resources would be better spent on the proposed Dinas Powys bypass which was more popular in that ward than the Junction 34 / M4 link road proposals were in those affected wards. He agreed with the comments made by Councillor Morgan concerning due process and disagreed with Councillor Bailey's comments concerning funding with regards the Motion when the Conservatives were happy to support the M4 relief road and voted against the Dinas Powys bypass in 2015, and the previous Conservative Administration went through the process for the Junction 34 to A48 proposal for 2 years and were now against it. He considered that the Dinas Powys bypass should be the priority.

Councillor Robertson, in response to Councillor Mahoney's point concerning multiple housing developments and supported infrastructure, suggested that the issue had existed for many years and better infrastructure to support such developments was required. With regard to the Motion, it appeared to him to be broad support for the Dinas Powys bypass and a lack of support for the Junction 34 scheme, and he had raised a petition regarding the bypass as a ward Member where 9 out of 10 when asked were in favour. Councillor Robertson thanked Councillor King on behalf of the ward Members for his support and hoped that as part of future consultation that Welsh Government could be convinced that the Dinas Powys bypass was the way forward for the southern corridor between Barry and Cardiff. He did not agree that the bypass would not help Penarth as a roundabout on the Pink Route adjacent to Dinas Road in Penarth would assist, the only issue being an archaeological site which could be excavated and rescued, as was similarly done on Five Mile Lane. He stressed that the bypass was not just a necessity for the residents of Dinas Powys, but for the economic benefit for the Vale of Glamorgan.

Councillor Bird as a Member for the Wenvoe ward, indicated he had received 99% support for the Junction 34 proposals as the ward has two of the busiest roads in the Vale of Glamorgan, the A4050 and the A48, both of which were over their capacity. Culverhouse Cross was over its capacity by 150%. Junction 33 was already over its capacity and were the Dinas Powys bypass to go ahead, would add to that problem.

Effective roads were needed to get traffic into and out of the Vale of Glamorgan and signalled that he would not be supporting the Motion.

Councillor Jarvie considered that the two schemes were not mutually exclusive. The Junction 34 scheme was put forward as a scheme by the Cardiff Capital Region and was supported by Cardiff, Bridgend and Rhondda Cynon Taf Councils and would have been funded by the Capital Region rather than the Vale of Glamorgan. The last Conservative Administration had supported the Dinas Powys bypass, but one should not fall in favour of the other. Whilst understanding the pressures that Councillor Morgan referenced, the overwhelming view of Cowbridge residents was in favour of the access road to the M4 and avoiding the bottleneck at Culverhouse Cross. Another aspect to consider was the regeneration of industry and the aerospace hub in and around Cardiff Airport which would receive a boost were the road to be built and it would encourage businesses to the area with improved access.

The Leader suggested that the Motion as a resolution was premature reminding Members that there had been a related report considered by Cabinet on 8<sup>th</sup> March, 2021. Referring to expenditure circa £350k that the proposals to date the report suggested that Welsh Government be asked to fund the WeITAG 3. He agreed with Councillor Jarvie that the Dinas Powys bypass had nothing to do with the M4 relief road. He also clarified that the M5 relief road was not a City Deal project; it was initially a Welsh Government project that City Deal supported but was not providing funding. There would be a report going to Cabinet concerning the responses received to the Junction 34 scheme and therefore the Motion was premature. The two schemes were separate and distinct projects, and as such he would not be supporting the Motion.

Councillor Bailey echoed Councillor Robertson's comments that Welsh Government would need convincing that the Dinas Powys bypass was the way forward and that withdrawing implied consent for the Junction 34 scheme would add focus. Councillor King's positivity concerning the Dinas Powys bypass was also welcomed. The purpose of the debate was to sharpen minds. He disagreed with Councillor Jarvie that there would be no financial cost to the Council as there would be ongoing maintenance costs. He also disagreed with the Leader and Councillor Morgan who argued the Motion was premature, but would be happy as a Group to support a future Motion if the Motion were not to pass this evening. It would be a big statement from the Council this evening to state that the preferred project would be the Dinas Powys bypass and not a road that would decimate the Ely Valley. He thanked colleagues for their contribution towards the debate and urged Members to vote in favour.

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	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths		√	
Stephen Griffiths	√		
Anthony Hampton (no response)			
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		√	
Mark Wilson		√	
Marguerita Wright (no response)			
<b>TOTAL</b>	<b>18</b>	<b>26</b>	<b>1</b>

Following the debate a vote was taken and it was

RESOLVED – T H A T the Motion be lost.

#### 463 NOMINATION OF MAYOR ELECT AND DEPUTY MAYOR ELECT FOR THE MUNICIPAL YEAR 2021/22 (MD) –

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

Councillor G. John, in moving that Councillor Mrs. J.M. Norman be nominated for election as Mayor of the Council for 2021/22, advised that as the previous Mayor’s term of office had been extended as a result of the pandemic, that it was only fair

that the same courtesy be afforded to Councillor Mrs. Norman. The proposal was duly seconded by Councillor Williams.

Councillor P.G. King moved that Councillor Ms. R.M. Birch be nominated for election as the Deputy Mayor of the Council for 2021/22, the proposal being duly seconded by Councillor N. Moore.

There being no further nominations it was

RESOLVED –

(1) T H A T Councillor Mrs. J.M. Norman be nominated for election as Mayor at the Annual Meeting to be held on 10<sup>th</sup> May, 2021.

(2) T H A T Councillor Ms. R.M. Birch be nominated for election as Deputy Mayor at the Annual Meeting to be held on 10<sup>th</sup> May, 2021.

#### 464 CONSULTATION WITH NON-DOMESTIC RATEPAYERS (MD) –

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

An advertisement inviting non-domestic ratepayers to inspect the Council's expenditure proposals and to submit representations on the same was placed in the Western Mail on 26<sup>th</sup> February, 2021. Following the Leader advising Members' that no responses had been received as a result of the consultation it was

RESOLVED – T H A T the position be noted.

#### Reason for decision

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

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

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

##### **(a) Change in Membership on Planning Committee**

At the request of the Leader of the Vale Independents Group, to replace Councillor Andrew Parker on the Planning Committee with Councillor Michael Morgan with immediate effect and until further notice.

(Scrutiny – Corporate Performance and Resources)

**(b) Change of Chairmanship – Homes and Safe Communities Scrutiny Committee**

With immediate effect to comply with Section 70 of the Local Government Measure 2011 by allocating the Vale of Glamorgan Council's Plaid Cymru Group entitlement to their correct opposition group entitlement to one of the five Council's Scrutiny Committee Chairmanships. In this matter the Chairmanship of the Homes and Safe Communities Scrutiny Committee.

With immediate effect to comply with Section 70 of the Local Government Measure 2011 by adjusting the Executive Group's allocation of Scrutiny Committee entitlement from three to two Scrutiny Committees.

(Scrutiny – Homes and Safe Communities)

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

466 PUBLIC SPACE PROTECTION ORDERS – DOG CONTROLS (DEH) –

The Cabinet Member for Neighbourhood Services and Transport advised that the report proposed the introduction of Public Space Protection Orders (PSPOs) under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014, for the control of dogs. The introduction of a PSPO required approval from Full Council.

The proposal had been considered by Cabinet on 18<sup>th</sup> March, 2019 and was referred to the Environment and Regeneration Scrutiny Committee on 4<sup>th</sup> April, 2019. The recommendations from that Scrutiny Committee were approved by Cabinet on 17<sup>th</sup> June, 2019 and incorporated into the report.

The proposals were based on the current Bye-law controls and had been amended so that they were largely in accordance with the results of the widespread public consultation exercise undertaken.

In summary, dog bans would exist in all fenced children's play areas, ecological conservation areas and bowling greens all year round and would apply on a seasonal basis on beaches at Whitmore Bay, Dunraven Bay and Cwm Colhuw. Dog bans would no longer apply at the Cold Knap and Penarth Beach.

Dogs on leads controls would apply in parks where children's play areas were not fenced and, on the promenades, and Pier in Penarth and Whitmore Bay. Whilst Whitmore Bay beach would have a seasonal dog ban, Whitmore Bay Gardens/ promenade area would require dogs to be on leads all year round.

There would be no additional restrictions introduced on sports pitches, but these would be covered by controls on dog faeces not being picked up. They were also likely to feature increased enforcement and greater partnership working between responsible dog owners and the Council, aimed at reducing dog fouling incidence in the future. Enforcement of the PSPO would be mainly undertaken by the Council's directly employed staff.

If Council decided to agree the Order, then it would remain in place for a period of up to three years from the date of its introduction.

Maps featuring full details of all the controls would be available on the Council's website and all locations would feature new clear signage explaining the locations of the controls and the implications for any infringements.

Councillor King, in presenting the report, moved amendments to the Appendix to the report at page 6, that the reference in the column titled "Area i.e. Penarth Pier and Esplanade" be amended to read "Penarth Pier (access to rear of Pavilion only) and Esplanade" and the addition of "Dogs banned from decking area of pier" be included in the Prohibition (Ban) column. This was seconded by the Leader.

Councillor Hodges, seconded by Councillor Dr. Johnson, proposed an amendment to Councillor King's recommendation that the dog bans for Cold Knap beach and Penarth beach that had previously been in force, be reinstated.

Councillor King, in response, stated that he did not have a strong view either way but would be happy for the Council to make a decision on the matter.

Councillor Wilson stated that his concerns with the above were that banning dogs as outlined during the pandemic when Welsh Government restrictions were for people to not travel to exercise could see an increase with members of the community travelling distances to walk their dogs.

Following votes on the amendment and the substantive Motion as amended, it was

**RESOLVED –**

(1) **T H A T** a Public Spaces Protection Order be made under s.59 of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act) as shown in Appendix 1 to the report, with the additional amendments as outlined above and that the previous dog bans on Cold Knap Beach and Penarth Beach be reinstated.

(2) **T H A T** the introduction of £100 Fixed Penalty Notices under the Order to allow offenders to discharge their liability and avoid any potential prosecution be agreed.

(3) **T H A T** the resolution by Cabinet on 17<sup>th</sup> June, 2019 to accept the comments of the Scrutiny Committee (dated 4<sup>th</sup> April, 2019) in relation to better engagement with members of the public be noted.

Reasons for decisions

- (1) To provide robust and effective means to control irresponsible dog ownership and to ensure safe and secure environments for its citizens and visitors.
- (2) To provide Officers with the authority to issue Fixed Penalty Notices.
- (3) To ensure the Council fully considers all aspects of engagement for future related Orders.

#### 467 REVIEW OF THE COUNCIL'S CONSTITUTION / OFFICER DELEGATIONS (MO / HLDS) –

The report sought Council's approval to make the following minor amendments / additions to the Council's Constitution and Officer Delegations.

- In accordance with Section 115 of the Local Government and Elections (Wales) Act 2021, to obtain Council's approval to rename the Audit Committee to Governance and Audit Committee from April 2021 and to amend the Council's Constitution accordingly.
- Section 25 of the Constitution – Officer Delegations – required an amendment to the Officer Delegations as follows. The below new delegation be granted to the Monitoring Officer / Head of Legal and Democratic Services in her designation as the Council's Returning Officer.

Authority to the Council's Returning Officer to re-designate polling places and polling stations where they become unavailable or unsuitable before or during an election.

#### RESOLVED –

- (1) T H A T the renaming of the Council's Audit Committee to Governance and Audit Committee be approved and the Constitution be amended accordingly.
- (2) T H A T the change to the relevant Officer Delegation as set out at paragraph 2.7 of the report be approved and the Constitution be amended accordingly.

Reasons for decisions

- (1) To comply with Section 115, Local Government and Elections (Wales) Act 2021 and to amend the Council's Constitution accordingly.
- (2) To update the Officer Delegation Scheme and relevant provisions within the current Constitution.

## 468 TREASURY MANAGEMENT MID-YEAR REPORT 2020/21 (REF) –

The report had been initially considered by Cabinet on 30<sup>th</sup> November 2020 (Minute. No. C399 refers) and was now being referred Council for approval.

The Leader advised that it was a requirement that the Council carried out mid- term reviews which he confirmed had been undertaken. He also stated that the report detailed a range of external influences that had impacted on the treasury management activity of the Council which included:

- COVID-19 had impacted on all economies across the world during the year;
- Whilst many had seen an upturn in their economic activity during the second quarter of the financial year, many had seen that recovery slowed as second waves of COVID-19 were being experienced not only within the Vale but across the world;
- In the UK a large fall in GDP had been experienced with an increase in unemployment;
- It was anticipated that the economic recovery would be slow and it may take a number of years;
- The Bank rate was low and it was predicted that it would remain low until March 2023;
- Lack of clarity regarding Brexit was having an impact on the financial markets during 2020.

Having reviewed the year's Capital Programme, the borrowing requirements of the Council had changed and were now estimated to be £9.5m in the current financial year. This figure would fluctuate dependent on the delivery of the Capital Programme.

Referring to the Council's investment strategy, the Leader advised that the intention was to secure the best return on its investments and he noted that a number of Members' attended a recent training session on the subject. As a result of COVID-19, on 25<sup>th</sup> September 2020 the Debt Management Office (DMO) had announced that they would be offering negative terms on deposits. As a result, Emergency Powers had been agreed to increase the financial limit of investments with UK institutions and Banks from £5m to £10m. This had enabled the Council to increase its use of Money Market Funds up to £10m per institution and also increase deposits with Lloyds Bank up to £10m. The report outlined the intention of the Council to continue to utilise Treasury Bills and Money Market Funds in addition to investing with other Local Authorities. These tools the Leader stated could increase the return on the Council's invested funds and these tools had already been agreed for use within the Treasury Management Policy.

The Treasury Management Strategy for the year established a range of indicators and the report detailed that these had all been met in the first six months to the end of September 2020. The report also confirmed that all Treasury Management activity had complied with the approved Treasury Management Strategy, the CIPFA Code of Practice and all relevant legislative provisions. The Leader concluded by advising that the proposals had been endorsed by Cabinet and were being presented to Council for approval.

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C399, 30<sup>th</sup> November, 2020, be approved.

Reason for decision

To comply with the Treasury Management Strategy.

469 LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES – REVIEW OF ELECTORAL ARRANGEMENTS OF THE COUNTY BOROUGH OF THE VALE OF GLAMORGAN: FINAL RECOMMENDATIONS REPORT (REF) –

The Cabinet Member for Legal, Regulatory and Planning Services advised that the report had been considered by Cabinet at its meeting on 8<sup>th</sup> February, 2021 (Minute. No. C475 referred) and the Corporate Performance and Resources Scrutiny Committee on 11<sup>th</sup> February, 2021 as outlined within the reference and was now being referred on to Council for approval.

RESOLVED – T H A T the Local Democracy and Boundary Commission for Wales' recommendations for the Vale of Glamorgan Council's electoral arrangements (as detailed in its February 201 Final Recommendations Report attached at Appendix A to the report) be noted with no further suggested comments.

Reason for decision

Following consideration of the references and discussions at the meeting.

470 PAY POLICY 2021/2022 (REF) –

The Council had a statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement for the new financial year 2021/22. The statement needed to be approved and published by 31<sup>st</sup> March, 2021. The document provided a framework for ensuring that employees were rewarded fairly and objectively, in accordance with the service needs of the Council and that there was openness and transparency in relation to the process.

The report had been considered by Cabinet at its meeting held on 22<sup>nd</sup> February, 2021 (Minute. No. C482 referred) and Corporate Performance and Resources Scrutiny Committee on 11<sup>th</sup> February, 2021 and was now being referred on to Council for approval.

The reference highlighted that since Cabinet's consideration of the matter on 22<sup>nd</sup> February, 2021 paragraph 8.4 and 8.5 of the Policy had also been amended to reflect the fact that the UK Government had introduced a cap on the amount of money a public sector employer could pay when an employee left their employment. It applied to employees leaving public sector employment from 4<sup>th</sup> November, 2020. The regulations, amongst other things, restricted the payment of redundancy and severance payments to £95k for workforces of prescribed bodies. The Leader drew



Members' attention to paragraph 6.7 of the Appended Policy regarding the new provisions under the Local Government and Elections Act 2021 relating to the job description of the Managing Director to Chief Executive and to paragraphs 6.27 – 6.33 of the regarding Local Government Elections. It being noted that further amendments would need to be made to the Policy when regulations had been received and the law was in force it was

RESOLVED – T H A T the Pay Policy at Appendix A to the reference be approved.

Reason for decision

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

**N.B.** This item was considered at the end of the Agenda in order that the matter could be determined in the absence of Senior Officers of the Council who were referred to within the Policy.

All Senior Officers, excluding the Principal Democratic Services Officer, left the meeting prior consideration of the report.

471 CAPITAL STRATEGY 2021/22 AND FINAL CAPITAL PROPOSALS 2021/22 TO 2025/26 (REF) –

The Leader advised that the report presented the Capital Strategy for the Council for 2021/22 and the Final Capital proposals for 2021/2022 to 2025/2026.

The Capital Strategy provided a framework which outlined how capital expenditure, capital financing and treasury management activity contributed to the provision of the Council's corporate objectives. The Strategy took a longer-term view of the Council's capital investment priorities and how those priorities may be funded. Possible funding available over the coming 10-year period, currently estimated, the Leader stated that the funding gap could be in the region of £12m. The Capital Strategy would be updated on an annual basis and would evolve over future years. The funding gap would be reviewed on a regular basis.

The Initial Capital Programme Proposals were presented to Cabinet in November 2020. At that point the Council had not received the Provisional Settlement for 2021/2022. The Provisional Settlement from Welsh Government was however, received in December and a proposed Capital Programme was considered by Cabinet on 8<sup>th</sup> February and subsequently by Corporate Performance and Resources Scrutiny Committee on 11<sup>th</sup> February. The proposed new schemes were now included in the Capital Programme 2021/22 - 2025/26 and were detailed at paragraph 2.25 of the report.

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

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

The proposed Programme 2021/2022 to 2025/2026 was attached at Appendix 2 to the report and showed a total spend of £107m in 2021/2022 and a total five year programme in excess of £249m. Issues had been raised in terms of road resurfacing and the Programme included £480k for such. Welsh Government had indicated that the Highways Refurbishment grant would continue however the detail of the award to the Vale of Glamorgan had not yet been received. The Capital Programme would be amended accordingly when a formal letter had been received.

The total value of the Band B programme for 21st Century Schools was £136m. It was anticipated that £118m would be spent between 2021/2022 to 2025/2026.

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

#### RESOLVED –

- (1) T H A T the Capital Strategy 2021/22 as set out in Appendix 1 to the report be approved.
- (2) T H A T the final Capital Programme for the years 2021/22 to 2025/26 as set out in Appendix 2 to the report be approved.
- (3) T H A T the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to make additions, deletions or transfers to or from the 2021/22 to 2025/26 Housing Improvement Programme as appropriate.
- (4) T H A T delegated authority be granted to the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, to make additions, deletions or transfers to or from the 2021/22 to 2025/26 Asset Renewal budgets as appropriate.
- (5) T H A T delegated authority be granted to the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, to make additions, deletions or transfers to S106 funded schemes subject to Member consultation as required under the existing process.
- (6) T H A T delegated authority be granted to the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, to make additions, deletions or transfers to or from Energy Management Schemes.
- (7) T H A T delegated authority be granted to the Managing Director and the Head of Finance, in consultation with the Cabinet Member for Performance and Resources, to make additions, deletions or transfers to or from the Building Strong Communities Fund schemes.

### Reasons for decisions

- (1) To approve the Capital Strategy for 2021/22.
- (2) To set and approve future Capital Programmes to 2025/26.
- (3) To enable the Housing Capital budget to be managed effectively.
- (4) To enable the Asset Renewal budgets to be managed effectively.
- (5) To enable S106 schemes to be managed effectively.
- (6) To enable the Energy Management Schemes to be managed effectively.
- (7) To enable the Building Stronger Communities Fund to be managed effectively.

### 472 FINAL PROPOSALS FOR THE REVENUE BUDGET 2021/22 (REF) –

The Leader advised that the Initial Revenue Budget Proposals for 2021/2022 had been presented to Cabinet on 30<sup>th</sup> November, 2020. The Council had not received notification of the provisional settlement from Welsh Government for the coming financial year at that time. As a result, certain assumptions were made in November with regard the level of the settlement and possible increases in Council Tax. Based on those assumptions, he stated he had reported a shortfall of up to £12.8m in the revenue budget for the coming financial year, assuming a Council Tax rise of 4.9%. The draft proposals had subsequently been considered by all Scrutiny Committees in December.

Welsh Government provided the Council with provisional figures for next year's settlement on 22<sup>nd</sup> December, 2020. For this Council the settlement reported a total Standard Spending Assessment (SSA) of £257.077m, which represented an adjusted increase of £12.583m over 2019/2020. This was an increase of 5.15%.

There was no new funding provided through the Revenue Support Grant (RSG) for new responsibilities for the coming year although there was a transfer into the RSG settlement in 2021/22 of £176k for the 2020/21 impact of Teachers' pay.

The Council's provisional settlement figures from Welsh Government were £124.398m for the Revenue Support Grant and £43.918m for Non-Domestic Rates. These amounts together totalled a final Aggregate External Finance (AEF) of £168.316m for the Council. When taking into account the adjustments for transfers mentioned above, the effective increase in AEF for the Council from the previous year was £7.119m (4.42%).

The initial budget was modelled on three assumptions – a cash flat settlement, a 1% reduction and a 1% increase in the funding from Welsh Government therefore the provisional settlement represented a significant improvement on that position. As a

consequence, revised initial budget proposals were considered by Cabinet on 8<sup>th</sup> February and were referred to Corporate Performance and Resources Scrutiny Committee as the lead Scrutiny Committee for the budget. That Committee discussed and noted the revised estimates on 11<sup>th</sup> February.

The Council's annual budget consultation exercise began on 8<sup>th</sup> December, 2020 and closed on 5<sup>th</sup> January, 2021. The annual budget consultation ran in conjunction with the consultation of the draft Annual Delivery Plan. This gave respondents the opportunity to first comment on the Council's priorities and how the Council intended to meet the wellbeing objectives over the next 12 months and then to comment on how the Council should prioritise spending. The full details of the consultation were detailed in Appendix B to the report.

The final proposal for the revenue budget for 2021/2022 had been set in line with the current financial strategy and a summary of the overall position was attached at Appendix C to the report.

The improved settlement had enabled the Budget Working Group to review and update the cost pressures. Those which could not be mitigated or reduced were included within the Net Growth figure of £9.6m. The breakdown of this sum was shown at Appendix D to the report.

The efficiencies had also been reviewed by the Budget Working Group, the Council had to find savings in excess of £59m in the past 10 years and each year it became increasingly difficult to identify budgets to reduce whilst still trying to maintain front line services. The proposed efficiency target for 2021/2022 was £500,000, with no efficiencies required from schools. There was a slight increase in the efficiencies required in the current year however, the efficiencies had been assessed and were considered to be achievable.

The report detailed the proposed budgets for all services for the coming year, with the Leader summarising the key points.

With regards to schools, the proposals had taken into account the pressures reported during the current year and the discussions that had taken place with the School Budget Forum. As a result, the budget did not require schools to find any efficiencies in the new financial year and provided for the growth requested by the schools at initial estimate stage. The budget would continue to fund schools £1.321m above their indicator-based assessment for 2021/2022 similar to the Standard Spending Assessment (SSA).

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

Cost pressures had been reported within Environment and Housing in the current financial year and the budget addressed those by providing some additional funding for the service in 2021/2022.

As part of the budget setting process the Council was also required to look at the budget situation for the coming financial years. In doing this an assumption had been made that there would be a cash flat settlement from Welsh Government and that Council Tax increases would be 3.9% in each of the following years. Taking into account possible cost pressures and no efficiencies, the possible shortfall in funding for 2022/23 and 2023/24 could total £9.9m. The position would be reassessed as part of the MTFP and options for achieving the shortfall in savings would be addressed further.

The report detailed the reserves held by the Authority together with the likely draw down on those in the coming years. Between 31<sup>st</sup> March, 2020 and 31<sup>st</sup> March, 2024 it was estimated the level of reserves would fall by £38.9m to £42.2m.

The estimated level of the Council Fund Reserve at 1<sup>st</sup> April, 2021 was £10.8m. There was a planned drawdown of £750,000 in 2021/22 to support the implementation of the Oracle upgrade. No further draw down was planned. The Council Fund provided cover for unforeseen expenditure whilst, in the short term, maintaining a working balance. Unforeseen expenditure could be substantial, and several instances could occur within a year. The level of pressure on Directorates in 2020/21 had evidenced this and the ongoing financial impact of COVID-19 was difficult to predict for the new financial year.

Whilst there was no set requirement for the minimum level for the Council Fund, some commentators used 5% of the net budget as a guide. For the Vale of Glamorgan this was currently approximately £12.5m. However, in view of the prudent approach the Council had taken with regard to Specific Reserves, it was proposed that £10m should be maintained as the minimum level for the Council Fund.

The budget proposed in the report would set a net revenue budget of £251.653m for 2021/2022 which would result in a Council Tax increase of 3.9%.

In summary he stated the balancing of the budget for 2021/2022 had enabled Cabinet to consider and address some of the pressures faced by this Authority. The Leader concluded by further stating that he believed the budget before Members to be achievable.

Councillor Bailey proposed an amendment to the revenue budget, to transfer £2.7m from the Council Fund to support the base budget. This would enable the Authority to freeze Council Tax in line with the rate of inflation (which, using CPI as a measure stood at 0.8% in December).

The amendment was duly seconded by Councillor Rowlands.

Councillor Bailey indicated that “when Council met this time last year to set the Budget, none of us could have anticipated the year that we have since endured.”

First of all, he paid tribute to frontline Council staff who had not only managed to keep critical services going, but who had managed to provide support to residents and businesses during these tough times, and done so with great dedication and good nature.

Clearly this has been a very difficult year, with the pandemic impacting “us all in a way that we could not have previously experienced.”

He also thanked residents of the Vale, who had adapted to the new normal with many now working from home with all of the pressures and strains that brought. It was only now that we could start to see light at the end of the tunnel thanks to the amazing work of the Vaccine roll-out teams across the County and indeed the country as a whole.

There were glimmers of optimism, but the reality of the economic crisis was such that families up and down the County were now extremely concerned about the impact of an increase in their bills. They were looking to Councillors he said to show that they understood the pressures they faced and showed that they were not “tone deaf” to the impact that a hike in Council Tax bills would have on their finances.

These were exceptional, unprecedented financial circumstances and as such the Conservative Group was calling for a one-off freeze (in line with inflation) to counter the Administration’s proposal for a 3.9% rise.

The Council currently held reserves of more than £10m; freezing Council Tax at 0.8% would cost around £2.7m, taking the reserves to a prudent (but not excessive) level of approximately £8.1m.

The Leader put it into context, in that the Council had in the current year received an additional £7.1m in funding from the Welsh Government [a rise of 4.4%]. Councillor Bailey said that that was money that he believed should be used to protect hard pressed residents from an increase in Council Tax at this time of huge worry.

Many Vale residents had been placed on furlough for much of the last year and would be concerned about job security when that scheme comes to an end. A large proportion of them would have seen a real term cut in their wages down to 80% of their normal pay which equated to a huge hole in their finances.

He further stressed that the Welsh Government had been given an extra £740m by the UK Government through the recent budget process; money that Welsh Conservatives believe should be used to extend support for business rate relief and to fund a Wales-wide freeze in Council Tax. The Leader indicated that his colleagues in Cardiff Bay were holding circa £650m in additional unspent money from the UK Government to support Wales as we recover from the impact of the Pandemic. It was his regret that they were yet to use that money to support local Councils to keep bills down.

Whilst Councillor Bailey appreciated that the Leader could not count on any of this to reconcile the Budget, he hoped that he and his colleagues were putting pressure on Welsh Ministers to see this money used to support families and businesses. However, what could be done as a Council was for Members to ask themselves the fundamental question in these unprecedented circumstances, 'What can we responsibly do to ease the pressure? For the Welsh Conservative group, the answer was simple; a Council Tax rise of 3.9% was tone deaf to the financial reality faced by rate payers.

Councillor Bailey reiterated that these were unprecedented times and believed that the Council could do more to support residents. He urged Members of all parties to support the amendment and send a message to local residents that the Council understands how challenging the situation was, and that we were doing all that we could to support them.

Councillor John agreed that these were indeed unprecedented times and had been a difficult year, but at the same time, had the Council not accepted the previous year's budget the Council would have faced difficulties. It was impossible to know what lay ahead. He agreed with Councillor Bailey that there were struggling but were the budget not to be passed it could cause twice the problems in the following year. A proposed Council Tax rise of 3.9% tonight would be preferable to around a 7% rise next year and he did not want to take a chance of that happening and therefore would be supporting the proposed budget.

Councillor Wilson observed that not one Conservative Member at Corporate Performance and Resources Scrutiny Committee had opposed the revenue budget or voiced their concerns at that time. He also stated that public sector workers deserved a pay increase for their work supporting residents over the past year referring to waste collections services, Social Workers, education, etc. Councillor Bailey's proposal he stated would put pressure on the overall budget by reducing reserves that may be required next year. He agreed with Councillor John that no-one knew what lay ahead. Society would be living with this virus for some time and there was need for caution to avoid a larger increases in Council Tax the following year and therefore would be supporting the budget proposals.

Councillor Penrose referred to comments made every year at past Council meetings that there was an increased financial burden placed on residents of his ward by the Administration who continued to propose increases in Council Tax and amounted to nearly three times the current rate of inflation on this occasion. The larger percentage of residents in the ward were of an older age group with a fixed source of income coming from pension schemes, whether state or private, which at best adjusted in line with inflation. These residents, together with those who had been furloughed, working reduced hours or made redundant as a result of the COVID-19 pandemic would be adversely affected by the proposed increase. A significant number of residents had properties that fell into Council Tax bands G, H and I, thus attracting Council Tax annual payments in excess of £3,000 per annum. The proposal of another 3.9% increase would add on average another £117 as a financial burden, in a year when many had experienced anxiety or financial loss as a result of major flooding to their properties and increased food prices. He appreciated that the pandemic had caused additional costs to the Authority but did not consider it

correct to recover more than an inflationary increase from residents of the Vale of Glamorgan. The Authority should approach Welsh Government for additional funding, along with the other 21 Local Authorities, for additional costs incurred during the pandemic, rather than supporting Cardiff Airport with a further £85m. He was not of a mind to support the primary Motion but would support Councillor Bailey's amendment.

The Leader in response advised that Council Tax band E was below the Welsh average. The Council did not spend up to its Standard Spend Assessment (SSA) and the proposed budget was less than the SSA and equated to an increase on a band D property of £50.94p per year. The Council reserves were not exhaustible and were the result of years of careful financial management. The Council Fund would be £10m at the end of the financial year, as recommended by the Section 151 Officer. To propose taking a further £2.7m out of the General Fund went against the recommendations of the Section 151 Officer. There was still £9.6m worth of cost pressures to find, particularly for supporting Social Services who were providing for the most vulnerable in society and the proposed budget provided that support. As such, the Leader would oppose the amendment.

Councillor Carroll advised he would be supporting the amendment proposed by Councillor Bailey. It had been an extraordinary year, particularly in terms of the time passed and upheaval connected to the lockdowns. The impact on the economy and people's jobs had been huge, with many workers furloughed and on reduced 80% wages, had their hours reduced, were made redundant or faced the prospect of being made redundant as a result of the economic consequences of the pandemic. The pressures of an increase in Council Tax on those people would be an additional burden during difficult times. He believed Councillor Bailey's amendment to be a sensible one, drawing down from the General Fund for a one-off freeze on Council Tax which would assist with the pressures being felt by hard working families within the community and therefore supported the amendment.

Councillor Burnett said she was disappointed in the tone of the debate after the year faced by people in the community and the struggle by Officers to maintain services. She was disappointed by the suggestion that Wales received handouts from England when in reality the issue was Barnett consequential and about receiving what the country deserved. She was the Cabinet Member with responsibility for over 50% of the Council's budget, with 85% of that delegated to schools themselves, possibly the highest delegated budget in Wales, in order to see children thrive and move forward. Councillor Burnett further stated that after the last year, it would not be wise to take any further risks and not be able to support our children and the most vulnerable in the community. Some Authorities in England were reporting 5% increases in Council Tax and facing severe financial difficulty. She would be voting against the amendment.

Councillor Neil Thomas said that this time last year, people in Public Health had predicted that steps were needed to be taken quickly to avoid significant morbidity. The Government in Westminster ignored that advice to the cost of over 100,000 extra lives, at least. We know that variants are likely, and likely more serious and resistant to present vaccines, so draining reserves would leave the Council vulnerable. He supported the budget and opposed the amendment.



Councillor Rowlands referred to the 16 respondents to the online survey within the consultation response in relation to the revenue budget which he felt was very low. He highlighted that the respondents felt that increasing Council Tax (53%) was a lower priority than services being delivered differently (60%). He noted there was no question asking how much people thought their Council Tax should increase, when there used to be a question as part of previous consultations. He said he could not support a 3.9% increase of Council Tax and would be supporting the amendment.

Councillor Gray stated he would not be supporting the amendment. There had been calls for a one-off use of reserves in the previous year which, if accepted, would have put the Council in a difficult position and that the Council should use reserves for their intended purpose which was to deal with unexpected costs. As a result of last year's budget, the Council was in the best possible position to deal with the pandemic. Not all consequences of the pandemic would receive supported funding and the Council had to be ready to support residents. Costs had gone up; most carers had been on minimum wage which would now be going up by more than 0.8% and costs across the Council had increased as a result of dealing with the pandemic. The Council needed to be funded at the level proposed in the budget and therefore could not agree with the amendment and supported the budget. Councillor Gray added that Scrutiny meetings formed part of the consultation process and asked Members who felt they needed to make points make them at the consultation stages and to bring forward suggestions for debate.

Councillor Robertson referred to Councillor Neil Thomas' statement concerning national Government's handling of the pandemic and pointed out that Health in Wales was a devolved matter and referred to the speed at which over a million Welsh people had been vaccinated.

Councillor Mahoney appreciated the need to balance the budget annually but referred to the huge discrepancy per person in the block grant from Welsh Government between residents of Cardiff and the Vale of Glamorgan. Were there to be fairness or equity, Council Tax rates would not be an issue. He asked the Leader to explain what approaches had been made to colleagues in the Welsh Assembly to bridge that gap and avoid Council Tax rises every year. He referred to comments from Councillor Burnett concerning handouts from England and that money was proportionate under the Barnett formula and was rightly given to Wales, not as a handout. He further referred to previous funding that was made available to allay Council Tax increases in England and Wales several years ago that was spent on other projects rather than assisting in reducing increases in Council Tax.

Councillor Bailey issued a point of clarification concerning Councillor Burnett's comments, adding he wished to make a case in a measured and fair way and had not implied in any way that Wales had received handouts.

Councillor Bailey reiterated his amendment to the revenue budget, to transfer £2.7m from the Council Fund to support the base budget, which would enable the Authority to freeze Council Tax in line with the rate of inflation (which, using CPI as a measure stood at 0.8% in December).

A Recorded Vote then took place on the amendment:

<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	√		
A.R.T Davies	√		
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		√	
Mark Wilson		√	
Marguerita Wright	√		
<b>TOTAL</b>	<b>17</b>	<b>29</b>	<b>1</b>

The amendment was lost.

Councillor Dr. Johnson wished to move and speak on a further amendment to the report. It had been a difficult year as already stated, and therefore made producing a budget difficult also in light of the timing of the receipt of the Welsh Government settlement only the week before the meeting and having to set a budget by 11<sup>th</sup> March, 2021. He thanked the Budget Working Group staff for the amount of work they had had to complete and for their discussions with Councillors. He referred to an Extraordinary meeting of the Corporate Performance and Resources Scrutiny Committee which had been specially convened to discuss the most up to date budget information to hand where, as referred to earlier, none of the Conservative representatives had spoken or asked questions at that meeting.

Councillor Dr. Johnson referred to the amount of discussion that had taken place throughout the year in Corporate Performance and Resources Scrutiny Committee

and Audit Committee about decisions made on the budget the previous year concerning the use of reserves; some had agreed and others had disagreed. Even during a difficult year, the Council had managed to achieve 96% collection of its Council Tax rates which equated to a shortfall of around £1m. A few other areas also had shortfalls as a result of correct decisions taken, for example, providing support to social care staff. The Vale of Glamorgan had the second highest percentage increase in Welsh Government funding this year as a result of additional resources required as a result of a growing population. There were also areas of additional spend that were common across Wales related to the pandemic, such as working from home, new licences, non-collection of Council Tax as a result of claims to the Council Tax Reduction Scheme, etc. In the final settlement last week, Welsh Government had announced an additional £206m for the Local Authority Hardship Fund which would possibly have to be allocated to areas where additional spend had been allocated, and he asked the Leader to clarify where that funding would be used.

Councillor Dr. Johnson asked for Council to consider the use of reserves. He said he was surprised at the use of the General Fund for the Oracle improvements on the basis that there was already an ICT fund within the reserves and such work should come from that reserve and not the General Fund. He said that the reserves had been used previously as a balancing figure previously; £1m last year and £2 the year before that, and asked to do that again this year with £1m being used from reserves to reduce the Council Tax rise from 3.9% to 2.65%. He was aware of the concerns over collection but believed that collection would return to normal over the coming year. He therefore moved an amendment that the Council Tax increase be 2.65% for the financial year 2021/22 which meant a Council Tax of £1,340.73 for a Band D taxpayer. Councillor Dr. Johnson also reminded Members that the Vale of Glamorgan Council did not use powers under the Housing Wales Act 2014 to levy additional Council Tax premiums upon second homeowners, which according to recent Welsh Government figures put the Vale of Glamorgan in the top ten in Wales. The majority of those households were in the higher Council Tax bandings and therefore an additional amount of money would be available to the Council if utilised.

The amendment was duly seconded by Councillor Wiliam.

The Leader referred to the question of how much Council Tax had gone up, which he advised had been answered in paragraph 2.39 of the report. In terms of taking money out of the General Fund, the Leader referred to Appendix C to the report which reported a commitment to pay back £1m. In relation to the earlier Conservatives' amendment, he advised that "were you to take £2.7m out of the budget this year, you would then have to return it next year to stand still." Council Tax in the Vale of Glamorgan last year was £1,245 and the Welsh average was £1,295. This year the Vale of Glamorgan were the second highest recipient of the Revenue Support Grant. In terms of the Standard Spending Assessment (SSA) where Welsh Government work out how much an Authority would be expected to spend, the Vale was always under the Welsh average and would never catch up unless steps were taken to do so.

The Leader agreed with Councillor Dr. Johnson that no-one had commented at the Extraordinary Corporate Performance and Resources Scrutiny Committee meeting

aside from Councillor Johnson. He advised that the Council was receiving money from the Hardship Fund but was actively spending that money accordingly. There was also an assumption that there would be a pay award next year as it would be unfair for there not to be. In terms of Oracle being funded from the General Fund, that had been previously agreed in a Cabinet report. In response to Councillor Mahoney, the Leader said that he had made representations to Welsh Government colleagues.

Even with a Council Tax rise of 3.9%, the Vale of Glamorgan was still below the Welsh average charges. The Council faced a £9m shortfall and had to put back £1m from last year's budget. Taking any further money from the Council Fund which had been proposed would mean that £1m would have to be found again next year. Other Local Authorities were proposing Council Tax rises above that proposed by the Vale of Glamorgan Council e.g. :-

- Wrexham – 6.95%
- Carmarthen – 3.95%
- Denbigh – 3.8%
- Gwynedd – 3.7%
- Bridgend – 3.9%
- Flintshire – 3.95%
- Caerphilly – 3.95%
- Monmouthshire – 3.89%

Originally Council Tax in the Vale of Glamorgan was proposed to increase by 4.9% and it was brought down to 3.9%.

The Leader agreed with Councillor Dr. Johnson in terms of empty properties. The Council had changed its policy in regard to empty properties in 2019/20 when the 50% empty property discount was removed for homeowners with second homes. Since 2017 the Authority had been able to charge a premium of up to 100% on long term empty properties and was something the Leader had intended to look into for the coming year.

He resisted the idea of taking money from the General Fund, if for no other reason that it went against the recommendations of the Section 151 Officer. In terms of money coming in from Welsh Government, it was not known how much would be made available, e.g. Capital Programme funding for the road network. Even with a 3.9% Council Tax rise, it did not meet the aspirations of being somewhere near the SSA and the Welsh average. As such the Leader would be voting against the amendment.

Councillor Rowlands took issue with the Leader's reference to the Section 151 Officer's recommendations. He respected the Section 151 Officer but noted that Members were responsible for taking decisions. Officers make recommendations and Members could vote for or against those recommendations. Members were accountable to their residents. There was a public perception that Council was often Officer-led, and it should be Councillor-led.

Councillor Dr. Johnson re-stated his amendment, that the Band D Council Tax should rise by 2.65% in 2021/22 through the use of £1m of reserves that would make the Band D figure £1,340.73.

A Recorded Vote then took place on the amendment:

<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		√	
A.R.T Davies		√	
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		√	
Mark Wilson		√	
Marguerita Wright		√	
<b>TOTAL</b>	<b>4</b>	<b>42</b>	<b>1</b>

The Leader formally moved the substantive Motion, seconded by Councillor Burnett.

A Recorded Vote then took place on the Motion as presented within the report:

<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		√	
A.R.T Davies		√	
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 William		√	
Margaret Wilkinson	√		
Edward Williams	√		
Mark Wilson	√		
Marguerita Wright		√	
<b>TOTAL</b>	<b>25</b>	<b>21</b>	<b>1</b>

The Motion was carried as below

RESOLVED –

(1) T H A T the budget for 2021/22 be fixed at £251.653m including a provision of £290k for discretionary rate relief to rural shops and post offices and charitable organisations.

(2) T H A T the budgets for 2021/22 as set out in Appendix C to the report and in the following table be approved:

	<b>£000</b>
Schools	97,982
Strategy, Culture, Community Learning & Resources	8,149
Additional Learning Needs	3,079
Standards and Provision	4,379
Directors Office	232
Children & Young People	17,700
Adult Services	52,742
Resource Management & Safeguarding	292
Youth Offending Service	707
Neighbourhood & Transport Services	24,791

Building Services	0
Regulatory Services	1,825
Council Fund Housing	1,420
Resources	809
Regeneration	1,869
Development Management	1,209
Private Housing	980
General Policy	33,488
Use of Reserves	0
<b>Grand Total</b>	<b>251,653</b>

(3) T H A T the recommendations regarding Net Growth for 2021/22 as set out in Appendix D to the report and Efficiencies for 2021/22 as set out in Appendix E to the report be approved.

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

#### Reasons for decisions

- (1) To set the 2021/22 budget in line with statutory requirements.
- (2) To allocate budgets to services.
- (3) To reduce risk to services and balance the budget.
- (4) To present the report to the Schools Budget Forum.

#### 473 FINAL HOUSING REVENUE ACCOUNT (HRA) BUDGET PROPOSALS 2021/22 (REF) –

The Leader advised that the report before Council presented the final Housing Revenue Account (HRA) budget proposals for 2021/2022 and the proposed rents and service charges for the coming financial year, commencing on 1<sup>st</sup> April, 2021.

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

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

been considered by Cabinet on 30<sup>th</sup> November, 2020 (Minute No. C398) and had been referred to the Homes and Safe Communities Scrutiny Committee on 9<sup>th</sup> December, 2020, who noted the proposals as did Corporate Performance and Resources Scrutiny Committee on 16<sup>th</sup> December, 2020.

In finalising the budget, the Cabinet had been mindful of the 2021/2022 Policy for Social Housing Rents published by Welsh Government in November 2020. The policy included a maximum allowable uplift which had been set at CPI (as at September 2020) plus 1%, which equated to 1.5%.

The details of how the budget had been made up were referred to in the Cabinet report. It was proposed that rents be increased by 1.5% which was in accordance with the Welsh Government policy and would be enough to support the Housing 30 year business plan.

As well as increasing rents, the report also outlined the proposed increases in other charges, which had again been detailed in the report.

Following a query from Councillor Dr. Johnson regarding whether the proposed figure for charges for heating on a 50-week basis was correct and the Leader's response advising that it was, following a vote, it was subsequently

RESOLVED –

(1) T H A T the final Housing Revenue Account budget proposals for 2021/22 be approved as outlined below:

	<b>Proposed Budget 2021/22 £'000</b>
<b>Expenditure</b>	
Supervision & Management	5,547
Repairs & Maintenance	3,543
Capital Financing Costs	4,768
Rent, Rates & Taxes & Other Charges	253
Increase in Bad Debt Provision	1,271
Capital Expenditure from Revenue Account (CERA)	6,392
<b>Income</b>	
Dwelling Rents	(20,574)
Non Dwelling Rents	(168)
Interest	(10)
Charges for Services and Facilities	(539)
<b>Contribution towards expenditure</b>	<b>(303)</b>
<b>Grant Income</b>	<b>(205)</b>
<b>(Surplus)/Deficit for the Year</b>	<b>(25)</b>
<b>Working Balance Brought Forward as at 1<sup>st</sup> April 2021</b>	<b>(890)</b>
<b>Working Balance Carried Forward as at 31<sup>st</sup> March 2022</b>	<b>(915)</b>

(2) T H A T an average rent increase of 1.5%, as set out in paragraphs 2.8-2.10 of the report to Cabinet on 22<sup>nd</sup> February, 2021, be approved.

(3) T H A T the increase suggested for other services, as set out in paragraphs 2.11-2.24 of the report to Cabinet on 22<sup>nd</sup> February, 2021, be approved

(4) T H A T the following charges for 2021/22 financial year be approved:

<b>50 Week Basis</b>	<b>Current Charges</b>	<b>Proposed Charges</b>
Heating	£6.66 per week	£7.87 per week
Warden Housing Management	£10.71 per week	£10.92 per week
VCAS:		
- Monitoring	£1.24 per week	£1.29 per week
- Maintenance	£2.18 per week	£2.20 per week
Grounds Maintenance	£1.38 per week	£1.34 per week
Cleaning of Communal Areas	£2.49 per week	£2.52 per week
Lighting of Communal Areas	£1.15 per week	£1.63 per week
Laundry Facilities	£0.24 per week	£0.48 per week
Window Cleaning	£0.17 per week	£0.17 per week
Lift Maintenance	£0.75 per week	£1.07 per week
Door Entry	£0.47 per week	£0.44 per week
Intercom	£0.74 per week	£0.92 per week
CCTV	£0.90 per week	£0.92 per week
Sewerage Treatment Plants	£358.44 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2021/22
Cesspool Emptying	£346.00 per annum	Based on the Rateable Value (RV) from the Welsh Water Schedule 2021/22

(5) T H A T all changes to rents and service charges be implemented from 1<sup>st</sup> April, 2021 and that increase notices be sent to tenants 28 days in advance of the new charges coming into effect.

#### Reason for decisions

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

#### 474 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2021/22 AND UPDATE FOR 2020/21 (REF) –

The purpose of the report, the Leader advised, was to present the interim report on the Council's Treasury Management operations for the period 1<sup>st</sup> April to 31<sup>st</sup> December, 2020 and to submit for consideration the proposed 2021/2022 Treasury Management and Investment Strategy.

Insofar as the Council's Treasury Management operations entered into for the period 1<sup>st</sup> April to 31<sup>st</sup> December, 2020 were concerned, all activities were in accordance with the Council's approved strategy on Treasury Management. Interest amounting to £381,877 had been received from maturing Local Authority and Debt Management Deposit Facility investments for the first nine months of 2020/21. Investments were also placed with Money Market Funds during the year. No funds were invested in Treasury Bills as for the majority of the accounting period under review they had offered negative returns. The details of the monies borrowed and repaid and those invested were outlined within the report.

With regard to the Treasury Management and Investment Strategy 2021/2022, the details were contained within Appendix 1 of the report. In summary the Strategy, he stated, contained the following :

- The proposed borrowing strategy for 2021/2022 reflected the final capital proposals for 2021/22 to 2025/26 and the predictions with regard to interest rates for the coming year;
- The proposed Minimum Revenue Provision (MRP) for the coming year. Capital expenditure, when financed by long term debt, incurred two elements of cost – interest on and repayment of the principal sum borrowed. The resources the Council must put aside in each year to repay the principal sum borrowed was known as the MRP. It was proposed that the current approach to calculating the Minimum Revenue Provision be continued in 2021/2022;
- Detail concerning the current economic background within which the Council would have to operate were:
  - Prospects for interest rates going forward;
  - Our investment strategy for 2021/2022; and
  - Performance targets for 2021/2022.

A Treasury Management training session for Members had also been held on 1<sup>st</sup> March at 4.30 p.m. which the Leader advised had been an informative session.

RESOLVED – T H A T the proposals of the Cabinet as set out in Cabinet Minute No. C491, 22<sup>nd</sup> February, 2021, be approved.

#### Reason for decision

To meet the requirements of the Local Government Act 2003.

*At this point the Mayor indicated there would be a short adjournment for a comfort break.*

#### 475 HOUSING REVENUE ACCOUNT BUSINESS PLAN (REF) –

The Leader advised that Welsh Government had requested that specific content for the Business Plan be given to Brexit and as such the Plan was a smaller focused document covering the key areas of interest. Information was still awaited about the compensation award and the Council still had some doubtful debts, particularly in terms of rent arrears, however the Plan was sustainable. It was subsequently

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

#### Reason for decision

To enable the submission of the above Plan to Welsh Government by the required deadline of 31<sup>st</sup> March, 2021.

#### 476 COUNCIL TAX 2021-22 –

The Council Tax resolution at Agenda item 12 was moved by the Leader and seconded by Councillor L. Burnett. Councillors G.D.D. Carroll and L.O. Rowlands both requested that the minutes reflect the fact that they did not agree with the Council Tax resolution.

Following a vote it was

RESOLVED –

(1) T H A T it be noted that at its meeting on 7<sup>th</sup> December, 2020, Cabinet (the Executive) calculated the following amounts for the year 2021/22 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-

(a) 61,412 being the amount calculated by Cabinet (the Executive) in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, as its Council Tax base for the year.

(b) Part of the Council's area

Barry	20,666
Colwinston	377
Cowbridge with Llanblethian	2,724
Dinas Powys	3,943

Ewenny	444
Llancarfan	483
Llandough	958
Llandow	436
Llanfair	384
Llangan	457
Llanmaes	255
Llantwit Major	4,287
Michaelston	233
Penarth	11,627
Pendoylan	346
Penllyn	1,061
Peterston-Super-Ely	552
St. Athan	1,516
St. Brides Major	1,420
St. Donats	196
St. Georges and St. Brides-Super-Ely	235
St. Nicholas and Bonvilston	709
Sully and Lavernock	2,531
Welsh St. Donats	314
Wenvoe	1,564
Wick	541

being the amounts calculated by Cabinet (the Executive), in accordance with regulation 6 of the Regulations, as amended, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate.

(2) That the following amounts be now calculated by the Council for the year 2021/22 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- |     |  |                     |
|-----|--|---------------------|
| (a) | Aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (d) and (2A) of the Act (including Town / Community Council Precepts totalling £3,174,046) | <b>£381,486,358</b> |
| (b) | Aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a), (aa) and (c), and (3A) of the Act  | <b>£126,949,000</b> |
| (c) | Amount by which the aggregate at (2)(a) above exceeds the aggregate at (2)(b) above, calculated by   | <b>£254,537,358</b> |

the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d)	Aggregate of the sums which the Council estimates will be payable for the year into its Council Fund in respect of redistributed non-domestic rates, revenue support grant, its council tax reduction scheme, additional grant or special grant less certain Discretionary Non-Domestic Rate Reliefs	<b>£168,026,000</b>
(e)	The amount at (2)(c) above less the amount at (2)(d) above, all divided by the amount at (1)(a) above, calculated by the Council, in accordance with Section 33(1) of the Act as the basic amount of its council tax for the year.	<b>£1,408.70</b>
(f)	Aggregate amount of all special items referred to in Section 34(1) of the Act.	<b>£3,174,046</b>
(g)	Amount at (2)(e) above less the result given by dividing the amount at (2)(f) above by the amount at (1)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.	<b>£1,357.02</b>
(h)	<u>Part of the Council's area</u>	<u>£</u>
	Barry	1,416.62
	Colwinston	1,391.77
	Cowbridge with Llanblethian	1,431.61
	Dinas Powys	1,386.89
	Ewenny	1,402.93
	Llancarfan	1,382.59
	Llandough	1,399.77
	Llandow	1,379.96
	Llanfair	1,369.02
	Llangan	1,380.59
	Llanmaes	1,405.06
	Llantwit Major	1,416.22
	Michaelston	1,384.58



Penarth	<b>1,437.98</b>
Pendoylan	<b>1,379.14</b>
Penllyn	<b>1,368.80</b>
Peterston-Super-Ely	<b>1,398.69</b>
St. Athan	<b>1,382.40</b>
St. Brides Major	<b>1,376.83</b>
St. Donats	<b>1,373.47</b>
St. Georges and St. Brides-Super-Ely	<b>1,377.87</b>
St. Nicholas and Bonvilston	<b>1,403.49</b>
Sully and Lavernock	<b>1,394.41</b>
Welsh St. Donats	<b>1,379.31</b>
Wenvoe	<b>1,380.69</b>
Wick	<b>1,368.11</b>

being the amounts given by adding to the amount at (2)(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (1)(b) above, calculated by the Council, in accordance with Section 34 (3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

## (i) Part of the Council's Area

## Valuation Bands

£	A	B	C	D	E	F	G	H	I
Barry	944.41	1,101.82	1,259.22	1,416.62	1,731.42	2,046.23	2,361.03	2,833.24	3,305.45
Colwinston	927.85	1,082.49	1,237.13	1,391.77	1,701.05	2,010.33	2,319.62	2,783.54	3,247.46
Cowbridge with Llanblethian	954.41	1,113.47	1,272.54	1,431.61	1,749.75	2,067.88	2,386.02	2,863.22	3,340.42
Dinas Powys	924.59	1,078.69	1,232.79	1,386.89	1,695.09	2,003.29	2,311.48	2,773.78	3,236.08
Ewenny	935.29	1,091.17	1,247.05	1,402.93	1,714.69	2,026.45	2,338.22	2,805.86	3,273.50
Llancarfan	921.73	1,075.35	1,228.97	1,382.59	1,689.83	1,997.07	2,304.32	2,765.18	3,226.04
Llandough	933.18	1,088.71	1,244.24	1,399.77	1,710.83	2,021.89	2,332.95	2,799.54	3,266.13
Llandow	919.97	1,073.30	1,226.63	1,379.96	1,686.62	1,993.28	2,299.93	2,759.92	3,219.91
Llanfair	912.68	1,064.79	1,216.91	1,369.02	1,673.25	1,977.47	2,281.70	2,738.04	3,194.38
Llangan	920.39	1,073.79	1,227.19	1,380.59	1,687.39	1,994.19	2,300.98	2,761.18	3,221.38
Llanmaes	936.71	1,092.82	1,248.94	1,405.06	1,717.30	2,029.53	2,341.77	2,810.12	3,278.47
Llantwit Major	944.15	1,101.50	1,258.86	1,416.22	1,730.94	2,045.65	2,360.37	2,832.44	3,304.51
Michaelston	923.05	1,076.90	1,230.74	1,384.58	1,692.26	1,999.95	2,307.63	2,769.16	3,230.69
Penarth	958.65	1,118.43	1,278.20	1,437.98	1,757.53	2,077.08	2,396.63	2,875.96	3,355.29
Pendoylan	919.43	1,072.66	1,225.90	1,379.14	1,685.62	1,992.09	2,298.57	2,758.28	3,217.99
Penllyn	912.53	1,064.62	1,216.71	1,368.80	1,672.98	1,977.16	2,281.33	2,737.60	3,193.87
Peterston-Super-Ely	932.46	1,087.87	1,243.28	1,398.69	1,709.51	2,020.33	2,331.15	2,797.38	3,263.61
Rhose	904.68	1,055.46	1,206.24	1,357.02	1,658.58	1,960.14	2,261.70	2,714.04	3,166.38
St. Athan	921.60	1,075.20	1,228.80	1,382.40	1,689.60	1,996.80	2,304.00	2,764.80	3,225.60
St. Brides Major	917.89	1,070.87	1,223.85	1,376.83	1,682.79	1,988.75	2,294.72	2,753.66	3,212.60
St. Donats	915.65	1,068.25	1,220.86	1,373.47	1,678.69	1,983.90	2,289.12	2,746.94	3,204.76
St. Georges & St. Brides-Super-Ely	918.58	1,071.68	1,224.77	1,377.87	1,684.06	1,990.26	2,296.45	2,755.74	3,215.03
St. Nicholas and Bonvilston	935.66	1,091.60	1,247.55	1,403.49	1,715.38	2,027.26	2,339.15	2,806.98	3,274.81
Sully and Lavernock	929.61	1,084.54	1,239.48	1,394.41	1,704.28	2,014.15	2,324.02	2,788.82	3,253.62
Welsh St. Donats	919.54	1,072.80	1,226.05	1,379.31	1,685.82	1,992.34	2,298.85	2,758.62	3,218.39
Wenvoe	920.46	1,073.87	1,227.28	1,380.69	1,687.51	1,994.33	2,301.15	2,761.38	3,221.61
Wick	912.07	1,064.09	1,216.10	1,368.11	1,672.13	1,976.16	2,280.18	2,736.22	3,192.26

being the amounts given by multiplying the amounts at (2)(g) and (2)(h) above by the number which, in the proportion set out in Section 5 (1/1A) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(3). That it be noted that for the year 2021/22 the Police and Crime Commissioner for South Wales has stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

£	Valuation Bands								
A	B	C	D	E	F	G	H	I	
191.81	223.78	255.75	287.72	351.66	415.60	479.53	575.44	671.35	

(4).That, having calculated the aggregate in each case of the amounts at (2)(i) and (3) above , The Vale of Glamorgan County Borough Council , in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2021/22.

Part of the Council's Area	Valuation Bands								
	A	B	C	D	E	F	G	H	I
Barry	1,136.22	1,325.60	1,514.97	1,704.34	2,083.08	2,461.83	2,840.56	3,408.68	3,976.80
Colwinston	1,119.66	1,306.27	1,492.88	1,679.49	2,052.71	2,425.93	2,799.15	3,358.98	3,918.81
Cowbridge with Llanblethian	1,146.22	1,337.25	1,528.29	1,719.33	2,101.41	2,483.48	2,865.55	3,438.66	4,011.77
Dinas Powys	1,116.40	1,302.47	1,488.54	1,674.61	2,046.75	2,418.89	2,791.01	3,349.22	3,907.43
Ewenny	1,127.10	1,314.95	1,502.80	1,690.65	2,066.35	2,442.05	2,817.75	3,381.30	3,944.85
Llancarfan	1,113.54	1,299.13	1,484.72	1,670.31	2,041.49	2,412.67	2,783.85	3,340.62	3,897.39
Llandough	1,124.99	1,312.49	1,499.99	1,687.49	2,062.49	2,437.49	2,812.48	3,374.98	3,937.48
Llandow	1,111.78	1,297.08	1,482.38	1,667.68	2,038.28	2,408.88	2,779.46	3,335.36	3,891.26
Llanfair	1,104.49	1,288.57	1,472.66	1,656.74	2,024.91	2,393.07	2,761.23	3,313.48	3,865.73
Llangan	1,112.20	1,297.57	1,482.94	1,668.31	2,039.05	2,409.79	2,780.51	3,336.62	3,892.73
Llanmaes	1,128.52	1,316.60	1,504.69	1,692.78	2,068.96	2,445.13	2,821.30	3,385.56	3,949.82
Llantwit Major	1,135.96	1,325.28	1,514.61	1,703.94	2,082.60	2,461.25	2,839.90	3,407.88	3,975.86
Michaelston	1,114.86	1,300.68	1,486.49	1,672.30	2,043.92	2,415.55	2,787.16	3,344.60	3,902.04
Penarth	1,150.46	1,342.21	1,533.95	1,725.70	2,109.19	2,492.68	2,876.16	3,451.40	4,026.64
Pendoylan	1,111.24	1,296.44	1,481.65	1,666.86	2,037.28	2,407.69	2,778.10	3,333.72	3,889.34
Penllyn	1,104.34	1,288.40	1,472.46	1,656.52	2,024.64	2,392.76	2,760.86	3,313.04	3,865.22
Peterston-Super-Ely	1,124.27	1,311.65	1,499.03	1,686.41	2,061.17	2,435.93	2,810.68	3,372.82	3,934.96
Rhose	1,096.49	1,279.24	1,461.99	1,644.74	2,010.24	2,375.74	2,741.23	3,289.48	3,837.73
St. Athan	1,113.41	1,298.98	1,484.55	1,670.12	2,041.26	2,412.40	2,783.53	3,340.24	3,896.95
St. Brides Major	1,109.70	1,294.65	1,479.60	1,664.55	2,034.45	2,404.35	2,774.25	3,329.10	3,883.95
St. Donats	1,107.46	1,292.03	1,476.61	1,661.19	2,030.35	2,399.50	2,768.65	3,322.38	3,876.11
St. Georges & St. Brides-Super-Ely	1,110.39	1,295.46	1,480.52	1,665.59	2,035.72	2,405.86	2,775.98	3,331.18	3,886.38
St. Nicholas and Bonvilston	1,127.47	1,315.38	1,503.30	1,691.21	2,067.04	2,442.86	2,818.68	3,382.42	3,946.16
Sully and Lavernock	1,121.42	1,308.32	1,495.23	1,682.13	2,055.94	2,429.75	2,803.55	3,364.26	3,924.97
Welsh St. Donats	1,111.35	1,296.58	1,481.80	1,667.03	2,037.48	2,407.94	2,778.38	3,334.06	3,889.74
Wenvoe	1,112.27	1,297.65	1,483.03	1,668.41	2,039.17	2,409.93	2,780.68	3,336.82	3,892.96
Wick	1,103.88	1,287.87	1,471.85	1,655.83	2,023.79	2,391.76	2,759.71	3,311.66	3,863.61

- (5) T H A T discount for prompt payment of the Council Tax be not granted.
- (6) T H A T the Common Seal be affixed to the said Council Tax.
- (7) T H A T notices of the making of the said Council Taxes signed by the Managing Director be given by advertisement in the local press under Section 38 (2) of the Local Government Finance Act 1992.

Reason for decisions

(1-7) In order to set the Council Tax for 2021-22.

477 HOLM VIEW VACCINATION CENTRE PROVISION (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C402(5)), 30<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.

478 COUNCIL TAX REDUCTION SCHEME (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C412(4)), 7<sup>th</sup> December, 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.

479 CORPORATE JOINT COMMITTEES – RESPONSE TO WELSH GOVERNMENT CONSULTATION (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C422(3)), 21<sup>st</sup> December, 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.

480 RESPONSE TO THE WELSH GOVERNMENT CONSULTATION ON THE TOWN AND COUNTRY PLANNING (STRATEGIC DEVELOPMENT PLAN) (WALES) REGULATIONS 2021 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C430(3)), 21<sup>st</sup> December, 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.

481 VALE PUBLIC SERVICES BOARD CLIMATE EMERGENCY CHARTER (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C451(4)), 25<sup>th</sup> January, 2021 (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.

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

Due notice had been given of the following questions:

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

What work is the Council undertaking in preparation for the new Curriculum for Wales, with particular reference to mental health and wellbeing, and the history of Wales in all its diversity?

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

The Cabinet Member advised that the response was a lengthy response, that she would read out if Councillor Johnson required but that she would also be happy to provide a briefing for Councillor Johnson with officers on the matter.

Councillor Johnson in response advised that he wished to accept the offer of a briefing and requested that the response be emailed to all Councillors for information rather than be read out at the meeting and looked forward to future reports on the new curriculum coming forward to the Learning & Culture Scrutiny Committee.

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

How many pupils in the Vale of Glamorgan are eligible for free school meals, and what estimate has the Council made of the number of pupils who live in poverty but are above the earnings threshold and therefore not currently eligible for free school meals?

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

As of 1<sup>st</sup> March, 2021, there were 3,830 pupils eligible for free school meals. This had risen from 2,752 in January 2020. Of the 3,830 pupils currently eligible for free school meals, 491 of these pupils had been transitionally protected as a result of Universal Credit. Those pupils remained eligible for free school meals until 2023. Data on Child Poverty Estimates by Parliamentary Constituency advised that the number of Vale children aged 0-15 living in poverty was currently estimated as being 2,799 - 15% of the population. Those figures were not official statistics but provided an estimate calculated using several key indicators from HMRC and DWP and census estimates. The figures also related to the parliamentary constituency not the Council boundary.

**Supplemental**

Councillor Dr. Johnson sought further clarification as to whether it was a matter the Cabinet Member had been looking into.

The Cabinet Member, in response, advised that she had followed the Senedd debate with interest and was pleased to see that Welsh Government intended to undertake a review. As Cabinet Member she would look to support what the Council could and in referring to the Cadoxton and Llantwit areas stated that the intention was that every child in the Vale of Glamorgan received one healthy meal per day.

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

In December's Council meeting, I asked for clarity on the Council's policy to introduce car parking charges in April 2021 in Barry's Wyndham Street Car Park and Cowbridge's Town Hall Car Park, in light of the continuing pandemic. The opportunity for three months' notice for clarity has now narrowed to just three weeks. Could the Cabinet Member confirm whether or not the Council intends to introduce these charges on 1<sup>st</sup> April?

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

It was disappointing that Councillor Dr. Johnson continued to raise the issue of car park charging when the Council made a well informed and significantly debated decision to introduce charges in a small number of its car parks a year ago in March.

As advised in the response to Councillor Dr. Johnson's question in December 2020, the Cabinet minute on this matter (C346) stated that car parking charges would 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.

In your supplementary question at that time, clarification had been sought of the as to when a decision on the matter was likely to be made or whether there would be a delay in the implementation. The response did not advise that three months' notice would be given of any decision to charge, it stated that three and a half months' certainty was all that could be provided at that moment in time in light of the pandemic and that moderate confidence that as we progressed towards April I would be able to provide greater certainty as to the charging implementation date.

Whilst I do not believe that any of us at that time could have predicted the course of this pandemic and the continuing devastating affect it would have, and was still having on many local businesses, I can say that the conditions I set for the implementation of charges have not changed. Charges for Town Centre car parks will not be introduced on 1<sup>st</sup> April, 2021, as the Local Restrictions, associated with the pandemic are unlikely to be lifted by then.

### **Supplemental**

Councillor Dr. Johnson advised that he was happy with the response but would appreciate as Local Member being briefed when they would be implemented.

The Cabinet Member stated that because of the current situation with regard to the pandemic a firm date as yet could not be provided.

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

In February 2020, I asked in Full Council for reassurance that adequate flood protection measures were in place in the Vale of Glamorgan. Sadly, flooding incidents of December 2020 in Dinas Powys, Sully and Cosmeston showed that was not the case. I was informed last year that, as the Lead Local Flood Authority, the Council has a role in overseeing the management of local flood risk. What responsibility does the Council therefore bear for the flooding in December, and how will repeat incidents be prevented?

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

For the record, at the February 2020 Council meeting, you actually asked "What processes does the Vale Council have for monitoring and participating in updated flood prevention, measures, given the increasing impact of extreme weather as a result of climate change?", to which I provided a detailed response advising of the Council's legal duties as Lead Local Flood Risk Management Authority and of the flood risk management schemes, recently completed including the major schemes at Coldbrook in Barry and in Boverton.

As your supplementary question you asked where the Council was currently in terms of plans and whether any work was going to be brought forward as a result of

Storm Dennis. In response I referred to a meeting I had attended earlier that day and indicated the extent of ongoing flood risk management work at that time.

So you did not ask for reassurance that adequate flood protection measures were in place in the Vale of Glamorgan and neither did I provide it. The fact is, it would be impossible to give such a reassurance. High levels of rainfall are a naturally occurring phenomenon which does appear to be happening more and more often, possibly linked to climate change; and urban environments will always be susceptible to flooding in some form, regardless of location, planning controls or the architectural design of residential properties.

The Council does not bear any responsibility for the flooding in December 2020. The flooding was caused by excessive rainfall over a short period of time, when river levels were high and the ground already saturated. I am really surprised that you have asked this question, particularly following my report to Cabinet on 8<sup>th</sup> February, 2021 that advised of this Council's role, and the detailed debate that followed at the Environment and Regeneration Scrutiny Committee on 16<sup>th</sup> February, 2021. I can only assume that you have not read the reports to and minutes of either of these meetings. Such comments do nothing to assist those who suffered so considerably as a consequence of the flooding.

As detailed within my Cabinet report, the Council has engaged independent engineering consultants to investigate the causes of the flooding experienced, as is our duty under section 19 of the Flood and Water Management Act. When complete these investigation reports will be submitted to Welsh Government for consideration and again, as indicated in my report, although as I was expecting this by the end of March 2021 the sheer weight of evidence to date looks likely to now be mid April.

The report will inform possible actions to mitigate or to reduce the risk of future internal property flooding in the areas affected, should this be possible and / or feasible. You may be aware that all our major flood risk management schemes have been largely funded by Welsh Government (85% funding) and the investigatory reports are the first part of a process allowing any available options to be properly appraised.

I have personally met with Welsh Government Ministers on a number of occasions since the flooding event on 23<sup>rd</sup> December, 2020 and it is fair to say that we are working closely with Welsh Government and our partners in NRW in an effort to reduce future flood risk or to at least mitigate its affects going forward. We have also engaged with the local communities affected via questionnaires and various meetings and we will continue to do so to improve their future flooding resilience.

I am unable to advise of any specific arrangements that may be introduced prior to the completion and consideration of the Section 19 reports other than to state that our engineers are already looking at the possibility of installing individual property protection for a number of the properties affected and I will advise Cabinet and the Environment and Regeneration Scrutiny Committee of where we are with this and other aspects of our work, when I report back to them shortly.



Flooding is devastating for anybody affected and we will continue to do whatever we can within our powers to support the communities worst hit, as we have done, and can evidence, over many years.

(v) **Question from Councillor S.T. Wiliam**

Can the relevant Cabinet Member provide an update on the status of boats within Barry's Old Harbour and efforts by the Council to evict or remove them?

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

Barry Old Harbour was owned and controlled by the Council. It was not an operating Harbour for boats of any kind and therefore the Council took the view that anyone who chose to leave a boat within the Harbour was doing so illegally, as they had no permission from the Council to do so.

Last year two boats entered the harbour and despite being served with formal notices advising that the boats were moored illegally, requesting that they be removed, the owners of the boats had not done so. The boats in question were not only trespassing but had caused additional concern because they were in a poor state of repair. The Council had instructed its Legal officers to pursue the matter, through the Courts if necessary, with the objective of having the boats removed as soon as possible and this matter was currently ongoing.

**Supplemental**

Councillor Wiliam enquired as to the Cabinet Member's view as to why it had not been done.

In response the Cabinet Member advised it was with Legal Officers to pursue.

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

In February 2021, the Council passed a Motion regarding the Barry Dock Incinerator. Could the Cabinet Member provide an update on progress of that Motion, with particular reference to an independent review, enforcement action by the Vale of Glamorgan Council and the current position of Welsh Government regarding the incinerator?

**Reply from the Leader**

At the meeting on 26<sup>th</sup> February, 2020 the Council passed a Motion regarding the Barry Dock Incinerator. I provide an update under each resolution:

- 1) That the Council Shares public concern that an Environmental Impact Assessment has never been undertaken in relation to the Barry Incinerator.

Despite repeated requests we have still received no definitive answer from Welsh Government on this matter despite it being their advice that no EIA was required at the time of the original application. The latest position is set out in a letter from Hannah Blythyn AS/MS Deputy Minister for Housing and Local Government on 11<sup>th</sup> February, 2021 to the Leader who stated:

“A Written Statement was issued on 15 May 2019 which explained we continue to consider whether the Biomass UK No.2 Ltd development should be subject to Environmental Impact Assessment (EIA). We are considering the powers available to us under domestic law to remedy any breach of the EIA Regulations that may have occurred if taking such measures is lawful and proportionate. This remains the position. The statement sets out our view that compiling and consulting upon an environmental statement would assist with remedying any breach of the EIA Regulations by identifying all potential environmental impacts which could arise from the development, and allowing all interested parties to consider and comment on a single comprehensive document. This process would reflect the requirements for environmental statements as described in regulations applying EIA to Town and Country Planning.”

“Last year, the developer voluntarily prepared a composite statement which we asked an independent planning consultant to review. [...] In light of the conclusions of the WSP review we have re-engaged with the developer to agree the scope of the environmental statement. The topics to be included in the new environmental statement are:  Air quality  Climate change  Health  Noise  Landscape and  Waste [...] Once prepared, and when Coronavirus Regulations permit, the environmental statement will be used for the proposed public consultation.”

- 2) That the Council calls for an Independent Review of the Vale of Glamorgan Council’s determination of all planning applications related to the Barry Incinerator.

Initially, following the resolution of Council the Royal Town Planning Institute were contacted to assist in finding a suitably qualified person to independently review the matter. However, the Coronavirus restrictions initially limited the ability for that person to obtain the necessary files for review. More recently, the Council has engaged a suitably qualified Planning Barrister to provide advice on the current application and enforcement implications, (addressed further under point 4). In view of their expertise and understanding of the case, it was considered appropriate that they be appointed to carry out an Independent Review of the Vale of Glamorgan Council’s determination of all planning applications related to the Barry Incinerator. This has commenced and their findings will be reported in due course.

- 3) That the Council call on the Welsh Government – in light of the plant’s current status, to issue a Discontinuance Order.

The Leader wrote to Welsh Government on 10<sup>th</sup> June, 2020 to advise of the Council resolution of 26<sup>th</sup> February, 2020 and specifically referring to

Resolution 3 and asking the relevant Ministers to consider issuing a discontinuation order planning application for the Biomass UK No.2 facility at Barry Docks. To date the Minister has not addressed this point and no Discontinuance Order has been issued.

- 4) Finally that the Vale of Glamorgan Council consider taking enforcement action in relation to the Barry Incinerator.

The Council's planning enforcement team has been monitoring the development since its initial construction commenced. To date, the plant is still not fully operational. The question of whether enforcement action is necessary, reasonable and lawful remains under constant review as matters move forward. The Council has recently obtained legal advice from Counsel to inform this consideration.

In terms of the latest review, officers have written to the developers to advise that what has been built at the site does not strictly accord with the plans approved under the relevant planning application (reference 2015/00031/OUT) and that there are matters identified which cannot, in our officer's view, be considered to be permitted development or regularised through the 'Non-Material Amendment' procedure. The developers have been advised that in order to seek retrospective planning permission for the development as built on site it is likely they would need to make a section 73A application which (given the change in regulations since the 2015 application) would be a 'Development of National Significance' and the application submitted to, and determined by, the Welsh Ministers. The developers are reviewing their position but have not pursued this action to date and officers have advised that their failure to do so could result in formal enforcement action. Under the Council's Constitution, this would be a matter for the Council's Planning Committee to determine.

Following reviews undertaken it appeared that the original consent had not been carried out and they may need to make another planning application. A copy of the information would be provided to all Members.

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

The steps at the side access to the Eastern Shelter appear to be damaged. They have an inbuilt tread that is missing from a significant number of the steps.

Are they built to Public Building Regulations and standards and if so, is there any plan to repair them?

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

There has been an issue establishing a suitable product for the repair of these steps at this beach front location on Barry Island. To ensure a long-term sustainable solution the service area appointed a specialist concrete repair engineer to undertake the necessary works and I am pleased to advise that these repairs will be completed by end of this month.

They were and do comply with all necessary regulations.

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

The low-level lighting also along the public footpath at the Eastern end of Barry Island has been damaged for some time leaving exposed wires and smashed glass casings. Any plans to repair / renew?

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

Our officers are aware of the damage that has occurred in this area and I can confirm that an order has been generated to undertake the necessary repairs to this lighting as part of our pre-season maintenance work.

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

Public access steps leading from the pathway opposite Bay 5 have not been accessible for some time. What is the issue and what are the plans on repairs?

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

Similar to my response to Question 7, the same specialist concrete repair engineer has been engaged to undertake these repairs by end of this month.

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

Cadoc Ward specifically but representative of other parts of the Vale. I have been contacted by high levels of residents angry and concerned about the increased amount of dogs faeces along our public parks and grounds, residential areas, popular walking routes and outside our schools. There are a number of initiatives across the country to tackle this mass increase. What is the Vale of Glamorgan's and what are the risk management provisions in place currently?

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

As you will now be aware, Public Space Protection Orders for dog controls were considered and agreed this evening for a significant number of areas within the Vale. These Orders will introduce dog ban areas, dogs on leads controls and dog fouling controls, covering resorts, parks and open spaces; and will be punishable by the issuing of Fixed Penalty Notices by our own directly employed enforcement staff.

In tandem with this, we are shortly to arrange a further tranche of our successful 'Dogs are Clever' media campaign, to raise awareness of the issues relating to dog fouling and to encourage owners to be responsible and to clean up after their dogs. In addition, officers from our enforcement team will be patrolling the areas subject to the Public Space Protection Orders to deal with those found to be in breach of the

Orders. Neighbourhood Services are also working with Keep Wales Tidy on a national campaign to tackle dog fouling, litter, fly tipping and graffiti and Members will note campaign as it develops over the spring and summer periods.

### **Supplemental**

Councillor Nugent-Finn enquired as to how many staff would be involved and what areas where they would be patrolling.

The Cabinet Member advised there was a finite number of staff to cover a large area, but the patrols would be informed by wherever they were required. He advised that as soon as information was available, he would be happy to forward it on.

### (xi) **Question from Councillor V.J. Bailey**

Can the Cabinet Member confirm which potholes were filled or repaired during the recent visit of the Big Fill programme to the Dyfan Ward on Friday 19<sup>th</sup> and Saturday 20<sup>th</sup> February?

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

The Big Fill event planned for Saturday, 20<sup>th</sup> February in the Dyfan ward was cancelled due to a weather warning for heavy rain. Big Fill work was instead undertaken on Sunday, 21<sup>st</sup> February, 2021 in the ward and some 76.5m<sup>2</sup> of carriageway repairs were completed in the Meggitt Road / Borough Avenue area.

### **Supplemental**

Councillor Bailey, on behalf of local residents, requested if potholes at the junction of the Colcot roundabout and Port Road West area could be tackled as soon as possible.

The Cabinet Member, in response, advised that he would look into the matter.

## 483 PUBLIC QUESTIONS –

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

### (i) **Question from Mr. R. Curtis**

Recently, the Vale of Glamorgan Council has instigated a review of statues, monuments, street names and building names to ensure they are representative of local people's values and those of a modern, inclusive Council. I welcome the fact that one of the major roads on the new Barry Docks development has been named after one of the founders of the theory of Evolution with "Charles Darwin Way", but am concerned that there is no such street name for his co-founder of evolution, Welsh born Alfred Russel Wallace. Darwin and Wallace both wanted to find out more

about the natural world, they both travelled the world and each discovered new species of plants and animals. Although the two men did not know each other well, they both discovered an idea that was to change science and the world – Evolution. Therefore, I urgently urge the Vale of Glamorgan Council to change the street name to "Darwin and Wallace Way" or to at least name another street on the development in honour of Alfred Russel Wallace.

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

Thank, you Rob for the question and for your insight into the relationship of both Charles Darwin and Welsh born Alfred Russel Wallace. I was not aware of that.

I can, however, advise that Charles Darwin Way is a road that no longer exists. The new developments where Charles Darwin Way was placed have now been named. I am not sure if you are looking at an old map.

I have also received some further information/ research on the matter which will have to be considered as appropriate. However, in relation to the question if we consider changing the name to "Darwin and Wallace Way" or alternatively naming another walkway or street to Wallace Way I give my assurance that these will be considered and acted upon if possible.