

## THE VALE OF GLAMORGAN COUNCIL

Minutes of a remote meeting held on 26<sup>th</sup> April, 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, Pamela Drake, Vincent Driscoll, 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.

### 570 MINUTE'S SILENCE – FORMER COUNCILLOR KEITH STOCKDALE –

A minute's silence was observed following the passing of former Councillor Keith Stockdale on 24<sup>th</sup> April 2021. Mr Stockdale had been a Member of the Vale Council for the Castleland Ward Member from 2004 until 2008 and at the same time a Barry Town Council Member. Prior to this period in office, Mr. Stockdale had also been a Councillor on the Vale Borough Council from 1979 – 1983.

### 571 APOLOGIES FOR ABSENCE –

These were received from Councillors Andrew R.T. Davies and Stewart Edwards.

### 572 DECLARATIONS OF INTEREST –

No declarations of interest were received.

### 573 MINUTES –

**RESOLVED – T H A T** the minutes of the meeting held on 10<sup>th</sup> March, 2021 be approved as a correct record subject to it being noted that:

- the response to Councillor Dr. Johnson's Question minute number 482 (i), which had been circulated to all Members' after the meeting be also appended to the minutes and uploaded to the Council's website.
- following a discussion regarding the roll call of votes being undertaken for some of the resolutions at the meeting, Democratic Services was requested to report to Members as to the appropriateness of recording such votes in the minutes.

## 574 PUBLIC APOLOGY – For Councillor N. C Thomas

Councillor L.O. Rowlands made a public apology to Councillor N.C. Thomas in respect of the comments Councillor Rowlands had made at the last Council meeting relating to Councillor N.C. Thomas.

## 575 ANNOUNCEMENTS –

The Mayor made the following announcements –

- (i) On the passing of His Royal Highness Prince Phillip, the Duke of Edinburgh, the Mayor had sent a letter of condolence on behalf of the people of the Vale of Glamorgan to Her Majesty, the Queen and the Royal family, as well as forwarding the submission of the online condolence messages that had been placed on the Council's website. Prince Phillip's Private Secretary had responded with a letter of thanks. The Mayor had also added a message of condolence during a live broadcast on Bro Radio acknowledging the announcement of the passing of the Duke of Edinburgh.
- (ii) At the last Full Council meeting the Mayor had advised that an awareness raising exercise had been undertaken to encourage applications to the Mayor's Grant Fund. Since that meeting, eight applications had been approved which had totalled £1,692.00 from the Fund.
- (iii) The Mayor advised that she had received a petition from Barry Action for Nature calling for the Vale of Glamorgan Council to better protect urban trees, which would be passed to the relevant Officers for consideration.

## 576 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 Michael Morgan on the Planning Committee with Councillor Andrew Parker with immediate effect and until further notice.

(Scrutiny – Corporate Performance and Resources)

**(b) Change in Membership on Standards Committee and Standards Committee Appointment Committee**

At the request of the Leader of the Labour Group, to replace Councillor Owen Griffiths on the Standards Committee and Standards Committee Appointment

Committee with Councillor Rhiannon Birch with immediate effect and until further notice.

(Scrutiny – Corporate Performance and Resources)

**(c) To amend the Composition and Terms of Reference of the Governance and Audit Committee**

To amend the composition and Terms of Reference of the Governance and Audit Committee as a result of the Local Government and Elections (Wales) Act 2021 from 1<sup>st</sup> April, 2021, in respect of CIPFA good practice and also the bringing together of some of the existing remit of Audit as outlined elsewhere in the Constitution, into one place, as advised by the Head of Audit (see Appendix A attached).

(Scrutiny – Corporate Performance and Resources)

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

Reason for decision

Having regard to the Council’s Constitution.

**577 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL DELIVERY PLAN (IMPROVEMENT PLAN PART 1) 2021 – 22 (REF) –**

The report had been initially considered by Cabinet on 8<sup>th</sup> March, 2021 (Minute. No. C503 refers) and was now being referred Council for consideration and approval.

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C503, 8<sup>th</sup> March, 2021, be approved.

Reason for decision

To ensure that the Annual Delivery Plan could be presented to Council in April for consideration and endorsement as part of the Improvement Plan (Part 1) for 2021-22.

**578 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL DELIVERY PLAN (IMPROVEMENT PLAN PART 1) 2021 – 22 (REF) –**

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C503, (8<sup>th</sup> March, 2021) (as set out in Section 14.14.2(ii) of the Council’s Constitution) be noted.

Reason for decision

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

## 579 SCHOOL ADMISSION ARRANGEMENTS 2022/2023 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C530, (22<sup>nd</sup> March, 2021) (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

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

## 580 EXPRESSION OF INTEREST REGARDING ABERTHAW POWER STATION SITE AND UK GOVERNMENT'S STEP POWER STATION PROGRAMME (REF) –

Councillor Dr. Johnson requested a briefing for Group Leaders be arranged with regard to the Expression of Interest.

Councillor Robertson enquired whether the item should have been brought before the Environment and Regeneration Scrutiny Committee before going to Cabinet. The Leader said that the matter before Full Council was for noting and that the Cabinet report had detailed the use of the Urgent Decision Procedure as there was a deadline that had to be met which would not have allowed the matter to have been presented to Scrutiny in advance of Cabinet.

Councillor Kemp, although appreciating the Leader's comments, stated that Central Government had sent out original Expressions of Interest in November 2020 so there would have been time for consideration before the matter went to Cabinet. The Leader suggested there could be a report to Environment and Regeneration Scrutiny Committee but at this stage, as the matter was simply an Expression of Interest, the Expression of Interest concerning Aberthaw Power Station would be made later on as part of that consultation. The Leader advised he would be happy to meet with Group Leaders or take a report to Environment and Regeneration Scrutiny Committee, but that the report to Cabinet of 22<sup>nd</sup> March, 2021 detailed the current information.

Councillor Williams, in response, advised that the Expression of Interest would allow for additional detail on the proposals to be made available, and without those details the matter could not be taken further. The Leader added that the question of the sizes of the sites was key and that there were not many in the Vale of Glamorgan that fitted the criteria.

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C538, (22<sup>nd</sup> March, 2021) (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reason for decision

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

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

The following responses to the Member questions as contained within the agenda were presented:

(i) **Question from Councillor G. John**

When I attended the Full Governors meeting at Llantwit Major Comprehensive School in March we were told by the Headteacher that the School was now full and could not take any more pupils at the present time. In view of this statement and the fact that further development is going ahead with 490 homes planned to be built in the Llantwit Major Ward and further homes at nearby St. Athan, what plans do you have to accommodate children in Secondary Education, are you planning to bus children from Llantwit Major to Cowbridge or Barry?

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

Llantwit Major Comprehensive was a popular and successful school and was regularly fully subscribed as a result of admissions from outside its catchment area and it appropriately served its catchment community. The annual review of School Admission Arrangements was reported to Cabinet on 22<sup>nd</sup> March, 2021 following the consultation period and considered by the Learning and Culture Scrutiny Committee. The report specifically discussed projected pupil admission numbers for Llantwit Major and made recommendations for adjustment to the school. The pupil projections indicated that for the next six years there were places available for pupils residing out of catchment after all local pupils were accommodated. The number of places available for non-catchment pupils ranged from zero in September 2022, due to a high birth year, increasing to 39 spaces in September 2027. Pupil projections were monitored closely in order to respond to any changes in demand. An example of this was the recent secondary catchment changes, meaning pupils residing in Rhws were now within the catchment area of Cowbridge Comprehensive School instead of Llantwit Major.

The Cabinet Member advised that she would be very happy to meet with Councillor John to explore the projections in greater depth and discuss any concerns.

**Supplemental**

Councillor John, in referring to the development of 250 houses being built in St.

Athan and another 240 with outline planning permission as well as a further development coming forward in St. Athan within the Local Development Plan stated that in his view the opportunity for the Council to consider such factors was now. He commented that Llantwit Major's Centre of Learning, should indeed accommodate the current catchment.

The Deputy Leader again in response to Councillor John's comments offered to meet with Councillor John to go through all the figures and to explore fully any issues over catchment area placements.

(ii) **Question from Councillor G. John**

It is very clear that Llantwit Major does not have the infrastructure to accommodate further development in the area with 490 homes planned in the area of the Town. Secondary Education facilities are needed, a new Health Centre to meet the demands of the population and the reshaping Clinical Services under the Cardiff and Vale Health Board. Our Leisure Centre was built 42 years ago and is too small to satisfy the needs of the public, just to name three of the issues facing us. In view of this and the fact that the land situated on the Old School site at Eagleswell Road, which is planned for development of the LDP, is still a large area of wasteland, are you prepared to withdraw plans to build houses there and make the land available for a new Health Centre Hub and Education facilities for the Town?

**Reply from the Leader**

The Leader advised that he understood that new development could have an impact on existing community infrastructure and create the need for improved or new facilities including school places, parks, public transport and community facilities.

In such cases, Planning obligations served an important role in delivering these facilities and referred to the Council's adopted Supplementary Planning Guidance which set out the framework for securing planning obligations via Section 106 agreements. Developers were required to provide works, services, or financial contributions to help mitigate the impacts that arise as a consequence of their development.

The Council had been successful in securing Section 106 contributions to mitigate the impact of new developments in Llantwit Major. The Leader advised that the education aspects had been covered in the previous question, but further examples included:

- S106 contributions of £238k from the new developments at Plasnewydd Farm and Land adjacent to Llantwit Major Bypass to support 'Community Facilities' in Llantwit Major – towards Llantwit Major Changing Rooms.
- A £20k grant to Llantwit Major Tennis Club for new flood lighting and fencing, using an off-site public open space contribution from the development at Plasnewydd Farm. The Council was also due to launch a consultation in the forthcoming weeks, regarding an upgrade to the play area at Windmill Lane,

with potential for up to £69k investment using a S106 off-site public open space contribution received again from Plasnewydd Farm.

- There was scheduled to be a comprehensive investment programme of bus shelter enhancements this year to 6 shelters, using Section 106 Sustainable Transport monies also received from Plasnewydd Farm, and match-funding via the Local Transport Funding grant.

With regard to health services, when the LDP was consulted upon in 2013, the Health Board had advised that:

*“Work undertaken across the Primary, Community and Intermediate Care Clinical Board, in August 2013, identified that of the 17 GP practices located in the Vale of Glamorgan, most are working within capacity and sufficient growth capacity exists within premises, apart from within Penarth, to accommodate the level of growth for the number of houses associated with the LDP Deposit Plan (this would need to be revised if the LDP were to alter significantly following public consultation). For the Penarth area, practices are operating at full capacity and it is likely that new / expanded premises will be required to manage the increased demand.”*

That the Leader stated was not the position in terms of Llantwit Major, where the Health Board had advised that there was currently enough provision and capacity within the system.

The Leader recognised that the position may have changed since the adoption of the LDP and promised to raise the issue with the Health Board to investigate if their opinion had changed, but to date that had not been the case.

Notwithstanding this, there was suitable provision in policy terms in the LDP to support new or enhanced health facilities, should they be necessary. Policy MG8 ‘Provision of Health Services’ stated Developments which provided new or enhanced health facilities, including the co-location of healthcare, school, library and leisure facilities and other community services in accessible locations would be favoured.

The land at the former Eagleswell Primary School, Llantwit Major had been allocated for 72 dwellings and the site had been appropriated to Housing and Building Services and to the Housing Revenue Account on 31<sup>st</sup> March, 2020, for the purposes of housing development. The current intention was to procure a Development Partner during 2021/22, to develop mixed tenure scheme of homes for market sale and social rent, to try to address the significant need for new Council homes in Llantwit Major with 425 applicants currently on the Homes4U waiting.

The Leader, in conclusion, stated that he understood the issues were important to Councillor John and others and proposed that a meeting be arranged to discuss the matter further as soon as possible.

### **Supplemental**

Councillor John stated that a great deal had happened in eight years within the Health Board and that they were currently looking to reshape clinical services and to build a Hub in the Western Vale, which would be an ideal location and would receive

public support. The Leader advised that in terms of health provision, this was something outside of the Council's remit, but that he would be happy to have a conversation with the Health Board on such matters.

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

What costs have so far been contributed by (a) the Vale of Glamorgan Council and (b) Welsh Government towards the following transport schemes:

- (i) Five Mile Lane Improvements;
- (ii) J34 to A48 scheme;
- (iii) Dinas Powys Bypass?

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

- (i) Five Mile Lane improvements was a total of £22,091,613, all received from Welsh Government grant.
- (ii) J34 to A48 scheme was £426,632, all received from Welsh Government grant.
- (iii) The Dinas Powys Transport Infrastructure work included a bypass and the answer depended on when the work commenced. However

in 2018/19, £15, 813 from S106;  
 in 2016/17, £27,118 from Welsh Government grant;  
 in 2017/18, £92,386 Welsh Government grant;  
 and, since then, £54,749 from VoG funds, making a total of £192,066.

**Supplemental**

Councillor Dr. Johnson, in referring to the fact that some schemes had clearly been more successful in gaining grant funding than others, enquired if the Cabinet Member would be meeting with stakeholders concerning the Dinas Powys bypass following the Senedd election the following week. The Cabinet Member advised that Cabinet had considered the Scrutiny Committee's recommendations earlier that day, which had specifically asked for Cabinet to embark on a public consultation which he had not been able to support as Welsh Government had announced a new pathway for dealing with roads which moved away from road building and towards tackling climate change. He stated in his view there would be no point in spending a further £20k consulting on the matter it would not be supported or funded. Councillor King expressed his frustration for the scheme being referred to simply as 'the bypass', as it was much more of a traffic infrastructure scheme that not only contained the bypass proposal, but also cycle networks and better access to trains. The Cabinet Member further advised that there might still be aspects of the scheme that could be pursued through City Region, as well as being awarded Active Travel funding as part of the Newport to Barry route, after the elections had taken place.



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

Due to question submission deadlines I am writing this question in advance of the publication of Cabinet papers for 26<sup>th</sup> April.

When is it anticipated that there will be Cabinet reports relating to the following topics:

- (a) Arts Central Consultation
- (b) Section 19 Flood Water Management Report on December 2020 flooding
- (c) Barry Town Centre Gateway Regeneration?

**Reply from the Leader**

It was anticipated that the reports on the Arts Central Consultation and Barry Town Centre Gateway Regeneration would be presented to Cabinet in June, 2021.

The Section 19 Flood Water Management Report on December 2020 flooding was still in preparation and would be brought forward to a Cabinet meeting as soon as possible.

**Supplemental**

Councillor Dr. Johnson stated that he looked forward to receiving the Section 19 report as soon as was possible and was assured by the Leader that it would come forward as soon as it was practically possible to do so.

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

What powers does the Vale of Glamorgan Council have to promptly remove graffiti tags from private retail premises and properties, with particular reference to town centres?

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

The responsibility for removing graffiti was with the land owners and that the Council had no duty to remove graffiti on private land. However, the Council would approach a private land owner if there was graffiti on a premises that was of an offensive nature and offer to remove it without accepting any liability for any damage caused during the removal process.

**Supplemental**

Councillor Dr. Johnson referred to the recent spate of tagging and graffiti within Barry Town Centre which had a negative impact on the work the Council had done to improve town centres, and enquired if there had been any CCTV available to capture the perpetrators. The Cabinet Member in response stated the Community Safety

Team were active to such issues as it was classed as anti-social behaviour, they would investigate the matter and would advise of any information received.

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

How many new refugees and asylum seekers have been welcomed to the Vale of Glamorgan under schemes in 2020-21, and what targets are in place for 2021-22?

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

Due to restrictions on international travel during the global pandemic, no refugees were resettled in the Vale of Glamorgan during the year 2020-21. The last family had arrived in January 2020, just before the resettlement pathway that closed and the scheme entered into a break.

The Cabinet Member was delighted to announce that the UK Government achieved its target to resettle 20,000 refugees across the UK in March 2021, under the former Vulnerable Persons Resettlement Scheme, and had since transitioned to the global UK Resettlement Scheme.

The Authority expected to support up to four families during the first year of the new scheme, subject to the availability of suitable, affordable accommodation, and was currently preparing to receive two families.

The Vale of Glamorgan Council she stated should be very proud of its role in achieving its success and the Cabinet member looked forward to continuing this vital humanitarian work in partnership with local and regional stakeholders hoping that it would not be long before we receive the new families.

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

When will parking restrictions finally be introduced in the residential areas of Barry Island?

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

The proposed Traffic Regulation Order for residential parking controls on Barry Island would be advertised on 29<sup>th</sup> April, 2021 in the local press and notices would be placed on site for a 21-day statutory consultation period. Residents and other parties would have the opportunity to comment formally on the proposals. Should no comments or objections be received during the statutory consultation period, the Council could progress with the implementation of the Traffic Regulation Order and proposed resident parking scheme in early Summer 2021. However, if objections were received a report would need to be submitted to the Council's Cabinet to consider those objections before deciding the next steps.

**Supplemental**

Councillor Wiliam, under the impression that the period of consultation had already taken place, was concerned that there may be further opportunity to add to suggestions already made. The Cabinet Member advised that the consultation undertaken was within legal statutory guidelines and that individuals showed there was widespread support from the previous consultation. Should there be a need for a formal report to Cabinet, there could be a delay of around two to three weeks as part of the formal Cabinet procedures.

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

In light of the COVID pandemic, what plans does the Council have to ensure safe and secure entertainment on Barry Island during Summer 2021, including events designed to attract visitors to our most well-known tourist attraction?

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

The report agreed by Cabinet on 22<sup>nd</sup> March 'Proposed Events Programme 2021 - 2022 with Coronavirus Update' outlined that following the Coronavirus outbreak, the Government advised that large public gatherings such as events and festivals could contribute to the spread of the virus and should be avoided. Legislation brought in March 2020 made it illegal to hold largescale events and, in response, the Council cancelled all scheduled Council run events, plus all events held on Council owned land, until further notice.

The aim of the Cabinet report was to suggest possible safe event ideas, so that preparations could be made to allow for events to take place, once restrictions and regulations changed and were relaxed. Events would also not take place without specific approval from Council and the multi-agency Event Safety Advisory Group, and all proposed events would be subject to COVID-19 regulations in place at that time.

The report also set out that the emphasis for Council led events would be refocused with the proposed 2021/2022 events programme aiming to deliver safe, community-based events, that support the economy of our Town Centres, Coast and Country Parks within the Vale, in line with the relevant Welsh Government COVID-19 Event legislation. It was recommended that any events would take place over a longer time period, extending the season and alleviating pinch points in footfall that traditional one day or weekend events would cause.

**Supplemental**

Councillor Hodges enquired if there was any additional budget in place to support the tourist economy. The Deputy Leader advised that the budget had already been agreed with £115k available, but work would take place with local creative businesses to aim for a locally grown and delivered events programme to support then local economy, e.g. Meet the Buyer events, etc.