

No.

## THE VALE OF GLAMORGAN COUNCIL

Minutes of a Remote meeting held on 6<sup>th</sup> December, 2021.

The Council agenda is available [here](#).

The recording of the meeting 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, Geoff Cox, Robert Crowley, Andrew R.T. Davies, Pamela Drake, Vincent Driscoll, Stewart Edwards, Ben Gray, Owen Griffiths, Stephen Griffiths, Sally Hanks, Nic Hodges, Hunter Jarvie, Gwyn John, Dr. Ian Johnson, Gordon Kemp, Peter King, Kevin Mahoney, Kathryn McCaffer, Anne Moore, Neil Moore, Michael Morgan, 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 and Mark Wilson.

### 601 ANNOUNCEMENT –

Prior to the commencement of the business being transacted, the Mayor read the following statement:

“May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 602 APOLOGY FOR ABSENCE –

This was received from Councillor Amelia Collins.

### 603 DECLARATIONS OF INTEREST –

There were no declarations received.

### 604 MINUTES –

#### RESOLVED –

(1) T H A T the minutes of the Meeting held on 20<sup>th</sup> September, 2021 be approved as a correct record.

(2) T H A T the minutes of the Special Meeting held on 28<sup>th</sup> September, 2021 be approved as a correct record, subject to it being noted that the report Councillor Kemp had referred to on page 377 of the minutes was the report of the consultant (Mr. James) not the report of the Leader.

(3) T H A T the minutes of the Special Meeting held on 11<sup>th</sup> October, 2021 be approved as a correct record.

605 ANNOUNCEMENTS –

- (i) MAYORAL ENGAGEMENTS – The Mayor advised Council of a number of engagements and events that she had undertaken since the last meeting. These had included a Memorial Service for the former Lord Lieutenant Peter Beck at Llandaff Cathedral, CAOS production of Evita, Barry Friends and Neighbours Welcome Back Lunch, Remembrance Service at the Civic Offices, Llantwit Major and Barry Town, Viewing of the Book of Remembrance in Barry Library, Children’s Wreath Laying at Barry Cemetery, Iqbal Day Celebration in Cardiff, Christmas Lights Switch-on in High Street Barry, Official Opening of the Porthkerry Scout Hall, Rhoose, a meeting with Scouts’ District Commissioner with the view to enrolling a Mayor’s Scout, to assist with Civic duties, festival of Light in Barry and the Beavers Celebration at the Memorial Hall. The Mayor further advised that she looked forward to attending, supporting and hosting many more events in the future in line with Welsh Government Covid 19 guidance.
- (ii) PETITION – Councillor Cave presented a petition to the Mayor, via email, on behalf of residents of East View, Llandow. The petition called upon the Vale of Glamorgan Council to expand the parking facilities in the turning of East View which was a cul-de-sac.

606 UPDATE ON THE PROPOSED SENIOR LEADERSHIP TEAM (SLT) RESTRUCTURING (MD) –

The Leader, in presenting the report, advised that the purpose of the report was, to apprise Members of the consultation that had been carried out amongst Council staff, to seek approval for the redesignation of the statutory role of Returning Officer and associated role of the Electoral Registration Officer in line with the provisions under the Representation of the People’s Act 1983, 1985 and 2000 as amended. The Leader also confirmed that both the Section 151 Officer and Monitoring Officer positions would also be part of the Senior Executive Leadership Team. Duly seconded by Councillor Burnett, the Leader requested the waiving of standing orders to allow the representative from Geldard’s Solicitors, who had provided external advice to the Council in respect of the proposals, to speak if required, and due to a conflict of interests the Council’s Senior Leadership Team left the meeting whilst the item was being discussed. The Leader also commented that Geldard’s had advised that the proposals were in order.

Councillor Carroll sought clarification that by supporting the recommendations in the report it would not mean they would be supporting the two new Director posts. The Leader reaffirmed that the purpose was to note the consultation, advising that the two Director roles had already been previously approved by Full Council, and to

No.

confirm the redesignation of the Returning Officer and associated role of the Council's Electoral Registration Officer with effect from 7<sup>th</sup> December 2021.

Councillor Kemp queried if all staff had been consulted and whether the Leader could provide an indication of the percentage of staff responses. The Leader confirmed that staff at all levels had been consulted and although the responses had been minimal, he could not confirm the actual percentage.

The Leader, having regard to paragraph 4.10, commented that it was not the intention to have a two tier structure and drew attention to an error at paragraph 5.5 advising that the paragraphs referred to in the first sentence of 4.20 and 4.23 should have read paragraphs 4.21 to 4.27.

Having considered the report it was subsequently

RESOLVED –

- (1) T H A T the outcome of the recent consultation amongst Council staff on proposals for changes to the structure of the Council's Senior Executive Leadership Team be noted.
- (2) T H A T the Council's Managing Director be designated as the Council's Returning Officer alongside the associated role of the Council's Electoral Registration Officer with effect from 7<sup>th</sup> December, 2021, with this to also continue when the Managing Director's post title changes to Chief Executive.
- (3) T H A T the Council's Constitution be amended to reflect the re-designation of the roles as set out above.

#### Reasons for decisions

- (1) Following consideration of the report and discussions at the meeting.
- (2) To comply with the statutory requirements of the Representation of the People Acts 1983, 1985 and 2000 (as amended).
- (3) To ensure the Constitution reflects the change in statutory designation.

NB. All Senior officers involved with the consultation process left the meeting whilst this item was being considered save for the Principal Democratic and Scrutiny Services Officer and the Democratic and Scrutiny Services Officers and ICT Officer supporting the meeting.

A representative from Geldard's Solicitors was, present at the meeting to advise as required.

No.

607 COUNCILLOR SAFEY AND SUPPORT (REF) –

Councillor Bailey, Chair of the Democratic Services Committee, commenced by advising that the report set out useful guidance for Councillors regarding the steps they should take to keep themselves safe. The Independent Remuneration Panel for Wales' Annual Report stated that an Authority must support the work of its Councillors and Statutory Co-opted Members to enable them to carry out their duties and this included the safety of its Councillors.

Whilst the Democratic Services Committee was under a duty to fund and provide the support necessary to enable Councillors to discharge their roles reasonably and safely, it was not practicable to bring individual requests to the Committee, particularly in the event that some requests may be urgent. It was therefore proposed that the Head of Democratic Services and the Head of Finance / Section 151 Officer be delegated authority to consider any requests to provide funding for appropriate security measures by Councillors.

It was further noted that any such request would be considered on its merits, but there would be an expectation that security measures would be advised by the Police or security services. The relevant bodies would therefore normally inform of the required provision of support with any funding to be reasonable and proportionate.

RESOLVED –

(1) T H A T it be agreed where a Councillor is at personal risk or significant threat of harm in carrying out their role that consideration be given to funding appropriate security measures, particularly in instances where such measures have been advised by the Police or security services.

(2) T H A T delegated authority be granted to the Head of Democratic Services and the Head of Finance / Section 151 Officer to consider and determine any request as referred in resolution (1) above for such funding.

Reason for decisions

(1&2) To support Councillors in carrying out their various elected roles.

608 DIVERSITY IN DEMOCRACY (REF) –

Councillor Bailey, as Chair of the Democratic Services Committee, advised that the matter had been considered by the Democratic Services Committee on 22<sup>nd</sup> November following the Council decision on 26<sup>th</sup> July, 2021 (Minute No. 298): That the making of the following Vale of Glamorgan “Diverse Council” Declaration be approved:

“The Vale of Glamorgan Council will:

- (i) Provide a clear, public commitment to improving diversity;

No.

- (ii) Demonstrate an open and welcoming culture to all;
- (iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
- (iv) Set out an action plan of activity ahead of the 2022 Local Government Elections.”

A Draft Diversity in Democracy Action Plan had therefore been prepared, which was attached at Appendix A to the report. The Plan included details of planned activities to be undertaken by the Council ahead of the Local Government Elections in 2022 as well as some activities that were proposed to be undertaken following the elections. The objectives within the Action Plan had been based on those suggested by Welsh Government. Following consideration of the reference and report it was subsequently

RESOLVED – T H A T the Diversity in Democracy Action Plan be endorsed and the Action Plan adopted.

Reason for decision

To formally adopt the proposed Action Plan and to support the work associated with Welsh Government’s Diversity in Democracy Agenda.

609 USE OF THE MANAGING DIRECTOR’S EMERGENCY POWERS (MD) –

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.

610 SCRUTINY COMMITTEES’ ANNUAL REPORT MAY 2019 – APRIL 2021 (MD) –

RESOLVED – T H A T the Scrutiny Committees’ Annual Report for the period May 2019 to April 2021 be received.

Reason for decision

To receive the Scrutiny Committees’ Annual Report as required under the Council’s Constitution.

No.

611 REVIEW OF STATEMENT OF PRINCIPLES GAMBLING ACT 2005 2022-2025 (REF) –

RESOLVED – T H A T the Vale of Glamorgan Statement of Principles for its gambling functions for the period 2022-2025 be approved and adopted.

Reason for decision

To ensure that the Council fulfils its statutory duty as a licensing authority.

612 BARRY BIOMASS INDEPENDENT REVIEW REPORT (REF) –

The Leader commenced by advising of the journey to date in relation to the report and the resolution of Council on 26<sup>th</sup> February, 2020 which had called for “an independent review of the Vale of Glamorgan’s determination of all planning applications related to the Barry Incinerator”. The Review Report had been considered by the Environment and Regeneration Scrutiny Committee on 19<sup>th</sup> October, 2021, Planning Committee on 27<sup>th</sup> October, 2021 and Cabinet on 27<sup>th</sup> September and 22<sup>nd</sup> November, 2021. The Barrister appointed to undertake the review was also present at the meeting, with Councillor Burnet seconding the Leader’s Motion that Standing Orders be waived to allow the author of the review report, Annabel Graham-Paul, to speak if required. The review he stated referenced that the Council officers under delegated authority had not acted unlawfully and proper judgement had been exercised.

Having regard to the suggestions of lack of progress, the review noted the position of officers that whilst the plant was not fully operational, it had been appropriate to work with the developers to seek compliance with the conditions that had been agreed. The reviewer also had not found any evidence that had given cause for concern that officers had acted negligently or unprofessionally and concluded that there was no evidence of illegality or maladministration in the process of dealing with the application. The Council had written to the developer in January 2021 confirming that a Section 73 application should be submitted to regularise the development although the developer continued to dispute this position.

Whether the development should have been identified as a Development of National Significance, the reviewer concluded that the availability of this option did not exist at the time in question.

Going forward, Welsh Government had also made it clear that an Environmental Survey had been submitted and had also decided that it was not necessary to serve a discontinuance notice as they did not consider there to likely be significant environmental effects identified.

The Leader, seconded by Councillor Burnett, subsequently moved that the Review Report be endorsed.

Councillor Bailey stated that he found it difficult to understand the conclusion of the report regarding the biomass project not being a schedule 1 development in planning

No.

terms and that the Government Minister had concluded in a letter dated 29<sup>th</sup> July, 2021 that it should have been and subject to an Environmental Impact Assessment (EIA). He further stated that the European Commission had issued clear advice that gasification amounted to incineration. In his view the review was also not the review that had been asked for and he urged fellow Councillors to reject the report.

Councillor Dr. Johnson stated that the development should have been subject to an EIA. Friends of the Earth had previously laid out their suggestions some time ago in relation to the development which he said had been ignored by Welsh Government and Council officers and they should have been listened to. In his view it should have also been a schedule 1 application, and consideration as a Development of National Significance (DNS). He concluded by recommending that the Council reject the Review Report and receive a further report in respect of these two issues. This was duly seconded by Councillor Wiliam.

Councillor Hodges commented that at the time of the planning decision the public were definitely of the view the development was a schedule 1 development and that the development was indeed incineration. Advising that at the time the vast majority of the Labour Party and the Conservative Party had voted for the application and the development in his view blighted the Town.

At this stage in the debate Councillor King requested that the Barrister be afforded the opportunity to reply to some of the comments made in respect of the review. The Barrister (Ms. Graham-Paul) referred to the scope of her instructions that she had not been instructed to carry out an inquiry or to interview officers, but had been provided with access to planning files and had been content that she had received sufficient information to be able to take a view as to whether the process had been lawful. She also noted that an EIA was now required and being undertaken given that the Welsh Government had changed its stance on the matter.

In terms of the points raised as to whether the development should have been a schedule 1 or 2 development, she advised that as the review had commenced in June 2020, she had not had sight of the 29<sup>th</sup> July, 2021 letter from Welsh Government. The remit had been to review the decision-making process. During the review, the evidence showed that Welsh Ministers had supported the views of the Vale of Glamorgan officers. She intimated that officers may have overly relied on earlier and related planning considerations when coming to a decision that the development should still be classed as a schedule 2 development. However, she did not take the view that officers had acted negligently. As to whether the development should be looked at as a DNS, this would be a matter that could be considered now but not at the time and if Members wished to receive advice on this, they could make a request. Ms. Graham-Paul further advised that a more intensive review, in her view, was not necessary, but that would again be a matter for the Council to consider.

In response the Leader stated that the issue had been a judgment call and interpretation at the time and Welsh Government had now changed their mind. In any event he advised that a DNS was a decision for Welsh Government not one that could have been made by the Council as it had no authority to do so. However, the Leader took the opportunity to seek clarity from the officers as to the validity of the

No.

application. With agreement to waive Standing Orders, the Head of Regeneration and Planning stated that as the application had been approved in 2015 this would last for five years if not implemented, which meant that it would have expired on 30<sup>th</sup> July, 2020. He further advised that there was a significant difference between what had been built and what had been approved in July 2015 and as a result enforcement action had been authorised.

In addition, the Managing Director advised that what had been built on the site was not the development that had been applied for and as planning permission granted for 5 years that permission had now lapsed. However, the enforcement notice had been appealed by the site operator and consequently the related appeal process must be adhered to. In the meantime, there was also consultation underway in respect of an EIA. Should the appeal succeed he advised as a matter of course planning permission would be granted, however if the appeal failed planning permission would not be granted and the enforcement notice would stand.

Councillor Williams also commented that if there was not an EIA in place it was important to note that planning applications could not automatically be refused.

Councillor Robertson raised his concern as to large scale projects being able to be approved by Welsh Government with little or no scrutiny.

Councillor Dr. Johnson, in acknowledging the comments made during the meeting, subsequently agreed to amend his Motion in favour of rejecting the independent review report. This was agreed by Councillor Wiliam.

Following the debate and having regard to the fact Councillor Dr. Johnson withdrew his amendment to the Motion, a recorded vote then took place on the Leader's Motion -

T H A T the Barry Biomass Independent Review Report be endorsed.

<b>Members</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Julie Aviet	√		
Rhiannon Birch	√		
Vincent Bailey		√	
Jonathan Bird	√		
Bronwen Brooks	√		
Lis Burnett	√		
Christine Cave		√	
George Carroll		√	

## No.

Janice Charles		√	
Geoff Cox	√		
Robert Crowley		√	
Andrew R T Davies		√	
Pamela Drake	√		
Vince Driscoll		√	
Stewart Edwards		√	
Ben Gray	√		
Owen Griffiths	√		
Stephen Griffiths		√	
Sally Hanks	√		
Nic Hodges		√	
Hunter Jarvie	√		
Gwyn John	√		
Ian Johnson		√	
Gordon Kemp		√	
Peter King	√		
Kevin Mahoney		√	
Kathryn McCaffer	√		
Anne Moore	√		
Neil Moore	√		
Michael Morgan	√		

No.

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	√		
<b>TOTAL</b>	<b>26</b>	<b>18</b>	

The Motion was carried.

RESOLVED – T H A T the Barry Biomass Independent Review Report be endorsed.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

NB. The Barrister, Annabel Graham-Paul, was also present to advise Council as required.

No.

613 THE COUNTY BOROUGH OF THE VALE OF GLAMORGAN (ELECTORAL ARRANGEMENTS) ORDER 2021 (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C729, 22<sup>nd</sup> November, 2021, be approved.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

614 POLLING PLACES AND POLLING STATIONS: MINI REVIEW (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C730, 22<sup>nd</sup> November, 2021, be approved.

Reason for decision

Having regard to the Council's statutory functions under the Representation of the People Act 1983.

615 TREASURY MANAGEMENT MID-YEAR REPORT 2021/22 (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C735, 22<sup>nd</sup> November, 2021, be approved.

Reason for decision

To comply with the Treasury Management Strategy.

616 COUNCIL TAX REDUCTION SCHEME (REF) –

RESOLVED –

(1) T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C739, 22<sup>nd</sup> November, 2021, be approved.

(2) T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C739(4)), 22<sup>nd</sup> November, 2021 (as set out in Section 14.14.2(ii) of the Council's Constitution) be noted.

Reasons for decisions

(1) To enable the Council Tax Reduction Scheme to be approved by 31<sup>st</sup> January, 2022 and in place for implementation from 1<sup>st</sup> April, 2022.

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

No.

617 DRAFT RESPONSE TO WELSH GOVERNMENT'S CONSULTATION ON THE CORPORATE JOINT COMMITTEES: DRAFT STATUTORY GUIDANCE (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C672(2)), 27<sup>th</sup> September, 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.

618 DRAFT RESPONSE TO WELSH GOVERNMENT CONSULTATION ON SHAPING WALES' FUTURE: USING NATIONAL INDICATORS AND MILESTONES TO MEASURE OUR NATION'S PROGRESS (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C709(2)), 25<sup>th</sup> October, 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.

619 TRANSFORMING TOWNS: SUPPORT TO IMPROVE TOWN CENTRES (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C710(10)), 25<sup>th</sup> October, 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.

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

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

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

Can you confirm how many Local Authority owned homes are currently vacant in Vale of Glamorgan Villages and in particular provide an update on the

No.

proposed refurbishment of the four Local Authority owned houses in St. Georges-Super-Ely and the one in Pendoylan which have remained empty and neglected since at least October 2019?

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

There are currently 10 council properties currently vacant in the rural Vale. Of these, 4 are undergoing minor repairs prior to reletting. Of the remaining 6, 5 are long terms voids which include the non-standard Airey homes in St Georges and a vacancy in Pendoylan, void pending major structural repairs.

The four 'Airey' construction type properties in Castle Green, St Georges Super Ely, are on hold pending options appraisal / extensive works due to non-traditional house construction.

Whilst it had been anticipated initially to demolish and rebuild these homes significant increased building costs has caused the Council to review the financial viability of this project. Officers are currently reviewing the costs and options to establish the best practical solution for these properties

That review will be concluded shortly and the affected tenants will be consulted on the outcome of that options review.

### **Supplemental**

Referring to the needs of the people who relied on Local Authority accommodation in the rural Vale and villages in that they should be given the same priority as those living in the urban areas, Councillor Morgan asked the Cabinet Member if she would confirm a timescale for when the work would be done as the properties had been empty for over two years.

The Cabinet Member confirmed that she had been in contact with two of the tenants affected who wished to return to the properties to discuss their options and a meeting would be held shortly. She acknowledged that delays had been encountered due to the original contractor's ceasing business which had resulted in a new tender exercise being undertaken. Options were being assessed in terms of the most economical way of progressing the required repairs.

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

What Active Travel proposals are under consideration to help pedestrians of all mobility levels safely cross roads in the vicinity of Barry's Gladstone Bridge roundabout?

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

I can advise that various options are still being considered regarding the provision of appropriate crossing facilities at this important junction.

No.

As you will probably be aware all roads leading to Gladstone Road bridge are identified on the Council's draft Active Travel Network Map (ATNM) that is due to be submitted to Welsh Government later this month. These include the following active travel routes:

- VALE-SPR-Future-016C (Gladstone Road Bridge)
- VALE-SPR-Future-013A (Broad Street to Gladstone Road)
- VALE-SPR-Future-013B (Gladstone Road)
- VALE-SPR-Future-014B (Holton Road to Gladstone Road).

Further details of these can be found on the Council's website or by contacting the Council's Active Travel Officer.

As each of these schemes are developed crossing facilities for pedestrians and cyclists will be considered.

### **Supplemental**

Councillor Dr. Johnson indicated that as an able-bodied person he found it difficult to cross the road in the vicinity of Gladstone Road Bridge due to the speed of the traffic leaving the roundabout. Referring to the issue being discussed previously within the Barry Town Centre West Gateway scheme a few years ago, but had not been progressed, he asked the Cabinet Member to prioritise the work within future capital projects to ensure safety of residents.

Having every sympathy to the points made by Councillor Dr. Johnson, the Cabinet Member would take on board his comments.

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

Which actions identified in the December 2020 s19 flooding reports will be undertaken by the Vale Council this Winter?

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

The Section 19 reports relating to the recent flooding in Dinas Powys and Sully are available on the Council's website. Both reports provide records of the incidents in December 2020 and advise of the recommended actions for the various risk management agencies. Currently the proposed actions are being considered together with their associated cost / benefits.

The Council has already undertaken a number of actions in Dinas Powys and Sully, including cleansing of the highway drainage systems and obtaining information regarding the flooding from the residents affected.

In terms of further actions this Winter, the primary action for the Council is to deliver a Property Level Protection (PLP) scheme for Sully, as lead local flood authority. In addition, last month Welsh Government granted funding for surveys and a business case to be progressed by the Council, in conjunction with the responsible agency

No.

NRW, for possible property level protection for up to 200 affected properties in Dinas Powys.

Working with the local communities, our emergency planning officers have developed a Community Flood Plan Guidance document aimed at improving community self-resilience. The document advises how local communities can best prepare themselves for flooding and is aimed at providing improved protection for life and property.

Our officers remain committed to continuing their work to support all communities affected by flood risk but there needs to be a recognition that the community themselves must also play their part in such matters as the effects of climate change become more and more challenging.

The community has to help itself especially as Court Road will not be available to store sandbags in the future. It is hoped that arrangements can be made with the local Community Councils to identify a location where sandbags can be stored in a local and accessible location.

### **Supplemental**

Alluding to emergency plans for winter, Councillor Dr. Johnson enquired where the Council stood in terms of planning for officer availability and social services support for vulnerable people should flash flooding occur again in the Vale.

Referring to the need to consult officers to be able to respond, the Cabinet Member indicated that he would provide a written reply to Councillor Dr. Johnson and circulate it also to all Members of the Council.

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

What plans does the Cabinet Member have to review and update the Vale's County Treasures list, and to engage with Welsh Ministers to provide better defence, in planning terms, of such important but not 'listed' buildings?

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

Given the extensive amount of work associated with the development of the County treasures list and the fact that this work mainly focused on older properties of architectural historic merit it is not currently considered that there is a need to review the County Treasures list at this time. This is based on the following:

1. The inclusion of locally listed buildings on the County Treasures list does not have any immediate effect in law and they are not currently subject to any additional planning controls over alteration or demolition.
2. Since the list adoption, the Council has also adopted its Local Development Plan. Policy SP10 of the LDP requires development proposals to, amongst other things, preserve and where appropriate enhance the architectural and / or historic qualities of buildings or conservation areas, including locally listed

No.

buildings. The policy can be broadly interpreted to include all buildings of architectural or historic interest even where they are not included in the national or local list.

3. While it is recognised that there are buildings of merit in the Vale of Glamorgan that are not identified as County Treasures, just placing these on the local list would not afford any legal protection against demolition or damage.

### **Supplemental**

Referring to Barry facing a heritage emergency as a large number of important buildings had been lost since 2007, Councillor Dr. Johnson was disappointed that the Cabinet Member did not feel it was worth conducting a review to update the List and asked the Cabinet Member to write to Welsh Government to ask for additional protection for buildings of merit within places which were not currently within the greater CADW listed scheme to provide ways and means of maintaining the heritage of the town that otherwise might be lost

The Cabinet Member, in referring to his earlier reply, reiterated that current Planning law and policy provided such protections and there was a role for local ward members to raise concerns and notify the Planning officers who could use such measures already contained within Article 4 of the Town and County Planning Development (General Permitted Development) Order 1995 which was used in the case, as Councillor Dr. Johnson was aware of, to remove permitted development rights relating to the demolition of Christ Church Presbyterian in Tynewydd Road, Barry.

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

What assessment has the Cabinet Member made of the impact of the Nationality and Borders Bill upon the Council, when implemented, and its impact upon our work to support refugees and asylum seekers from Afghanistan, Syria and other war-torn countries?

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

While it is not anticipated the Nationality and Borders Bill will have a detrimental impact on refugees who arrive in the Vale of Glamorgan through the “regular” resettlement schemes, including Afghan refugees, the Council will continue to monitor its progress through Parliament and consult with the Welsh Strategic Migration Partnership and the Home Office to fully understand its implications.

We are also engaging with colleagues in the WLGA and working through the WLGA on these issues.

It is expected those who arrive through the Home Office schemes will continue to benefit from services which have been put in place to promote integration into our communities, including language training and employment support.

No.

### **Supplemental**

Alluding to the UK Government's Nationality and Borders Bill which he felt substantially undermined the Welsh Government's Nation of Sanctuary Pledges and the Council's own good intentions, whilst the Refugees Council had described it as cruel and punitive, Councillor Dr. Johnson asked the Cabinet Member to write to the Welsh Government to express concerns about the impact of the Bill and also remind those in power to help people under the Afghans Free Citizens Scheme.

Referring to the need to consult other stakeholders and officers to be able to respond, the Cabinet Member indicated that she would provide a written reply to Councillor Dr. Johnson and circulate it also to all Members of the Council.

#### (vi) **Question from Councillor R. Nugent-Finn**

Can the Member please inform me of the outcomes and findings of any inspections on the parks and playgrounds in the ward of Cadoc and has any further funding become available for the regeneration of the Parks (Palmerston Estate, Pencoedtre Village and Western Square)?

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

I can advise that the recent playground inspections of the Croed Criafol play area at Pencoedtre Village, the Dobbins Road Play area in Palmerston and the Western Square play area were all satisfactory with no urgent works required. The Heol Lubren play area at Pencoedtre Village, which is in the Gibbonsdown Ward, was also found to be in a satisfactory condition. There is currently no funding available from S106 or the main annual asset renewal budget for these playgrounds for 2021 / 2022 and, unfortunately, there are other facilities that are in a poorer condition than these, such as, for example, the Knap skate park.

Even though our own funding options are extremely limited, officers continue to investigate all possible external funding streams for outdoor play area improvements, but such funding would have to be prioritised if received.

In the absence of the necessary funding to refurbish our older play area I would reassure you that our officers will continue to inspect and maintain them to ensure that they remain safe to use.

### **Supplemental**

Being reassured of the continual inspections, Councillor Nugent-Finn asked the Cabinet Member to explain where the funding of improvements to St. David Crescent and Belle Vue play area in Penarth came from.

From his memory the Cabinet Member recalled that some of the funding had been Section 106 monies albeit he could not be certain as the original question related to the Cadoc Ward. He would need to research the information before he could provide a reply and indicated he would provide a written reply to Councillor Nugent-Finn.

No.

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

Can the Member please confirm the Vale of Glamorgan Council's position in conjunction with Welsh Government proposals to change the default speed from 30 to 20 mph on Cardiff Road Barry?

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

I can advise that Council Officers are liaising closely with Welsh Government and their consultants TfW to keep updated on any potential change in the default speed limit in Wales from 30 mph to 20 mph. Any exceptions as to where the 20 mph default speed limits might be delivered within the Vale, is still under detailed consideration based on specific criteria and mapping produced by Welsh Government. The date for implementation of the default 20mph speed limit is currently May 2023 subject to Welsh Government passing the necessary legislation.

All current 30 mph A and B class roads within the Vale of Glamorgan will be considered for change to 20 mph in accordance with specific criteria and further detailed assessment including Cardiff Road where it is currently 30 mph speed limit.

Further details on the 20 mph speed limit roll out can be found on the Welsh Government website.

I will provide reports to Cabinet and the relevant Scrutiny Committees as soon as there is a need for any Executive decisions on this matter, but currently this is some time away.

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

Following a number of serious incidents on Cardiff Road including those reported to South Wales Police and those which have not, when will the Cardiff Road Active Travel Route be implemented and what are the Vale of Glamorgan's plans in the meantime to keep pedestrians, school children, cyclists, motorists and vulnerable road users safe?

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

As you will know a Gateway enhancement scheme was implemented by the Council in December 2020 as requested by Councillors Neil and Anne Moore who are also Cadoc Councillors to encourage compliance with the speed limit entering the 30mph section of Cardiff Road, Barry. The Belisha beacons at the zebra on Cardiff Road, Barry were also upgraded to "zebrite beacons" in 2017 / 2018. The ultra-visible halo makes the crossings highly visible in all light conditions to oncoming traffic. At this time as well all road markings were refreshed.

As far as I am aware fortunately none of the three personal injury collisions (PICs) during the latest 5-year period (100m either side of a zebra crossing) involved pedestrians.

No.

All schools in the Vale are offered Kerbcraft and Cycle Proficiency Training from our Road Safety Team so that road safety is promoted and encouraged in children from a young age.

Further to this a Public consultation on a proposed Active Travel route for Cardiff Road was held between 15<sup>th</sup> September to 12<sup>th</sup> October 2021. 279 responses were received through an online survey, 3 responses via email, as well as comments from two of the ward members, Councillors Neil Moore and Anne Moore.

Of those that responded 68% think that the plans to improve active travel route in this area are positive. The results are currently being analysed and a consultation report is being written with a decision as to whether to apply for full funding for the scheme to be made in January 2022.

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

Can the Member please provide details and breakdown of figures of attendance, engagement and subsequent uptake of the recruitment event held in Penarth at the beginning of November and why it was not partnered with the Vale and DWP Opportunity Knocks project which seeks to develop skills and secure employment?

**Reply from the Cabinet Member for Social Care and Health**

We had 24 suppliers at the recruitment event in Penarth at the beginning of November. This was a joint event held with independent providers of domiciliary care, nursing care and residential care and our internal Vale Community Resource Service and Residential Homes. 26 interested individuals attended the event. We have had a number of enquiries since the event but are unable to provide a specific figure as to the number who have subsequently taken up a caring role as all attendees liaised with individual providers directly.

Paul Pickering, Employment Mentor (School Improvement and Inclusion Division) from Barry Community Enterprise Centre (BCEC) attended all day and we liaised with Beryl Williams, Barry Job Centre, and Carolyn Griffiths, Penarth Job Centre, to advertise and signpost from the Job Centre perspective. Both attended on the day to show their support. The event is one initiative amongst a number, to support the recruitment and retention of care staff. We will be planning an event in Barry in the new year so will explore as part of those arrangements to see if there is any further engagement required with DWP Opportunity Knocks.

**Supplemental**

Being happy to personally assist in supporting the Barry event, Councillor Nugent-Finn referred to those agreements, recruitment and outcomes and enquired if the Cabinet Member had considered working with existing Vale schemes such as Opportunity Knocks, as they supported the development of skills to secure employment?

Reminding Councillor Nugent-Finn that the Council was already working in partnership, the Cabinet Member referred to the Fast Track 2 Care programme, to

No.

be launched shortly in the New Year which would opportunities for individuals to have a 2 week intense course of training and support, and hoped Councillor Nugent-Finn could get involved by sharing details. All possible programmes could work in partnership given the recruitment crisis in care and the Council was doing everything possible to work with as many people as it could to get as many carers into the system as possible.

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

Will the Leader please provide an update on the potential impacts of the Omicron variant of SARS-CoV-2 on the provision of services by the Authority?

**Reply from the Leader**

Thank you for your question, but it is too soon to estimate the potential impact of the Omicron Variant of Covid-19, but clearly everyone should take the potential impact of this variant seriously and continue to take the necessary actions to prevent the spread of any Covid-19 variant. At the moment I am unaware that there are cases within our county, but all indications are that this will not continue to be the case. Hence my comment about still taking the necessary precautions.

That said our understanding of the transmissibility of the Omicron variant and its potential impacts is still developing. The Council is working closely with public health partners to put in place measures that will continue to protect the most vulnerable in our communities and as you know Governments have already made some changes to the law on arriving travellers and other protective measures.

Any further restrictions and subsequent associated advice will be publicised and promoted by this Council to ensure the public are aware of any actions they need to take, including any further vaccinations that may become available.

**Supplemental**

Endorsing the Leader's comments and referring to the work was undertaking in partnership with the public health partners to monitor the Omicron variant, Councillor Carroll enquired if the Leader or officers had held any meetings with either Welsh Government or Public Health Wales in relation to the variant and were there any further meetings planned in the coming days or weeks?

Confirming that fortnightly meetings were being held with the Health Authority and members of Public Health Wales on a fortnightly basis and attended by himself and the Managing Director the Leader indicated that if, as it appeared the situation worsened, meetings could return to meeting once a week. He also continually met with Welsh Government Ministers on various topics and that also included the pandemic. In addition, the Council's Senior Management Team met on a fortnightly basis to deal with matters relating to the Pandemic. He assured Councillor Carroll that he would continue to meet and discuss with the various stakeholders and he singled out the work of the Track and Trace Officers for praise who worked with the Police on the joint enforcement teams.

No.

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

Will the Cabinet Member please provide an update on discussions the Authority has had with Cardiff and Vale University Health Board regarding GP provision in the Eastern Vale?

**Reply from the Cabinet Member for Social Care and Health**

I'm happy to provide an update as requested, but given that there is nothing specific for me to address, all I can really say is that I am in regular discussion with the UHB on matters relating to GP services across the Vale of Glamorgan, with a focus more recently on the Eastern Vale. I know senior officers also have similar dialogue with officials in the UHB. If Councillor Carroll has something more specific in mind, then hopefully I can address his more specific points.

**Supplemental**

Referring to his constituents' concerns relating to the planned closure of Albert Road Surgery in Penarth in March 2022 and the impact that this would have on GP provision in the Eastern Vale area, Councillor Carroll asked the Cabinet Member to write to the Cardiff and Vale UHB to express these concerns and press and request assurances that that provision would be maintained.

Referring to himself as being a patient of Albert Road Surgery and as a resident in the Eastern Vale, the Cabinet Member was sure that Councillor Carroll would have seen the press release jointly issued with the UHB, and emphasised that the Council had already made a number of suggestions and offers to the UHB regarding potential options and short term suggestions so that patients could continue to receive the service, these included pinpointing certain sites and buildings that could be used to accommodate Albert Road Surgery in the short term. This was all whilst recognising that the provision of GP surgeries was a matter for GPs themselves and the UHB. He was happy to formally write, but as indicated the Council was already dialogue and offering support in terms of solutions and also wanted to impress on the UHB that it was important that all patients were reassured the situation could not wait until March next year. He hoped that the UHB followed through on that and shared information. He understood that there would be an opportunity to transfer patients but wanted the UHB to provide details so that residents / patients understood the situation affecting that Surgery. He feared that this was not an isolated development given comments from members of the Government, at Welsh and UK level, about the effects on GP recruitment and said he was 100% engaged with the UHB in trying to work through whatever solutions were identified, as were other senior Councillors and officials in the Council.

(xii) **Question from Councillor J.E. Charles**

Will the Cabinet Member please confirm if there are plans for more Lodges like those at Court Road?

No.

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

In starting can I say how thrilled I am to see the step up accommodation developed at Court Road. It is the envy of many Local Authorities who have asked to visit the site. I am delighted that the Vale is leading the way in this kind of provision, which is so essential to ensure our most vulnerable residents have a roof over their head.

The Housing Development team continues to search for and evaluate sites in order to determine their potential for additional Emergency Housing Schemes (lodges), similar to that at Court Road. Former HRA garage sites, parking areas and general fund land holdings are currently being considered.

The Housing Development team is also seeking to repurpose general fund buildings and acquire property from the open market for conversion, to increase the supply of temporary accommodation.

### **Supplemental**

Referring to the mental wellbeing and the pride which the residents now had living in the lodges and to the work to their gardens as being wonderful, Councillor Charles referred to the 65 homeless people living in temporary accommodation and asked the Cabinet Member how long it would be before they could be allocated more permanent accommodation.

The Cabinet Member indicated that there were 240 homeless people in 3 hotels in the Vale of Glamorgan and that was why the Council was looking at other suitable sites however, she could not provide a definitive date when these persons would move into permanent accommodation. The Council was liaising with private landlords, but until the Council could build more properties it would be a continuing challenge to house those on the waiting list for a Council property.

### **(xiii) Question from Councillor J.E. Charles**

Why are the public not issued with a 12 or 18 month gallery exhibition plan?

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

I don't really understand the question, given that all information in relation to the Gallery's activities and exhibitions have been marketed with the support of Council's Communications Team, and have featured on the Vale of Glamorgan website, social media, local press and via Eventbrite.

There is an indicative twelve-month gallery plan for 2022 which is being finalised, pending confirmation with each exhibitor and will be published shortly.

### **Supplemental**

Alluding to the criticism of the communications from the Gallery in a recent consultation exercise and the current limited exhibition programme, Councillor Charles enquired when a full programme would be implemented.

No.

The Cabinet Member alluded to the obvious challenges presented as a consequence of the Pandemic for galleries to operate, what the public could do and artists prepared to allow their work to be shown and reminded Councillor Charles that throughout the pandemic online exhibitions had been available and could be accessed from the safety of their own homes if they were unsure about leaving home. She was well aware of what the consultation response said, she referred to the current exhibition at the Gallery by “The Welsh Group” which was a multimedia exhibition from various artists from across the Vale. Restrictions had to a certain degree impacted on the operation of the Gallery, but there were ongoing events both in Arts Central and across the Vale.

(xiv) **Question from Councillor J.E. Charles**

Can Schools / Colleges be more involved in gallery activities and exhibitions?

Although the above question had been included in the agenda, Councillor Charles in acknowledgement of the response to the previous question in relation to gallery plans, stated that she was happy to proceed without a response but enquired “Could the Gallery co-operate with the new expressive arts curriculum in Wales and host events and exhibitions which would help Vale teachers deliver this new curriculum. This space would and should then function better for young people doing drama, photography, arts, textiles, music, etc. and would also help to regenerate the town centre”.

The Cabinet Member indicated that she would certainly take all the points on board advising that the Council had lots of plans to involve young people but thanked Councillor Charles for making the suggestion advising that she would discuss with officers what could be done in relation to the request. The Council had also previously held successful exhibitions and by way of an example referred to the exhibition by the Cardiff and Vale College art students.

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

Will the Cabinet Member for Highways and Visible Services please give an update on how much revenue carpark parking charges have brought in to date?

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

The total income for all car parks in the Vale of Glamorgan from 1<sup>st</sup> April to 26<sup>th</sup> November, 2021 is £773,144 (excludes VAT).

**Supplemental**

Alluding to several Councils around Wales, Councillor Rowlands enquired if the Council would be getting into the Christmas spirit and cancelling parking charges for the Christmas and the New Year periods?

The Cabinet Member, whilst acknowledging the suggestion as one that was interesting, reminded Councillor Driscoll that the purpose of introducing car parking

No.

charges was to encourage churn and turnover and the feedback received to date had been that this had been substantially achieved. Therefore, it was clear that it was helping to get more shoppers into town to shop and then go home and let other shoppers visit. He had no plans to disturb that.

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

Will the Cabinet Member for housing inform us how many repairs have been made to Council properties within the last year?

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

The responsive repairs completed on Council properties from 01/04/21 – 31/10/21 are 5,274.

The responsive repairs completed on Council properties from 01/04/20 – 31/03/21 are 6,741.

**Supplemental**

Councillor Rowland, referring to a 4 month waiting period for what the tenant and he considered the repair as urgent repair and therefore as being unacceptable, asked the Cabinet Member if she would do everything in her power to ensure that Council tenants were not waiting such times for urgent repairs.

The Cabinet Member asked Councillor Rowlands if he would provide the appropriate details to her and she would personally look into the matter.

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

Will the Leader please give us update to when he is expecting us to return to the Chamber or have some sort of hybrid model?

**Reply from the Leader**

As I will advise Mrs. Ockerby, in response to her question as part of the next agenda item, I will also remind all Members of this Council that work from home advice continues to be relevant in Wales, and as a public Authority, we need to be mindful that we lead by example. This is particularly relevant given the ongoing and concerning high number of Covid-19 cases and the pressures on the health and social care setting. To encourage large scale public meetings at such a time would be inappropriate.

I also find Councillor Rowlands' question surprising given the changing situation relating to the new multi variant mutation, Omicron. The Pandemic is far from being over.

With regard to a hybrid solution for meetings, the Council is currently working with its provider CIVICO in tailoring an app (Civico app) to meet the needs of the Council which will also include a Welsh translation facility. A report detailing the work

No.

undertaken to date is to be presented to Cabinet shortly which will include details of a training timetable for Elected Members and officers of the Council in use of the app over the coming months. The Civico app can be used on both a virtual and hybrid basis, but as I have already mentioned, in line with WG advice Council meetings will continue to be held on a virtual basis until determined otherwise. Any move to vary from this stance, would in my view be inappropriate and unnecessary, especially as meetings function perfectly well on a virtual platform.

In fact everybody can meet quite cheerfully as we are. I know there will be some exceptions because clearly in terms of some meetings they may need to be face to face but in general we will not be having meetings within the office unless it was absolutely necessary.

### **Supplemental**

Councillor Rowlands, being baffled by the Leader's response given that the Welsh Government / Assembly met in person as well as using hybrid facility and also Town and Community Councils, himself sitting on Barry Town Council, asked the Leader why there was one rule for the Council and one rule for Welsh Government.

The Leader did not consider it was for him to say what other bodies should do and reiterated some of the points he made in response to the original question in regard to working with the Council provider, Civico and the benefits the App would bring. He did not see why the Council should as there was no democratic deficit using virtual meetings and Members could engage and debate perfectly reasonably as in the case of the meeting currently being held. He saw no reason why Elected Members or the public should be placed at risk, especially given the increased risk to health relating to the Omicron variant.

### 621 PUBLIC QUESTIONS –

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

#### (i) **Question from Dr. A. Barratt**

How many pupils will be on the roll of South Point Primary, the new 210 place school in Rhoose, when it opens in early 2022, and what does the Council estimate the roll will be at the start of the school year in 2022/23, 2023/24 and 2024/25?

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

South Point Primary School would be open to pupils from 28<sup>th</sup> February, 2022 following the end of the spring half term.

Currently there would be 77 pupils on roll when the new site was operational. The Council was currently accepting applications for reception places for September 2022 and had so far received 7 first preference applications for the reception intake since the process opened on 5<sup>th</sup> November. This was encouraging as the process

No.

did not close until 14<sup>th</sup> January, 2022, and further applications were anticipated. There were also 14 nursery pupils joining the school over this academic year and the parents of 7 older pupils had already applied to join the school when it moved to its new location early next year.

Based on the information to-date, the current pupil number projections were as follows:

21/22: 77  
22/23: 89  
23/24: 92  
24/25: 95  
25/26: 101

These projections would clearly need reviewing on completion of the Reception annual admission round for September 2022. Projections were influenced by parental preference which was forecast to improve once the school was situated in its new accommodation, as had been the case with other school development programmes.

(ii) **Question from Mrs. K. Walters**

I would like to see the main park, Jubilee Park in Sully have an upgrade. It is very old, tired and probably unsafe. It is used every single day and could be wonderfully upgraded like ALL the other Vale parks. What do we have to do to get this ball rolling?

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

Jubilee Park play area was leased to Sully Community Council and any upgrade to this play area would need to be instigated by Sully Community Council. Therefore, it would be beneficial to approach Sully Community Council in the first instance. We have worked in partnership with Community Councils on schemes within their areas in the past and this was something we could explore if and when approached.

(iii) **Question from Mrs. A. Blight**

It is clear that urgent action needs to be taken by everyone if we are to have any hope of slowing climate change. Following the United Nation's code red for humanity warning to World Governments and Cardiff Council's announcement of a £25m upgrade to its sea defences due to concerns of "rising sea levels caused by climate change", what plans does the Vale of Glamorgan Council have to better protect vulnerable communities in Barry and the Vale of Glamorgan from the threat of future sea level rises?

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

The Vale of Glamorgan Council was in a fortunate position when considering future sea level rises, when compared to other places in Wales.

No.

The coastline of the Vale of Glamorgan, particularly around the Barry area, was considered at low risk of flooding due to its topography with a significant length of cliff protecting inland areas from coastal flooding. Further there was generally a negligible risk of significant cliff erosion over the next 20 years.

The Vale of Glamorgan Council was a Coastal Risk Management Authority and a member of the Swansea and Carmarthen Bay Coastal Group. That Group was tasked with maintaining the Shoreline Management Plans for large sections of the South Wales coastline and copies of these plans could be found online at the [southwalescoastalgroup.cymru/](http://southwalescoastalgroup.cymru/) website, with further information also available regarding coastal protection via the Council's own website. The Vale of Glamorgan Council's actions had informed the Shoreline Management Plans which provided recommended policies in respect of possible sea level rises and coastal erosion.

The Council's future planning and development management role would also be directed and driven by national planning advice which sought to take account of the impact of climate change in terms of future flooding impacts when assessing developments.

(iv) **Question from Mrs. V. Roberts**

Will the Council review their decision and grant a 20mph speed limit in the Garden Suburb immediately due to overwhelming support, recent accidents and their support for the same scheme in Aberthaw?

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

Could I be clear given the question implied that the Council had agreed to such a scheme at East Aberthaw, the Council had not and had no plans to do so.

I understand that you had been in recent discussion with my highways team who had responded to you and that you had already been advised recently of the personal injury collision (PIC) record for the 5-year period up to 25<sup>th</sup> June, 2020 (the latest data supplied to us by Welsh Government). The only two personal injury collisions recorded during that period both occurred on Porth-y-Castell in 2017, resulting in slight injuries. The first PIC occurred in January 2017 when a vehicle stopped to give way to oncoming traffic and a vehicle following closely behind struck it. The second occurred in June 2017 when a vehicle pulled out from the side of the road and collided with a passing vehicle. Neither of the causation factors mentioned in the Police report suggested that vehicle speed was an issue.

You would also be aware that Welsh Government had consulted on plans for a national default 20mph speed limit on Welsh roads, to replace the current 30mph default. The possible benefits of such a proposal were well publicised and recognised by myself and the Council to enhance highway safety and encourage active travel. It was currently anticipated that this speed reduction would come into place in Wales in 2023.

As part of the proposed default speed limit change from 30mph to 20mph, Welsh Government also invited all Councils in Wales to participate in a trial scheme to trial

No.

a change to 20mph within their areas. The aim of the trials was to develop enforcement arrangements and overcome any unforeseen issues before any potential rollout commenced. The invitation to participate was now closed but eight pilot areas were successful, including St. Brides Major within the Vale of Glamorgan. This trial, as I indicated earlier, did not include East Aberthaw.

The outcome of the pilots and the recent public consultation would capture long term data and assist in developing an enforcement strategy for the planned national roll-out of a default 20mph speed limit for Wales in April 2023. When / if the Wales default 20mph speed limit was introduced I anticipated that all the roads within the Garden Suburbs area would be included.

Given the good safety record within the road network for the Garden Suburbs development as referenced above, as well as the potential changes to the default speed limit proposed by Welsh Government in a little over 18 months' time, I regret that I was unable to support the requested change to the speed limit in Garden Suburb prior to the Welsh Government roll out of 20mph.

In terms of East Aberthaw there were no plans currently to implement a 20mph speed limit.

(v) **Question from Mr. R. Curtis**

Urban or street trees play a vital role in helping to filter traffic pollution and noise. Contribute to flood protection. They also help tackle climate change and provide food and a home to nature. Without these trees our towns and villages would become sterile deserts of concrete and steel. We fully understand that there are times when these trees may need to be removed due to disease, age or numerous other reasons, but we also believe that they should be given greater protection and benefit from public scrutiny. Therefore would the Council consider placing a notice (similar to public planning notices) on the tree targeted for removal ten days before their planned removal explaining the reasons why the tree has to be removed and whether a tree or trees will be planted in its immediate vicinity? The notice should also contain contact details to allow members of the public to question the basis of the decision.

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

The decision to remove a street tree was never easy and not something that we undertook lightly. The removal of a tree was always a final option and only taken after other viable solutions to retain the street tree had been investigated.

I confirm that we already place a sign on a street tree a week prior to any removal work being undertaken to advise vehicles not to park in the vicinity of the tree to be removed.

However, we do not outline the reason for the removal, but residents could contact us via the details on the notice to obtain further information about the removal or to discuss the arrangements for replanting. It should however be noted that one of the

No.

most common reasons for tree removal was to avoid third party claims against the Council for property damage. In such cases, the details would be confidential and not able to be disclosed.

(vi) **Question from Mr. G. Thomas**

Will the Highways Department accept that the consultation process for the parking regulations at Cosmeston was flawed and biased when the actual views of the residents effected were ignored, to force through the parking regulations?

If this is not accepted, please will the Council investigate this serious allegation, pending which will the Highways Department suspend the parking regulations and not enforce whilst the regulations are re-considered and the consultation correctly undertaken.

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

The recently implemented Resident Parking Controls at Cosmeston had been progressed in accordance with the Policy agreed by the Council's Cabinet at its meeting of Monday, 27<sup>th</sup> July, 2020 and in accordance with the Road Traffic Regulation Act 1984 and the Road Traffic Act 1988.

As part of the Resident Parking Controls Policy an informal consultation was carried out at Cosmeston with letters being issued to all residents who would be affected by any potential scheme, comprising those properties within Lavernock Park estate and Upper Cosmeston Farm. The consultation took place during October 2020 and concluded on Sunday, 1<sup>st</sup> November, 2020. From analysis of the information obtained during that consultation and in accordance with the Policy there was overwhelming support for the introduction of resident parking controls within the residential areas at Cosmeston.

As a result of this positive response, the Council proposed a new Resident Only Permit Parking Areas Traffic Regulation Order (TRO) be introduced in Cosmeston (and other areas). The statutory legal public notice of the proposal was given on 22<sup>nd</sup> April, 2021, inviting objections in writing, by 14<sup>th</sup> May, 2021 containing the grounds upon which any objection was being made. A number of formal objections were received to the proposal and, as a result, a report was subsequently prepared and considered by the Council's Cabinet on 21<sup>st</sup> June, 2021 to determine if the TRO should be implemented. Cabinet minute C603 (available via the Council's website) confirms the resolution made by Cabinet that the objections to the proposed TRO be rejected for the reasons explained and the Proposed Resident Parking Controls TRO implemented.

The required formal Notice of Making for the Order was advertised in the local press and notices erected on site to confirm that the Order would come into operation on 19<sup>th</sup> July, 2021 and arrangements made to install the necessary signage to implement the Resident Permit Parking zone at both Lavernock Park estate and Upper Cosmeston Farm.

No.

As a result, I considered that all the correct procedures were followed in accordance with the requirements of the new Policy and the Road Traffic Regulation Act 1984. I was therefore satisfied that all necessary processes were followed and as required by law the public were given 21 days to lodge any objections to the proposals and having considered all the objections received within the statutory timeframe, the Order was made and came into operation on 19<sup>th</sup> July, 2021.

I do not accept that the process was flawed or biased in any way with residents having the opportunity to express their opinions during both the informal resident consultation and then during the public consultation to implement the TRO when the views of objectors were fully considered along with the significant benefits offered by the proposed restrictions and a reasonable and legitimate decision was taken to progress with the proposed resident parking controls Traffic Regulation Order (TRO).

Based on the lawful and legitimate process by which the resident parking controls were introduced, the Council would not be investigating the situation further or suspending the parking restrictions in place at this stage, as the Council had made a commitment to review the operation of all the recent resident parking restrictions 12 months after implementation. As part of this review consideration would be given to making any reasonable adjustments to the Orders and restrictions at that time.

I hope that this clarifies the legal process followed to implement the Resident Only Permit Parking Areas and the Council's commitment to review such arrangements.

(vii) **Question from Ms. C. Ockerby**

Following on from damage to the new play tables in Central Park, many windows of the Town Hall being smashed, damage to businesses and business owners' property – graffiti and otherwise – when is the CCTV in Holton Road going to be used again?

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

CCTV cameras on Holton Road towards Kings Square were currently online, although on occasions were not all fully operational due to essential maintenance. One camera was currently under repair, but the remaining cameras were being monitored by the CCTV control room with relevant information from the control room being passed to the Police.

Given the recent escalation of incidents on Holton an additional re-deployable camera was being installed at Kings Square with a site visit recently undertaken to determine a suitable camera location.

The Council had a zero tolerance policy in relation to serious Anti-Social Behaviour and perpetrators identified from the CCTV would be dealt with in line with those policies.

In addition to CCTV, the Vale of Glamorgan Community Safety team in partnership with the Police, other agencies and stakeholders had met to consider other options to resolve issues of anti-social behaviour generally in the area.

No.

Since September when 13 incidents of ASB were recorded, further occurrences had reduced with 8 noted in October and to date only one incident in November. As we were in December it was assumed that it was the same number.

The Community Safety team would continue to actively monitor the situation around Central Park and surrounding areas would work with partners to consider further measures should they prove necessary.

(viii) **Question from Ms. C. Ockerby**

Given that the vandalised properties in Barry and Penarth (graffiti) are not going to be cleaned by the offender, and given that many are empty properties, what plans are in place to have them cleaned? At the last full Council meeting, it was stated that the Council were in the process of finding out who owns the affected buildings to contact them regarding the graffiti. What progress has been made in finding out who owns the buildings? Apart from The Small Space, who posted that they had cleaned their property, what progress, if any, has been made regarding the many other vandalised properties?

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

The offender responsible for several of the graffiti incidents on Holton Road was required to carry out 8 hours of community service which was completed and resulted in the cleaning of some of the graffiti in the area.

Partnership work with the Youth Offending Service and Probation was being carried out to plan for service users to support with cleaning of the graffiti and would commence shortly.

The Town Centre Management Group had been proactively working on solutions in relation to the issues on Holton Road and Kings Square and the problems relating to graffiti. Progress from the actions of this meeting included the completion of the graffiti project on the roller shutters at the old Burtons shop site.

Council Town Centre officers continued to investigate ownership of properties across the Vale and engage with property owners to encourage clean-up of graffiti and to resolve any issues owners may have.

The Council and local policing colleagues had continued to engage positively with the retailers and the Youth Offending Service had continued to engage with young people. A consultation exercise led by our Youth Service Team was underway to ascertain what alternative activities they felt could help divert young people away from ASB and disorder, and scoping work was being carried out to look at the feasibility of a youth club provision to reduce the ASB occurring in these hotspot locations.

No.

(ix) **Question from Ms. C. Ockerby**

The leisure centre is still a public building so why wasn't the public consulted on the new outdoor gym area being constructed after the removal of the pool slide? The slide was dismantled and nothing visible has happened since. What's the time scale for the work and what exactly will be going in this space?

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

Unfortunately, the slide at Barry Leisure Centre was beyond economical repair and had to be removed. In conversation with the owners / runners of the leisure centre, Legacy they had now replace it with a large inflatable pool, which acted as an alternative slide feature. Whilst we do try to seek the views of customers wherever possible, such as the recent move in the Centre to 'changing village' type accommodation, it was not always possible due to issues such as funding time constraints.

The many lessons learnt during the pandemic and one of these was a need for an open-air fitness area needed to complement the leisure centre and instead of having a redundant space and slide that could not be used, orders had now been placed for a new fitness area that would be developed in the outside space vacated by the slide as soon as the materials and equipment were available to be installed.

(x) **Question from Ms. C. Ockerby**

Given the Council's approach to transparency and engagement with residents, could a consideration be given to display a list of planning and licencing applications on the public information boards outside the Civic Offices and Kings Square every 2 weeks/month and a social media post published? This would give residents access to what's being planned in their area and ways to respond, as the planning portal is not the easiest thing to navigate, is impossible for some and as we know, not everyone has internet access to be able to view and respond to these applications.

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

All the most up to date information was available via the online planning register which allowed customers to search for exactly what they were looking for, for example 'Applications by Ward', 'Applications determined' or 'applications received' within a specified timeframe. The register also included a very easy to access menu which allowed the public to view all applications started within either the last 7 or 28 days. This register was available online but also at the Council's Docks Office via a dedicated terminal in the reception.

The Vale of Glamorgan was also one of the few Councils in Wales to have a planning duty officer available by phone, email or face-to-face at the Dock Office at all times throughout the normal working week, who could answer any general enquiries about planning or help people to find the information they were looking for.

In addition to the above, the Council notifies anyone affected by planned development in accordance with our statutory duties including letters to neighbours,

No.

site notices and press notices where necessary, in addition to publishing information on our website.

Each month the Council received around 180 new planning applications and a list published outside the Civic Office would be too long to be truly meaningful and would only benefit a very small number of customers who passed by the notice board. Therefore the Council had no plans to introduce this.

As regards licencing, Notices of licensing applications involving the grant or major variation of a premises (pubs, off-licences, licensed takeaways and registered members' clubs) were currently published as follows:

- In a local newspaper
- Posted on the premises itself
- On the Council's website.

Each notice would give brief details of the application and the last date for submitting representations. A link to the Licensing Act Public Notices was available under the 'Working' tab on the Council's website. We had no plans to publish the details elsewhere as this would be labour intensive and costly and our current arrangements comply fully with our legal duties.

(xi) **Question from Ms. C. Ockerby**

The plan for the Old Harbour to return to an area for nature is welcomed by many. What communication has there been between the Council and Dwr Cymru regarding the excessive discharges from the Combined sewage outlet on Harbour Road and what is the plan to reduce this?

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

The Council was not responsible for the discharge from the combined sewer outfall and this was a matter for Welsh Water and Natural Resources Wales, as the permitting body. I would therefore respectfully suggest that you contact Welsh Water directly regarding this matter.

(xii) **Question from Ms. C. Ockerby**

What are the Council's intentions regarding parking on the island if and when Nell's Point car park is sold? How will the traffic be managed once Harbour Road Car Park is full and will highways or the Police take responsibility for traffic management to turn the visitors away from the Island?

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

The current Nell's Point car park was created as a 'meanwhile use', while marketing of the site was undertaken. Previous marketing exercises undertaken in 2012 and 2015 unfortunately proved unsuccessful, for various reasons; however, it remained the ambition of the Council to promote the site for suitable tourism or leisure uses in the future.

No.

Should any development proposals be brought forward for this site in the future, parking requirements and the continued free flow of traffic, to and from the Barry Island area, would be fully considered as part of this development process. Also, in light of the declared climate emergency, we would continue to promote active travel and the use of public transport as the most appropriate means of accessing the area.

(xiii) **Question from Ms. C. Ockerby**

In a recent Council scrutiny meeting the issue of public engagement was again discussed. Residents have trouble accessing their Councillors and staff members when they are out of office. With most residents working they send emails in the evenings and on weekends but these are often returned and a returned email sent to their junk folder. Are the officers and Councillors aware of how hard this makes it for residents to contact them and how can they make this more accessible?

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

I do not recognise the issue that was being raised through this question. As a Member, I check and reply to all e-mails on a daily basis. I also know that officers were just as accessible whether they were working at home or in the office. Irrespective of whether officers and Members were working remotely, they still worked on the Council network so there would be no change to the way e-mails were handled. The same Council standards still applied to dealing with e-mails and correspondence.

If there were any issues in contacting specific Councillors, then any concern in the first instance should be taken up with the relevant political Group Leader.

The settings on an individual's email account determine which emails were routed to their junk folder. The sender and, in this matter the Council, had no control over those settings.

If citizens were having difficulty when making general requests for service or for information, the citizen may find it quicker and easier to use an online form or email contact OneVale.

However, if, having considered my response, Mrs. Ockerby had specific examples, could I ask that she forward these to me or the Managing Director with details so we could consider further.

(xiv) **Question from Ms. C. Ockerby**

Seeing as Parliament and Senedd sessions are taking place as normal why are Vale meetings still taking place virtually without any public presence?

No.

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

The answer was relatively straightforward – the work from home advice continued to be relevant in Wales, and as a public Authority, we needed to be mindful that we led by example. This was particularly relevant given the ongoing and concerning high number of Covid-19 cases and the pressures on the health and social care setting. To encourage large scale public meetings at such a time would be inappropriate.

It was also important to realise that the pandemic had not gone away and new variants were currently circulating (thankfully not yet within the Vale of Glamorgan). We all needed to be mindful that we should all take the necessary steps to protect our community as well as ourselves.

I would in any event suggest that this question was totally misleading and failed to take account of the situation in relation to Covid-19 as referred to in my response to a question asked previously in this forum – the public did have a presence just as Elected Members did. They were not disadvantaged – the only difference was that they were not physically present to observe meetings. There was complete transparency. The public had full access to all information under consideration at meetings (save for matters of a confidential nature) which could be accessed on the Council website and well in advance of the meetings taking place.

#### **(xv) Question from Ms. C. Ockerby**

Why was the information on the closure of the Five Mile Lane not published on the Council website until the 8<sup>th</sup> of November – the day the works started? Why did the notice give incorrect information, causing residents wasted journeys and probably causing some, to be late for work? And what can be done to prevent this from happening in future?

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

Unfortunately, we are not always able to give prior notice of urgent works undertaken on the highway. In this case the A4226 (Five Mile Lane) had to be closed north bound from its junction at Port Road to A48, Sycamore Cross, as an emergency from 9am on 8<sup>th</sup> November, 2021 to carry out essential carriageway repair works, comprising the concreted overrun area on the north western side of the Weycock Cross roundabout junction. The concrete overrun area had failed and represented a significant hazard to the traveling public. The works were completed by Friday, 12<sup>th</sup> November at 1.00pm, though as the concrete works were only completed 24 hours earlier, a decision was taken to leave the closure in place until Sunday 10am to allow the concrete to properly cure. The temporary closure and traffic management was removed as planned at 10am Sunday, 14<sup>th</sup> November.

#### **(xvi) Question from Ms. C. Ockerby**

Recently it was mentioned in scrutiny about the poor effectiveness of consultations. Could the Vale of Glamorgan Council and the Councillors respectively do more to promote these online?

No.

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

The Council was committed to consulting with citizens as part of decision-making processes. We are committed to developing our approach to involving, engaging and consulting citizens and this was reflected in both the Corporate Plan and the Annual Delivery Plan, with the latter being consulted on this month.

Over the past year or so, a range of different and innovative methods of consultation had been used, including via social media polls, quick surveys and online workshops to increase the opportunity for people to become involved. These had covered a diverse range of topics such as climate change, the Annual Delivery Plan and the future use of the Penarth Pier Pavilion and Arts Central. The outcomes from these consultations had directly informed the subsequent actions we had taken.

The Council's forthcoming Public Participation Strategy would set out in more detail the steps we would take in this regard. The Budget consultation exercise was also currently being undertaken.

#### **(xvii) Question from Ms. C. Ockerby**

After many years of living with the Haydock House fiasco, could an additional planning condition be added to all future developments? Something like this – The outside of the building must be completed with 2 years of commencement of construction. Reason – To prevent our town from becoming an eyesore.

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

Through the development management system, various mechanisms could be put in place to ensure that development which was granted planning permission was undertaken in accordance with the specified details and plans relating to the approved scheme. The Council was also able to attach detailed planning conditions in order to control how the development was undertaken including the use of external materials, however once development had commenced, there was no requirement in planning law for it to be completed.

The inclusion of a condition requiring the completion of all development within a restricted timeframe would not meet the required tests of being necessary, reasonable or enforceable and could not be imposed by this Council or any other Council. This had been confirmed by case law and reviews of previous decisions by the Courts.

Whilst there was provision within planning legislation to secure the completion of development which had been started but not completed, by means of a completion notice, if the reason for non-completion was due to financial considerations, the notice was unlikely to be successful and in practice, these were only therefore used in exceptional circumstances.

No.

In the case of Haydock House, the Council was aware of the reasons why Hafod Housing Association had not progressed the development and remained in close contact with them regarding the completion of this scheme. While it was unfortunate that the scheme had not progressed to date, this had been due to a number of reasons beyond the control of Hafod but we understand that work was due to recommence in the Spring to complete the scheme in accordance with the planning permission.

(xviii) **Question from Ms. C. Ockerby**

The Replacement LDP Draft Delivery Agreement contains a list of "VOLUNTARY BODIES, SOME OR ALL OF WHOSE ACTIVITIES BENEFIT ANY PART OF THE LOCAL AUTHORITY'S AREA". Is there any reason why Beautiful Barry aren't on this list?

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

The list of 'general' consultation bodies in Appendix 1 of the draft Delivery Agreement was not intended to be exhaustive and other organisations / bodies could be added in as appropriate. However, as Beautiful Barry was a social media / public group, it was not considered to be a voluntary body for the purposes of the Delivery Agreement. If Beautiful Barry wished to be kept informed of progress on the Replacement LDP and formally consulted they should complete the 'Register your Interest Form' on the website.

In addition, the current consultation on the draft Delivery Agreement and draft Review Report closes on 17<sup>th</sup> December, 2021 so there was still time to respond if you wished to. Comment forms were available on the website.