ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a Remote meeting held on 17th September, 2024.

The Committee agenda is available here.

The recording of the meeting is available <u>here</u>.

<u>Present</u>: Councillor S. Lloyd-Selby (Chair); Councillor C. Iannucci-Williams (Vice-Chair); Councillors P. Drake, M.J. Hooper, J.M. Norman, J. Protheroe and S.T. Wiliam.

<u>Also present</u>: Councillors B.E. Brooks (Deputy Leader and Cabinet Member for Sustainable Places), G. John (Cabinet Member for Leisure, Sport and Wellbeing), E. Williams (Cabinet Member for Social Care and Health) and M.R. Wilson (Cabinet Member for Neighbourhood and Building Services).

336 ANNOUNCEMENT -

Prior to the commencement of the business of the Committee, the Chair 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".

337 APOLOGIES FOR ABSENCE -

This was received from Councillors C.E.A. Champion and E. Penn.

338 MINUTES -

RECOMMENDED – T H A T the minutes of the meeting held on 16th July, 2024 be approved as a correct record.

339 DECLARATIONS OF INTEREST –

No declarations of interest were received.

340 RIGHTS OF WAY IMPROVEMENT PLAN (REF) -

The reference (and appended report) from Cabinet of 11th July, 2024 was presented by the Countryside Access Manager, the purpose of which was to ensure appropriate scrutiny of the Plan and report.

A short presentation was also given to the Committee, covering the key areas and highlights of the Plan and report, i.e. what the Rights of Way Improvement Plan

(ROWIP) entailed, being the prime means by which local highway authorities should identify, prioritise and plan for improvements to their local public rights of way (PROW) network and in doing so make better provision for the public to enjoy a range of outdoor recreational pursuits. Also outlined were the reasons why ROWIP was required (which centred on discharging statutory duties and how the Council met its Well-being and Improvement Objectives). The presentation provided an overview of ROWIP, considerations and changes to the Plan from its previous iterations, the extensive consultation process undertaken with various stakeholders and interest groups through to its consideration by the Vale of Glamorgan Council's Cabinet and next steps.

A number of questions and comments were raised at the meeting on this item, which included the following.

Councillor Hooper raised a number of comments and gueries asking about whether the long term actions identified in the report and Plan could be achieved by 2034/35, asking for greater detail about the general public's view during the course of the stakeholder consultations that were undertaken as part of the Plan, how engaged they were and did they recognise the benefits of PROW and finally, about accessibility which, as well as wheelchair users, also included potentially other groups of people and individuals who might find access to public rights of way particularly difficult and how they could be accommodated. It was explained that in terms of accessibility, a recent survey had been undertaken by an external consultant which referred to a number of specially adapted wheelchairs and was looking at not just the terrain and ground conditions but also barriers to access such as stiles and gates which could be challenging even for people who did not have disabilities or other conditions that might preclude them from using these. A summary of those findings and some of the improvement opportunities would be shared with the Committee in due course. In terms of the public consultation, this was done some time ago and information on this would be sought and also passed on to the Committee.

Councillor Wiliam reiterated the important issue of disabled access to pathways and other rights of way with even easier pathways being potentially difficult for wheelchair users and other people with disabilities. It was good to hear that the relevant team were looking into this and ideally an audit should be undertaken into this area. The Councillor also asked about the reference in the Plan to the Cwm Ciddy to Porthkerry footpath and whether it could be confirmed if that was an ancient bridleway, due to extensive public interest in this. It was explained the Council used a Geographic Information System (GIS), a mapping system which provided a list of all the categories and statuses of pathways, etc. The Countryside Access Manager or his team would look into this matter and report back to the Councillor.

Councillor Norman referred to the new play park at Llantwit Major and raised issues around the access points to it which were a problem for people using prams or buggies due to either end of these access points having a kissing gate as well as issues that wheelchair users etc. would have to access the park or the nearby football club. The Councillor asked whether there were finances available to alter these potential obstructions to the access points to the park and football club. The Chair also wished to add on the back of the Councillor's question what the best

means was of raising issues and other queries to the relevant team within the Council. It was explained that there were two generic email addresses which Elected Members or members of the public could use to contact the team involved, however most queries and concerns made by the public were done via C1V (the Vale of Glamorgan Council's contact centre) or directly to the team itself. The team welcomed Councillor and public contact in order to address concerns raised. It was explained that the Council had a cutting contract and a maintenance officer went around such access points and pathways although overall there was a very small team involved in this which could only action as much as current resources would allow. In terms of kissing gates and other access points, the team were always looking to improve these and to remove as many restrictions as possible but ultimately this did come down to cost and agreement with the relevant landowners in those cases where the land where the access points were set up were not owned by the Council directly. It was also noted that landowners had a final say but also had responsibility for future maintenance of the relevant structures with a lot of them quite happy to improve stiles or gates or to increase accessibility, for example just having a gap instead. The Council worked with relevant landowners although sometimes they might be unwilling to make changes due to relevant access points demarking historical boundaries etc. It was suggested that should Councillors have similar concerns and issues that they directly contact the relevant officer or team involved.

Councillor Protheroe raised a query on the maintenance of routes and bridleways in relation to so called priority routes referred to in the Plan. She asked what constituted a priority route, particularly with relevance to the rural Vale and the annual cutting exercise undertaken. Residents in her Ward had raised concerns about certain routes and pathways being blocked due to being overgrown which was a similar issue with bridleways as well. It was explained that further information would be shared with the Councillor following the meeting with regard to priority routes etc. but it was also highlighted that the main network of routes included those areas that were promoted in Vale Trails and similar literature which catered for visitors and tourists to the area. These routes were also promoted on the Vale of Glamorgan Council's website which also fell under priority areas. On annual cutbacks of vegetation and undergrowth some funding was received via agencies such as Natural Resources Wales (NRW) on areas such as the Wales Coastal Path. However, with reference to the impact of weather with wet and warm conditions encouraging growth in these routes, it was not always possible or reasonable to cut at certain times of the year due to considerations around biodiversity and the protection of nesting birds in hedgerows and trees.

Councillor Wilson, Cabinet Member for Neighbourhood and Building Services, with permission to speak, stated he wanted to provide some clarification on pathways and rights of way, stating that this could potentially be a complicated matter due to the involvement of privately owned land as well as Council owned land held in the countryside and elsewhere. For example, Council ownership of land was divided between various parts of the Local Authority such as those areas in the countryside which included Cosmeston, which came under the Countryside Department whereas urban parks came under the responsibility of the Cabinet Member for Neighbourhood and Building Services. If Members were not sure which relevant Cabinet Member to contact he suggested that himself and the other relevant Cabinet Member, the

Deputy Leader and Cabinet Member for Sustainable Places, should be contacted at the same time and one of them would provide an answer. He also suggested to the Committee that they consider whether Elected Members should also have access to the GIS system and that this could be a possible recommendation in terms of giving Councillors access and training to use the relevant system which would save both Elected Members and officers time as Members could look up various queries and issues directly that way.

It was subsequently

RECOMMENDED -

- (1) T H A T training in the use of the Vale of Glamorgan Council's Geographic Information System (GIS) be provided to Elected Members in order to help them to directly address questions on land, pathways, etc. made by residents of the Vale.
- (2) T H A T greater prominence is given to Rights of Way information on the Vale of Glamorgan Council's website, i.e. on how Elected Members and local residents can report obstructions and other issues around Rights of Way, etc. to the Local Authority.
- (3) THAT future consultation on Rights of Way includes and actively engages with Elected Member Champions and key interest groups.
- (4) THAT an annual progress report on the Rights of Way Improvement Plan be added to the Committee's Forward Work Programme.

Reasons for recommendations

- (1) In order that Elected Members can directly seek information and provide this to residents concerning questions on land, pathways, etc.
- (2) In order to provide greater accessibility to this topic for both Elected Members and Vale of Glamorgan residents.
- (3) In order for future consultations on this topic to receive the knowledge, expertise and lived experiences of the relevant Member Champions and key interest groups, particularly those residents that faced challenges in accessing footpaths and other rights of way within the Vale of Glamorgan network.
- (4) In order to update the Committee on the progress being made in implementing the Rights of Way Improvement Plan.
- 341 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL SELF-ASSESSMENT 2023/24 (REF) –

The reference from Cabinet of 5th September, 2024 was presented by the Director of Place, the purpose of which was for Members of the Committee to consider this as part of a programme of consultation, with any views and recommendations for

changes to the judgements or proposed areas for future focus being referred back to Cabinet (10th October, 2024) for their consideration prior to the Final Vale of Glamorgan Annual Self-Assessment report being considered by Governance and Audit Committee, Cabinet and thereafter presented for endorsement by Full Council.

A presentation was provided to the Committee, summarising the key points of this process. This ranged from the purpose of this process ("to embed a culture of evidence based and outcome focused performance, self-reflection and challenge to secure continuous improvement") through to where the Council's money comes from and how it is spent (funding came from multiple sources, as well as Council Tax and the majority of the budget focused on both education and social care), as well as next steps, self-assessment summary and ratings, and emerging areas for focus for the Vale of Glamorgan Council.

Following on from the presentation a number of comments and queries were made by Members of the Committee.

Councillor Hooper raised a number of gueries and comments asking whether as well as "good" and "fair" as ratings for the self-assessment other terms or categories were available. He added that the self-assessment seemed to be more balanced than previous iterations but he still felt this was a political document and therefore should be presented by Cabinet Members as opposed to Directors. He also noted that there were no direct comparisons with previous documents or versions of the Annual Self-Assessment Report. In response the Chair referred to her part in the selfassessment and challenge process which she felt was robust and transparent. With regard to the self-assessment categories and ratings, the Director of Environment and Housing stated that he would share the relevant scoring and narrative terms used as part of this process which as well as including "good" and "fair" also encapsulated categories ranging from "excellent" through to "good", "fair" and "poor". On the comparison with previous iterations of the annual self-assessment process, the Director of Place referred Members to the slide in the presentation which showed the ADP performance assessment snapshot which did provide comparative data such as actions against previous performance measures and direction of travel for these. Subsequently the Councillor suggested that the performance comparison was made clearer for the public and that once the annual self-assessment had been finalised and approved by Full Council, a clear and concise summary of this document should be produced for residents of the Vale of Glamorgan in order to make is as clear and accessible to them as possible.

Following on from Councillor Hooper's queries, the Chair asked how the self-assessment results would be presented to the public. The Director of Place stated that a summary document using various infographics could be used in order to help illustrate and make clear what the document was saying, including previous year comparisons with performance. Councillor Hooper made a further suggestion that the documentation should be aimed at, as well as the general public, to those residents within the Vale who would traditionally find accessing such documents difficult.

It was subsequently

RECOMMENDED – T H A T the following comments be referred to Cabinet as part of their consideration of the Draft Vale of Glamorgan Council Annual-Self Assessment 2023/24:

- Once the Annual-Self Assessment has been finalised and approved by Full Council, that a clear and concise summary of this document be produced for residents of the Vale of Glamorgan.
- For future consultations on the Annual-Self Assessment, the Council should reach out to the public and interest groups with more specific questions on communication and accessibility around this process, particularly with those groups that may find accessing written documentation, etc. challenging or difficult.

Reason for recommendation

To help inform Cabinet's consideration of, and the Vale of Glamorgan Council's approach to, meeting the performance requirements of the Draft Vale of Glamorgan Annual Self-Assessment report 2023/24 (as per section 114 of the Local Government and Elections (Wales) Act 2021).

342 ANNUAL DELIVERY PLAN MONITORING REPORT: QUARTER 1 PERFORMANCE 2024/25 (DP) –

The performance report, presented by the Director of Place, with the Director of Director of Environment and Housing, was intended to inform Committee of the Council's progress at Quarter 1 (1st April, 2024 to 30th June, 2024) towards achieving its Annual Delivery Plan (2024/25) commitments as aligned to its Corporate Plan Well-being Objectives.

Due to current capacity challenges within the Corporate Strategy and Insight Team, the format for this quarter's (Q1) Annual Delivery Plan Monitoring Report had been revised temporarily, to enable the Council to continue to provide Elected Members with an overview of progress in delivering the Council's Annual Delivery Plan commitments as aligned to the remit of each Scrutiny Committee (such as the temporary removal of the Red, Amber, Green ('RAG') ratings).

The presentation appended at Appendix A to the report provided a summary of progress against the Council's Annual Delivery Plan commitments for 2024/25 as aligned to the remit of the Environment and Regeneration Scrutiny Committee. This encompassed a number of areas and titles, including what the Council had achieved, through to emerging areas of development and activity, as well as areas of concern, aligned to the four Well-being Objectives for the Council, under the Corporate Plan.

In addition, there were only four red indicators at this time, and the efforts to address these were outlined to the Committee.

During the presentation of the report and slides which were used, a number of comments and queries were raised at the meeting which included the following.

Councillor Hooper referred to the Making Waves project and whether there were any risks to this project due to funding issues. In response the Director of Place stated that the Levelling Up Fund as it was previously known, continued to be worked on and a Memorandum of Understanding had been agreed with the UK Government. Although this had not been returned yet the Council was still in a position to continue by using the existing funding that had been given to develop the project. Following contact with the UK Government and civil servants, the emphasis was on continuing this work due to the finite deadline for delivering this and therefore the Council had to try and meet that, although the Council would seek to extend that deadline in due course via consultation with UK Government given the delays that had occurred which were outside the Council's control (such as the UK election) as other Councils had done so.

Councillor Hooper also referred to the Local Area Energy Plan, as approved by Cabinet, and whether this would be going to the Committee. It was explained that the aim was to bring a finalised version to the Committee which was currently being prepared by consultants. In relation to this area the Chair explained that as part of her role she sat on the Cardiff Capital Region scrutiny committee and asked Members to forward any related issues to her in order for that forum to address these.

Councillor Protheroe referred to the ongoing issues at St Brides and Channel View around sewerage, noting that this was now the second time that a tender had to be put out and local residents clearly needed a resolution for this long term issue. The Councillor also referred to sustainable economic development referring to the units at Barry Waterfront for businesses and what opportunities there were for businesses to be attracted to these areas utilising more flexible and innovative tenancy agreements, for example where various businesses could share such agreements i.e. it could be a café in the day and a restaurant in the night in order for it to be cheaper for businesses setting up in the area. The Director of Place explained that these units were privately owned by a consortium of house builders with the council engaging and encouraging these to be as flexible as possible in terms of how they let those units and to involve agents who were proactive and effective in maximising these opportunities. In terms of Council owned properties and how the Council dealt with those leases, the Council tried to be as flexible as possible such as for a number of properties which were held on Barry Island which had a number of uses. On the guery around sewerage, the Cabinet Member for Neighbourhood and Building Services stated that he had weekly meetings with the relevant Director, and he would forward those concerns to the Director. He would then update both Councillor Protheroe and Councillor Stallard, who represented the areas impacted by this issue.

Finally, the Chair referred to the good news that the Council had secured £249k to support the woodlands at Porthkerry and that the Tree Strategy was now moving towards full adoption. She asked whether the relevant timescales were now known due to this being raised by the Committee previously. In response the Director of Environment and Housing stated that the related report would be coming to Committee in October for scrutiny.

It was subsequently

RECOMMENDED -

- (1) T H A T the Quarter 1 performance results and progress towards achieving the Annual Delivery Plan 2024/25 commitments as aligned to the Council's Corporate Plan Wellbeing Objectives within the remit of the Committee, be noted.
- (2) T H A T the remedial actions to be taken to address areas of underperformance and to tackle the key challenges identified within the remit of the Committee, be noted.

Reason for recommendations

(1&2) Having regard to the contents of the report and discussions at the meeting.

343 CLOSURE OF ACCOUNTS 2023/24 (DEH) -

The report was presented by the Operational Manager – Accountancy, the purpose of which was to inform Committee of the provisional financial position of the Council for the 2023/24 financial year.

The Council encountered significant revenue pressures during 2023/24, particular pressures were in respect of inflationary pressures particularly regarding contracts and pay pressures (which reflect cost of living, market pressures and the Council's commitment to paying real living wage). The Council also continued to experience significant demand pressures for supporting Children's services, Homelessness and pupils with Additional Learning Needs during 2023-24.

This included the provisional outturn of the accounts, completed by 29th June, 2024, with the assumption that the Statement of Accounts will be approved by Council in November 2024, which will follow the external audit by Audit Wales. These set the overall account management position (including Appendix 1).

For Appendices 2 and 3 to the report, these set out those budget outturns which were of direct relevance to the Committee, for Neighbourhood Services and Housing and Place, respectively. The relevant cost pressures were also set out to the Committee, as well as the relevant surpluses and drawdown of reserves.

It was subsequently

RECOMMENDED -

- (1) THAT the report and the financial measures taken and proposed be noted.
- (2) THAT the allocation of overall Council surplus as set out below be noted:
 - £2m transfer to new reserve to offset school deficits on a provisional basis in 2024/25;
 - £80k to Council Fund to offset general pressures.

Reason for recommendations

(1&2) Having regard to the contents of the report and discussions at the meeting.

344 CAPITAL CLOSURE OF ACCOUNTS 2023/24 (DEH) -

The report was presented by the Operational Manager – Accountancy, the purpose of which was to inform Committee of the provisional financial position of the Council's Capital Programme for the 2023/24 financial year. The accounts were, as with the revenue accounts, with the Auditor.

Details by scheme, that were relevant to the Scrutiny Committee were shown in Appendix 1. Appendix 2 to the report provided a summary of the position of the Capital Programme by Directorate from approval at Council on 6th March, 2023 through to 31st March 2024, including any changes requested within the report.

Several schemes totalling £5.395m were required to be added late in the Programme and the report noted the current adjusted Programme of £103.829m and capital expenditure during the year of £88.620m.

Despite capital schemes facing continued challenges due to a number of issues, including significant cost increases and shortages of resources, it was pleasing to note that the 2023/24 Capital Programme outturned at £88.620m and 85.35% of the programme was spent before the end of the financial year.

Due to the dedication, commitment and hard work across all Directorates, the report noted the current adjusted Programme of £103.829m and net slippage of £15.013m which required approval by Emergency Powers into the 2024/25 Capital Programme.

For the Scrutiny Committee, the position regarding the budget was a variance of £4.278m against an adjusted Programme of £18.577m. Outturn for the Scrutiny Committee was recorded at £14.299m and slippage, £4.096m. Slippage related to a few areas, such as Section 106 funding, through to the Five Mile Scheme.

It was subsequently,

RECOMMENDED -

- (1) THAT the year end capital position for financial year 2023/24 be noted.
- (2) THAT the additional scheme budgets as set out in Appendix 1 to the report be noted.
- (3) T H A T the summary position of the changes in the Capital Programme by directorate from approval at Council on 6th March, 2023 to 31st March, 2024, as set out in Appendix 2 to the report, be noted.

(4) T H A T the Emergency Power approved in respect of the slippage as set out in Appendix 3 to the report be noted.

Reason for recommendations

(1-4) Having regard to the contents of the report and discussions at the meeting.

345 QUARTER 1 REVENUE MONITORING 2024/25 (DEH) -

The report was presented by the Operational Manager – Accountancy, the purpose of which was to advise Committee of the Quarter 1 Revenue Monitoring position for 2024/25. The revenue position for 2024/25 continued to reflect challenging demand and inflationary pressures with continuance of the key service pressures seen in the 2023/24 outturn position into 2024/25. The cost pressures allocated as part of the 2024/25 budget were adjusted to reflect the funding available and therefore did not provide full funding for pressures and these pressures had continued to increase in the first quarter of 2024/25.

There was evidence of increasing demand in respect of Children's and Young People's Care and Adults' Social Care reflecting an increased incidence and complexity of need as well as significant increases in the cost of placements and care packages. Support for Additional Learning Needs (ALN) continued to be an area of significant pressure within Learning and Skills with corresponding pressures on school transport costs for pupils in ALN provision.

Across the services inflationary pressures were also being experienced in respect of pay, most notably where market forces were being utilised and for the funding gap between provision for the 2024/25 pay award and the likely pay award for 2024/25. The Council only allocated very limited contractual inflation as part of the 2024/25 budget and no general inflation for some years and this would have a general impact on the resilience of revenue budget. The delays on implementation of savings would also impact the 2024/25 outturn across services.

Unplanned use of reserves approximately £13.629m, the Council had various workstreams progressing to mitigate the unplanned use of reserves and reduce in year overspends.

Challenging savings and efficiency targets had been set out for 2024/25 which included a target of £7.676m Corporate savings. The progress against these savings targets was reflected in the Appendix. The Council also continued to monitor the delivery of 2023/24 savings not achieved in year.

Following the presentation of the report, a number of comments and queries were raised at the meeting, including the following.

Councillor Hooper felt that the same issues as had been experienced in the previous year in terms of finances were again hitting the Council and the Vale of Glamorgan again this year in terms of savings not being achieved with the same pressures also being faced, and therefore he was concerned that not enough space had been given

in terms of budgetary considerations for these pressures. He was concerned about the £13m plus figure and unplanned use of reserves with this being something that the Council would have to consider as likely to grow towards the back end of the current year and that this report was the start of a red flag moment for the Council. He asked the Chair if any Cabinet Members were present on the meeting, and would they be able to talk to this. The Cabinet Member for Neighbourhood and Building Services, with permission to speak, replied citing the various cost pressures experienced within his Cabinet portfolio such as those around HGV drivers and the need to pay more in order to retain these and the related competition for such drivers and other skilled specialist staff. If such pay increases were not undertaken then there would be serious issues for the Council in terms of recruiting and retraining drivers and the impact on waste and other services. Despite these pay increases, Waste and Refuse still provided a very cost-effective service. He also cited the considerable budget resources needed for key services such as Social Services and Education. In addition, the Operational Manager – Accountancy added that although these were extremely challenging times for the Council's budget and finances with future budgets also potentially posing more challenges, there was additional capital funding set aside for road servicing as part of the 2024/25 budget although further funding was required in order to keep the roads in a steady state. This meant that there was a significant shortfall in terms of pressures in areas such as Social Services but these were reported relatively prudently and that Committee were signposted on efforts to mitigate overspends as well as working closely with areas such as schools in order to help reduce the challenging deficits that some of them faced. The Council was required to set a sustainable balanced budget such as for 2025/26 and this would need to be picked up as part of the budget setting process which the Committee would be sighted on in the coming months.

Subsequently, it was

RECOMMENDED -

- (1) T H A T the position with regard to the Authority's 2024/25 Revenue Budget be noted.
- (2) THAT the virements included as part of the report be noted.

Reason for recommendations

(1&2) Having regard to the contents of the report and discussions at the meeting.

346 CAPITAL MONITORING FOR THE PERIOD $1^{\rm ST}$ APRIL TO $30^{\rm TH}$ JUNE, 2024 (DEH) –

The report was presented by the Operational Manager – Accountancy, the purpose of which was to advise Committee of the progress on the 2024/25 Capital Programme for the period 1st April, 2024 to 30th June, 2024. Details by scheme were shown in Appendix 1 to the report.

Appendix 2 to the report provided a summary of the position of the Capital Programme by Directorate from approval at Council on 6th March, 2024 through to 30th June, 2024, including any changes requested within the report.

The report set out any requested changes to the 2024/25 and future years' Capital Programme. The report noted the current approved Programme of £139.927m.

It was important to note that many areas were continuing to experience an increase in costs associated with delivery of schemes. Tenders were being received over the current allocated budgets and officers were reporting the requirement to re-negotiate submitted tenders.

Schemes would be closely monitored over the coming months and it was anticipated that slippage requests would be requested in future reports. There were no relevant areas of slippage for the Committee at this time.

Officers would continue to work with project managers and sponsors to ensure value for money and that all possible funding opportunities were identified and fully explored.

The total spend as at 30th June was £953k for this Scrutiny Committee with forecast outturn at £23.495m.

There were four Delegated Authorities that had been approved within the remit of this Scrutiny Committee. Other highlights included the external funds of £3.708m which had been secured from Welsh Government in relation to Transport grants for 2024/25.

It was subsequently,

RECOMMENDED -

- (1) T H A T the progress made on delivering the 2024/25 Capital Programme within the remit of the Committee, as detailed Appendix 1 to the report, be noted.
- (2) T H A T the use of Delegated Authority within the remit of the Committee, summarised in paragraph 2.4 and detailed in the report at paragraphs 2.19, 2.22, 2.24 and 2.25, be noted.
- (3) THAT the use of Emergency powers within the remit of the Committee, detailed in Appendix 1 to the report, be noted.

Reason for recommendations

(1-3) Having regard to the contents of the report and discussions at the meeting.