

**CABINET**

Minutes of a meeting held on 4 December, 2017.

Present: Councillor J. Thomas (Chairman), Councillor H. Jarvie (Vice – Chairman)  
Councillors: J. Bird, G. Cox, G. Kemp, A. Parker and B. Penrose.

**C153 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 20 November, 2017 be approved as a correct record.

**C154 DECLARATIONS OF INTEREST –**

No declarations were received.

**C155 INFORMATION ON CARE FIRST FOR TOWN AND COMMUNITY COUNCILS (REF) –**

The Community Liaison Committee on 18 October, 2017 considered the above report.

The Corporate Health and Safety Officer, in commencing the presentation, advised that the new employee assistance programme had been introduced on 1st June, 2016 and that counselling was available to all employees 24 hours per day, 365 days a year. The cost to the Council was £1.54 per employee per annum, with the contact telephone number being 0800 174319. Care First provided a number of services including telephone counselling, face to face counselling, information services, lifestyle and Zest applications, etc. There were over 5,600 employees in the Vale and the total cost of the service was £8,500 for the year.

With specific reference to telephone counselling, Committee was informed that trained counsellors were on hand and the facility could be offered in Welsh and was accessed via a free phone number. For face-to-face counselling, following an assessment up to six sessions were available. Information services provided advice, support and information on any real life crisis including finances, health and family etc.

For further information, Members were advised to contact Andrea Davies or Nicky Johns at the following e-mail addresses [ardavies@valeofglamorgan.gov.uk](mailto:ardavies@valeofglamorgan.gov.uk) and [njohns@valeofglamorgan.gov.uk](mailto:njohns@valeofglamorgan.gov.uk) and telephone number 01446 709361.

Following the presentation, Members queried as a number of Town and Community Councils had only a small amount of staff working for them, whether employees could be identified. In response, the Corporate Health and Safety Officer advised that having looked at the reports that she had received to date she had no idea who the people receiving counselling were, the information only detailed the number of new clients per month and how many had registered (for Lifestyle/Zest). However, a number of Members considered that due to the very small numbers in Community Councils, it would not be difficult to narrow down the information and identify the member of staff and therefore sought assurance on the matter from the organisation. The Corporate Health and Safety Officer confirmed that the report identified numbers per Directorate and that Town and Community Councils would be included as another 'Directorate'. If all Town and Community Councils opted in it would be difficult for individuals to be identified.

With regard to face-to-face consultation and whether staff had to travel the Committee was advised that counsellors could go to the home of the person or an independent venue could be arranged within around 20 minutes of where they lived.

The representative from Barry Town Council advised that his Council was interested in exploring the service and requested that Ms. Davies contact Emily Forbes, the Clerk.

Following a query as to whether there was a proposal to extend the service to Councillors as well as employees, the Corporate Health and Safety Officer agreed to report back to the Committee with more detailed information. She also advised that she would be providing the information to all Town and Community Councils, with the Chair urging all Councils to be involved in the process so that they were all aware of the scheme and could take advantage of the service for their employees when appropriate.

Following a query as to the level of uptake, Committee was informed that for the last quarter 20 new clients had registered and there had been 30 face-to-face sessions that had taken place. Although the uptake had not been a massive increase compared with the previous year it had increased significantly.

A number of Members, considering that it was a very important service, suggested that it would be more appropriate for an opt-in policy to be established.

Having fully considered the report and the comments made by Members of the Committee, it was subsequently unanimously

AGREED –

- (1) T H A T the service be rolled out to all Town and Community Councils with an opt-in approach being established.
- (2) T H A T the recommendation be referred to Cabinet for approval.

Reason for recommendations

(1&2) Following agreement at the meeting and to seek Cabinet approval.

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Cabinet, having considered the recommendations of the Community Liaison Committee

RESOLVED – T H A T the Care First service be rolled out to all Town and Community Councils with an opt-in approach being established.

Reason for decision

To provide the Care First service to all Town and Community Councils.

**C156 CIVIL PARKING ENFORCEMENT UPDATE (REF) –**

The Scrutiny Committee (Environment and Regeneration) on 9 November, 2017 considered the above report of the Director of Environment & Housing Services.

The report provided the Committee with an update on Civil Parking Enforcement activities in the Vale of Glamorgan for 2016/17 and from 1st April to 24th October, 2017.

The Head of Visible Services and Transport, in presenting the report, referred to the fact that on 1st April, 2013, Bridgend County Borough Council and the Vale of Glamorgan Council were made responsible for the enforcement of the majority of on-street and off-street parking regulations under a scheme called Civil Parking Enforcement (CPE). Civil Enforcement Officers helped to identify illegal and

irresponsible parking with any illegally or irresponsibly parked vehicles being given a parking ticket known as a Penalty Charge Notice (PCN). PCNs were only issued where vehicles were parked in contravention of the parking restrictions. PCNs were administered by the Wales Penalty Processing Partnership (WPPP) based in North Wales. They also processed and collected penalty charges on behalf of other Local Authorities.

If the PCN was not paid or challenged during the initial 28 day period, as specified on the front of the PCN, a Notice to Owner would be served on the registered keeper of the vehicle, requiring full payment of the penalty charge. If payment was made within 14 days of the date of issue, then the charge was reduced by 50%. If no payment was received within 14 days then the full amount was required.

There were no targets for the number of PCNs that a Civil Enforcement Officer must issue. All Officers underwent comprehensive training and could only issue a PCN if they believed a contravention had occurred.

Appendix A to the report showed the data for 2016/17 and Appendix B the latest data for 2017/18 from 1st April to 24th October, 2017.

The Civil Parking Enforcement service was arranged so as to be self-financing. For 2016/17 the total costs and income for the service were reported as :

|                          |           |
|--------------------------|-----------|
| Vale Employee Costs      | £1,017    |
| Premises                 | £664      |
| Supplies and Services    | £40,776   |
| Payments to Bridgend CBC | £195,304  |
| Overheads                | £3,773    |
| Income                   | -£242,000 |
| Surplus                  | -£466     |

The surplus made by the service in 2016/17 was being used to pay back the initial set up costs for CPE which totalled £281k. Of this, £213k was funded from the Visible Services reserve.

The day to day management of CPE was undertaken by Bridgend County Borough Council. Specific enquiries relating to the existing Traffic Regulation Orders, signs and lines within the Vale of Glamorgan were dealt with by the Council's Traffic Management team.

Following a query from a Local Member regarding how priorities were identified they asked whether Dinas Powys could also be targeted as they stated that a number of people were starting to worry about the number of people parking on yellow lines in the area which exacerbated the problem and led to further abuse. The Head of Service in response stated that some areas would be patrolled more closely than others, for example Barry, Penarth and Cowbridge as they had the biggest issues for the Council. However, Members were urged if they had any issues in their areas to contact the Head of Service and she would see what could be arranged as it was a balancing act from her point of view.

Following a query regarding funding, the Head of Service advised the Council had originally put money in to launch the service but that it was established as a self-funding service. It did however need to be reviewed and at that time all options would be considered.

The Member from Llantwit stated that he was not happy with the number of visits in Llantwit Major advising that they could not rely on the Police and local residents expected action. The fact that it was the third largest town in the Vale he considered the statistics to be "pretty grim". He also took the opportunity to question whether all the disabled bays in the Authority had been adopted and sought the information from the officers to be forwarded via e-mail to all Members of the Committee. Councillor Cox, the Cabinet Member with permission to speak, advised that prior to the CPE process being established, the Council had to apply to Welsh Government regarding the establishment of parking bays and at that time had undertaken an audit of all its parking bays and as such he was hopeful that all the parking bays had been approved and adopted.

Following a further query regarding the multi-storey car park and people being booked at Wyndham Street, the Head of Service agreed to seek clarification and advise Members accordingly.

The local Member for Barry, although advising that he was more than happy with the high number of tickets being issued on Paget Road, urged the department to consider the implementation of resident parking on Barry Island.

In response to a query regarding the turnover of staff and whether the existing arrangements with Bridgend were adequate, the Head of Service reiterated that the parking strategy needed to be re-examined for Barry Island and elsewhere, there was an issue in relation to staff turnover which it was envisaged the pending car parking strategy would hopefully assist with.

A Member raised the issue of resident parking areas being left empty for most of the day in a number of areas, with the suggestion that all options be explored under the strategy to address the matter. For example the comment was made that some Councils had residents parking only after 5.00 p.m. or 6.00 p.m. when people came home from work.

The suggestion of a camera car to assist officers in their duties was seen by all Members as an excellent way forward and, although subject to available resources, Members felt that it should be considered for future use.

Following consideration of the report, it was subsequently

#### RECOMMENDED –

- (1) T H A T the report be referred to Cabinet for consideration together with the views of the Committee.
- (2) T H A T Cabinet be requested to consider the future use of a camera car to operate around the Vale of Glamorgan.
- (3) T H A T under the Car Parking Strategy, the issue of adequate work force levels be explored.
- (4) T H A T a further Civil Parking Enforcement report be received by Committee in Summer 2018 outlining the full details of activities undertaken in 2017/18.

#### Reasons for recommendations

- (1) To apprise Cabinet on the current data on Civil Parking Enforcement for their consideration together with the views of the Committee.
- (2) To assist with enforcement issues.
- (3) To ensure that adequate levels are considered and addressed.
- (4) To ensure Committee continues to receive updates on Civil Parking Enforcement activities for consideration.

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Cabinet, having considered the recommendations of the Scrutiny Committee (Environment and Regeneration)

RESOLVED – T H A T the contents of the report and the recommendations from the Scrutiny Committee Environment and Regeneration be noted and considered as part of the Council's Car Parking Review which will be subject to a further report being presented to Cabinet in the near future.

Reason for decision

To note the contents of the report and to receive a further report on the Council's Car Parking Review.

**C157 ENVIRONMENTAL ENFORCEMENT: CONTRACT UPDATE (REF) –**

The Scrutiny Committee (Environment and Regeneration) on 9 November, 2017 considered the above report of the Director of Environment & Housing Services.

Committee was apprised of the performance to date of the environmental enforcement contract between the Council and 3GS (UK) Limited (3GS). At its meeting on 25th July, 2016 Cabinet had approved the appointment of 3GS to undertake the enforcement of environmental offences to assist in improving local environment quality (LEQ). The contract with 3GS had been signed on 7th October, 2016 and was for a period of two years with an option to extend for a further year thereafter. The agreement was cost neutral as 3GS generated their own income by retaining the full value of any fixed penalty notices (FPNs) that were issued.

Other than a brief trial period a number of years previous involving a partnership with another environmental enforcement company who had since ceased trading, the Council historically had taken an educational approach to environmental offences with limited written warnings and FPNs issued. However, the agreement with 3GS focused towards a 'zero-tolerance' approach, recognising the strong views of the majority of the Vale's residents towards environmental crimes and the fact that the current costs of street cleansing was unsustainable going forward.

In addition to environmental offences, the remit with 3GS was extended at the start of November 2016 to include the enforcement of new Bye-Laws at Rhoose Point, which prohibited activities such as camping, fishing and swimming.

Since the appointment of 3GS in October 2016 there had been a number of lessons learnt. Initially the officers assigned to the Council had a very different approach to

environmental offences than perhaps the Council's officers had anticipated and there was a lot of emphasis on smoking related offences and also a very robust approach taken to certain commercial waste offences. There had been several meetings with 3GS's management team in the first six months of the agreement and the Council's Waste Management team had moved quickly to address concerns associated with the issuing of FPNs, implementing new joint procedures and protocols.

Since May 2017, and in consultation with 3GS, the Council's own officers now assisted with determining where 3GS's resources operated and what offences their officers should concentrate on. There remained a focus on zero tolerance but with a fairer, more common sense approach aimed at being proportionate to the level of offence. Additionally, the Operational Manager for Waste Management and Cleansing had discretion to approach 3GS and request that a FPN be rescinded if there were doubts whether an offence had been committed and whether it was appropriately and / or ethically issued.

The Council's Waste Management Team worked through all these concerns with 3GS's Management Team and an agreement was reached to temporarily suspend the enforcement of commercial waste related offences until the Council had time to undertake dedicated awareness campaigns.

To ensure that commercial businesses were aware of their responsibilities, the Council's Waste Team placed half page advertisements in the local press during December 2016 and letters with advice on commercial waste legislation were distributed to all Vale commercial waste customers reminding them of their duties. The information was also given greater coverage on the Council's website, the Chamber of Commerce was informed and social media messages were sent out through the Council's Communications Office.

Additionally, at the start of the financial year, A5 cards were placed in Council Tax Notices for businesses, further reminding them of their responsibilities, and prior to re-launching the commercial waste enforcement service a further half page commercial waste advertisement was placed in the local press and the internet and social media campaigns were re-run. Unfortunately, even after the awareness campaigns, businesses continued to breach their duty of care requirements and to also place waste out for collection indiscriminately and without having due regard to its containment. The result was unauthorised waste being left on the highway for the Council to manage, collect and clean-up which was a significant burden on diminishing resources in terms of street cleansing staff and waste collection and treatment services.



A Member further referred to the initial problems that had featured with 3GS where a number of commercial premises had been fined extortionate sums and considered that further explanation and consideration should have been given at that time. The Head of Service advised that she did not have a relevant officer to undertake those duties and that the offences were serious because they were a criminal offence.

Following concern by a Member at the increase in fly tipping at Pen y Turnpike Road and at lanes in Leckwith, the Head of Service requested that the details be forwarded to the department, covert operations had previously been arranged at various other sites to address such issues and it was therefore important to pass on the information in order that the department could deal with the matter.

In considering the statistical information presented and noting that 1.5 tickets per day had been issued in some areas, a Member felt that this was not an effective deterrent and suggested the Council needed to have more robust enforcement. Reference was also made to cleanliness issues within the Vale of Glamorgan, with the suggestion that a report be presented to the Scrutiny Committee on the subject to a future meeting.

Having considered the report, it was subsequently

#### RECOMMENDED –

- (1) T H A T the report and comments made at the meeting be referred to Cabinet for its consideration.
- (2) T H A T a street cleansing report (as requested above) be presented to a future Scrutiny Committee and that the request be added to the Committee's work programme schedule.

#### Reasons for recommendations

- (1) Having considered the performance to date.
- (2) For Committee's consideration.

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Cabinet, having considered the recommendations of the Scrutiny Committee  
(Environment and Regeneration)

RESOLVED – T H A T the contents of the report be noted.

Reason for decision

To note the contents of the report.

**C158 INCOME GENERATION AND COMMERCIAL OPPORTUNITIES STRATEGY 2017-2020 – CALL-IN (REF) –**

The Scrutiny Committee (Corporate Performance and Resources) on 16 November, 2017 considered the above report.

The above matter had been considered by the Cabinet at its meeting held on 23<sup>rd</sup> October, 2017 (Minutes No. C112) refers and had been approved to enable the Council to put in place a Strategy to support the delivery of the Council's priorities.

Councillor L. Burnett had subsequently called-in the matter on the basis of the following:

**“Cabinet resolved T H A T the contents of the report be noted and T H A T the Income Generation & Commercial Opportunities Strategy 2017-2020 be approved. The reasons for these being to consider the way in which income generation and commercial opportunities services would contribute to the delivery of the Council's vision of “strong communities with a bright future” and to enable the Council to put in place an Income Generation & Commercial Opportunities Strategy to support the delivery of the Council's priorities.**

However, there is a lack of clarity in:

1. **Whether the Strategy aims for no more than “Full Cost Recover” or to achieve a surplus.**
2. **Whether income generation strategies would differentiate between local residents and those from outside the Vale of Glamorgan.**
3. **Whether income generation strategies would differentiate between existing services and new ones that have been solely designed for income generation purposes.**

- 4. How the Strategy could differentiate between services that support the achievement of the Corporate Plan and those that don't particularly when they are delivered by the same service area as is the case with Adult and Community Learning.**
- 5. Why the Strategy includes Outsourcing as a potential delivery model for income generation."**

The Chairman, in referring to the information contained within the agenda, invited Councillor Burnett to comment on the call-in that she had submitted.

Councillor Burnett commenced by citing the report that stated that it had two main ways that the Council could fund its activities. The largest, a funding allocation from Welsh Government which was shrinking year on year, as its own funding also reduced, and Council Tax from local residents. Increasingly, Councils were looking at ways to generate income if they were to avoid cuts in services or large increases in Council Tax. In referring to the report, Councillor Burnett had no argument with the principle of maximising commercial opportunities. She accepted that it made sense to remove some of the burden from hard pressed Council Tax payers. However, she was concerned that the proposed Strategy could result in the burden on local residents and business actually increasing.

She drew the Committee's attention to the relevant Cabinet minute which indicated the development of a strategic approach to income generation. She also referred to paragraph 11 of the Cabinet report which referred to "Providing a clear framework for developing and implementing activity" contrary to both of the above statements, she suggested that there was a lack of clarity in the Strategy which impacted on the Scrutiny Committee's ability to scrutinise the proposals effectively and therefore, reiterated whether the Strategy aimed to do no more than "full cost recovery" or to achieve a surplus as it was not clear within the Strategy as both were discussed and how it would be decided whether a service would be subsidised, cost neutral or an opportunity for profit and referred to Objective 2 of the Strategy document. She felt that there was an argument to be made to apply social enterprise principles where a surplus subsidises a loss within an essential service. She considered there was a need to know how this would work in practice.

Secondly, whether income generation strategies would differentiate between local residents and those from outside the Vale of Glamorgan. Her view was that local residents already subsidised visitors to the county. She felt that these proposals could be viewed as a Council Tax rise by stealth.

Thirdly, whether income generation strategies would differentiate between existing services and new ones that had been solely designed for income generation purposes required to be clarified. If it was a case of extracting the maximum possible from existing services, treating them as “cash cows” or about delivering new services that people could choose to pay for. On this point, she sought clarification of the specified aim to avoid competition within the private sector which was one of the stated aims of the Strategy. If it was the aim of the Council to use its venues for weddings and events, this would obviously compete with local businesses. Further, she also asked for clarification relating to the Strategy’s aim to introduce a charge to change public behaviour. She referred to the “nudge theory” such as the 5p plastic bag charge or punitive levels of charges.

In referring to her fourth reason for the call-in, she enquired how the Strategy would differentiate between services that supported the achievement of the Corporate Plan and those that did not, particularly when they were delivered by the same service area as in the case with Adult and Community Learning and referred to an example of differentiating between basic skills, courses that promoted social or digital inclusion and lifestyle courses. She also considered that this rationale could be extended to relevant sports courses or activities which took place within community centres.

In referring to her fifth reason for the call-in, she considered that outsourcing of existing services was often seen as a means of alleged cost reduction, something that the previous Administration worked to avoid. To her knowledge, it had not been used as a way of generating income. She sought clarification and examples of such instances. She referred to page 17 of the Strategy which already appeared to consider the very issue. Separately, she referred to paragraph 15 of the original Cabinet report which stated that there were no direct employment implications as a result of the report, however, she considered it was obvious that there would be if the Council made a decision to outsource its services.

She indicated that whilst the Strategy included a list of current activities, it gave no indication of any emerging strategy and referred to “low hanging fruit” such as advertising, opportunities in country parks, income from Council buildings, etc. In referring to the beach huts at Barry Island, she wondered whether they were to create a surplus or break even provision to support tourism and whether they would be viewed differently to resort car parks.

In conclusion, she indicated that the report stated that the Council aimed to generate approximately £1.1m in just over two years, however, there was no information on plans in place so far to achieve that. It was her view that a list of current activities

and exclusions did not amount to a strategy. In referring to the related action plan at page 18 of the Strategy, it appeared to her in the main to reflect existing services. Achieving £600,000 by April 2019, in her opinion could result in increases in fees and charges for local people, the equivalent to a 1% rise in Council Tax.

Whilst she was not a Member of the Committee, she sought support in regard to recommending to the Cabinet the following:

- The draft Strategy is sent to all Scrutiny Committees for full consideration to develop a clear framework;
- That stakeholders are consulted on, co-production;
- That the framework should be explicit to allow scrutiny of proposals.

The Managing Director, in responding to the various points raised by Councillor Burnett, reminded the Committee that the purpose of the Strategy was not to identify specific proposals. By way of example, he drew the Committee's attention to a report regarding the Council's Registration work which related to service specific charges and fees and had been an agenda item at the same Cabinet meeting which had been considered in the context of the above report. He stressed that the Strategy document had been submitted to Cabinet for approval so that arrangements contained in the Strategy aligned itself to the Council's existing Reshaping Services programme. He also reiterated the requirement for a mixed approach for delivering the same.

The matter of a business case for services charging at a cost neutral, full cost recovery or otherwise, would be dependent on current arrangements, statutory / discretionary provisions and cited the Council's Catering Service trading model which allowed for any profits to be invested into that service, thereby allowing it to grow and develop.

In referring to the beach huts at Barry Island, he alluded to considerable deliberations at that time when the Council had taken the view that it needed to strike a balance to ensure that the fees charged maximised the use of the facilities.

He also reminded the Committee that the Strategy was set within the context of reducing Revenue Support Grant settlements from the Welsh Government. He also alluded to the Wales Audit Office criticism of Local Authorities across Wales due to failing to make sufficient inroads to supporting delivery of services by maximising income generation opportunities. He also referred to the Council's Public Opinion Survey which indicated general support from residents who were prepared to pay a fee to receive a service on a case by case basis. The Strategy was not a means to

make a profit but a mechanism to support discretionary services which, without such a Strategy, may not be sustainable going forward.

In referring to Powers of Competency, the Managing Director indicated that the Council was prevented from competing directly with other private service providers. That said, it was his view that existing Council services where a fee was charged, should be reviewed as in the case of the Council's Registrars Service.

He reassured the Committee that as and when a specific proposal came forward for consideration, that would be the time when Scrutiny Committees would be consulted on the same.

The Chairman, at this juncture, invited Members of the Committee to comment on the matter.

A Member, in referring to the Strategy, understood the principles behind the same. However, he referred to the implications for staff when taking account of the implications in the event of the Council outsourcing any services and enquired if Trade Unions had been consulted. In addition, he referred to the Council's previous Administration and indeed historical arrangements in the past where the Council had in the main chosen to avoid outsourcing of its services. He also referred to the disparate nature of services and the implications of the Strategy on those areas. He also further referred to contradictory remarks made within the Strategy and cited elements of pages 6 and 9 of the document as examples of such. In regard to the scope of the report regarding those areas of exclusion, some were not in the Council's gift to agree so. In summing up, he sought an assurance from the Managing Director that the Strategy would be sent to all of the Council's Scrutiny Committees for consideration.

The Managing Director, in responding to the Member's points, confirmed that the Strategy was indeed a framework, however it was vital to progress the same. He acknowledged the issue regarding reducing funding from the Welsh Government. The main consideration for the Council was how it could sustain services in an environment of reducing budgets and particularly those discretionary services where, without such a Strategy, the Council would be unlikely to provide in the future. He reiterated his earlier point regarding legislative constraints to generate income. Additionally, under the Strategy proposals there would be certain exclusions, for example schools, which would be encouraged to generate their own income for their own re-investment.

In regard to Trade Union consultation, this had been undertaken as Trade Unions had representatives on the Council's various work streams linked to the Reshaping Services programme.

He gave an assurance that Scrutiny Committees would be able to scrutinise service specific proposals and this was set out in the Strategy's governance arrangements.

Another Member acknowledged that this indeed was the start of a process and it was important that the Council established the various revenue opportunities. However, he was concerned that the Strategy may allow for the introduction of car parking charges in town centres and referred to a more joined up approach between service areas. He echoed the previous comments regarding the Scrutiny Committees' ability to scrutinise specific service proposals. He also considered it important that at the time when Scrutiny Committees considered specific proposals they had all relevant information on each project as it was developed, including an appropriate business case and related agreed targets. In concluding, he indicated that he was not against the proposals but was in particular against outsourcing of Council services.

The Managing Director, in acknowledging the points made by the Member, referred to the Strategy document's appendix. He suggested that there were areas where the Council performed better, therefore, it was important that the Council reviewed its existing fee setting arrangements. In terms of information being made available to Elected Members, he suggested that the next Reshaping Services update report include information outlining how the work of the Strategy would be phased over the coming months / years.

The Cabinet Member for Regeneration and Planning who was in attendance on behalf of the Leader who was unable to attend the meeting, indicated that the Strategy represented very early days and indeed was an extension of the Council's existing Reshaping Services programme. He also confirmed that each and every service area proposal would be reported to Scrutiny Committees for consideration and saw no purpose in referring the Strategy to the Council's other Scrutiny Committees for consideration, as there was little purpose in doing so, as the Corporate Performance and Resources Scrutiny Committee was the lead Scrutiny Committee on the matter. He reminded the Committee that the whole purpose of the Strategy was to avoid further cuts to existing services.

Another Member, in supporting the proposals, considered that these were not sufficiently ambitious and enquired as to why the Council had not sought to borrow additional funding from the Public Loans Board to allow it to invest in property and to

set up an energy company. In response, the Cabinet Member reminded the Member that the legislative position in Wales was not the same as it was in England and therefore, Councils in Wales were not permitted to engage in such ventures. In addition, the Managing Director reiterated the current legislative arrangements allowed Authorities to raise income through its fees as long as they were reinvested into the same service area and as a further example of this, referred to the Council's Building Control Service.

Another Member disagreed with the Cabinet Member's view that the report and Strategy should not be shared with all of the Council's Scrutiny Committees. He further referred to the implications for "double taxation" accusations aimed at the Council from residents and visitors. In referring to car parking within town centres, he suggested that there should be more stringent parking enforcement to ensure there was adequate turnover of car parking spaces and made separate reference to parking enforcement around schools. The Cabinet Member, in response, indicated that he was content to share the document with all Elected Members for their information but not as a formal agenda item for consideration by each Scrutiny Committee.

A Committee Member referred to the obvious necessity of the Strategy for front loading of fees which created some concern given the timetable and enquired of progress in regard to this particular matter. In response, the Managing Director referred to his earlier comments made in regard to the Registration Service as an example of working towards those arrangements. It was his view that it was important for the Council to charge an appropriate fee for providing a service commensurate to the work involved in delivering the same. It was also important to review fees to ensure that the Council did not price itself out of the related market.

The Chairman invited Councillor Burnett to sum up on her Call-in.

Councillor Burnett indicated that she was reassured by the Managing Director's comments, but felt the factors to be agreed should be included in the assessment of a venture and be made explicit in the Strategy itself. She also referred to the Managing Director's comments regarding a recent Public Opinion Survey where it was stated that the public wanted the Council to offset Council Tax by developing new services. She reminded the Committee that that Survey also stated that this was in preference to charging for existing services. She had no objection to the Council making a profit, but it also depended on how that was made and how it was used. She considered that it was obvious that the Council should be aiming to run ethical, legally compliant and socially responsible ventures and to use any surplus to the benefit of local residents and service delivery. The process for developing such



ventures needed to be clearer and therefore the framework should be more explicit so that they could be scrutinised effectively.

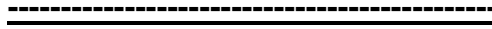
Having given due consideration to the matter, it was

**RECOMMENDED –**

- (1) T H A T the Managing Director make an appropriate inclusion in the Reshaping Services programme update regarding the delivery of the Strategy.
- (2) T H A T the Cabinet be requested to refer the Strategy document to all Members of the Council for information purposes.

Reasons for recommendations

- (1) To ensure a periodic update on the development of the Strategy is made available to Elected Members.
- (2) To disseminate information on the Strategy.



Cabinet, having considered the recommendations of the Scrutiny Committee (Corporate Performance and Resources)

**RESOLVED –**

- (1) T H A T the recommendations of the Corporate Performance and Resources Scrutiny Committee be noted.
- (2) T H A T the next Reshaping Services report include additional information regarding the means by which the Income Generation and Commercial Opportunities Strategy will be implemented.
- (3) T H A T the Income Generation and Commercial Opportunities Strategy 2017-2020 document be sent to all Members of the Council for information.

Reasons for decisions

- (1) To note the recommendations of the Corporate Performance and Resources Committee

- (2) To provide Cabinet with further information on the implementation of the strategy
- (3) To inform all members of Income Generation and Commercial Opportunities Strategy 2017-2020

**C159 COUNCIL TAX BASE 2018-19 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for the Council tax base for 2018-19.

The draft Council tax base had been submitted to the Welsh Assembly Government in line with their initial deadline of 22 November, 2017. The figure needed to be confirmed by the Executive in order to meet the deadline of agreeing the final Council Tax Base by 31 December, 2017. The final ratified tax base had to be returned to the Welsh Government by 3 January, 2018.

The Tax Base would be used by the Council to calculate the Council Tax for 2018-19, and by the Police and Crime Commissioner for South Wales and levying bodies to apportion precepts from 1 April, 2018.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations, the amount calculated by The Vale of Glamorgan Council as its Council Tax Base for the year 2018-19 shall be :-

- For the whole area: 58,616
- For the area of Town and Community Councils:

|                             |        |                     |       |
|-----------------------------|--------|---------------------|-------|
| Barry                       | 19,872 | Pendoylan           | 345   |
| Colwinston                  | 353    | Penllyn             | 1,022 |
| Cowbridge with Llanblethian | 2,562  | Peterston-Super-Ely | 553   |
| Dinas Powys                 | 3,638  | Rhoose              | 2,884 |
| Ewenny                      | 437    | St. Athan           | 1,465 |
| Llancarfan                  | 473    | St. Brides Major    | 1,342 |

|                |        |                                    |       |
|----------------|--------|------------------------------------|-------|
| Llandough      | 941    | St. Donats                         | 192   |
| Llandow        | 427    | St. Georges & St. Brides-Super-Ely | 236   |
| Llanfair       | 374    | St. Nicholas & Bonvilston          | 545   |
| Llangan        | 442    | Sully & Lavernock                  | 2,485 |
| Llanmaes       | 250    | Welsh St. Donats                   | 314   |
| Llantwit Major | 4,072  | Wenvoe                             | 1,348 |
| Michaelston    | 229    | Wick                               | 459   |
| Penarth        | 11,356 |                                    |       |

Reason for decision

It was essential that the Council Tax Base was set in order that it could be submitted to the Welsh Government and used by Councils and levying bodies to set precepts.

**C160 COUNCIL TAX REDUCTION SCHEME (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought to confirm the re-adoption of the Council Tax Reduction National Scheme for 2018/2019 based on the following regulations and to reconfirm the Council's discretions.

As part of the UK Government's Welfare Reform Agenda the Council Tax Benefit scheme was abolished with effect from 31 March, 2013. The Local Government Finance Act 2012 enabled the Welsh Government to make regulations to establish a Council Tax Reduction Scheme in Wales. From 1 April, 2013 a new scheme called Council Tax Reduction was introduced. The Welsh Government's Council Tax Reduction Scheme ended on the 31 March, 2014. For 2014/15 and subsequent years the Welsh Government made new regulations which replicated the existing 2013/14 regulations on which the national Council Tax Reduction Scheme was based. It was recommended that the Council confirmed each year its adoption of the scheme and discretions. There were two sets of regulations governing the scheme:

- The Council Tax Reduction Schemes (Default Schemes) (Wales) Regulations SI 2012/3145, which established a single national framework scheme which would be imposed on any Council that failed to adopt its own scheme; and
- The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations SI 2013/3209, which set out the national requirements that each

billing authority had to satisfy and also enabled additional areas of local discretion that authorities might wish to implement.

Welsh local authorities had until 31st January each year to adopt a scheme exercising any of the discretions permitted under the Prescribed Requirements Regulations. This required a decision by full Council. If the authorities failed to adopt a Council Tax Reduction Scheme by that date the default scheme would apply.

The discretionary elements outlined in the “Prescribed Requirements” regulations were:

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they returned to work where they had previously been receiving a Council tax reduction that was to end as a result of their return to work;
- Discretion to disregard part or the whole amount of War Disablement Pensions and War Widow’s Pensions when calculating income; and
- The ability to backdate the application of Council Tax Reduction with regard to late claims prior to the standard period of three months before the claim.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

T H A T Cabinet recommend to Council:

- (1) T H A T the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations SI 2013/3029 (“the Prescribed Requirements Regulations”) and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014 SI 2014/66 be adopted.
- (2) T H A T any amendments to Regulations made by the Welsh Government be reflected in the scheme.
- (3) T H A T the national scheme be adopted with the following discretions –
  - That the Council should continue to allow Extended Payments up to a maximum of 4 weeks.

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

### Reasons for decisions

(1-3) To enable the Council Tax Reduction Scheme to be approved by Council by 31 January, 2018 and be in place for implementation from 1 April, 2018.

### **C161 COUNCIL TAX UNOCCUPIED DWELLINGS: 2018-19 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for a policy to be adopted for Council Tax on unoccupied dwellings for 2018-19.

The Welsh Regulations prescribed three classes of dwellings for which Welsh Local Authorities had discretion to consider the discounts allowable: -

#### **Unoccupied furnished dwellings**

The regulations prescribed two classes of unoccupied and furnished dwellings for which Welsh Local Authorities had discretion to consider the discounts allowable of between 10% and 50% -:

- Class A related to dwellings with a restriction on occupancy by law which prohibited their use for a period of at least 28 consecutive days in any 12 month period;
- Class B related to dwellings that had no such restriction on occupancy.

#### **Unoccupied unfurnished dwellings**

The regulations prescribed a class of unoccupied and unfurnished dwelling for which Welsh Local Authorities had discretion to consider the discounts allowable up to a maximum of 50% -:

- Class C related to long term (more than 6 months) unoccupied and substantially unfurnished dwellings.

The Council's policy was to allow 50% discount on unoccupied dwellings (classes A, B and C). It was proposed to continue for 2018-19 but review the policy for 2019/20.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T a 50% discount be allowed in 2018-19 in respect of class A, B and C dwellings.
- (2) T H A T the policy be reviewed and a further report be brought to Cabinet.

Reasons for decisions

- (1-2) To determine the Council's policy on discount on unoccupied dwellings.

**C162 PRECEPT PAYMENT DATES 2018-19 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for the precept payment dates for 2018-19.

The Council as billing authority was required to notify Precepting Authorities by 31 December, 2017 of the proposed precept payment dates for 2018-19.

The report proposed that arrangements for Precepting Authorities be the same as in the current year.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T payment due to the Police and Crime Commissioner for South Wales be paid in 12 equal instalments on the last working day of each month.
- (2) T H A T payment due to Town and Community Councils be paid in 3 equal instalments on the last working days of April, August and December 2018.

Reasons for decisions

(1-2) The dates were determined to optimise the Council's cash flow in line with the regulations. The Council was required to determine its precept payment dates each year and inform the authorities concerned in line with the regulations.

**C163 PROPOSED REFINEMENT OF CHIEF OFFICER APPRAISAL SCHEME (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

During the consideration of the item the following officers left the room and took no part in any discussions that took place on this matter; Head of Legal Services, Director of Environment & Housing Services, Director of Social Services, Director of Learning and Skills, Head of Finance / Section 151 Officer.

The updating of the Chief Officer Appraisal Scheme and a minor change to the mechanism for processing salary increments was proposed.

Service Directors, Heads of Service and Operational Managers were all employed on five point incremental grades as part of their Chief Officer terms and conditions as set out in the Council's 2016/17 Pay Policy. Pay progression within the respective salary grades was linked to (and regulated by) the Chief Officer Appraisal Scheme as introduced in 2004 and updated in 2010. Guidance notes in relation to the Scheme were attached at Appendix A and B to the report.

The proposals in the report sought to maintain the essential performance related pay elements of the Appraisal Scheme for Directors and Heads of Service but change the payment process to a more customary monthly payment arrangement. The proposals also served to update the Scheme since its last review in 2010 and particularly in terms of the participants in the Scheme and Appeals arrangements.

The existing Scheme was based on the premise that increments 4 and 5 for Directors and Heads of Service were paid in recognition of performance in the previous year, but as a 'lump' and 'advance' payment for the whole year ahead. This was increasingly seen as confusing and problematic, particularly where employees left the Council and were then required to repay an element of the lump sum payment that they had received.

The Wales Audit Office (WAO) had recently raised a number of issues about how payments under the Scheme were accounted for and published, particularly if there was an inference (albeit incorrect) that the Scheme was a bonus arrangement. The above issue had been discussed with the WAO and for this current year had been resolved to their satisfaction. The proposals set out in the report would help to

provide additional clarification. A copy of the report had also been shared with colleagues from the WAO.

The main proposed change within the revised Scheme related to the payment method for increments 4 and 5 within the Director and Head of Service incremental grades. The report proposed that, from 1 April, 2018 the payment of the above increments should be paid on a monthly basis as was the case for increments 1 to 3. The Scheme would also provide for the possibility of movement down the incremental grade (i.e. from increment 5 down to increment 3) subject to the relevant performance criteria not being met.

The proposals would help retain the important link to the Council's Performance Management Framework whilst reinforcing the incremental nature of the grade.

A copy of the revised Scheme was attached at Appendix C to the report. The detail within the Scheme had been updated to reflect those who were now party to the arrangements and revisions to the appeals process.

This was a matter for Executive and Council decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the proposal for the general updating of the Chief Officer Appraisal Scheme and the change to the payment arrangement as set out in paragraphs 15 to 20 of the report be approved.
- (2) T H A T the proposal be referred to the Council meeting on 13 December, 2017 for final determination.

Reasons for decisions

- (1) To update the Scheme and clarify the operational arrangements following recent discussions with the Wales Audit Office.
- (2) To comply with the requirements of the Local Authorities (Standing Orders) (Wales) Regulations 2014 in relation to Chief Officer remuneration.



**C164 SICKNESS ABSENCE REPORT - APRIL 2017 TO SEPTEMBER 2017 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was updated on the sickness absence statistics for the 6 month period 1 April, 2017 to 30 September, 2017.

The levels of sickness absence within the Council were reported to Cabinet every six months. The report was part of a wider performance monitoring framework and improvement plan as originally approved by Cabinet in July 2015. The report set out the sickness absence information for the period 1 April, 2017 to 30 September, 2017, including corporate and schools employees. It also included details of sickness absence figures for the period 1 April, 2016 to 30 September, 2016 and external data for comparative purposes. The report acknowledged the work and commitment of all managers, employees and trade union colleagues in relation to the continual management of sickness absence.

The total days/shifts lost per FTE for the period April 2017 to September 2017 indicated an increase in absence levels in comparison with 2016 (from 3.76 to 4.45 days) which represented an overall increase of 0.69 of a day lost per FTE.

A summary of absence levels within each Directorate was set out below. A breakdown of absence in each Service area was included within Appendix A attached to the report.

| Directorate                | April 2016 to Sep 2016           | April 2017 to Sep 2017           | Annual Target |
|----------------------------|----------------------------------|----------------------------------|---------------|
|                            | Total days / shifts lost per FTE | Total days / shifts lost per FTE |               |
| Social Services            | 5.51                             | 6.50                             | 5.80          |
| Environment & Housing      | 4.48                             | 5.09                             | 5.85          |
| MD and Resources           | 2.19                             | 4.26                             | 2.90          |
| Learning and Skills        | 3.51                             | 4.18                             | 4.15          |
| Totals - excluding Schools | 4.10                             | 5.16                             | 4.45          |
| Schools                    | 3.40                             | 3.69                             | 3.95          |
| Totals - including Schools | 3.76                             | 4.45                             | 4.45          |

The overall increase in absence levels was disappointing given the range of positive measures that had been put in place and particularly the increased scrutiny of absence across all directorates and by the Council's Corporate Management Team. The report noted that the increase was, to a degree, an understandable reflection of the volume of change and transformation that was being managed across all service areas and something which had been reflected across the majority of other Welsh Local Authorities.

The performance management approach to this issue would continue (and be intensified) throughout the remainder of 2017/18, alongside the range of measures as set out in paragraphs 25 to 40 of the report and the action plan attached at Appendix B to the report. A full end of year review was going to be presented to Cabinet in June 2018.

The most common reasons for sickness absence in the Council (including in Schools) over the period April 2017 to September 2017 were listed below, along with a comparison of the previous period (April 2016 to September 2016). A full breakdown of sickness reasons was attached at Appendix C to the report.

|   | Absence reason            | April 2016 to September 2016 | April 2017 to September 2017 |
|---|---------------------------|------------------------------|------------------------------|
| 1 | Stress                    | 24.1%                        | 28.8%                        |
| 2 | Operations and Recovery   | 21.4%                        | 20.1%                        |
| 3 | Musculoskeletal Disorders | 11.3%                        | 11.9%                        |
| 4 | Viral Infection           | 12.8%                        | 11.1%                        |

The top three reasons for long-term absence mirrored that for overall sickness absence. Stress remained the main reason for long-term absences, followed by Operations and Recovery and Musculoskeletal Disorders. Details were set out in the table below:-

|   | Absence reason            | April 2016 to September 2016 | April 2017 to September 2017 |
|---|---------------------------|------------------------------|------------------------------|
| 1 | Stress                    | 39.7%                        | 34.2%                        |
| 2 | Operations and Recovery   | 20.5%                        | 23.8%                        |
| 3 | Musculoskeletal Disorders | 15.7%                        | 11.8%                        |

Viral infections remained the main reason recorded for short-term/intermittent absences, followed by Stress and Stomach Ailments, as outlined below:

|   | Absence reason   | April 2016 to September 2016 | April 2017 to September 2017 |
|---|------------------|------------------------------|------------------------------|
| 1 | Viral Infection  | 32.2%                        | 28.6%                        |
| 2 | Stomach Ailments | 13.0%                        | 13.3%                        |
| 3 | Stress           | 11.9%                        | 13.3%                        |

As indicated above, an action plan for improving the management of attendance was approved by Cabinet in 2015. The momentum behind this action plan had been maintained over the first six months of this financial year and an update on actions within the plan were set out in Appendix B attached to the report.

Information from the Welsh Local Government Association had been compiled for the financial year 2016/17 to be able to compare with other authorities within Wales. Appendix D attached to the report showed a breakdown of the total days lost per FTE for all Welsh authorities. For 2016/17, the Vale of Glamorgan Council had the third lowest absence rate (8.8 days per FTE) across Wales. The average absence rate across all reporting Welsh Local Authorities was 10.3 days for 2016/17.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the report and the half yearly sickness absence figures attached at Appendix A to the report be noted.
- (2) T H A T the progress made in relation to the action plan attached at Appendix B to the report be noted.
- (3) T H A T the report be referred to Scrutiny Committee (Corporate Performance & Resources) for consideration.

Reasons for decisions

- (1) To bring matters to the attention of Cabinet in line with corporate objectives.
- (2) To inform Cabinet of the progress in relation to the agreed management of attendance action plan.

- (3) To enable the Scrutiny Committee (Corporate Performance & Resources) to maintain a continued focus on the management of sickness absence throughout all services of the Council.

**C165 TIMETABLE OF MEETINGS: MAY 2018 - MAY 2019 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

The draft timetable of meetings for the period May 2018 - May 2019 attached at Appendix A to the report was considered.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the timetable of meetings for May 2018 - May 2019, as set out in Appendix A as attached to the report, be approved subject to any future changes in arrangements for meetings deemed appropriate by the Mayor of the Council or the relevant Committee Chairman.

Reason for decision

To approve / publish a calendar of meetings for the 2018/19 municipal year.

**C166 HOUSING HEATING INSTALLATIONS - SERVICING AND MAINTENANCE CONTRACT (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFETY COMMUNITIES) –**

Cabinet was advised of the proposed contract award arrangements for housing stock heating installations servicing and maintenance.

Since 1 October, 2013 Heatforce (Wales) Ltd had been appointed to undertake the servicing and maintenance of the carbon fuelled (Gas, LPG and Oil) heating appliances within the Council's housing stock. The existing contract expired on 29 September, 2017 and the Housing and Building Services Team had developed a tender package to appoint the contractor, offering best value for money in providing this service over the next 3 years, with an option of a further 1 year extension based on performance.

Housing and Building Services had undertaken the tendering exercise via the Sell2Wales portal, to ensure competitive tenders were received from competent contractors for the servicing and maintenance of its housing stock.

Details of the tender outcomes were set out in the part two report.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the contents of the report be noted, with a view to taking decisions on the award of contract detailed within the Part II report later on the agenda.

Reason for decision

To advise of the current position with this particular contract.

**C167 EXCLUSION OF PRESS AND PUBLIC -**

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

**C168 HOUSING HEATING INSTALLATIONS - SERVICING AND MAINTENANCE CONTRACT (HBS) (EXEMPT INFORMATION – PARAGRAPHS 13, 14 & 12A) (SCRUTINY COMMITTEE – HOMES AND SAFETY COMMUNITIES)**

–

Approval was sought to proceed with the award of a new housing stock heating installations servicing and maintenance contract.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the award of the Housing Stock Heating Installations Servicing and Maintenance Contract to Heatforce (Wales) Ltd be approved.
- (2) T H A T delegated authority be granted to the Head of Legal Services, in consultation with the Cabinet Member for Housing and Building Services and the Director of Environment and Housing Services, to prepare and execute a contract with Heatforce (Wales) Ltd.

Reasons for decisions

- (1) To comply with the Council's Contract Standing Orders, which required contracts with a value in excess of £300k to be agreed by Cabinet.
- (2) To enable the contract documentation to be finalised.