

**CABINET**

Minutes of a meeting held on 6 June, 2018.

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

Apologies: Councillor H. Jarvie.

Also Present: Councillors: N. Hodges, L. Rowlands, S, William.

**C321 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 21 May, 2018 be approved as a correct record.

**C322 DECLARATIONS OF INTEREST –**

No declarations were received.

**C323 VALE OF GLAMORGAN LOCAL ACCESS FORUM - 2ND MAY, 2018**

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The minutes of a meeting held on 2<sup>nd</sup> May, 2018 were submitted.

Present: Mr. R. Traherne (Vice-Chairman, in the Chair) ; Mr. F. Coleman, Mr. J.J. Herbert, Ms. C. Lucas, Mr. H.S. McMillan, Ms. E. Nash, Mr. R. Pittard and Mr. G. Thomas.

Mr. J. Wyatt, Mr. S. Pickering, Mr. G. Teague (Vale of Glamorgan Council).  
Ms. M. Miyata-Lee (Natural Resources Wales).

**(a) Minutes -**

AGREED - T H A T the minutes of the meeting held on 1<sup>st</sup> November, 2017 be approved as a correct record.

The Vice-Chairman asked the Secretary whether he was able to update Members regarding their recommendations of the last meeting regarding potential shortfalls in ROWIP funding which might occur as a result of discontinuation of existing funding provided by Welsh Government. The Secretary indicated he would endeavour to clarify the position during the remainder of the meeting and / or update Members subsequently.

(b) Presentation -

The Forum had been due to receive a presentation by Matt Childs, Royal National Lifeboat Institute Coastal Safety Officer. However, Mr. Childs had been unable to attend. In his absence, it was agreed that Mr. McMillan (who arrived during the meeting) would address the Forum (details are included later in the minutes).

Given the presentation subject was Reducing the Risks to Coastal Walkers and Dog Walkers on Cliffs and Beaches, Mr. Pittard mentioned he was aware of a "booklet relating to Dog Walking which had been facilitated by Cornwall Council.

Mr. Pickering confirmed that the Vale of Glamorgan Council was supporting a similar initiative via Creative Rural Communities funding.

(c) Rights of Way Improvement Plan (ROWIP) -

The ROWIP Funding Programme for 2017-18 comprised a number of actions aiming to assist in the delivery of ROWIP Objectives.

Ref	Location	Brief Details of Programme Action	Update
VG1	Cowbridge	Drainage scheme alongside Waitrose	Enforcement action from NRW has been required before the scheme has been able to proceed.
VG2	Promoted Routes	Adopt a path coordination of works	Completed
VG3	Countywide	Definitive Map anomalies – resolve long standing issues by order	Reallocated
VG4	30km of priority routes	Vegetation clearance	Completed
VG5	Barry	Improvement of surface following confirmation of DMMO	Ultitrec footpath provided and segregated from garden with fencing.
VG6	Countywide	Roadside Posts	90 roadside posts purchased.

VG1 provided for the design and implementation of a drainage scheme to relieve flooding of Footpath 6, Cowbridge, which led from Waitrose to the park and childrens play area. The scheme included plans to connect to the existing drainage network and discharge to the nearby stream. It had not been possible to progress the scheme due to contamination of the existing drain by local properties. Enforcement action to resolve this was being undertaken by NRW. Responding to a query from the Vice-Chairman, Mr. Teague indicated that the council had periodically sought progress reports from the Council's Highway Engineers and from Natural Resources

Wales. He also confirmed that it would be necessary to again bid for funding and/or fund from the Maintenance Grant.

VG2 supported the coordination and resolution of maintenance issues on promoted routes that are part of the Adopt a Path scheme.

VG3 was intended to address paths recorded as anomalous following quality assurance of the previous definitive map however funding was reallocated due to staffing constraints.

VG4 support the annual clearance of vegetation on inland routes.

VG5 provided for the improvement of a path surface and accompanying works following conclusion of a Definitive Map Modification Order.

VG6 allowed the purchase of roadside posts for the demarcation of public rights of way where they leave metalled roads.

In terms of ROWIP generally, Mr. Teague confirmed that in the event of ROWIP funding not continuing in 2018/19, it would be necessary to progress ROWIP actions through other sources of funding. Mr. Coleman questioned whether a discontinuation of ROWIP funding sat comfortably with the statutory requirement on Local Authorities to review / re-publish their ROWIP. In response, Mr. Teague stated the new ROWIP would contain Objectives, but with reference to the prevailing financial position.

Mr. Pittard asked whether there was a particular synergy between Active Travel and ROWIP and whether it was considered that the Forum should be consulted on Active Travel work. In response, Mr. Teague advised that any synergy in reality was less than perhaps might appear on the surface. He also mentioned, for the information of the Forum, the fact that the Active Travel team was part of an area of the Council currently undergoing a restructure.

Linking the discussion under this item to the reference in approving the minutes to the Secretary updating the Forum, the Vice-Chairman reiterated the importance of the Cabinet / Council being aware of any shortfall of funding and considering means of addressing such.

At this point, the Secretary confirmed that the Forum's recommendations from the last meeting had been submitted to the Council's Cabinet on 20<sup>th</sup> November, 2017. The Cabinet had resolved:

“.....

(2) T H A T the Cabinet Member for Neighbourhood Services and Transport write to the Cabinet Secretary for Energy, Planning and Rural Affairs seeking assurances of the future of the Rights of Way Improvement Plan Funding.

(3) T H A T following a response from Welsh Government concerning the letter sent in resolution 2, above, Cabinet receive a report on general Rights of Way

Improvement Plan achievements in order to inform consideration of the issue around the on-going funding provision.”

AGREED - T H A T the Secretary clarify the position regarding the recommendations from the Forum at its November meeting relating to ROWIP funding and update the Forum Members accordingly.

(d) Coastal Access Improvement Programme: Background and Update -

The Coastal Access Improvement Programme (CAIP) was a scheme funded by the Welsh Government via Natural Resources Wales and delivered through Local Authorities.

Since the Wales Coast Path officially opened on May 5th 2012 the scheme, which initially ran from 2007-2013 had continued to fund the development and improvement of the route. Following completion of the initial project further funding was made available, this ran from 2013-2015.

The current programme was initiated by a ministerial announcement that committed £900,000 worth of funding per annum for the next 5 years to the path. The current scheme differed from previous in so much as funding was divided between improvements and maintenance, to reflect the maturing nature of the Coast Path.

**CAIP Funding 2017-18**

The CAIP programme for 2017-18 was complete, though Legal Order projects and works near Monknash would continue into 2018-19.

Code	Location	Details	Update
VG1502	Traeth Mawr	Missing link currently available on permissive basis only. Previously submitted as creation order, landowner has indicated willingness to revert to agreement	Complete
VG1503	East of Nash Point	Rollback of path to mitigate cliff undercutting	Referred to consultant – site visits and landowner contact undertaken
VG1504	West of Tresilian Bay	Formalisation of rollback	Referred to consultant – site visits and landowner contact

		following coastal erosion	undertaken.
VG1506	Summerhouse	legal orders to formalise clifftop rollback	Referred to consultant – site visits and landowner contact undertaken
VG1507	Gileston	Creation of missing link. Agreement complete and works agreed. Creation order underway in respect of final part of land.	Dedication agreement concluded & outstanding order progressed. Works associated with agreement complete
VG1701	Monknash	Improvement of drainage, surface and crossing	Topo survey complete, heritage survey complete, design work seeking approval from structures and drainage teams.

The Vice-Chairman asked for clarification regarding the funding position for 2018/19. Mr. Teague informed the Forum that applications for funding of £2,000 for each of the Legal Order Projects had been made and £2,500 in respect of design work regarding the tender stage for the Monknash Scheme. He clarified that match-funding where required (i.e. in respect of Maintenance Funding) could be by means of allocation of staff time. In terms of Monknash, should the scheme be deemed to be attributable to “storm damage”, no match-funding would be required.

In addition an allocation for coast path maintenance via grant and at 75% grant rate had been advised. In the Vale for 2017-18 this amounted to £19,230 of grant to be matched by £6,410. It was anticipated that this would be issued each year over the life of the programme:

Code	Description	Details	Update
Maint	Maintenance Projects on VoG WCP	Vegetation cut back, maintenance of furniture and surfaces	Seasonal cuts complete. Report into cliff erosion near Rhoose received. Contract for ancillary works at Sully invited. Regrading path at Lavernock complete, handrail at Rhoose

			and reconstruction of head wall complete.
<p>AGREED - T H A T the report be noted.</p>			
<p>(e) <u>Maintenance Reports</u> -</p> <p>The Forum was provided with an update in relation to maintenance work carried out up to 18<sup>th</sup> April 2018.</p> <p>Mr. Pickering referred to the process whereby particular areas would be prioritised for a period of work. An example was the clearing of some 40/50 issues which had taken place in Llancarfan. During October/November of the current year, the team would work in the Ystradowen area for a month. Responding to a query regarding whether Town and Community Councils within the Vale of Glamorgan were aware of the position within their respective areas, Mr. Teague confirmed that awareness levels varied, but also that engagement with Town and Community Councils had increased. Examples of such included ROWIP workshops and individual Councils starting to consider working together on a regional basis.</p> <p>A general discussion ensued in terms of the way the information was currently presented for the Forum, with members suggesting that it possibly suggested a picture worse than existed in reality. It was suggested that the information perhaps could be presented differently, e.g. in order to reflect and clarify the difference between Priority Routes and the many lesser routes which existed and which were often very underused and, possibly, even closed in reality.</p> <p>Mr. Teague reminded Members of the requirement to take account of all paths within the overall network. However, he undertook to take into account the comments of the Forum and review the way information was presented paragraph for example taking into account basing it on priorities and numbers of issues resolved within a period.</p> <p>AGREED - T H AT Maintenance Reports as presented to the Forum be reviewed in terms of their format as alluded to above.</p>			
<p>(f) <u>Legal Orders and Evidential Modification Orders Updates</u> -</p> <p>The Forum was presented with an update on the Legal Orders and Evidential Modification Orders across the Vale of Glamorgan.</p> <p>Referring to a general query from Ms. Nash, Mr. Teague clarified the position regarding applying for Orders and he undertook to provide an application pack to her.</p> <p>Mr. Teague also clarified specific queries from Members of the Forum regarding:</p> <ul style="list-style-type: none"> <li>• Legal Order No. 74, Llantwit Major</li> <li>• Evidential Modification Order No. 12, Colwinston</li> <li>• A path in the Colwinston area (as alluded to above by Ms. Nash).</li> </ul>			

- Legal Order No. 91, Wenvoe.

(g) Performance Information Survey Returns 2017/18: Public Rights of Way -

The 2017/18 survey year differed from previous years; the initial aim was to increase the annual 10% survey to 20%, The LAF members maintaining a 5% spring and 5% autumn survey and the PROW team picking up the remaining 10%.

Continuing the principle of complete random selection, the selection was undertaken for the full 5 years ensuring no path would be surveyed twice. Unfortunately, due to staff shortage, the later surveys were not undertaken and the early surveys came in short.

In 2017/18 - 8.7% (51.2 kms) of the PROW network was surveyed, comprising the spring LAF survey 4.7% and the spring/summer survey by the PROW team 4 %.

The pass rate for	2017/18	67 %
Compared to previous years	2012/13	62%
	2013/14	69%
	2014/15	63%
	2015/16	71%
	2016/17	59%

The average pass rate for the previous 5 years was 65%.

In line with the return this year to an average pass rate, the individual detail for bridges, stiles and gates, obstructions and surface conditions remained stable and close to the average of the previous 5 years.

Signposting from the road showed a steady decline from a high of 80% in 2014/15 to a pass rate of 70% in 2017/18; however, way-marking along the paths showed a slight improvement this year – the average over the previous 5 years was 77% this year 81%. Ploughing and cropping had returned to a stable rate in line with previous years; the particularly poor rate for 2016/17 would appear to have been a blip.

The aim for 2018/19 was to undertake a 20% survey, incorporating the 10% LAF survey split between Spring and Autumn and 10% PROW team survey; if possible, also the completion of the 10% missed from 2017/18, this would be back to a position to complete the 100% survey over 5 years.

AGREED - T H A T the report be noted.

(h) Assessment Phase Report for Rights of Way Improvement Plan -

This evaluation had been divided into three subject areas, each in turn subject to further sub-division. The three subject areas were:

- Assessment of the physical condition of the network;
- Assessment of the accuracy and currency of the legal records of PROW; and
- Assessing the provision of information about PROW and their management.

The evidence used for the evaluation had been gathered from a number of sources and activities. These were:

- Interrogation of the Council's Countryside Access Management System (CAMS)
- records;
- Review of data assembled to inform the first ROWIP;
- Review of Annual 'Ease of Use' Survey data;
- Internet searches;
- Telephone interviews with selected stakeholders; and
- Workshops.

There had been no new on-the-ground survey work carried out and the evaluation had been reliant upon the availability of information and the input of stakeholders.

As part of this item, the Forum also received details of progress made in respect of previous Rights of Way Improvement Plan Actions.

(i) Member Briefing: Changing the Network -

It was agreed that this item would be held over until the next meeting.

(j) Presentation –

As indicated earlier in the minutes, the Forum had been due to receive a presentation by Matt Childs, Royal National Lifeboat Institute Coastal Safety Officer, regarding Reducing the Risks to Coastal Walkers and Dog Walkers on Cliffs and Beaches.

Mr. McMillan apologised for the fact that Mr. Childs had been unable to be present. It was agreed that Mr. McMillan would give a brief summary of the points Mr. Childs would have included in his presentation. In summary, these included:

- A very brief summary of the history and evolution of the RNLI
- How the RNLI integrated with other agencies
- A recognition around 15 years ago by the RNLI that it needed to initiate more preventative programmes
- Statistical information, e.g. the fact that approximately 190 persons a year drowned around the United Kingdom and Irish beaches
- The introduction by the RNLI of a second preventative programme in 2016 designed to reduce drownings by 50% by 2024 (which would be 200 years since the RNLI was formed)
- Work which was underway in terms of studying statistics and targeting specific activities undertaken by the general public in terms of raising awareness of safety issues.

Mr. McMillan informed the Forum that Mr. Childs was very keen to contact various groups, e.g. ramblers and other independent walking groups, dog walking groups,



running groups, angling groups in order to engage with such groups and raise awareness of the relevant issues.

In conclusion, Mr. McMillan referred to a water safety message programme involving attendance at every primary and secondary school in Barry or an invitation for them to attend the RNLI Visitors Centre at Barry Island. He also alluded to a “traffic lights system” for Sully Island, which would entail volunteers periodically standing guard on the causeway at critical times.

AGREED – T H A T Mr. McMillan be thanked for his interesting and informative presentation.

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RESOLVED – T H A T the minutes of the Vale of Glamorgan Access Forum held on the 2 May, 2018 be noted.

Reason for decision

To note the minutes.

**C324 STAFF CHARTER - UPDATE FROM EMPLOYEE SURVEY (REF) -**

The Scrutiny Committee Corporate Performance and Resources on 30 April, 2018 considered the above report.

The Cabinet, at its meeting held on 19<sup>th</sup> March, 2018, had considered the above report and subsequently referred the same to the Scrutiny Committee for consideration.

The Head of Human Resources presented the report, which provided an update on the results of the recent 2017 Employee Survey and related activities as part of the Council's Staff Charter.

The Council's first Staff Charter had been launched on 19<sup>th</sup> September, 2016 with the aim to provide clarity about the expectations of the Council's employees in a reshaped world (in terms of flexibility, performance and contribution) and also to be clear about those things that employees could (and should) expect from their managers in terms of trust, support, clarity of expectation and respect.

The first employee survey was carried out in the Autumn of 2016 in order to set a benchmark for levels of staff engagement and as a basis against which future progress could be measured. The 2017 Employee Survey had been the second such survey and the first real opportunity to measure progress against the 20 employee expectations in the first full year since the launch of the Staff Charter in 2016.

The Employee Survey ran for a six week period between 16<sup>th</sup> October and 24<sup>th</sup> November, 2017 and was sent to some 2461 employees across the Council's four Directorates. As part of the survey employees were again asked to score each of the 20 expectations within the Charter using the following scale: 1 (Strongly Agree), 2 (Agree), 3 (Neither Agree nor Disagree), 4 (Disagree) and 5 (Strongly Disagree).

A detailed analysis of the results from the Employee Survey was set out in a document attached at Appendix 1 to the report. The Head of Human Resources commented that there had been 1,415 responses to the survey this year, equating to an overall return rate of 57%. This was an encouraging rate of return and represented an improvement on the return rate in 2016 of 48%.

The Head of Human Resources then detailed a few key outcomes from the Employee Survey to the Committee, noting that the average positive response rate to the 20 expectations within the Staff Charter was 72% which was an encouragingly high score and an improvement on previous year's positive rating of 71%. The Committee noted that there was a range of positive responses across all Departments and service areas and that in 2017 there had been more positive response ratings for 15 out of the 20 Staff Charter expectations than there had been in 2016. The Head of Human Resources considered this response rate to be encouraging due to the volume of change and challenge across the Council during 2016/17 and the ongoing responses to budgetary and service demands. The Committee were then apprised of the three highest survey responses to the Staff Charter expectations, the three expectation results which had shown the overall biggest improvement from the preceding 12 month period, and the three lowest level of positive Staff Charter expectations responses.

The Head of Human Resources informed the Committee that staff engagement work over the last year had built from the outcomes of the initial Employee Survey results of 2016 and to a large extent had contributed to the improvements in engagement levels and positive outcomes in 2017. 9 out of the 15 Staff Charter related actions had been progressed over the last year and the officer presented an overview of each to the Committee, including:

- the new appraisal programme, #ItsAboutMe
- the Council's new Management Delivery Framework
- the Leadership Café
- staff communication, particularly through the bi-monthly NewsNet bulletin
- the new CMT/Staff Engagement Group
- a bi-monthly employee recognition scheme
- the first annual Employee Awards evening
- an overhauled Employee Induction Programme
- the new Employee Assistance Programme.

A more detailed progress update in relation to delivering the 15 Staff Charter commitments was set out in Appendix 2 attached to the report.

Finally, the Head of Human Resources set out the Staff Charter priorities for 2018:

- The delivery of the Annual Employee Awards event in 2018 and its establishment as a sustainable feature of a wider approach to employee recognition.
- The refinement of the employee communications strategy with a particular focus on digital communications and engagement with non-office based staff.
- The implementation of the new Learning and Development strategy to improve the accessibility, reach and effectiveness of learning opportunities for all employees and with a greater emphasis on informal (as well as formal) learning opportunities.
- The continuation of the management development 'community of learning' events to ensure the focus on the Staff Charter and to support and promote the related elements of the new Management Competency Framework.
- The development of an organisational approach to creativity and innovation and in order to encourage the generation of ideas from all employees.
- The continued review and streamlining of HR policies to reflect the principles of the Staff Charter and reinforce the necessary discretion and responsibility of managers.

A Member commended the Head of Human Resources on the work undertaken to receive such a good set of survey results. He noted that there were changes up and down, however the consistency of the overall results was key and he anticipated that the increase in participation rates had led to some variations. The Member did however comment that a 1 – 5 scale could only provide limited feedback from employees and he wished there was more consideration given to how the results from the Staff Survey were analysed as more could be done than just establishing the mean average of the responses. Finally, the Member queried if the 2,461 figure for the number of staff that the Staff Survey was sent to, consisted solely of full time employees, with a further query on page 3 of Appendix 2, Staff Charter Commitment 9, “Standards for team meetings / contact will be developed for use across all areas”, being a Red status with the Member seeking an explanation on this point. In response, the Head of Human Resources confirmed that the 2,461 figure for staff was a head count of employees and was not based on full time equivalent figures, adding that the staff were directly employed by the Council and as such this did not include figures for staff who were employed by schools. The officer however stated that school employed staff would be looked at in future surveys. With regard to the Staff Charter commitment to standardise team meetings for use across all areas, the officer stated that this issue had not been progressed so far but that he would look at this as a commitment to urgently address.

All responses to the Staff Survey had been anonymous with care taken not to add any questions that could compromise staff anonymity, this had included both on-line and paper based responses. A Member was concerned that the lowest level of response was in relation to the assertion “I am helped to understand my contribution to the wider Council” with a response rate of 50.5% and he was concerned that nearly half of staff felt that this was not the case. The officer advised that this response level related only to those who ‘strongly agreed’ or agreed with the statement, therefore the overall positive response rate would be higher. That said, the officer felt that there was more the Council could do to help staff understand their contribution to the wider organisation, for example, a new Induction course for staff

was being established that would involve managers from across Directorates to ensure staff were familiar with more than just their own Departments and policies. The Committee also sought more information on another area that a Member felt required improvement, noting that the lowest level of positive responses from service areas was in the Additional Learning Needs division of Learning and Skills with a response rate of 59%. The Member queried what insight could be learnt from this figure. The Head of Human Resources commented that he only had a breakdown of responses from the main Directorates which was then disseminated to individual departments for specific analysis and indicated he would send via e-mail more detailed analyses on this service area for the Member.

A Member raised concerns regarding the timescales for presenting the results of the Staff Survey to Committees, stating that the work had been undertaken at the end of the previous year, with the member querying how much time staff had committed to this piece of work. The Head of Human Resources stated that the survey closed on 24<sup>th</sup> November, 2017 and that there had been a delay after this date due to the receipt of hard copy responses. The officer confirmed that analysis of the results took place quickly and was first presented to Cabinet on 19<sup>th</sup> March, 2018 however, he accepted that the delay to present the report had still been too long. The officer assured the Committee that lessons learnt from the outcome analysis had already taken place with positive changes already being implemented to staff working.

In relation to the Member's second query regarding financial resources attributed to the work, the Head of Human Resources confirmed that the time of individual managers had not been specifically costed in terms of the work on staff engagement but the results were clearly evident in terms of the employee survey outcomes. The officer felt it had been a valuable exercise which was part of a tranche of work that had led to more positive staff engagement, improved relations with trade unions, and lower rates of compulsory redundancies.

The Committee then discussed potential trends in the responses to the Staff Survey, including how to improve the effectiveness of staff communication with office and non-office based employees and variances in the positive response rates amongst the length of service and pay grade. Consideration could also be given to more analysis of the data to establish statistically significant trends, although concerns were raised that this might unduly increase workloads and costs and further affect reporting timescales. The Chairman sought further information regarding the work being undertaken to improve the lowest three results from the staff survey and in response the Head of Human Resources commented that additional work was being done to improve the effectiveness of staff communication, including the first annual Employees Awards evening to help provide recognition to the hard work undertaken by staff. An Innovation and Ideas Group Project was also being developed by a Director with the aim to encourage the generation of ideas from all employees, with this work commencing in the next three months.

The Committee discussed the frequency of undertaking a Staff Survey, and queried whether it could be carried out every two years instead of annually to help alleviate cost and time pressures. In response, the Head of Human Resources stated that it was considered best practice to carry out surveys on a more frequent, rather than infrequent, basis. Finally, a Member concluded by stating that he felt the results

from the survey were extremely encouraging as was general work on staff engagement. He indicated that there was a danger in pursuing lines of enquiry that may not in themselves be fruitful. As such, he stated that the Committee should be focusing on the overall positive improvements and support the ongoing work following which it was subsequently

#### RECOMMENDED –

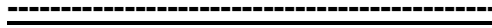
(1) T H A T the results from the 2017 Employee Survey as set out in Appendix 1 attached to the report, and the updated Action Plan attached as Appendix 2 to the report, alongside related activity as part of the Council’s Staff Charter be noted.

(2) T H A T Cabinet be informed of the concerns of the Corporate Performance and Resources Scrutiny Committee with regard to the time and cost of the work undertaken as outlined above.

#### Reasons for decisions

(1) To note the current levels of employee engagement.

(2) To apprise Cabinet was aware of the concerns of the Scrutiny Committee.”



The Leader in introducing the reference, referred to the concerns expressed by the Scrutiny Committee, but clarified that the work on the staff survey, both in terms of administering the survey and analysing the results from the survey was completed in-house by Council officers and was therefore extremely cost effective.

The Leader also referred to the importance of the survey as part of the Council’s wider engagement with all staff and that the participation in the survey had increased from the previous year and the degree of positive outcomes had also increased. The survey was also important as it would inform future engagement work for the subsequent year.

The survey was therefore important, not only in terms of looking back but also in looking to the future. The concerns of the Scrutiny Committee Corporate Performance and Resources were therefore noted but not accepted.

Cabinet having considered the recommendations of the Scrutiny Committee Corporate Performance and Resources.

#### RESOLVED –

(1) T H A T the contents of the report be noted.

- (2) The concerns of Corporate Performance and Resources Scrutiny Committee be noted but not accepted given the relevance and importance of the annual staff survey as part of the Council's on-going engagement work.

Reasons for decisions

- (1) To note the contents of the report.
- (2) To consider the reference from Scrutiny Committee.

**C325 EXTERNAL AUDIT PLAN 2018 (REF) –**

The Audit Committee on 1 May, 2018 considered the above report of the Managing Director.

This report was presented by the WAO. A copy of the External Audit Plan 2018 was attached at Appendix 1 to the report with the key highlights being reported as

- To issue a certificate and report on the Council's financial statements which included an opinion on their "truth and fairness". Whether the Council had made proper arrangements for securing economy, efficiency and effectiveness in its use of resources and report by exception if the Annual Governance Statement did not comply with requirements;
- To audit / independently examine the Joint Committee arrangements which were hosted by the Council, these being Shared Regulatory Services and Adoption Service. In addition an independent examination of the Welsh Church Act Fund would be undertaken in accordance with timescales agreed with the Council and the Charity Commission;
- A programme of performance audit work would be undertaken as outlined in Exhibit 4 within the report.

The proposed fees for work associated with the External Audit Plan 2018, was £261,356. There was an additional fee of £50,000 for the grant certification work which was estimated and was invoiced as the work was undertaken and an estimated fee of £14,374 for the Joint Committee and Welsh Church Act audit work

The Auditor, in presenting the report, stated that key financial risks that had been identified at the planning stage of the Audit were itemised at Exhibit 2 of the report. The table referred to financial audit risks in relation to management override, City Deal, the use of accounting estimates and items of accounts identified as materially sensitive. Under the performance aspect of the report the Auditor stated that he needed to balance the existing, new and proposed statutory duties with the need to

continue to undertake meaningful risk-based and proportionate audits and assessments.

The 2018 Performance Audit Programme would include local projects and national studies as detailed below:

- Improvement audit and assessment working improvement planning and reporting audit
- Wellbeing of Future Generations (Wales) Act 2015 examinations
- Assurance and risk assessment
- Environmental health
- Leisure services
- Corporate safeguarding arrangements
- Reshaping services programme and delivery of savings and under Local Government Studies 2018/19 reference was made to the implementation of the Social Services and Well-being Act and the implementation of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Value for money of planning services.

In conclusion, the Auditor stated that details of future developments with audit work included changes to key International Financial Reporting Systems (IFRS) and the Wales Audit Office's Good Practice Exchange Seminars. The Wales Audit Office's GPX programme would seek to support the improvement of public services across Wales by identifying and sharing good practice.

Following a query from a Member regarding changes to pension benefit fund management, the Wales Audit Officer advised that he was aware that eight Local Authorities were attempting to join together to provide one LGPS service with the host Council likely to be Carmarthen. Members raised concerns in relation to the security element of such proposals with the Auditor responding that one of the audit functions would be to ensure that each individual assessment fund was monitored and audited properly. Governance arrangements were currently being developed.

RESOLVED – T H A T the External Audit Plan 2018 be referred to Cabinet for approval.

Reason for decision

To progress the External Audit work programme and to ensure that robust scrutiny of the External Audit Plan took place.”

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 Cabinet having considered the recommendations from the Audit Committee.

RESOLVED – T H A T External Audit Plan 2018 be approved.

Reason for decision

To approve the External Audit Plan 2018.

**C326 REVIEW OF THE CORPORATE RISK MANAGEMENT STRATEGY (REF) -**

The Audit Committee on 1 May, 2018 considered the above report of the Managing Director.

The Council's Risk Management Strategy had previously been reviewed in 2016. It had been considered good practice to regularly review and update the Risk Management Strategy to ensure that it strengthened the Council's approach to Risk Management. A revised Corporate Risk Management Strategy was attached at Appendix 1 to the report and a number of notable annexes to the Strategy were detailed as follows:

- A – Risk Register Template
- B – Risk Management Guidance Note (Worked Example)
- C – Service Risk Template
- D – Project Risk Matrix
- E – Project Risk and Issue Log

The revised Corporate Risk Management Strategy outlined the Council's approach to risk management and focused on three main stages:

- Identification of a risk and its definition
- Evaluation of the inherent risk, the effectiveness of controls and the residual risk
- Management of risk.

Appendix 2 to the report provided Members with a summary of the key sections of the new Risk Strategy, the purpose of the section together with a summary of the changes / revisions and the reasons for the changes. Corporate risks were considered in the context of the Well-being of Future Generations Act in terms of the impact they could potentially have on the Council's contribution to the well-being goals. The five ways of working were also a key consideration in relation to the Council's Corporate Risks which showed how these ways of working could have a



mitigating effect through actions taken as part of the risk management plans within the Risk Register.

In referring to the work that had been undertaken in the context of the Future Generations Act, a Member queried how much more did the Council have left to complete. The Head of Performance and Development stated that the Vale Council had been early adopters of the Act and had already made quite significant progress in relation to aspects of the Act and its interpretation. Although these were early days in the implementation of the Act, he was confident the Council was well placed for the future.

In referring to the work of the Insight Board, it was suggested that an update report be presented to Audit Committee of the work of the Insight Board, with the Head of Performance and Development stating that at a recent Insight Board meeting discussions had already focused on how the Board and its remit should be developed.

In considering whether the specific leadership of the Council should be called to the Audit Committee, the Chairman asked the Wales Audit Officer whether this happened in other Councils, with the Auditor responding the Leader was not called on a regular basis to Audit Committee meetings to his knowledge. The Audit Committee's role was to ensure that there were overall arrangements in place and reviews undertaken if necessary, it was the responsibility of each individual Scrutiny Committee to review their service area and their risks.

In referring specifically to the Safeguarding and Deprivation of Liberties risks, the Audit Committee stated that they were aware that the Healthy Living and Social Care Scrutiny Committee should be considering this service area, but the Audit Committee sought assurance in relation to the work and continued with the request that a relevant officer be present at the next meeting to provide an overview.

Following full consideration of the report, it was subsequently

RESOLVED –

- (1) T H A T the revised Risk Management Strategy be approved.
- (2) T H A T the revised Risk Management Strategy be referred to Cabinet for their consideration and approval.

Reasons for decisions

- (1) To make Members aware of the changes to the Risk Management Strategy and ensure there are robust mechanisms in place to effectively identify, manage and monitor risks.
- (2) To ensure that Cabinet are aware and approve of the changes made to the Council's Risk Management Strategy.”

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Cabinet having considered the recommendations of the Audit Committee.

RESOLVED – T H A T the contents of the report be noted and the Risk Management Strategy be approved.

Reason for decision

To approve the Council's the Risk Management Strategy

**C327 CORPORATE RISK REGISTER QUARTER 3 UPDATE (REF) -**

The Audit Committee on 1 May, 2018 considered the above report of the Managing Director.

The report noted that there were currently 15 Corporate Risks on the Register as outlined within Annex A of the Register.

Since the last update, one risk had been removed from the Register (Local Development Plan) and two new risks had been added (CR10: Public Buildings Compliance and CR15: Welsh Community Care Information System).

Of the 15 Corporate Risks, in terms of risk status, one risk was scored high, one risk was scored medium / high, 11 risks scored medium and two risks scored medium / low in terms of their risk status.

In terms of the exceptions the report referred to the following :

Deprivation of Liberty Safeguards, with this being reported as high status. The Risk Summary Report (within Annex A) provided further detail.

Public Buildings Compliance, the risk was scored as 8, giving it a Medium / High status. This was a newly adopted Corporate Risk that had been added to the Risk Register at the request of the Director of Environment and Housing which was endorsed by Audit Committee on 31st January, 2018. Good progress had been made during the quarter by putting in place robust controls to further mitigate the risk.

These controls included the:

- Successful appointment of a Compliance Officer and two trainees to oversee Corporate Building Compliance across the Council and with Third Sector commissioned providers.
- Development of an E-form for the collection of compliance data from schools.
- Development of a spreadsheet of schools that had signed up to an SLA with the Council to manage building compliance on their behalf.
- Inspection of over 10 school sites to establish their compliance position with appointments made with the majority of the other schools.
- Production of an inventory for Social Services premises (including those used by commissioned Third Party providers) to identify a clear compliance position was now 90% complete.

Safeguarding and Contract Management. Both the safeguarding risk and the contract management risk remained medium / low (3) in terms of their risk score.

The safeguarding risk had a robust set of controls in place that were effectively mitigating against this risk. The establishment of a corporate-wide policy on safeguarding covering all Council services had provided strategic direction and clearer lines of accountability in terms of its safeguarding practice. The establishment of the safeguarding hotline had further reinforced the Council's safeguarding responsibilities by providing staff with a single point of contact to report any safeguarding concerns. Safeguarding was of the utmost importance and the Council's approach to safeguarding needed to be regularly reviewed and updated to ensure it could effectively manage the risk.

In relation to contract management risk, the existing controls were proving to be particularly effective. There had been cross-directorate training on procurement and contract management as part of the Management Competency Framework that to date over 300 staff had attended. There was regular review of the completion of contractual paperwork and a system had been established for monitoring non-compliance against agreed service targets.

Annex A contained the full Risk Register along with a Risk Summary Report outlining the position of all Corporate Risks.

Reputational risks continued to score more highly across the spectrum of corporate risks because they were governed more by the perceptions of the Council's performance by customers / residents and regulators. This highlighted how there needed to be a greater focus on controls that could further address the reputational aspects of corporate risks.

During the quarter, strong progress had been made in relation to the Risk Management Plans across all aspects of the Register. In total there were 117 actions currently being monitored via the Register that were linked to a corporate risk. The majority of these were also actions that were aligned to the delivery of our Corporate Plan priorities. During Quarter 3 the Council had been able to assign a RAG status to 112 of these mitigating actions.

In referring to emerging risks no further risks in this category had been identified during the quarter. Any emerging risks that had been identified via the Council's Corporate Self-Assessment process would be considered by the Insight Board, CMT and Audit Committee during the next cycle of quarterly reporting (Quarter 4).

It was noted that some of the risk assessments in the report were also slightly out of date as the Council was currently working on its Quarter 4 reports.

Members referred again to the high risk afforded to the Deprivation of Liberty Safeguards, acknowledging that the report advised that although good progress had been made in relation to procurement of independent professional advocacy, alongside the other existing controls they had a limited effect on controlling the demand.

Following a query regarding Reshaping Services and its progress, the Head of Performance and Development stated that the Reshaping Services programme was directly related to challenging savings targets which currently clearly remained a risk, but the risk was manageable. Following a further query as to whether Brexit would have an effect, the Head of Service stated that the current lack of clarity about the Government's proposals made it difficult to assess. The Corporate Risk Register would pick up any changes through the Legislative Changes risk already featuring in the Register.

The Chairman referred to his concern in relation to the Waste Management service advising that he had received a number of complaints regarding collection of waste and the risk, in his view, was increasing at a considerable rate. He suggested a review on the risk of waste be presented to the Committee in due course. The Head of Service, in response, advised that the Council had no option but to comply with Welsh Government Standards as the risks associated with the penalty for failure were considerable.

Having fully considered the report it was subsequently

RESOLVED –

- (1) T H A T the current position of corporate risks, the emerging risk themes and the associated recommendations made by the Corporate Management Team as contained within the report be noted and endorsed.
- (2) T H A T the report be referred to Cabinet for consideration and endorsement.

#### Reasons for decisions

- (1) To identify the current position of corporate risks across the Council and highlight any emerging risk themes and issues.
- (2) To ensure Cabinet receives an up to date position on the Corporate Risk Register and endorses the recommendations contained within this report.”

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Cabinet having considered the recommendations of the Audit Committee.

RESOLVED – T H A T the current position of corporate risks, the emerging risk themes and the associated recommendations made by the Corporate Management Team and the Audit committee as contained within the report be noted and endorsed.

#### Reason for decision

To note and endorse the current position of corporate risks, the emerging risk themes and the associated recommendations made by the Corporate Management Team and the Audit committee.

#### **C328 DEVELOPMENT OF TOURISM AND COMMERCIAL OPPORTUNITIES AT COUNTRYSIDE SERVICE SITES (REF) -**

The Scrutiny Committee Environment and Regeneration on the 6 June, 2018 considered the above report.

The Chairman commenced by asking Councillor L. Burnett (not a Member of the Committee) to present her call-in to the Scrutiny Committee. Councillor Burnett referred to the fact that the principle of income generation had been discussed in depth by both Cabinet and Scrutiny Committees at a number of meetings and the development of commercial opportunities had been well established as a strategy to

offset financial challenges facing the Council and to protect non-statutory services such as Country Parks.

However, as outlined in the call - in resolutions 1, 2 and 4 of the current proposals Cllr Burnet had stated that this represented a step change in the Council's approach to commercial activity in Country Parks. Rather than commercial activities on land that remained within the control of the Council, these resolutions related to the disposal and potential privatisation of large tracts of Public Open Space within our Country Parks to facilitate the establishment of campsites. As such they required in depth scrutiny before progressing.

Cllr Burnett's call – in further expressed that “scrutiny should include consideration of:

1. The terms and conditions related to disposal of land and the intended leases.
2. The terms and conditions related to the operation of campsites
3. Proposed operational arrangement for campsites including type of user; tents, caravans, motor homes etc
4. Potential construction of buildings for offices, shower blocks etc, and the envisaged supply of power, sewage, drainage and roads within the site.
5. Proposed governance arrangements.
6. Whether the use of wide-ranging delegated powers is appropriate in this case and whether the outcome of the invitations to tender should be reported to Cabinet.”

Cllr Burnett stated that for her the question was whether the proposals represented “creeping privatisation”. In the past she stated that Councillor Neil Moore and herself under a previous administration had asked many questions regarding outsourcing of services to the private sector. Cllr Burnett also referred to a previous consultation that had been undertaken where a Member of the Council who was now a Member of the current Cabinet had said that the Council should look to work with organisations such as Centre Parks to seek to establish similar facilities in the Vale. Cllr Burnett queried whether this suggestion had been followed up by officers. She also stated her disappointment that no ward Member Councillor had called the report in in relation to the sites in their ward areas.

The Cabinet resolutions made on 16<sup>th</sup> April 2018 as outlined in the extract of the minutes before the Committee were noted as below:-

- “That the Council undertakes a marketing exercise and invites tenders for development of tourism and commercial opportunities at the locations identified in the Appendices A – F attached to the report and in accordance with the contents of the report.
- That Authority be granted to the Head of Legal Services in consultation with the Head of Finance, to advertise the areas of land shown in Appendix B, D, E, G and H attached to the report for disposal by lease to third party partner organisation as required by Section 123(“2A) of the Local Government Act 1972, and, subject to no objections being received, to proceed with disposal subject to the use of appropriate delegated powers.
- That the Head of Regeneration and Planning be granted delegated powers in consultation with the Managing Director and Cabinet Member for Regeneration and Planning, to agree fees and charges, terms and conditions for new commercial (leisure and tourism) activities in respect of Leckwith Woods and to authorise the Head of Legal Services to enter into appropriate legal agreements on behalf of the Council in this regard. “

The Operational Manager for Regeneration in presenting the Cabinet report advised that the programme of exploring commercial partnerships was about making the parks more sustainable. The purpose of the report was to seek approval to offer areas of open space land (under lease agreements) to third party partner organisations to develop new activities and facilities that would enhance the product offer for both residents and visitors within the Vale of Glamorgan, within Cosmeston Lakes Country Park, Porthkerry Country Park and Leckwith woods as set out in Appendices A – F attached to the report. Although the current parks were operated to high standards in the Vale one of the reasons for looking at such opportunities would be to bring the parks into the 21<sup>st</sup> century. The Operational Manager also referred to the fact that a report had been submitted to Cabinet on 11<sup>th</sup> January, 2016 which had sought authority to invite tenders from potential commercial partners in order to create new tourism and commercial opportunities in Cosmeston Lakes and Porthkerry Country Park and to investigate opportunities at Leckwith Woods. The report noted that two separate invitations to tender for the provision of tourism and commercial activities at the country parks had subsequently been submitted to the Sell2Wales website.

As a result, a new ice cream parlour had been established at Cosmeston Lakes and discussions were ongoing in respect of other operations. A number of organisers had been signed up to provide weddings at both country parks. These new partnerships would the report stated enhance the product offer for visitors to Cosmeston Lakes Country Park, develop the tourism offer, whilst providing income to the Council to contribute to future savings and protect the parks accordingly. It was envisaged that these new business partnerships would provide further evidence of the potential viability of the commercial opportunities that existed within the Country Parks and would help promote the sites for further investment.

Delegated powers were already in place for the Country Parks and Medieval village, that allowed the Head of Regeneration and Planning, in consultation with the Managing Director and Cabinet Member for Regeneration and Planning, to agree fees/charges, terms and conditions for new commercial (leisure, tourism and retail) activities and to authorise the Head of Legal Services to enter into the appropriate legal agreements on behalf of the Council in this regard, including leases. This was restricted to the country parks only and hence the same delegated authority was required for any future negotiation relating to Leckwith woods (see recommendation 4).

The previously submitted Cabinet report (Tourism and Commercial Opportunities at Countryside Service Sites C3043 - 11th January 2016) had proposed that officers investigate tourism and commercial opportunities at Leckwith woods.

Within Cosmeston Lakes Country Park, Porthkerry Country and Leckwith Woods as set out in Appendices A - F it was important to note that the Council would be seeking proposals for a wide range of opportunities and with particular regard to the provision of campsites related to high quality camping pods. These were used elsewhere in the country and were an upmarket provision. Various examples of such facilities were displayed around the Council Chamber for Members' information.

In referring to the way in which leases could be managed, the Operational Manager advised that the Council would set out high standards of operation and for the camping pods very stringent conditions would be associated. It was also important to note that planning permission would be required in respect of some activities and this would involve widespread consultation on specific proposals.

In response to some representations that had been made on social media regarding potential residential development the Operational Manager confirmed that the proposals were only for tourism development, appropriate to the sensitive country



park setting. In referring to some points as outlined in the written representations that had been received and which had been circulated to Members and tabled at the meeting the Operational Manager referred to the queries regarding biodiversity and advised that in particular with regard to the golf course at Porthkerry this was surrounded by important habitats but the golf course itself was not of significant biodiversity value, being close mown grass. The Operational Manager added that he could not see how perhaps 10 to 15 camping pods would significantly contribute to parking in relative terms bearing in mind the scale of visitor use and again in referring to litter issues advised that there were current litter issues on the sites which needed managing and there was no reasons to believe that a relatively low number of camping pod users would add to this. In respect of suggestions of any-social behaviour, the Operational Manager acknowledged that some such issues already existed as with any such location but he felt camping on the site could help by the early reporting of incidents as opposed to camping adding to such issues.

In referring to commercial operators the Operational Manager stated that they would obviously have to undertake research and provide details of their proposals to the Council for consideration prior to any proposals being approved. The Committee was further provided with examples of a large number of areas throughout England and Wales and including nature reserves and Areas of Outstanding Natural Beauty where similar activities as outlined in the report were currently operating. These were sensitive areas of high biodiversity importance and the principal of such activities taking place was well established.

Councillor K.P. Mahoney, not a Member of the Committee, granted permission to speak, had also made written representations which had not only been forwarded to Members of the Committee prior to the meeting but had also been tabled at the meeting. Cllr Mahoney commenced by stating that the previous Administration of the Council had set the "ball rolling" for such opportunities to be considered and that although he appreciated the difficulties with budgets in his view destroying the whole ethos of the parks was not appropriate. He referred to the area of Sully that he said was under threat from new housing developments (1100 houses in total) in a very small area. Both Cosmeston and Porthkerry were he stated very beautiful sites to relax in. In referring particularly to the Cosmeston he advised that it was idyllic and serene area with many people visiting the site for relaxation purposes. In referring to the Wellbeing Act he felt that the authority should be looking at the importance of such sites to assist people and their wellbeing.

In referring to the Glamping Pods, he stated that although he had no direct opposition to such facilities proposing these on such a serene site was in his view not appropriate. He did not want to deprive the local community of such facilities and

questioned why the gravelled area further north into Cosmeston could not be considered for such use. At this point the Operational Manager took the opportunity to advise Committee that the area being suggested was a site of special scientific interest and was identified as a conservation area within the country park from which the public were generally excluded to protect the most sensitive land as habitat for biodiversity. The proposed Glamping location fell outside all such designations.

Councillor Nic Hodges not a Member of the Committee, with permission to speak, stated that the Council in tourism terms had not in his view fully utilised the Nell's Point site and that in his view the facilities being proposed at the sites contained within the report would be destroying the iconic beauty of such areas. Cllr Hodges urged the Council to not spoil the facilities that currently existed and also questioned the effect on the adder population and wildlife habitats. With specific reference to Glamping pods, he commented that the campsite would also be under a flight path from the neighbouring airport and sited near a railway network.

Councillor Wilson, not a Member of the Committee again granted permission to speak stated that he represented the Stanwell Ward and was conscious that there had been various attempts by different administrations to consider opportunities for countryside sites. However, in his view he felt that the proposals were a step too far and reiterated that Cosmeston was a peaceful site and a sanctuary for the population and should be looked at sensitively and urged to reject the proposal as a step too far.

The Chairman then referred the debate to the Committee itself. A Member of the Committee reiterated the view that the proposals were a step too far in their view and it was not appropriate to turn the parks into campsites. In referring to the Pitch and Putt Golf site at Porthkerry a number of Members advised that the area was prone to flooding and was surrounded by bio-diversity. The proposals they stated were an attempt to destroy biodiversity and in particular over develop Porthkerry. The Member continued by stating that they could not see the significant financial benefits that were being suggested and the report did not provide any detailed information as to what the proposed financial income would be. The serenity of Cosmeston he stated was special and he urged that the proposals be reconsidered.

Another Member reiterated the comment that in their view there was a lack of detail in the report, with no financial costings being provided and indeed no real indication of what the Council would be receiving. The Member also concurred that there were opportunities for developing commercial partnerships and that disposing of the land on a long term lease had not been the previous administrations intention, the intention being to consider a tourism offers and not disposal for private use.

In referring to the issue of the golf course losing money he stated that if that was the case then the Council should consider closing the facility. A number of Members considered that the public outcry to the proposals should be taken into account and that the proposals should be rejected.

In response to a query as to whether there were constraints / covenants in relation to the Porthkerry site the Operational Manger had sought advice from the Legal Department and could confirm that there were none in place.

At this point the Cabinet Member for Regeneration and Planning advised that the proposals were about seeking opportunities to work with providers and to ascertain whether there was an appetite to provide facilities at such sites. He also took the opportunity to reassure Members that if the proposals were accepted that he would ensure that any Expression of Interest applications that were submitted were brought to the Scrutiny Committee in turn for consideration aswell as Cabinet.

However, a number of Members of the Committee reiterated earlier sentiments that the Council needed to protect its open spaces as it was widely accepted that the proposals would destroy the peace and quiet currently experienced at the sites. Any proposals they felt that were put forward should in their view enhance the areas.

Although Members acknowledged the need for income generation proposals for the Council they felt strongly that the report was lacking in sufficient detail and did not allay the public's fears or the Committee's fears in relation to environmental issues.

A Member in referring to the issue of consultation stated that in their view neighbouring wards should have also been consulted and he was not aware that this had been undertaken and that public open spaces were vital for communities.

Being afforded the opportunity to respond following the debate, Councillor Burnett stated that she had recognised the risk to herself in bringing the call in to the Committee as the previous Cabinet Member under the previous Administration advising of the need to ensure that correct activities for the areas were developed. Furthermore the report and the proposed use of delegated powers were loosely defined in her view and required further consideration and discussion as had taken place at the meeting.

In conclusion, the Chairman took the opportunity to thank all the Members of the Committee and the public present in the gallery for their interest and for the written representations that had been presented for the Committee's consideration. In

summing up he stated that the Committee's views appeared to be centred around the lack of detail, they did not like the idea of Glamping pods and the lack of consultation about the types of facilities to be allowed at the sites and suggested that the concerns raised should be referred to Cabinet for consideration. The suggestion from a Member that a Task and Finish Group be set up to look into the matter was also felt appropriate. The Cabinet Member in response reiterated his view of the importance for the Council to go out and seek proposals for facilities on the sites and again reassured Members he would bring back individual applications for Member's consideration.

Following the debate it was subsequently

#### RECOMMENDED -

(1) T H A T the Scrutiny Committee did not support the principle of camping on the sites as detailed within the report and that the concerns raised at the meeting be referred to Cabinet for consideration.

(2) T H A T any future reports identifying income generating options should contain greater detail around the financial benefits whilst ensuring that proposals should have at their heart the principle of protecting Public Open Spaces.

(3) T H A T a Scrutiny Task and Finish Group be established to look at future proposals for Tourism and Commercial Opportunities at Countryside Service sites and that this recommendation be referred to the Scrutiny Chairman and Vice-Chairman Group for its consideration in line with Corporate Priorities..

#### Reasons for recommendations

(1) Having fully considered the report, the representations received and in view of the sites detailed within the report.

(2) To ensure full financial detail is provided and to ensure that any proposals consider the principle of protecting Public Open Spaces.

(3) In order that future proposals can be investigated.

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At the meeting the Cabinet Member for Regeneration and Planning tabled an email and note from Cllr Lis Burnett. The email referred to the reference from Environment and Regeneration Scrutiny Committee and referred to the accuracy of that reference.

He further commented that Cllr Burnett had accordingly copied to Cabinet (which was tabled) her notes that she used at Scrutiny Committee for completeness and clarity.

The Cabinet Member explained that the matter was discussed and debated in detail at the Environment and Regeneration Scrutiny Committee on 17th May following a call-in by Cllr Burnett. Cabinet had the reference from Scrutiny Committee before them, and in terms of the issues, the Cabinet Member advised that he would be recommending that:-

- The camping proposals at Porthkerry not progress, but he would be asking for a report on the future use of the land currently used for golfing purposes at Porthkerry, given that the current use, was in his view, unsuitable.
- That any specific camping proposals for Cosmeston be reported to Cabinet for further consideration and approval as necessary (and as a result there would be no reliance on delegations in this regard).
- That proposals for Leckwith Woods be pursued, and
- That whilst he noted the request for greater financial detail, it is a fact that the Council would need to withhold sensitive commercial information.

The Cabinet Member for Regeneration and Planning then presented the following recommendations.

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

RESOLVED –

- (1) T H A T in relation to recommendation 1 from Scrutiny Committee, the position be noted
- (2) THAT in the light of representations made the proposals for camping and outdoor activities at Porthkerry Country Park be no longer progressed,

- (3) That proposals for Leckwith Wood be pursued.
- (4) That proposals for Cosmeston Lakes Country Park are pursued but any specific proposals for camping pods are reported further to Cabinet for approval and not agreed via use of delegated powers.
- (5) T H A T in relation to recommendation 2 from Scrutiny Committee, the request be noted, but it was also noted that in the context of commercial negotiations the Council would need to withhold sensitive information in order to safeguard its position and maximize income generation.
- (6) T H A T in relation to recommendation 3 from Scrutiny Committee, the position be noted.
- (7) T H A T a further report be brought to Cabinet addressing the option of closure of the Porthkerry golf course.

#### Reasons for decisions

- (1) To give consideration to the views of The Environment and Regeneration Scrutiny Committee
- (2) To reflect representations made on the special nature of the site in question, including those of The Environment and Regeneration Scrutiny Committee
- (3) To reflect the representations made balanced with the need to improve the tourism offer and realise savings
- (4) To reflect the representations made balanced with the need to improve the tourism offer and realise savings
- (5) To reflect the views expressed whilst protecting the Council's position.
- (6) To note the intention of The Environment and Regeneration Scrutiny Committee to establish a Task and Finish Group
- (7) To assess the efficiency of continuing the operation against alternatives for the site.

**C329            RESHAPING YOUTH SERVICES (REF) -**

The Scrutiny Committee Learning and Culture on 22 May, 2018 considered the above report of the Director of Learning and Skills.

The Chairman commenced by taking the opportunity to thank the Cabinet for referring the report to the Scrutiny Committee as requested. The report provided details of the consultation outcome on the proposed reshaping of youth services prior to its consideration by Cabinet.

The Lead Officer for Social Inclusion and Wellbeing commenced by referring to Recommendations (4) and (5) being proposals in relation to the Llantwit Major Youth Centre building indicating the recommendation to declare the asset surplus and at recommendation 5 approval being requested to secure a new community use for the building and to progress a leasehold arrangement for the building. In referring to issues that had been raised at the previous meeting in relation to recruitment and retention of staff the Lead Officer advised that the level of absenteeism in the work force had been exacerbated by special leave issues and absenteeism. The proposals however, did advise of a reduction in part time roles and the creation of substantive roles and collaborative approaches.

Many of the representations that had been received during the consultation process the lead officer advised had been of the understanding that the Council was going to replace services with volunteers and he firmly stated that this was definitely not the intention. The reshaping proposals were about the need to have a more innovative and effective Youth Service. Throughout the consultation the misunderstanding had been fuelled and a lot of unrest had been felt and the officer took the opportunity to reassure Members that the Council would not stop operating Youth Services with professional staff but they would be reduced and further advised of the decision by the Corporate Management Team that should there be a threat of redundancy each case would be taken on its own merits.

With specific reference to the report at paragraph 9 the Lead Officer stated a number of respondents had been concerned that the reduction in the current work force would create a large number of redundancies. The changes that were being proposed would mean the staff body rising from 34.55 full time equivalents to 37.29 full time equivalents although it would reduce flexibility for staff in relation to the number of hours they could work as the proposals required a greater commitment to full time hours. Concerns were also raised that staff who hold more than one position with the Council and the interpretation of whether or not there was an entitlement to a redundancy payment. The position varied dependent upon

individual circumstances. The Corporate Management Team he reiterated had considered this issue and had recommended that each case be dealt with on an individual basis.

Staff had queried the changes to senior youth worker rates of pay. Within the proposal the senior youth engagement workers would be on JNC 16 instead of JNC 17 at present. Upon reflection and after the input of staff it had been proposed that the current grade of pay be retained within current budget.

A further tabled document was presented for Committee's information which contained details of the consultation process undertaken advised on the consultation and engagement process that had been undertaken which had included electronic and verbal engagement and Members questions. Staff and young people had also been offered the opportunity to leave views and questions in a consultation mailbox and documents and information had been supplied to staff via a bespoke web address only accessed by them.

Staff members had held individual and group meetings with managers and young people had raised questions via Youth Action and Youth Cabinet groups. The consultation information had been given to the Children's Commissioner who had been happy with the engagement with young people that had been undertaken. The tabled document also detailed the dates of meetings that had been held with Trade unions and staff and included dates of visits to Youth clubs. Two maps one detailing current youth provisions and the other identifying the vision for the future of youth provision were also tabled for the Committees consideration and two further documents provided details of a sample week calendar for the Universal Team post restructure for Team Member 1, Team Member 2 and Team Member 3. Although noting that the delivery methods had changed and times of opening would change the actual hours provided for the Youth Service the Lead Officer reported would be 9480. The Lead Officer also advised all young people who were part of youth action and the Youth Cabinet would continue to be supported but not necessarily the Vale Youth Forum and he took the opportunity to thank Town and Community Councils who had provided financial support for the Youth Forum.

With regard to Appendix B to the report the Lead Officer advised that this provided at page 12 a pie chart which detailed the special leave reasons provided for the period from 1<sup>st</sup> April to 14<sup>th</sup> March, 2018. It was noted that 29% of all absences from the part time work force also down to non-attendance and he advised that all such absences were therefore making the current service unmanageable. Since 1<sup>st</sup> April, 2018 the service had had to cover 115 absences and 21 requests for special leave.



The Lead officer in referring directly to the use of volunteers advised that appropriate safeguarding rules and regulations would be provided. It was important he stated that the service grew with the Voluntary Sector to provide a working model and the service would work closely with national youth organisations.

A member of the public who had registered to speak, Ms. Helen Payne was then afforded the opportunity to make her representations. Ms. Payne advised that she had been involved in the Youth Service for over 36 years and in a number of capacities she had worked in the Youth centre in Barry and in youth services Birmingham and over the whole of Wales. In her view the process that had been undertaken was flawed and for youth work to be effective it needed to engage young people and widen the range of skills of youth workers. Youth work was important for growing resilience and should be undertaken in a language of young people's choice. Ms Payne stated that she did not believe that reorganisation would give young people access to all youth provision. It was her opinion that the Council needed to invest in decent universal services as a matter of urgency and to demonstrate its commitment. There was no youth centre in Barry which was the largest town in Wales. In conclusion, Ms Payne stated that the "Council should not place monetary value on people's lives but should celebrate them."

A representative from the Trade Union Unite Ms. Jo Galazka stated that the trade union although they felt that the Youth Service needed reshaping, the current proposals in their view were not acceptable and requested that a working party be formed. The lack of involvement in feedback sessions was not acceptable and the relevant forms that had been devised in relation to the new proposals had not been agreed by the Union. A number of members of youth service staff had already left the service and morale was extremely low. Ms Galazka further advised that the Trade unions would encourage working with the Council for a sustainable Youth Service but the current proposals in their view were not sustainable and had not been well thought out. Ms. Galazka urged the Council to reconsider the proposals and referred to the local petition from local people that had over 2000 signatures. Although she stated sickness absence had been referred to as a reason her question was why had this not been managed successfully. In conclusion Ms Galazka stated that it was the union's viewpoint that the proposals had been pushed through and they needed to be rejected with further work undertaken.

The Chairman referred Committee to a written representation that had been received from Glenn Pappas the Unison Trade Union representative who had been unable to be present at the meeting advising that copies of the representations had not only been circulated to Committee members prior to the meeting but had been tabled at the meeting.

Councillor N. Thomas, not a Member of the Committee, with permission to speak commenced by stating that he would ask the Committee to consider recommending that the proposals be rejected and referred to a cross-party working group. The proposals in his view were ill advised and the loss of hours and personnel at times when young people needed them the most was not acceptable. Although some services may be attached to schools he stated that this was not always appropriate at times and the loss of people and personnel was an important consideration. In referring specifically to Penarth Youth Club he stated that this was a church youth club and there were no plans for a youth club there unless the Town and Community Council took up the mantle. It was important he concluded that the service for young people was provided by a diverse group of staff and he felt strongly that a working party be set up to consider youth provision across the Vale. Although he was aware that savings were to be made under the current proposals, in the long run in his view there could be potential mental health and youth justice issues that had not been recognised.

The Lead Officer in response to the concerns raised advised that the staff absence he had referred to was not related to sickness, it was due to special leave and absenteeism. Qualifying this statement he advised that where staff didn't turn up which often happened at least one hour before the youth club actually opened this had a detrimental effect on the support provided. He also affirmed that there was youth provision in Barry maintained by the Youth Service at Barry YMCA and also the church group referred to was actually a Youth Service supported provision. The Lead Officer concluded by stating that we would still be offering a service that was fit for purpose and that voluntary engagement was important. Town and Community Councils had also been approached for further funding and their support in providing youth provision in the area was welcomed.

The Head of Achievement for All responded by advising that the proposal was not a reduction in service and the suggestions to replace paid staff with volunteers was not true. The use of volunteers was to enhance the service not to provide the service.

A Ward Member for Penarth stated that they had sympathy with the Trade Unions and although acknowledging that there would no doubt always be disagreements on matters of significant issue queried the ward member consultation undertaken.

Another Member raised their concerns in relation to the use of unqualified and untrained staff with volunteers not being able to undertake the duties of experienced and trained staff. There was also the issue of volunteers not having to be bound by

EWC requirements and not being subject to the same checks as paid staff. The Member was also concerned about the reduction in the number of staff and in particular the personal relationships that young people formed with their youth workers which in her view would be eroded as a result of the proposals.

The Vice-Chairman raised concerns in relation to the fact that the Youth Action Group had ceased to exist and queried how many young people were currently involved in the Youth Service enquiring whether the Lead Officer envisaged the new model proposed would encourage more young people to take advantage of the service.

A Member from a rural ward stated that in their area all youth provision was provided by volunteers and that the young people needed considerable support. The Member felt that further consultation needed to be undertaken with a greater understanding of how the Council could assist.

The Chairman queried the declaring of the Llantwit Major Youth Centre as a surplus asset without any reassurance that the facility would be retained as a youth facility or for community use.

In response to the queries, the Lead Officer advised that the intention of the proposal was to create a professional workforce with an element of targeted support. There was no intention for the service to be handed over to volunteers and at no point had anyone been informed that the service would hand over to unskilled staff. The Lead officer further informed Committee that volunteer youth leaders would be trained and agreements put in place with the Council working in collaboration and harness with organisations. As an example the officer referred to the youth provision in Sully provided by volunteers and with support from the Council there was no reason why this service could not be provided in other areas.

In referring to youth attendance in previous years attendance of 150,000 had been recorded but this had recently dropped to 93,000.

Having considered the report and representations before the Committee it was subsequently

**RECOMMENDED -**

(1) T H A T the outcome of the consultation on the proposed changes to Senior Youth Worker salary spinal points be noted.

(2) T H A T Cabinet be requested to consider the points raised at the Scrutiny Committee, in relation to the proposals to progress plans for reshaping Youth Services in making their decision on whether to approve the proposals.

(3) T H A T the proposals relating to the Western Vale Integrated Children's Centre (WVICC) as shown in Appendix A to be referred to Cabinet for their consideration and approval in order for this asset to be declared surplus and that a Community Asset Transfer opportunity be progressed in due course.

(4) T H A T the proposals relating to the Llantwit Major Youth Centre Building as shown in Appendix A be referred to Cabinet for their consideration and approval, in order for this asset to be declared surplus and a new use be sought for this building in due course be agreed subject to, if for any reason the proposal failed to materialise or be adopted by the Town Council, before it is put for any other use that that be reported to the Scrutiny Committee for its consideration.

(5) T H A T the Scrutiny Committee notes and refers to Cabinet for approval the proposal that delegated authority be granted to the Head of Finance, in consultation with the Leader of the Council, to secure a Youth and Community use for the Llantwit Major Youth Centre Building, as referred to in Recommendation 4 above and to progress a leasehold arrangement for this building as outlined within the report.

(6) T H A T the Scrutiny Committee (subject to recommendations 3, 4 and 5) notes and refers to Cabinet for approval the proposal that the Head of Legal Services be authorised to draft and execute all necessary legal documentation associated with the disposals referred to above be agreed.

(7) T H A T a further report be presented to Cabinet and the Scrutiny Committee (Learning & Culture) to provide an update on the progress of the reshaping project in 12 months be agreed.

#### Reasons for recommendations

(1) Having regard to the issues raised by respondents to the consultation.

(2) To inform Cabinet of the issues raised at the Committee

(3) To enable Cabinet consideration and approval of the proposals, including the granting of relevant delegated authorities to progress matters, including the authority to dispose of the leasehold interests as described for the two buildings.

(4) To enable Cabinet consideration and approval of the proposals, including the granting of relevant delegated authorities to progress matters, including the authority to dispose of the leasehold interests as described for the two buildings and should the proposal not materialise any further options be presented to the Scrutiny Committee for consideration.

(5) To enable Cabinet consideration and approval of the proposals, including the granting of relevant delegated authorities to progress matters, including the authority to dispose of the leasehold interests as described for the two buildings and to ensure that the facility is reported as the Llantwit Major Youth and Community Services building.

(6) To enable Cabinet consideration and approval of the proposals, including the granting of relevant delegated authorities to progress matters, including the authority to dispose of the leasehold interests as described for the two buildings.

(7) To ensure the impact of the reshaping project is formally reported to Cabinet and Scrutiny Committee for their consideration in 12 months.”

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At the meeting the Cabinet Member Learning and Culture tabled a note received from the trade unions in relation to this item which was dated the 25 May, 2018.

The reference from the Learning and Culture Scrutiny Committee followed on from the Committee’s consideration of the outcome of consultation on proposals to reshape the Youth Service.

Cabinet had previously approved the proposals as a basis for consultation. The Learning and Culture Scrutiny Committee were consulted as part of the process. The Committee requested further information about the proposal to develop the Youth offer through volunteers. As a result a further report was presented to the Committee following the end of the consultation period.

The proposal in relation to the involvement of volunteers was explored further by the Scrutiny Committee Learning and Culture. He commented that Cabinet should note that it was proposed that the Council would work with volunteers to develop additional Youth provision rather than to replace staff with volunteers.

With reference to the recommendation on seeking an alternative community use for Llantwit Youth Centre, the Scrutiny Committee was keen for any alternative use to

be restricted to youth and community use. The Cabinet Member considered that the term 'community' was broad enough to encompass youth activities without restricting potential interest in the building.

The minutes of the meeting also set out changes made to the proposals as a result of consultation feedback.

The Cabinet Member further commented that the unions made representation to the Learning and Culture Scrutiny Committee which was set out in the minutes before you. Unison and Unite unions had since notified the Council of 'a failure to agree,' which was tabled today for Cabinet's consideration.

The Cabinet Member invited the Head of Human Resources to comment and advise further on the note and he replied as follows;

He provided a summary response to the issues raised. He indicated that the Council had always had excellent relations with trade unions colleagues and a good record in dealing sensitively with change management. It was disappointing, therefore, to receive the note from trade union colleagues.

He informed Cabinet Members that the Youth Service review had been subject to a full consultation process beginning on 25th January 2018 and involving meetings with both staff and the trade unions. The process had been conducted in accordance with the agreed Management of Change Policies and with the support of his Human Resources Officers.

As a result of the consultation there had been a number of changes including the dropping of changes to the senior youth service salary grade and the resolution of the 'matching' process in terms of the assimilation of employees to jobs within the new structure. He indicated that it was his understanding that papers had been shared with the trade unions as appropriate.

He also indicated that all efforts would continue to reduce the prospect of redundancies. The number would not be as significant as indicated in the note from the trade unions. The majority of employees would be either matched into new roles or unaffected because of being in externally funded roles.

In relation to a number of other points in the note from the trade unions, the Head of Human Resources indicated that it was difficult to respond without the benefit of further explanation or information. He would be happy to continue to work with the trade unions to help support this or any other change process. He also mentioned

that a meeting had been held with the unions on Monday last but that given the opportunity, they were not able to provide any further details.

Cabinet having considered the recommendations of the Scrutiny Committee  
Learning and Culture

RESOLVED –

- (1) T H A T the proposals for reshaping the Youth Service as set out in the report to the Scrutiny Committee (Learning and Culture) be approved.
- (2) T H A T the Western Vale Integrated Children's Centre be declared surplus and that a Community Asset Transfer be progressed in due course.
- (3) T H A T Llantwit Major Youth Centre be declared surplus and a new use for the building be sought.
- (4) T H A T authority be delegated to the Head of Finance in consultation with the Leader of the Council to secure community use for the Llantwit Major Youth building and to progress a leasehold arrangement for the building.
- (5) THAT the Head of Legal Services be authorised to draft and execute all necessary legal documentation associated with the disposals referred to in resolutions 2 and 3 above.
- (6) THAT a further report be presented to Cabinet to provide an update on the progress of the reshaping project in 12 months.

Reasons for decisions

- (1) To enable the Council to take a strategic approach to the provision of Youth Support Services for young people within the resources available.
- (2-5) To enable approval of proposals including the granting of relevant delegated authorities to progress matters, including authority to dispose of the leasehold interests as described for the two buildings.
- (6) To ensure the impact of the reshaping project is formally reported to Cabinet and Elected Members.

**C330 WELSH STANDARDS ANNUAL MONITORING REPORT (REF) -**

The Scrutiny Committee Learning and Culture on the 22 May, 2018 considered the above report of the Managing Director.

The report sought Scrutiny Committee endorsement of the Welsh Standards Annual Monitoring Report for 2017/18 and to refer the same with any comments to Cabinet in order that approval could be sought to ensure publication on the Council's website by 30<sup>th</sup> June, 2018.

The report referred to the fact that the Welsh Language (Wales) Measure 2011 made provision for specifying standards of conduct in relation to the Welsh language and enables Welsh Ministers to authorise the Welsh Language Commissioner to issue a "Compliance Notice" to those organisations to which the Measure applies. The Compliance Notice for the Vale of Glamorgan Council had been issued in September 2015.

The Welsh Standards Compliance Notice for the Council was a list of standards relating to service delivery, policy making, operational matters, promotion and record keeping. One of the standards in the Compliance Notice stated that:

- (a) You must produce a report (an "annual report"), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the standards with which you were under a duty to comply during that year.
- (b) You must publish the annual report no later than 30 June following the financial year to which the report relates.
- (c) You must publicise the fact that you have published an annual report.
- (d) You must ensure that a current copy of your annual report is available - (a) on your website, and (b) in each of your offices that are open to the public.

As part of the Compliance Notice the Council was also required to produce a 5 year Promotion Strategy and to review it regularly. In addition to the Annual Monitoring Report for 2017/18 therefore, an update was attached on the Council's Welsh Language Promotion Strategy.

The Head of Performance and Development in presenting the report drew attention to staff development in relation to the Welsh Language advising that Welsh



awareness sessions had been arranged and that the Council was committed to the provision of an excellent service to Welsh speakers in the area and would strive year on year to improve on this provision. A further linguistic skills analysis of the Council's workforce, part of the Standards action plan, would be shortly in train.

It was noted that Welsh Government's aim was for 1 million Welsh speakers by 2050 and although the Council would contribute to this via its internal arrangements, it was important to note that achieving more Welsh speakers in the Vale could only be completed through working with partners such as Menter Bro Morgannwg and the Urdd, which the Council was already doing.

Councillor Ian Johnson, not a Member of the Committee but with permission to speak, stated that in his view the Council had taken great strides to date in addressing the standard but with specific reference to the translation of minutes of the Council he asked why minutes of the Council, Cabinet and Committee meetings and reports may not be translated into Welsh. The Head of Service advised that the volume of minutes would mean considerable additional expense in their translation. The Welsh Language Commissioner's office had been consulted regarding this issue and a steer on the matter was awaited from them.

In referring to the possibility of establishing a Welsh Language Centre in the Vale at 3.5 on page 2 of the document and to undertake a feasibility study to explore the potential of establishing such a centre, the Head of Service responded that funding would need to be sought to carry out a feasibility study and in also identifying suitable premises. The Vice Chairman, also a Barry Town Councillor, suggested that Barry Town Council would be happy to work with the Vale Council and other partners to investigate the establishment of such a Centre

Having considered the report it was subsequently

**RECOMMENDED - T H A T** the comments made at the meeting and the report be referred to Cabinet in order that approval can be sought to ensure publication on the Council's website by 30<sup>th</sup> June, 2018.

Reason for recommendation

In order that the comments made at the meeting and the steps taken to action the Welsh Standards Compliance Notice for the Vale of Glamorgan Council issued by the Welsh Commissioner can be considered and endorsed.

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Cabinet, having considered the recommendations of the Scrutiny Committee Learning and Culture,

RESOLVED – T H A T the contents of the report be noted and Welsh Standards Annual Monitoring Report for 2017/18 be approved to ensure that the publication could be placed on the Council's website by the 30 June, 2018.

Reason for decision

To approve the Welsh Standards Annual Monitoring Report for 2017/18.

**C331            RESHAPING SERVICES - INCOME GENERATION AND COMMERCIAL OPPORTUNITIES - ADVERTISING AND SPONSORSHIP PROTOCOL (REF) –**

The Scrutiny Committee – Corporate Performance and Resources on 24 May 2018 considered the above report

Cabinet had previously approved the Income Generation and Commercial Opportunities Strategy in October 2017, which set out a framework for considering existing and new income streams which formed part of the Council's wider Reshaping Services Programme.

In step with the above arrangements, Cabinet at its meeting held on 30<sup>th</sup> April, 2018 (Cabinet minute no. C291 refers) considered one of the potential income streams explored by Officers relating to sponsorship and advertising and had now been referred to the Scrutiny Committee for further consideration.

The report set out proposed arrangements to ensure that advertising and sponsorship activity entered into by the Councils was undertaken consistently and in line with agreed processes and procedures as detailed within the draft Advertising and Sponsorship Protocol which was attached at Appendix A to the report.

In referring to the report and providing explanation of the same the Operational Manager for Performance and Policy referred to the Protocol which comprised the following :

- A Document Purpose outlining the reasons for the Protocol and what it aimed to achieve.
- A section explaining how the protocol linked to the Strategic Principles contained in the Income Generation and Commercial Opportunities Strategy.

- A section providing Definitions of both advertising and sponsorship for the purpose of the Protocol.
- A Guiding Principles section outlining the general principles that companies will need to follow when undertaking advertisement and sponsorship activities via the Council which included criteria for when the the Council would not be prepared to work with certain organisations/companies.
- A section providing Procurement Guidance for officers to support the process for decision making and the award of contracts.
- A Roles and Responsibilities section explaining how the process and Protocol would be managed including arrangement for reporting to Cabinet on specific opportunities.
- A section outlining the proposed Monitoring and Review process for the Protocol.

He further indicated at the time of the report being considered by Cabinet the use of the Urgent Decision Procedure had been sought to implement the Cabinet decisions to enable the Protocol to be used to actively promote sponsorship opportunities for the Summer Events Programme. Delegated authority is also sought for the relevant Head of Service in consultation with the Leader, Managing Director and Section 151 Officer to promote and agree sponsorship and advertising opportunities and award necessary contracts in line with the Advertising and Sponsorship Protocol. This meant in these circumstances that not all opportunities would automatically be reported back to Cabinet for approval.

The Operational Manager for Policy and Performance also referred to proposals outlined within the report to develop proposals for the sponsorship of other assets, including strategic routes, gateways to the County, pooled cars/fleet, further advertising on the Council's website and specific locations.

He in liaison with the Managing Director, provided an update in regard to the progress made to date with the Summer Events Programme and associated sponsorship arrangements.

The Committee made the following points in relation to the proposed Protocol which included clarification provided by the Operational Manager for Policy and Performance:

- The value threshold of any individual sponsorship;
- Matters relating to favouritism;
- Clarification and definition required in relation to paragraph 4.3 of the Protocol "of a political nature";

- A flexible approach to the packaging of strategic and non-strategic routes to ensure equity and that local businesses could gain access be considered;
- That a baseline assessment should be undertaken to compare what was currently being done against activities proposed in the future;
- The Committee's endorsement of the requirement for the protocol to be reviewed annually and preferably, including the Scrutiny Committee as part of the review process;
- Matters relating to the income generation targets for sponsorship of associated events.

Separately, discussion also touched upon unlawful highways advertising, advertising on Billboards and bridges. The Operational Manager for Policy and Performance also briefly referred to a review of sponsorship linked to the Council's website with the view to improving current income generation.

In regard to the Chairman's comments relating to a local constituent who had experienced difficulties with advertising their business in the Llandough area, Operational Manager for Policy and Performance gave an assurance that he would look into the matter with a view to taking this forward, potentially as a case study.

Having regard to the above and related issues it was

#### RECOMMENDED –

(1) T H A T the Advertising and Sponsorship Protocol be endorsed subject to the Cabinet giving the following matters further consideration:

- The provision of a definition required in relation to paragraph 4.3 of the Protocol "of a political nature";
- A flexible approach to the packaging of strategic and non-strategic routes be taken.

(2) T H A T Cabinet be advised that the Scrutiny Committee endorses the requirement for the protocol to be reviewed annually which should include the Scrutiny Committee as part of the review process.

#### Reasons for recommendations –

- (1) To ensure equity and that local businesses were appropriately considered.
- (2) To allow the Cabinet to consult on the review findings."

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The Leader in presenting the reference from Corporate Performance and Resources Scrutiny Committee, referred to the suggested additions and points of clarification that were raised by Committee.

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

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the Advertising and Sponsorship Protocol be endorsed subject to the the following changes:
  - The provision of a definition required in relation to paragraph 4.3 of the Protocol "of a political nature";
  - A flexible approach to the packaging of strategic and non-strategic routes be taken.
- (3) T H A T in pursuance of resolution 2 above, delegated authority be granted to the Managing Director, in consultation with the Leader to amend and finalise the protocol as recommended.
- (4) T H A T the Advertising and Sponsorship protocol be reviewed annually and that the Scrutiny Committee Corporate Performance and Resources be included as part of the review process.

Reasons for decisions

- (1) To note the contents of the report
- (2) To endorse the Advertising and Sponsorship Protocol subject to the changes outlined in resolution 2 made above.
- (3) To enable the protocol to be amended and finalised.

- (4) To review the Advertising and Sponsorship Protocol annually and to include the Scrutiny Committee Corporate Performance and Resources as part of the review process.

**C332 WELSH GOVERNMENT GREEN PAPER CONSULTATION DOCUMENT “STRENGTHENING LOCAL GOVERNMENT: DELIVERY FOR PEOPLE” - COUNCIL RESPONSE (REF) -**

The Scrutiny Committee - Corporate Performance and Resources on 24 May, 2018 considered the above report.

Cabinet at its meeting held on 21st May, 2018 (Cabinet minute no. C311 refers) considered the Council's proposed response to the above Green Paper and had subsequently referred the matter to the Scrutiny Committee for consideration.

In referring to the Cabinet report and related proposed response the Managing Director made reference to the Members recent briefing which was held on the content of the Green Paper on 9th May, 2018. The briefing had provided all members with an the opportunity to express views and opinions on the merits or otherwise of the proposals. Where relevant, Members' comments had been incorporated into the draft response of the Council.

The Managing Directors attention then turned to the Green Paper itself indicating that it set out the case for reform on the basis that Welsh Government contend that Local Government required additional powers and flexibilities, but for this to happen they needed to be bigger. As a result, the issue of merging local councils was raised yet again, barely 4 years after the issue was first raised as a result of the Williams Commission and some 10 months post hence from the predecessor Minister for Local Government, indicating that merger proposals had been withdrawn in favour of further collaboration and partnership working. The proposals set out the case for the Vale of Glamorgan to merge with Cardiff (one of 10 proposed new Councils) on the basis that this was in line with the Local health Boards, again as was the case with the Williams Commission. Options timelines for mergers ranged from “Early Adopters” 2022 to phased mergers 2026.

He indicated that the Council's draft response was in his view, a fair assessment of the current local government landscape, extremely thorough and robust, and set out in some detail, concerns which were summarised as follows:

- This Council was opposed to merging with Cardiff Council, not just for the sake of opposing it, but for sound reasons, namely:

- o There were significant cultural differences with Cardiff as well as geographical differences that necessitate a separate stand-alone Council;
- o The Green Paper was nothing but a re-run of the Williams Commission – albeit with no additional data and analysis, which made the continued case for merger flawed;
- o Larger did not equal better – the Council’s performance on an all Wales basis proved this, as did the various reports from regulators;
- o The Council was Wales’ Top Performing Council;
- o Collaboration was key and has gained momentum and referred to example of strategic projects which sat under the umbrella of the Regional City Deal e.g. Housing and Transport, something that had not been recognised in the Green paper. Wholesale reorganisation would put this at risk;
- o New powers and freedoms should not come at the cost of any mergers;
- o Local autonomy and responsiveness was key for our communities. The Council was able to perform well because it could connect with local communities.
- o Implications for Elected Members, particularly the democratic deficit created within local communities as a result of the overall reduction of Elected Members, a consequence of the merger proposals;
- o Sharing services – locally, regionally and nationally had commitment which had been demonstrated over recent years;
- o The Green Paper was as yet another distraction from delivering the Council’s vision.

Discussion ensued with broad support for the Council’s proposed response.

A Member suggested that the proposed response should be strengthened in terms of the significant impact any merger proposals would have by distracting the delivery of regional projects e.g. transport, as part of the Regional City Deal. The Member also felt that the response should be strengthened around the mergers creating on-going uncertainty which in turn, had had significant consequences for the Council in terms recruitment and retaining of certain professions. To his knowledge, he referred to cases where Council officers were choosing to leave local government employment in favour of the private sector due to the hiatus linked to mergers. The Managing Director acknowledged the concerns raised and indicated that the proposed suggestions to strengthen the Council’s response should be referred back to Cabinet for consideration.

A Member alluded to the dependency of the merger proposals on the outcome of the impending Assembly Administration leadership contest. He also queried the Council’s proposed response to Question 15. He considered that the Council’s

response should set out clearly at the start of the response its position on the matter. If an Executive Summary was required to be included then it should be, rather than the format of the Welsh Governments' document dictating the terms of the Council's response.

The Managing Director acknowledged the merits of the inclusion of an Executive Summary and indicated that this could be included as part of the Council's response to Question 1.

Discussion further ensued with the Chairman strongly suggesting that the Council's response should draw upon comparisons between local government and health boards in Wales, in terms of budget compliance and service performance. It was timely to remind the Welsh Government that a number health boards in Wales had been in the past or were currently in special measures. The size of these organisations could not be ignored in the context of the merger proposals.

Having regard to the above and related issues it was RECOMMENDED -

- (1) T H A T the Council's proposed response to the Green Paper be endorsed.
- (2) T H A T Cabinet be requested to consider strengthening of the Council's response to include the following additional matters:
  - Strengthened in relation to the mergers creating on-going uncertainty having significant consequences for the Council in terms recruitment and retaining of certain professions.
  - Strengthened in terms of the significant impact any merger proposals would have and distraction in the delivery of regional projects e.g. transport as part of the Regional City Deal.
  - Consideration of the inclusion of an Executive Summary which set out the Council's position on the subject.

Reasons for recommendations -

- (1) In support of the Cabinet response on the matter.
- (2) To strengthen the the Council's stance taken in response to the proposals."

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The Leader in presenting this item, made reference to the fact that this matter had received considerable attention, both at Cabinet previously and at the meeting of the Corporate Performance and Resources Scrutiny Committee. There had also been a useful Member briefing held, which had been very well attended.

He also thanked all the officers for their hard work in putting together a comprehensive response.

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

RESOLVED –

- (1) That the contents of the report be noted.
- (2) T H A T Cabinet approve a delegation to the Managing Director in consultation with the Leader, to strengthen the Council's response by incorporating the feedback from Scrutiny Committee to include the following additional matters:
  - The impact of mergers in creating on-going uncertainty having significant consequences for the Council in terms recruitment and retaining of certain professions.
  - The significant impact and distraction any merger proposals would have on the delivery of regional projects such as transport as part of the Regional City Deal.
  - The inclusion of an Executive Summary which sets out the Council's position on the subject
- (3) T H A T in pursuance of resolution 2 above, the response be finalised and submitted to Welsh Government by the deadline of 12th June 2018 and that a copy of the response be circulated to all elected Members by email for their information.

Reasons for decisions

- (1) To note the contents of the report.
- (2) To allow the response to be finalised and submitted by 12 June 2018.

- (3) In order that elected members were informed of the position being taken by the Council on the Welsh Government's latest policy regarding the structure of councils in Wales.

**C333 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - SECTION 65 POWER TO FIX FARES FOR HACKNEY CARRIAGES - APPLICATIONS TO VARY THE HACKNEY CARRIAGE FARES TARIFF (LRS) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION) -**

Cabinet was asked to determine an application received from the Vale of Glamorgan Taxi Association to vary the current Vale of Glamorgan Council's rate of hackney carriage fares.

The Council may fix or vary the rate of fare for the hire of a hackney carriage under the provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act, 1976. The Section required that any variation of the fare must be advertised in a local paper and that a period of notice of at least 14 days be given to enable any person to make objections.

The current tariff of fares had been in place since 1 August 2011 and was shown in Appendix A attached to the report.

An application to increase the rate of hackney carriage fares was submitted to the Licensing Department by the Chairman of the Vale of Glamorgan Taxi Association on 15 March 2018.

The Vale of Glamorgan Taxi Association's application proposed a mean increase of 7.45% across all tariffs. All other charges such as the waiting time and the charge for cleaning the interior of the vehicle remained the same. Full details of the request were shown in Appendix B attached to the report.

In support of the application, the Chairman of the Vale of Glamorgan Taxi Association stated "the average rise that we are proposing is 7%. The last rise was 2011 that means we are requesting a rise of only 1% per year, I think you will agree this is not excessive, especially when you consider the rises in the cost of living, and the major rises in the running costs the Drivers and Operators now have to pay, ie. Parts, Fuel, Insurance etc"

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 application put forward by the Vale of Glamorgan Taxi Association to vary hackney carriage fares with an implementation date of 23 July, 2018 (provided there are no objections) be approved in principle.
- (2) T H A T subject to the resolution 1 above, the fare variation be advertised in the local press.
- (3) T H A T subject to no objections being received delegated authority be granted to the Director of Environment and Housing to agree the fare variation in consultation with the Cabinet Member for Regulatory and Legal Services.

Reasons for decisions

- (1) To allow the new proposed fares to be publically advertised. Under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, if any objections were received to the public notice, these must be considered by Cabinet and any new fare tariff must come into effect within 2 months from the original implementation date. The implementation date had been recommended to allow for the Cabinet recess, and to remain within the statutory time limit.
- (2) To vary hackney carriage fares it was necessary to give public notice in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
- (3) To permit the change in fares to be implemented if there are no objections received.

**C334 GIBBONSDOWN EXTERNAL WALL INSULATION CONTRACT (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES) -**

Cabinet was advised of the proposed contract award arrangements for the Gibbonsdown external wall insulation installation project.

At the meeting the Cabinet member for Housing and Building Services, commented that this work had been a great success and made a real difference, with many properties and residents benefiting from the scheme.

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 the Joint Contracts Tribunal intermediate contract detailed within the Part II report later on this agenda.

Reason for decision

To note contents of the report with a view to taking decisions on the award of the Joint Contracts Tribunal intermediate contract detailed within the Part II report later on the agenda.

**C335 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.

**C336 GIBBONSDOWN EXTERNAL WALL INSULATION CONTRACT (HBS) (EXEMPT INFORMATION – PARAGRAPH 13 & 14) SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES))**

Approval was sought to proceed with the award of the Gibbonsdown external wall insulation installation 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 Cabinet approve the award of the Gibbonsdown external wall insulation installation contract to Sustainable Building Services (UK) Limited.
- (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 Sustainable Building Services (UK) Limited.

Reasons for decisions

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