

**CABINET**

Minutes of a meeting held on 16<sup>th</sup> July, 2018.

Present: Councillor J.W. Thomas (Chairman), Councillor T.H. Jarvie (Vice-Chairman), Councillors J.C. Bird, G.A. Cox, G.C. Kemp, A.C. Parker and R.A. Penrose.

Also Present: Councillor B.T. Gray.

**C358 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 2<sup>nd</sup> July, 2018 be approved as a correct record.

**C359 DECLARATIONS OF INTEREST –**

The following declarations of interest were received:

Councillor G.A. Cox	<p>Agenda Item No. 6 – Community Review – Cowbridge with Llanblethian Town Council and Penllyn Community Council</p> <p>Reason for Declaration – Member of Cowbridge with Llanblethian Town Council.</p>
Councillor A.C. Parker	<p>Agenda Item No. 6 – Community Review – Cowbridge with Llanblethian Town Council and Penllyn Community Council</p> <p>Reason for Declaration – His daughter, Kate Summers, is a Member of Penllyn Community Council</p>

**C360 WHITMORE BAY: RESORT CLEANING UPDATE (REF) -**

The Environment and Regeneration Scrutiny Committee on 14<sup>th</sup> June, 2018 considered the above report of the Director of Environment and Housing.

Following introductions all round by the Chairman, the Operational Manager for Neighbourhood Services (Operations) presented the report to the Committee. The purpose of the report was to inform Committee of the current arrangements for resort cleaning at Whitmore Bay and to apprise Members of the litter issues arising from

the May Spring Bank Holiday and the measures that had been implemented to improve cleanliness levels.

The Operational Manager commenced by advising that the Council employed a dedicated resort team that worked annualised hours so they were available six days per week including weekends and Bank Holidays for peak periods. Additionally a split shift operated across the resort which allowed for staff presence for longer periods of the day to help facilitate public convenience provision and beach hut hire as well providing the necessary litter collection. Beach cleaning was undertaken using a beach surf rake that mechanically collected litter and other debris whilst towed by a tractor. It operated seven days per week from April to September. Beach litter was collected daily, early in the morning when the beach had the minimum amount of users and to ensure public safety.

Whitmore Bay was the Council's recognised amenity beach and as the Principal Litter Authority, the Council therefore had a statutory duty to clean it within the tidal range. The Council's statutory duty in respect of cleaning was applicable in the bathing season 1<sup>st</sup> May to 30<sup>th</sup> September and during these months the beach should be kept free of litter and refuse. Outside of the bathing season Committee was informed this was only advisory but it was recognised as good practice.

Under Section 89 (1) of the Environmental Protection Act 1990 which placed a duty on certain bodies (usually Council's or the Crown in respect of beaches) to ensure that the land for which they were responsible, was kept clear of litter and refuse. To ensure the Council complied with the Act it undertook cleaning during specified times in accordance with the Code of Practice on Litter and Refuse and Associated Guidance 2007. The Code was provided by Welsh Government to relevant bodies and it provided guidance to ensure compliance to the Act, in respect of cleansing. The Code specified cleanliness grades that areas (in this case the beach) must be maintained to and when action was to be taken.

Within the guidance it suggested that the Council maintain a Grade B standard as higher grades were understandably difficult and not always achievable especially on beaches.

### **Cleanliness Grades**

Grade A	No Litter or refuse
Grade B+	No more than three items of litter
Grade B	Predominately free of litter and refuse apart from some small items
Grade C	Widespread distribution of litter and / or refuse with minor accumulations
Grade D	Heavily affected by litter and/or refuse with significant accumulations

Over May Spring Bank Holiday, the weather had been particularly warm which had brought an exceptionally high number of visitors to Whitmore Bay. Although this was seen as positive and encouraging for the area and the resort, a minority of users had left large accumulations of litter on the beach together with other debris strewn across the beach which had affected the Council's ability to maintain the required cleanliness standard and resulted in adverse publicity for the Council. Appendix A to

the report provided Members with copies of a number of photographs that had been taken in respect of the litter that had been left.

In an attempt to harness the power of the public and seek more permanent solutions to the problems experienced, a Litter Summit had been arranged. The summit held on 17<sup>th</sup> May, 2018 called upon various stakeholders which included the Council's Managing Director, the Leader of the Council, the Cabinet Member for Neighbourhood Services and Transport, local Members, Council staff, local litter picking groups / volunteers, traders, emergency services including the RNLI and members of the public passionate about the environment. Approximately 30 participants had attended, split up on six separate tables which formed the workshop with each group being requested to generate at least one idea under six separate headings – Litter Collection, Waste Disposal, Education, Enforcement, Behaviour and a Bright Idea.

All of the participants had actively participated and some innovative ideas had been generated (Appendix B) as well as some "quick wins" in readiness for the second Bank Holiday at the end of May. Committee was also advised that additionally since the first May Bank Holiday there had been a lot of positive suggestions on social media. These had been collected and displayed at the "Litter Summit" (summarised in Appendix C and listed Appendix D to the report).

The Operational Manager further highlighted that although the weather had not recently been as hot as the Spring Bank Holiday, there had been a high number of visitors to the resort and the "quick wins" that had been implemented as a result of the Litter Summit had assisted significantly. The measures ("quick wins") that had been introduced were reported as:

- Visitors were greeted with before and after images (Appendix E) showing the cleanliness of the beach at the start and at the end of the early May Bank Holiday;
- Extra wheeled bins were in place at key access points to the beach and along the promenade;
- A refuse vehicle was stationed at Neil's Point car park which reduced the need to transport waste off the resort and minimise any potential down time;
- Tannoy announcements were made to remind visitors to use the 100+ bins on the resort;
- Staff numbers were increased later in the day to help collect discarded waste and litter on the beach;
- Volunteers and local members of the public were invited to assist with litter removal.

Following the presentation of the report, the Chairman asked the member of the public who had registered to speak to make their representation to the Committee.

Mrs. J. Cheek commenced by advising that she was speaking as a resident of the area and had been involved in the Litter Summit. Mrs. Cheek commended the Authority on some of the initiatives that had been undertaken to date but in relation to the new banners that had been placed around the area, stated that the colour scheme used meant visibility was very difficult and urged the Council to redesign the

banners and to also consider other areas where they could be placed, for example train stations. Mrs. Cheek also advised of the need for litter bins to be visible on the beach and suggested that banners and signs be placed on the beach together with litter bins. Mrs. Cheek thanked the Operational Manager for the information that a further report was to be prepared for July providing feedback on the Litter Summit. However, in referring to the grading system for cleanliness of the beaches she considered Grades B and C to be somewhat dramatic and disproportionate. Reference had also been made at the summit to the use of beach clean boards with Mrs. Cheek suggesting that they may be better placed at Bay 2 of the Eastern Shelter. In referring to the work of volunteers in undertaking litter picking at the resort, she advised of a recent issue where a number of volunteers had been fined for parking on the Island and considered this to be inappropriate when volunteers were giving of their time freely.

Another issue that had been raised at the Litter Summit, had been around speaking to local shopkeepers to ask them to consider reducing packaging on products in order to be more environmentally friendly and queried how far this had been looked into. She also wished to see the reintroduction of water fountains in parks in the Vale and particularly at the Western Shelter, where there was already a water connection available, considering that this would be an important feature for the resort. Of further note was that one of the beach huts had water availability and queried whether signs could be put up to advise visitors that they could use the water facility in that particular beach hut.

Following Mrs. Cheek's representations, the Operational Manager in response advised the Committee that beach banner signage had been erected in the short term but that he would look into the issue raised for the longer term. The Operational Manager also stated that the beach wall was a listed structure and as such it could not be used for signage but he would look into the possibility of using other areas. He confirmed that capital bids had been placed for additional bins. With regard to the issuing of Fixed Penalty Notices, he stated that in future should a volunteer group ask to litter pick on the resort, if they contacted him directly he could look into the possibility of providing vouchers for parking. He was most grateful for the help that was provided and would certainly look into the matter.

In referring to the grades of cleanliness, the Operational Manager stated that the Council had to have a way of assessing standards as resources were finite. With specific reference to water stations, the manager advised that the Council was currently looking into this aspect. With regard to a ban on polystyrene, inroads had been made with traders, although the Council was unable to force a ban they would continue to raise awareness.

Councillor N.P. Hodges, not a Member of the Committee but granted permission to speak, advised that he had enjoyed the Litter Summit which he considered had been very successful and was staggered by the statistics in respect of the amount of litter that was being left behind. He was of the firm view that education was key and raising awareness was imperative. He was also fully supportive of the installation of water stations and in referring to Barry Cemetery, advised that this had been classed as contaminated land but that Barry Town Council was currently looking into the matter for the future. A number of Members concurred that it was key to raise

awareness with the public and important to educate all visitors of the need to ensure that litter was placed in appropriate receptacles or indeed taken away.

Members congratulated the department on the work that had been undertaken to date and in particular took the opportunity to thank the volunteers who had taken their own time and effort to make resort and Barry Island a nice place to live and visit.

In referring specifically to litter fines the Operational Manager advised that there were difficulties in the process as the enforcement officer had to see the person leave the litter before they could fine them. The pictures that had been presented in the report were considered to be useful with the suggestion that they could be utilised to undertake a publicity drive with the possibility of placing copies on social media to advise people of the litter problems that are left when visitors come to Barry Island and other resorts in the Vale of Glamorgan.

Following a query as to whether the Department could clean the beach in the evening as well as in the morning, the Operational Manager advised that this was undertaken before 6.00am for health and safety reasons due to the number of visitors attending in the day.

Having regard to advertising and raising awareness campaigns, a Member asked whether it would be possible to contact Welsh Government and ask them to undertake a campaign very similar to the ones that had been done some time ago on national television with public information films being developed to raise awareness. The Member also asked if there were similar issues in other areas. The Operational Manager in response advised that there were similar issues, in particular at Cosmeston but these related to the use of portable barbeques. The Operational Manager stated that to try to alleviate the situation at peak times, for example, school holidays and Bank Holidays, the department would consider placing more bins in the areas with more regular collection times.

Following a further query regarding Wi-Fi on the Island, the Operational Manager advised that the Tourism Team were currently looking into this aspect.

Following a query as to whether the Council used community service personnel to assist with litter picking they were informed that the Probation Service and Youth Offending Teams were used on a regular basis for clearing fly tipping, but that in the main it was volunteers for litter picking. A further suggestion that cleaning of the beaches take place on a Friday prior to the weekend, the Operational Manager agreed to look into this with the Supervisor.

In conclusion a Member stated that it was important for the Council to protect the image of Barry Island as a platinum resort and that the Council could not afford for the image to be tarnished.

Following the above frank discussion, it was subsequently

## RECOMMENDED –

- (1) T H A T the Chairman write to the new franchise holder of the railway lines regarding the extent of litter in and around train stations, with a copy of the letter also being sent to the Environment Minister stressing the importance of litter collection.
- (2) T H A T Cabinet be requested to provide an update on the installation of water fountains in and around the Vale and in particular at seaside locations.
- (3) T H A T Cabinet be recommended to consider that where there is a pre-organised litter picking arrangement, that volunteers be provided with vouchers to ensure that they do not receive any parking fines.
- (4) T H A T Cabinet be requested to consider a hard hitting approach for a public campaign to raise awareness of the issues of litter.

Reasons for Recommendations

- (1) To seek assistance and co-operation with regard to the issue of litter in and around the Vale.
- (2) For public use.
- (3) As a gesture of goodwill to the volunteers in undertaking litter picking.
- (4) To raise awareness.”



Following consideration of the reference, the Leader took the opportunity to advise Members that he had met with members of “Beautiful Barry” the previous evening when undertaking a litter pick. A query was raised regarding a request at the “Litter Summit” held on 17<sup>th</sup> May, 2018 for traders to be requested to take labels off toys when being purchased as this would assist in decreasing the litter and debris that was left on the resort, with it subsequently being

## RESOLVED –

- (1) T H A T the contents of the report and Resolution (1) above be noted.
- (2) T H A T a further report be brought to Cabinet on the issues outlined by the Environment and Regeneration Scrutiny Committee in Resolutions (2)-(4) above.
- (3) T H A T a letter be forwarded to traders on Barry Island regarding the request as outlined above.

Reasons for decisions

- (1) To note Resolution (1) above of the Environment and Regeneration Scrutiny Committee.
- (2) To consider and address the issues as outlined by the Environment and Regeneration Scrutiny Committee.
- (3) Having regard to comments raised at the Litter Summit.

**C361 COMMUNITY REVIEW – ST. BRIDES MAJOR COMMUNITY COUNCIL (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet endorsement was sought of the Electoral Registration Officer's (ERO) final proposal for the community review of the number of Members on the St. Brides Major Community Council.

The Council had a duty under s31 of the Local Government (Democracy) (Wales) Act 2013 ("the Act") to conduct a review of the electoral arrangements for a community in its area either of its own initiative or at the request of the Community Council for the community.

A request was received from the St. Brides Major Community Council ("the Community Council"), for a review to be undertaken of the number of Members elected to the Ogmore by Sea Ward.

The request highlighted that the Community Council considered that due to the increase in properties there was an unfair ratio of Members to electors in the Ogmore by Sea Ward, proposing that the total number of Members for the Ogmore by Sea Ward be increased from five to six.

The Community Council was currently made up of five Members for the Ogmore by Sea Ward and six Members for the St. Brides Major Ward. The current electorate for Ogmore by Sea was 942 which gave a ratio of 1:189. The current electors for St. Brides Major was 798 which gave a ratio of 1:133. The planning forecast indicated an additional 100 dwellings in the Ogmore by Sea Ward between 2017-2019.

The 100 dwellings were already included in the current property database on the Electoral Register and were reflected in the 18<sup>th</sup> September, 2017 Cabinet Report. It was proposed by the ERO that as part of the review that the number of Members elected to both Wards of the Community Council be reviewed in light of the number of Community Councillors on the Council.

Consequently, Cabinet received a report at its meeting on 18<sup>th</sup> September, 2017 when it resolved (in part):

“(1) THAT delegated authority be granted to the Electoral Registration Officer to conduct a review of electoral arrangements in relation to the number of members representing the St. Brides Major Community Council, in accordance with the Local Government (Democracy) (Wales) Act 2013.”  
(minute no. C71)

The ERO’s initial proposal of no change was approved by Cabinet on 5<sup>th</sup> February, 2018. (minute no. C214)

Appendix A attached to the report was the ERO’s final proposal of no change to the electoral arrangements at St. Brides Major Community Council.

The Cabinet Member for Regulatory and Legal Services, in presenting the report, advised that the community review had been widened to consider the number of Members elected to both the Ogmere by Sea Ward and the St. Brides Major Ward of the Community Council, and that paragraph 10 of the report referred to the consultation that had taken place, with it being noted that no further submissions had been received during the second stage of the consultation.

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 Electoral Registration Officer’s final proposal of no change as set out in Appendix A to the report be endorsed.
- (2) T H A T the Electoral Registration Officer be authorised to report to Council in line with Resolution (1) above on the review of the electoral arrangements relating to the number of Members representing the St. Brides Major Community Council.

Reasons for decisions

- (1) To inform and seek approval of Cabinet on the final proposal of the ERO.
- (2) In line with the Local Government (Democracy) (Wales) Act 2013.

**C362 COMMUNITY REVIEW – COWBRIDGE WITH LLANBLETHIAN TOWN COUNCIL AND PENLLYN COMMUNITY COUNCIL (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet endorsement was sought of the Electoral Registration Officer’s (ERO) final proposal of no change in respect of the community review of the boundary between Cowbridge with Llanblethian Town Council and Penllyn Community Council.



A request was received from the Cowbridge with Llanblethian Town Council (“the Town Council”) for a review to be undertaken of the community boundary between Cowbridge with Llanblethian Town Council and Penllyn Community Council.

The request highlighted that the Town Council considered that the planned development on the land north west of Cowbridge (known as Darren Farm) would impact on community services provided by the Town Council and there was a concern that the Town Council would not benefit from an increased precept. The Town Council therefore requested a community boundary review of its boundary with Penllyn Community Council.

Consequently, Cabinet received a report at its meeting on 18<sup>th</sup> September, 2017 when it resolved (in part):

“(1) THAT delegated authority be granted to the Electoral Registration Officer to conduct a review of the community boundary between Cowbridge with Llanblethian Town Council and Penllyn Community Council in accordance with the Local Government (Democracy) (Wales) Act 2013.” (minute no.C71)

In line with the terms of reference for the review, the review was brought to the attention of the mandatory consultees and such other persons the ERO considered likely to be interested in the review.

Appendix A attached to the report was the ERO’s final proposal of no change to the community boundary between the Town Council and Penllyn Community Council.

The ERO’s initial proposal of no change was approved by Cabinet on 5<sup>th</sup> February, 2018. (minute no. C213)

The Cabinet Member for Regulatory and Legal Services highlighted that no further submissions had been received during the second stage of the consultation process.

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 Electoral Registration Officer’s final proposal as set out in Appendix A to the report be endorsed.
- (2) T H A T the Electoral Registration Officer be authorised to report to Council in line with Resolution (1) above the final proposal of no change to the community boundary between Cowbridge with Llanblethian Town Council and Penllyn Community Council.

#### Reasons for decisions

- (1) To inform and seek approval of Cabinet on the final proposal of the ERO.

(2) In line with the Local Government (Democracy) (Wales) Act 2013.

**N.B. Councillors G.A. Cox and A.C. Parker vacated the room whilst this item was being discussed.**

**C363 COMMUNITY REVIEW – CATALINA, CEI DAFYDD, BARRY – BARUC AND CASTLELAND WARDS (VALE OF GLAMORGAN COUNCIL AND BARRY TOWN COUNCIL) (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet endorsement was sought of the Electoral Registration Officer's (ERO) final proposal to move the boundary line bisecting the property Catalina, Cei Dafydd, Barry which was currently between Baruc and Castleland Wards in the Vale of Glamorgan Council and Barry Town Council.

The Council had a duty under s25 of the Local Government (Democracy) (Wales) Act 2013 ("the Act") to conduct a review of the community boundary for a community in its area either of its own initiative or at the request of the Community Council for the community.

A request was received from the Local Democracy and Boundary Commission for Wales, for a review to be undertaken of the community boundary at Catalina, Cei Dafydd, Barry between Baruc and Castleland Wards for the Vale of Glamorgan Council and Barry Town Council.

The boundary line was historic and was established prior to the residential development on the Waterfront which included the property 'Catalina' which consisted of 21 apartments.

The request highlighted that the Local Democracy and Boundary Commission for Wales considered that the property had an anomaly whereby electors would be recorded in one polling district yet this did not correspond with the county and community Ward (in this case residents of a Baruc polling district; but voting in a Castleland polling district). The Local Democracy and Boundary Commission for Wales highlighted the need to adjust the community Ward boundary to address the anomaly ensuring that the entire property was contained within one polling district and community Ward.

Consequently, Cabinet received a report at its meeting on 18<sup>th</sup> September, 2017 when it resolved (in part):

“(1) T H A T delegated authority be granted to the Electoral Registration Officer to conduct a review of the community boundary at Catalina, Cei Dafydd, Barry between Baruc and Castleland Wards of the Vale of Glamorgan Council and Barry Town Council in accordance with the Local Government (Democracy) (Wales) Act 2013.” (minute no. C71).

In line with the terms of reference for the review, the review was brought to the attention of the mandatory consultees and such other persons the ERO considered likely to be interested in the review.

Appendix A attached to the report was the ERO's final proposal. The proposed changes would be submitted to the Local Democracy Boundary Commission for Wales for consideration to proceed with an Order for authorisation by the Welsh Ministers subject to approval by Cabinet and Council.

The Cabinet Member for Regulatory and Legal Services advised Cabinet that no further submissions had been received during the second stage of the consultation process.

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 Electoral Registration Officer's final proposal as set out in Appendix A attached to the report be endorsed.
- (2) T H A T the Electoral Registration Officer be authorised to report to Council the final proposal to move the Ward boundary line bisecting the property Catalina, Cei Dafydd, Barry in line with Resolution (1) above.

Reasons for decisions

- (1) To inform and seek approval of Cabinet on the final proposal of the ERO.
- (2) In line with the Local Government (Democracy) (Wales) Act 2013.

**C364 PROCUREMENT POLICY AND STRATEGY 2018 – 2021 (L)  
(SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) -**

Approval was sought for the adoption of the Procurement Policy and Strategy 2018 - 2021.

The Council managed public money and had a responsibility to do so with probity, to ensure that value for money was achieved and that money was spent in accordance with the Council's key objectives. Good procurement was critical to obtaining real improvements in service quality and cost.

The Council delivered its services directly through its own workforce and through private and third sector organisations. During 2017/2018 the Council spent £95.9m procuring a diverse range of goods, services and works.

The Council's Procurement Policy and Strategy 2018 - 2021 was attached at Appendix A to the report for consideration and detailed how the Council would promote sustainable and effective procurement over the life time of the Strategy.

As well as outlining how the Council could ensure effective procurement practices, the Policy also outlined some of the key areas of work in the coming year with the Leader referring Members to paragraphs 7, 8 and 9 of the report.

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 Procurement Policy and Strategy 2018 – 2021 attached at Appendix A to the report be endorsed.
- (2) T H A T the Council signs up to the Code of Practice - Ethical Employment in Supply Chains.

Reasons for decisions

- (1) To ensure the procurement practices of the Council met the requirement to deliver good quality services at a reasonable cost.
- (2) To promote good employment practice throughout the Council's supply chain.

**C365 TREASURY MANAGEMENT CLOSING REPORT 2017/18 (L)  
(SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) -**

Cabinet was presented with the annual review report on Treasury Management 2017/18.

In March 2012 the Council adopted the 2011 edition of the CIPFA Treasury Management in the Public Services: Code of Practice, which required the Council to approve a Treasury Management Strategy before the start of each financial year, a mid-year report, and an annual report after the end of each financial year.

This annual treasury report had been prepared as required and covered:

- the economy / interest rates in 2017/18;
- the strategy for 2017/18;
- the borrowing outturn for 2017/18;
- investment outturn for 2017/18;
- compliance with treasury limits and Prudential Indicators.

The Section 151 Officer continued to adopt a cautious approach with respect to Treasury Management operations. The Council's primary objectives for the

management of its investments were to give priority to the security and liquidity of its funds before seeking the best rate of return. This being the case the Authority placed the majority of funds available for investment purposes with other Local Authorities. These investments attracted a slightly more favourable rate of return than investing with the UK government, but still gave priority to the security of funds invested.

Funds not placed with other Local Authorities were placed in the 'Debt Management Account Deposit Facility' (DMADF) as these deposits were guaranteed by the British Government. However, these deposits attracted a lower return than those available from placement of funds with either Local Authorities or commercial banks.

The Council's primary objective for the management of its debt was to ensure its long term affordability. The majority of its loans had therefore been borrowed from the Public Works Loan Board at long term fixed rates of interest. In 2017/18 the Council continued to finance a significant proportion of its capital expenditure from internal resources. The potential reduction of the Councils investments balances at times of elevated credit risk was still considered the most prudent option available to the Authority throughout 2017/18.

Council approved the Treasury Management Strategy for 2017/18 at its meeting on 1<sup>st</sup> March, 2017, (minute no. 861 refers).

The Section 151 Officer advised that all Treasury Management activity undertaken during the financial year complied with the amended approved strategy, the CIPFA Code of Practice, and the relevant legislative provisions.

The overall return on investments for 2017/18 was £244,424 at a rate of 0.33%.

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 annual report on Treasury Management 2017/18 be accepted and that the report be referred to Council for approval.

Reason for decision

To accept and refer the report to Council.

**C366 BUDGET STRATEGY 2019/20 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for the Budget Strategy 2019/20 (including the proposed Budget Process and Timetable).

As part of the final settlement figures for 2018/19, Welsh Government (WG) provided an indicative reduction in the 2019/20 settlement of 1%. The Final Revenue Budget

Proposals for 2018/19, therefore, used this indicative figure for both 2019/20 and 2020/21. No further update on the potential settlement had been received from WG for 2019/20 or future years.

There was no clear indication that austerity measures would cease to continue into the near future, particularly with the uncertainty surrounding Britain's exit from the European Union. The establishment of the National Living Wage introduced from April 2016 was having a significant impact upon the Council, with further increases proposed over the coming years. In addition, the consequence of further welfare reform changes could have a knock on effect for Councils in terms of higher arrears, increased homelessness and greater demand for social services and other intervention.

The actual level of reductions in funding for Welsh local government or any protection allowed to particular services by WG was unknown. This uncertainty did not provide any basis for sound forward planning.

As part of the Final Revenue Budget Proposals for 2018/19, the level of required savings projected for 2019/20 and 2020/21 were £6.4m and £5.0m respectively. This level of saving would, however, need to be reviewed as part of the next MTFP, which would be presented to Cabinet in September 2018. With the required savings levels being at such a level, it was acknowledged that savings from efficiencies alone were not sufficient and substantial savings would need to be found through the fundamental reshaping of Council services.

The Final Revenue Budget Proposals for 2018/19 allocated £3.6m of the total savings to be achieved to schemes. Directors would however need to consider the potential for further savings to be identified.

Taking into consideration the above financial situation, the Budget Strategy for 2019/20 proposed that in order to establish a baseline, services should prepare initial revenue budgets based on the cost of providing the current level of service and approved policy decisions and including the existing savings targets. This meant the cost of price increases and any allowable pay awards should be included as advised by the Head of Finance.

Increases to budgets approved during the course of a financial year could restrict the freedom the Council had to allocate its resources to priorities during the following budget cycle when it was aware of all the competing demands. Consequently:

- Supplementary estimates would only increase the base budget if Council had given specific approval to this effect. Increases met by virement within a year would not be treated as committed growth;
- Directors should find the cost of increments and staff changes from their base budget unless the relevant specific approval had been given for additional funding;
- The effect of replacing grant from outside bodies that had discontinued would not be treated as committed growth. In addition, before any project or initiative that was to be met either wholly or partly by way of grant may proceed, the exit strategy must be approved;

- Certain items of unavoidable committed growth would continue and these included the effect of interest changes and the financing cost of the Capital Programme, increases in taxes, increases in levies and precepts charged by outside bodies and changes to housing benefits net expenditure;
- Services would be expected to achieve savings already approved by Cabinet as part of the 2018/19 final budget proposals and Directors were asked to continue work on achieving their Reshaping Services savings targets; and
- It was envisaged that the costs of service development would need to be met from within the respective Directorates.

The proposed timetable for the 2019/20 Budget was for Cabinet to make its initial revenue and capital budget proposals in November 2018. The capital bids considered and prioritised would include those recommended by the Insight Board. Each Scrutiny Committee would be consulted and would receive the relevant initial proposals of the Cabinet in December 2018.

- Scrutiny Committees would be asked to make recommendations on the proposals. Corporate Performance and Resources Scrutiny Committee would act as the lead Scrutiny Committee in this respect;
- The budget would then be considered by the Budget Working Group, which would submit its recommendations to Cabinet by February 2019. Cabinet would formulate its final proposals and submit them to a meeting of Full Council to be held in February 2019, having first taken any response from the lead Scrutiny Committee into account. At this stage, it was not anticipated that WG would change announcement dates from the normal timeframes, however, it may be necessary for Scrutiny Committees, Cabinet and Council to hold special meetings in order to ensure that the budget may be approved within the statutory deadline; and
- Membership of the Budget Working Group would consist of the Leader, Deputy Leader, Managing Director and Head of Finance.

The budget process would need to ensure that it demonstrated the Council's commitment to the Well-being of Future Generations Act which aimed to improve the social, economic, environmental and cultural well-being of Wales and ensure that the needs of the present were met without compromising the ability of future generations to meet their own need. Even with reductions in funding, where practical, the Council would strive to maintain services which contribute to the agenda.

The budget setting process would reflect the five ways of working approach undertaken by the Council.

- Looking to the long term – The budget proposals were a means of planning for the future and take a strategic approach to ensure services were sustainable and that future need and demand for services was understood.
- Taking an integrated approach – The budget proposals highlighted and encouraged ways of working with partners.
- Involving the population in decisions – As part of the budget proposal process there would be engagement with residents, customers and partners.

- Working in a collaborative way – The budget proposals recognised that more could be achieved and better services could be provided by collaboration and it encouraged this as a way of working in the future.
- Understanding the root cause of issues and preventing them – The budget process was proactive and allowed an understanding of the financial position so that issues could be tackled at the source.

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 Budget Strategy for 2019/20, including the requirement for Directors to prepare initial revenue budgets in accordance with a timetable agreed by the Head of Finance be approved.
- (2) T H A T Directors be requested to continue to progress the Reshaping Services Programme.
- (3) T H A T the following timetable for the 2019/20 Budget Process be approved, subject to any amendments being required to meet the statutory deadline, as a result of changes in the timing of Welsh Government settlement announcements.

<b>Timetable for the 2019/20 Budget Process</b>	<b>To be completed no later than</b>
Cabinet consider the initial budget proposals	19 <sup>th</sup> November, 2018
Lead Scrutiny Committee Corporate Performance and Resources responds to consultation and makes recommendations on budget proposals	13 <sup>th</sup> December, 2018
Cabinet makes its final proposals on the budget	18 <sup>th</sup> February, 2019
Meeting of Council to consider budget and council tax resolution	27 <sup>th</sup> February, 2019

Reason for decisions

- (1-3) To enable the 2019/20 budget process to be commenced.



**C367 CABINET QUARTERLY WORK PROGRAMME – JULY TO SEPTEMBER 2018 (L) (SCRUTINY COMMITTEE- ALL) -**

Cabinet was advised of the current position regarding work programming and presented its next Cabinet Quarterly Work Programme of the Cabinet / Council for the period July to September 2018. The report also sought to align the future scheduling of the Cabinet Quarterly Work Programmes going forward to coincide with the quarterly Work Programmes of the Council's Scrutiny Committees as well as quarterly monitoring of performance.

The current quarterly Work Programme of the Cabinet / Council ran for the period May through to end of July. The report provided a stock-take of that current Work Programme and set out a revised and up to date Work Programme for the period July to September 2018. This would allow all future Work Programmes to follow the same pattern of quarterly reporting as Scrutiny Committees as well as other quarterly reporting relating to performance. The current Work Programme (May-July) was set out in Appendix A attached to the report, and the replacement Programme for July - September was set out in Appendix B attached to the report. The Work Programme set out the reports to be scheduled in the current quarter. It also indicated the potential role of Scrutiny as well as those reports that would be considered by Council. The Work Programme for July to September should be seen to replace the previous programme for May to July.

The Leader informed Cabinet that for clarification purposes, a copy of the hyperlink to the minutes of Cabinet meetings would also be included in the Cabinet Quarterly Work Programme document.

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 Quarterly Work Programme of the Cabinet / Council for the period July to September 2018 be approved.
- (2) T H A T future Quarterly Work Programmes of the Cabinet / Council run from October to December, January to March, April to June, and July to September to coincide with the quarterly Work Programmes of the Council's Scrutiny Committees and quarterly performance reporting.
- (3) T H A T future Annual Work Programmes run from 1<sup>st</sup> April to 31<sup>st</sup> March.

**Reasons for decisions**

- (1&2) To comply with the requirements of the Local Government Act 2000, subordinate legislation and the Council's Constitution.

- (3) To fully align with other quarterly reporting on Work Programmes, performance and budgets.

**C368 ANNUAL REPORT: SECTION 106 AGREEMENTS 2017/18 (RP)  
(SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION).**

Cabinet was informed about the progress on Section 106 (Planning Obligation) matters that had arisen in the last financial year (April 2017 - March 2018).

The Council's policies on affordable housing and planning obligations were set out in the Vale of Glamorgan Local Development Plan (LDP) (2011-2026) and the adopted Affordable Housing and Planning Obligations Supplementary Planning Guidance documents (SPGs).

Appendix C within the Planning Obligations SPG contained the adopted Section 106 Protocol for Implementation.

The report summarised the Council's progress on negotiating, monitoring and implementing planning obligations through Section 106 agreements, for the last financial year.

**Planning applications subject to Section 106 Agreements in 2017/18**

In the 12 months between 1<sup>st</sup> April, 2017 and 31<sup>st</sup> March, 2018, a total of 28 planning permissions had been granted, which had been subject to a legal agreement.

The value of the financial contributions in the legal agreements totaled £8,109,968 (all figures rounded to pounds for clarity) and related predominantly to allocated major residential developments, such as:

- land south of Cog Road, Sully - 350 dwellings;
- Caerleon Road, Dinas Powys - 70 dwellings;
- land at Cardiff Road/Cross Common Road, Dinas Powys - 50 dwellings;
- land at Sycamore Cross, Bonvilston - 120 dwellings; and
- land adjacent to Llantwit Major Bypass, Boverton - 65 dwellings.

A full list was outlined in Appendix A attached to the report.

The financial contributions secured through these legal agreements would be used to provide or enhance facilities off site, such as sustainable transport services and infrastructure, highway improvements, public open space, community facilities, public art and educational facilities.

The planning obligation requirements secured this year had also included 'in-kind' obligations such as provision of on-site affordable housing, on-site public open space and public art.

The Cabinet Member advised that £1,831,407 had been spent on schemes during 2017/18 with Section 106 contributions (fully or partially) supporting enhancement of

public transport, walking and cycling networks, new school places and open space enhancement. In the twelve months between 1<sup>st</sup> April, 2017 and 31<sup>st</sup> March, 2018 a total of 28 planning applications had been granted which had been subject to a legal agreement. The value of the financial contributions in the legal agreements totaled £8,109,968 and related predominantly to major residential developments. As at 31<sup>st</sup> March, 2018, the Council had £13,836,471 within the Section 106 account. The majority of the contributions had been committed to schemes within the Vale of Glamorgan as agreed with elected Members and service areas or were pending further consultation.

The Leader took the opportunity to request that all officers involved in collecting all Section 106 monies for the Vale of Glamorgan Council be thanked for the work undertaken and their negotiation skills involved.

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 progress made on Section 106 matters between April 2017 and March 2018 be noted.
- (2) T H A T the report be referred to Environment and Regeneration Scrutiny Committee and sent to Members of the Community Liaison Committee, all Vale of Glamorgan Council Members and the Clerks of all Town and Community Councils for information.
- (3) T H A T a deviation to the Council's adopted Section 106 Protocol for Implementation (Appendix C attached to the report), specifically in relation to Section 106 contributions received to provide or enhance education facilities which correspond with proposals contained within the Council's 21st Century Schools Band B Programme be approved.
- (4) T H A T where the contribution was required to support the Council's 21st Century Schools Band B Programme, as set out in the Council's Band B Strategic Outline Programme, delegated authority be granted for the Head of Regeneration and Planning and Operational Manager for Planning and Building Control, in consultation with the Cabinet Member for Regeneration and Planning, the Director of Learning and Skills and Cabinet Member for Learning and Culture, to allocate Section 106 education contributions to support the Council's 21st Century Schools Band B Programme.

#### Reasons for decisions

- (1) To note the progress made on Section 106 matters between April 2017 and March 2018.

- (2) To inform all Members and Town and Community Councils of the progress made on Section 106 matters between April 2017 and March 2018.
- (3) To ensure that Section 106 contributions for education, which had been secured in lieu of anticipated additional capacity required as a result of planned developments (in accordance with the Vale of Glamorgan adopted Local Development Plan 2011-2026), were reflected strategically into the 21st Century Schools Band B programme.
- (4) To ensure that Section 106 contributions for education, which had been secured in lieu of anticipated additional capacity required as a result of planned developments (in accordance with the Vale of Glamorgan adopted Local Development Plan 2011-2026), were reflected strategically into the 21st Century Schools Band B programme.

**C369 FORMER RENEWAL AREA OFFICES, 198 HOLTON ROAD BARRY (RP) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION) -**

The report set out proposals to lease the former Renewal Area Offices at 198 Holton Road, Barry to a third party. The Cabinet Member for Regeneration and Planning advised that under the conditions of the Grant, the Council would be required to repay Welsh Government from the proceeds of rental unless the property was for regeneration purposes for which there was a need. Welsh Government officers had therefore agreed that if the premises were let to a third party the Council could retain some surplus rental income if such was used for agreed regeneration purposes in Barry. A local charity had asked to lease the premises at market value from the Council and Welsh Government was in agreement with this.

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 report be noted and considered alongside the Part II report later on the agenda.

Reason for decision

In order that a decision can be made under Part II.

**C370 WELSH GOVERNMENT 30 HOUR CHILDCARE OFFER; WORKING IN PARTNERSHIP WITH CARDIFF COUNCIL (LS) (SCRUTINY COMMITTEE – LEARNING AND CULTURE) -**

Cabinet was informed of the Welsh Government's 30 Hour Childcare Offer for 3 and 4 year olds ("the Childcare Offer") and the proposed partnership working arrangements with Cardiff Council.

The Welsh Government's 2016-2021 Programme for Government, 'Taking Wales Forward', identified the "Free Childcare Offer" as one of its main pledges.

Implementation of the free Childcare Offer was being implemented on a phased basis within and across Local Authorities. This meant that as each Local Authority adopted the scheme it would initially only operate in parts of that Authority area, over time the provision would then be expanded to eventually include the whole Local Authority area. Welsh Government intended to achieve full coverage across all Local Authority areas by the end of the Assembly term (2020-2021).

The Childcare Act 2006 placed a duty on Local Authorities to "secure as far as is practically reasonable, sufficient childcare for working parents in their area". Local Authorities were required to complete a Childcare Sufficiency Assessment every five years with an annual update on the action plan and any significant changes.

The Childcare Offer provided eligible working parents of 3 and 4 year olds with 30 hours of funded early years education (Foundation Phase Nursery - FPN) and childcare per week, for up to 48 weeks a year. For the Vale of Glamorgan this would consist of 12.5 hours of Foundation Phase Nursery Education and 17.5 hours of childcare per week during term time, and 30 hours of free childcare (9 weeks) non-term time.

Welsh Government's primary policy aims of the offer were to:

- enable more parents, particularly mothers, to return to work;
- increase the disposable income of those in work and help counteract poverty for those in low paid jobs; and
- increase child development and school readiness.

Parental eligibility during the early implementation stages was defined by:

- employment and income;
- beneficiaries must be employed or self-employed and permanently reside in Wales;
- both parents must be working in a two parent family, or the sole parent in a lone parent family; and
- earn a weekly minimum equivalent of 16 hours at the national minimum wage (NMW) or national living wage (NLW) and be able to prove they are working via their earnings.

In order to access the offer, parents needed to be resident in the Wards designated for the roll out of the offer.

Early Implementer Local Authorities were required to define the rationale for phasing in the Free Childcare Offer over time across the Authority in consultation with the Welsh Government.

Only childcare providers registered with the Care Inspectorate Wales (CIW) who agreed to the terms and conditions of the offer were able to provide childcare places.

In order to take up the offer, families would need to be living within the designated pilot Wards; evidence of this was collated when parents made an application. However, there was no requirement for the free childcare to be located within the eligible Wards or within the same Local Authority area. The selection of childcare was down to parental choice.

The funding level, paid directly to participating childcare providers, was set nationally at £4.50 per child per hour.

The Welsh Government rate enabled participating childcare providers flexibility to charge parents for additional services such as transportation, food and trips. Providers cannot charge additional fees to increase their hourly rate.

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 Vale of Glamorgan Council become an Early Implementer Local Authority from September 2019.
- (2) T H A T it be approved that Cardiff Council to act as the Delivery Authority and the Vale of Glamorgan Council as the "Engagement Authority" as per Welsh Government's guidance.
- (3) T H A T the Council enter into a Service Level Agreement with Cardiff County Council to act as the Delivery Authority on behalf of the Vale of Glamorgan in respect of the 30 hour Childcare Offer.

Reasons for decisions

- (1) To implement Welsh Government's 30 Hour Childcare Offer to support families in the Vale of Glamorgan.
- (2&3) To progress Welsh Government's request to work with Cardiff Council to implement the rollout of the Childcare Offer in the Vale of Glamorgan in September 2019.

**C371 DIRECTOR OF SOCIAL SERVICES – ANNUAL REPORT – 2017-18 – FINAL (SCHL) (SCRUTINY COMMITTEE – HEALTHY LIVING AND SOCIAL CARE) -**

Cabinet was advised of the future priorities for the Directorate of Social Services.

As part of the statutory duties, the Director of Social Services was required by the Welsh Government to produce an Annual Report on the effectiveness of social care services in the Vale of Glamorgan and on the Council's plans for improvement. This

gave the Director an opportunity to provide people in the Vale of Glamorgan with a rounded picture of social services - based on evidence drawn from a wide range of sources such as what users and carers say, key performance indicators, and measurements of progress against the overall goals of the Council.

The Annual report attached at Appendix 1 to the report was written for a wide range of people, including service users and carers but also Elected Members, the Council's own staff, and the range of partners and providers who help the Council deliver its services. It was used by the Care Inspectorate Wales (CIW) as evidence and to guide their inspection programme in the Vale of Glamorgan.

The report reflected on progress over the last financial year.

The Corporate Plan set out the Council's vision for the next four years by identifying priorities that were aligned to well-being outcomes and objectives. In planning how the Council would deliver services over the coming years, our annual Service Plans 2017-18 outlined service specific contributions to these priorities. The corporate Service Planning process had been used to set out the Council's improvement agenda and to inform the development of the priorities for 2018-19 in the Director's Annual Report.

The Leader took the opportunity to thank the Director and his staff for a comprehensive report.

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 content of the report be noted.
- (2) T H A T the Director's Annual Report for 2017-2018 attached at Appendix 1 to the report be approved.
- (3) T H A T the improvement priorities for Social Services as set out in the Director's Annual Report for 2017-2018 be agreed.

Reason for decisions

- (1-3) To approve the Director's Annual Report for 2017-2018 attached at Appendix 1 to the report.

**C372 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.

**C373 FORMER RENEWAL AREA OFFICES, 198 HOLTON ROAD BARRY (SCHL) ((EXEMPT INFORMATION – PARAGRAPH 12, 13, 14) (SCRUTINY COMMITTEE – ENVIRONMENT AND REGENERATION) -**

The report set out proposals to lease the former Renewal Area Offices at 198 Holton Road, Barry to a third party. The Leader also advised of the change of title of the Head of Legal Services to Monitoring Officer / Head of Legal and Democratic Services insofar as it related to this report and ongoing delegations previously granted by Cabinet.

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 198 Holton Road Barry be leased to a third party as set out in the report.
- (2) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised, in consultation with the Head of Regeneration and Planning, to prepare, complete and execute all legal documentation required to complete the lease agreement with the third party on terms and conditions to be agreed but generally as set out in the report.

Reasons for decisions

- (1) In order to support the local organisation, secure a use for the vacant building and secure income for regeneration purposes.
- (2) In order to enter into all necessary legal agreements required to complete the lease agreement.