

**CABINET**

Minutes of a meeting held on 19<sup>th</sup> November, 2018.

Present: Councillor J.W. Thomas (Chairman); Councillors J.C. Bird, G.A. Cox, G.C. Kemp, A.C. Parker and R.A. Penrose.

Apologies: Councillor T.H. Jarvie (Vice-Chairman).

Also present: Councillors L. Burnett and N.P. Hodges.

**C474 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 5<sup>th</sup> November, 2018 be approved as a correct record.

**C475 DECLARATIONS OF INTEREST –**

Councillor G. Cox	<p>Agenda Item 10 – Initial Capital Programme Proposals 2019/20 to 2023/24 and Capital Monitoring 2018/19</p> <p>Reason for Declaration – A Local Education Authority (LEA) appointed governor on Y Bont Faen Primary School and Cowbridge Comprehensive School.</p> <p>As an LEA governor his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>
Councillor G.C. Kemp	<p>Agenda Item 11 – New NJC Single Status Pay Structure 2019/20</p> <p>Reason for Declaration – Councillor Kemp’s Daughter is employed by the Local Authority.</p> <p>Councillor Kemp has a Dispensation from the Standards Committee to speak and vote on this matter.</p>
Councillor A.C. Parker	<p>Agenda Item 10 – Initial Capital Programme Proposals 2019/20 to</p>

	<p>2023/24 and Capital Monitoring 2018/19</p> <p>Reason for Declaration – A Local Education Authority (LEA) appointed governor on Cowbridge Comprehensive School.</p> <p>As an LEA governor his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>
<p>Councillor R.A. Penrose</p>	<p>Agenda Item 10 – Initial Capital Programme Proposals 2019/20 to 2023/24 and Capital Monitoring 2018/19</p> <p>Reason for Declaration – A Local Education Authority (LEA) appointed governor on Sully Primary School.</p> <p>As an LEA governor his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>

#### **C476 SHARED REGULATORY SERVICES JOINT COMMITTEE –**

The minutes of the Shared Regulatory Services Joint Committee meeting held on 18<sup>th</sup> September, 2018 were submitted.

Present:

Representing Bridgend County Borough Council – Councillors D. Lewis and Ms. D. Patel;  
 Representing Cardiff City and County Council – Councillors Ms. N. Mackie and M. Michael (Chairman);  
 Representing the Vale of Glamorgan Council – Councillors V.P. Driscoll and T.H. Jarvie (Vice-Chairman).

(a) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 19<sup>th</sup> June, 2018 be approved as a correct record.

(b) Declarations of Interest –

No declarations were received.

(c) Audit of the 2017/18 Joint Committee Financial Statements (MD) –

Mr. Steve Wyndham from the Wales Audit Office (WAO) advised that the report detailed the relevant issues that needed to be raised with the Council, on behalf of the Appointed Auditor. He stated that the WAO had no concerns about the quality aspects of the Council's accounting practices and financial reporting. The WAO had not encountered any significant difficulties during the audit and there were no significant matters to be discussed or corresponded upon with management which needed to be reported. In addition, there were also no other matters significant to the oversight of the financial reporting process that they needed to report on and they did not identify any material weakness in the material controls. Finally, Mr. Wyndham stated that there were no other matters specifically required by auditing standards to be communicated to those charged with governance.

The latest 2017/18 Statement of Accounts incorporating all currently agreed amendments was attached at Appendix A to the report and the Audit of Financial Statements report was attached at Appendix B. The Letter of Representation was attached at Appendix C.

At paragraph 8 of the covering report, it was noted that the intention of the Appointed Auditor was to issue an unqualified audit report on the Financial Statements once the relevant Council Officers had provided a signed Final Letter of Representation.

With regard to the current report, reference was made to a small number of misstatements that had been corrected following discussion between the WAO and the designated Section 151 Officer for the Joint Committee and these were set out in Appendix 3 to Appendix B.

The Head of Finance / Section 151 Officer also advised the Committee that back in June 2018, an underspend was reported for the Shared Regulatory Services. Under the Joint Working Agreement, Section 151 Officers needed to agree what would happen with this money and Committee was advised that the Section 151 officers were recommending that the underspend, in the region of £346k, would be reallocated back to the three partnership Local Authorities.

A Committee Member, in referring to Appendix 3, queried whether the amount in relation to the Illegal Money Lending Unit should be in addition to the SRS's budget. In reply, the Accountant for the Joint Committee stated that this was a potential issue around wording and that in the past, Cardiff Council had received this money and had reallocated it back to the Vale of Glamorgan as host. This amount was not over or above the budget contributions.

Having fully considered the report and the views of the Auditor, it was subsequently

## RESOLVED –

- (1) T H A T the Statement of Accounts for 2017/18 be approved and signed and dated by the Chairman of the Committee.
- (2) T H A T the Letter of Representation to the Wales Audit Office for 2017/18 be noted and agreed and signed and dated by the Chairman of the Committee.
- (3) T H A T the report of the Appointed Auditor on the audit of the Shared Regulatory Service Financial Statements for 2017/18 be noted.

Reasons for decisions

- (1) That the Statement of Accounts be approved prior to the deadline.
- (2) That the signed Representation Letter is returned to the Wales Audit Office.
- (3) To ensure that Members are aware of the results of the audit of the 2017/18 Financial Statements of the Shared Regulatory Service.

(d) Food Law Enforcement Service Plan (DEH) –

The Operational Manager for Commercial Services advised that the report sought approval for the draft Food Law Enforcement Service Plan for the Councils for 2018/19. The Councils had a duty, which had been delegated to the Joint Committee, to enforce the Food Safety Act 1992, the Official Food and Feed Controls (Wales) Regulations 2009 and a wide variety of other food / feed legislation including the Food Hygiene (Wales) Regulations 2006.

A copy of the draft Food and Feed Law Enforcement Service Plan for 2018/19 for the Shared Regulatory Service (SRS) was attached to the report at Appendix 1. The Service Plan detailed how the SRS would fulfil the major purpose of ensuring the safety and quality of the food chain to minimise risk to human and animal health.

Its terms of performance for Food Hygiene, the Operational Manager stated that the Service had reported its best performance ever. Members were advised that the rate of inspection of high risk businesses for each of the three Local Authority areas was 100%. The main indicator used to assess the Council's performance was the proportion of food establishments in the Local Authority area which are broadly compliant with food hygiene law, with an improvement in performance reported over the last five years.

Members noted that some of the key challenges identified during the previous year 2017/18 included staffing. The Committee was advised that a number of officers had recently left to take up job opportunities outside of the SRS. A Committee Member queried how the SRS would tackle this issue. In reply, the Operational Manager stated that at the time when the SRS was set up, there was a need to employ technical officers who had been provided with a lot of training. Some of these had

now moved on. The Operational Manager stated that the Service had actively tried to recruit to the vacant posts and the Service had also invested in the posts and so these had been advertised at a higher grade. The Operational Manager also added that the team had been working hard to fill the gaps from the empty posts. Further to these comments, the Head of Service stated that the Service required staff to achieve high professional levels and that the Councils were unable to provide support to prospective staff members in completing a three year university course. This meant that the Councils had less numbers of people from which to recruit from. The Chairman asked whether the Service could work with colleges to see if students could be sponsored. In reply, the Head of Service referred to the difficulty with the technical nature of posts which required a degree based qualification. He also referred to a meeting with Welsh Government who were keen on introducing more apprenticeship schemes which could potentially assist the Service in recruiting new staff members. Members agreed that an update on recruitment would be provided at the next meeting.

Other challenges included Events and Financial. For Events the Committee noted that the region hosted many outdoor events across a wide range of venues. The time spent planning, organising, monitoring events and inspecting and sampling at food premises during events each year was not to be underestimated. These were additional commitments above the planned inspection programme, often not experienced by other Councils in Wales.

The Chairman commented that the issue with hosting events, was that clean-up was required afterwards. Councils did not have a budget to deal with this, which required the use of Council resources. The Chairman stated that a fee for clean-up should be charged and that this issue should be properly recognised.

In respect to the Financial challenged, the Committee was advised that the continuing financial difficulties faced by all local authorities had required implementation of remedial measures to offset budgetary deficits. This had an impact on the delivery of food services in recent years. This pressure would continue in the years to come. However, the new collaborative model provided a budgetary framework to work within for the next 3 years. This allowed a greater level of certainty for the service, than would otherwise be possible.

A Committee Member queried how the service monitored premises in displaying their food hygiene rating. In reply, the Operational Manager confirmed that the Service did monitor, but this was usually carried out after an inspection. Following an inspection, it was the Proprietor's responsibility to ensure that the correct rating was displayed and some chose not to do this if the score was lower. The Operational Manager stated that the Service surveyed and sent officers to check whether the correct ratings were displayed. This was an area that was of concern to the Service which usually received a number of complaints from members of the public who felt that the score displayed did not present a true reflection of practices. The Operational Manager advised that if the Service did find premises displaying incorrect score then Officers could issue a Fixed Penalty Notice.

Following full consideration of the report, it was subsequently

RESOLVED –

- (1) T H A T the Food and Feed Law Enforcement Service Plan for 2018/19 be approved.
- (2) T H A T the Head of Shared Regulatory Services be authorised to make administrative amendments to the 2018/19 Food and Feed Law Enforcement Service Plan should the need arise.

Reasons for decisions

- (1) The Food Standards Agency requires all Local Authorities to produce and approve an annual plan that sets out how it is going to discharge its responsibilities.
- (2) To ensure the Plan remains up to date should any changes in law or best practice be introduced during the period.

(e) Overview and Update on Shared Regulatory Services (DEH) –

The Head of Shared Regulatory Services presented the report, advising that it provided an update on the work undertaken by the Shared Regulatory Services (SRS).

The Head of Service began by referring to the area of Human Resources. It was reported that the last quarter attendance levels had been higher when mapped against the previous year. A projection based on current figures to the end of the current financial year remained uncertain, but SRS management would work to maintain attendance at the 2017/18 levels (6.9 FTE).

The Head of Service then referred to the area of Health and Safety. He advised that earlier in the year, the SRS began working with the Trade Unions to ensure that everything possible was being done to protect the health, safety and wellbeing of frontline staff, particularly those working alone. This had resulted in a number of actions.

Firstly, all non-office based staff had been provided with Conflict Management and Lone Worker training. This was provided by an external provider, Safety Training Solutions Ltd. The training had been tailored to the particular needs of the SRS, through the use of relevant case studies and making reference to relevant risk assessments.

Secondly, a number of SRS staff were piloting the use of the “Solo Protect ID” device that pinpointed the location of the user, and should they encounter violent or aggressive behaviour or suffer injury while working alone, a call handler was able to intervene to get the necessary assistance to the person concerned. It was reported that feedback to date had been very positive and the device would be made available to other identified SRS staff. Members noted that at present, there had not been any need for any of the staff to use the call handling system.

Finally, the SRS had put in place a system to record warning alarms in respect of premises or individuals linked to violent or aggressive behaviour through the Tascomi database. It was noted that it was vital that this process now extended to enable the two way sharing of information across the three partner Authorities, albeit this remained more of a challenge from the data governance perspective.

With regard to the Financial Position for Quarter 1, a financial monitoring report was attached at Appendix 1. The Head of Finance stated that the service was projecting to overspend by £22k against a gross revenue budget of £8.504m.

Committee was then taken through Quarter 1 performance as shown in Appendix 2.

Highlighting some key areas, the Head of Service began by advising that for Food Hygiene, a Green RAG status had been attributed to the number of high risk inspections of Category A and B businesses. For Category C businesses, the Service had missed target. This was largely due to staff sickness which had resulted in Category A and Category B businesses being prioritised. For new business identified which were subject to a risk assessment, it was noted that the performance for the Cardiff area was slightly below target, again this was due to staff sickness. It was reported that overall performance for the number of food establishments deemed to be broadly compliant had exceed the Quarter 1 target.

With regard to the number of high risk establishments that were inspected by Trading Standards, the Head of Service advised that overall performance was Amber, as a result of one inspection being outstanding. A Red status had been attributed to the percentage of new businesses subject to a risk assessment for Trading Standards. This was as a result of a backlog of visits from the previous years and outstanding visits would be undertaken during quarter 2.

Members noted that a Green status had been attributed to the number of domestic noise and air complaints responded to within 3 working days and also to the percentage of commercial and industrial noise and air complaints responded to within one working day. With regard to the percentage of alarm complaints responded to within one day, Members were advised that performance for Cardiff and the Vale had exceeded target, but Bridgend had a Red status due to a recording issue with a complaint received.

For the Licensing service, Members noted that performance for all indicators had met or exceeded targets.

The Head of Service then referred to an audit review of the SRS financial controls and governance that had been undertaken as part of the 2018/19 Annual Internal Audit Plan. During the audit, a number of strengths and areas of good practice were identified including the regular scheduled appointments between SRS management and the Accountant to maintain communication over the position of the budget. It was reported that no key issues were identified during the audit and it was concluded that the effectiveness of the internal control environment was considered to be sound and therefore substantial assurance could be placed upon the management of risks. He also commented on the excellent work and support provided by the Financial Service Team, stating that he could not undertake his role without them.

In July 2018, the All-Party Parliamentary Group on Occupational Safety and Health reported to Parliament on the role of local Government in health and safety regulation and made a number of recommendations for change. The report noted that workplace health and safety enforcement at premises within the purview of local Councils was done through Regulatory Services officers who were also responsible for many other enforcement areas including food safety, housing, environmental nuisance and trading standards.

The All-Party Group recognised the financial restraints that many local Councils were working under and the many competing demands on their services. They believed that Local Authorities, in general, provided a very useful service and that the current dual inspection role between the HSE and Local Authorities was a pragmatic approach to inspection and enforcement. Consequently their recommendations to Government included:

- HSE ensure that local government priorities on inspection reflect the current HSE strategy with greater emphasis on health, rather than just safety;
- That “fee for intervention” should be extended to Local Authorities;
- The HSE should provide some framework for consistency of approach in good primary authorities working and ensure greater scrutiny of the scheme.

With regard to the possible introduction of fees, a Member stated that this should be considered very carefully as fees could have a knock on effect of increasing workload. In addition, the Head of Service stated that the SRS mainly worked with small sized businesses, so the impact on these compared to larger retailers would be bigger. Any legislative change as a result of the report would be reported to the Joint Committee at a later date.

- Safeguarding / Scams

SRS officers had been busy during July and August raising awareness of how to avoid scams and other rogue trading practices. Having a presence at a number of shows, open days and similar events ensured that as large an audience as possible was reached over the course of the summer and attendance at the Vale of Glamorgan Agricultural Show even resulted in a surprise slot for one of our Officers to spread the word, live on Bro Radio.

A number of joint days of action and “Rogue Trader Days” were undertaken with South Wales Police and a further three call blockers were installed in the homes of vulnerable residents during the summer, bringing the total number of SRS fitted call blockers in use in residents' homes to 38.

Scams Awareness Month, a national initiative, took place in June and to mark the occasion, Shared Regulatory Services staged a “Friends Against Scams” session for Vale of Glamorgan Council staff and Elected Members, which was well received. Friends Against Scams (FAS) was a UK-wide scheme that aimed to protect and prevent people from becoming victims by empowering communities to take a stand against scams. FAS awareness sessions were designed to equip attendees with the knowledge and skills to discern the different types of scams and how to spot and



support a victim. The session had been supplemented for Vale of Glamorgan employees by making available online training via the iDev facility.

The annual Air Quality progress reports, as required by Welsh Government were being finalised prior to their being presented to the respective Cabinets of Bridgend, Cardiff and the Vale of Glamorgan Councils in the autumn. The indicative position in each of the three Council areas was as follows:

**Bridgend** – In 2017, SRS increased the number of monitoring locations for nitrogen dioxide (NO<sub>2</sub>) in Bridgend County Borough. These sites were commissioned based on known areas of particularly elevated traffic flows, the introduction of traffic management systems and foreseeable development, all with nearby relevant exposure. Based on the results obtained during 2017, the boundary of one of these locations was extended by the addition of a further two monitoring locations for 2018.

Although the full dataset was not available for 2018, the average NO<sub>2</sub> level breaches the annual average objective set for NO<sub>2</sub>, and gave cause for concern. A report was being presented to the Bridgend County Borough Council (BCBC) on 18<sup>th</sup> September setting out the need for an Air Quality Management Area (AQMA) to be declared for the location giving concern. As there were a number of residential properties included in the boundary of the AQMA, residents would be consulted during which time the reasons for and the implications of an AQMA can be explained to the community.

Following the declaration of an AQMA, the BCBC would have up to 24 months to formalise an Action Plan in order to implement appropriate measures to improve / reduce the NO<sub>2</sub> levels within the AQMA. This would require a co-ordinated approach with SRS working with a number of BCBC departments and other agencies to identify the most appropriate solutions to improve air quality in the area.

**Vale of Glamorgan** – The results of monitoring air quality in the AQMA located in the Vale of Glamorgan had for a number of years indicated that it was time to revoke the AQMA in Penarth. This would be recommended to the Vale of Glamorgan Council Cabinet when the annual Air Quality Progress report was presented in October. An effective communications plan would ensure that residents understood the reasons for revoking the existing the AQMA and importantly, that monitoring of air quality would continue in the area to ensure that the greatly improved standard of air quality was maintained.

In response to local concerns about the Biomass plant in Barry, SRS has invested in two AQ monitors that monitored Air Quality every 15 minutes. One of these monitors was situated on Holton Road and the other on Dock View Road, and both were now operational and sending live Air Quality data. Residents and interested parties could view the results via the SRS website.

**Cardiff** – SRS continued to play a significant role in assisting the City of Cardiff Council as it identified the most effective way to improve air quality going forward. External consultants were currently concluding transport and air quality modelling exercises to inform the Council's initial report to Welsh Government which was due to be submitted by 30<sup>th</sup> September.

## Major Events

SRS played an important role in the successful staging of major events across the three Local Authority areas. In addition to dealing with any licensing matters associated with a particular event, SRS played an important role in ensuring that food sold at events was safely prepared and stored, and that it was labelled correctly. In the case of stadium concerts and sporting events, input may be required to assist brand holders to protect trademarked goods and safeguard against the supply of counterfeits.

Major events staged through the participant Councils went through a detailed planning process via the respective Events Safety Advisory Group in Bridgend and the Vale of Glamorgan, and in Cardiff via the Events Liaison Panel. SRS played a role throughout the planning stages with respect to food safety, health and safety and brand protection.

While Summer was traditionally the busiest time for events, June, July and August had been exceptionally busy for events. This was due in part to the success of the City of Cardiff Council in promoting itself on the world stage as the home of successful events. There was also a discernible increase year on year in the other two Local Authority areas, with figures for the Vale of Glamorgan area suggesting a 25% increase in events this year. Some examples of events recently staged included the Volvo Ocean Race, Oktoberfest, Welshfest and the various agricultural shows across the region. All of this has had an impact on the SRS in terms of meeting demand from other areas of responsibility, and at a time of our diminishing staffing resource, and in covering weekend and evening work. Discussions were underway with the respective partner Councils to ensure that event work could be appropriately prioritised, for example through service level agreements, and measures put in place to recover cost where necessary.

## Housing Enforcement

The Grenfell Inquiry chaired by Sir Martin Moore-Bick was an independent public inquiry, set up to examine the circumstances leading up to and surrounding the fire at Grenfell Tower on 14<sup>th</sup> June, 2017. It was currently in Phase 1 of the Inquiry and had taken evidence from a range of experts who had been critical of the current regime for regulating the testing and use of ACM materials which were involved in the rapid spread of the fire at the high rise.

Within Cardiff there were a number of privately owned high rise buildings which had been constructed using ACM materials similar to that used at Grenfell. The Fire Service and Welsh Government had taken a lead to date in co-ordinating the response to the issues raised by the fire in Wales. There was a possibility the SRS may take a more prominent role in respect of affected high rise buildings in the private sector through the use of powers contained in the Housing Act 2004 and the Housing Health and Safety Rating System (Wales) Regulations 2006. The SRS were taking further expert advice and remained in consultation with Welsh Government and the Fire Service as the response to Grenfell and the potential

remediation of some of the high rise buildings proceeds. The Service would continue to update the Joint Committee on this matter.

### Taxi Licensing

The Welsh Government was yet to produce their proposals for the review of Taxi and private hire legislation in Wales following the consultation last year. This was envisaged to become available in September 2018. Taxi licensing remained the responsibility of each Council through its Licensing / Public Protection Committees. However, the changes suggested by the consultation may have wider implications for consumers and it was proposed to report any changes to the Joint Committee on that basis.

Members of the Joint Committee would have been aware that Cardiff and the Vale of Glamorgan had granted a Private Hire Operator Licence to a company called OLA, who operated via a smart app., similar to those used by UBER and Dragon for example. The Company was able to evidence compliance with both Councils' Conditions for a Private Hire Operator Licence and therefore the licence was granted via Officer delegated powers, as was the usual due process in such cases. Once again, there was heightened consumer interest in the use of app based technology to make taxi bookings and developments would be reported to the Joint Committee.

### Communicable Disease Service Plan

SRS published a number of operational plans to advise stakeholders of the work to be carried out in certain environments. One of those plans had recently been completed and was appended for consideration by the Joint Committee. The document set out at Appendix 3 to the report was the Communicable Disease Plan, which set out how the SRS would fulfil its role of protecting public health through the investigation of cases and outbreaks of communicable disease and the application of control, preventative and enforcement measures.

### Managing Infection Control Workshops

SRS officers in partnership with Welsh Government and Vector Air and Water Systems delivered a "Managing Infection Control Workshop" to residential care homes in SRS in June this year. Earlier health and safety visits indicated that care homes continued to struggle with effective management and control of Legionella in hot and cold water systems.

This interactive session also included talks on prevention and control of Norovirus and Influenza in care homes. 56 delegates attended, 50 (89%) said that the workshop provided either very good or excellent value to their business, 55 (98%) reported learning something from attending the workshop and 48 (86%) said they would be making changes within their business as a result of what they had learned.

### Food Hygiene Rating Display Survey

The Food Hygiene Rating (Wales) Act 2013 established a mandatory food hygiene rating scheme for Wales. The scheme was designed to help consumers make

informed choices as to where to purchase or eat food by providing information about the hygiene standards. Food businesses (unless exempt) had a legal duty to display a valid FHRs sticker.

A survey was completed across SRS earlier this year to ensure compliance with the legislative requirements. A total of 947 businesses were checked to verify the valid rating sticker was being displayed in a conspicuous place. 18 businesses were found not to comply with the law and were served a Fixed Penalty Notice.

Further legal proceedings were currently ongoing for businesses who had failed to pay the Fixed Penalty Notice for non-display. One case had been concluded involved a restaurant within the Cardiff area which was fined £2,400 and ordered to pay £200 in legal costs along with £40 victim surcharge.

SRS had received significant press attention as a result of this case and had also received a letter from the Food Standards Agency to congratulate the department on the successful result. A copy of the letter was contained within Appendix 4 to the report.

### Swimming Pool Survey

Cryptosporidiosis was a protozoan infection which could cause symptoms such as profuse watery diarrhoea and cramping abdominal pain in humans. It was most commonly associated with young children in the 0-5 years age range and had several modes of transmission including person-to-person spread and bathing in contaminated water sources; including leisure waters such as swimming pools. The illness spreads via Oocysts, which appear in the faeces at the onset of symptoms, and could continue to be excreted for several weeks – even after symptoms had subsided. The main problem with Oocysts was their ability to be highly resistant to chemical disinfectants; including chlorine.

Analysis of 2017 data identified a continuation of an increasing trend of Cryptosporidium cases being reported to SRS – 38 confirmed cases (Bridgend 5; Cardiff 22; Vale 11), with leisure pools being implicated venues in a significant proportion of these cases. Using this information enforcement visits were undertaken during Quarter 1 in line with 2018/2019 Business Plan. A total of 44 leisure pools were included in this intervention (Bridgend 9; Cardiff 22; Vale 13), which included pools in privately operated leisure centres, hotels and caravan parks. All visits were undertaken on an unannounced basis, with the aim of the intervention being to identify how duty holders were managing the risk of Cryptosporidium in vulnerable populations and promoting good hygiene practices by pool users.

Visits identified the following key points:

- Pool staff could evidence they had attended a recognised training course (STA / CIMSPA), but knowledge about their own pool plant system and internal procedures was often lacking;
- A large proportion of 'Normal Operating Procedures' were considered to be too generic and failed to provide any specificity about the pool plant system in

- operation at a particular venue. This problem was identified across the board – in small, independent businesses and national leisure companies;
- A number of pools were using the incorrect procedure for dealing with diarrhoea incidents in their respective leisure pools (primarily due to a lack of knowledge about their individual filter specifications);
  - A number of pools had fluctuating chemical test results, and corrective actions being implemented by staff reaffirmed a lack of knowledge about the site-specific installation;
  - Whilst most leisure pools had pre-swim showers and nappy policies for babies/young children, many pools failed to provide any information to pool users about not using the facility if they had had diarrhoea within the last 48 hours. Very few pools advised pool users not to swim if they had been diagnosed with Cryptosporidium and had symptoms within the last 14 days;
  - 1 pool and 1 spa pool had to be closed during the Officer visit due to problems with low temperature and low chlorine levels.

The Committee queried whether a rating system, similar to the one used for Food Hygiene, could be introduced for swimming pools. In reply, the Head of Service stated that any rating would be based on what Offices found on the day of inspection. For the Service, the key aspect was around outlining areas of improvement and providing training to staff. Members noted that another survey of pools would be undertaken next year and the findings reported again.

Details of recent cases investigated by the SRS that had resulted in prosecution were set out in Appendix 5 to the report.

In the regard to dog breeding, the Committee noted that the Service was waiting to see Welsh Government proposals. The role of the SRS was keep a close eye on businesses.

Having considered the Overview Report, it was

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

#### Reason for decision

In order to apprise Committee of the work of the service and the progress towards completing the SRS Business Plans.

---

RESOLVED – T H A T the minutes of the Shared Regulatory Services Joint Committee be noted.

#### Reason for decision

To note the contents of the minutes.

**C477 AUDITOR GENERAL FOR WALES: VALE OF GLAMORGAN ANNUAL IMPROVEMENT REPORT 2018 (REF) –**

The Audit Committee considered the above report of the Managing Director on 19<sup>th</sup> September, 2018.

Ms. Sara-Jane Byrne, of the Wales Audit Office (WAO), presented the report which summarised the audit work undertaken during the period 2017/18 and covered all work undertaken by other inspection and regulatory bodies such as Estyn and the Care Inspectorate Wales (CIW). This was attached at Appendix 1.

The WAO report findings were generally positive and concluded that overall the Council was meeting its statutory requirements in relation to continuous improvement. Key highlights were:

- The Council complied with its responsibilities relating to financial reporting and use of resources;
- The WAO was satisfied that the Council had appropriate arrangements in place to secure economy, efficiency and effectiveness in its use of resources;
- The Council complied with its statutory improvement and reporting duties.

Seven proposals for improvement were made specifically focusing on strengthening scrutiny arrangements within the Council to enable it to respond to future challenges and have greater impact. Further strengthening our arrangements for Scrutiny remained a priority for the Council as identified in the Council's Annual Self-Assessment and work was already underway with the Scrutiny Committee Chairmen and Vice-Chairmen Group to develop an action plan to address these proposals. The action plan would be reported to the Corporate Performance and Resources Scrutiny Committee in due course and incorporated within the Insight Board's Tracker, which monitored progress on a monthly basis.

The Annual Improvement Report (AIR) also outlined a number of proposals for improvement relevant to local government, included in national reports published by the WAO, since publication of the last AIR. These had been reviewed and relevant actions incorporated within the Council's Insight Tracker for monitoring and would be reported to Scrutiny Committees and Audit Committee as work to address the proposals progressed.

In line with the Council's performance monitoring arrangements, Members of the Audit Committee would continue to be informed of progress against all regulatory recommendations and improvement proposals via a six monthly (half-year) update report and this would be supplemented with the annual review of progress via the Council's Annual Self-Assessment. Progress against these recommendations/proposals for improvement would be monitored by the Council's Insight Board and reported to Scrutiny Committees prior to reporting to the Audit Committee for final oversight.

It was recommended that the Audit Committee consider the content of the AIR and refer this report to the Corporate Performance and Resources Scrutiny Committee and Cabinet along with any comments of the Committee.

With regard to the report on the Scrutiny function, Ms. Byrne advised that she and her WAO colleagues had just come from a meeting of the Scrutiny Committee Chairmen and Vice-Chairmen Group. This, she said, had been very positive which involved healthy discussion on how Scrutiny would operate in the future.

The Chairman, in commenting on the WAO report on Scrutiny, stated that he was confident that the Council's response would be positive, but one of the key considerations going forward was around the use of technology. He stated that Welsh Government had encouraged Local Authorities to use modern technology to enhance the democratic process and to increase transparency. The Chairman added that technology allowed the Council to consider more innovative forms of scrutiny, such as Doodle Polls that would improve public engagement. In response Ms. Byrne stated that this was exactly the sort of discussion that had taken place with the Scrutiny Committee Chairmen and Vice-Chairmen Group, which had highlighted the pilot project around joint scrutiny of the Car Parking Strategy. The other considerations would be to ensure that Scrutiny was considering Council priorities alongside discussions on the best methods of scrutiny. A key element of this was not just around social media but also about engaging with all interested parties. She advised that there was a lot around this within the Council's response.

A Committee Member commented on holding the Cabinet Members to account, stating that not all Cabinet Members attended Scrutiny Committee meetings. The Member stated that he felt strongly that Cabinet Members should regularly attend Scrutiny, not just to be held to account, but also to be fully aware of the depth of feeling of Members of the Committees. In reply, Ms. Byrne stated that this was one of the key findings from the WAO review, with there being a varied picture between the five Scrutiny Committees. She also advised that it was not just about having the same blanket approach and that Cabinet Members should only attend where they were required and where they could add value could. For example, Ms. Byrne highlighted that Cabinet Members and not officers should be presenting performance reports. There had, once again, been healthy discussion at the Scrutiny Committee Chairmen and Vice-Chairmen Group meeting.

The Chairman then raised a point around how reports were written, stating that more thought was needed around how accessible reports were and the use of plain language. The Chairman felt that Welsh Government should introduce a "house style" across the whole of Wales which outlined the type of language that should be used. In addition, reports needed to be more "neutral" and written from the third person's perspective, with consideration of both sides, for and against. This would help Scrutiny to consider the pros and cons and to look at possible options. These views were echoed by a Committee Member who commented that reports should be written more for the lay person as it was not always easy to identify the relevant report sections. He added that reports needed to avoid the use of jargon, with the more detailed parts of the report included in an appendix. In reply to these comments, the Head of Performance and Development stated that a new style of report was currently being considered, which would include an executive summary and which needed to reflect the five ways of working. This would lead to officers thinking differently about how reports were written.

A Member of the Committee stated that there was tension between the accessibility of reports and the amount of detail that was needed for Councillors to fully understand the relevant issues. He added that an executive summary would not work if it did not provide the right information.

Having considered the Annual Improvement Report 2018, it was

RESOLVED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the report be referred to the Corporate Performance and Resources Scrutiny Committee and Cabinet with any recommendations for such comments of the Audit Committee.

Reason for decisions

(1&2) To provide for scrutiny and review of the Auditor General's Annual Improvement Report.

---

Cabinet, having considered the recommendations of the Audit Committee,

RESOLVED – T H A T the contents of the report and the comments of the Audit Committee be noted.

Reason for decision

To note the contents of the report and the comments of the Audit Committee.

**C478 CORPORATE RISK REGISTER QUARTER 4 UPDATE (REF) –**

The Audit Committee considered the above report of the Managing Director on 19<sup>th</sup> September, 2018.

The Head of Performance and Development provided an update on the Quarter 4 position (April 2017 – March 2018) of risks contained within the Corporate Risk Register, as outlined in the Corporate Risk Summary Report.

Members were advised that there were currently 15 Corporate Risks on the Register, as outlined within Annex A of the Register. Since the last update, no further risks had been removed or added to the Register.

Of the 15 Corporate Risks, in terms of status, one risk was scored high, one risk was scored medium / high, 11 risks scored medium and two risks scored medium / low. These positions had largely remained unchanged when compared to the previous quarter, with the exception that the public Buildings Compliance Risk had now reduced from a medium / high to a medium / status. In addition, during the period



the Welsh Community Care Information System (WCCIS) risk had been elevated from a medium to a medium / high risk.

In terms of exceptions, the Head of Performance and Development outlined matters relating to the following subject areas:

- Deprivation of Liberty Safeguards (DoLS)
- Welsh Community Care Information System (WCCIS)
- Safeguarding
- Contract Management.

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

A Committee Member, in commenting on the format of the Risk Register, stated that he would like to see an extra index page included in order to show where, within the Register, were actions and indicators with a Red RAG status. The Member also commented on a perceived mismatch in the report around DoLS as the overall status was Red but actions were shown as Green. In reply, the Head of Performance and Development stated that it was important for the Register to be consistent.

With regard to workforce planning, the Chairman asked for an update around the recruitment to the post of Head of Human Resources. In reply, the Head of Performance and Development stated that information presented related to the period up to March 2018, and so an update would be provided next time.

The Committee then discussed whether enough consideration was being given to exceptional reporting. This related to the possible impact following new policies such as the introduction of the two black bag rule. Members felt that it would be useful to include evidence of the impact of any such new policy. Members also briefly discussed the timeliness of reports, and there was a general feeling that performance reports and the Risk Register should be reported sooner. Members noted that prior to coming to Committees, reports were considered by a number of internal working groups, such as the Corporate Management Team, and so the Committee requested that the process behind reporting performance and risk should be looked into in order to make it smoother.

Subsequently, it was

RESOLVED –

(1) T H A T the end of year position of Corporate risks and the emerging risk these be noted and the associated recommendations made by the Corporate Management Team, as contained in the report, be endorsed.

(2) T H A T this report be referred to Cabinet for its consideration and endorsement.

(3) T H A T Cabinet considers the Committee's request that a review be undertaken of the process behind how performance and risk reports are presented to Committees.

#### Reasons for decisions

(1) Following consideration of the end of year position of corporate risks across the Council and also consideration of emerging risks and themes.

(2) To ensure Cabinet received and end of year position on the Corporate Risk Register and endorses the recommendations contained within the report.

(3) In order to review the internal process so that performance and risk reports can be considered by Committees in a more timely manner.

---

Cabinet, having considered the recommendations of the Audit Committee,

RESOLVED – T H A T the comments of the Audit Committee be noted and the Corporate Risk Register Quarter 4 Update Report be endorsed.

#### Reason for decision

To note the contents of the report and the comments of the Audit Committee.

### **C479 TREASURY MANAGEMENT MID-YEAR REPORT 2018 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was provided with a mid-year report on the Authority's Treasury Management operations for the period 1<sup>st</sup> April, 2018 to 30<sup>th</sup> September, 2018.

The report detailed some of the external influences that impacted on the activity of the Council which included:

- Growth in the economy had been modest over the period and unemployment had continued at a 43 year low.
- In September CPI stood at 2.4%, and
- In August the Bank Rate was increased to 0.75%,

With regards to the borrowing requirements of the Council, the Authority's existing borrowing strategy estimated that it would borrow £9.244m of new loans to support the capital programme for 2018/2019. The sum would fluctuate dependent on the delivery of the Capital Programme. Given the current and projected level of Council reserves, it was likely that the sum required would be internally borrowed during 2018/19.

The Authority's investment strategy was to secure the best return on its investments. During the six month period the Council had invested monies in accordance with the Treasury Management Strategy and had earned interest in excess of £167,910.

The Treasury Management Strategy for the year established a range of indicators and the report detailed that these had all been met in the first six months to the end of September 2018.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the Treasury Management mid-year report for the period 1<sup>st</sup> April 2018 to 30<sup>th</sup> September, 2018 be noted.
- (2) T H A T the latest Treasury Management indicators be noted.
- (3) T H A T the report be forwarded to the next Corporate Performance and Resources Scrutiny Committee for consideration.

Reasons for decisions

- (1) To present the Treasury Management mid-year report as required by the CIPFA Treasury Management in the Public Services: Code of Practice.
- (2) To present an update of the Treasury Management indicators which were included in the Treasury Management Strategy.
- (3) To refer the report to the Corporate Performance and Resources Scrutiny Committee.

**C480 INITIAL REVENUE BUDGET PROPOSALS 2019/20 AND REVISED BUDGET 2018/19 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for the amended revenue budget for 2018/19 and to commence consultation on the initial revenue budget proposals for 2019/20.

The budget for 2018/2019 has been reviewed. As previously reported Learning and Skills and Environment and Housing are predicted to draw down on reserves in order to balance their budgets in the current year. Appendix 1 attached to the report set out the amended budget for 2018/19, together with the necessary adjustments to be made to the original budget.

When setting the revenue budget for the current financial year, a savings target of £6.298m was set for the Authority. Attached at Appendix 2 was a statement detailing

the projected progress against savings targets for 2018/19. It was projected that there would be a shortfall against the savings budget of £724,000.

As part of these initial proposals, it has been necessary to revisit the cost pressures facing services in order to build up a complete and up to date picture of the financial position of the Council and an updated list was shown in Appendix 3 attached to the report. These were not shown in any order of priority. Details of the proposed areas for savings for 2019/20 to 2020/21 were attached at Appendix 4 to the report and a summary of the overall base budget for 2019/20 was attached at Appendix 5 to the report.

Appendix 6 set out the Authority's actual reserves as at 31<sup>st</sup> March, 2018 and showed the estimated reserves balance for each year up to 31<sup>st</sup> March, 2022. The Council was forecasting the use of general and specific reserves, excluding HRA and schools, totalling around £31m from 1<sup>st</sup> April, 2018 onwards, which represented approximately 41% of the balance as at 31<sup>st</sup> March, 2018. These levels of reserves were still deemed to be adequate as known risks were largely covered and the Council Fund Reserve did not fall below £7m.

It was estimated that there would be a favourable balance of £4m on the policy budget in the current year. It was proposed that this sum be transferred into the Council Fund and its use be considered by the Budget Working Group when it took into account all factors in formulating a balanced revenue and capital budget for the final proposal which would be presented to Cabinet and Council in February 2019. The detail of the estimated budget outturn was detailed in the report.

The Council received the draft Revenue Settlement for 2019/2020 from Welsh Government on 9<sup>th</sup> October, 2018 and the estimates within this report had been based on that draft settlement. The headline figure for Wales represented a cash reduction of 0.3% after adjusting for transfers. For the Vale of Glamorgan there had been a cash reduction of 0.7%. This was slightly smaller than the 1% reduction projected in the Medium Term Financial Plan but did not take account of inflation. The initial estimates show that there was a projected shortfall in the budget for the coming financial year of £10.42m. In reaching this position the following had been assumed:

- No allowance had been made for price inflation
- The cost of the staff pay award had been fully funded.
- All cost pressures totalling £9.2m were fully funded
- All savings of £3.7m were achieved
- There was no call on the Council Fund as part of the revenue budget for the coming year
- There was no increase in the Council Tax for the coming financial year

These assumptions would be assessed as part of the final budget proposals when further information was available. At this stage of the meeting, the Leader noted that while the initial budget proposals were calculated with no increase in Council Tax, this did not mean that a rise would not be configured into later proposals.

The next steps for the estimates were that they would be considered by Scrutiny Committees and the Budget Working Group for final consideration by Cabinet and Council in February 2019.

After presenting this item, the Leader stated that the initial revenue budget proposals were at an early stage of the process and there was still a lot of work to be done to balance the budget. The Managing Director added that the Council would consult widely as part of the budget setting process during the end of November and during December and as part of the public opinion survey, to be brought back to Cabinet in January.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the amended revenue budget for 2018/19 as set out in Appendix 1 attached to the report be approved.
- (2) T H A T the initial revenue budget proposals for 2019/20 be approved for consultation with the relevant Scrutiny Committees and other consultees.
- (3) T H A T the recommendations of Scrutiny Committees be passed to Corporate Performance and Resources Scrutiny Committee as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.
- (4) T H A T a sum of £4m be set aside in the Council Fund, with its use being considered as part of the final budget proposals for 2019/20.

#### Reasons for decisions

- (1) To incorporate changes to the 2018/19 budget.
- (2) To gain the views of Scrutiny Committees and other consultees.
- (3) To inform Members of the recommendations of Scrutiny Committees before making a final proposal on the budget.
- (4) To gain approval to set aside funding in 2018/19.

#### **C481 INITIAL HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2019/20 AND REVISED BUDGET 2018/19 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Approval was sought for the Housing Revenue Account amended budget for 2018/19 and the initial budget proposals for 2019/20, so that the proposals may be submitted to the relevant Scrutiny Committee for consultation.

Each local housing authority was required to set a budget for their Housing Revenue Account (HRA) on an annual basis. The budget had to be set so that the sum held in the Housing Revenue Account reserve at year end was not in a deficit position. The budget had to be reviewed during the year and appropriate steps taken if the HRA reserve was heading for a deficit.

The report detailed that the budget for 2018/2019 had been reviewed and the position had changed, resulting in the likely outturn for the year being a positive variance of £77,000. The main reasons for the change were:

- The provision for bad debts had been reduced as the impact of universal credit had not impacted on the account to the extent predicted when the budget was set;
- There had been a reduction in the repairs and maintenance budget which had been re-profiled to take account of the WHQS works;
- There had been a reduction in the Capital Financing costs as a result of a lower level of borrowing required to fund the capital programme ; and
- The level of capital expenditure to be financed from revenue had been increased in the year to reduce the requirement to borrow monies to fund the WHQS programme.

The initial budget for 2019/2020 had been drafted and was outlined in the report. These estimates would be subject to review once the guidance had been received from Welsh Government with regards to the setting of rents for 2019/2020.

The estimate for 2019/2020 was that there would be a small surplus of £21,000. The details for the budget were contained in the Appendix 1 to the report.

The next steps for the estimates were:

- The estimates would be referred to the appropriate scrutiny committee for consideration
- Any comments would be considered by the Corporate Performance and Resources Scrutiny Committee as the lead committee
- The budget working group would consider the budget proposals
- Cabinet would consider the final proposals in February 2019
- Council would determine the final budget in February 2019

This was a matter for Executive decision.

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

**RESOLVED –**

(1) T H A T the amended Housing Revenue Account budget for 2018/19 as set out in Appendix 1 attached to the report be approved and submitted to the Homes and Safe Communities Scrutiny Committee for information to provide a context for Resolution (2) below.

(2) T H A T the Initial Housing Revenue Account budget proposal for 2019/20 be approved for consultation with the Homes and Safe Communities Scrutiny Committee.

(3) T H A T the recommendations of the Homes and Safe Communities Scrutiny Committee be passed to the Corporate Performance and Resources Scrutiny Committee as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.

(4) T H A T the increase for rent and other services be subject to a future report to Cabinet as soon as the information is available from Welsh Government.

#### Reasons for decisions

(1) To facilitate monitoring of the amended Housing Revenue Account budget.

(2) To gain the views of the Homes and Safe Communities Scrutiny Committee regarding the 2019/20 Housing Revenue Account budget proposals.

(3) To inform Members of the comments of the Homes and Safe Communities Scrutiny Committee and the Corporate Performance and Resources Scrutiny Committee before making a final proposal on the budget.

(4) To meet the statutory deadline to notify tenants of the new charges as required by Statute.

#### **C482 INITIAL CAPITAL PROGRAMME PROPOSALS 2019/20 TO 2023/24 AND CAPITAL MONITORING 2018/19 (L) (SCRUTINY COMMITTEE – ALL) –**

Approval was sought for the Initial Capital Programme Proposals for 2019/20 to 2023/24 so they may be submitted to Scrutiny Committees for consultation, and Members were advised of the progress on the 2018/19 Capital programme for the period 1<sup>st</sup> April, 2018 to 30<sup>th</sup> September, 2018 and where necessary changes to the Programme were requested.

Appendix 1 attached to the report detailed the financial progress on the Capital Programme as at 30<sup>th</sup> September, 2018. Any changes to 2019/20 onwards had been reflected in Appendix 2 attached to the report.

The Leader informed Cabinet that the current likely outturn for the current year was £57.4m, having taken account of changes to the programme for slippage and for new schemes that have come on line during the year. The key issues within the programme at this stage were:

- There were some new items in the programme to be funded either by s106 contributions or Welsh Government Grant.
- There was a re-profiling of spend on the 21<sup>st</sup> Century Schools programme.
- There was a re-profiling of spend on Council Housing.

- There was slippage on Five Mile Lane to 2019/2020.

The details regarding these changes were contained within the report.

The Medium Term Financial Plan had predicted a 5% reduction in capital funding from the Welsh Government, however the draft settlement had maintained the funding at the same level of this year and the proposals within this report had been based on this.

As in previous years, all services had been requested to identify possible capital schemes and these had been reviewed in accordance with agreed criteria. A list of all the capital bids received is shown in Appendix 3 attached to the report.

At this time a draft capital programme was normally proposed and forwarded to the Scrutiny Committees for consideration. However, as the difference between the General Capital Funding previously projected for 2019/20 and the actual General Capital Funding for 2019/20 was an increase of only £259k, it was proposed that at this point the £259k be not allocated to a particular scheme but was held on the All Services Asset Renewal budget line. It would be allocated by the Budget Working Group as part of the final budget setting process once the final settlement figures were received and the full impact on reserves and capital receipts could be assessed.

The report also outlined a five year School Investment Programme as part of the 21<sup>st</sup> Century School Programme. This programme totalled £140.8m for the coming five years. The full value of the Band B programme was £144m. The report detailed how these two programmes would be funded including the assumption made regarding the use of earmarked reserves.

The next steps for the estimates were that they would be considered by Scrutiny Committees and the Budget Working Group for final consideration by Cabinet and Council in February 2019.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the Initial Capital Programme Proposals for 2019/20 to 2023/24 be approved for consultation with the relevant Scrutiny Committees.

(2) T H A T any recommendations of Scrutiny Committees be passed to the Corporate Performance and Resources Scrutiny Committee as the lead Scrutiny Committee in order for their views to be forwarded to Cabinet.

(3) T H A T the following changes to the 2018/19 Capital Programme be approved:



- Flying Start Family Centre – Vire £3k to Flying Start Update and Upgrade ICT Equipment in the 2018/19 Capital Programme;
- ICF Southway Dementia Friendly Environment – Increase the 2018/19 Capital Programme by £200k;
- ICF Ty Dyfan – Increase the 2018/19 Capital Programme by £28k;
- Housing Revenue Account Internal Works – Decrease the 2018/19 budget by £1.55m;
- Housing Revenue Account Common Parts – Decrease the 2018/19 budget by £1.5m;
- Housing Revenue Account Environmental Improvements – Decrease the 2018/19 budget by £556k;
- ICF Penarth Older Persons Village – To include a new scheme in the 2018/19 Capital Programme £100k funded by ICF grant;
- Parks and Grounds Asset Renewal – Vire £2,670 to Green Flags Parks scheme;
- Community POD Penarth – Include a new £15k scheme into the 2018/19 Capital Programme funded by S106 monies;
- Skills Training Centre – Combine budgets for the Car Park £100k and Property £65k and rename to Skills Training Centre Property Conversion and Car Park;
- Disabled Facilities Grant – Vire £100k to a new scheme called Barry Island and Cosmeston Toilets;
- Building Strong Communities Fund – Increase by £9k funded with a contribution from the Strong Communities revenue budget.

(4) T H A T the use of the following Emergency Powers to amend the Capital Programme be noted:

- Ty Deri – Increase the 2018/19 Capital Programme by £417k with £212k to be funded from the Council Buildings Reserve and £205k to be brought forward from 2019/20;
- Coldbrook Flood Risk Management – Increase the 2018/19 Capital Programme by £176k funded by WG grant;
- Alps Garage Heating – Increase the 2018/19 Capital Programme by £5k to be funded by a contribution from the Facilities Revenue Budget.

(5) T H A T the following use of Delegated Authority to amend the 2018/19 Capital Programme be noted:

- Ogmore by Sea Sustainable Transport – Increase the 2018/19 Capital Programme by £70k to be funded by S106 monies and to rename the scheme Ogmore by Sea/St. Brides Major Sustainable Transport;
- Dinas Powys Sustainable Transport – Include a new £32k scheme into the 2018/19 Capital Programme to be funded by S106 monies;
- Sully Affordable Housing – Include a new £150k scheme into the 2018/19 Capital programme to be funded by S106 monies.

(6) T H A T the following changes to the 2018/19 and future years' Capital Programme be approved:

- Band B Whitmore and Pencoedtre High School – Re-profile as detailed in the report;
- Band B Ysgol Gymraeg Bro Morgannwg – Re-profile as detailed in the report;
- Victorian Schools – Bring forward £100k from 2019/20 into the 2018/19 Capital Programme;
- Ysgol Gymraeg Bro Morgannwg Sewer Pump – Carry forward £85k into the 2019/20 Capital Programme;
- Y Bont Faen Flat Roof Renewal Phase 1 – Carry forward £100k into 2019/20;
- Gwenfo Primary Extension – Carry forward £70k into 2019/20;
- ICT Infrastructure – Carry forward £300k into 2019/20;
- ICF Ty Dewi Sant Dementia Friendly – To include a new scheme of £454k of which £227k would be in the 2018/19 Capital Programme and £227k in the 2019/20 Capital Programme;
- Housing Revenue Account New Build – Carry forward £3.1m into the 2019/20 Capital Programme;
- Street Lighting Energy Reduction Strategy – Carry forward £287k into 2019/20;
- Llanmaes Flood Management Scheme – Carry forward £350k into 2019/20;
- Improve Pedestrian Movements Along Treharne Road – Carry forward £140k from 2018/19 Capital Programme into 2019/20;
- Leisure Centre Improvements – Carry forward £20k into 2019/20 Capital Programme;
- Rhoose Sustainable Transport – Bring forward £40k from the 2019/20 Capital Programme to 2018/19;
- Wick Sustainable Transport – To include a new scheme £200k with £12k allocated in the 2018/19 Capital Programme and £188k in 2019/20 Capital Programme;
- Jenner Park Stadium Roof – Carry forward £48k from 2018/19 Capital Programme into 2019/20;
- Cardiff / Vale of Glamorgan Coastal Sustainable Transport Corridors – Carry forward £430k from the 2018/19 Capital Programme into 2019/20;
- Bigliss Roundabout to Dinas Powys Active Travel Route – Carry forward £114k from the 2018/19 Capital Programme into 2019/20;
- Dock Offices External Works – Carry forward £83k from 2018/19 Capital Programme into 2019/20;
- Five Mile Lane – Carry forward £7.945m from the 2018/19 Capital Programme into 2019/20.

#### Reasons for decisions

- (1) To gain the views of Scrutiny Committees.
- (2) To inform Members of the comments of Scrutiny Committees before making a final proposal on the 2019/20 Capital Programme.
- (3) To make amendments to the 2018/19 Capital Programme.
- (4) To advise Members of the use of Emergency Powers.

- (5) To advise Members of the use of Delegated Authority.
- (6) To approve amendments to the 2018/19 and future years' Capital Programme.

**C483 NEW NJC SINGLE STATUS PAY STRUCTURE 2019/20 (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was updated on the National Joint Council (NJC) 2019/20 Single Status local pay award proposals and approval was sought to implement the proposed new pay structure following the consultation exercise.

As previously notified at Cabinet on the 17 September 2018, it was agreed to proceed with the implementation of the new pay structure and to commence a formal consultation. The Cabinet Report was also presented to the Corporate Performance and Resources Scrutiny Committee on 20th September 2018, where it was unanimously agreed to proceed with Option 5. Work had progressed significantly over the past couple of months to progress the new NJC pay structure.

Agreement was reached to proceed with Option 5 of the previous report and the following actions had taken place:

- Full Consultation had taken place with the approximately 4,000 staff affected by the proposed pay structure. Individual letters were sent to home addresses.
- Roadshows / Drop-In sessions facilitated by Human Resources and the recognised Trade Unions were held at a number of venues across the Vale for staff to attend. Details of these were contained within the report.
- An external website was created to ensure staff who did not have access to the Intranet had access to further information.
- A presentation was produced and circulated which explained to staff and managers how staff would move from the current pay structure to the new pay structure. This was included in the information as Appendix A to the report.

As part of recent pay changes, Spinal 6 and 7 had already been removed in December 2017 from the current pay structure which meant that the current minimum hourly rate for staff on NJC terms and conditions was £8.62.

From April 2019 the minimum hourly rate would be £9.18 per hour and was now confirmed as being above the Voluntary Foundation Living Wage which had been announced on 5<sup>th</sup> November, 2018 as £9.00 per hour.

The Leader informed Cabinet that the amendment to the grading structure would enable Equal Pay legislation to be met. It would also improve the gender pay gap as

the higher percentage increases were towards the lower end of the grading structure, which were predominantly held by females.

At the meeting, the Leader stated he was pleased his administration had reached one of its targets within two years, in that everyone employed by the authority would be earning above the Voluntary Foundation Living Wage.

This was a matter for Council decision.

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

RESOLVED –

- (1) T H A T the report be noted.
- (2) T H A T the new draft pay structure be approved and recommended to Full Council for approval and implementation from 1<sup>st</sup> April, 2019.
- (3) T H A T in line with Resolution (2) above, the report be referred to Council on 12<sup>th</sup> December, 2018 for consideration.

#### Reasons for decisions

- (1) To bring matters to the attention, consideration and support of Cabinet and in line with corporate objectives.
- (2) To allow progress in relation to the implementation of the NJC (Single Status) Pay Award on 1<sup>st</sup> April, 2019.
- (3) To enable Council to approve the New Pay and Grade Structure as it was a change to the terms and conditions for all staff employed under on the NJC Single Status handbook.

#### **C484 SENIOR MANAGEMENT ISSUES – PERFORMANCE AND DEVELOPMENT AND HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT DIVISION (L) (SCRUTINY COMMITTEE – CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was updated on the position related to the previously proposed restructure reported to Council on 18<sup>th</sup> July, 2018 (Minute No. 192 refers) and an amended approach was recommended, following further consideration and consultation.

Council of 18<sup>th</sup> July, 2018 considered a report on the management of the Human Resources and Organisational Development Division and resolved to progress with an approach which would see the two posts of Head of Human Resources and Organisational Development and Head of Performance and Development combined into a single senior Head of Service post.

Consultation had taken place with relevant staff and the recognised Trade Unions and further consideration had been given to issues relating to capacity, particularly given the work issues as outlined in the report including Reshaping Services, staff engagement, service transformation and ensuring effective working relationships with Wales Audit Office and the Trade Unions.

It had been concluded that the creation of a single senior Head of Service post would result in a considerable loss of resilience and capacity at a time when there was increasing emphasis on the need to deliver on a number of fundamental and wide ranging areas.

Further work had been undertaken, and a proposed structure was indicated on Appendix A attached to the report. In summary, the proposal now involves:

- The retention of the post of Head of Human Resources and Organisational Development, reporting directly to the Managing Director. This would not be a senior Head of Service role.
- The existing post of Head of Performance and Development would be retained and would report directly to the Managing Director, rather than to a senior Head of Service as previously.
- The existing post of Operational Manager (Human Resources) would be deleted and as a result the Human Resources Business Partnership Team would report directly to the Head of Human Resources and Organisational Development.
- The Health and Safety/Well-being function would report to the Operational Manager (Employee Services) and the grade of this post would change from OM2 to OM1 (subject to Hay/job evaluation as appropriate).

As the previous report to Council indicated that a further report would only be required if there were substantial changes to the proposals, the report was presented with a recommendation that the matter be referred on to Council in December.

After this item had been presented, the Managing Director confirmed that the creation of a single senior Head of Service post would represent a significant challenge for any one individual given the need to progress the Reshaping Services agenda, ensure workforce development and staff engagement, and secure excellent working relationships with the Wales Audit Office and Trade Unions. As such, the safer option would be to recruit two Head of Service posts, which would also ensure resilience.

This was a matter for Council decision.

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

## RESOLVED –

- (1) T H A T the current position with regards to the Senior Management issues in the Performance and Development and Human Resources and Organisational Development Division as set out in the report be noted.
- (2) T H A T the proposals in respect of the Human Resources and Organisational Development and Performance and Development Departments as set out in paragraph 7 of the report and as illustrated in Appendix A attached to the report, be approved in principle and referred to Full Council for consideration.
- (3) T H A T, subject to Resolution (2) above, arrangements be put in place to recruit to the post of Head of Human Resources and Organisational Development under the auspices of the Council's Senior Management Appointment Committee.

Reasons for decisions

- (1) To provide an update on previous proposals.
- (2&3) To ensure that the Senior Management structure in the Managing Director's Directorate was sufficiently resilient to meet current and future service needs and to ensure that Council considered the proposal, given Resolution (4) of 18<sup>th</sup> July, 2018 (Minute No. 192 refers).

**C485 HOUSING ASSET MANAGEMENT STRATEGY (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES) –**

Proposals for a new Housing Asset Management Strategy for public housing were introduced.

With the introduction of the Welsh Housing Quality Standards, the Housing Investment Programme had been predominantly focused on investing in tenants' homes and neighbourhoods, which directly contributed to the Standard. Having now achieved the Standard, the draft Housing Asset Management Strategy sought to set out the Council's forward vision for investment in the housing stock and included the development of new homes to meet the needs of both current and future tenants.

The Housing Management Strategy was an overarching statement of objectives, goals, issues, processes and action priorities for the next five years. This comprehensive Strategy linked to all relevant legislation, the Council's Corporate Planning documents and the 30 year HRA Business Plan. It also took account of external influences on housing and housing demand.

The document was divided into 15 sections covering all aspects of the Council's domestic housing assets and land, current, future and potential tenants.

Once agreed the actions within the Strategy would be embedded into the Council's Corporate Performance Management Framework and the Strategy would be subject to annual review throughout its five year term.

The report advised that following the endorsement by Cabinet of the draft Strategy, the Council's tenants would be consulted together with the Homes and Safe Communities Scrutiny Committee, with all responses considered and fed back to Cabinet at a later date for its final agreement of the Strategy.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the new Housing Asset Management Strategy attached at Appendix A to the report be endorsed as a draft document suitable for consultation.
- (2) T H A T the Housing Asset Management Strategy be referred to the Homes and Safe Communities Scrutiny Committee for consideration.
- (3) T H A T following the referral to the Homes and Safe Communities Scrutiny Committee in Resolution (2) above, any comments be considered and incorporated into the draft document as appropriate and the revised draft document be presented to Cabinet prior to tenant consultation.
- (4) T H A T consultation on the draft document be undertaken with Housing tenants and tenant and residents groups.
- (5) T H A T the Housing Asset Management Strategy be referred back to Cabinet for finalising upon receiving the views of the public consultation.

Reason for decisions

- (1) To ensure the Council had a cohesive Strategy directing available resources for the Council's housing stock; ensuring appropriate investment decisions.
- (2) To provide an opportunity for Scrutiny to make any comments.
- (3) To develop the draft Strategy document prior to tenant consultation.
- (4) To allow service users to contribute and shape the Strategy prior to adoption.
- (5) To agree the final document prior to adoption.

**C486 STORAGE OF MOBILITY SCOOTERS IN COUNCIL OWNED HOUSING (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES) –**

Approval was sought to introduce a policy in relation to the storage of mobility scooters in Council owned accommodation.

An increasing number of tenants were purchasing or hiring mobility scooters which enabled them to live independently within the community, enabled them to visit shops, attend GP surgeries, and stay in touch with friends. However, there was not always space inside flats or within communal areas to store the mobility scooters safely and securely.

In some instances mobility scooters were being left in communal areas and posed an obstruction and a health and safety hazard. Also, as more residents were acquiring scooters, there was likely to be more competing requests to use the limited space available.

The Policy set out some guidelines for dealing with scooter storage, it also included eligibility criteria to ensure that requests were prioritised appropriately. The Policy brought the arrangements for adaptations in Council homes in line with those for private owners which were funded via Disabled Facilities Grant, meaning Council tenants could benefit from adaptation works to provide storage facilities for scooters.

This was a matter for Executive decision.

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

**RESOLVED – T H A T** the new Storage of Mobility Scooters in Council Properties Policy attached at Appendix A to the report be approved.

**Reason for decision**

To ensure that requests from tenants to store mobility scooters safely and securely in their homes or communal areas were dealt with in a fair and consistent manner and that Council tenants were not disadvantaged in accessing financial support for adaptations when compared to private tenants or owner occupiers, who were able to access Disabled Facilities Grants in order to create storage facilities for mobility scooters.

**C487 TARGET HARDENING TO THE HOMES OF VICTIMS OF DOMESTIC ABUSE (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES) –**

Cabinet was advised of the outcomes achieved by the Target Hardening Service in 2017/18 and permission was sought to allocate additional funding to enable the service to continue.



In the Vale of Glamorgan, many victims of domestic abuse had indicated that if they were able to feel safer, they would prefer to remain in their own home and avoid the disruption to their lives caused by moving. Some victims who had moved from their homes also experienced limited protection, as they were found again after a period of time by the perpetrator and the cycle of fear and abuse began again.

It was for this reason that the Council set up a Target Hardening Service in 2012 to fund the installation of security equipment to homes. The list of devices was extensive and included locks, bolts, door chains and mirrors, mailsafe letterboxes, fire safety equipment, personal and property alarms, security lighting, CCTV and intruder alarms.

During the 2017/18 financial year, 69 homes were fitted with the additional security and this had proved to be cost effective as a preventive service, by reducing the rent loss to the Council from empty properties and expenditure on bed and breakfast and temporary accommodation.

Permission was now being sought from Cabinet to provide an additional £35,000 from the Housing General Fund to sustain and support this service for the next few years.

At the meeting, the Cabinet Member for Housing and Building Services noted that there was a typographical error in paragraph two of the report, as it should read that sexual violence affected 0.7% of men each year in Wales, instead of 5%.

This was a matter for Executive decision.

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

RESOLVED – T H A T the outcomes detailed in the report be noted and the allocation of continuation funding of £35k as a one off payment to the Target Hardening Project be approved subject to satisfactory performance outcomes.

#### Reason for decision

To give stability to a service that was providing additional protection to the victims of domestic abuse and their families who wished to remain in their own home.

#### **C488 HOUSING DEVELOPMENT PROGRAMME – MAES Y FFYNNON, BONVILSTON (HBS) (SCRUTINY COMMITTEE – HOMES AND SAFE COMMUNITIES) –**

Approval was sought to submit a detailed planning application and to tender the housing development scheme known as Maes y Ffynnon, Bonvilston.

It was proposed that ten new affordable homes be built on the site a redundant garage area at Maes y Ffynnon, Bonvilston. The development would consist of:

- 2 no. 1 bed – 2 person apartments for people aged over 55 years;
- 4 no. 1 bed – 2 person apartments;
- 4 no. 2 bed – 4 person houses.

The scheme layout was provided at Appendix 1 to the report, with the street view being provided at Appendix 2 to the report and the contextual elevations depicted in Appendix 3 to the report.

The new development would comply with Welsh Government Development Quality Requirements, Lifetime Homes and Secure by Design Standards. To improve access, it was proposed to widen the entrance to the site to accommodate refuse and emergency vehicles. Also, to ease current on road congestion, it was proposed to offer additional off road parking opposite the existing homes at 17 to 24 Maes y Ffynnon. Two options which would be considered were included in Appendices 4 and 5 attached to the report.

It was proposed that the new development would be funded through S106 Affordable Housing contributions secured for the Wenvoe Ward.

Alternatively, the scheme could be submitted for Affordable Housing Grant in 2019/20, should there be significant slippage in the current Welsh Government programme. This would reduce the amount required in terms of S106 Affordable Housing contribution by 58%.

After this item had been presented, the Cabinet Member for Housing and Building Services confirmed for the Leader that that any reductions in the Section 106 Affordable Housing Contributions due to the Affordable Housing Grant would be repurposed for other schemes.

This was a matter for Executive decision.

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

**RESOLVED –**

- (1) T H A T approval to submit a detailed planning application for the development scheme known as Maes y Ffynnon, Bonvilston be granted.
- (2) T H A T the Director of Environment and Housing be authorised to commence tendering procedures for the services outlined in the report, subject to receiving the requisite planning consent.
- (3) T H A T on receipt of the requisite planning consent, delegated authority be granted to the Director of Environment and Housing, in consultation with the Cabinet Member for Housing and Building Services and the Head of Finance, to accept and award tenders for these services in accordance with the Council's Contract Procedure Rules in conjunction with partners.

(4) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to agree the terms of and execute contracts with successful providers.

#### Reasons for decisions

(1) To allow the progression of public consultation and the formal planning application at the former garage area at Maes y Ffynnon, Bonvilston.

(2-4) To procure the works required to develop the site in accordance with the Council's Contract Procedure Rules.

### **C489 SCHOOL INVESTMENT PROGRAMME GATEWAY REVIEW (LC) (SCRUTINY COMMITTEES – LEARNING AND CULTURE, CORPORATE PERFORMANCE AND RESOURCES) –**

Cabinet was advised of the outcome of a recent review of the Council's position to deliver Band B of its School Investment Programme.

The Office of Government Commerce (OGC) Gateway process examined programmes and projects at key decision points in their lifecycle. It looked ahead to provide assurance that they could progress successfully to the next stage; the process was best practice in Central Government, the Health Sector, Local Government and Defence.

OGC Gateway Reviews delivered a "peer review", in which independent practitioners from outside the programme / project used their experience and expertise to examine the progress and likelihood of successful delivery of the programme or project. They were used to provide a valuable additional perspective on the issues facing the internal team, and an external challenge to the robustness of plans and processes.

The review was conducted over three days from 19<sup>th</sup> September, 2018 to 21<sup>st</sup> September, 2018. The full Review Report was provided in Appendix A attached to the report. The delivery confidence assessment was RAG rated Green which was defined as:

- Successful delivery of the programme to time, cost and quality appeared highly likely and there were no major outstanding issues that at this stage appeared to threaten delivery.

The overall assessment of the Review Team was provided:

- The Review Team found that the Programme was well defined and aligned with key policies at national and local level;
- The Programme team was experienced and knowledgeable, with key members having been directly involved in the delivery of Band A. Plans were in place to augment the team in light of the increased scale of Band B and adverts for key posts had already been placed. The need for effective

succession planning was recognised and steps were in place to ensure effective knowledge sharing;

- The Review Team found that the Programme was well defined and aligned with key policies at national and local level;
- Stakeholder engagement to date had been exemplary, generating very strong buy-in and alignment across all key stakeholder groups, with a strong sense of shared ownership and cohesion. The Programme had full visibility and active engagement at all levels of the Council and strong support across the political spectrum;
- The Programme was fully funded subject to Full Business Case approvals at project level and confidence was high that this would be achieved;
- A key next step for the first project, covering the first three Schools in Barry, would be the engagement of building contractors for lots 1, 2 and 3. A mini competition was in flight using the South East Wales Schools Capital Working Group (SEWSCAP) Framework and the quality of responses had been encouraging. This would facilitate greater cost certainty for the completion of Full Business Cases.

This was a matter for Executive decision.

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

RESOLVED – T H A T the positive outcome of the School Investment Programme Gateway Review be noted and the recommendations of the review team and the suggested timescale for a further programme review to be undertaken be approved.

#### Reason for decision

To give Members assurance on the capacity of the Council to deliver its extensive Band B School Investment Programme.

#### **C490 MATTERS WHICH THE CHAIRMAN HAD DECIDED WAS URGENT –**

RESOLVED – T H A T the following matters which the Chairman had decided were urgent for the reason given beneath the minute heading be considered.

#### **C491 PROVISIONAL LOCAL GOVERNMENT SETTLEMENT 2019/20 (REF) –**

##### **Urgent by reason of the need to ensure that a response was submitted to Welsh Government by 20<sup>th</sup> November, 2018.**

The Corporate Performance and Resources Scrutiny Committee considered the above report of the Managing Director on 14<sup>th</sup> November, 2018.

The Corporate Performance and Resources Scrutiny Committee were requested to consider a proposed response to Welsh Government in relation to the Provisional Local Government Settlement for 2019/20. The Head of Finance, in presenting the

report, referred to the proposed draft response attached at Appendix A, advising that the response outlined what had already been done to reduce spend in the Council and the additional costs the Council was facing in the coming financial year which had not been reflected in the provisional settlement.

By way of background Committee was advised that when announcing the Provisional Local Government Settlement for 2019/20 on 9<sup>th</sup> October the Minister had launched a six week consultation period with responses being required by Welsh Government no later than 20<sup>th</sup> November, 2018. The final settlement from Local Government was noted to be published on 19<sup>th</sup> December, 2018.

In terms of the detail, the overall settlement proposed an average reduction of 0.3% across Local Authorities in Wales and for the Vale the reduction was 0.7% equating to a cash reduction of £1.037m. Taking into account inflation and other known pressures such as national pay inflation and the non-funded teachers' pension scheme, the budget reduction equated to 4.2%.

In conclusion, the draft response requested that the following be considered:

- Immediate transfer of the £15m budget for schools to the RSG;
- The removal of all grant conditions on the £30m announced for social care so that it could concentrate on core children's and adult services;
- The designation of the £30m aligned to the Regional Partnership Boards to be set as a "Local Government Preventative Services Fund";
- The raising of the floor from -1.0% and a settlement that reflected the general inflationary uplift.

In considering the report a Member queried information that they had been made aware of regarding a potential further £58m to be shared between Welsh Local Authorities and queried whether the Cabinet had received this information and whether this had been discussed with the WLGA and whether any further information had been received with regard to the ICF. Reference was also made by some Members to the way Welsh Government treats Local Government and Health Boards in particular when running deficit budgets particularly in view of the challenges facing local Government regarding Education and Social Services budgets. The Head of Finance stated that she had also heard that £58m was being discussed but had no further information on this but that if it was received, she would prefer that it was placed within the RSG as this would enable the Authority to use the funding in the best way to support local needs. With regard to the ICF, again no further information had been received to date.

Following consideration of the response, the following suggestions were put forward by Members of the Committee:

- That on the third page of the letter, after the fourth paragraph, a table be inserted summarising what the previous paragraphs equated to for clarification purposes
- Consideration be also given to providing comparisons in the letter with other Local Authorities and the Vale;

A Member also commented that it would be useful if the report identified services the Council may be considering relinquishing and was advised that the budget report that was due to be submitted to Cabinet the following week would focus minds on such aspects. A couple of typographical errors in the letter were also noted with the Head of Service advising that these had already been identified and the final response would be amended accordingly.

Having fully considered the report, it was subsequently

**RECOMMENDED – T H A T** notwithstanding the couple of typographical errors the comments of the Scrutiny Committee outlined above be referred to Cabinet for consideration for inclusion in the response to Welsh Government.

Reason for recommendation

Having considered the contents contained therein.

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

**RESOLVED –**

(1) **T H A T** the comments of the Corporate Performance and Resources Scrutiny Committee be incorporated into the letter attached at Appendix A to the report, and the revised letter be approved for submission to Welsh Government.

(2) **T H A T** delegated authority be granted to the Managing Director, in consultation with the Leader, to amend any typographical errors in the letter before submission to Welsh Government.

Reasons for decisions

(1-2) To submit a response to Welsh Government as part of the consultation process before the 20<sup>th</sup> November, 2018.

**C492 PROVISION OF SANITARY PRODUCTS IN SCHOOLS IN THE VALE OF GLAMORGAN (REF) –**

The Learning and Culture Scrutiny Committee considered the above report of the Director of Learning and Skills on 13<sup>th</sup> November, 2018.

Before presenting this item, the Chairman gave thanks to Councillor Mrs. J.M. Norman for calling on the Scrutiny Committee to support in principle the provision of free sanitary products in all schools in the County. Since the Committee had considered this item on 23<sup>rd</sup> April, 2018 the work on this issue had progressed quickly. The Committee was informed that the Council had now received the £31,512 capital funding allocation from Welsh Government for the 2017/18 financial

year, and revenue funding of £8,666 for the 2018/19 and 2019/20 financial years. A £1,170 donation was also received from Unison to tackle period poverty in the Vale of Glamorgan.

The Chairman noted that an overview of the work undertaken by the Delivery Working Group established from Members of the Learning and Culture Scrutiny Committee was detailed in paragraph 9 to 17 of the report, with the Chairman noting that there had been no delay in sending out relief packs of £100 worth of sanitary products for each secondary school in the Vale of Glamorgan, and £30 worth of sanitary products for each primary school, which had been recommended at the last Scrutiny meeting where this item was discussed and subsequently endorsed by Cabinet. At this stage of the meeting, a Member expressed disappointment that the Vale of Glamorgan Cabinet had not used any additional Council funds to augment the funding for sanitary products.

The Chairman then gave a brief overview of the work undertaken by the Delivery Working Group stating that a survey had been undertaken, the matter had been discussed with schools and at the Vale Youth Forum, and it became apparent that there was a lack of parity of provision from schools, in particular whether products were made available for all learners, or only those who were eligible for free school meals. The Chairman stated that the Delivery Working Group was clear in its intention that sanitary products should be made available to all learners in the Vale of Glamorgan who required them.

The Chairman wished to give thanks to the schools who hosted the Delivery Working Group for their time and allowing the Councillors to visit the school sites. She informed the Committee that the Delivery Working Group found that some schools were very forward thinking in their approach, providing a range of products from multiple sources, including confidential pick up points, and offered a range of clothing and additional school uniforms and publicised the services available in an open and welcoming environment. The Chairman added that the Delivery Working Group also observed that the issues of dignity and privacy surrounding learners accessing and using sanitary products was also important. The final feedback received from the site visits was that communication with learners was very important, and this was not just a “girl” issue as all students wished to be involved in conversations on this matter.

In agreement with this sentiment, a Vale Youth Forum member confirmed that pupils were in desperate need of sanitary products and some found it hard to know how to access emergency provision in schools, adding that if he as a Vale Youth Forum representative did not know what provision was available, then he could not inform other learners. In support of his colleague, another Vale Youth Forum member stated that learners had skipped lessons due to period poverty and a lack of sanitary products, and many pupils were embarrassed so did not wish to ask male teachers for emergency supplies. He also noted that as part of the UK Youth Parliament “Make Your Mark” Campaign, a significant number of young people had voted for this issue as a pressing matter to be tackled.

A Member of the Committee stated that she had addressed the Llantwit Major Youth Forum to discuss the work of the Delivery Working Group to provide sanitary

products in schools in the Vale of Glamorgan and was dismayed to learn that subsequently, one learner was unable to access sanitary products at her school as she was not classed as a learner in need, which the Member felt was a very different attitude from that of the best practice found in other schools, and the wishes of the Delivery Working Group. She confirmed that in other schools there were numerous points where pupils could access products and even help themselves without having to ask teachers, and the issue was treated openly. Finally, the Member stated she would like to visit schools and discuss this item at the Vale Youth Forum in future to see if provision had improved.

The Chairman continued, stating that the Delivery Working Group had considered various options ranging from do nothing, to school level provision, to service level provision. The Delivery Working Group felt that certain schools in the Vale of Glamorgan already had successful procedures in place and subsequently recommended that the funding from Welsh Government be delegated to schools in line with the best practice observed, codified in terms and conditions drawn up by the Delivery Working Group which were detailed in paragraph 22 of the report. The overall allocations to schools in the Vale of Glamorgan were based upon the number of learners on roll for all Year 5 and above learners, and a breakdown was detailed at Appendix A attached to the report. To complement the provision at schools, the Delivery Working Group also wished to purchase a selection of sanitary products for foodbanks in the Vale of Glamorgan, to the value of £100 each.

With regards to the capital funding from Welsh Government, the Chairman noted that the Delivery Working Group considered static distribution methods, such as vending machines, cupboards and baskets as an inappropriate use of the capital funding as they did not synergise with existing solutions that could fulfil a similar job, would be difficult to incorporate within modern facilities and restricted the products available to learners. Instead, mindful of the need to increase privacy and dignity for pupils who might be affected by their period, the Group requested the funding be used to enhance cubicles in schools. The Delivery Working Group had been impressed with the facilities available in new secondary school buildings, however were concerned with the facilities available at some older primary schools within the Vale of Glamorgan. Based on responses received and analysis undertaken by the Council's Property Section, the Delivery Working Group visited a couple of primary schools within the Vale of Glamorgan and noted that the toilet facilities available in one school were in a piteous state and did not afford learners any privacy and dignity with none of the cubicles being wide enough to house any sanitary hygiene facilities. The Committee noted that refurbishment of the toilets at the school as part of the Education Capital Programme was not imminent. In addition, the Chairman wished it to be noted that the Delivery Working Group would like issues of dignity and privacy to be considered alongside hygiene concerns when looking at toilet refurbishments under the Education Capital Programme, especially in Victorian schools.

In conclusion, the Chairman wished to thank the Delivery Working Group for bringing this item to the Learning and Culture Scrutiny Committee and for their hard work.

A Member also requested that she would like contact to be made with local charities which provided sanitary products in schools to explore options for future provision once the funding from Welsh Government had expired. The Cabinet Member for



Learning and Culture also wished it to be added that he and the rest of the Cabinet had supported and endorsed the previous recommendations of the Learning and Culture Scrutiny Committee, noting that at its meeting on 23<sup>rd</sup> April, 2018, the Committee had been advised that no exact timescale for the grant from Welsh Government had been given, however Cabinet endorsed procuring sanitary products before the funding was received to ensure there was no delay.

It was subsequently

RECOMMENDED – T H A T the following be urgently recommended to Cabinet:

(1) T H A T the remaining £209.05 from Unison be augmented with £490.95 from the Welsh Government 2018/19 revenue grant to purchase and donate a selection of sanitary products to the value of £100 for each Vale foodbank in the Vale of Glamorgan and the foodbank operated by the Tabernacle Baptist Church in Penarth.

(2) T H A T the remaining £8,175.05 revenue grant from Welsh Government for the 2018/19 financial year be distributed to schools through the allocations detailed in Appendix A, as part of a ring-fenced fund, the terms and conditions of which are:

- That resources, including sanitary products and emergency clothing, are made freely available to all students;
- That a selection of resources are made available based on the needs of the students;
- That access to free sanitary resources is widely advertised and all students are aware of how these can be accessed;
- That a named individual has lead responsibility in ensuring a good selection of stocks are maintained;
- The students can access enough items to support more than their immediate needs;
- That resources are easily accessible at identified / highlighted venues.
- That at the end of the financial year, any unspent funding is returned to the Learning and Skills Directorate Finance Manager for reallocation in line with the above terms and conditions.

(3) T H A T delegated authority be granted to the Commercial and Consultancy Manager, in consultation with the Director of Learning and Skills, to utilise the capital funding of £31,512 from Welsh Government to improve the toilet facilities in Holton Road Primary school to ensure dignity and privacy for pupils.

(4) T H A T the use of article 14.14 of the Council's Constitution (urgent decision procedure) be authorised in respect of recommendation 3 above, to effectively use the capital funding from Welsh Government before the end of the financial year.

(5) T H A T the Wellbeing Lead at St. Cyres Secondary School be invited to address the Wellbeing Group to share the best practice found at that school.

(6) T H A T the £8,666 revenue grant from Welsh Government for the 2019/20 financial year be distributed to schools using the same allocation method detailed in

Appendix A, updated with the next academic year numbers on roll, as part of a ring-fenced fund, the terms of conditions of which as are recommendation 2 above.

### Reasons for recommendations

- (1) To provide emergency relief to citizens of the Vale of Glamorgan who might not be able to access sanitary provision in schools.
- (2) To provide schools with flexible access to the revenue grant from Welsh Government in line with the wishes of the Learning and Culture Scrutiny Committee Delivery Working Group: that all learners can easily access sanitary provision with dignity.
- (3) To improve the toilet facilities at the Primary School to improve privacy and dignity for learners and ensure the Capital funding from Welsh Government was utilised within timescales.
- (4) To effectively use the capital funding from Welsh Government before the end of the financial year.
- (5) To share the best practice found at that school.
- (6) To provide schools with flexible access to the revenue grant for the 2019/20 financial year.

---

At the Cabinet meeting, the Cabinet Member for Learning and Culture thanked the Chairman and Members of the Learning and Culture Scrutiny Committee for their hard work in investigating this issue.

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

RESOLVED –

- (1) That the remaining £209.05 from Unison be augmented with £490.95 from the Welsh Government 2018/19 revenue grant to purchase and donate a selection of sanitary products to the value of £100 for each Vale Foodbank in the Vale of Glamorgan and the foodbank operated by the Tabernacle Baptist Church in Penarth.
- (2) That the remaining £8,175.05 revenue grant from Welsh Government for the 2018/19 financial year be distributed to schools through the allocations detailed in Appendix A, as part of a ring-fenced fund, the terms and conditions of which are:
  - That resources, including sanitary products and emergency clothing, are made freely available to all students;
  - That a selection of resources are made available based on the needs of the students;

- That access to free sanitary resources is widely advertised and all students are aware of how these can be accessed;
- That a named individual has lead responsibility in ensuring a good selection of stocks are maintained;
- The students can access enough items to support more than their immediate needs;
- That resources are easily accessible at identified / highlighted venues.
- That at the end of the financial year, any unspent funding is returned to the Learning and Skills Directorate Finance Manager for reallocation in line with the above terms and conditions.

(3) That delegated authority be granted to the Commercial and Consultancy Manager, in consultation with the Director of Learning and Skills, to utilise the capital funding of £31,512 from Welsh Government to improve the toilet facilities in Holton Road Primary school to ensure dignity and privacy for pupils.

(4) That the use of article 14.14 of the Council's Constitution (urgent decision procedure) be authorised in respect of resolution 3 above, to effectively use the capital funding from Welsh Government before the end of the financial year.

(5) That the Wellbeing Lead at St. Cyres Secondary School be invited to address the Wellbeing Group to share the best practice found at that school.

(6) That the £8,666 revenue grant from Welsh Government for the 2019/20 financial year be distributed to schools using the same allocation method detailed in Appendix A, updated with the next academic year numbers on roll, as part of a ring-fenced fund, the terms of conditions of which as are resolution 2 above.

### Reasons for Decisions

(1) To provide emergency relief to citizens of the Vale of Glamorgan who might not be able to access sanitary provision in schools.

(2) To provide schools with flexible access to the revenue grant from Welsh Government in line with the wishes of the Learning and Culture Scrutiny Committee Delivery Working Group: that all learners can easily access sanitary provision with dignity.

(3) To improve the toilet facilities at the Primary School to improve privacy and dignity for learners and ensure the Capital funding from Welsh Government was utilised within timescales.

(4) To effectively use the capital funding from Welsh Government before the end of the financial year.

(5) To share the best practice found at that school.

(6) To provide schools with flexible access to the revenue grant for the 2019/20 financial year.