

**CABINET**

Minutes of a meeting held on 15<sup>th</sup> July, 2019.

Present: Councillor N. Moore (Chairman); Councillor L. Burnett (Vice-Chairman); Councillors B.T. Gray, P.G. King, K.F. McCaffer, Mrs. M.R. Wilkinson and E. Williams.

Also Present: Councillor L.O. Rowlands

**C30 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 1<sup>st</sup> July, 2019 be approved as a correct record.

**C31 MULTI-DISCIPLINARY CONSULTANCY SERVICE FOR THE DELIVERY OF 21<sup>ST</sup> CENTURY SCHOOLS BAND B PROGRAMME AND LEISURE RELATED PROPERTY PROJECTS FEE CAP EXTENSION (L) –**

The Leader presented the report which outlined that Band B of the 21st Century Schools Programme commenced in 2019 and would run until 2024. The Council had been developing its new strategic investment programme to deliver this phase of the Programme.

AECOM Ltd was the successful consultant from a mini competition exercise to procure a multi-disciplinary consultancy service provider for the 21st Century Schools Programme as well as other property projects.

AECOM Ltd would provide project and cost management services to ensure the Whitmore High School, Pencoedtre High School, and Ysgol Gymraeg Bro Morgannwg schemes were delivered on time and within budget.

The next phase of the Programme was to begin feasibility, initial design, and enabling works for the next tranche of projects.

In order to accommodate costs for these services, it was proposed that the cap be increased to £3,700,000.

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

RESOLVED – T H A T the extension of the fee cap of the existing contract for multi-disciplinary services for Band B of the Council's 21st Century Schools Programme and other property projects to £3,700,000 to cover feasibility, design, enabling works, and project and cost management of the projects included within the Programme be approved.

Reason for decision

The extension of the funding cap would enable the work to continue on Band B projects, to ensure that they were delivered in a timely and cost effective manner in line with the scheduled Programme.

**C32 GRANTS TO COMMUNITY / VOLUNTARY ORGANISATIONS  
2019/20 (L) –**

Menter Bro Morgannwg had been providing Welsh language services on the Council's behalf since 2016. It was proposed to extend the agreement for another three years from October 2019 to September 2022.

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

**RESOLVED –**

(1) T H A T the further allocation of funding for Menter Bro Morgannwg of £17k in 2019/20, £34k in 2020/21, £34k in 2021/22 and £17k in 2022/23 be approved.

(2) T H A T delegated authority be granted to the Section 151 Officer, in consultation with the Leader and Monitoring Officer / Head of Legal and Democratic Services, to enter into a Service Level Agreement outlining the services to be provided and appropriate performance targets and monitoring arrangements.

Reasons for decisions

(1) To award monies to Menter Bro Morgannwg to deliver the services outlined in Appendix A to the report.

(2) To ensure appropriate performance management arrangements are put in place and executed in line with the Council's Constitution.

**C33 ICT PROCUREMENT 2019/2020 (L) –**

The ICT servers located in the Civic Office datacentre and the Alps Depot were connected by a dedicated fibre network to ensure speed, resilience, and bandwidth.

The existing network switches which connect the fibre network to the servers at each site had performed extremely efficiently and effectively since they were installed seven years ago but they were nearing end of life (and manufacturer support) and needed to be replaced.

ICT had a capital allocation for 2019/20 to fund the replacement of the end of life network switches.

The Council's corporate mobile telephony contract which has been provided by O2 had expired and needed to be renewed.

There had been a delay in renewing this contract as the new Crown Commercial Service's (CCS) Procurement Framework RM3808, which was due to be available early this year, had been delayed. It was now expected to be available in September 2019.

There was continued demand from Services within the Council for new mobile phone connections, but this demand could not be met until a new contract was in place.

The current mobile phone service providers could provide a monthly rolling contract which would enable the Council to add new connections at a lower tariff as compared to what was currently available as part of the outgoing corporate mobile phone contract.

This arrangement would allow the Council to manage its mobile telephony estate until the new Procurement Framework was available.

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

RESOLVED –

- (1) T H A T the letting of a tender for the replacement network switching hardware be agreed.
- (2) T H A T delegated authority be granted to the Head of Finance, in consultation with the Managing Director and the Leader, to award the tender for the replacement network switching hardware to the winning supplier.
- (3) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to execute a contract with the successful tenderer for the provision of replacement network switching hardware.
- (4) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to execute a monthly rolling contract for mobile telephony services with O2 to cover the period until the new service can be tendered.
- (5) T H A T permission be granted to let a tender under the CCS mobile telephony procurement framework RM3808 when it becomes available.
- (6) T H A T delegated authority be granted to the Head of Finance, in consultation with the Managing Director and the Leader, to award the mobile telephony tender to the successful supplier.
- (7) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to execute a contract with the successful tenderer for the provision of mobile telephony.

Reasons for decisions

- (1) To future proof the performance, availability and resilience of the Council's computer network.
- (2&3) To have an appropriate contract in place for the replacement network switching gear.
- (4) To have an appropriate contract in place for the temporary provision of mobile telephony.
- (5) To allow the award of contract for telephony services.
- (6&7) To have an appropriate contract in place for the replacement network switching gear.

**C34 ANNUAL TREASURY MANAGEMENT REPORT 2018/19 (L) –**

The Leader presented the report which advised that the Council's borrowing requirement increased by £411k in 2018/19 giving a Total Capital Financing Requirement of £198.37m at 31<sup>st</sup> March, 2019. At the same date the Council held £155.145m of Gross Borrowing. The Council was therefore under borrowed by £43.225m as at 31<sup>st</sup> March, 2019.

The Council's External Borrowing was well within the Authorised Limit and Operational Boundary set for 2018/19.

The Council held Loans from PWLB (£146.447m), Concessionary Loans from Welsh Government (£2.6m), Market Loans (£6m) and a Temporary Loan (£0.100m) at 31<sup>st</sup> March, 2019. No new external loans were taken out in year and the Council continued to finance new Capital Expenditure (£1.980m) from internal borrowing.

The Council held investments of £89.1m at 31<sup>st</sup> March, 2019 and the majority of this was invested with Local Authorities (£81m) with an annual return of 0.666%. The overall return on investments in 2018/19 was £552k at a rate of 0.6335%.

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

RESOLVED - That the Annual Report on Treasury Management 2018/19 be accepted and that the Report be referred to Council for approval

Reason for decision

To accept and refer the report to Council.

**C35 REVENUE MONITORING FOR THE PERIOD 1<sup>ST</sup> APRIL TO 31<sup>ST</sup> MAY, 2019 (L) –**

The Leader presented the report which outlined that the revenue position for 2019/20 was challenging with a savings target for the year being set at £3.020m. He therefore welcomed opportunity for Scrutiny to consider and look at the Council's financial position.

Even though it was early in the financial year, adverse variances were being projected for a number of services this year. This included £210k for the Learning and Skills Directorate, which would be covered by additional savings and £1m for Environment and Housing. This would be mitigated by the use of reserves as it had been projected that only half of the Neighbourhood Services and Transport savings target for 2019/20 of £932k had been found. Plans for saving this amount were therefore underway.

With regard to Social Services, the Leader stated that the main concern for Children and Young People Services was the continuing pressure on children's placements, for which the use of £1.5m from reserves had been approved to cover a projected budget overspend.

The Leader went on to refer to a recent Reshaping Services meeting with Town / Community Councils, in order to ascertain areas where they could help alleviate Council cost pressures.

In commenting on his portfolio, the Cabinet Member for Social Care and Health stated that for Children and Young People Services challenges around child placements related not just to the complexity of cases, but also to the high cost of placements that some of these children required in order to meet their needs. Work continued to ensure that children were appropriately placed.

The Cabinet Member for Neighbourhood Services and Transport advised that the biggest challenge for Environment and Housing, was Waste Management, referring to the importance of informing the public of changes to be implemented for Autumn.

For Learning and Skills, the Cabinet Member stated that the key challenge was similar to Children and Young People Services referring to the cost pressures that the Council would be faced with children placements with complex needs. In addition, the Cabinet Member also referred to the major impact of the new Additional Learning Needs Bill. The Cabinet Member also welcomed the new Scrutiny process and looked forward to a full discussion on financial pressures.

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

**RESOLVED –**

(1) T H A T the position with regard to the Authority's 2019/20 Revenue Budget be noted.

(2) T H A T the virements required in the Learning and Skills Directorate as a result of the management reorganisation be approved.

Reasons for decisions

(1) In light of the information contained within the report.

(2) To align the budget with the new management structure within the Learning and Skills Directorate.

**C36 CAPITAL MONITORING FOR THE PERIOD 1<sup>ST</sup> APRIL TO 31<sup>ST</sup> MAY, 2019 (L) –**

The report provided an update on the progress of the Capital Programme for the period 1<sup>st</sup> April, 2019 to 31<sup>st</sup> May, 2019. Details by scheme were shown in Appendix 1 to the report.

The report set out any requested changes to the 2019/20 Capital Programme.

The largest change to the Programme was the inclusion of the Additional Welsh Government Education Asset renewal funding providing £1.765m. The grant was paid in 2018/19 and was utilised on existing capital schemes. This allowed for funding to be displaced and carried forward in a specific reserve to be used in the 2019/20 Capital Programme.

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

**RESOLVED –**

(1) T H A T the progress made on the 2019/20 Capital Programme be noted.

(2) T H A T the use of Delegated Authority in relation to the following be noted:

- S106 Old Penarthians RFC Changing Rooms – Include a new scheme – £15k into the 2019/20 Capital Programme funded by S106 monies;
- Penarth Heights Sustainable Transport – Increase a scheme of £1.1m in the 2019/20 Capital Programme funded by S106 monies;
- Allocate the original £17.898m Housing Improvement Programme.

(2) T H A T the use of Emergency Powers in relation to the following be noted:

- Catering Trailer – Include a new £46k scheme into the 2019/20 Capital Programme funded from the Catering Reserve;
- Gwenfo Primary Extension – Increase the scheme by £6k in the 2019/20 Capital Programme funded by the School Governing Body;

- Additional Welsh Government Education Asset Renewal – Increase the 2019/20 Capital Programme by £1.765m funded from the specific reserve.

(3) T H A T the following changes to the 2019/20 and 2020/21 Capital Programme be approved:

- Gladstone Primary Vehicle – Include a new £11k scheme into the 2019/20 Capital Programme funded by a revenue contribution from the school;
- Childcare Offer Capital Grant (COCG) – Increase the 2020/21 Capital Programme by £100k funded from additional Welsh Government grant;
- Residential Home Refurbishment – Vire the budgets from the following: Cartref Internal Refurbishment £5k, Asset Renewal £20k, Fire Precaution works £16k and Hen Goleg £15k into Residential Home Refurbishment in the 2019/20 Capital Programme;
- ICT Infrastructure – Allocate £25k of this budget to a new scheme called ICT Development in Residential Homes;
- Waste Collection Blueprint – Include the grant of £2.8m into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Local Transport Fund – Include the grant of £1.150m into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Local Transport Network Fund – Include the grant of £105k into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Safe Routes in Communities – Include the grant of £114k into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Road Safety Capital – Include the grant of £125k into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Active Travel Fund – Include the grant of £282k into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Cowbridge Leisure Centre Roofing – Increase the budget by £21k funded from the Neighbourhood Services reserve;
- Building Stronger Communities Fund – Increase the 2019/20 budget by £104.5k funded by £25.5k from Llandough Community Council, £35k from S106 monies and a revenue contribution of £44k from the Stronger Communities budget;
- ENABLE Funding – Include the grant of £161k into the 2019/20 Capital Programme funded by a Welsh Government Grant;
- Colwinston Play Area – Increase the scheme by £3k in the 2019/20 Capital Programme funded by a contribution from Colwinston Association.

### Reasons for decisions

- (1) To advise Cabinet of the progress on the Capital Programme.
- (2) To advise Cabinet of the use of Delegated Authority.
- (3) To advise Cabinet of the use of Emergency Powers.

- (4) To allow schemes to proceed in the current financial year.

### **C37 BUDGET STRATEGY 2020/21 (L) –**

The Budget Strategy outlined the process and timetable for setting the 2020/21 budget.

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

RESOLVED –

- (1) T H A T the Budget Strategy for 2020/21, including the requirement for Directors to prepare initial revenue budgets in accordance with a timetable agreed by the Head of Finance, be agreed.
- (2) That Directors be requested to continue to progress the Reshaping Services Programme.
- (3) That the following timetable for the 2020/21 Budget Process, subject to any amendments being required to meet the statutory deadline, as a result of changes in the timing of Welsh Government settlement announcements, be approved:

<b>Timetable for the 2020/21 Budget Process</b>	<b>To be completed no later than</b>
Cabinet consider the initial budget proposals	18 <sup>th</sup> November, 2019
Lead Scrutiny Committee responds to consultation and makes recommendations on budget proposals	19 <sup>th</sup> December, 2019
Cabinet makes its final proposals on the budget	3 <sup>rd</sup> February, 2020
Meeting of Council to consider budget and council tax resolution	24 <sup>th</sup> February, 2020

#### Reason for decisions

- (1-3) To enable the 2020/21 budget process to be commenced.

### **C38 CABINET QUARTERLY WORK PROGRAMME - APRIL TO JUNE 2019 AND JULY TO SEPTEMBER 2019 (L) –**

The report sought Cabinet's approval and any comments in respect of the progress update for the quarter April to June 2019 and the updated Cabinet Quarterly Forward Work Programme from July to September 2019.

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

## RESOLVED –

- (1) T H A T the position with regard to the Work Programme for the period April to June 2019 (Appendix 1 to the report) be agreed.
- (2) T H A T the Cabinet Quarterly Work Programme for July to September 2019 attached at Appendix 2 to the report be endorsed.
- (3) T H A T the Annual Strategic Cabinet Work Programme at Appendix 3 to the report be updated in line with Recommendations (1) and (2) above and uploaded to the Council's website.

Reasons for decisions

- (1) To monitor progress.
- (2) To approve the Work Programme for July to September 2019.
- (3) To comply with the requirements of the Local Government Act 2000, subordinate legislation and the Council's Constitution in setting annual work programmes.

**C39 21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME - BAND B UPDATE (ER) –**

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report which outlined that on 5<sup>th</sup> April, 2019, the Council was notified that that the revised Strategic Outline Programme submitted to Welsh Government had not been approved on the grounds that the revised Programme was not within the Council's capital funding envelope.

The Programme had therefore been revisited to ensure the Council was able to deliver a robust Programme within the Welsh Government capital envelope that met emerging priorities through the rationalisation of existing projects and the reinvestment of capital previously allocated to the 21st Century Schools Programme.

Previously, on 22<sup>nd</sup> January 2018, Cabinet approved the proposed Band B phase of the 21st Century Schools Programme (minute C199). Funding for the projects was based on an anticipated Welsh Government intervention rate of 50% funding for non-faith school schemes and 85% funding for Voluntary Aided faith school schemes. Eight of the Council's schemes were based on 50% Welsh Government Funding and two schemes were based on 85% funding. The total funding for Band B was £142.417m with £83.823m being funded by Welsh Government and £58.594m being funding by the Council. The Deputy Leader stated that following the changes indicated by Welsh Government the contribution from the Council would now stand at £58.76m, of a total allocation of £134.945m

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

## RESOLVED –

- (1) T H A T the position relating to the Council's 21st Century Schools, Band B Programme be noted.
- (2) T H A T the report be referred to Learning and Culture Scrutiny Committee for consideration.
- (3) T H A T the amended Band B profile of the Council's 21st Century Schools Programme be approved and submitted to Welsh Government.
- (4) T H A T subject to consideration by Learning and Culture Scrutiny Committee, the relevant changes to the Capital Programme to fully fund the revised 21st Century Schools Programme, be approved subject to further consideration by Council.
- (5) T H A T the use of Article 14.14.2 (ii) of the Council's Constitution (Urgent Decision Procedure) be authorised in respect of Recommendation (3) above.
- (6) T H A T in pursuance of Recommendation (2) above, and in the event of Learning and Culture Scrutiny Committee making recommendations to Cabinet, further consideration be given to the matter.

Reasons for decisions

- (1) To view of the current position with regards to the 21st Century Schools, Band B programme.
- (2) To enable Learning and Culture Scrutiny Committee to consider the report.
- (3) To ensure the Council is able to deliver a more robust Band B Programme that remains within the Council's Welsh Government capital funding envelope by reinvesting capital funding that has been released due to the Welsh Government intervention rate change.
- (4) To ensure the Band B Programme is able to be delivered and fully funded, subject to the approval of individual project business cases by Welsh Government and by Council.
- (5) To allow the Council to submit the Strategic Outline Programme to Welsh Government as soon as possible in order to minimise risk to the Council when progressing individual elements of the Strategic Outline Programme.
- (6) To allow for further consideration, and if necessary and appropriate, further consideration by both Cabinet and Welsh Government.

#### **C40 YSGOL GYMRAEG BRO MORGANNWG ACCEPTANCE OF STAGE TWO TENDER (ER) –**

On 15<sup>th</sup> October, 2018 Cabinet approved the appointment of ISG Construction Ltd to undertake the refurbishment and new build works at Ysgol Gymraeg Bro Morgannwg following a competitive two-stage tender exercise utilising the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework.

A Professional Services Contract was executed for design and procurement services, as well as initial site surveys. The design had now been finalised and was approved by the Council's Planning Committee on 26<sup>th</sup> June, 2019.

ISG Construction Ltd had now submitted their final cost plan to undertake the full refurbishment and new build works.

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

RESOLVED – T H A T the report and recommendations be considered in conjunction with the Part II report later in the agenda.

#### Reason for decision

To allow the Part I and II reports to be considered together.

#### **C41 PROPOSAL TO INCREASE THE NUMBER OF PRIMARY SCHOOL PLACES FROM 140 PLACES TO 210 PLACES AT ST. DAVID'S CHURCH IN WALES PRIMARY SCHOOL (ER) –**

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report, the purpose of which was to advise Cabinet of the outcome of the statutory process on the Governing Body's proposal to make a regulated alteration to St. David's CIW Primary School by increasing the capacity of the school from 140 places to 210 places from September 2021.

In accordance with Section 51 of the School Standards and Organisation (Wales) Act 2013, the Local Authority was responsible for determining proposals made by Governing Bodies when formal objections had been received.

A Consultation Document was published on the school and Council's website on 28<sup>th</sup> January, 2019 and issued to all prescribed consultees as required by the relevant sections of the School Organisation Code (2018).

Following this, the Governing Body received 15 individual responses by the closing date of 15<sup>th</sup> March 2019. Of the total 15 individual response received, 14 were in favour of the proposal and 1 provided no opinion either way. There were no responses opposed to the proposal.

The Governing Body considered the responses to the consultation on 21<sup>st</sup> March, 2019 and determined to progress the proposal through the publication of a statutory notice. The statutory notice was published on 29<sup>th</sup> April, 2019. In accordance with section 49 of the Act, any person could object to the proposal before the end of 28 days beginning with the day on which the proposals were published, that is to say by Monday, 27<sup>th</sup> May, 2019.

The Governing Body received three formal objections to the proposal. The Governing Body responded to the objections through the publication of an objection report. This was issued to prescribed consultees and published on the school and Council website on 20<sup>th</sup> June, 2019. On 21<sup>st</sup> June, 2019, the Governing Body of St. David's CIW Primary School advised the Council that three formal objections had been received and issued the relevant documentation to the Council for final determination.

For the three objections that were received by the Governing Body during the objection period, a number of key themes were raised and responded to as part of the objection report. These were:

- Taxpayers' money should not be spent on a Church in Wales school;
- The new school building should not be transferred to the diocese upon completion;
- Increasing the capacity would result in increased congestion compromising the safety of residents and pupils;
- The proposal did not offer value for money for taxpayers;
- The methodology used to model future demand for school places was flawed;
- Section 106 funding should not be used for this proposal.

The Governing Body had responded to the objections in the objection report attached at Appendix D to the report.

In addition, for Cabinet's consideration, the Leader tabled a series of emails from a person objecting to the proposals. All Cabinet Members confirmed that they had considered the emails and attachments.

Cabinet were asked to note that it was important to recognise that the proposals were within Welsh Government's Band B, and was not a closure of the school but an expansion of the existing school. It was proposed for the school to be rebuilt near to the existing site. The Director of Learning and Skills confirmed that the transfer of the site was required pursuant to the School Standards and Framework Act 1998, and so this would involve a 'land swap' in which the former site would be transferred to the Council, in exchange for the new school site. The footprint of the proposed build being a similar size as the existing school.

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

**RESOLVED –**

- (1) T H A T the report, the consultation document, consultation report, statutory notice, formal objections and objection report of the governing body of St. David's Church in Wales Primary School's proposal to increase the capacity of the school from 140 places to 210 places from September 2021 be considered.
- (2) T H A T implementation of the proposal to make a regulated alteration under section 2.3 of the School Organisation Code 2018 to increase the capacity of St. David's Church in Wales Primary School to meet future demand for Church in Wales primary education by increasing the capacity of St. David's Church in Wales Primary School from 140 places to 210 places from September 2021 be approved.
- (3) T H A T the major investment towards a new school building set out in the proposal is subject to the necessary funding being approved by Welsh Government be noted.

**Reasons for decisions**

- (1) To ensure that all relevant information is considered by Cabinet in reaching a decision on whether to approve the implementation of the proposal.
- (2) To ensure that there are sufficient school places to meet the increased demand for primary education as a result of recent and proposed housing developments in the Western Vale.
- (3) To ensure Cabinet is aware that the full investment in the school building described in the consultation documents is dependent on Welsh Government funding.

**C42 DRAFT EMPTY HOMES STRATEGY 2019-2024 (ER) –**

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report, which sought to update Cabinet on the issue of empty homes in the Vale of Glamorgan and also sought approval of the Draft Empty Homes Strategy 2019-2024 (Appendix A to the report) as a consultative document.

The Draft Empty Homes Strategy 2019-2024 provided the framework to ensure that the Vale of Glamorgan Council continued to be pro-active in its approach to returning empty homes back into use.

Empty properties could be detrimental to the lives of local residents as they were a magnet for crime and antisocial behaviour, could drive down property values locally and contribute to neighbourhood decline and blight. They also represented a risk for the emergency services and put added pressure on various Council teams and service areas.

The headline annual need for affordable housing in the Vale of Glamorgan Local Housing Market Assessment from 2017 to 2022 was 576 units per annum. Re-

occupying empty homes was not the whole answer to this problem, but Welsh Government and Local Authorities recognised potential, both as units of accommodation and a source of income to the Council in times of continued budgetary pressures.

Long term empty private properties (standing empty for six months or more) were the main focus of the Draft Empty Homes Strategy 2019-2024. As at 1<sup>st</sup> April, 2019, of the 58,909 residential properties in the Vale of Glamorgan, 846 private properties were standing empty for six months or more. This represented 1.4% of the housing stock. Of the 846 private properties, 311 (36.76%) had been empty for over two years and 47 (5.56%) empty for over ten years.

When dealing with empty property owners, a voluntary way forward was always preferred. Advice, assistance and incentives reduced demand on Council resources and the need for enforcement action at a later date.

The empty homes issue required a joined-up whole Council approach to make the best possible use of the existing housing stock. Moving forward, the key aims of the Draft Empty Homes Strategy 2019-2024 were to:

- Assemble, maintain and improve the accuracy of empty homes data;
- Provide advice, assistance and financial incentives to reduce the number of long term empty properties;
- Promote the whole Council approach to tackling empty homes;
- Prioritise empty homes for enforcement action; and
- Raise awareness of the empty homes issue.

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

RESOLVED –

- (1) T H A T the Draft Empty Homes Strategy 2019-2024 as a consultative document be approved.
- (2) T H A T the timetable for the public consultation exercise as detailed in paragraph 2.8 of the report be approved.
- (3) T H A T the report be referred to the Homes and Safe Communities Scrutiny Committee for consideration as part of the consultation process.
- (4) T H A T delegated authority be granted to the Head of Regeneration and Planning, in consultation with the Deputy Leader and Cabinet Member for Education and Regeneration, to make typographical or other minor changes as necessary prior to publication, for public consultation purposes.
- (5) T H A T a further report be presented to Cabinet following the public consultation to present the findings of the public consultation exercise and consider any changes to the Draft Empty Homes Strategy 2019-2024 prior to finalising for adoption.

### Reasons for decisions

- (1) To enable the Draft Empty Homes Strategy 2019-2024 to become a public document available for consultation.
- (2) To obtain feedback from key stakeholders and the public on the Draft Empty Homes Strategy 2019-2024.
- (3) To allow Scrutiny to be updated and to consider the Draft Empty Homes Strategy 2019-2024 prior to the start of the public consultation exercise.
- (4) To make typographical or other minor changes as necessary without the need to seek further Cabinet approval.
- (5) To provide a summary of the results of the public consultation exercise and seek Cabinet approval for the final Empty Homes Strategy 2019-2024.

### **C43 ANNUAL REPORT: SECTION 106 AGREEMENTS 2018/19 (LRPS) –**

The report sought to update Cabinet on the Section 106 matters in the Vale of Glamorgan.

In the 12 months between 1<sup>st</sup> April, 2018 and 31<sup>st</sup> March, 2019, a total of 26 Legal Agreements had been signed associated with planning permissions. The value of the financial contributions in these legal agreements totalled £3,538,708.

As of 31<sup>st</sup> March, 2019, the Council had £21,410,951.58 in the account. The majority of those contributions had been committed to schemes within the Vale of Glamorgan, as agreed with Elected Members and Service Areas, or were pending further consultation. In addition, £618,703.68 was held for ongoing maintenance costs.

The Council received financial contributions of £9,840,639.92 between April 2018 and March 2019.

£2,226,160.50 was spent on schemes during 2018/19, with Section 106 contributions supporting enhancements to public transport, walking and cycling networks, new school places and open space and public art enhancements

In addition, a number of Cabinet Members thanked officers for their hard work and skill in negotiating Section 106 contributions. The Cabinet Member for Social Care and Health commented on the importance to contact all Town and Community Councils, which needed to know how hard officers had worked and which improvements the monies had funded.

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

RESOLVED –

(1) T H A T the progress made on Section 106 matters between April 2018 and March 2019 be noted.

(2) T H A T the report be issued to all Councillors and the Clerks of all Town and Community Councils for information.

Reasons for decisions

(1) To inform Cabinet of the progress made on Section 106 matters between April 2018 and March 2019.

(2) To inform all Members and Town and Community Councillors of the progress made on Section 106 matters between April 2018 and March 2019.

**C44 PROPOSALS FOR A STRATEGIC DEVELOPMENT PLAN (SDP) FOR THE CARDIFF CAPITAL REGION (LRPS) –**

The report set out proposals to prepare a Strategic Development Plan (SDP) for the Cardiff Capital Region comprising the 10 Local Planning Authorities (LPAs) in the region. The decision to proceed required endorsement from all 10 Councils in the region to authorise the Responsible Authority to submit a proposal to Welsh Government. A similar report was being presented to each of the 10 relevant Councils over the coming months.

An SDP was a regional level Development Plan that sat above a Local Development Plan and below the Welsh Government's National Development Framework and provided a strategic framework for Local Development Plans to be prepared at a more local level. A statutory SDP provided certainty to developers, investors and our communities that key strategic decisions around housing, transport, employment and infrastructure provision were being taken at an appropriate regional level, whilst still allowing key decisions on planning proposals to be taken locally through Local Development Plan allocations and policies and thereafter in development management decisions.

The report identified some key issues for consideration around the preparation of the SDP, in particular defining the Strategic Planning Area Boundary, governance arrangements, scope, content and plan period.

The process required identification of a Responsible Authority to submit the proposal to Welsh Government, and it was recommended that the Vale of Glamorgan Council take this role, which had been agreed by the Regional Cabinet.

The preparation and adoption of the SDP was undertaken by a Strategic Planning Panel (SPP), with representatives from every LPA within the boundary having a weighted vote. It was recommended that the Cabinet Member for Education and Regeneration represent the Vale of Glamorgan Council on the Panel, given their experience and knowledge.

The Cabinet Member highlighted that the voting of the SPP would be weighted having regard not only to the size of the population of the constituent authorities, but also weighted to have regard to the geographical area of the authority, given that the SDP would be a land use plan. This was set out in paragraph 2.3 of the report.

If all Councils agreed to proceed a proposal would be submitted to Welsh Government, who would prepare appropriate regulations and the work on the preparation of the SDP would commence.

The Cabinet Member for Legal, Regulatory and Planning Services, also thanked the Operational Manager for Planning and Building Control and her officers for their hard work.

On being asked to comment, the Operational Manager for Planning and Building Control stated that this represented an exciting project as it would involve working more strategic on a regional level. She stated that the Vale could not ignore the economic impact of Cardiff and so it was important to work on a regional basis.

The Leader added that there had been comments that an SDP would mean loss of control for the Council, but he disagreed with this sentiment as the Council would still have an LDP. The SDP would allow the Council to work with neighbouring authorities in order to tackle common challenges such as Junctions 34 and 33.

Furthermore, the Cabinet Member for Social Care and Health commented that it was appreciated that this form of regional working was more on a voluntary basis as opposed to regional models being forced on the Council. He stated that this was very positive and he was confident that the Council had the expertise to lead.

Cabinet also noted that the report was being presented to the relevant Scrutiny Committee and would also be considered by Full Council on 29<sup>th</sup> July, 2019.

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

RESOLVED –

(1) T H A T the content of the report be noted and referred to the Environment and Regeneration Scrutiny Committee for consideration, prior to consideration by Full Council.

(2) T H A T in the event of any comments being made by Environment and Regeneration Scrutiny Committee, these be referred back to Cabinet for consideration prior to final determination by Full Council.

(3) T H A T the Vale of Glamorgan Council endorses the content of the report and agrees that the Responsible Authority be authorised to submit the Proposal for a Strategic Development Plan for the Cardiff Capital Region to the Minister on behalf of the 10 Local Planning Authorities in the region.

(4) T H A T the Vale of Glamorgan Council endorse itself as the Responsible Authority for the Cardiff Capital Region Strategic Development Plan.

(5) T H A T the Vale of Glamorgan Council endorses that the Strategic Planning Area should comprise the 10 Local Planning Authority areas within the Cardiff Capital Region as shown on the map at Appendix A to the report.

(6) T H A T the Vale of Glamorgan Council authorises relevant officers to engage with the Welsh Government in drafting the Strategic Development Plan Regulations to deliver the following governance arrangements for the SDP and Strategic Planning Panel:

- (i) That the Strategic Planning Panel will be comprised of 10 Members, one from each constituent Local Authority with the weighting of votes for each constituent Local Authority being based on its population and geographical area as follows:

<b>Local Authority</b>	<b>No. of Members on the Strategic Planning Panel</b>	<b>Weighting of Vote for Constituent LA</b>
Blaenau Gwent	1	1
Bridgend	1	2
Caerphilly	1	3
Cardiff	1	5
Merthyr Tydfil	1	1
Monmouthshire	1	3
Newport	1	2
Rhondda Cynon Taff	1	3
Torfaen	1	1
Vale of Glamorgan	1	2
<b>Total</b>	<b>10</b>	<b>23</b>
Nominated non-voting Panel Members	5	N/A

- (ii) That constituent Councils will be engaged through a prior consultation process as set out in Figure 1 and the Strategic Planning Panel shall have full regard to the comments of constituent Councils;
- (iii) That decisions made on the Strategic Development Plan by the Strategic Planning Panel shall require a 70% quorum of voting Members on the Panel and decisions shall require a 70% majority vote of a quorate meeting.

(7) T H A T the Vale of Glamorgan Council endorses the setting up of an Interim Strategic Planning Panel prior to the formal establishment of the Strategic Planning Panel and the nominated Member below represent the Vale of Glamorgan Council

on the Interim Strategic Planning Panel with delegated authority to take initial decisions on the preparation of the SDP (with a vote weighted in accordance with the table at Recommendation 6(i)) and thereafter on the Strategic Planning Panel. The Vale of Glamorgan Council nominate:

Councillor Lis Burnett, Vale of Glamorgan Council.

(8) T H A T in the event that Member is no longer able to sit on Interim Strategic Planning Panel, delegated powers be granted to the Managing Director, following consultation with the Leader of the Council, to nominate a new Member to represent the Council on the Interim Strategic Planning Panel and Strategic Planning Panel.

(9) T H A T a Regional Strategic Development Plan Officer Team be established to progress the preparation of the Strategic Development Plan to be appointed by representatives of the Interim Strategic Planning Panel, with appropriate human resource support from the Responsible Authority.

(10) T H A T the cost of preparing the Strategic Development Plan be shared across the 10 Authorities on a proportional cost based on the voting representation on the Strategic Planning Panel, to be reviewed on an annual basis, and an initial contribution of £50,005 be paid to cover the start-up costs likely to be incurred in this financial year 2019/20, divided as follows:

Local Authority	% Cost Based on SSP Votes	£
Blaenau Gwent	4.35	2,175
Bridgend	8.7	4,350
Caerphilly	13.04	6,520
Cardiff	21.74	10,870
Merthyr Tydfil	4.35	2,175
Monmouthshire	13.04	6,520
Newport	8.7	4,350
Rhondda Cynon Taff	13.04	6,520
Torfaen	4.35	2,175
Vale of Glamorgan	8.7	4,350
<b>TOTAL</b>	<b>100.01</b>	<b>50,005</b>

#### Reasons for decisions

(1) For Cabinet to consider and endorse the content of this report and put forward Recommendations (1) – (7) to Full Council for a decision.

(2) For Cabinet to consider any comments made by Environment and Regeneration Scrutiny Committee prior to consideration and decision by Full Council.

(3) To authorise the preparation of a Strategic Development Plan for the Cardiff Capital Region, providing clarity of intent and to allow work to commence.

- (4) To authorise the Vale of Glamorgan Council as the Theme Lead under the existing City Deal arrangements as the Responsible Authority to administer the Strategic Development Plan. The Regulations require that a Responsible Authority be identified to co-ordinate administrative and Human Relations matters.
- (5) To identify the Strategic Planning Area as the 10 Local Planning Authority areas within the Cardiff Capital Region, having regard to the environmental, economic, social and administrative functions of the Cardiff Capital Region. The Regulations require that, when notifying the Welsh Government of the intention to proceed with a Strategic Development Plan, the Strategic Planning Area is identified.
- (6) To ensure the Strategic Development Plan Regulations deliver appropriate governance arrangements for the Strategic Development Plan and Strategic Planning Panel.
- (7) To set up an Interim Strategic Planning Panel prior to the formal establishment of the Strategic Planning Panel with the nominated Member representing the Council on the Interim Strategic Planning Panel with delegated authority to take initial decisions on the preparation of the Strategic Development Plan, including the appointment of the Strategic Development Plan Team and that that Member is also nominated to represent the Council on the Strategic Planning Panel in due course.
- (8) To establish a Regional Strategic Development Plan team to progress the preparation of the Strategic Development Plan to ensure adequate time and expertise is secured to ensure the successful delivery of a Strategic Development Plan for the Cardiff Capital Region.
- (9) To ensure that the cost of preparing the Strategic Development Plan is shared across the 10 Authorities on a proportional cost based on Strategic Planning Panel voting arrangements, which is reviewed annually, and to cover the start-up costs likely to be incurred in this financial year 2019/20.

**C45 LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES - VALE OF GLAMORGAN ELECTORAL ARRANGEMENTS REVIEW (LRPS) –**

The Local Democracy and Boundary Commission for Wales (“the Commission”) had a duty under Section 29 of the Local Government (Democracy) (Wales) Act 2013 to review the electoral arrangements for each principal area at least once every ten years.

The Commission commenced its review of the Vale of Glamorgan Council on 8<sup>th</sup> May, 2019, and had invited the Vale of Glamorgan Council to provide proposals as part of the first stage of the review by 30<sup>th</sup> July, 2019.

In light of the matters that the Commission would consider and have regard to as part of the review, the report recommended proposals for submission.

The Cabinet Member stated it was proposed to increase the number of Vale Councillors to 51 in line with the Commission's 'Council Size Policy', and so it was proposed that the existing number of Councillors for each of the existing wards for the Vale of Glamorgan Council remain unchanged save for the Baruc ward which increases from 2 to 3 Councillors, Rhoose ward from 2 to 3 Councillors, St. Athan from 1 to 2 Councillors and St. Augustine's from 2 to 3 Councillors. The Cabinet Member also highlighted that it was proposed that no change be made to the Wenvoe ward. For the 4 Member wards it was proposed that the Dinas Powys and Llantwit Major Wards remain unchanged having regard to the impact of the 5 year population forecast, the local support for the existing arrangements from Councillors and no concerns having been raised with the Electoral Registration Officer by the electorate.

The Cabinet Member also advised that it was important to recognise that the number on the electoral role was not the same as the number of residents.

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

RESOLVED –

- (1) T H A T Cabinet recommends to Council (in accordance with the Local Democracy and Boundary Commission for Wales' Council size determination for the Vale of Glamorgan Council) that the proposals set out at paragraphs 2.1 – 2.4 of the report be submitted to the Commission as part of their electoral arrangement review.
- (2) T H A T the report be referred to Council for consideration on 29<sup>th</sup> July, 2019.
- (3) T H A T the Urgent Decision Procedure (paragraph 14.14 2(ii) of the Council's Constitution refers) applies to the report.

#### Reasons for decisions

- (1) To agree a proposal as requested by the Commission.
- (2&3) To meet the deadline set by the Commission of 30<sup>th</sup> July, 2019.

#### **C46 O'SHEA CHIP SHOP, 1 WESTERN SHELTER, BARRY ISLAND - NEW LEASE (NST) –**

The report sought Cabinet approval to advertise the loss of Public Open Space of a small parcel of land which it was proposed to be included in a new lease for Unit 1, Western Shelter in accordance with s123 Local Government Act 1972.

The additional land had been used as an informal dining area. It was proposed that this situation be regularised by granting a new lease for Unit 1, Western Shelter to include the additional parcel of land. The rental for the new lease would be reviewed and increased to reflect the additional land area.

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

RESOLVED –

(1) T H A T be delegated to the Monitoring Officer / Head of Legal and Democratic Services to advertise the proposed loss of a small parcel of Public Open Space (in accordance with s123 (2A) of the Local Government Act 1972) which it was intended to be included in a new lease for Unit 1, Western Shelter.

(2) T H A T, should objections be received as a result of the advertisement process outlined in Recommendation (1) above, those objections would be reported back to Cabinet.

(3) T H A T the disposal of the additional parcel of land by including it in a new lease agreement for Unit 1 Western Shelter be authorised, should there be no objections from the S123 (2A) advertisement process.

(4) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to draft and execute a new lease agreement for Unit 1, Western Shelter to include the additional parcel of land provided there are no objections from the S123 loss of Public Open Space advertisement process.

#### Reasons for decisions

(1) The land was currently legally designated as Public Open Space and as such the Council was obliged to advertise the potential loss of Public Open Space pursuant to Section 123 (2A) of the Local Government Act 1972.

(2) In order that Cabinet may consider any objections and to comply with the provisions of the Act.

(3) To allow the land to be incorporated into a new lease for Unit 1, Western Shelter if there are no objections to the loss of Public Open Space.

(4) In order to regularise the situation by lease.

#### **C47 PENARTH CARDIFF BARRAGE SUSTAINABLE TRANSPORT CORRIDOR WELTAG STAGE ONE AND STAGE TWO UPDATE (NST) –**

The report provided Cabinet with an update on progress of the WelTAG Stage One Penarth Cardiff Barrage Sustainable Transport Corridor Study.

The draft WelTAG Stage One Strategic Outline Case had been received from Capita and identified five options for Stage One appraisal encompassing:

Option 1 – Active travel proposals for Penarth within the Vale of Glamorgan's Active Travel Integrated Network Map;

- Option 2 – Bus Park & Ride and sustainable transport links across Cardiff Barrage;
- Option 3 – Multi-modal sustainable transport interchange;
- Option 4 – Opening Cardiff Barrage to private vehicles during peak periods;  
and
- Option 5 – Do Minimum.

Following completion of the Stage One appraisal, the report subsequently made the following recommendations:

That OPTION 1 be progressed for further appraisal at WelTAG Stage Two.
That OPTION 2 be progressed for further appraisal at WelTAG Stage Two.
That OPTION 3 be taken forward to WelTAG Stage Two appraisal in conjunction with Transport for Wales.
It is recommended that OPTION 4 is not taken forward to WelTAG Stage Two due to their likely negative impact on many policy objectives, the study objectives and on many economic, environmental, social and cultural criteria.
Although OPTION 5 did not perform well in the appraisal, is recommended that the “Do Minimum” option be progressed to WelTAG Stage Two to provide the baseline against which the recommended options will be assessed.

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

RESOLVED –

- (1) T H A T progress made on the Penarth Cardiff Barrage Sustainable Transport Corridor WelTAG Stage One Study relating to improving sustainable connectivity through the corridor between Penarth and Cardiff Barrage be noted.
- (2) T H A T this matter be referred to Environment and Regeneration Scrutiny Committee for consideration.
- (3) T H A T, subject to consideration by Environment and Regeneration Scrutiny Committee the progression of the WelTAG studies for the Penarth Cardiff Barrage Sustainable Transport Corridor to WelTAG Stage Two be endorsed.

#### Reasons for decisions

- (1) To update Members on progress made on the scheme.
- (2) To allow the report to be scrutinised.
- (3) To support progression of the study to WelTAG Stage Two in principle.

**C48 ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES  
2018-2019 – FINAL VERSION (SCH) –**

The report sought the agreement of Cabinet on the improvement priorities for Social Services as set out in the Director's Annual Report for 2018-2019 (attached as Appendix 1 to the report).

The Director of Social Services advised Cabinet that it was important to recognise that the audience for such a document was broad and varied, and included care users, care providers, the Health Board and Care Inspectorate Wales. This meant that it was an extremely difficult document to write.

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

RESOLVED –

- (1) T H A T the content of the report be noted.
- (2) T H A T the Director's Annual Report for 2018-2019 – attached at Appendix 1 to the report – be approved.
- (3) T H A T the improvement priorities for Social Services for 2019-2020 as set out in the Director's Annual Report attached at Appendix 1 to the report be agreed.

Reasons for decisions

- (1) To ensure that the Director's Annual Report is considered by Elected Members.
- (2) To ensure that the Director's Annual Report for 2018-2019 has the approval and agreement of Cabinet.
- (3) To ensure that the priorities as set out by the Director of Social Services are approved by Cabinet.

**C49 EXCLUSION OF PRESS AND PUBLIC –**

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

**C50 YSGOL GYMRAEG BRO MORGANNWG – ACCEPTANCE OF  
STAGE TWO TENDER (ER) (EXEMPT INFORMATION – PARAGRAPH 14) –**

On 15<sup>th</sup> October, 2018 Cabinet approved the appointment of ISG Construction Ltd to undertake the refurbishment and new build works at Ysgol Gymraeg Bro Morgannwg following a competitive two-stage tender exercise utilising the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework.

A Professional Services Contract was executed for design and procurement services, as well as initial site surveys. The design had now been finalised and was approved by the Council's Planning Committee on 26<sup>th</sup> June, 2019.

ISG Construction Ltd had now submitted their final cost plan to undertake the full refurbishment and new build works. 94% of the project cost had been market tested in line with the Council's requirements and the final overall cost was within the Council's allocated funding of £21,517,780.

It was recommended that the Stage Two tender be accepted from ISG Construction Ltd and an NEC3 Option A Contract be executed.

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

RESOLVED –

(1) T H A T the appointment of ISG Construction Ltd for the refurbishment and new build works at Ysgol Gymraeg Bro Morgannwg be approved.

(2) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to execute the NEC3 Option A (Lump Sum with Activity Schedule) Contract with ISG Construction Ltd.

Reasons for decisions

(1) To ensure the required works are completed for the delivery of the refurbishment and new build works at Ysgol Gymraeg Bro Morgannwg as part of the Council's 21st Century Schools Programme.

(2) To permit execution of formal contracts between the Council and ISG Construction Ltd.