

CABINET

Minutes of a remote meeting held on 11th April, 2022.

The Committee agenda is available [here](#)

The Meeting recording is available [here](#).

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

C895 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

C896 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 28th March, 2022 be approved as a correct record.

C897 DECLARATIONS OF INTEREST –

Name of Councillor	Nature of Interest
Councillor B.T. Gray (Cabinet Member for Social Care and Health)	The interest related to Agenda Item 13 - Proposal to Reconfigure Nursery Provision in Penarth. Councillor Gray declared an interest as an LEA Governor but had dispensation from the Standards Committee to speak, vote and take part in any discussions in relation to the matter.
Councillor K.F. McCaffer (Cabinet Member for Leisure, Arts and Culture)	The interest related to Agenda Item 13 - Proposal to Reconfigure Nursery Provision in Penarth. Councillor McCaffer declared an interest as an LEA Governor but had dispensation from the Standards Committee to speak, vote and take part in any discussions in relation to the matter.

C898 SERVICE PLANS AND TARGET SETTING TO DELIVER THE ANNUAL DELIVERY PLAN 2022/23 (REF) -

The reference from Corporate Performance and Resources Scrutiny Committee on 17th March, 2022 was presented.

The Committee, as well as having endorsed the Service Plans and Targets, had recommended that it would be beneficial for the Scrutiny Committees, full Council and Cabinet to receive a presentation or other means to increase their understanding of the subject, which the Leader agreed would be extremely useful due to the complexity of this topic, particularly with a new intake of Councillors due to come in after the local elections. The example given was the use of the Treasury Management seminars given to the Governance and Audit Committee before their meeting. The Leader suggested that the use of a presentation or seminar format would be more appropriate than a task and finish model in order to make all elected Members aware of the work required for this area and for Council Officers to take this forward after the local elections.

Having considered the reference, it was subsequently

RESOLVED – T H A T the comments made at the Corporate Performance and Resources Scrutiny Committee on 17th March 2022 be noted and that Council Officers take forward the recommendation that the Scrutiny Committees, full Council and Cabinet receive a presentation on Service Plans and Target Setting in order to better understand this topic and to ensure a fully informed debate and scrutiny of this.

Reasons for the decision

Having regard to the contents of the report and discussions at the meeting.

C899 CORPORATE PARENTING PANEL – 10TH JANUARY, 2022 –

The minutes of the Corporate Parenting Panel held on 10th January, 2022 as contained within the agenda were submitted.

The Cabinet Member for Social Care and Health, the Chair for the Panel, drew out the key themes from the meeting of the Panel, such as the excellent presentation and discussion about the key principles the Panel wanted to make sure were adopted around how the Council provided help to those young persons in and leaving care who themselves may become parents. This included that such young people were not 'stigmatised' and the need to avoid the assumption that their children would also go into care. The Panel had approved the Council sign up to the Support for Parents In and Leaving Care – Best / Good Practice Charter. Also considered was the National Youth Advocacy Service (NYAS) 'My Things Matter' Pledge, which covered the importance that young people placed on treasured items and possessions and the need to ensure these were treated with care and respect if young people were being moved from say emergency provision to longer term foster care in order to give them dignity in using such services. Another key area of consideration had been the work

around those who were at the edge of care, identifying those who may need some help to make sure they were not admitted to Council care.

The Leader stated that the work undertaken for those persons at the edges of care was vital in order to prevent them 'falling' into care and early prevention was the key.

RESOLVED – T H A T the minutes of the Corporate Parenting Panel held on 10th January, 2022 be noted.

Reason for decision

In noting the minutes.

C900. CORPORATE PARENTING PANEL – 21ST MARCH, 2022 –

The minutes of the Corporate Parenting Panel held on 21st March, 2022 as contained within the agenda were submitted.

The Cabinet Member for Social Care and Health, the Chair for the Panel, explained this had brought to Cabinet at the earliest opportunity in order to relay the review of the Corporate Parenting Panel that had been presented at this meeting. This had detailed the achievements of the Panel since 2019, i.e. being a 'critical friend' and working with key partners and stakeholders in order to bring together their operational experience, as well as what was needed to be done in order to keep up the momentum of the Panel's work in light of potential changes, etc, due to the local elections.

The Leader wished to thank all the members of the Panel (which included three members of the Cabinet and Council officers from Social Services, Education, Housing, Human Resources, etc.) for their exemplary work in this area, which was echoed by the Cabinet Member for Social Care and Health and for setting the foundations for a seamless transition for potential new members joining the Panel post-election. The Leader also reiterated that all elected Members automatically became corporate parents, which was an important factor in the role of a councillor.

RESOLVED – T H A T the minutes of the Corporate Parenting Panel held on 21st March, 2022 be noted.

Reason for decision

In noting the minutes.

C901. ANNUAL DELIVERY PLAN MONITORING REPORT: QUARTER 3 PERFORMANCE 2021/22 (EL/PR) (SCRUTINY – ALL) –

The Leader outline the performance report, which presented the progress made at quarter 3 (1st April to 31st December 2021) towards achieving Annual Delivery Plan (2021/22) commitments as aligned to the Corporate Plan Well-being Objectives.

Positive progress had been made in delivering in-year commitments in relation to the Annual Delivery Plan (2021/22). The performance had contributed to an overall Green status for the Plan at Quarter 3 (Q3).

All 4 Corporate Plan Well-being Objectives were attributed a Green performance status at Q3 to reflect the progress made to date. This is positive given the ongoing challenges arising from the pandemic.

91% (288 out of 317) of planned activities outlined in our Annual Delivery Plan had been attributed a Green performance reflecting the positive progress made during the quarter, 2% (8) an amber status and 7% (21) of planned activities were attributed a red status.

Of the 21 actions attributed a red performance status during the quarter, 38% (8) were directly as a result of service reprioritisation measures undertaken in response to the impact of the ongoing COVID-19 pandemic. In relation to those areas, where appropriate, work was now recommencing as part of our recovery plans and strategy. The Coronavirus recovery update formed part of quarterly performance reporting to ensure members maintained an oversight of the recovery issues impacting on the work of their respective Committees. From this perspective, members were requested to note the progress to date in relation to Coronavirus recovery.

Of the 43 quarterly performance measures aligned to our Corporate Plan Well-being Objectives, data was reported for 41 measures where a performance status was applicable. 56% (23) measures were attributed a green performance Status, 5% (2), amber status and 39% (16), red status. Data was unavailable for 2 quarterly measures due to reprioritisation measures undertaken in response to the impact of the ongoing COVID-19 pandemic. A performance status was not applicable for 107 measures including a number of annual indicators (89) and those establishing baseline performance for the year (18).

In relation to the 16 measures attributed a red performance status during the quarter, the impact of COVID-19 had contributed to 25% (4) missing target.

The Leader stated that the report had previously been to all five Scrutiny Committees, with Corporate Performance and Resources making a number of comments and recommendations which had been incorporated into this latest version of the report, it being noted that these had already been dealt with by Cabinet after the Committee had referred it to Cabinet previously.

The Leader added that the Council had been successful overall in meeting the key priorities within this performance framework, with the Cabinet Member for Legal, Regulatory and Planning Services also stating that although there were some red

status performance measures, etc. remaining, overall, the picture was positive in spite of the challenges with COVID-19 and the Council was moving in the right direction in terms of its performance and achieving its priorities.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the performance results and progress towards achieving the Annual Delivery Plan 2021/22 commitments as aligned to the Corporate Plan Well-being Objectives as presented in the report and appendices be noted.
- (2) T H A T T the views and recommendations of all Scrutiny Committees in relation to Q3 performance results be noted and identified remedial actions as a basis to address areas of underperformance and to tackle the key challenges identified be approved.
- (3) T H A T the progress being made through the recovery strategy in response to the ongoing Coronavirus pandemic be noted.

Reasons for decisions

- (1) To ensure the Council clearly demonstrates the progress being made towards achieving its commitments in the Annual Delivery Plan 2021/22 aimed at making a positive difference to the lives of Vale of Glamorgan citizens.
- (2) To ensure the Council is effectively assessing its performance in line with the requirement to meet our performance requirements as outlined in the Local Government & Elections (Wales) Act 2021 and reflecting the requirement of the Well-being of Future Generations (Wales) Act 2015 that it maximises its contribution to achieving the well-being goals for Wales.
- (3) To ensure Cabinet Members maintain an oversight of the recovery issues impacting on the work of the Council and their respective Scrutiny Committees.

C902. SERVICE PLANS & TARGET SETTING TO DELIVER THE VALE OF GLAMORGAN ANNUAL DELIVERY PLAN 2022/2023 (EL/PR) (SCRUTINY – ALL) –

The Leader presented the report the purpose of which was to seek approval for the priority actions as reflected in Service Plans and proposed service improvement targets for the period 2022/2023 that would deliver the Council's Annual Delivery Plan.

The report presented Service Plans and associated service improvement targets for 2022/2023. These set out the specific areas of focus associated with the delivery of the Council's Annual Delivery Plan for 2022/2023 as aligned to the four Corporate Plan Well-being Objectives and within the context of the Council' Recovery Strategy.

Progressing the Annual Delivery Plan would help meet the statutory obligations under the Local Government & Elections (Wales) Act 2021 and the Well-being of Future Generations (Wales) Act 2015 (WBFG).

All Scrutiny Committees had considered Service Plans and service improvement targets relevant to their respective committee remits during 8th March - 17th March, 2022 as the primary documents against which performance for the Annual Delivery Plan 2022/2023 would be monitored and measured and each Committee had endorsed these. Informed by the views and recommendations from Scrutiny Committees, Cabinet were asked to review and approve the Service Plans and service improvement targets for 2022/2023.

Approving the service plans and service improvement targets for 2022/2023 alongside the recently approved Annual Delivery Plan (28th February 2022, minute C847 refers), would enable the Council to fully discharge its statutory duty to set and publish its Well-being Objectives and outline how it proposed to meet those objectives in-year. Progress against the Annual Delivery Plan commitments for 2022/2023 contained within the Annual Delivery Plan, Service Plans and service improvement targets would be monitored and reported quarterly in line with Corporate Performance monitoring arrangements and would inform the Annual Self-Assessment findings.

The Annual Delivery Plan had been endorsed at full Council in March, and so the Council could now move forward with the service delivery plans also. These were the 'building blocks' of the Council's performance management and they were reviewed annually to ensure continual improvement and performance and that monitoring would continue.

Also highlighted by the Leader were a number of mitigating factors and risks, that the draft service priorities for Shared Regulatory Services would go to Cabinet by the end of June in line with the delegation of the joint working agreement and that all the Service Improvement Targets were accompanied by a rationale and with a balanced assessment of performance. Furthermore, some statutory obligations were suspended indefinitely at the end of 2019 at the height of the pandemic. But if the benchmarking data was not actually available at the time of setting these targets, the proposed targets for the public accountability measures were based on local performance trends and data and service knowledge of other areas of Council performance. Data Cymru also commenced the project to develop a national database to inform the self-assessment process, which would provide significant data needed to effectively assess performance locally and nationally.

The Deputy Leader and Cabinet Member for Education and Regeneration stated that these were ambitious and challenging service plans, with key cross cutting themes addressed, such as the climate emergency. There had been a tremendous amount of discussion about these service plans involving both Scrutiny and Cabinet Members.

The Leader and Cabinet wished to thank everyone involved for their work around Service Plans and service improvement targets.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the Service Plans (attached at Appendix A to the report) and associated service improvement targets be approved as the primary documents against which performance for the Annual Delivery Plan 2022/2023 would be monitored and measured.

(2) T H A T the proposed service improvement targets aligned to the Corporate Performance Measures Framework for 2022/2023 attached at Appendix B to the report be approved.

Reasons for decisions

(1) To ensure that the Service Plans and associated improvement targets reflect the commitments in the Annual Delivery Plan 2022/2023 and would enable the Council to demonstrate progress towards achieving its in-year commitments.

(2) To ensure the Council's Corporate Performance Measures Framework identifies a relevant set of performance measures and targets against which the Annual Delivery Plan could be monitored and measured during 2022/2023 in line with the performance requirements of the Local Government & Elections (Wales) Act 2021 and the Well-being of Future Generations (Wales) Act. 2015.

C903. USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (EL/PR) (SCRUTINY – ALL) –

The purpose of the report was to advise Cabinet of the exercising of Emergency Powers by the Chief Executive since the last report of 14th February, 2022, in line with the Council's Constitution at page 285 (delegated powers).

The Leader explained this was a regular report detailing instances where such Emergency Powers had been used, including:

- The purchase of CCTV Equipment for the upgrade and improvement of the static CCTV system across the Vale of Glamorgan.
- Block booking of rooms in local hotels in order to accommodate the homeless during the pandemic.
- Neighbourhood Services Highway Improvements.
- The purchase of electric vehicles (ULEV – Council Vehicle Grant Award) as part of reducing the Council's carbon footprint.
- Penllyn Estates Waste Transfer Station.

The Leader added that the above examples highlighted why there was a need to use such powers and the importance of implementing these as quickly as possible, but with the assurance that the Chief Executive was in contact with the Leader and other Cabinet Members as part of this process.

The Cabinet Member for Leisure, Arts and Culture highlighted the use of emergency powers in relation to the Knap Skate Park, Belle Vue Pavilion and the Jenner Park Pitch which would mean these would be undertaken in a timely manner and would greatly benefit the local communities as a result.

The Deputy Leader and Cabinet Member for Education and Regeneration cited the example of the Big Bocs Bwyd Project which had also benefitted from the use of Emergency Powers, which had been developed by schools within the Vale of Glamorgan around 'pay as you can' food provision and outreach work which were particularly beneficial to local communities due to the increased cost of living and had been adopted elsewhere within South Wales such as in the Neath valleys due to its success and efficacy in the Vale.

This was a matter for Executive decision.

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

RESOLVED - T H A T the use of the Chief Executive's Emergency Powers be noted.

Reason for decision

To inform Cabinet.

C904. UNACCEPTABLE ACTIONS BY CITIZENS AND SOCIAL MEDIA POLICIES (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The Leader explained that the report sought Cabinet approval of the updated Unacceptable Actions by Citizens and Social Media Policies, prior to consideration by Corporate Performance and Resources Scrutiny Committee and final approval by Cabinet.

Unacceptable Actions by Citizens Policy

- The Policy on Unacceptable Actions by Citizens (attached at Appendix 1 to the report) set out the Council's approach to those whose actions or behaviour against staff and councillors were considered unacceptable.
- The term 'citizen' included any person who contacted the Council or acted on behalf of another individual in doing so, any complainant, and any person who requested Council information
- The policy built, expanded on and replaced the Council's Unreasonable Complainants Policy
- The policy recognised that opportunities for interaction with the Council and its officers had multiplied with increasing popularity of social media platforms. Communication was quick and easy but could quickly become intrusive and difficult to manage on both professional and private profiles.

- The policy defined the actions of individuals who were angry, demanding or persistent to the extent that they result in unreasonable demands on the Council or unacceptable behaviour towards Council staff.
- The policy set expectations and provided guidance on how to communicate with clients and options/remedies along with a defined process to progress actions/response where there were transgressions. The Policy set out the internal process for managing the Policy and reviewing its application, including guidance for Chief Officers.

Social Media Policy

- The Social Media Policy (attached at Appendix 2 to the report) set out how the Council used social media to help keep people informed about services and events that were important to them, as well as to share and promote the work of the organisation. Social media channels were also used to ask for views and feedback on certain topics, such as consultations.
- The policy set out what citizens could expect from the Council when interacting on social media and the way accounts were updated and monitored.
- The policy also set out what the Council expected from those interacting with the organisation via social media. This was consistent with the Unacceptable Actions by Citizens Policy and provided a social-media specific interpretation of that Policy.

The proposed Policy sought to ensure that the Council dealt fairly, honestly, consistently, and appropriately with all citizens, including those whose actions were considered unreasonable. Services must be accessible to all citizens. However, where a citizen's actions were unacceptable, the Policy provided for the right to restrict or change citizen access to the Council, its services and its staff. It was anticipated this policy would not be used on a regular basis (under previous policies there had been only a very small number of such actions taken) but would be useful to have within the Council's 'toolkit' if needed.

Safeguards would also be in place for this Policy such as having a panel of three Council officers to consider if the Policy should be applied or not and a requirement for any action applied under the Policy to be reviewed at least every 6 months.

Both the Deputy Leader and Cabinet Member for Education and Regeneration and the Cabinet Member for Social Care and Health stressed this Policy would not impact the vast majority of the public who interacted with the Council, who, although they may be critical or disagreed with decisions and policies made by the Council, did so in a reasonable way and who ultimately wanted to improve public services, as well as being part of democratic debate. It was also vital the public continued to be in touch with the Council about key issues and services such as social care, defective street lighting and potholes in order for the Council to respond in a timely manner. This Policy was rather to protect staff and councillors from the small minority of people who took up disproportionate and unacceptable amounts of Council resources with complaints and who were abusive.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the contents of this report and the Unacceptable Actions by Citizens Policy, Social Media Policy and associated Equalities Impact Assessment (attached at Appendix 3 to the report) be noted.
- (2) T H A T the Unacceptable Actions by Citizens Policy and Social Media Policy be approved subject to consideration by Corporate Performance and Resources Scrutiny Committee via referral to that Committee.
- (3) T H A T, subject to Resolutions (1) and (2), Cabinet on 25th April, 2022 consider the comments of the Corporate Performance and Resources Scrutiny Committee of 14th April, 2022 and provide final approval for the contents of the report and the Policies at Appendix 1 and 2 of the report. Should Scrutiny Committee make no further comments, the report and Policies at Appendix 1 and 2 be agreed and endorsed.

Reasons for decisions

- (1) To enable Cabinet to consider the policies and associated procedures.
- (2) To enable scrutiny of the policies and for Cabinet to receive the comments of the Committee.
- (3) To ensure a Policy is in place which reflected the capacity that citizens have to engage with the Council and staff in way that may be deemed to be unacceptable, a policy to be in place as to how the Council would operate and interact via social media in order that Council services and staff are protected from interactions that are aggressive, unreasonably persistent or where citizens were making unreasonable demands.

C905. PUBLIC PARTICIPATION STRATEGY (EL/PR) (SCRUTINY – ALL) –

The report, as outlined by the Leader, sought endorsement of the updated Public Participation Strategy following public consultation and the publication of draft Welsh Government (WG) guidance.

The Vale of Glamorgan Council was committed to engaging residents and other key stakeholders in decision making. ‘Working with and for our communities’ was one of the four well-being objectives set out in the Corporate Plan 2020-25. The Council had previously published a Public Engagement Framework.

Part 3 of the Local Government and Elections (Wales) Act 2021 focused on promoting access to local government. The Act established a duty to encourage local people to participate in decision-making and a requirement that local authorities publish, consult on, and regularly review a public participation strategy.

The Act stipulated the strategy must address:

- Promoting awareness of council's functions
- Promoting awareness of how to become a councillor
- Facilitating access to decisions made or to be made
- Promoting and facilitating processes for local people to make representations to the council about a decision

In order to set out clearly to Vale of Glamorgan citizens how the organisation was working to improve public participation, and to ensure the Council met the requirements of the Act, a draft Public Participation Strategy 2022-25 had been produced. A consultation exercise was undertaken between January and March 2022. In March 2022 draft Statutory Guidance on Public Participation Strategies was published by Welsh Government. The draft Strategy had been amended to reflect responses to the consultation, the findings of the Equality Impact Assessment, and the draft statutory guidance. It was now being presented to Cabinet for endorsement.

The Leader however, pointed out that the prescribed deadline for the Council to publish this was after the local elections in May. Upon endorsement by Cabinet, it was intended to publish the final version of the Vale of Glamorgan Council's Public Participation Strategy as appended to this report as soon as practicable after this date.

The Leader highlighted key amendments to the Strategy, following consultation, such as:

- A greater emphasis on the importance of communicating how and when people could influence decisions particularly regarding Council meetings.
- There would always be a non-digital route for people to participate through.
- Full accessibility to all groups with protected characteristics in participation activities, including the development of independent advocacy for them and developing better guidance on how to produce documents that were accessible to those with protected characteristics and generally easier for stakeholders to understand.
- An additional action to bring all of the Council's consultation, engagement and participation activities together into a single, easily accessible online hub and a reference to the long-term objective of developing a portal that joined together all pathways for participation in the Vale of Glamorgan.
- To develop a communication plan template for reports.
- To strengthen the link between the Council's customer contact platforms with public participation activities so that all ad-hoc feedback and pertinent questions could be captured and responded to.

This strategy would remain a live, working document, subject to the relevant finalised guidance and legislation being provided by WG, although there was no set timescale for this as yet.

This was a matter for Executive decision.

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

RESOLVED -

- (1) T H A T the results of the public consultation as described in the body of the report and attached at Appendix A to the report be noted.
- (2) T H A T the draft statutory guidance published by Welsh Government in March 2022 as set out in the content of the report and attached at Appendix B to the report and the Equality Impact Assessment attached at Appendix D to the report be noted.
- (3) T H A T the amended Public Participation Strategy (attached at Appendix C to the report) be endorsed subject to it being referred to Corporate Performance and Resources Scrutiny Committee on 14th April, 2022.
- (4) T H A T, if necessary, Cabinet on 25th April, 2022 consider the comments of the Scrutiny Committee but that in the absence of any such comments the Strategy be endorsed and published in line with the timescale set out in the report.

Reasons for decisions

- (1) To provide Cabinet with an overview of the views received from citizens and stakeholders during the consultation process.
- (2) To provide Cabinet with an update on the emerging guidance from Welsh Government and resulting additional considerations for the Council's Public Participation Strategy.
- (3) To enable Cabinet to consider the views of the Scrutiny Committee prior to final endorsement.
- (4) To enable the Council to publish its Public Participation Strategy in line with the timescale set out by the legislative framework.

**C906 YSGOL Y DERI EXPANSION - ACCEPTANCE OF TENDER (DL/ER)
(SCRUTINY – LEARNING AND CULTURE) –**

The report, as presented by the Deputy Leader and Cabinet Member for Education and Regeneration, sought Cabinet approval for the acceptance of a competitive tender for the new build works for the Ysgol Y Deri Expansion at Lower Cosmeston Farm.

On 15th July, 2019, Cabinet approved the revised Band B 21st Century Schools Programme which included the Ysgol Y Deri Expansion. (Cabinet minute C39 refers). Tenders were recently sought using the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework under Lot 9. These had subsequently been evaluated by Vale of Glamorgan Council and AECOM (Multi-disciplinary Consultancy) in accordance with the criteria stated in the tender documentation. Further details of AECOM's tender evaluation were outlined in the Part II report later on the agenda.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the report be noted and the recommendations considered in connection with the Part II report later in the agenda.

(2) T H A T the use of the urgent decision procedure as set out in section 14.14 of the Council's constitution be exercised in connection with the Part II report later in the agenda.

Reason for decisions

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

C907 PROPOSAL TO RECONFIGURE NURSERY PROVISION IN PENARTH (DL/ER) (SCRUTINY – LEARNING AND CULTURE) –

The purpose of the report, as presented by the Deputy Leader and Cabinet Member for Education and Regeneration, was to advise Cabinet of the outcome of the statutory notice on the proposal to reconfigure nursery provision in Penarth by:

- Proposal 1: To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:
 - Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places:
 - Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
 - Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.
- Proposal 2: To Amalgamate Cogan Nursery School and Cogan Primary School By:
 - Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places:
 - Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
 - Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

The statutory notice period was now coming to its end, and it had been discussed at length at Scrutiny and on both occasions had been broadly supported by the Committee. Unfortunately, this had been a challenging discussion dominated by

factual inaccuracies which had caused upset and concern within the local community. It fell to Cabinet to now make a decision based on the facts and evidence.

It was important to stress that, whatever decision was made today, the nurseries / primary schools in question would continue to operate from their existing locations, as had been stated at every stage of the process.

The Council received 111 objections by the closing date of 16th March 2022. The objections had been categorised under themes and outlined in the attached objection report. The objection report was attached at Appendix A to the report.

The vast majority of objections were based on the nurseries and staff moving site, which they were not. It also had to be stressed that this was a statutory consultation and not a referendum and this was how the Council consulted to see whether or not the proposal to implement Council Property policy was actually relevant in this situation.

The Deputy Leader and Cabinet Member for Education and Regeneration also addressed the other key objections / themes such as:

- Loss of tailored nursery school provision. The proposals would have the advantage of reflecting on sharing and benefiting from the best practice in both the nursery and primary sectors.
- The impact of reconfiguration on the quality of education: the majority of Estyn reports for the primary schools in the Vale Glamorgan offering Nursery provision had scored a good or excellent ranking and similar models had not resulted in poor learning outcomes for children attending these types of school.
- The main driver for the proposals was to do with equality and consistency across primary provision.
- On current relationships between schools were appropriate and would not benefit from a change in structure, it was explained that there would still be opportunities for greater collaboration and streamlining of communications between the schools and with parents.
- On the objections concerning an inappropriate setting for nursery pupils and nursery pupils would be overwhelmed in a setting with primary school pupils and part of a larger school, it was reiterated that neither nursery school was moving nor on site with the primary school.
- No clear rationale for the proposals; the rationale for these had been laid out in the consultation document.
- On insufficient resources to maintain quality of education, each school would receive an individual budget, which would include allocations for the nursery phase with the majority of school funding based on the number of pupils on their roll. The proposals would improve the overall budget position of both primary schools.

The Cabinet Member for Social Care and Health stated that he had taken an active interest, as ward member, for one of the nurseries in question, and after discussions with parents, the headteacher and school governors he could see no risk of any detrimental effects on the learning environment as a result of these changes.

The Cabinet Member for Neighbourhood Services and Transport wished to add that the proposals had been subjected to misinformation and this had given residents the wrong idea of what the proposals actually wanted to achieve. These amalgamations would help to ensure greater continuity for children moving from nursery to primary education.

The Leader endorsed the above comments and stated that similar proposals to amalgamate primary / nursery schools elsewhere within the Vale had been a success due to the overlapping nature of nursery and primary education and the enhanced ability to provide a more 'seamless' education and transition from nursery to primary school. Furthermore, Resolution (3) would need to be changed due to the Chair of the relevant Scrutiny Committee not signing off the use of the urgent decision procedure as set out in section 14.14 of the Council's constitution and the Emergency Powers procedure would need to be used instead due to the practical difficulties in convening a further meeting of Scrutiny to consider the proposals with the local elections imminent. It was also necessary to make the decision at this time so that it could be implemented from September 2022. The Monitoring Officer/Head of Legal and Democratic Services confirmed that given the circumstances outlined by the Leader, the most appropriate course of action was for the Chief Executive to be requested to use the Emergency Powers.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the findings of the objection report on the proposal be noted.
- (2) T H A T, subject to consideration of the above, the implementation of the proposal to reconfigure nursery provision in Penarth be approved by:
 - Proposal 1: To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:
 - Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places:
 - Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
 - Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.
 - Proposal 2: To Amalgamate Cogan Nursery School and Cogan Primary School By:
 - Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places:
 - Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and

- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

(3) T H A T the Chief Executive be requested to use his emergency powers in respect of Resolution (2) above.

Reasons for decisions

(1) To enable the views of objectors, and the objections received, to be carefully considered alongside what is proposed as a part of the decision-making process.

(2) Following the conclusion of the period for publication of a statutory proposal by way of a statutory notice, a decision is required to be made as required under section 53 of the School Standards and Organisation (Wales) Act 2013, on whether to implement the proposal to reconfigure nursery provision in Penarth.

(3) In order to ensure that if approved, this proposal can be implemented from September 2022, at the commencement of the academic year, which will ensure minimal disruption for staff pupils and parents and in order to meet the timescales for implementation.

C908 PROPOSED EVENTS PROGRAMME 2022-2023 (DL/ER) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The Deputy Leader and Cabinet Member for Education and Regeneration presented the report the purpose of which was to update Cabinet on the 2021-2022 Events Programme and sought approval for the 2022-2023 Events Programme.

Due to the increase in COVID-19 cases across the country and following Welsh Government guidance and legislation, both Council events and externally organised events on Council land in the Vale of Glamorgan, were either cancelled for the year 2020 / 2021 or postponed to 2021 / 2022. The cancellation of those events meant that in 2021 / 22 the Council Events Programme had to be refocused to include new aspects that supported the economy of Vale Town Centres, the Coast and Country Parks, in line with recommendations by the Welsh Government.

The updated events programme delivered in 2021 / 22, included outdoor events in previously unused sites, was spread out over longer periods of time such as weeks / months, and took place in venues across the Vale.

A particular focus was on increased activities and events within the Vale's town centres, whose shops and businesses had experienced a difficult time due to COVID-19, as evidenced by the recent closure of very long-standing businesses in Barry.

Looking forward, the Council still needed to be mindful that COVID-19 was still here and there was a need to exercise caution going forward in terms of events and activities. This would entail continuing to have events out and about on the Vale's coasts and country parks, but also involved town centres as well.

The use of delegated powers and the urgent decision procedure would be needed in order to implement changes to events in light of COVID-19 and in order to prepare and develop the relevant events in a timely manner.

The Cabinet Member for Social Care and Health added that it was important for the Council to do everything it could to promote innovative new ways of engaging people and spreading those events as wide as it could across the county.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the proposed events for the year 2022 - 2023 (attached at Appendix A to the report) be approved, subject to current legislation in place at that time.
- (2) T H A T the Head of Regeneration and Planning in consultation with the Cabinet Member for Education and Regeneration be granted delegated powers to implement changes to the events programme, to respond to the changing environment governed by COVID-19 in future months.
- (3) T H A T the use of the urgent decision procedure as set out in section 14.14 of the Council's constitution be exercised in order to allow the Council to prepare and develop the related events.

Reasons for decisions

- (1) To approve the proposed events programme 2022 - 2023.
- (2) To, where possible, support events in the Vale of Glamorgan by changing the focus of the events programme in line with the legislation associated with the COVID 19 outbreak, and as new Welsh Government legislation is introduced.
- (3) To allow appropriate time for the preparation and development of the related events.

C909 RECOMMISSIONING OF INDEPENDENT PROFESSIONAL ADVOCACY SERVICE TO CHILDREN AND YOUNG PEOPLE (SCH) (SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) -

The report, as presented by the Cabinet Member for Social Care and Health, sought approval to undertake a re-commissioning exercise and to enter into a contract for the delivery of independent advocacy services to children and young people. The Vale of Glamorgan Council with Cardiff Council awarded a contract for independent professional advocacy services to the National Youth Advocacy Service (NYAS) in 2017 for a period of 5 years. This contract was due to lapse on 30th September, 2022.

Therefore, a decision was required so that a procurement exercise could take place in time to award a new contract by July 2022.

The Cabinet Member for Social Care and Health went on to say that independent professional advocacy services were crucial and helped to give young people a voice as well as to identify solutions to issues they may be facing. Some of the outcomes for Child Looked After (CLA) had been extremely positive as a result of the work done through independent advocacy.

This was a matter for Executive decision.

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

RESOLVED -

- (1) T H A T delegated authority be granted to the Director of Social Services in consultation with the Cabinet Member for Social Care and Health to (following completion of the tender process) award the contract(s) for the service for an initial period of 4 years with an option to extend for up to a further 2 years.
- (2) T H A T delegated authority be granted to the Director of Social Services to seek authority from the Monitoring Officer/ Head of Legal and Democratic Services to execute a contract(s) with the successful bidder(s).
- (3) T H A T the Monitoring Officer/Head of Legal and Democratic Services developing and entering into a partnership arrangement with Cardiff Council regarding the commissioning processes for the Service be approved.

Reasons for decisions

- (1) To ensure the Council meets the requirements of the Code of Practice on the exercise of Social Services functions in relation to Advocacy under Part 10 and related parts of the Social Services and Well-being (Wales) Act 2014 in a cost effective way that meets the needs of the children and young people.
- (2) To ensure the Council provides the relevant officers with the authority to proceed with a contract(s) with the successful bidder(s).
- (3) To ensure the Council meets the requirements of its Financial Procedures and Contracts Standing Orders.

C910 DISCLOSURE & BARRING SERVICE (DBS) – PROPOSALS FOR ELECTED MEMBERS (SCH) (SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) –

The report, as presented by the Cabinet Member for Social Care and Health, sought agreement to recommend that the Council change the existing Disclosure and Barring Service (DBS) arrangements in relation to DBS checks for certain elected Members, to

ensure clarity in respect of expectations of elected Members in the Vale of Glamorgan, building on public trust and confidence. This was of particular relevance now with a new intake of elected Members following the local elections. DBS guidance for school governors and elected Councillors in Wales provided limited direction for Councils in relation to requiring elected Members to undergo DBS checks.

The Cabinet Member for Social Care and Health stressed the importance of the DBS checks for elected Members in order for the public to have a level of confidence in those that were elected to represent them, particularly where an elected Member's role put them in close contact with vulnerable persons.

The Cabinet Member for Social Care and Health also asked that an additional resolution be added in order that delegated authority be granted to the Monitoring Officer/Head of Legal and Democratic Services to implement these proposals, it being noted that this would be taken forward by colleagues in the Human Resources Department but that the Monitoring Officer/Head of Legal and Democratic Services would liaise with the Head of Human Resources and Organisational Development to ensure that the appropriate checks were taken forward. This was agreed by the Leader and the Monitoring Officer/Head of Legal and Democratic Services.

The Leader also wished to add that DBS checks and raising elected Members' awareness of safeguarding issues would help them in situations where they were holding surgeries or visiting constituents on their own and were therefore in a potentially vulnerable situation.

This was a matter for Executive decision.

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

RESOLVED -

- (1) T H A T elected Members of Cabinet, the Healthy Living and Social Care, Homes and Safe Communities and Learning and Culture Scrutiny Committees and Members who are in receipt of a Senior Salary be required to apply for an enhanced DBS check.
- (2) T H A T all elected Members upon taking up appointment complete a basic DBS check.
- (3) T H A T delegated authority be granted to the Monitoring Officer/Head of Legal and Democratic Services to implement Resolutions (1) and (2).

Reasons for decisions

- (1) To ensure that elected Members of Cabinet, the Scrutiny committees referred to, and those elected Members who hold relevant roles are in receipt of an enhanced level DBS check.

(2) To ensure that all elected Members are subject to a basic DBS disclosure to demonstrate to ensure that the public has trust and confidence in their elected Members.

(3) To ensure that Resolutions (1) and (2) are implemented.

C911 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 items of business on the grounds that they involve 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.

C912 YSGOL Y DERI EXPANSION - ACCEPTANCE OF TENDER (DL/ER) (SCRUTINY – LEARNING AND CULTURE) (EXEMPT INFORMATION – PARAGRAPH 14) –

The purpose of the report was to seek Cabinet approval for the acceptance of a competitive tender for the new build works for the Ysgol Y Deri Expansion at Lower Cosmeston Farm.

On 15th July 2019, Cabinet approved the revised Band B 21st Century Schools Programme which included the Ysgol Y Deri Expansion scheme. (Cabinet minute C39 refers).

Tenders were recently sought using the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework under Lot 9. Five tenders had been received and opened on 22nd October 2021. These were subsequently evaluated by Vale of Glamorgan Council and AECOM (Multi-disciplinary Consultancy) based on the criteria stated in the tender documentation. It was recommended that the tender be accepted from ISG Construction Ltd.

This was a matter for Executive decision.

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

RESOLVED -

(1) T H A T the appointment of ISG Construction Ltd to undertake pre-construction design and procurement services for the proposed new build works for Ysgol Y Deri on land at Lower Cosmeston Farm be approved.

(2) T H A T the Monitoring Officer/Head of Legal and Democratic Services be authorised to execute the Professional Services Contract with ISG Construction Ltd for the pre-construction design and procurement services.

(3) T H A T Cabinet receive a further report when the full cost of the works had been determined to enter into the NEC4 Option A (Lump Sum with Activity Schedule) Contract.

(4) T H A T the use of the urgent decision procedure as set out in section 14.14 of the Council's constitution be exercised to undertake pre-construction design and procurement services for the proposed new build works for Ysgol Y Deri on land at Lower Cosmeston Farm

Reasons for decisions

(1) To ensure the required works are completed for the new build of Ysgol Y Deri.

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

(3) To ensure the full cost of the scheme is determined before the NEC4 Option A (Lump Sum with Activity Schedule) Contract is entered into.

(4) To undertake pre-construction design and procurement services for the proposed new build works for Ysgol Y Deri on land at Lower Cosmeston Farm.