

CABINET

Minutes of a remote meeting held on 23rd June, 2022.

The Committee agenda is available [here](#).

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

Present: Councillor L. Burnett (Chair); Councillor B.E. Brooks (Vice-Chair); Councillors R.M. Birch, S. Sivagnanam, M.R. Wilkinson E. Williams and M.R. Wilson.

Also Present: Councillors I. Buckley and R. Godfrey.

C17 ANNOUNCEMENT –

The Leader welcomed all parties to the Cabinet meeting and reminded Members and Officers that the meeting was being livestreamed and recorded and would be uploaded to the Vale of Glamorgan Council's website as soon as practicable after the meeting.

She also remarked that it had been one month since the appointment of the new Cabinet for the Vale of Glamorgan Council. At the first meeting on 9th June, 2022, Cabinet had considered reports relating to the cost of living crisis faced by many residents of the Vale of Glamorgan; today's meeting would consider community issues such as active and sustainable travel, education and the future vision for open spaces.

The Leader also advised that there would be an urgent item tabled for consideration by Cabinet concerning the Levelling Up Fund (Round 2) and UK Shared Prosperity Fund under additional items 10(i) and 11(i) on the agenda.

C18 APOLOGY –

This was received from Councillor G. John.

C19 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 9th June, 2022 be approved as a correct record.

C20 DECLARATIONS OF INTEREST –

No declarations were received.

**C21 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (EL/PR)
(SCRUTINY – ALL) –**

The report advised Cabinet of the exercising of Emergency Powers by the Chief Executive since the last report of 11th April, 2022.

The Council's Constitution at page 317 (delegated powers) stated:

1. Power to act, after consulting the appropriate Cabinet Member and, in the case only of matters involving the Council in financial commitments, the Leader(s), Section 151 Officer and the appropriate Chief Officer, in respect of any matter which, in his opinion:

(a) requires immediate action; and

(b) does not justify holding a special meeting of the body which would ordinarily consider the matter or is of such urgency or emergency as not to allow time for such a meeting; use of such delegated powers to be subsequently reported back to the Cabinet or Council as appropriate.

Councillor Williams referred specifically to the Llanmaes Flood Risk Management Scheme and said it was good to see that matter being taken forward.

The Leader said that with the rising cost of certain things currently it was important to understand that Emergency Powers were often used to ensure best value for money to avoid potential re-tendering in an ever-changing financial environment.

Councillor Wilson referred to the tender concerning the Street Lighting Energy Reduction Strategy as important both to get value for money for the Council but also to tackle climate change. He further referenced the Housing Electrical Installations, Servicing, Installation, Maintenance and Repairs Framework 2022-25.

This was a matter for Executive and Council 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.

C22 DRAFT RESPONSE TO WELSH GOVERNMENT'S CONSULTATION STATUTORY GUIDANCE AND DIRECTIONS MADE UNDER THE LOCAL GOVERNMENT ACT 2000, THE LOCAL GOVERNMENT (WALES) MEASURE 2011 AND THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The Local Government and Elections (Wales) Act 2021 (the 2021 Act) contained a number of provisions to promote diversity, involvement and participation in County and County Borough (Principal) Councils.

The 2021 Act created standalone provision for some of those measures but also amended, sometimes extensively, previous legislation in the Local Government Act 2000 (the 2000 Act) and the Local Government (Wales) Measure 2011 (the 2011 Measure).

Statutory guidance issued under those Acts on matters such as Executive arrangements, constitutions, scrutiny, training and development for elected Members and the timing of meetings was issued several years ago and now not only did not reflect the legislative changes in the 2021 Act, it also did not recognise wider legislative change such as the Equality Act 2010 and the Well-being of Future Generations (Wales) Act 2015 or other changes in the 2021 Act itself such as the creation of Corporate Joint Committees and the duty placed on a Principal Council to keep its performance under review through the use of and reporting on self and panel assessments.

The report sought endorsement of the Council's response (Appendix A) to the latest consultation regarding Statutory Guidance and Directions made under the Local Government Act 2000, the 2011 Measure and the 2021 Act.

The Leader said that the Vale of Glamorgan Council was one of only two Councils in Wales where the representation was gender balanced. She hoped that there would be complete consideration of the report at Corporate Performance and Resources Scrutiny Committee. The Leader referred to Q.12 of Appendix A which was important if representation was going to reflect the communities.

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 the report and the draft response to the consultation (attached at Appendix A) be noted and agreed the same for submission to Welsh Government, subject to referral to Corporate Performance and Resources Scrutiny Committee for the Committee's consideration.

(2) T H A T Corporate Performance and Resources Scrutiny Committee considers the content of this report and Appendix A and refers any comments back to Cabinet for consideration.

(3) T H A T should Corporate Performance and Resources Scrutiny Committee have no comments, that the consultation response be agreed for submission.

(4) T H A T, subject to Resolutions (1), (2) and (3), authority be granted to the Director of Corporate Resources to submit the Council's consultation response to the Welsh Government by the deadline of 22nd July, 2022.

Reasons for decisions

(1) To enable the Council to respond to the Consultation on Statutory Guidance and Directions made under the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021.

(2) To enable the view of the Scrutiny Committee to be sought prior to submission.

(3) To enable the recommendations to be agreed, without reference back to Cabinet if appropriate.

(4) To enable the response to be submitted by 22nd July, 2022.

C23 UPDATE ON ACTIVE TRAVEL NETWORK MAP 2021 SUBMITTED TO WELSH GOVERNMENT (SP) (SCRUTINY – ENVIRONMENT AND REGENERATION) –

The Active Travel (Wales) Act 2013 placed duties on local authorities in Wales to map, plan for, improve and promote opportunities for active travel. Initial Active Travel Network Maps (ATNMs) were approved by Welsh Government (WG) in November 2017 and updated ATNMs must be submitted to WG every three years.

Sustrans Cymru Ltd assisted Council officers with the undertaking of the Active Travel route auditing and production of future routes. A 12-week public consultation on the ATNM took place between 2nd August and 24th October, 2021.

Three amendments to the ATNM were made following the consultation which were agreed by Cabinet following consideration by the Council's Environment and Regeneration Scrutiny Committee.

The Council's approved ATNM was submitted to WG for approval in January 2022 and four essential amendments were required by them to ensure network coherence.

The report sought to inform Cabinet of the sections that needed to be added to the ATNM in order for WG to approve the final document.

The Deputy Leader advised that the four representations were detailed within paragraphs 2.3 to 2.6 to the report. She also referred to a video that was available on the Vale of Glamorgan website which discussed active travel in more detail.

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 addition of four areas to the previously agreed Active Travel Network Map be endorsed, which would allow it to be approved by Welsh Government.

(2) T H A T delegated authority be granted to the Head of Neighbourhood Services and Transport in consultation with the Cabinet Member for Sustainable Places to agree any other minor additions to the Active Travel Network Map over the next three years.

Reasons for decisions

(1) To obtain approval from Welsh Government on the revised Active Travel Network Map.

(2) To allow any future minor additions to be added to the map as required.

C24 BARRY DOCKS TRANSPORT INTERCHANGE WELTAG STAGE THREE BUSINESS CASE AND DELIVERY PROGRAMME (SP) (SCRUTINY – ENVIRONMENT AND REGENERATION) –

The report provided Cabinet with an update of progress on the Barry Docks Transport Interchange Scheme and sought approval of the WelTAG Stage Three Business Case study.

The Stage Three study had been completed by technical consultants Amey and proposed that Option 2 of the study be progressed. Option 2 set out a masterplan for an interchange and related development both north and south of the main line at Barry Docks Station. The report sought authority to progress part of that option as Phase 1 of the delivery of the larger scheme and in accord with the current funding available to the Council.

The report set out the current funding arrangements for the capital works and consultancy fee for delivery of the Scheme and advised on the procurement process and choice of works contract.

The report sought appropriate delegations of authority to both officers in conjunction with the relevant Cabinet Member to allow the award of works contract following a tender process and the award of funding by the Cardiff City Region and Local Transport Funds (Welsh Government transport funding).

Delegations were also sought regarding agreement of such funding awards and the amendment of the Capital Programme once such awards were agreed. Further

delegations were sought to enable the signing of the works contract and to enable internal management arrangements to be put in place to deliver the Phase 1 works. The Leader said it was an important report alongside other reports that discussed the delivery of sustainable transport options around one hub around Barry Docks Station as a key travel point for many communities within Barry, particularly when taken in connection with Transport for Wales' proposals for integrated ticketing for buses and trains and link to active travel options.

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 Stage Three WelTAG study setting out the full Business Case for the Barry Docks Interchange scheme be agreed.
- (2) T H A T authority be granted to the Head of Neighbourhood Services and Transport to progress the preferred Option 2 of the WelTAG Stage 3 Report.
- (3) T H A T authority be given to the Head of Neighbourhood Services and Transport, in consultation with the Deputy Leader and Cabinet Member for Sustainable Places and the Council's Head of Finance/Section 151 Officer, to tender Phase 1 of preferred Option 2.
- (4) T H A T delegated authority be granted to the Head of Neighbourhood Services and Transport, in consultation with the Head of Finance / Section 151 Officer and the Deputy Leader and Cabinet Member for Sustainable Places, to make a contract award for Phase 1 of the Scheme to the most advantageous bidder subject to appropriate funding and other approvals being in place.
- (5) T H A T delegated authority be given to the Monitoring Officer/Head of Legal and Democratic Services to negotiate contract terms, to complete contract arrangements and execute the associated contract documentation with the preferred contractor emerging from the tender process.
- (6) T H A T delegated authority be given to the Head of Finance/Section 151 Officer to amend the Capital Programme to reflect the external funding for the scheme once funding award letters have been received from the Cardiff City Region and Merthyr Council acting as the lead authority for the Metro Plus programme (LTF).
- (7) T H A T delegated authority be granted to the Head of Neighbourhood Services and Transport, in consultation with the Deputy Leader and Cabinet Member for Sustainable Places, the Head of Neighbourhood Services and Transport, Monitoring Officer/Head of Legal and Democratic Services and the Head of Finance/Section 151 Officer. to enter into an appropriate contract with an Electric Vehicle services provider in relation to any charging infrastructure provided within the Barry Docks Interchange scheme.

Reasons for decisions

- (1) The Welsh Government's Guidance on funding new transport schemes was set out in the WelTAG Guidance 2017. The Guidance required new schemes to have a valid Business Case in place before funding was agreed for scheme delivery.
- (2) In order that the preferred scheme be identified and agreed.
- (3) To provide authority to the Phase 1 tender process.
- (4) To authorise the contract award decision given the nature of the external funding deadlines
- (5) To provide delegated authority for the Head of Legal to complete the contract arrangements.
- (6) To allow the Capital Programme to be updated to facilitate expenditure on the scheme.
- (7) To allow for the co-ordination of an EV supplier as part of the scheme. Cardiff City Region had been progressing charging points for taxi services across the region and a contracted supplier was in place in respect of those locations. Integration of service providers appeared to be a sensible opportunity but authority to enter into appropriate contracts was required.

C25 CONSULTATION ON THE PROPOSAL TO TRANSFER SPECIALIST RESOURCE BASE AT LLANDOUGH PRIMARY TO YSGOL Y DDRAIG (EAWL) (SCRUTINY – LEARNING AND CULTURE) –

The report sought Cabinet approval to consult on the proposal to permanently relocate the Specialist Resource Base (SRB) at Llandough Primary School to Ysgol Y Ddraig from January 2023.

The proposal was presented under section 2.3 of the School Organisation Code (2018). Section 2.3 of the School Organisation Code referred to Regulated Alterations of a school, and if accepted by Cabinet, would be subject to the relevant statutory consultation as set out in the body of the report.

The current SRB provision at Llandough Primary School moved to Ysgol Y Ddraig on a temporary basis during the COVID-19 pandemic to ensure social distancing and a safe learning environment could be maintained.

The Council investigated the options available to deliver the provision from an alternative school site which had the space that would allow social distancing, good ventilation, and safe use of pupil toilets. That space was found at Ysgol Y Ddraig primary in the west of the Vale of Glamorgan.

The agreed arrangement was temporary and reviewed regularly, with a view that the base would return to Llandough Primary School when COVID restrictions eased.

Local authority officers from Building Services had surveyed the accommodation at Llandough and concluded that extensive re-modelling of the ground floor section of the school would be required in order to provide a functional space for the provision going forward.

In addition, because of the limitations of the site, any remodelling would not create the same standard of environment as could be offered at Ysgol y Ddraig which was a newly built facility with all the benefits of a 21st Century school.

Councillor Williams was interested to see the outcome of the consultation and looked forward to the discussion at Scrutiny.

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 Director of Learning and Skills be authorised to undertake a consultation on the proposal to transfer the Specialist Resource Base (SRB) at Llandough Primary to Ysgol Y Ddraig from January 2023.

(2) T H A T the report be referred to the Learning and Culture Scrutiny Committee for consideration as part of the proposed consultation exercise.

Reasons for decisions

(1) To seek Cabinet authority to carry out a statutory consultation in compliance with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018 on the proposal to transfer the Specialist Resource Base (SRB) at Llandough Primary to Ysgol Y Ddraig from January 2023.

(2) To ensure that the Learning and Culture Scrutiny Committee be consulted on the proposals.

C26 TEMPORARY HIGHWAY TRADING LICENCES (NBS) (SCRUTINY – ENVIRONMENT AND REGENERATION) –

The Council had a detailed policy in place for issuing temporary trading licences for businesses wishing to trade on the public highway.

Most highway trading licences were requested for space on public footways and there were no current issues with the arrangements for these licences. Temporary highway trading licences were also issued for Parklets. Parklets were small purpose-built external trading units purchased to assist businesses in Penarth as a pilot project during the pandemic but placed in the live carriageway. The success or otherwise of these was currently being assessed and would be the subject of a future report to Cabinet later in the financial year.

The report considered the long term trading options and associated public realm issues relating to Penarth Esplanade area and the implications of this on the 3 businesses which were currently required to remove their outside trading arrangements from the highway at this location on 30th June, 2022 and the knock on effect of this to 1 business at Barry Island, similarly affected.

Significant public realm work had been undertaken on Penarth Esplanade, the Pier and Pier Pavilion since 2021, and it was important that all decisions relating to the current and future operation of land the Council controlled at this location were carefully considered, in order to ensure that the full public value of the work already undertaken was obtained and that the area continued to thrive as a visitor destination and an attractive place to live.

The businesses currently benefitting from the trading licences 'on carriageway' at the Esplanade and at Barry Island had all indicated their wish to have new licences. All had previously been issued with notice that their licences would end on 30th June, 2022.

There had been significant public interest in the matter of the Esplanade trading licences with widely contrasting views as to whether the al fresco trading arrangements were successful or an annoyance.

Due to the importance of the area and the Council's wish for its continued development as a high-quality visitor attraction and residential location, it was proposed that a comprehensive engagement and public consultation exercise be undertaken, following the consideration of the report to establish views from all interested parties as to the longer term public realm, trading and associated transportation arrangements.

It was further recommended that during the consultation period, the existing trading arrangements at the Esplanade and Barry Island be allowed to continue under temporary licence, with certain caveats, and on a month by month basis. Due to the time restrictions between the report and the expiry date of the current trading licences of 30th June, 2022, use of the 'urgency procedure' was requested in relation to the trading situation.

The Cabinet Member stressed that the consultation would look to cover the viewpoints from local residents, businesses, and visitors to the area.

Councillor Sivagnanam said that the Council wanted to be collaborative and talk to all stakeholders concerned as part of the consultation. The newly formed Penarth Living Streets Group had recently held lectures that discussed the concept of what people felt Penarth should look like and the consultation would draw on similar discussions. The Council had been keen to support business during Covid so that they were able to continue to function and changes were made to the public space on the Esplanade and Penarth Town Centre using emergency powers as a result of the pandemic but without consultation at the time. It was now time for the Council to consult on how those areas would look going forward. She encouraged all interested parties to take part in the consultation, once launched, to engage and give a view or contact local ward Members.

Councillor Wilson said that the Council had an open mind about the outcome of the consultation and would listen to the people of Penarth, local business and visitors to the area. He also asked to include an additional Recommendation to include local Members, and indeed all Members, in the consultation, or to engage with the consultation as part of Scrutiny Committee, which was agreed.

The Leader added that any members of the public who wished to register to speak at Environment and Regeneration Scrutiny Committee and have their opinions recorded would be welcome to do so. She advised she had received emails on the issue already but felt it was not as simple as a binary choice and that a comprehensive consultation would enable a solution that was right for the town.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and including additional Resolution (9)

RESOLVED –

(1) T H A T the current position with highway trading licences in place at Penarth Esplanade and Barry Island be noted.

(2) T H A T the intention be endorsed for the Director of Environment and Housing using his delegated powers, in consultation with the Monitoring Officer/Head of Legal and Democratic Services, to offer new highway trading licences, on similar terms and conditions to those issued previously, to the following businesses: Casa de Magaritas, Sundowners Champagne Bar, Beachcliff Fish and Chips and Bar, Enzo (Barry Island) in advance of the expiry of the current licenses on 30th June, 2022.

(3) T H A T in pursuance of Resolution (2), it be agreed that the temporary licences above be issued on a month by month basis from 1st July, 2022 and pending the conclusion of consultation and engagement as referenced in Resolution (5).

(4) T H A T the Director of Environment and Housing be able to determine the quality and design of all street furniture used in the licenced spaces during the temporary licence period for these four businesses.

(5) T H A T delegated authority be granted to the Director of Environment and Housing, in consultation with the Chief Executive, Director of Place, the Leader, and Cabinet Members for Sustainable Places, Neighbourhood and Building Services and Community Engagement, Equalities and Regulatory Services, to determine the details of, and to undertake public consultation on, the longer-term public realm, transport and trading options for the Penarth Esplanade area, the details of which followed the outline as set out in paragraph 2.16 of the report.

(6) T H A T a further report be presented to Cabinet for consideration on conclusion of the public engagement and consultation exercise no later than the end of April 2023.

(7) T H A T the report be referred to Environment and Regeneration Scrutiny Committee in order for the views of that Committee to be considered as part of the engagement and consultation exercise.

(8) T H A T the use of the urgent decision procedure as set out in section 15.14 of the Council's constitution be exercised in connection with Resolutions (2)-(4) above.

(9) T H A T the consultation exercise include local Members and any other Members of that Council who wished to participate.

Reasons for decisions

(1) To update Cabinet on the current position.

(2) To enable the current businesses to continue to operate, and in a suitably controlled manner, whilst the public engagement and consultation arrangement take place.

(3) To allow suitable time for conclusion of the public consultation exercise without further recourse to Cabinet on the matter of these particular licences.

(4) To ensure that the operation or appearance of these licenced areas can be properly managed and that any issues can be quickly resolved.

(5) To permit commencement of a comprehensive public engagement and consultation exercise with input from the relevant officers and elected members as to the specific nature of that exercise.

(6) To allow Cabinet to take decisions on the future of the Esplanade area with the benefit of the views of all interested parties.

(7) For the views of Environment and Regeneration Scrutiny Committee to be considered.

(8) To allow the new licences to be offered and regulated from 1st July, 2022.

(9) For the views of all Members to be gathered as part of the consultation exercise, either directly or via Scrutiny Committee.

C27 MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chair had decided was urgent for the reason given beneath the minute heading be considered.

C28 THE LEVELLING UP FUND (ROUND 2) AND UK SHARED PROSPERITY FUND (DL/SP) (SCRUTINY – ENVIRONMENT AND REGENERATION) –
(Matter which the Chair had decided was urgent by reason of the need for Cabinet to consider the current proposals for the Levelling Up Fund (Round 2) and UK Shared Prosperity Fund prior to the submission deadlines of 6th July, 2022 and 1st August, 2022, respectively.)

The Leader advised there would also be a Part II report later on the agenda that would consider the confidential commercial and economic aspects of the matter.

The content of the Cabinet report was time sensitive due to the submission deadlines for the Levelling Up Fund (Round 2) bid and the Investment Plan for the UK Shared Prosperity Fund funding allocation.

Since the last Cabinet report (14th March, 2022) UK Government had published guidance for both funding streams and updated the Index of Priority Places for the Levelling Up Fund (Round 2). The Vale of Glamorgan local authority area was now a category 1 area (having previously been a category 2 area). Category 1 represented the highest level of identified need and was one of four bid assessment criteria.

Since the publication of guidance for the Levelling Up Fund (Round 2) bidding process and the UK Shared Prosperity Fund, officers had been working at pace with consultants (Rothwell) and with relevant landowners and partner organisations to develop proposals for consideration by the funding body.

Cabinet was asked to endorse the emerging Levelling Up Fund (Round 2) bid and Investment Plan linked to the UK Shared Prosperity Fund funding allocation, outlined in Section 2 of the report (and the delivery thereof) subject to legislative provisions, statutory consents and funding.

Cabinet was also asked to grant delegated authority for the Director of Place (in consultation with the Executive Leader and Cabinet Member for Performance and Resources, Chief Executive, Head of Finance/Section 151 Officer and Monitoring Officer/Head of Legal and Democratic Services) to take necessary actions to meet the submission deadlines.

Future reports would be brought before Cabinet for consideration as appropriate.

With regard to the Levelling Up Fund, the Leader said that the selected projects had been specifically chosen for their fit with the UK Government criteria, but also with the Council's overall aims for the regeneration of Barry, with the proposals put forward discussed from paragraph 2.10 to 2.15 of the report.

The Head of Finance/Section 151 Officer said that the report had been put together within challenging timescales to perform the necessary due diligence. Officers from Finance had worked closely with other Council departments and external advisers to address financial risk, and due diligence would continue as the process progressed to ensure the financial case continued to be monitored during challenging economic circumstances.

The Director of Place referred to the local Investment Plan as part of the Shared Prosperity Fund which would be submitted to Rhondda Cynon Taf County Borough Council as the regional partner with responsibility for the fund.

The Leader also said that the Shared Prosperity fund was Vale of Glamorgan-wide whereas the Levelling Up fund was focussed on Barry regeneration.

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 emerging Levelling Up Fund (Round 2) bid and Investment Plan linked to the UK Shared Prosperity Fund funding allocation be noted and endorsed, subject to the appropriate legislative provisions, statutory consents and funding.
- (2) T H A T the Director of Place be confirmed as the Senior Responsible Owner for the Levelling Up Fund (Round 2) bid.
- (3) T H A T delegated authority be granted to the Director of Place (in consultation with the Executive Leader and Cabinet Member for Performance and Resources, Chief Executive, Head of Finance/Section 151 Officer and Monitoring Officer/Head of Legal and Democratic Services) to submit a grant application and associated funding packages, including contributions from sources identified for regeneration purposes in paragraphs 4.2 - 4.4 (inclusive) of this report, for the Levelling Up Fund (Round 2) bid on behalf of the Vale of Glamorgan Council.
- (4) T H A T delegated authority be granted to the Director of Place (in consultation with the Executive Leader and Cabinet Member for Performance and Resources, Chief Executive, Head of Finance/Section 151 Officer and Monitoring Officer/Head of Legal and Democratic Services) to negotiate and agree terms with relevant landowners and partner organisations pursuant to the development and submission of the Levelling Up Fund (Round 2) bid.
- (5) T H A T the response by the UK Government to the Levelling Up Fund (Round 2) bid be reported back to Cabinet in due course together with more detailed budget management and governance arrangements relating to the delivery of any successful bid.
- (6) T H A T delegated authority be granted to the Director of Place (in consultation with the Executive Leader and Cabinet Member for Performance and Resources, Chief Executive, Head of Finance/Section 151 Officer and Monitoring Officer/Head of Legal and Democratic Services) to submit and take all necessary actions to finalise a regional (South East Wales) Investment Plan linked to the UK Shared Prosperity Fund funding allocation on behalf of the Vale of Glamorgan Council.

(7) T H A T the finalised regional Investment Plan linked to the UK Shared Prosperity Fund funding allocation be reported back to Cabinet in due course together with more detailed budget management and governance arrangements relating to the local delivery of the Investment Plan.

(8) T H A T delegated authority be granted to the Director of Place (in consultation with the Executive Leader and Cabinet Member for Performance and Resources, Chief Executive, Head of Finance/Section 151 Officer and Monitoring Officer/Head of Legal and Democratic Services) to undertake all necessary actions to agree the terms of the Service Level Agreement for the UK Shared Prosperity Fund funding allocation.

(9) T H A T delegated authority be granted to the Monitoring Officer/Head of Legal and Democratic Services to prepare, complete and execute the Service Level Agreement for the UK Shared Prosperity Fund funding allocation.

(10) T H A T the use of paragraph 15.14.2(ii) of the Council's Constitution (urgent decision procedure) be authorised in respect of the above recommendations.

Reasons for decisions

(1) To apprise Cabinet of the current position and to obtain endorsement from Cabinet for the emerging Levelling Up Fund (Round 2) bid and Investment Plan linked to the UK Shared Prosperity Fund funding allocation and the delivery thereof subject to legislative provisions, statutory consents and funding.

(2) To meet an eligibility requirement for the bid.

(3) To obtain authority to submit a bid for the Levelling Up Fund (Round 2) in line with the submission deadline of 6th July, 2022.

(4) To obtain authority to negotiate and agree terms with relevant landowners and partner organisations pursuant to the development and submission of the Levelling Up Fund (Round 2) bid.

(5) To report back to Cabinet on the success or failure of the Levelling Up Fund (Round 2) bid and any advice received from the funding body.

(6) To obtain authority to submit and finalise an Investment Plan linked to the UK Shared Prosperity Fund funding allocation in line with the submission deadline of 1st August, 2022.

(7) To report back to Cabinet on the development of the Investment Plan linked to the UK Shared Prosperity Fund funding allocation and any advice received from the lead authority and funding body.

(8) To obtain authority to agree the terms of the Service Level Agreement for the UK Shared Prosperity Fund funding allocation.

- (9) To obtain authority to prepare, complete and execute the Service Level Agreement for the UK Shared Prosperity Fund funding allocation.
- (10) In recognition of the submission deadlines.

C29 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.

C30 THE LEVELLING UP FUND (ROUND 2) AND UK SHARED PROSPERITY FUND (DL/SP) (EXEMPT INFORMATION – PARAGRAPHS 14 AND 16) (SCRUTINY – ENVIRONMENT AND REGENERATION) – (Matter which the Chair had decided was urgent by reason of the need for Cabinet to consider the current proposals for the Levelling Up Fund (Round 2) and UK Shared Prosperity Fund prior to the submission deadlines of 6th July, 2022 and 1st August, 2022, respectively.)

The content of the Cabinet report was time sensitive due to the submission deadlines for the Levelling Up Fund (Round 2) bid and the Investment Plan for the UK Shared Prosperity Fund funding allocation.

The report set out the initial advice provided by the external law firm DWF (Appendix 1) and the matters which would need to be progressed in relation to the subsidy control element of the bid subject to the bid being compliant and as the bid component projects progressed.

The report also set out the matters which the Council's Head of Finance / Section 151 Officer would need to give consideration to and provide a declaration on.

The Operational Manager, Legal Services said that should the bid be successful after the first stage, the next step would be to finalise the relevant work for satisfaction of the Subsidy Control Principles.

The Chief Executive said that most Councils involved in the submission of Levelling Up bids would be going through similar deliberations. There would be opportunities to explore feasibility and legal options as the matter progressed. He also thanked Officers for the huge amount of work that had gone into the preparation of the reports for Cabinet to consider concerning the legalities and finance matters.

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 initial subsidy control advice and the matters to be progressed be noted.

Reason for decision

To appraise Cabinet of the initial subsidy control advice and the matters to be addressed.