

CABINET

Minutes of a Remote meeting held on 16th February, 2023.

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

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

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

Also Present: Councillors A. Asbrey, C.E.A. Champion, C.P. Franks, Dr. I.J. Johnson and N.C. Thomas.

C218 ANNOUNCEMENT –

The Leader welcomed all parties to the Cabinet meeting and reminded everyone present that the meeting was being Live Streamed as well as recorded via the internet and this recording archived for future viewing.

She asked if all participants please ‘mute’ themselves when not speaking in order to avoid any background noise or feedback when other participants were speaking, and if a participant wished to speak if they could put their hand up (to be seen on screen) or use the ‘raise hand’ function.

Members were asked to ensure that all debate was raised verbally and not via the ‘chat’ function for the sake of the recording. The ‘chat’ function could be used to highlight any technical issues and/or to get the attention of the Chair or Democratic Services Officer.

C219 APOLOGY FOR ABSENCE –

This was received from Councillor M.R. Wilkinson.

C220 MINUTES –

The Leader referred to a necessary correction to the Minutes of the Meeting held on 2nd February, 2023, where there should have been a section after C204 that noted that the minutes of the previous meeting that was held on 19th January, 2023 were agreed as a correct record at the meeting.

RESOLVED – T H A T subject to the amendment to the published minutes to include the reference to the minutes of the previous meeting that was held on 19th January, 2023 having been approved as a correct record, the minutes of the meeting held on 2nd February, 2023 be approved as a correct record.

C221 DECLARATIONS OF INTEREST –

No declarations of interest were received.

C222 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL DELIVERY PLAN 2023-24 (REF) –

Following the discussion that had taken place at the meeting, the Leader advised that no recommendations had been forwarded to Cabinet for consideration and therefore no written reference had been required.

The Leader referred to the discussions at the meeting concerning the use of plain English, language and format and that the matter would be further considered under Agenda Item 8.

Having considered the reference, it was subsequently

RESOLVED – T H A T the discussion at Corporate Performance and Resources Scrutiny Committee be noted and that the matter would be further considered under Agenda Item 8.

Reason for decisions

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

C223 CHIEF OFFICER APPRAISAL SCHEME - PROPOSED MODIFICATIONS (REF) –

(This item was moved to the end of the Agenda. All associated Officers withdrew from the meeting for this item and the item was considered at the end of the Agenda)

The reference from Corporate Performance and Resources Scrutiny Committee of 15th February, 2023 was presented.

The Leader said there had been a detailed discussion of the matter at the Scrutiny Committee where some had supported more regular appraisals and there had been discussion concerning peer reviews.

Having considered the reference, it was subsequently

RESOLVED –

- (1) T H A T the contents of the reference be noted.

- (2) T H A T the proposals for Chief Officer Appraisals be endorsed and referred for approval by Council on 6th March, 2023 in order to introduce the new scheme from 1st April, 2023.

Reason for decisions

(1-2) Having regard to the contents of the reference and discussions at the meeting.

**C224 COUNCIL TAX UNOCCUPIED DWELLINGS: 2023/24 (EL/PR)
(SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –**

The Leader presented the report, the purpose of which was to seek approval for the policy to be adopted for Council Tax on unoccupied dwellings for 2023/24.

The Leader proposed some amendments to the report title and purpose of the report as the report recommended charging a premium on long term empty properties from 2023/24 and second homes from 2024/25, however, the report title and purpose did not accurately reflect those dates.

The report title should have read as ‘Council Tax Unoccupied Dwellings: 2023/24’ and the purpose of the report should have read as ‘To seek approval for the policy to be adopted for Council Tax on long term empty properties from the 2023/24 year and for second homes from the 2024/25 year’, which were agreed by Cabinet.

Councillor Wilson agreed that long-term empty dwellings were a drain on the Council’s resources and the desire was to have those properties occupied. There would be less people on the housing waiting list if there were more properties available and he urged Members with empty properties in their wards to find out why they were empty or use the Council’s Enforcement Service for help and support.

The Leader further advised that the matter, if approved, would be referred for consideration at Full Council on 6th March, 2023.

This was a matter for Executive and Council decision.

Cabinet, having considered the report and all the issues and implications contained therein and having considered the amendments to the title and purpose of the report

RESOLVED –

(1) T H A T Cabinet approved and recommended to Council for approval that the following Council Tax premiums be levied:

- A 100% Council Tax premium be levied in 2023/24 in respect of long-term empty properties, a 150% premium in 2024/25 and a 200% premium in 2025/26.
- A 100% Council Tax premium be levied in 2024/25 in respect of second homes.

(2) T H A T Cabinet recommend to Council that delegated authority be given to the Head of Finance to implement the changes and to notify the owners of all affected properties.

(3) T H A T Cabinet approved and recommended to Council that delegated authority be given to the Head of Finance to determine applications for an exception under the regulations as set out in paragraph 5.5 of the report.

(4) T H A T Cabinet approved and recommended to Council that the Chief Executive and Leader review those premiums in future years and bring changes to Cabinet and Council for approval as appropriate.

Reasons for decisions

(1) The Council was required to determine its policy on the introduction of premiums in respect of second homes and long-term empty properties as defined in Sections 12A and 12B of the Local Government Finance Act 1992, as inserted by the Housing (Wales) Act 2014.

(2) To ensure that all customers impacted by the introduction of premiums were aware of the changes.

(3) To ensure arrangements were put in place to consider exceptions.

(4) To ensure premiums levied were kept under review as appropriate.

**C225 TIMETABLE OF MEETINGS: MAY 2023 TO MAY 2024 (EL/PR)
(SCRUTINY – NO RELEVANT SCRUTINY) –**

The Cabinet Member presented the report, the purpose of which was to consider a draft timetable of meetings for the period May 2023 to May 2024, linking the matter to the late urgent item for consideration later on the Agenda where Democratic Services Committee had considered the timetable and agreed its suitability.

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 timetable of meetings for May 2023 – May 2024, as set out in Appendix A to the Report be approved, subject to any future changes in arrangements for meetings deemed appropriate by the Mayor of the Council or the relevant Committee/Meeting Chair.

Reason for decision

To approve / publish a calendar of meetings for the 2023/24 Municipal year.

C226 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL DELIVERY PLAN 2023-24 (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The Cabinet Member presented the report, the purpose of which was to consider the revised draft Annual Delivery Plan 2023-24 post consultation.

The reference from Corporate Performance and Resources Scrutiny Committee had been considered earlier on the Agenda.

The Leader drew attention to the Annual Delivery Plan 2023-24 Consultation Responses listed as part of Appendix B and the actions taken as a result of those received comments. She further referred to the Responses to the Online Survey on Page 9 to Appendix B and noted that comments had been received but there had been no opportunity to have a dialogue about those comments which needed to be addressed going forward.

This was a matter for Executive and Council decision.

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

RESOLVED –

(1) T H A T the updated draft Annual Delivery Plan (Appendix A), the consultation feedback report (Appendix B) and the Equality Impact Assessment (Appendix C) be endorsed.

(2) T H A T the revised draft Annual Delivery Plan had been noted by the Corporate Performance and Resources Scrutiny Committee on 15th February, 2023.

(3) T H A T the draft Annual Delivery Plan (Appendix A) be endorsed and the report and Appendices referred to Council on 6th March, 2023 for consideration and approval.

(4) T H A T use of the urgent decision procedure as set out in Section 15.14 of the Council's Constitution be approved in order for the final Annual Delivery Plan to be referred to Full Council on 6th March, 2023 for consideration and approval.

Reasons for decisions

(1) To enable Cabinet to consider the consultation feedback, Equality Impact Assessment and the subsequent changes to the Plan.

(2) To enable Cabinet to consider the comments of the Corporate Performance and Resources Scrutiny Committee as part of its consideration of the Plan.

(3) To ensure that the Annual Delivery Plan can be presented to Council in March for consideration and endorsement.

(4) To allow the Annual Delivery Plan to be referred to Council on 6th March, 2023 for consideration and approval.

C227 COST OF LIVING: THE LIVING WAGE & PAY RATES FOR GRADES ONE AND TWO STAFF (EL/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The Cabinet Member presented the report, the purpose of which was to seek approval to uplift the lowest paid pay scales (Grade 1 and 2) to adopt the current Living Wage rate of £10.90 per hour.

This was a matter for Executive and Council decision.

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

RESOLVED –

(1) T H A T the proposals be approved as set out in the report for the Council to adopt the latest Real Living Wage of £10.90 per hour for our lowest paid grades (Grade 1 and Grade 2 who are currently paid £10.60 and £10.79 per hour respectively) with effect from 1st December, 2022.

(2) That Cabinet receives a further report on the approach to becoming a Living Wage accredited employer in quarter one of the new financial year.

Reasons for decisions

(1) To reflect the latest Real Living Wage rate announced in September 2022.

(2) To enable Cabinet to consider the approach to becoming a Living Wage accredited employer in due course.

C228 ANNUAL EQUALITY MONITORING REPORT 2021-2022 (CEERS) (SCRUTINY – LEARNING AND CULTURE) –

The Cabinet Member presented the report, the purpose of which was to seek approval of the Annual Equality Monitoring Report.

The Cabinet Member asked Cabinet to agree to an amendment to Recommendation (2) and also to refer the report to the Corporate Performance and Resources Scrutiny Committee for their consideration, which was agreed.

Councillor Sivagnanam said that the Council was due to renew and review the Equality Plan in 2024 and she wanted that document to be embedded in all Council work going forward, with the Plan scrutinised by all Scrutiny Committees as it

considered cross-cutting themes across the Authority in order to meet the duty to be equal and fair.

The Leader agreed with the recommendation that the Equality Plan go to all Scrutiny Committees in future and thanked all the staff groups involved in the work on the Plan for their contributions.

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 Annual Equality Monitoring Report 2021 – 2022 as described in the body of the report and at Appendix A be approved.

(2) T H A T the report be referred to the Learning and Culture and Corporate Performance and Resources Scrutiny Committees and that any comments be referred back to Cabinet for consideration and inclusion in the final version of the Annual Equality Monitoring Report.

Reasons for decisions

(1) To allow the Council to meet its reporting duty under the specific duties for Wales and continue to make progress towards meeting the public sector equality duty whilst ensuring its equality work was available for scrutiny by the Equality and Human Rights Commission and others.

(2) To enable the Scrutiny Committees to consider the report and to enable publication by 31st March, 2023 to meet statutory duties.

C229 PENARTH HEALTH HUB (LSW) (SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) –

The Cabinet Member presented the report, the purpose of which was to seek approval for the Cardiff and Vale University Health Board to progress the proposed Health Hub at Penarth Leisure centre.

The Cabinet Member said that the Health Hub would be of huge benefit to the residents of the Vale of Glamorgan and hoped to be able to progress further facilities in the western and rural Vale also.

The Leader said it was an important model that would help to improve the health of the community and thanked the Cabinet Member for his work on this and further proposals for other potential Hubs in the Vale of Glamorgan.

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 subject to Resolutions (3) and (4), the request from the Cardiff and Vale University Health Board to build a new health hub adjacent to Penarth Leisure Centre be endorsed.

(2) T H A T subject to Resolutions (3) and (4), the Director of Environment and Housing, in consultation with the Cabinet Member for Leisure, Sport and Wellbeing and the Director of Corporate Resources, be granted authority to enter into a lease of 125 years with the Cardiff and Vale University Health Board on terms and conditions to be agreed.

(3) T H A T authority be delegated to the Monitoring Officer / Head of Legal and Democratic Services to advertise the proposed disposals in accordance with section 123(2A) Local Government Act 1972 and in accordance with the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015.

(4) T H A T any objections to the proposed land disposal be reported to Cabinet for consideration. Should no objections be raised the matter proceed in line with Resolutions (1), (2), (5) and (6).

(5) T H A T the Monitoring Officer / Head of Legal and Democratic Services / Operational Manager for Legal Services in consultation with the Director of Corporate Resources and the Director of Environment and Housing be authorised to prepare, execute and complete any legal agreements associated with the sale of the land.

(6) T H A T the Director of Environment and Housing be authorised to negotiate and complete a Management Agreement between the Council, Parkwood Leisure and the Cardiff and Vale University Health Board in advance of building works commencing.

Reasons for decisions

(1) To improve the quality of health provision in the Penarth area.

(2) To ensure that the land transfer required for this proposal was delivered effectively and efficiently.

(3) To permit the land required by the Health Board to be advertised for disposal in accordance with the relevant legislation.

(4) To allow Cabinet to consider any objections received prior to taking a decision on the land transfer.

(5) To provide the necessary authority to officers to agree the terms and conditions to allow the land to be transferred via lease as promptly as possible.

(6) To clearly define management responsibilities for the operation of the new joint building.

C230 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.

**C231 SECTION 6 OF THE LOCAL GOVERNMENT (WALES) MEASURE 2021 - TIMING OF COUNCIL MEETINGS (REF) –
(Matter which the Chair had decided was urgent in order to consider the Resolutions of the Democratic Services Committee in conjunction with Agenda Item 7 “Timetable of Meetings: May 2023 to May 2024”.)**

(This item was considered prior to Agenda Item 7)

The reference from Democratic Services Committee of 13th February, 2023 was presented which looked at the timings and intervals at which meetings of a Local Authority were held.

The Leader drew attention to the discussions that had taken place concerning varying or rotating the start time of meetings and preferences concerning hybrid or remote meetings, as well as their advantages and disadvantages. Some Members had expressed concern over their carbon footprint and that attending meetings remotely helped with the management of that.

With regards to the Committee’s recommendations, the Leader referred to there being no single time length for a meeting being recommended, it being accepted that that would be the Chair of a Committee’s prerogative and noted that two meetings had taken place this week that had been around 5 hours long per meeting but should be kept under review to ensure Members remained engaged with the meeting content. The Leader said that all Members of the Council should already be informed of the reasons when Council Committee meeting dates and times change but also would be monitored.

Councillor Sivagnanam said that the availability of hybrid meetings was beneficial for those who had external responsibilities, such as caring or childcare, or lived a distance from the meeting venue. The installation of digital access as a result of the pandemic had been positive, a benefit to many Members and was really an equalities issue.

Councillor Wilson said there was a good demographic of Councillors in the Vale of Glamorgan and that having evening meetings helped many to be able to attend outside of other commitments.

Having considered the reference, it was subsequently

RESOLVED – T H A T

- (1) T H A T the reference from the Democratic Services Committee be noted.
- (2) T H A T the report and appendices be forwarded to the Scrutiny Committee Chairs and Vice-Chairs Group for their information and consideration.

Reason for decisions

- (1-2) Having regard to the contents of the reference and discussions at the meeting.