

THE VALE OF GLAMORGAN COUNCIL

Decision Notice –Meeting, 26th July, 2021.

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

The recording of the meeting is available [here](#).

Present: Councillor Jayne Norman (Mayor); Councillors Julie Aviet, Rhiannon Birch, Jonathan Bird, Bronwen Brooks, Lis Burnett, George Carroll, Christine Cave, Janice Charles, Millie Collins, Geoff Cox, Robert Crowley, Andrew R.T. Davies, Pamela Drake, Vincent Driscoll, Stewart Edwards, Ben Gray, Owen Griffiths, Stephen Griffiths, Anthony Hampton, Sally Hanks, Nic Hodges, Hunter Jarvie, Gwyn John, Dr. Ian Johnson, Gordon Kemp, Peter King, Kevin Mahoney, Kathryn McCaffer, Anne Moore, Neil Moore, Michael Morgan, Rachel Nugent-Finn, Andrew Parker, Bob Penrose, Sandra Perkes, Andrew Robertson, Leighton Rowlands, Ruba Sivagnanam, John Thomas, Neil Thomas, Steffan Wiliam, Margaret Wilkinson, Edward Williams, Mark Wilson and Marguerita Wright.

AGENDA ITEM 1. APOLOGY FOR ABSENCE –

This was received from Councillor Vincent Bailey

AGENDA ITEM 2. DECLARATIONS OF INTEREST –

There were no declarations received.

AGENDA ITEM 3. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 26th April, 2021 be approved as a correct record.

AGENDA ITEM 5 (i). NOTICE OF MOTION (SUBMITTED BY COUNCILLORS K.P. MAHONEY AND R.A. PENROSE) –

(i) Transparency - That all substantive votes carried out in full Vale of Glamorgan Council meetings be automatically recorded by name and the result including names, displayed clearly in the subsequent minutes of that meeting.

A Recorded Vote took place on the above Motion as follows:

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	
Robert Crowley	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		
Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	

Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	
Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	
Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan William	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
TOTAL	21	25	

The Motion was lost.

AGENDA ITEM 5 (ii) . NOTICE OF MOTION (SUBMITTED BY
COUNCILLORS K.P. MAHONEY AND R.A. PENROSE) –

(ii) Transparency 2 - That all substantive votes carried out in Vale of Glamorgan Council Cabinet meetings be automatically recorded by name and the result including names, displayed clearly in the subsequent minutes of that meeting.

A Recorded Vote took place on the above Motion as follows:

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	
Robert Crowley	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		

Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	
Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	
Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	
Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan Wiliam	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	

Marguerita Wright	√		
TOTAL	21	25	

The Motion was lost.

AGENDA ITEM 5 (iii). NOTICE OF MOTION (SUBMITTED BY COUNCILLORS K.P. MAHONEY AND R.A. PENROSE) -

(iii) Transparency 3 - That all substantive votes carried out in Vale of Glamorgan Council Scrutiny Committee meetings be automatically recorded by name and the result including names, displayed clearly in the subsequent minutes of that meeting.

Councillor Dr I.J. Johnson moved an alteration to the Motion to include after meeting “and that the Vale of Glamorgan Council ensures that an electronic method of voting is provided”. Councillor K.P. Mahoney consented to the proposed alteration which was then put to a vote.

A Recorded Vote subsequently took place on whether the alteration to the Motion was consented to as follows:

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	
Robert Crowley	√		

A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		
Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	
Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	
Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	
Andrew Robertson	√		

Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan Wiliam	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
TOTAL	21	25	

The request to alter the motion was Lost. A recorded vote then took place on the original Motion as follows :

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	

Robert Crowley	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		
Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	
Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	
Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	

Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan Wiliam	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
TOTAL	21	25	

The Motion was Lost.

AGENDA ITEM 5 (iv). NOTICE OF MOTION (SUBMITTED BY COUNCILLORS K.P. MAHONEY AND R.A. PENROSE) –

(iv) Transparency 4 - That all Councillors' contributions to Vale of Glamorgan Council, Full, Cabinet and Scrutiny meetings are identified by name and those contributions including names, be clearly displayed in the subsequent minutes of that meeting.

A Recorded Vote took place on the above Motion as follows:

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	
Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	

George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	
Robert Crowley	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		
Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	
Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	
Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	

Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	
Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan William	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
TOTAL	21	25	

The Motion was Lost.

AGENDA ITEM 6. NOTICE OF MOTION (SUBMITTED BY COUNCILLORS L. BURNETT AND N.C. THOMAS) –

Declaration of Nature Emergency.

There being no dissent it was -

RESOLVED – T H A T the Declaration of a Nature Emergency as follows be endorsed:

(1) Declare a nature emergency, in response to the findings of the Intergovernmental Panel on Climate Change (IPCC) and National Biodiversity Network (NBN) reports and in recognition of the inextricable link between climate change and the loss of biodiversity.

- (2) Place biodiversity alongside climate change at the heart of decision making in the Vale of Glamorgan Council.
- (3) Welcome Welsh Government's support for the Convention on Biological Diversity post-2020 Global Biodiversity Framework.
- (4) Engage with the anticipated Global Biodiversity Framework with clear goals and targets, following the convention in October, with an aim of achieving no net loss of biodiversity.
- (5) Make representations to the Welsh and UK Governments, as appropriate, to provide the necessary powers, resources and technical support to local authorities in Wales to help them successfully achieve this aim.
- (6) Continue to work with partners across the county, region and nationally to develop and implement best practice methods that can protect Wales' biodiversity.
- (7) Work with local stakeholders including Councillors, residents, young people, businesses and other relevant parties, to develop a strategy aligned with Project Zero with a target of no net loss of biodiversity that will also explore ways to maximise the local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

AGENDA ITEM 7 NOTICE OF MOTION (SUBMITTED BY COUNCILLORS G.D.D. CARROLL AND L.O. ROWLANDS) –

The Vale of Glamorgan Council:

- Regrets the Administration's decision to reintroduce fees for businesses placing tables and chairs on the highway outside their premises;
- Appreciates the unprecedented impacts the Coronavirus pandemic had caused local cafes, bars and restaurants, who have been unable to operate at full capacity;
- Recognises that outdoor dining has provided businesses with much needed relief and has enabled them to mitigate some of the losses they have suffered during the pandemic;
- Calls on the Administration to reverse its decision to introduce the charges at least until the pandemic is over.

A recorded vote took place on the Motion as follows:

Members	For	Against	Abstain
Julie Aviet		√	
Vincent Bailey	Apologies given		
Rhiannon Birch		√	

Jonathan Bird		√	
Bronwen Brooks		√	
Lis Burnett		√	
George Carroll	√		
Christine Cave	√		
Janice Charles	√		
Millie Collins	√		
Geoff Cox		√	
Robert Crowley	√		
A.R.T Davies	√		
Pamela Drake		√	
Vince Driscoll	√		
Stewart Edwards	√		
Ben Gray		√	
Owen Griffiths	√		
Stephen Griffiths	√		
Anthony Hampton	√		
Sally Hanks		√	
Nic Hodges	√		
Hunter Jarvie		√	
Gwyn John		√	
Ian Johnson	√		
Gordon Kemp	√		
Peter King		√	
Kevin Mahoney	√		
Kathryn McCaffer		√	

Anne Moore		√	
Neil Moore		√	
Michael Morgan		√	
Jayne Norman		√	
Rachel Nugent-Finn	√		
Andrew Parker		√	
Bob Penrose	√		
Sandra Perkes		√	
Andrew Robertson	√		
Leighton Rowlands	√		
Ruba Sivagnanam		√	
John Thomas		√	
Neil Thomas		√	
Steffan Wiliam	√		
Margaret Wilkinson		√	
Edward Williams		√	
Mark Wilson		√	
Marguerita Wright	√		
TOTAL	21	25	

The Motion was Lost.

AGENDA ITEM 8. USE OF THE MANAGING DIRECTORS'S EMERGENCY POWERS (MD) –

RESOLVED – T H A T the use of the Managing Director's Emergency Powers be noted.

Reason for decision

Having regard to the Council's Constitution.

AGENDA ITEM 9. REVIEW OF THE CONSTITUTION (MD) –

RESOLVED -

(1) T H A T the change to the relevant officer delegation as set out below be approved and the Council's Constitution be amended accordingly:

Head of Legal and Democratic Services in consultation with Head of Regeneration and Planning or Operational Manager (Planning and Building Control) –

“To confirm an Article 4 Notice served to prevent development and / or demolition that may otherwise be permitted development.”

(2) T H A T the revised Procedure Rules in respect of Family Absence for Members of Local Authorities attached at Appendix A to the report be approved and adopted and that Section 4 of the Council's Constitution be amended accordingly

Reasons for decisions

(1) To update the officer delegation scheme to reflect an additional responsibility relating to Article 4 Notices served by the Council.

(2) To reflect the introduction of the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021 from 1st April, 2021.

AGENDA ITEM 10. GUIDE TO PUBLIC SPEAKING AT PLANNING COMMITTEE REVIEW (REF) –

RESOLVED –

(1) T H A T the revised Guide to Public Speaking at Planning Committee ('the Guide') attached at Appendix A to the reference (which had been updated and had incorporated the proposals agreed by the Planning Committee) be approved and the Council's Constitution and the website updated accordingly.

2) T H A T the Guide to Public Speaking at Planning Committee ('the Guide'), as approved take immediate effect.

(3) That a copy of the Guide to Public Speaking at Planning Committee ('the Guide'), as approved under Resolution 1 above be referred to the Community Liaison Committee.

Reasons for decision

(1 & 2) To ensure that the revised version of 'the Guide' is available to individuals who wish to speak at Planning Committee.

(3) To ensure that the revised version of 'the Guide' is made available to all Town and Community Councils for their information and future use.

AGEND ITEM 11(a). AUDIT WALES – SCRUTINY FIT FOR THE FUTURE ACTION PLAN UPDATE (REF) –

RESOLVED – T H A T the Revised Scrutiny Public Participation Guide attached as an Appendix to the reference be approved and uploaded to the Council's website and the Council's Constitution be amended accordingly.

Reason for decision

To ensure that the revised version of the Scrutiny Public Participation Guide is available to individuals who wish to speak at Scrutiny Committees.

AGENDA ITEM 11(b). LICENSING ACT 2003 REVIEW OF STATEMENT OF LICENSING POLICY 2021/2026 (REF) –

RESOLVED – T H A T the draft Statement of Licensing Policy attached as an Appendix to the reference be approved subject to the additions below as agreed by the Statutory Licensing Committee and Cabinet:

- To insert a paragraph in Section 17 as follows to recognise the South Wales Police Traffic Light System as a method on which representations or reviews are submitted:

"An example of a recognised early warning system is the Traffic Light System operated by South Wales Police. Any information supplied to the licensing authority as part of representations or a review process will be considered in light of the broad principles set out in the Shared Regulatory Services Enforcement Policy of Proportionate, Accountable, Consistent, Transparent, and Targeted. If such an enforcement tool is used, the licensing authority will expect to receive information on how the points system was allocated, the interaction with the licensee, what interventions had already been carried out, and the risk to the licensing objectives which underpin the representations/review submitted".

- To substitute the word "should" by "must" in Section 14 in the following paragraph:

"Operators of premises of this type must consider measures to prevent crime and disorder on, or emanating from, their premises."

Reason for decision

Having regard to the resolutions of the Statutory Licensing Committee, Cabinet and to provide approval.

AGENDA ITEM 11(c). PROJECT ZERO – DRAFT CLIMATE CHANGE CHALLENGE PLAN (REF) –

RESOLVED – T H A T the draft Climate Change Challenge Plan as referred by Cabinet Minute No. C621, 5th July, 2021 be approved.

Reason for decision

To confirm approval of the draft Climate Change Challenge Plan.

AGENDA ITEM 11(d). ANNUAL TREASURY MANAGEMENT REPORT 2020/21 (REF) –

RESOLVED – T H A T the proposals of the Cabinet, as set out in Cabinet Minute No. C631, 19th July, 201 be approved.

Reason for decision

To confirm approval of the Annual Treasury Management Report for 2020/21

AGENDA ITEM 11(e). DIVERSITY IN DEMOCRACY (1) AND (5) (REF) –

A Recorded Vote took place on the Resolutions of Cabinet of 19th July 2021 as below:

Members	For	Against	Abstain
Julie Aviet	√		
Vincent Bailey	Apologies given		
Rhiannon Birch	√		
Jonathan Bird	√		
Bronwen Brooks	√		
Lis Burnett	√		
George Carroll			√
Christine Cave			√
Janice Charles			√

Millie Collins	√		
Geoff Cox	√		
Robert Crowley			√
A.R.T Davies			√
Pamela Drake	√		
Vince Driscoll			√
Stewart Edwards			√
Ben Gray	√		
Owen Griffiths	√		
Stephen Griffiths			√
Anthony Hampton			√
Sally Hanks	√		
Nic Hodges	√		
Hunter Jarvie	√		
Gwyn John	√		
Ian Johnson	√		
Gordon Kemp			√
Peter King	√		
Kevin Mahoney		√	
Kathryn McCaffer	√		
Anne Moore	√		
Neil Moore	√		
Michael Morgan	√		
Jayne Norman	√		
Rachel Nugent-Finn			√
Andrew Parker	√		

Bob Penrose			√
Sandra Perkes	√		
Andrew Robertson			√
Leighton Rowlands			√
Ruba Sivagnanam	√		
John Thomas	√		
Neil Thomas	√		
Steffan Wiliam	√		
Margaret Wilkinson	√		
Edward Williams	√		
Mark Wilson	√		
Marguerita Wright			√
TOTAL	30	1	15

RESOLVED –

(1) T H A T the making of the following Vale of Glamorgan “Diverse Council” Declaration be approved:

“The Vale of Glamorgan Council will:

- (i) Provide a clear, public commitment to improving diversity;
- (ii) Demonstrate an open and welcoming culture to all;
- (iii) Consider staggering Council meeting times and agreeing recess periods to support Councillors with other commitments; and
- (iv) Set out an action plan of activity ahead of the 2022 Local Government Elections.”

(2) T H A T as part of supporting the Council to develop an inclusive culture and one that is respectful of gender identity across the spectrum, the principle of amending the Council’s Constitution to reflect the use of gender-neutral terminology be endorsed.

Reasons for decisions

(1) To support the WLGA Council recommendation to make the Declaration by the end of July 2021.

(2) The Diversity in Democracy programme aims to advance gender equality and diversity in Councils before the 2022 elections and to amend the Council's Constitution accordingly.

AGENDA ITEM 12(a). THE U.K. GOVERNMENT LEVELLING UP AND COMMUNITY RENEWAL FUNDS BID GOVERNANCE ARRANGEMENTS (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C582 (7th June, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(b). EMERGENCY AND PERMANENT DEFECTS – HIGHWAYS MAINTENANCE CONTRACT (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C609 (21st June, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM, 12(c). CONSULTATION RESPONSE: WELSH GOVERNMENT'S RACE EQUALITY ACTION PLAN FOR THE ANTI-RACIST WALES (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C625 (5th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(d). DIVERSITY IN DEMOCRACY (6) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C635 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(e). LEISURE MANAGEMENT CONTRACT EXTENSION (PART I) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C643 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(f). REVIEW OF THE MEMBER DEVELOPMENT STRATEGY (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C645 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(g). DRAFT MEMEBR INDUCTION AND DEVELOPMENT PROGRAMME 2022 (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C646 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(h). WHISTLEBLOWING POLICY (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C647 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 12(i). LEISURE MANAGEMENT CONTRACT EXTENSION (PART II) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C651 (19th July, 2021)) as set out in Section 14.14.2(ii) of the Council's Constitution be noted.

Reason for decision

The reports of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.