

No.

THE VALE OF GLAMORGAN COUNCIL

Minutes of a Hybrid Meeting held on 26th September, 2022.

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

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

Present: Councillor Susan Lloyd Selby (Mayor); Councillors Anne Asbrey, Julie Aviet, Gareth Ball, Rhiannon Birch, Bronwen Brooks, Gillian Bruce, Ian Buckley, Lis Burnett, Samantha Campbell, George Carroll, Christine Cave, Charles Champion, Janice Charles, Millie Collins, Marianne Cowpe, Pamela Drake, Vincent Driscoll, Anthony Ernest, Robert Fisher, Christopher Franks, Wendy Gilligan, Emma Goodjohn, William Hennessy, Sally Hanks, Nic Hodges, Mark Hooper, Catherine Iannucci, Gwyn John, Dr. Ian Johnson, Belinda Loveluck-Edwards, Julie Lynch-Wilson, Kevin Mahoney, Michael Morgan, Helen Payne, Elliot Penn, Sandra Perkes, Ruba Sivagnanam, Neil Thomas, Rhys Thomas, Steffan Wiliam, Edward Williams, Mark Wilson and Nicholas Wood.

253 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Mayor 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”.

254 MINUTE’S SILENCE FOR HER LATE MAJESTY QUEEN ELIZABETH II –

Members of the Council stood in a minute’s silence as a mark of respect following the passing of Her Late Majesty Queen Elizabeth II.

255 APOLOGIES FOR ABSENCE –

These were received from Councillors Russell Godfrey, Ewan Goodjohn*, Stephen Haines, Howard Hamilton*, Naomi Marshallsea, Jayne Norman*, Ian Perry*, Joanna Protheroe*, Carys Stallard* and Margaret Wilkinson.

(N.B. The Councillors identified with an asterisk were attending remotely and were affected by technical difficulties and were therefore unable to participate as they could not be either seen or heard.)

256 DECLARATIONS OF INTEREST –

No declarations of interest were received.

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257 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 18th July, 2022 be approved as a correct record, subject to the inclusion of Councillor Gilligan's name in the record of Apologies for Absence.

258 ANNOUNCEMENTS –

The Mayor informed Council of the passing of a former Vale of Glamorgan Councillor John Fraser and she offered her sincere condolences to his family on behalf of the Council.

Since the last Council meeting, she had attended 12 engagements details of which could be found in her regular update on the Council's website.

In relation to the Mayoral Foundation Grant Fund, over 20 applications from various organisations within the Vale had been received during the latest round of submissions and these would be considered over the next few weeks with applicants being advised of the outcome as soon as possible thereafter.

Her attention then turned to the passing of her late Majesty Queen Elizabeth II and reflected on her remarkable life, service, and dedication to duty. She would be remembered for her faith and the values and traditions she upheld, fulfilling her promise to serve and doing so with empathy, dignity and compassion. She had sent a letter of condolence to the King and his family on behalf of the residents of the Vale of Glamorgan. She also referred to the official mourning period books of condolence that was opened online and as well at the Civic Offices, Alps Depot, Docks Offices and in Town and Community Councils across the Vale.

She thanked all those who attended the Proclamation Ceremony for King Charles III which had been held on Sunday, 11th September on the forecourt of the Civic Offices. It had been well attended and live streamed by Bro Radio.

On Friday, 16th September, along with her Consort, the Leader of the Council and two members of the Vale Youth Forum, she had had the honour of attending a service of commemoration at Llandaff Cathedral in the presence of King Charles III and the Queen Consort.

Her thanks were also extended to all those who attended the service of commemoration she had hosted for the late Queen Elizabeth II at All Saints Church in Barry on Sunday, 18th September. This had also been live streamed by Bro Radio with nearly 1,500 people viewing the service online.

She understood that the Council's political Group Leaders wished to offer their respects to Queen Elizabeth II by making a brief message of condolence on behalf of their Groups. She also offered the Council's independent Members the opportunity to do the same.

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The following messages of condolence were made:

Leader of the Council (on behalf of the Labour Group), Councillor Lis Burnett -

I was fortunate, alongside the Mayor and her Consort, to represent the Vale of Glamorgan Council at Llandaff Cathedral for the recent service of commemoration.

Looking back I think the image of the late Queen Elizabeth II sitting alone at the funeral of her husband is one that will remain with many of us over the years.

That one image captured, in a moment of time, her dignity, her determination to observe regulations regardless of personal cost and her dedication to a lifetime of public service over seventy long years.

At the time when she came to the throne there would have been few women in positions of power or influence but by looking for what unites rather than what creates division she encouraged people, communities and countries to work together. She will be much missed and my condolences continue to go the Royal Family.

Leader of the Llantwit Major First Independents – Councillor Gwyn John –

It was with great sadness that I heard that Her Majesty the Queen had passed away.

I was just six years old when her Majesty became Queen and she vowed to devote her life to serving the nation, rarely has such a promise been so well kept.

Queen Elizabeth II was the rock of our nation and was loved by millions across Great Britain, the Commonwealth and the World.

Her devotion to duty was evident even to the final days of her life in meeting the new Prime Minister.

Her Majesty was a shining light to the nation in times of trouble and distress and just a couple of years ago Her Majesty spoke to the nation during lockdown giving us the reassurance that we would overcome Covid and yes we would meet again which gave the nation the confidence to overcome their fear.

Queen Elizabeth II will never be forgotten but be remembered by millions throughout the world, Christmas will never be the same again.

Our thoughts at this time must be with the Royal Family who will be in grief after their sad loss and there will be many tough hours ahead for them.

God Bless you your Majesty, may you rest in Peace.

Leader of the Conservative Group - Councillor George Carroll –

Her late Majesty Queen Elizabeth II served our great country like no one else. She dedicated herself to serving each and every one of us both here in Britain and across

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the Commonwealth. She also became a figure respected and recognised across the world. In passing on his condolences to us, President Macron of France said “to you she was Your Queen but to us she was The Queen” and it is tributes like this that we have seen from leaders across the world that show beyond doubt that she is one of history’s great figures. Indeed I believe that Elizabeth the Great is exactly how she should and will be remembered. Following her late Majesty’s passing our country entered into a period of national mourning. We rightly stopped many of our usual activities and I think that this is reflected in our agenda for this evening’s meeting which is much lighter than we might usually expect. The deadline for tabling business for today’s meeting fell during the mourning period, so our Group took the decision not to table any questions or debates and I note that other Groups have also chosen not to do so. But despite the sadness of the occasion I also believe that the past few weeks have brought our country together. We have seen the very best of Britain and the very best of our communities, very much in a way that her late Majesty would have wanted. In my own ward of Llandough our community paid tribute. We laid flowers on the village green in what was a very poignant gesture and across the Vale many events took place such as those that you yourself have mentioned. I would like to thank All Saints Church for the role that they played and indeed thank you as well Madam Mayor for the job that you have done in representing all of us. And we must also pay tribute to His Majesty the King, obviously this is a moment of deep personal grief for him and the whole Royal Family. But despite this he has shown dedication and service that Her late Majesty did throughout her life. The King has taken part in a very gruelling schedule, something that nobody else having just suffered a close family bereavement would have to endure. He has stood vigil publicly at his mother’s coffin, he has taken part in official events and he has carried out walkabouts across the length and breadth of Britain. To bring my remarks to a close Madam Mayor, I would like to reflect on a short poem by Philip Larkin that was written to mark the occasion of Her late Majesty’s Silver Jubilee. It has been much repeated over the past fortnight and indeed I believe that the Leader of the Opposition referred to it when he made his tribute in the House of Commons. I hope you will forgive me Madam Mayor for repeating it, for although it was written some forty five years ago I believe in four short lines it still encapsulates Elizabeth II’s reign in a way as good as any.

“In times when nothing stood
But worsened, or grew strange,
There was one constant good:
She did not change.”

For everything you did for us Ma’am thank you.

God save the King.

Leader of the Plaid Cymru Group – Councillor Dr. Ian Johnson –

Hoffwn dalu teyrnged i’r Frenhines Elisabeth yr Ail ac estyn ein cydymdeimlad dwysaf at ei theulu.

Yn ystod teyrnasiad hir Elisabeth yr Ail gwelwyd cyfnod o newid aruthrol yng Nghymru, Prydain a gweddill y byd.

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Roedd ganddi ymdeimlad dwfn o ddyletswydd a bydd miliynau ar draws y byd yn ei chofio fel ffigwr o gysur, sefydlogrwydd a pharhad ar adegau o argyfwng.

Ar gyfer llawer o bobl, mae hi'n pontio'r genhedlaeth rhwng y presennol a'r gorffennol ar ôl bywyd naw deg chwech blynedd a saith deg mlynedd fel Brenhines.

Cafodd fy nain ei geni blwyddyn cyn i'r Frenhines, ac mae'n amlwg o'r lluniau cyfredol bod hi yn rhannu delwedd a steil y Frenhines yr un oedran a hi. Roedd y Frenhines yn rhan o'r genhedlaeth a frwydrodd yr Ail Ryfel Byd. Yn yr un pryd, roedd fy nhaid yn Swyddog yn y Fyddin yn y Rhyfel Dwyrain Pell.

Mae'n naturiol felly i gydymdeimlo gyda'r golled person sy wedi cyffwrdd ein bywydau bob dydd – yr arian rydyn ni'n defnyddio a'r stamp ar lythyrau, ond yn fwy na dim gyda'r bobl ag oedd yn agos ati.

Ar ran Plaid Cymru, estynnaf ein cydymdeimlad dwysaf i'r teulu yn ystod y cyfnod anodd hwn.

I would like to pay tribute to Queen Elizabeth II and extend our deepest condolences to her family.

Elizabeth II's long reign saw a period of tremendous change in Wales, Britain and the rest of the world.

She had a deep sense of duty and will be remembered by millions across the world as a figure of comfort, stability and continuity in times of crisis.

For many people, she bridges the generation between the present and the past after a life of 96 years and 70 years as Queen.

My grandmother was born a year before the Queen, and it is clear from the pictures that we see today that she shared the image and style of the Queen who was of the same age as her. The Queen was part of the generation that fought the Second World War. At that same time, my grandfather was an Army Officer in the war in the Far East.

It is therefore natural to sympathise for the loss of a person who has touched our daily lives – the money we use and the stamps on letters, but more than anything to sympathise with the people who were close to her.

On behalf of Plaid Cymru, I extend our deepest condolences to the family at this difficult time.

259 USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (CX) –

RESOLVED – T H A T the use of the Chief Executive's Emergency Powers be noted, subject to it being further noted that the use of Emergency Powers as set out

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in paragraph 2.1(a) of the report had been reported to the previous Council meeting in July and was included in the report in error.

260 AMENDMENTS TO THE COUNCIL'S CONSTITUTION (EL/CPR) –

RESOLVED –

(1) T H A T the change to the relevant officer delegations as set out in paragraph 2.2 of the report be approved and the Council's Constitution amended accordingly.

(2) T H A T the amendment to the Council's Financial Procedure Rules as set out in paragraph 2.3 of the report be noted and the Council's Constitution amended accordingly.

(3) T H A T the amendment to various Cabinet portfolio titles as set out in paragraph 2.4 of the report be noted and the Council's Constitution amended accordingly.

Reasons for decisions

(1) To update the Officer Delegation Scheme and relevant provisions within the current Constitution.

(2) To amend the Council's Financial Procedure Rules within the current Constitution.

(3) To update the Cabinet portfolio titles within the current Constitution.

261 ANNUAL TREASURY MANAGEMENT REPORT 2021/22 (REF) –

The Leader referred to the report which initially came to Cabinet for consideration in July.

She indicated that there was a requirement in regulation that the Strategy, mid-year position and outturn be reported to Council, and this was why the matter was being reported to the meeting. Treasury Management was highly regulated and there were a number of codes such as the CIPFA Code of Practice on Treasury Management and CIPFA Prudential Code that set out various Performance Indicators and reporting requirements.

She commented upon specific matters contained in the report relating to the Economy Interest Rates during 2021/22 and actions taken by the UK Government and other world leaders in response to the various issues affecting their domestic as well as the worldwide economy including the pandemic, the Russian invasion into the Ukraine and inflationary pressures, including the forecasted recession likely to impact and would possibly persisting well into 2023; Compliance with Treasury

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Limits and Prudential Indicators as set out in the Annual Treasury and Investment Strategy approved by Council at the start of the year.

In terms of Borrowing Outturn, the Leader indicated that during 2021/22 the Council maintained an under-borrowed position. The capital borrowing need (the Capital Financing Requirement) was not fully funded with external loan debt as cash supporting the Council's reserves, balances and cash flow were used as an interim measure. Only maturing debt was refinanced externally with two new loans borrowed for £8m from the Public Works Loan Board. The Capital Financing Requirement as of 31st March, 2022 was £197.7m. Total External Borrowing as of 31st March, 2022 was £153.4m with a total Internal Borrowing as of 31st March, 2022 of £44.3m.

Referring to Investment Outturn, the Leader referred to the Council's cautious approach to risk, with its priority to safeguard capital and manage its investments in-house. Investment Balances were kept at a minimum with reserves and balances used to support internal borrowing rather than borrow externally for capital expenditure. Investments were placed with low-risk counterparties for periods of up to 364 days and a large portion of the investment portfolio was kept very liquid as cash flow forecasting was problematic due to the large quantity of funds advanced by the Welsh Government in support of the pandemic.

Due to the coronavirus outbreak the Bank of England set an emergency Bank Rate of 0.10% which remained in place until February 2022 and as a result returns from investments remained very low throughout the period under review.

In conclusion, the Leader indicated that the total investment balance as of 31st March, 2022 was £93.6m and the return £108k.

Councillor Dr. Johnson, referring to the report, acknowledged that it was not normal practice to debate its content but given the current UK context it was the hottest topic in many ways. Acknowledging the historical status of the report but considering the current week was the last week of the Quarter 2 of 2022/23 he suggested that it was time to reconsider the timescales of bringing such reports forward so that they were relevant to allow debate rather than simply noting the information they provided. It was clear to him that the world had changed very much since the conclusion of the 2021/22 financial year, alluding to the impact of the war in Ukraine, increases in interest rates that had ballooned out of sight in the last week as a result of the UK Government actively trying to crash the wider economy.

He sought clarification from the Leader as to which Council meeting any update would be brought to, the Special Meeting on 9th November, or the normal meeting in December. If it were the latter, being some two and half months, enquired if it was possible that briefings could be provided to Group Leaders on the situation as it developed, whether there should be special Scrutiny Committee meetings of those that would be most affected. He also referred to the timing of the next mid-term financial report, whether that report would be considered by Cabinet shortly and subsequent scrutiny arrangements. It was his view that risks were coming forward at a far higher rate than anticipated.

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The Leader could not overstate the serious position that the Council was in. The report which would come to the ordinary Council meeting in December, proceeded by a report to Cabinet, and would be in the public domain well before that Council meeting. She confirmed that she had met with other Local Authorities' Leaders, with the Finance and Local Government Minister and other Ministers and no one was underestimating the scale of the challenge ahead in the forthcoming year. If Members felt that additional briefings would be of use, she would look into it.

Councillor Franks enquired if the Leader could give a flavour of the degree of the adverse financial impact that was facing Council budgets, alluding to the current economic turmoil brought about by recent decisions made by the UK Government. He also asked the Leader if she could give further details regarding the discussions with other Local Authority Leaders via the WLGA that had taken place and what had been the precise response from Welsh Government Ministers.

The Leader indicated that she could not and reminded Members that throughout the pandemic Local Authorities had worked closely together of all political persuasions and would continue to do so. At least fortnightly meetings with Ministers on relevant areas would continue and these would be used to share the challenges that faced local government. The situation was moving quickly and it was difficult to assure accuracy of any information considered given the fluidity of the situation, notwithstanding these difficulties, she considered that it would not be appropriate to discuss other Councils' circumstances. The reporting of the Initial Budget Proposals would be considered in the near future and she hoped that there would be a considered approach to the issues, but also a very constructive discussions through every Scrutiny Committee to look at how best services were delivered to citizens in the Vale of Glamorgan going forward.

RESOLVED – T H A T the Annual Treasury Management Report 2021/22 as considered by Cabinet on 21st July, 2022 (Minute No. C48 refers) be approved.

Reason for decision

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

262 QUESTIONS PURSUANT TO SECTION 4.18 OF THE COUNCIL'S CONSTITUTION –

The following responses to Member questions as contained within the agenda were presented:

(i) Question from Councillor Dr. I.J. Johnson

The cost of living crisis being felt across society is well documented. The introduction of universal free school lunches for all infant age primary school (up to Year 2) children in the Vale of Glamorgan is therefore particularly welcomed because of the help it provides. I am pleased that the Vale Council has gone further than Welsh Govt requirements in implementing this Plaid Cymru policy that became part of the 2021 Co-operation Agreement. What estimate has been made of the cost of

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extending this policy across all primary schools (including Year 3 to 6) and comprehensive schools in the county?

Reply from the Executive Leader and Cabinet Member for Performance and Resources

The Council, alongside its trading company Big Fresh, are wholeheartedly committed to ensuring every pupil has the best possible provision in relation to free school meals, and is proud to be one of the few in the country who have been able to deliver the extended provision from the start of this academic term. Subject to the appropriate funding being made available, we expect to extend this provision from years 3 to 6 in September 2023.

Equipment is already in place in primary settings to accommodate growth in demand and staffing has been increased in schools to deliver the current provision. The funding currently received for a universal free school meal is £2.90 and is to cover all costs of delivering the service, however this is currently being considered nationally with the Association of Directors of Education in Wales and Welsh Government colleagues given that the true cost within the current climate is likely to be higher than this.

We would welcome any additional funding to roll this provision out to comprehensive schools as well, and would estimate this would cost in the region of £6.5m for an additional 12,000 meals a day to cover comprehensive pupils. There would also be additional costs required for equipment and staffing to manage the additional daily demands in schools.

Supplemental

Alluding to the Co-operation Agreement between Plaid Cymru and the Welsh Government (WG) and referring to the additional funding being required next year for Years 3 to 6, Councillor Dr. Johnson enquired if it was anticipated that WG budget being increased to fund it.

The Leader reaffirmed that it was subject to the money being available. She was not in a position to second guess what the WG would receive in its settlement.

Turning to the Corporation Agreement, the Leader remarked on what could be achieved working together, highlighting that the Council had worked successfully in a coalition a number of times with shared aims. As the Council entered into budget setting it was important to be looking at areas where working together would assist.

(ii) **Question from Councillor Dr. I.J. Johnson**

When local residents report anti-social behaviour (e.g. fly-tipping or graffiti) to the Vale of Glamorgan, but the land doesn't belong to the Council and/or we have no responsibility for the land, what response are they issued to explain this situation?

No.

Reply from the Cabinet Member for Neighbourhood and Building Services

I would firstly advise that the responsibility to protect private land or property from incidence of anti-social behaviour, such as fly-tipping and graffiti, lies with the land or property owners concerned. In such cases we would always encourage that the police be informed of the criminal damage in the first instance. Depending on the Police investigation, we may discuss as a Community Safety Partnership, to determine if the Council and its other partners, the Police, the Probation Service, Public Health and the Fire and Rescue Service, could have a role in assisting the prevention of such activity reoccurring. This often happens when there is a spate of certain activity, such as graffiti tagging, affecting a number of areas and / or property tenures.

The exception to this is when any graffiti on a private property is offensive or racist, in which case we aim to remove it within 24 hours, subject to prior agreement with the property owner.

If you have any specific areas of concern regarding anti-social behaviour on private property or land, I would be more than happy to take these up with our Community Safety Team. Otherwise residents should be referred to our website, which contains details of our responsibilities in this regard, or to C1V.

Supplemental

Referring to two separate incidents reported by the public to C1V in relation to anti-social behaviour, fly tipping on private land and graffiti reported only to receive an email indicating “case closed” with no explanation, Councillor Dr. Johnson sought a meeting with Councillor Wilson and C1V representatives to understand how the Council could better explain to members of the public what was happening when fly tipping incidents occurred on non-Council land and that they were at least given an explanation as to how the matter was being progressed so that they could better understand the systems that the Council had.

Councillor Wilson indicated that he was happy along with other Cabinet colleagues to investigate this further.

(iii) Question from Councillor Dr. I.J. Johnson

In the Assessment of Environmental Statement of the land at Barry Docks, 5th September, 2022, the Inspector concluded that “the Environmental Statement submitted by Biomass UK No.2 Limited dated July 2022 be confirmed as containing the level of information identified in Regulation 17 and Schedule 4 of the EIA Regulations and being complete for the purposes of those Regulations”.

The Inspector has reached this conclusion in advance of the completion of the public consultation on 23rd November 2022.

Does the Council have a view on the timing of the Inspector’s conclusion (before the public consultation process has concluded), and what advice can the Council give to the public about the impact of the conclusion reached by the Inspector, in case

No.

people imagine there is no point responding to the consultation if the Inspector has already made up his mind?

Reply from the Cabinet Member for Community Engagement, Equalities and Regulatory Services

The inspector appointed by the Planning and Environment Decisions Wales (PEDW) has indeed confirmed that the Environmental Statement (ES) submitted by Biomass UK No. 2 Ltd has met the requirements as set out in the relevant Environmental Impact Assessment (EIA) Regulations. So that's a matter of process not of substance, so the Inspector, on the process matter that's up to the Inspector, that's the Inspector's judgement. The Inspector has not made any conclusion as to acceptability of the development in planning terms, so in other words has not made a decision around substance of the content of the EA.

The public consultation process that is currently due to conclude in November this year invites comments regarding the Environmental Statement (ES) generally and is not limited specifically to compliance with Regulation 17. It is therefore considered that the PEDW report from 5th September 2022 should not preclude members of the public from participating in the consultation process.

All Members, as you will know Councillor, should now have received an e-mail from me inviting them to a briefing on the process of the appeal and I look forward to seeing you there.

Supplemental

Reiterating his principle concern with the Inspector's conclusions, Councillor Dr. Johnson asked if the Cabinet Member agreed with him that after a very long time the process had been going on that the public were still in a situation where it felt as if they were being led by the nose and were not being given free rein to give thought to the process because they were being told by the Inspector that he thought this was acceptable?

Referring to her previous reply, the Cabinet Member indicated that it was a process and that the Inspector had a list of matters that he/she would have to consider in the EIA. It was not a decision about the substance. The public would be consulted on that as it was guided by regulation. The substance of the appeal had yet to be decided upon.

(iv) Question from Councillor Dr. I.J. Johnson

At paragraph 12 of the Inspector's assessment of the Environmental Statement (ES) for the land at Barry Docks, published on 5th September 2022, the Inspector discusses the assessment methodology and writes that "There has been no specific consultation in the preparation of this ES. This omission is not critical as there has been consultation as part of the 2015 application, the Environmental Permit process (by NRW) and for the VES" (Voluntary Environmental Statements).

If previous consultations are considered, without question, to underpin the current

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Environmental Statement, then there is also reason to subject these previous consultations to rigorous examination as the current ES rests upon them having been handled correctly. However, doing so will add considerably to the material the public and other consultees might need to consider. This makes the task of responding within 90 days impossible in practical terms, given the size of the documents already published as part of this consultation.

Noting the additional requirements that come from the Inspector's comments, what new timeframe does the Council consider appropriate for the public to respond fully?

Reply from the Cabinet Member for Community Engagement, Equalities and Regulatory Services

As I understand it, the 90 days consultation period is considered appropriate to allow comments to be submitted regarding the Environmental Statement (ES) and the Environmental Impact Assessment (EIA) Regulations actually require 30 days. A period of 90 days had been agreed by PEDW and was considered appropriate because it aligns with the period of time given by Welsh Government for representations in respect of the previous Voluntary ES and then given that PEDW are administering the appeal, representations on the consultation period should be made directly to them.

Supplemental

Alluding to the sizeable content of the ES and to the Inspector's assessment and reference to earlier consultation / application documents from 2015 and bringing these into scope, Councillor Dr. Johnson enquired if the Cabinet Member considered it was acceptable that members of the public were being expected to go through a raft of material and provide a coherent response when compared to a huge company that was submitting the ES?

Not wishing to be drawn on the process itself, the Cabinet Member reminded Members that the process had been agreed with PEDW. If it was felt that 90 days was an insufficient period for the public etc. to respond they could contact PEDW or they could also write to herself.

(v) Question from Councillor C.P. Franks

Residents are looking for reassurances that all practical preparations have been or are being undertaken in vulnerable areas of Dinas Powys and indeed across the Vale to protect the community against flooding. I would welcome details of road gully emptying and checks undertaken on the gully connections. I know the authority is not responsible for streams but if you have any details from the NRW about their work that would be welcome?

Reply from the Cabinet Member for Neighbourhood and Building Services

As you will be aware, the Dinas Powys Multi-Agency Flood Action Group meet on a regular basis to agree necessary actions for this area. In the latest update from Natural Resources Wales they advised the Council that localised removal of silt

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shoals and vegetation in various locations along the Cadoxton from near the Nisa store, down to the location of the Bryn y Don footbridge would be undertaken by the end of the year.

More widely I can confirm that all Council owned or maintained critical flood assets are inspected and maintained on a regular basis. For example, weekly inspections are undertaken of all critical inlet screens throughout the Coldbrook catchment.

I can also confirm that some footway resurfacing will take place in the Cardiff Road area shortly. Given the sensitivity and potential impact to the network when works are undertaken near Cardiff Road, this is currently being programmed for the next two weeks and will be completed over a series of evening shifts to reduce disruption to local residents. Once the highways team has confirmed dates with the contractor, resources will also be allocated to ensure the gully pots and laterals are cleansed ensuring that they are free flowing and operational as we would expect ready for the Winter.

Supplemental

Councillor Franks enquired on behalf of vulnerable residents being threatened by flood water, what would the Authority do on the day?

The Cabinet Member indicated that this would be a matter for the Critical Incident Team, who would provide regular updates using the Council's media outlets such as Bro Radio, including the Council's own website.

(vi) Question from Councillor C.P. Franks

Will you indicate what progress you intend to make in the next 6 months in order to fulfil the Council's commitment to achieve net zero?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The Council's progress on the delivery of Project Zero was last reported to Cabinet in July 2022 and has been considered by Corporate Performance and Resources Scrutiny Committee and will shortly be considered by Environment and Regeneration Scrutiny Committee.

Work is continuing across the breadth of eighteen challenges which are set out within our Challenge Plan. Following feedback from Scrutiny Members, Officers will be revising the presentation of update reports for our consideration.

In the coming weeks the investment the Administration has made in additional capacity to deliver the commitments in the Challenge Plan will see a range of new positions being taken up, including in the Energy Team, programme management and finance.

Notable developments across the next six-months include:

- Completion of the installation of electric vehicle charging points in Council office car parks. Work on this is currently underway.

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- Submission to Welsh Government and analysis of the Council's second year of carbon data reporting.
- Adopting the second iteration of the PSB's Healthy Travel Charter.
- Reviewing procurement arrangements in line with the anticipated WLGA guidance on decarbonising procurement to identify opportunities to embed this within procurement practice.
- Receiving the report we have commissioned on the Vale of Glamorgan's overall carbon impact to inform a strategy to work with the community, business and industry, to reduce emissions.
- Implementing automated water monitoring technology in a range of Council buildings to reduce water leakage.
- Engaging with the public and partners on the Council's Green Infrastructure Strategy
- Continuing and enhancing the internal and external communications campaign to support and promote positive behaviour change.
- Complete the consultation and begin work to implement the Waste Management Strategy, including continuing preparations for completing the roll-out of the recycling blueprint in the Eastern Vale.
- Take steps to further rationalise the Council's office accommodation portfolio.
- Continue to deliver the Sustainable Communities for Learning Programme.

The next report on progress will come to Committees and Cabinet before the end of the year.

Supplemental

Councillor Franks enquired if the Cabinet Member could indicate what plans there were to introduce solar panels in Council properties, Civic Buildings and insulate the same properties?

The Cabinet Member, not having the information to hand, indicated that she would provide a response in writing.

(vii) **Question from Councillor C.P. Franks**

In what way is the Vale Council assisting community centres cope with the increasing cost of energy?

Reply from the Cabinet Member for Leisure, Sport and Wellbeing

I can confirm that Officers will be arranging meetings with Community Centre Committees shortly to discuss common issues, including the rising cost of energy, and representatives from the Council's energy team will be present to offer advice on reducing costs. Officers are also seeking further grants to investigate installing additional green technologies in our Community Centres to reduce the dependence on electricity and gas supplies in the future.

I have not been made aware that any of our 22 Community Centres are requesting financial assistance with their energy costs. I suspect we are all waiting to see

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whether and how the recent Government announcement, made on Wednesday, 21st September, 2022 on energy bills will affect the voluntary sector.

Supplemental

Alluding to a lot of talk of having warm hubs in the community and community centres, Councillor Franks asked if the Cabinet Member would be considering financial support for community centres to provide such warm hubs?

The Cabinet Member referred to his earlier reply that the Council would be seeking grants to support community centres. This was one reason why a meeting had yet to take place with community centres. A meeting had been scheduled for August but had not proceeded due to the availability of community centre representatives. Discussions had taken place internally regarding the principle of warm hubs. He was concerned that community involvement in operating community centres had dropped since the pandemic which was delaying a meeting being progressed.

(viii) Question from Councillor M.J. Hooper

Could the Leader provide an update on the latest budgeted position of the Cardiff City Region Metro? I would like her to specifically reference the increased inflationary pressures that may be impacting the projects overall capital costs.

Reply from the Executive Leader and Cabinet Member for Performance and Resources

The original Cardiff City Region Metro budget of £743m consisted of £164m from the European Union, £445m from the Welsh Government and the £1.3bn City Deal for the Cardiff Capital Region and £125m from the UK Government. The Metro, with its complex supply chain, has been impacted by the COVID pandemic related material availability issues and surging construction inflation which is running higher than the official rate of inflation.

The Welsh Government's transport body, Transport for Wales, has not given any indication as to the expected overspend, with a range of projections currently being worked through, but it is likely to run into tens of millions of pounds. The project is also not expected to be finished in the original timeline, with some deliverables shifting as the project develops.

I have asked Transport for Wales for comment on the likely overspend and what this will mean for the Project and they responded "*Like similar organisations undertaking major infrastructure programmes, we have a potential cost impact from the current rates of inflation and availability of materials.*"

We continue to work through various mitigations, contractual obligations and potential cost impacts with our supply chain partners and the Welsh Government which, due to the complexity of the programme, will take time to conclude".

No.

Supplemental

Referring to difficulties obtaining information from Transport for Wales website, Councillor Hooper asked the Leader, being the Council's only link to the Cardiff City Region Cabinet, to assist particularly where Part II confidential matters were being considered by reporting back to Vale Members so that they could be informed of any implications for travellers who wished to use the Metro from the Vale area.

The Leader reminded Members that the minutes from the City Region Cabinet meetings were reported to the Council's Cabinet. She also highlighted that Councillor Brooks and Councillor Wilson also attended related transport meetings and those Cabinet Members could also be approached for information. She agreed to look into what was possible in terms of communication and how there could be better transparency in reporting and agreed to take this back to the City Region Cabinet.

(ix) **Question from Councillor M.J. Hooper**

Residents on the new Waterfront development in Baruc Ward are having their lives blighted by unfinished works. These include public open spaces that are almost three years behind their contracted completion date and roads and pavements that remain unadopted due to safety concerns, that have not been remedied.

I have met with officers from Planning and Highways in this regard and understand they, along with representatives from Barry Waterfront Community Residents Association (BWCRA), have used every non-legal means at their disposal to get the Consortium (and their agents) to fulfil their responsibilities.

We have been here before. The last time the Council found the developers unwilling to fulfil their contractual obligations the authority initiated legal proceedings to stop sales of houses until certain elements were delivered. These developers clearly only respond to significant financial restrictions.

On behalf of residents on the Waterfront, will the Council initiate immediate legal action against the Consortium and their agents, stopping sales at their East Quay development until all the outstanding works on their other sites are completed in full?

Reply from the Executive Leader and Cabinet Member for Performance and Resources

I am pleased that Councillor Hooper shares my view when it comes to unfinished works at the waterfront. He will know that I have previously shared my significant concerns at the delay in constructing the new Welsh medium primary school at the waterfront and I am now pleased that work on the school is progressing, at long last, albeit only following Council's intervention.

It goes without saying that I share Councillor Hooper's concerns regarding unfinished elements of public infrastructure, and this is a priority for myself and for the Council and we will keep Councillors updated on progress in this matter.

No.

Officers are currently working to establish the most appropriate legal mechanism for acting in respect of breaches and failure to deliver the required open space and other infrastructure.

It is important to note that the Council has been using its formal enforcement powers since 2019 to ensure that the consortium of housebuilders deliver important elements of the Waterfront Regeneration Scheme. This has included the commercial quarter and the new school, all of which are now being delivered as well as various elements of Landscaping and open space schemes. It is however unfortunate that the Council has and continues to be forced to use formal legal action to make developers deliver their promises and to ensure that developments are completed properly and deliver a sense of place for residents.

Supplemental

Councillor Hooper sought an assurance from the Leader, given developers' current failures, to take the next step and stop them selling properties on East Quay.

The Leader pointed out that the Council had to take a balanced view and had thought long and hard before issuing Stop Notices previously in relation to the district shopping centre. Not only did the Council have to consider the individuals that were planning to buy properties, it was also the public who had already bought them. These individuals would be trapped in limbo having paid a deposit, arranged mortgages, a Stop Notice actually prevented them moving in because the properties were not fully completed. It was not the Council's intention to impact on the public's ability to have a home and reiterated her commitment that she was no friend to property developers and their main direction was purely economically driven. She was on record as saying that she did not believe in private property in public services, so the Council would endeavour to get developers to live up to their responsibilities.

(x) Question from Councillor M.J. Hooper

The enclosed land between Barry Island Station, Maslin Park and Plymouth Road is currently being used as a breakers yard to dismantle coal trucks. These coal trucks have been stabled on rail tracks between Barry Docks and Barry Island stations for a number of years.

This activity has been ongoing for several months and is causing significant concern to those residents living nearby.

Given the environmental impact of this activity, I would welcome the Council's opinion as to whether this is an appropriate and appropriately licensed location?

Reply from the Executive Leader and Cabinet Member for Performance and Resources

The storage of rolling stock on this land does not require planning permission as it has always been classed as operational railway land. That said, officers from the Council's Shared Regulatory Service have met with representatives of Transport for

No.

Wales (TfW) and it was confirmed that as part of the acquisition of the land from the Council and Welsh Government and to allow the depot to be used operationally, the railway carriages needed to be removed from the site.

Due to the age and condition of the carriages however, Network Rail has prohibited them being transported on the rail network. This left two options, transportation via low loaders or dismantling the carriages for removal from the site. The logistics of the first option are problematic as this involves heavy lifting gear, specialist vehicles and can necessitate the closing of highways. Accordingly, some carriages are being dismantled on site for transportation in a way that is more manageable for the road network.

TfW hopes to complete this work in October. I have also been advised that in the future, the Barry Island site is not intended to be used for any further general maintenance work and will be utilised instead to assist in improvement works to the network in Barry.

The depot site has been registered with the Office of Rail Regulation on TfW's depot licence as the site is intended to be used for stabling and storage, however under the licence, 'light maintenance' could be permitted in accordance with the Railways Act 1993 (although we understand that this is not currently their intention).

Furthermore TfW have made a commitment to restrict the dismantling carriages to weekday hours (and no earlier than 8am), accordingly officers do not feel that formal action in relation to statutory noise nuisance could be supported. For the remaining duration of the work, SRS will ensure that all reasonable actions continue to be taken to minimise disruption to residents.

Supplemental

Councillor Hooper sought an assurance from the Leader that these matters were concluded by the end of October at the very latest?

The Leader indicated that this was not in her power to guarantee. The Shared Regulatory Services would continue to monitor the situation and continue to work with TfW and their contractor. The current activity did not contravene current planning permission. She acknowledged that residents wanted the carriages gone and therefore it was a matter of balancing how this could be accomplished. The situation would be monitored and the Council would continue to argue against anti-social practices.

(xi) Question from Councillor M.J. Hooper

What is the Council doing to make Baruc Ward a safer place for people to walk, cycle, scoot and jog?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The Baruc Ward covers a significant area. I would be more than happy to provide a reply, but would ask that the question is more specific so I can address the particular

No.

issue.

Supplemental

Councillor Hooper enquired if the Cabinet Member would be prepared to come and walk with him and other residents to get to understand the concerns they had with some of the safety issues, especially with children going to school and nursery classes across Baruc Ward and arrange a date that was suitable.

The Cabinet Member indicate that she was happy to do that.

(xii) Question from Councillor N.P. Hodges

Do you support the application that has been made to Cadw for the full listing of Number 1 Dock and the Mole in Barry?"

Reply from the Executive Leader and Cabinet Member for Performance and Resources

I support any move to protect our rich and varied heritage.

It is important to note that the purpose of listing is to ensure that careful consideration is given to individual buildings which are of special interest before planning decisions are taken. Listing does not prevent change, and it should be noted that many docks are listed across the UK (including part of Barry Docks), but it does help to ensure that it is carefully managed through the Listed Building Consent regime.

So, I repeat, listing does not prevent change and it is important that it is not viewed as preventing change. Just look at what we achieved with the Pumphouse, as an example of how a listed building can be brought back into beneficial use as part of wider regeneration.

Supplemental

Appreciating listing did not prevent change, Councillor Hodges indicated to the Leader that he did not specifically ask about that. He specifically asked whether the Leader supported the idea of CADW listing the historic Number 1 Dock and Mole which gave birth to the town. If she was supportive, he hoped she would agree that it was time for her to show leadership and grow the Town's heritage and tourism and that her support would be passed to CADW.

Commenting that a CADW process for listing was a separate process, the Leader indicated that she was not made formally aware of this listing except anecdotally and she was not part of the process, that was managed by CADW on behalf of Welsh Government. They would undertake that process and the Council would adhere to it. She reminded Councillor Hodges that it was worth nothing that in 2016 work initially started on the Barry Place Plan which evolved into the Barry Story, a number of Members present would have been involved. It was the Barry Place Plan that shaped a lot of the detail and with that experience and the way in which this had

No.

been promoted she did not think it was a question of showing leadership. It was a question of continuing what was being progressed for the last 10 years.

263 PUBLIC QUESTIONS –

The following questions were submitted and replied to as shown, in accordance with the protocol agreed by Council on 5th May, 2010.

(i) **Question from Mr. J. Carey**

I'd like to ask why multiple electric charging points have been built around the town but limited to e-taxis and exactly how many times these have been used and why they can't be used by members of the general public and what the Council's plans are to offer electric charging to less affluent areas of the Vale of Glamorgan?

Reply from the Cabinet Member for Neighbourhood and Building Services

31 No 50kw dual chargers have been installed across the Cardiff Capital Region, which comprises 10 Local Authorities in SE Wales, as part of a programme to encourage taxi operators to transition to net zero vehicles. A study and questionnaires in 2019 informed the Cardiff Capital Region Taxi Strategy, whereby it was found that one of the main reasons why taxi drivers would not transition was due to lack of charging infrastructure.

The Cardiff Capital Region also purchased 44 Nissan Dynamo 100% electric, accessible vehicles, to operate a trial where taxi drivers can use the vehicles for 30 days so that they can experience the benefit of these electric vehicles, to encourage them to want to transition. The charging infrastructure has been supplied to ensure sufficient charging is available, and the study showed, that the infrastructure needs to be readily available for taxi use, hence the need for taxi only provision. This trial is due to end on 30th November 2023.

Within many areas in the Vale of Glamorgan, the chargers have only recently gone live. Whilst the charger unit has been in place for a long time in some cases, the meter installation and connection to the grid has taken significant time to schedule and unfortunately this work is outside of the Council's control.

The usage of these points is currently being monitored and once the trial is complete, a decision will be made as to whether these chargers need to stay for taxi use only, or whether it would not be detrimental for taxis by making them also available for public use.

A further project is currently underway to deliver 7kw and 22kw chargers, for public use. In the Vale of Glamorgan, this means:

Phase 1 = 18 sites (24 dual chargers), and
Phase 2 = 22 sites (22 dual chargers).

No.

It is anticipated that phase 1 which is currently on site, will be complete by the end of October 2022, and subject to funding approval, Phase 2 should be live and operational by the end of the financial year.

(ii) **Question from Mr. R. Curtis**

The cost of living crisis has led to people needing to find new ways to access local and nutritious food. Almost 87% of Local Authorities are reporting an increase in demand for allotment space (APSE). Local allotments provide valuable green spaces which help improve physical and mental health as well as helping people to reduce their carbon footprint. Could you please inform me whether the Vale of Glamorgan Council has plans to increase the amount of allotment space and if so where and when?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Thank you Rob for your question. There are currently 23 public and private allotments in the Vale of Glamorgan, totalling approximately 19ha of land, an area roughly equivalent to 46 football pitches.

The Council is currently preparing a new Replacement Local Development Plan to cover the period up to 2036 and as part of this process allotment provision will be assessed. The Council is also developing a Green Infrastructure Plan and this will seek to promote multi-functionality of green spaces, including using green spaces for food production, such as allotments and community gardens.

(iii) **Question from Dr. A. Barratt**

According to the Council's own estimates, South Point Primary School is expected to carry a surplus of between 14% and 27% pupil places in five years' time. What measures are the Council taking to address this high level of surplus capacity at the new school, and what impact is it likely to have on the school's staffing, financial position, and the management of pupil places across the Western Vale?

Reply from the Cabinet Member for Education, Arts and the Welsh Language

The surplus figures referred to relate solely to the outstanding housing allocation and the potential housing numbers coming forward on the site. As stated previously, this does not account for an increase in the uptake of school admissions year on year due to the positive impact and educational opportunities that a new school building brings to an area. There has been an increase in children transferring to the school and the Council would expect numbers to grow further now the school has a visible presence in the area and as a result of the more modern facilities on offer at the new school.

Consequently, the Council will keep the surplus capacity at the school under review in the short to medium term to track how the surplus capacity is decreasing. If there is still a high surplus capacity at the end of the 5-year period since the school became operational the Council will consider measures to improve pupil uptake for the school. This could include reviewing the catchment area, however, specific

No.

measures would need to be considered at the time based upon the relevant contextual issues.

In terms of staffing, the existing staff from Llancarfan Primary School were transferred to the new building on their existing contracts. The Council expects pupil numbers to increase at the school over the next 5-year period based on increased uptake from the surrounding area and from outstanding housing developments within the catchment area. The governing body and Headteacher would need to develop an increased staffing structure for the increase in pupil numbers as intake increases over time. Any proposed changes to staffing would be subject to full consultation with staff and the relevant trades unions where necessary. The Vale of Glamorgan Council will fully support the governors, Headteacher and staff at the school with any employment related matters.

The school finances are calculated through the school funding formula. The funding formula accounts for several factors which include pupil numbers, age weighted pupil units, floor area allocations, ALN funding, lump sum allocations and catering and breakfast clubs funding. The funding allocated on pupil numbers is to ensure the school has sufficient funds to cover the September intake to support the pupils attending the school. The operational costs for the building are covered by the floor area allocations and any relevant lump sum allocations. Although there is a lower pupil intake than predicted this has not affected the running of the school from a financial perspective.

The catchment area for Llancarfan Primary was amended as part of the statutory consultation to move the school to Rhoose. The new school catchment now includes the eastern area of Rhoose to account for the new housing development. In terms of how surplus capacity is managed, the Council will use its School Admission Arrangements Policy to manage school places.

(iv) **Question from Dr. A. Barratt**

At the last Council meeting, the Cabinet Member for Education, Arts and the Welsh Language missed the point of a question I asked about the Council's pupil place modelling assumptions (question vii). I'll reframe the question for clarity: the housing development built to the north west of the railway line in Rhoose has been completed and demand for primary school places is lower than the Council predicted. Therefore is it time to review the Council's modelling assumptions to prevent the generation of excessive surplus places from other new school developments in future?

Reply from the Cabinet Member for Education, Arts and the Welsh Language

As previously submitted, the pupil yield factor from housing developments in the Vale of Glamorgan is comparable to the methodology employed by other Local Authorities. The Council's methodology for calculating pupil yield from housing developments and pupil projections is consistent and the Council is satisfied that it reflects current conditions for school place planning purposes. The current development of 317 units at Golwg Y Mor, excluding 1 bed units, has realised 31 nursery age and 85 primary age children compared to the Council's methodology

No.

predictions of 32 nursery and 88 primary age children for the number of units built. This represents a difference of only 1 nursery and 3 primary age children. The Council considers that the current methodology reflects conditions for determining pupil yield emanating from new developments in the Vale of Glamorgan which is borne out by pupil yield numbers to date.

The Council is satisfied that its pupil yield modelling from new housing developments currently reflects conditions for school place planning purposes in the Vale of Glamorgan. There are no plans to review the methodology in the very near future. Notwithstanding this, the Council will routinely evaluate its methodology from time to time and modify when ever considered necessary.