

No.

THE VALE OF GLAMORGAN COUNCIL

Minutes of Remote Meeting held on 24th July, 2023.

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

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

Present: Councillor Julie Aviet (Mayor); Councillors Gareth Ball, Rhiannon Birch, Bronwen Brooks, Gillian Bruce, Ian Buckley, Lis Burnett, Samantha Campbell, George Carroll, Christine Cave, Charles Champion, Janice Charles, Marianne Cowpe, Pamela Drake, Anthony Ernest, Robert Fisher, Christopher Franks, Wendy Gilligan, Russell Godfrey, Emma Goodjohn, Ewan Goodjohn, Stephen Haines, Howard Hamilton, William Hennessy, Nic Hodges, Mark Hooper, Catherine Iannucci, Gwyn John, Dr. Ian Johnson, Susan Lloyd-Selby, Belinda Loveluck-Edwards, Julie Lynch-Wilson, Kevin Mahoney, Naomi Marshallsea, Michael Morgan, Jayne Norman, Helen Payne, Elliot Penn, Sandra Perkes, Ian Perry, Joanna Protheroe, Carys Stallard, Neil Thomas, Rhys Thomas, Steffan Wiliam, Margaret Wilkinson, Edward Williams and Mark Wilson.

256 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”.

257 MINUTE’S SILENCE –

I would like to advise of the sad passing of former Councillor Neil Brown who served on the Vale of Glamorgan County Borough Council and on the Vale of Glamorgan Council between the years 1991 to 1998, and was Chair of the Vale of Glamorgan Council. A minute’s silence was held as a mark of respect.

258 APOLOGIES FOR ABSENCE –

These were received from Councillors A. Asbrey, A.M. Collins, V.P. Driscoll, S.M. Hanks R. Sivagnanam and N.J. Wood.

259 DECLARATIONS OF INTEREST –

No declarations of interest were received.

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260 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 24th April, 2023 and the minutes of the Annual Meeting held on 10th May, 2023 be approved as a correct record.

261 ANNOUNCEMENTS –

The Mayor advised that since becoming Mayor she had attended 22 varied events, including Civic Ceremonies of Town Mayors and Chair persons across the Vale. She was very impressed by their understanding and care for their own unique areas and their communities, stating that it was these kinds of connections and conversations that would create a more cohesive Vale of Glamorgan.

Leader's Announcement

The Leader took the opportunity to congratulate a number of Vale residents who had been recognised in the King's Birthday Honours, these being: Jane Hutt, MS, Senedd Member for the Vale of Glamorgan, Welsh Government Minister for Social Justice and Chief Whip, who received a CBE in the Honours; Vincent Bailey, a Member of this Council from 2017 to 2022 and Leader of the Conservative Group from 2019 to 2021, received an OBE; Jonathan Cox, Deputy Director of Assistance UK, was also awarded an OBE; Sarah Sharpe, lately a support staff member at the Senedd but previously a Member of this Council for eight years from 2004 to 2012, received an MBE and Michael Wheeler, a dental hygienist and dental workforce lead tutor, was awarded a British Empire Medal. The Leader wished for the Council's congratulations and thanks for their public service to be recorded.

Councillor Carroll wished to add his personal best wishes and those of the Conservative Group to the recipients.

262 DRAFT STANDARDS COMMITTEE ANNUAL REPORT (TOGETHER WITH FEEDBACK FROM POLITICAL GROUP LEADERS ON COMPLIANCE WITH SECTION 62 OF THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021) (REF) –

The reference from Standards Committee of 8th June, 2023 as contained within the agenda was presented by Councillor Birch, Cabinet Member for Education, Arts and the Welsh Language, who advised that this was a reference from Standards Committee, attaching the Committee's Annual Report 2022/2023 for Council's consideration.

Councillor Birch referring to the matter indicated that it was a comprehensive Annual Report providing an overview of the following:

- The terms of reference of the Committee, its structure and membership;
- The number of occasions that the Standards Committee had met during 2022/2023 and the nature of work undertaken by the Committee including

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- details of the Monitoring Officer's meetings with Clerks of Town and Community Councils;
- The Annual Report highlighted the establishment of the All-Wales Standards Committee Forum, referring to the Forum's inaugural meeting in January 2023;
 - Of particular note the Annual Report referred to the statutory duty introduced in May 2022 in respect of the Political Group Leaders' duty and their interface with the Standards Committee, together with the work undertaken by the Standards Committee and Political Group Leaders in adhering to the statutory duty; with the Standards Committee recording within the Annual Report that the Committee was satisfied that the Political Group Leaders had met their statutory duty;
 - The Annual Report also made reference to the meetings attended by the Independent elected members with the Chair of the Standards Committee, however the Standards Committee had recorded within the Annual Report that one Independent elected member did not attend an arranged meeting;
 - The Annual Report noted that no complaints had been considered by the Committee during the year, and indeed no concluded investigation reports had been received from the Public Services Ombudsman for Wales during 2022/2023;
 - Finally, it was noted that the Annual Report contained a recommendation from the Standards Committee that applications for dispensation were received at least seven clear days before a meeting of the Standards Committee, submitted on the proforma provided to assist Members, to enable the applications to be dispatched with the agenda.

In conclusion, she indicated that since the Annual Report had been considered by the Standards Committee, Statutory and Non-Statutory Guidance had been issued by Welsh Government suggesting that the Annual Report be shared with the Public Services Ombudsman for Wales and local Town and Community Councils.

RESOLVED –

(1) T H A T the Annual Report attached at Appendix 1 to the reference from Standards Committee be noted.

(2) T H A T the recommendation included in the Annual Report and set out in paragraph 4.3 of the report as below, insofar as it relates to the Vale of Glamorgan Council and its Members, be agreed.

“The Standards Committee request that all Members of the Vale of Glamorgan Council and Town and Community Councils be advised to ensure that applications for dispensations are received at least seven clear days before a meeting, and on the appropriate proforma, to enable the applications to be dispatched with the agenda.”

(3) T H A T the Standards Committee Annual Report for 2022/2023 be forwarded to the Public Services Ombudsman for Wales and all Town and Community Councils within the Vale of Glamorgan for consideration.

Reasons for decisions

- (1) Having regard to the contents of the report.
- (2) To enable applications for dispensation to be dispatched with the Standards Committee agenda.
- (3) For consideration.

263 CARDIFF CAPITAL REGION CITY DEAL – JOINT SCRUTINY COMMITTEE
NOMINATED DEPUTY (REF) –

The reference from Environment and Regeneration Scrutiny Committee of 20th June, 2023 as contained within the agenda was presented by Councillor Perkes, Chair of Environment and Regeneration Scrutiny Committee, who moved that Councillor I.A.N. Perry be ratified as the nominated deputy to represent the Council on the Cardiff Capital Region City Deal – Overview and Scrutiny Committee, which was seconded by the Leader.

RESOLVED – T H A T Councillor I.A.N. Perry be appointed as the nominated Deputy to represent the Council on the Cardiff Capital Region City Deal – Overview and Scrutiny Committee.

Reason for decision

To appoint a new deputy representative to Cardiff Capital Region City Deal – Joint Overview and Scrutiny Committee

264 AMENDMENTS TO THE COUNCIL'S CONSTITUTION (MO/HLDS) –

The report sought Council approval to amend the current provisions as set out in Section 4, (paragraph 4.6.16) and Section 14 (paragraph 14.11) of the Council's Constitution following the receipt of legal advice from Welsh Government correcting previous advice in relation to Section 92 of the Local Government and Elections (Wales) Act 2021 in regard to who should determine when a Panel Performance Assessment should take place.

Approval was also sought to make further consequential changes, as outlined in paragraphs 2.5 and 2.6 of the report, to the Council's Constitution to reflect changes required as a result of the relevant provisions in the Local Government and Elections (Wales) Act which came into force on 8th May, 2022.

Council approval was sought to amend Section 18, paragraph 18.15.2 (c) to include reference to £300,000 to be in line with the Chief Officers delegation at page 321 of section 26 All Directors or Service Heads paragraph 1.

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Approval to include the Council's agreed threshold for gifts and hospitality for inclusion within the Council's Constitution as set out below was also sought:

- For gifts, material benefits or advantages the threshold is £25 or totalling £100 over a year from a single source.
- For hospitality the threshold is £25 or totalling £100 over a year from a single source.

The report proposed changes to the Council's Constitution so that:

- Cabinet was authorised to determine when a Panel Performance Assessment occurred;
- The local choice functions specified in paragraphs 2.5 and 2.6 of the report were identified as Council functions;
- A paragraph be added into the Contract Procedure Rules to mirror a paragraph in the Council's Procurement Code of Practice to add clarity; and
- The Council's Members' Code of Conduct refer to the threshold for registration of gifts and hospitality as recently agreed by Corporate Performance and Resources Scrutiny Committee and Cabinet.

RESOLVED – T H A T the proposed amendments / additions to the Council's Constitution as set out in paragraphs 2.2 , 2.5, 2.6, 2.7 and 2.9 of the report be approved and that the Council's Constitution be amended accordingly.

Reason for decision

To amend the Council's Constitution to reflect changes previously approved by Council, for clarification purposes and to reflect the advice received from Welsh Government in relation to statutory provisions.

265 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 Miss. M. Ellis**

Could someone please explain why Trevor Baker created a catering company, (The Big Fresh) which Rhiannon Birch also sits on as a Director, and this catering company supplies all schools in the Vale, yet it has an £8 million pension deficit according to its accounts? The Headteachers at some of the schools, and Pencoedtre High School's Chair of Governors, are also Directors of this company, which is clearly a conflict of interest on all fronts!

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

Thank you Mayor and thank you Miss. Ellis for the opportunity to provide information

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in relation to the establishment of The Big Fresh Catering Company and its many achievements.

The establishment of the Big Fresh Catering Company was the outcome of the Council's Reshaping Services programme which began in 2015. Officers and Members from across the Council were involved in its development, with all decisions regarding the formation of the company, its governance, the role of directors and the constitution of the Board a matter for Cabinet, with delegated authority to Learning and Skills in regard to the Service Level Agreement between both parties in delivering statutory requirements for education.

Its development and delivery actually spanned three Council Administrations during which, to my knowledge, it was reported to Cabinet in 2017, 2018 and 2019 and to Learning and Culture Scrutiny Committee in 2018. Those reports are available if requested.

It is a Local Authority Trading Company which operates independently of the Council. A key component of this model is the establishment of a Board of Directors responsible for the strategic operations of the Company.

The inclusion of Headteachers representing schools across the Vale on this Board is a key principle of the Company's primary aim in supporting the provision of school meals and working co-operatively. No Headteachers, Council Officers or Members receive any remuneration for their involvement in the Company, and all Director appointments are carefully considered and determined by the Council.

Big Fresh Catering Company employs over 230 staff and will therefore have some responsibility regarding pension liability, although I do have to say I don't recognise the figures quoted in the question. The Company is regularly audited both by the Council and externally and is currently operating with a surplus.

The benefits of this model to our pupils is significant. Not only has the establishment of Big Fresh Catering significantly contributed to the Council's savings targets, it has also been responsible for supporting community groups and enabling provision such as the Penarth Pier Pavilion via its commercially traded services, without which the Pavilion could well have remained closed and boarded up following the failure of the previous operator mid-pandemic. All surpluses generated by the Company are reinvested into our schools.

In another ground-breaking achievement the Company has been the first in Wales to deliver free school meals to all primary aged pupils in the Vale of Glamorgan, on behalf of the Local Authority.

I hope that you will be able to join me in celebrating a talented and innovative team that has developed a social enterprise that is visited by many other Councils to hear about their work and successes.

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(ii) **Question from Mr. D. Clarke**

Does the Leader agree that the cancellation by PEDW of the Public Inquiry into the Appeal by the Incinerator on Barry Docks relating to the Enforcement Notice issued by the Vale of Glamorgan Council without any new date being fixed is unacceptable? Will the Vale of Glamorgan Council advise PEDW that it agrees that the present situation of apparent inactivity needs to be addressed and a date for the public inquiry needs to be fixed as soon as possible and/or a clear reason given for the apparent inactivity?

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

PEDW have advised that the Inquiry had to be postponed in order for full consideration to be given to the proposed changes to the Notice, that were considered by the Council's Planning Committee in April this year. While it is important that clarity is given as soon as possible by PEDW in relation to re-scheduling of the Inquiry, it is also important that any procedural matters are resolved to ensure efficient running of the Inquiry.

(iii) **Question from Mr. D. Clarke**

Does the Vale of Glamorgan Council agree with the Climate Change Minister, as set out in her letter of 29 July 2021, that the outline planning application 2015/00031/OUT was for a Schedule 1 project and therefore would have required EIA. If the Council disagrees with the CCM decision please let the public know why?

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

There is a complex history to screening directions associated with previous planning applications, at which time Welsh Government screened the proposals as not being EIA development. Whether the previous proposals were EIA development is not fundamental to the merits of the current development or the ongoing appeal. Determining whether the 2015 application was Schedule 1 development would be irrelevant and serve no purpose given the ongoing appeal process.

(iv) **Question from Mr. M. Wallis**

With the delay in issuing the new Flood Map for Wales and TAN15, will the Council take steps to notify NRW of the two obvious deficiencies in the new Map over flooding from the sea, at Aberthaw where the sea frequently overtops the seawall, and on Barry no.2 Dock where recent assessments for the Coalhoist and nearby Incinerator sites have both set the flood-risk level at about 8.9metres AOD, similar to the Waterfront site? It's the Council's direct responsibility as lead Flood Management Authority, as well as its planning responsibility re. TAN 15.

No.

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

If our officers note any possible deficiencies in the flood risk plans for any area, they will of course raise these with NRW, who are the responsible body for the flood maps which form part of the proposed new TAN 15.

(v) **Question from Mrs. C. Ockerby**
(*On behalf of Beautiful Barry.*)

Many properties in the Vale, have no front or side gardens and a very small area at the back. Residents of these houses produce green waste but nothing like 8 bags a fortnight so a permit is not economically viable. Officers have advised these residents to drive to the Recycle Centre but not everyone has access to a car, or use a compost bin which would reduce your recycling figures. There is a massive difference between these residents who will pay £20 and those who produce many more than 30 bags and only pay £30. Why has the Vale neglected to provide a cost effective, green waste collection service for residents who produce only 1 or 2 bags every couple of weeks?

Reply from the Cabinet Member for Neighbourhood and Building Services

The cost of the standard green waste subscription service is intended to capture those properties that only produce small amounts of green waste, which is reflected in the subscription price.

The capacity of up to 8 bags, as part of the standard subscription service, is to give consideration to certain times of the year where additional green waste is produced for seasonal activities, such as hedge or tree pruning.

I am not sure if you have considered how much a resident could have to pay if they sought to use a private land licenced waste company to collect their green waste from the kerbside, but I would suggest that the annual cost of £20 for the collection of 1 bag per fortnight between July and November and access to a ring and request kerbside collection thereafter represents excellent value for money by comparison.

(vi) **Question from Mrs. C. Ockerby**
(*On behalf of Beautiful Barry.*)

Side Roads in the High Street Area. It is fully appreciated that local Councillors are working hard to eliminate the constant fly-tipping issue in this area but it just keeps coming back. With the introduction of 3 weekly black bag collections, are the Council concerned that this will exacerbate fly-tipping in this area and how do they propose to ensure this area is kept clean?

Reply from the Cabinet Member for Neighbourhood and Building Services

This area of High Street in Barry is inspected, and the cleansing standard monitored, 3 times per week and our officers will continue to do so, until the impact of 3-weekly collections is determined.

No.

Additionally, the Council's Environmental Enforcement Officers will be supporting the service through this transition period, and they will be available to promptly respond to any fly-tipping incidents as required.

(vii) **Question from Mr. L. Mack**

With reference to the Statement of Common Ground signed off in the Enforcement Appeal by Mr Ian Robinson, Head of Sustainable Development, could you please explain how a principle can be established when the decision-making process(es) were so negligently pursued without the necessary EIA and the officer could not possibly know what decision would have been arrived at if the process was dealt with lawfully and in a way that safeguarded public health.

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

The Statement of Common Ground (SOCG) refers to the principle of 'a wood fired renewable energy plant' and does not discuss whether the development as constructed (or previous specific proposals) were EIA development. An energy development may (depending on the very specific nature of it, the size of input per day, for example), not be EIA development. Consequently, the SOCG does not infer any particular conclusion about whether the previous applications should have been accompanied by EIAs, and any agreement about the broad principle of an industrial development of this kind in an industrial location is not considered to be dependent on whether EIA is/was required. The content of the SOCG does not prejudice the Council's position in respect of the development that has been built, or pre-judge whether the environmental impacts are acceptable.

266 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 Ewan Goodjohn**

As it stands, what date is the current target to retrofit all Vale of Glamorgan Council housing to an EPC A standard?

Reply from the Executive Leader and Cabinet Member for Performance and Resources (Under the Public Sector Housing and Tenant Engagement Portfolio)

As indicated in the HRA Business Plan which was agreed by Council on 6th March this year, with original targets being set to reduce the carbon footprint by 80% by 2030, this has now been revised to a target of EPC A by 2030 for all social homes. The Council's Housing Asset team is ambitious and working towards the achievement of the Welsh Government's proposed new Welsh Housing Quality Standard (WHQS23). Currently this draft standard seeks to achieve net zero for all Council homes by 2033.

No.

However, the new standard has not been officially launched yet in the light of the current economic crisis, supply chain availability and high demand in the retrofit sector.

(ii) **Question from Councillor Ewan Goodjohn**

In May, the Welsh Government's Minister for Finance and Local Government made an announcement regarding the planned implementation of Council Tax reform including regular revaluations, more progressive bandings, and a review of reductions in April 2025. What analysis has been done by the Council on the reform's impact on the Council's finances and on residents of the Vale?

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

The Welsh Government started a two stage consultation on Council Tax Reforms – A Fairer Tax last August. The first stage of the consultation explored a range of issues around property revaluation, banding, discounts and exemptions and the Council Tax Reduction Scheme in principle.

The Council responded to the Consultation and reported this through Cabinet on 3rd November and also contributed to the debate through Welsh Government hearings.

Welsh Government is continuing to analyse the responses in what is likely to be a fairly lengthy process. The Stage 2 more detailed consultation with specific proposals is expected to be launched this autumn at which point the Council will be able to undertake detailed analysis of the impact on the Vale of Glamorgan's finances and its residents.

(iii) **Question from Councillor R.E. Godfrey**

Signage on the A4232 and Port Road Welcoming people to the Vale of Glamorgan, are so dirty, it is impossible to read them, so therefore what is the point of having the signs if they are not maintained.

When agreement is made to install these signs, is it not part of the sign off to agree a maintenance plan?

Reply from the Cabinet Member for Neighbourhood and Building Services

The service area currently cleans road signs on a reactive basis either as a result of an inspection or when they have been reported defective or dirty by members of the public. Unfortunately, it is not possible to resource a road sign cleaning schedule due to the limited budget available for highway maintenance.

Supplemental

Councillor Godfrey, acknowledging the Cabinet Member's response, highlighted that

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the signage along the A4232 and Port Road had not been cleaned for over 5 years and thought it was a disgrace as it was a gateway to the County.

The Cabinet Member thanked Councillor Godfrey for alerting him and indicated that he would be happy to ask the maintenance team to inspect them.

(vi) **Question from Councillor R.E. Godfrey**

The Vale is like many other areas at crisis point with regards to the amount of potholes across the Vale of Glamorgan. What measures are being put in place to address this issue? I am extremely concerned that the amount of time being taken up of highways officers' time at present, prevents them carrying out their core responsibilities.

Reply from the Cabinet Member for Neighbourhood and Building Services

The service area has engaged additional contractors to manage the amount of pothole / highway defects generated due to the adverse weather experienced earlier this year and it has been a very challenging period. This problem is not unique to the Vale of Glamorgan but as a result of a lack of investment at a national (UK) level for a prolonged period of time.

The Council has been supporting the service area with the use of reserves to supplement the Highway Maintenance budget, as well as allocating as much asset renewal capital funding as possible, bearing in mind our many other capital funding demands. You will probably have noted our update to the Council's 3 year surfacing plan which I reported to Cabinet last Thursday.

The use of reserves to the level of the costs of re-surfacing required year on year would not be appropriate or sustainable. Like many other Councils in Wales, we need the support of our National Government to help fund the ongoing work required. Our officers are currently in the process of updating the asset management data for our highway condition and when completed we intend to approach Welsh Government to seek a year on year contribution to the scheduled maintenance programme for the Authority's highways.

(v) **Question from Councillor R.E. Godfrey**

With a lot of staff now working from home, during the working week, does the Council still require 3 locations for office space?

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

We have been reviewing our requirements for office accommodation generally following the pandemic and change to working practices for our office based staff. This review has been undertaken in consultation with service areas in respect of service specific requirements for their staff to understand the amount and type of accommodation required to support colleagues to work effectively from home and in office-based settings. Through these discussions we have determined that we do

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not require all the space that the Council currently occupies, and we are currently working through options and the conclusions as a result of that work that Cabinet will consider in the next few months. This is consistent with the People Strategy that Cabinet actually considered last week.

(vi) **Question from Councillor J.E. Charles**

What is the total cost incurred to date of the Authority's new waste collection vehicles?

Reply from the Cabinet Member for Neighbourhood and Building Services

Twenty four Romaquip Resource Recovery Vehicles have been purchased to support the Waste Management Business Plan and Strategy agreed by Elected Members in 2022, at a cost of £3,386,752.65. These have been acquired utilising a Welsh Government grant of £1,993,419 and the Council's own vehicle replacement budget of £1,393,337.65.

(vii) **Question from Councillor J.E. Charles**

Will the Cabinet Member please confirm the Authority's future plans for the old waste collection vehicles that have recently been replaced?

Reply from the Cabinet Member for Neighbourhood and Building Services

The fleet management team has already started to decommission the old refuse fleet now redundant as a result of the recent service changes, and these will be sold through Merthyr Motor Auctions.

Merthyr Motor Auctions was appointed following an open tender process. Based on the tender analysis, Merthyr Motor Auctions provided us with the best value as they return the highest sale values when selling specialist vehicles or plant on our behalf.

All income received from the sale of fleet or plant is put back into the vehicle replacement programme to support future vehicle and plant purchases.

(viii) **Question from Councillor J.E. Charles**

Has the Authority carried out any assessment of the potential impacts of recent waste collection changes may have on fly-tipping?

Reply from the Cabinet Member for Neighbourhood and Building Services

The service area already monitors fly-tipping incidents and considers any trends or areas where this occurs. Should these incidents appear to be linked to recent changes in black bag or green waste collections then it will deploy its Recycling Officers and / or the Council's Enforcement Officers to educate, investigate and enforce as necessary.

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Supplemental

Councillor Charles enquired how many people had been prosecuted for fly-tipping in the last year.

The Cabinet Member advised that he would provide Councillor Charles with a written reply.

(ix) Question from Councillor W. A. Hennessy

Will the Cabinet Member please provide assurances that residents will not be subjected to intimidatory enforcement action from the Council when new garden waste charges are implemented?

Reply from the Cabinet Member for Neighbourhood and Building Services

The service area intends to take an educational approach to green waste inappropriately placed out for collection after the introduction of the subscription service. The service will continue with this approach and only consider enforcement action as a last resort. Further, we encourage residents to take up the garden waste collection service which provides excellent value for money in comparison with other Local Authorities that offer this service.

(x) Question from Councillor G.D.D. Carroll

What action is being taken to improve road safety at the junction of the A4055 and B4267 at the Merrie Harrier pub?

Reply from the Cabinet Member for Neighbourhood and Building Services

We are aware of your recent concern over highway safety at this junction following a Road Traffic Collision (RTC) which occurred at the junction on 22nd June, 2023 and involved a vehicle turning right in front of an oncoming vehicle resulting in minor injuries to the occupants. Thankfully neither occupant required hospital treatment. I am advised that a comprehensive response was subsequently provided to you by officers regarding this incident and the management of safety at this junction and I have nothing further to add.

Supplemental

Councillor Carroll, welcoming the fact that a telematics assessment was being carried out at the junction, highlighted that on top of that there was a right turn filter arrow installed at the junction. However, for traffic travelling from Barry Road / Penlan Road the same function had not been used and asked the Cabinet Member to explore whether turning it on would make it safer at the junctions, but feared the Council was waiting for a fatality to occur before taking the necessary action.

The Cabinet Member responded by advising he would no doubt discuss this with his officers and provide a written reply to Councillor Carroll.

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(xi) **Question from Councillor G.D.D. Carroll**

What environmental health assessment has the Council made of the introduction of 3 weekly black bag waste collections?

Reply from the Cabinet Member for Neighbourhood and Building Services

The service area considered the impact of 3-weekly black bag collections as part of its Equality Impact Assessment (EIA). The actions identified as part of this work are to relax the types of containers accepted at the kerbside allowing residents to use lockable hygiene boxes, dustbins and wheeled bins as a way of securing this type of waste and mitigating against offensive smells and odours.

As with any significant service changes in waste, and there have been many over recent years, the impact of the changes will be monitored over the next 3 months to establish if any further service changes or support mechanisms are required.

Supplemental

Councillor Carroll advised that several residents had expressed concerns to him about the impact of storing waste for longer which may lead to and increase in the risk of rats and other environmental health concerns in the communities and asked the Cabinet Member whether he would undertake to monitor this and provide an update to Council in due course.

The Cabinet Member replied that he would obviously update Councillor Carroll and take a report to Scrutiny Committee after a significant period of time.

(xii) **Question from Councillor G.D.D. Carroll**

Will the Cabinet Member please provide an update on investment the Council is making to combat fly-tipping in the Vale?

Reply from the Cabinet Member for Neighbourhood and Building Services

The Council's Enforcement Team features a Waste Crime Unit dedicated to tackling fly-tipping and other associated waste crimes. In addition to the Council's own CCTV system, the team has 18 mobile CCTV cameras which they deploy to gather evidence on fly-tipping offences across the Vale.

Supplemental

Councillor Carroll advised that some laybys on Leckwith Road were hotspots for fly-tipping and asked the Cabinet Member whether he would commit to deploying units there.

The Cabinet Member indicated that he would ask officers to investigate.

No.

(xiii) **Question from Councillor G.D.D. Carroll**

Has the amount of black bag waste collected in the Eastern Vale increased since separated recycling collections were introduced?

Reply from the Cabinet Member for Neighbourhood and Building Services

The service does not record black bag weights by Western Vale, Barry and Eastern Vale areas. These areas were chosen purely as a method of phasing the move to source segregated collections whilst the new Resource Recovery Facility was being built in Barry. Our black bag vehicle rounds cover different areas therefore it is not possible to provide the data you request just for the Eastern Vale.

However, black bag waste has remained relatively consistent, for the month of June 2023 where there was a total 1498.49 tonnes produced (kerbside and all HWRC waste). In comparison in June 2022, it was 1568.18 tonnes indicating that waste has decreased.

Supplemental

Councillor Carroll was pleased to hear that the figures had remained relatively static given that many residents had anecdotally reported that they had placed more waste in their black bags since the new system came into force and asked whether the Cabinet Member thought that a more collaborative approach with residents would have been more appropriate?

The Cabinet Member disagreed. The Council had been very constructive and assistance would be available on request. Residents had done very well. Black bag waste had also gone down not up and he would be happy to send the figures to Councillor Carroll at a later date.

(xiv) **Question from Councillor G.D.D. Carroll**

Will the Leader join me in congratulating Vincent Bailey and Sarah Sharpe, two former members of the Authority were awarded the OBE and MBE respectively in His Majesty the King's Birthday Honours List?

No reply was provided as Councillor Carroll had previously thanked the Leader earlier in the meeting for congratulating those who had received an award.

(xv) **Question from Councillor G. Bruce**

We have already seen an increase in fly-tipping. With the new scheduling in place fly-tipping will exponentially increase. Will the cost to the Council outweigh the cost savings anticipated by this Labour Administration on changing from bi-weekly to tri-weekly collections?

No.

Reply from the Cabinet Member for Neighbourhood and Building Services

I would firstly state that I do not agree with your comments regarding fly-tipping currently or in the future.

It is recognised that initially there will be a need for waste education programmes, additional advice on the Council's website and through social media and potentially enforcement action for the recent changes. But this is not anticipated to outweigh the substantial savings the recent service changes will generate.

It should not be forgotten that fly-tipping is a criminal offence. I am confident that the vast majority of Vale residents would never consider breaking the law and instead will do their best to increase the amount they recycle which in turn will reduce the amount of material needed to be placed in black bags.

(xvi) **Question from Councillor W.A. Hennessy**

Will the Cabinet Member please explain why Council tenants who live in flat complexes pay to have their grass cut, then must pay again to have the grass removed because Council contractors do not collect the grass?

Reply from the Cabinet Member for Neighbourhood and Building Services

The £1.47 weekly service charge for grass cutting pays for 9 cuts per year.

The charge does not cover the removal of cut grass and it is not necessary for this to be removed from Council land.

Supplemental

Councillor Hennessy disagreed with the Cabinet Member, he considered that it was unfair that tenants who lived in Council flat complexes had to pay twice and sought an assurance from the Cabinet Member that he would look into this being included in the next contract.

The Cabinet Member disagreed, saying that tenants did not pay twice as grass cutting was a service charge.

(xvii) **Question from Councillor W.A. Hennessy**

Residents want more dog waste bins and litter bins in Rhoose – will the Cabinet Member assure me that more bins will be provided to deal with the waste and litter?

Reply from the Cabinet Member for Neighbourhood and Building Services

There are only a limited number of bins purchased and installed each year as part of the cleansing services bin replacement programme. We no longer install dog waste bins as dog waste can be deposited in standard litter bins along with other litter.

No.

If you are able to provide details of the location in Rhoose where you believe additional litter bins are required, I will arrange for my officers to undertake an assessment of the litter in these areas to establish if additional bins are indeed warranted.

(xviii) **Question from Councillor C.A. Cave**

What are the current waiting times for the Council's Contact Centre (C1V)?

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

During the current year, residents have had to wait on average for 630 seconds to have their call answered. This is a result of a number of factors including high levels of demand associated with Council Tax Billing and recent changes to Waste Collection services and the service carrying vacancies due to difficulties in recruiting new staff members.

The time residents must wait to have their call answered by Contact One Vale (C1V) is driven by the level of demand and resources available. This can lead to high variability in performance. During week commencing 26th December, 2022, when call demand was significantly lower, average wait time was 21 seconds. In comparison, during week commencing 19th June, 2023, when call demand escalated sharply and resources within C1V were low, wait times rose to 1,076 seconds.

The Contact Centre uses Work Force Optimisation software to forecast demand and match available resources against peaks and troughs to maximise performance. However, when demand increases due to unforeseeable issues caused by weather or issues within other services wait times can rise sharply. Where increased demand is predictable, the C1V team have taken measures to mitigate these. For example, almost 80% of those who have subscribed to the new Garden Waste service have done so online, reducing the number of calls to C1V. In addition, a dedicated telephone service has been created and temporary staff have been recruited to ensure that residents adapting to new collection services can receive support quickly. These measures have meant that residents have had to wait on average 80 seconds to have their call answered.

Supplemental

Councillor Cave asked the Cabinet Member to explain why members of staff at the call handling centre found it necessary to ask members of the public who were phoning to lobby their local Councillors to try and get more staff into their team.

The Leader indicated that this was anecdotal evidence which she hoped Councillor Cave would have reported to the service managers. Staff dealt with a wide range of complex issues. When she spent a few hours with the team they dealt with topics as varied as business support, booking a wedding and changing a name on an allotment. In addition, there were also highly skilled staff who dealt with health and social care calls, who looked for additional opportunities to provide links to well-being

No.

support for callers who may be vulnerable or our telecare services where calls could be a serious or even a life or death situation.

She advised Members who were not aware of the full range of support available through C1V to book a visit and they could then talk to staff in person. She was not aware of such comments and there were plans in place to further support C1V.

(xix) **Question from Councillor C.A. Cave**

Why is the Council considering relocating the current poorly accessible recycling centre in the Western Vale to a small rural village with inadequate access roads?

Reply from the Cabinet Member for Neighbourhood and Building Services

After a number of years searching for an alternative site, there remains only one viable option which is land located next to the “The place for homes” site, Llandow. The service area is aware of the restrictions with the access road, and this is being assessed by our Highway Construction team, in addition to undertaking other due diligence on the site. On completion, the results and recommendations will be presented to Members for consideration.

Supplemental

Councillor Cave agreed it was a viable option, but took issue suggesting that the majority of the recycling came from two major towns and she suggested it would be more appropriate to have an adequate site which could be accessed, not via a small village road.

The Cabinet Member advised that officers had been working hard to identify different locations and if Councillor Cave could provide any evidence or information to assist this he would be very grateful.

(xx) **Question from Councillor C.A. Cave**

How can we avoid Council minutes being approved when they are clearly incorrect?

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

As Councillor Cave would be aware any Member of the relevant Committee can raise a matter of accuracy of the minutes at a meeting and following the Committee’s approval of any proposed amendment for accuracy purposes, the minutes of the previous meeting are then recorded as approved subject to any relevant amendment.

Supplemental

Councillor Cave indicated that one of the dilemmas was that at some meetings Members were asked to agree minutes which were over three months old. Community Liaison Committee was similar, with the Committee being asked to judge

No.

old meetings. She enquired whether it would be possible to design a process with a much quicker turn around, days after the meeting had been held with the minutes to be cleared and shared with all Members on that Committee. This would be a much better way to ensure they were accurate.

The Leader queried whether Councillor Cave wished to change the Council's Constitution in relation to approving minutes. She noted that meetings were recorded and available on the Council's website and Members could refresh their memories by watching recordings of meetings. The Leader also expected Members to have read the reports which they received seven days before a meeting, and if they were not fully content that those minutes were a true reflection of the meeting, then they were able to go back and watch the recording. She did not think she would be minded to review the Constitution for something that had worked very well for many years.

(xxi) **Question from Councillor R.R. Thomas**

Will the Cabinet Member outline what oversight Vale of Glamorgan Council has over the finances of Stanwell School?

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

The responsibility for the finances of the school on a day to day basis is with the Headteacher and School Governing Body. As a Foundation School the Governing Body is also the employer unlike the remainder of the maintained schools in the Vale of Glamorgan where the Council is the employer.

The Council does have oversight of the finances of the school, but the relationship is less direct than with the maintained sector whereby Stanwell has not previously bought in Local Authority finance, HR and payroll services and there has been less access to school level data. As a result of recent developments, the school has now engaged with the Learning and Skills Directorate's financial support SLA and with the Council for payroll services.

Nevertheless, the Council does have oversight through budget setting with the Council being responsible for approval of the annual budget submitted by the school and the Authority also being in receipt of monitoring returns during the course of the year. The school is also accessible to the Local Authority for internal audit which was the case recently when the school was heading into deficit and facing cashflow challenges.

There has been a rolling programme of school reviews in the Council's Annual Audit Plan albeit the schools have historically been seen as a relatively low risk and it is a case that for some Councils in Wales there is no such programme.

Supplemental

Councillor Thomas indicated that the Vale's fair funding scheme for schools outlined that projects must have a nominated suitably qualified project manager approved by the Council and a range of other oversight mechanisms and maintain liaison with the

No.

Council throughout the lifetime of a proposed project. Given this, how were Stanwell's finances allowed to spiral out of control with the cost for the building of the wellbeing centre rising by more than £40m.

The Cabinet Member, in response, advised that they had been informed at a Committee meeting that the School was not adhering to the normal procedures undertaken regarding contracts and she would provide Councillor Thomas with a written reply.

(xxii) **Question from Councillor R.R. Thomas**

What assessment has been made of the adequacy of the Welsh Government's funding formula for schools?

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

A detailed report outlining the financial challenges facing the schools sector in the Vale was presented to Learning and Culture Scrutiny Committee on 15th June, 2023 at the request of the Chair of the Scrutiny Committee.

The Vale of Glamorgan's schools have been challenged on two fronts with the Vale of Glamorgan's needs not being fairly reflected in the funding formula underlying the Council's grant settlement and also the level of resources available to Welsh Government to allocate to Local Authorities in 2023/24.

On the first matter, the formula does not appear to fairly reflect need and the Council has and will continue to lobby for a better settlement.

On the second, the UK Government had made more resources available in the October 2022 budget which flowed through to Wales by way of the Barnett Consequentials. Welsh Government more than passed this through to Welsh Local Authorities and similarly we ourselves added to this in our budget setting. However, in the face of significant inflationary pressures it has been necessary to place an efficiency target on schools and this has meant formulating balanced sustainable budgets is proving very challenging for many of our schools.

Supplemental

Councillor Thomas queried whether the Cabinet Member was aware of the petition on the Senedd website started by Martin Price regarding the inadequate funding formula for schools in Wales, and asked whether she would be signing the petition.

The Cabinet Member advised that she would take advice on the matter.

(xxiii) **Question from Councillor R.R. Thomas**

Will the Leader provide an update on the costs associated with finding a new provider for a hybrid meeting system?

No.

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

Options, supplier information, including costings for the provision of a replacement hybrid meeting solution, were considered and approved at the Cabinet meeting on 8th June, 2023 as a Part I and Part II matter and both reports were subsequently referred to Corporate Performance and Resources Scrutiny Committee on 21st June, 2023. The position has not change since that time.

Supplemental

Councillor Thomas enquired what conversations the Leader had had with the 21 other Councils in Wales which had managed to implement hybrid systems and queried why the Vale did not have hybrid meetings in place and available in September.

The Leader advised that she did speak to Leaders of other Local Authorities on a range of topics; she was aware of which Local Authorities were not live streaming (except for Council meetings), which ones did not provide Welsh language translation, which ones had changed suppliers and she was aware of the difficulties they faced. However her conversations were usually about more important topics such as funding, service provision and care for our most vulnerable. She was aware that progress was being made on this matter.

(xxiv) Question from Councillor I.A.N. Perry

The £26m new road (A4226) between Weycock Cross (Barry) and Sycamore Cross (Bonvilston), includes a significant cutting. Where was the spoil from the cutting disposed?

Reply from the Cabinet Member for Neighbourhood and Building Services

The main cutting on the scheme was to the east of Sutton Fach Farm. The geotechnical feedback report from Jacobs (the designer) states that the material excavated from this area was mainly deposited:

- In the embankment area north of Whitton Lodge.
- In the side road to Dyffryn.
- In the embankment area north of the Moulton turn off.
- In the embankment area north of the River Waycock.

The balance of material was used to Landscaping fill areas on site and none of this material was noted as going off site.

It has also been noted that the Principal Contractor (Alun Griffiths Contractors Limited) used an area at Doghill Farm for their compound during construction and for the deposition and storage of excavated materials during the works. The Principal Contractor currently proposes to retain some material in this area and is currently in direct negotiation on agreement / compensation to the landowner / tenant in this

No.

regard. The Contractor has been advised that they will need planning permission to retain this material and this is a matter for them to resolve.

Supplemental

Councillor Perry queried whether the Cabinet Member had any idea when the compensation of tenant farmers and landowner would be completed, as the road had been completed and opened in 2019.

The Cabinet Member advised that he would check with his officers and provide Councillor Perry with a written reply.

(xxv) **Question from Councillor I.A.N. Perry**

Fear of bicycle theft is a barrier to cycling to destinations and attractions such as Barry Island. What consideration is being given by the Vale Council to providing secure bicycle parking for events and attractions?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

There are several Sheffield style cycle stands located at Barry Island which have CCTV coverage.

As part of the recently constructed Barry Dock Transport Interchange a Bi-Keep facility was installed. These modern stands provide a safer and more secure way of locking a bike. They unlock and lock using an app on a mobile phone and give cyclists piece of mind when leaving their bike.

Additional Bi-Keep, or similar products, may be installed in other areas of the Vale however, this will depend on funding available. Currently minor active travel improvements, such as installing cycle stands, are funded through the Welsh Government's core active travel fund and Section 106 contributions.

(xxvi) **Question from Councillor I.A.N. Perry**

What ideas does the Cabinet have to significantly shift modal share from private cars to public transport and active travel for reaching the attractions of Barry Island?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Harbour Road and the recently constructed Barry Island Link Road incorporate an Active Travel footway / cycleway and this has significantly enhanced active travel opportunities to access Barry Island. The new Barry Docks Transport Interchange will also encourage and facilitate sustainable travel to and from the surrounding areas. It will remain important in the future that Planning allocations and decisions direct development to areas where users and residents have access to active travel linkages as well as improvements to existing infrastructure will be secured wherever possible on larger schemes.

No.

In addition to the above funding we have also secured for the rollout of OVOBikes in Barry which will give residents and visitors another sustainable transport option.

Supplemental

Councillor Perry alluded to shared foot and cycleways being controversial and deterred some people from walking and asked the Cabinet Member if there were any regrets that a segregated cycleway had not been built past the ASDA store to Barry Island.

The Deputy Leader reminded Councillor Perry that the matter would have been part of the original planning application process. On a personal note, she stated that the mixed use seemed to work well and she had not received any complaints.

(xxvii) Question from Councillor I.A.N. Perry

Traffic congestion is a regular feature of the intersections at Culverhouse Cross and Barons Court. What ideas does the Cabinet have for reducing the delays experienced by those traveling by car or driving delivery vehicles?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

As you will be aware, the Culverhouse Cross and Barons Court junctions provide crucial links and hubs to A4232, A4050, A48 (Culverhouse Cross) and A4055, A4160 (Barons Court) which are all main A class roads providing crucial road links between Cardiff and the Vale as well as key access links to the trunk road network and Cardiff International Airport. As such, these routes generate significant traffic particularly at peak times and it is no surprise that with growing car ownership and usage, the traffic flows through these junctions is regularly at capacity and exceeded. Both junctions are controlled by 'intelligent' signalling systems. Culverhouse Cross being controlled by Cardiff Council via its traffic control room, which has access to real time CCTV footage of the junction. Barons Court is controlled by the Vale of Glamorgan and the traffic signals operate in a VA (Vehicle Activation) mode to efficiently manage the flows of traffic from each arm of the junction. Specific improvements were made to the junction in 2013 to assist traffic exiting from Penarth and reduce congestion along this approach to the junction. The Council is currently investigating the possibility of implementing a MOVA system (Microprocessor Optimised Vehicle Actuation) for the traffic signals which can usually enhance traffic flows through standalone junctions. This would assist with any existing capacity issues as MOVA can cater for the full range of traffic conditions, from very low flows through to a junction that is overloaded, so we can actually vary, depending on times and situations.

To deal with capacity issues throughout the Council's local highway network we promote sustainable transport policies to encourage the use of alternative forms of transport including active travel and public transport. To assist with this the Council has introduced both an active travel route as well as bus lanes along the A4050 corridor to promote modal shift and encourage a change in mindset away from the use of the private motor vehicle in accordance with its own and Welsh Government policy. A bus lane has also been provided along the A4050 corridor and the Council

No.

has an ambitious network of active travel routes which it has consulted on and agreed with the Welsh Government which is published on its Active Travel Network Maps website. The Council has been awarded grant funding from Welsh Government to undertake a number of Active Travel improvements, including feasibility, design and small construction projects throughout the Vale of the Glamorgan and details of currently funded schemes can be found on the Council's website pages.

Supplemental

Councillor Perry referred to the growing car ownership in the Vale of Glamorgan and thought that it was the responsibility of the Council to discourage car ownership and actually reduce car ownership in terms of the environment and future generations.

The Deputy Leader indicated that the Council did its best to encourage people to use active travel and other sustainable forms of transport. She was committed to this issue and thought further encouragement would assist and support the shift towards more people using the active travel routes.

(xxviii) **Question from Councillor I.A.N. Perry**

The Housing Department is waiting for determination of two retrospective planning applications (made in September 2021) following an enforcement action from 2019. At what point will the Vale Council Housing Department go to appeal for non-determination by the Vale of Glamorgan Planning Authority?

Reply from the Executive Leader and Cabinet Member for Performance and Resources (Under the Public Sector Housing and Tenant Engagement Portfolio)

The Town and Country Planning Act 1990 and subsequent legislation has no provision to allow Council to submit appeals to the Planning Inspectorate in respect of their own planning application (Regulation 3 applications).

Supplemental

Councillor Perry stated that other retrospective applications had gone to Planning Committee and asked the Leader whether she regretted that a photograph of the route submitted by the Community Council was not circulated prior to or at the meeting, apparently due to an officer experiencing a power cut at their home, despite requests.

The Leader suggested that if Councillor Perry thought there was an error in a planning application he should take that up with the relevant department.

(xxix) **Question from Councillor I.A.N. Perry**

At a meeting of the Planning Committee, I questioned whether the Vale Council had discharged its Public Sector Equality Duty on an application for affordable housing – specifically in relation to the incorporation of a shared surface. Some concern had

No.

been raised in the Health Impact Assessment for the site that stated the “impact can be mitigated by ensuring that contrasting colours are added to the surface to indicate where it is safe for pedestrians” although there is no evidence of this in the final plans. The Planning Committee was told that the Equality Impact Assessment (EIA) for the Local Housing Strategy covered this design detail. Following the meeting I asked to see the EIA, only to discover that the two officers responsible for the EIA had left the employment of the Council and that the EIA had been lost. Given there is now no EIA for the Local Housing Strategy, how can the Vale Council contend that it has discharged its Public Sector Equality Duty in its decision-making on housing development?

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

There is an Equality Impact Assessment for the Council’s Local Housing Strategy and I will ensure that a copy is forwarded.

The Council’s duties under the Equality Act 2010 (EqA 2010), specifically s.149(1), requires the Council as a public body to have *due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EqA 2010*. The duty relates to all protected characteristics, and relates to persons who *may*, as a consequence, suffer discrimination, harassment, victimisation and any other conduct prohibited under the EqA 2010, and who share a relevant protected characteristic, that are connected to that characteristic.

A formal equality impact assessment (EIA) is not a necessary requirement of the obligation to have ‘due regard’. The duty is personal to the decision maker, and requires a proper and conscientious focus on the statutory criteria. The decision cannot be interfered with simply because *it would* have given greater weight to the equality implications *of the decision than did the decision maker*. Essentially, the decision maker must be clear precisely what the equality implications are when they are put in the balance, and the decision maker must recognise the desirability of achieving them, but ultimately it is for the decision maker to decide what weight they should be given in the light of all relevant factors.

The decision relating to Holm View Phase 2 scheme to which Councillor Perry refers, and proposals contained within it, in addition to an analysis of the steps taken by the Council, in exercise of its duties under s.149(1), the PSED, is fulfilled in substance by the EIA carried out in respect to the Local Housing Strategy.

Supplemental

Councillor Perry queried whether an EIA on a strategic document covered design details such as a shared service.

In response the Cabinet Member advised that the public sector equality duty was fulfilled in substance by the EIA carried out in respect of the Local Housing Strategy, so yes.

(xxx) **Question from Councillor I.A.N. Perry**

In 2020, the Vale Council prescribed a replacement primary school for St Nicholas that doubled the size of the school and imposed a one-way system, impassable for larger and agricultural vehicles, on the historic village centre. Residents were frustrated that their responses and input of local knowledge to the various planning documents didn't result in any noticeable considerations or changes – resulting in the Community Council making futile formal complaint of a lack of engagement and invitation to representatives of the Vale Council to attend meetings of the Community Council. The most glaring errors in the proposal resulted in the Planning Committee refusing planning permission – the subsequent planning application removed only the most glaring errors to the disappointment of neighbouring residents. If any lessons were learned from this failed planning application, what were they and when might they be implemented?

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

Councillor Perry continues to ask essentially the same questions about this development in his ward and given Councillor Perry was present at all the Planning Committees when this was discussed and determined, he would be fully aware of both the planning application and the decisions which sought to balance the competing material considerations as set out in the proposals for the new school and the associated Planning Committee report.

The 2020 application related to the increase of pupils from 126 places to 210 places plus the inclusion of a much-needed nursery for the school and village. On receipt of the refusal of the application, the proposals were revisited, and the comments of the Committee considered. However, due to the condition and limitations of the existing building, there remained an urgent need to replace the buildings and facilities to ensure existing and future pupils had a fit for purpose facility.

The changes between the 2020 refused application and the 2022 consented application primarily related to the size of the building. On-site parking was also carefully considered and designed to reduce the impact on the village of St Nicholas. The proposals sought to improve on the existing situation with very limited on-site parking and no drop off facility for parents. The external palette of the building was also changed to reflect a more rural setting.

A comprehensive engagement programme was undertaken, both from an education and planning perspective, which included representation at Community Council meetings alongside a significant amount of communication since the consultation period to address any questions raised by residents.

I am happy that the scheme that was submitted and approved balanced all the relevant competing demands and will provide much needed new accommodation for the children who will attend the new school in St. Nicholas.

No.

(xxxix) **Question from Councillor I.A.N. Perry**

There are about 24,000 gullies in the Vale of Glamorgan with only two gully tankers to carry out basic maintenance work (cleaning). Residents are concerned by the number of gullies that are silted and not functioning properly, potentially affecting road safety and exposing neighbouring properties to flood. Is there sufficient support infrastructure and are just two gully tankers sufficient, to properly maintain the highway gullies?

Reply from the Cabinet Member for Neighbourhood and Building Services

It is recognised that gully cleaning can be challenging, and the effectiveness of the service can be weather dependant and adverse and seasonal changes can have an impact on the efficiency of the service.

There are two highway gully tankers dedicated to the maintenance work and they undertake cleaning of these gullies, on a set schedule. The Highway Maintenance team monitor work progress and if the schedule falls behind, there is an option to bring in a third resource to ensure that service continuity is maintained.

Supplemental

Councillor Perry advised that he had received quite a few complaints regarding gullies and asked if his residents could be assured that highway maintenance in terms of gully clearance would increase in the coming months, particularly with more severe weather coming.

The Cabinet Member replied that this was very much resource dependent.

(xxxix) **Question from Councillor I.A.N. Perry**

Many recently planted trees have died due to the periods of heat and lack of rain we have experienced these last two summers – with more extreme weather forecast for coming years. New trees require expensive care to survive dry summer weather for at least three years – hence trees have died throughout the Vale, particularly on new developments and in the grounds of new 21st Century Schools. Mature trees with their deep roots are now more valuable than ever as they can better withstand these weather conditions. Are there any circumstances when healthy, mature trees should be removed if they pose no threat to buildings, the highway or the health and wellbeing of people?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Consent is not required for the removal of trees where they are not in a conservation area and not protected by a Tree Preservation Order, however a tree felling licence is required from NRW when certain criteria are met (greater than 5 cubic metres of wood) however there are exemptions which includes if the tree is dangerous or for statutory undertakers.

No.

The loss of unprotected trees will always be assessed as part of any planning application for development which involved felling, and if deemed necessary and acceptable, suitable like for like replacement planting on a 2 for 1 basis will be required. This would include single trees, woodlands, or hedgerows. In respect of Council projects, the Council aims to ensure that mature trees are not removed unless there is an overriding justification relating to the delivery of a service, where the removal of the tree is unavoidable.

Supplemental

Councillor Perry enquired whether the Deputy Leader would support Ward Members in changing decisions made to remove trees which did not necessarily require removal?

The Deputy Leader advised that as she was not sure which trees Councillor Perry was referring to and therefore she was unable to provide an answer.

(xxxiii) Question from Councillor I.A.N. Perry

An emergency is a crisis requiring immediate action. This year the world has experienced yet more extreme weather events linked to climate change caused by human activities. Significant changes of approach, practises and project delivery are not evident although there are positive words of intent in various reports. When will we see construction projects delivered that minimise material use, and embodied carbon rather than the can being kicked up the road?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Both National and Welsh Government are currently considering how whole life Carbon assessments can be incorporated within the planning system so a uniform approach can be taken both in respect of the re-use of buildings and for new development proposals. However currently neither government has produced clear policy guidance to be used in the planning process.

Notwithstanding this, as part of the Local Plan review, the Planning Policy team are currently investigating the scope to use Planning policies to require all dwellings and commercial buildings to be built to higher standards towards net zero carbon (more than Building Regulations requirements), and the potential to require whole life carbon assessments or similar for major developments. This kind of policy approach must be evidenced with viability work to ensure that it is deliverable, or it may not get through the Local Plan inquiry process.

I would like to also add that the standards and quality associated with affordable housing development is rapidly changing in Wales. Since 1st April 2021, all new social housing developments in Wales – which are to be supported by Social Housing Grant (SHG) – will have to achieve an energy efficiency rating of EPC A (SAP92+) and use a fabric first approach. Also, in the Autumn of 2021, the new Welsh Government Design Quality Requirements (WDQR 2021) were implemented, placing a greater emphasis on achieving EPC A rating by using Modern Methods of Construction (MMC) and particularly Off-Site Manufacturing (OSM) techniques and

No.

the use of non-fossil fuel based heating and hot water systems. In response to this, the Council's Housing Development Team is ensuring that these new rigorous design and energy efficiency standards are realised in all the current and future Council housing developments that are being brought forward.

The Council is also committed to using off site construction methods wherever practical and the development programme includes new homes designed and constructed that have panelised (2D) or modular (3D) or structural components, manufactured offsite, to improve thermal efficiency, air leakage and construction quality. The Housing Development Team is ensuring materials and especially the timber used in the structural frame, roofing structure and internally are sustainably sourced. We fit energy efficient electric heating and hot water systems, as gas fired heating systems will be phased out for new build homes from 2025. We also install solar photovoltaic panels (PV) and improved energy efficient windows and doors, as well as decentralised Mechanical Extract Ventilation (dMEV) to improve air quality and remove moisture from the home. To minimise the wastage of water, we are fitting low flow sanitary ware, a shallower bath, and diffusers on tap fittings, as well as rainwater harvesting systems. We ensure that there is low air leakage from the fabric of the building. Many of these technologies have been designed into new schemes being constructed at the former Colcot Health Clinic, Barry; Hayeswood Road, Barry; Clos Holm View Phase 2, Barry; Coldbrook Road East, Barry and at St Cyres Road, Penarth.

With a fabric first approach, an appropriate non fossil fuel based heating and hot water strategy, ventilation and the inclusion of on-site energy generation, our objective is to achieve a minimum 31% reduction in the CO2 emission rate, as required by the updated Part L Building Regulations, which controls carbon emissions and the conservation of fuel and power.

Supplemental

Councillor Perry, referring to recent heat events and fires affecting Europe and Asia, asked whether the Council should be minimizing the amount of hard landscaping (parking and large areas of hard surfacing) that is laid down?

The Deputy Leader reminded Councillor Perry that the matter was a planning issue and not part of her portfolio, however she thought the Council was doing its best trying to change the system, but this was a matter for planning consideration.

(xxxiv) Question from Councillor I.A.N. Perry

Cardiff Council are proposing the demolition of County Hall and moving to a shiny new building despite the environmental crisis (including excessive use of scarce materials) that we all face and the need to reuse and repurpose the buildings we already have. Ignoring embodied carbon in buildings and downcycling building materials is unsustainable. As part of the Cardiff Capital Region, will the Vale of Glamorgan Council oppose the environmentally harmful vanity projects of neighbouring Authorities?

No.

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The climate emergency is appreciated, and it is important for all Councils to make responsible and sustainable decisions regarding use of resources. However, It is not possible to comment in detail upon a proposed development until the detail of it is known, including the rationale and case for a development, along with a level of information which would allow its environmental impacts to be considered.

Furthermore, it is not this Council's role or function to comment on any scheme which is of less than regional importance. However, if the Council is consulted on schemes which are regionally important then it would as a matter of course provide comments regarding the impact, if any, on the residents and communities in the Vale of Glamorgan.

(xxxv) **Question from Councillor I.A.N. Perry**

There was a backlash to biofuel production when it was realised that growing fuel in place of food would reduce food security and increase food prices. Now we are inundated with profit hungry companies seeking to exploit the power lines that served the Aberthaw power station – with minimal interest in food security and heritage preservation. Installation of panels compacts soil, channels rainwater and shades the ground beneath the panels and there is no certainty that the private companies installing solar parcs will be any more long-term financially responsible than the likes of Thames Water. What are the concerns of the Cabinet on the nationally significant solar park proposals for the Vale of Glamorgan?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Impact on agricultural land quality is a key consideration for solar park developments. National Planning Policy and the Council's Local Development Plan seek to protect the best and most versatile (BMV) agricultural land. Considerable weight should be given to protecting such land from development, because of its special importance and land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development. Where solar proposals are proposed on BMV land, the impact on food production would need to be weighed by the decision maker against the contribution of the development towards sustainable energy production.

(xxxvi) **Question from Councillor S.J. Haines**

Disabled people are often some of the most vulnerable members of society, and least able to access services provided by the Vale of Glamorgan. Also the Equality Act 2010 states:

1 (1) An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

No.

29 (1) A person (a “service-provider”) concerned with the provision of a service to the public or a section of the public (for payment or not) must not discriminate against a person requiring the service by not providing the person with the service.

29 (4) A service-provider must not victimise a person requiring the service by not providing the person with the service.

Given that the Council has removed the collection of green waste and some disabled people will be unable to access the disposal service provided at the recycling centres, what provisions have been put in place to mitigate any hardship caused?

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

The Leader responded to this question on behalf of the Cabinet Member for Community Engagement, Equalities and Regulatory Services. It should be noted that green waste collections at the kerbside is a non-statutory service and in the hugely difficult times we face the decision that we took last year was to not cancel the service as it is a valuable service to residents but to continue it albeit with a charge. While there is no concession available for the new green waste subscription service the annual charge that has been introduced is below the Welsh average for comparable services. Additionally, the capacity the new service offers is higher than any other subscription service across Wales.

£20 for up to 8 bags
£30 for more than 8 bags.

Like other waste and recycling services the subscription service operates an assisted collection for this service should residents be unable to place their bags on the kerbside. Residents should contact the Council via the usual methods should they wish to be considered for an assisted collection. Residents are also able to use other means to deal with their green waste, including home composting.

Supplemental

Section 20 of the Equalities Act places a duty for service providers to take such steps as are reasonable to avoid putting disabled people at a substantial disadvantage and Councillor Haines queried how the Council was conforming with this duty.

The Leader indicated that the easy option would have been to cancel the service, but officers had worked long and hard to find a suitable solution for assisted collections as outlined in her response. She would ask officers for full details of the Equality Act 2010 and how it applied in this situation and provide him with the information in writing.

(xxxvii) Question from Councillor A.M. Collins

The loss of the 88 service has hit many residents of the Bendricks and surrounding areas in a hard way. These residents relied on the service to attend hospital

No.

appointments, meet friends or just to carry out day to day activities like the food shop. The service also catered to those visiting Ty Hafen to see family. What plans does the Council have in place to mitigate the loss of this service?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Regrettably the loss of the 88 service is an inevitable fallout of the reduction in funding for bus services with the end of Welsh Government's Bus Emergency Scheme. Welsh Government had made funding available to operators since the onset of the COVID-19 pandemic to keep all services running. They were awarded funding on the basis that they would be no worse or better off than they were pre-COVID. However, reduced passenger numbers and rising operating costs meant some services would have to be cancelled.

While additional funding has been made available as part of Welsh Government's proposed Bus Transformation Fund, the available funding is not enough to retain the current bus network.

However, officers are in discussions with bus operators about ways in which other services can cater for the areas that lose out completely with the withdrawal of the 88 service. Consideration is being given to changing routes and timetables but with operators still uncertain on how they will run their services after 24th July it is difficult to say at this time what the options are. However, I can reassure you our officers are and will be investigating all available options.

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

How many households had signed up to the new garden waste collection service before its implementation on 17th July, and what proportion of Vale households does this represent?

Reply from the Cabinet Member for Neighbourhood and Building Services

As of 17th July, 2023, there have been 8,157 subscribers to the new green waste subscription service, with an income value of £170,580. This represents 13.1% (62,698) of all Vale of Glamorgan households and 15.5% (52,392) when excluding flats and apartments.

This continues to increase on a daily basis but we do not expect the subscription to peak until the end of August 2023.

Supplemental

Councillor Dr. Johnson was disappointed in the comparison drawn between the Vale of Glamorgan Service and private services. The figures provided were nowhere near the 60% of service users who used the service last year and he asked the Cabinet Member what assessment he was planning to make on the biodiversity impact of all the changes that were being introduced.

No.

The Cabinet Member responded that the subscription levels were rapidly increasing, in the last week 1,000 more subscriptions had been received, which would obviously help with the biodiversity aspect, together with the cost of actually converting a green site, which was much more than £20 or £30 a year.

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

What were the number of reported fly-tipped incidents in the Vale of Glamorgan in the first six months of 2023, and how does this compare to the same period in 2022?

Reply from the Cabinet Member for Neighbourhood and Building Services

To date there have been 94 fly-tipping incidents reported between 1st January, 2023 to 30th June, 2023. In comparison, in the same period (2022) there were 145 incidents.

Supplemental

Councillor Dr. Johnson wished to know what was actually recorded as fly-tipping and how the Cabinet Member planned to assess any changes in the number of fly-tipping incidents that occurred as a result of the waste changes currently being implemented.

The Cabinet Member reiterated the comments made in his earlier reply, that there would be a three month review and this would be part of it.

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

How many schools, and what proportion of the total number of Vale schools, have set a deficit budget for the 2023/24 financial year?

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

Thank you for your question. 22 schools have submitted deficit budgets to the Local Authority to consider, representing 41% of our schools. Work is ongoing with schools to balance these where possible, and in developing local recovery plans to support a positive balance over a 3-5 year period. Welsh Government has recently published their statistics bulletin for 2023/24, which shows the Vale's education budget has seen the largest percentage increase in Wales at 15.7% and has seen the largest increase in spend per pupil over previous years at 15.1%.

Supplemental

Councillor Dr. Johnson, referring to 40% of schools setting a deficit budget was not a great position to be in, asked the Cabinet Member whether she had any idea of the number of redundancies that would be affected in Vale schools as a result of the current situation.

No.

The Cabinet Member indicated that she would provide a written reply to Councillor Dr. Johnson.

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

What plans does the Vale Council have to provide free school meals for pupils during the Summer holidays, following the Welsh Government's decision to suspend this service?

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

This is a somewhat strange question given that the suspension of the service is primarily due to Plaid Cymru not being willing to support the scheme in the Assembly – perhaps Councillor Dr. Johnson needs to ask his Leader in the Senedd what his plans are?

A number of schools will be operating a Food & Fun School Holiday Enrichment Scheme over the summer period which provides food and nutrition education, physical activity, enrichment sessions and healthy meals to children during the school summer holiday. But I know you will be pleased to hear that we are currently looking at what we can manage within the resources available in our budget at the moment.

Supplemental

Councillor Dr. Johnson queried what consideration had been given to replace that funding and provide free school meals for eligible children over the holiday period, what the costs were and if not why was this not being taken forward.

The Cabinet Member indicated that the matter was being assessed and doing it within available budgets.

(xlii) **Question from Councillor G. Bruce**

Residents' needs in Rhoose are not being met, especially those with disabilities. Five residents with disabilities are now unable to park their vehicles outside their homes because of the bicycle lane the Welsh Government has put in place.

How will this Administration address this situation?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The active travel improvements, funded by Section 106 contributions, were subject to two rounds of consultation and no objections were received about the scheme.

The aim of the improvements was to make it easier for all, including disabled users, to travel around Rhoose by either walking, cycling or wheeling.

Residents on Pothkerry Road did make contact with officers when the scheme was well into construction and were advised that previously there were no allocated

No.

parking bays or indeed disabled bay parking and there was available parking a short walk away from their house.

I would advise individual residents to contact the Council's highways team if they wish to discuss disabled car parking bays. They can do this by visiting the Council website or contacting C1V.

Active Travel scheme consultations are always made available on the Council's website and I would encourage residents to contact the team if they have any issues or objections to a scheme as early as possible so that these can be factored in as part of any feasibility and design work.

Supplemental

Councillor Bruce referenced the Disability Wales Act which stated that if a person needed to park close to their home their local Council could help and queried why these disabled Council tenants were not afforded the courtesy of being asked about their parking needs before the cycle lane was agreed.

The Deputy Leader reiterated that there had been two rounds of consultation and local Members were consulted so there had been plenty of opportunity. If any resident did have a request for a parking bay she encouraged them to contact C1V or their local Councillor so it could be looked at and investigated under the Equality Act.

(xlili) **Question from Councillor J.E. Charles**

Is military compensation currently included within any Grants, Housing or Council Tax means tests?

Reply from the Cabinet Member for Social Care and Health

As a signatory to the Armed Forces Covenant since 2011 we are committed to supporting our Armed Forces community and ensuring that Veterans and their families are not disadvantaged by their service. I was delighted when the Council was awarded the Defence Employers Recognition Scheme Gold Award last year in recognition of that support.

Armed Forces Independence Payments, War Disablement Pensions and War Widows Pensions are disregarded as an income for all means tested benefits. However, any Armed Forces Occupational Pension including lump sums, would be considered as income in means testing. In addition to this income from Armed Forces Compensation Scheme, Guaranteed Income payments, pension Constant Attendance Allowance, Comfort Allowance and War Pensions Mobility Supplement are disregarded in relations to means testing for Disabled Facility Grants.

Supplemental

Councillor Charles enquired whether the Cabinet Member thought it was fair that compensation received by civilians for their injuries was exempt from means testing

No.

while compensation received by ex-service personnel for their injuries was not exempt in certain cases?

The Cabinet Member did not think there should be any disadvantage and asked Councillor Charles to provide him with the details in order that he could look into them as part of the Covenant.

(xliv) **Question from Councillor J.E. Charles**

How many Agency staff are employed by the Council and where are they based?

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

Broadly speaking the majority of our agency staff are employed in the Directorate of Housing and Environment. We work collaboratively with our Trade Union colleagues to continue to review this arrangement, as such utilisation assists us in managing the peaks and troughs of our workload efficiently and effectively.

Agency staff are engaged through the Council's contractual arrangement with a company called Matrix as an efficient and effective method of engaging staff at pace whilst also ensuring all recruitment processes are adhered too. This arrangement has been in place for four years.

The employment of agency worker numbers at July 2023 is as follows:

Environment and Housing	105
Learning and Skills	6
Resources	12
Social Services	35
TOTAL	158

Supplemental

Considering that Wales had the worst employment figures in Great Britain, Councillor Charles asked the Leader whether it would not be better to try and ensure that the Council employed locally or at least in Wales.

The Leader alluded to the current recruitment / employment environment and with the advantages of modern technology skilled staff could be recruited, working agile. She would have expected Councillor Charles to have raised the matter with officers within Human Resources or directly with herself. She was unable to comment further without specifics and requested Councillor Charles to write to her, so she could look into it further.