

THE VALE OF GLAMORGAN COUNCIL

Minutes of a Remote Meeting held on 25th September, 2023.

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

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

Present: Councillor Julie Aviet (Mayor); Councillors Anne Asbrey, Gareth Ball, Rhiannon Birch, Bronwen Brooks, Gillian Bruce, Ian Buckley, Lis Burnett, George Carroll, Christine Cave, Charles Champion, Janice Charles, Millie Collins, Marianne Cowpe, Pamela Drake, Vincent Driscoll, Anthony Ernest, Christopher Franks, Wendy Gilligan, Russell Godfrey, Emma Goodjohn, Ewan Goodjohn, Sally Hanks, 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, Elliot Penn, Sandra Perkes, Ian Perry, Joanna Protheroe, Ruba Sivagnanam, Carys Stallard, Neil Thomas, Rhys Thomas, Steffan Wiliam, Edward Williams, Mark Wilson and Nicholas Wood.

384 ANNOUNCEMENT –

During the business of the Council meeting the Mayor reminded those present of the following: “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”.

385 APOLOGIES FOR ABSENCE –

These were received from Councillors Samantha Campbell, Robert Fisher, Stephen Haines, Helen Payne and Margaret Wilkinson.

386 DECLARATIONS OF INTEREST –

No declarations of interest were received.

387 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 24th July, 2023, subject to the figure on page 248 to be amended to read £250,000, be approved as a correct record.

388 ANNOUNCEMENTS –

- (i) The Mayor stated that there had been several quite moving engagements she had attended over the last month. These included the commemoration and wreath laying events for Merchant Navy Day and the Battle of Britain at Barry and Penarth. She had also taken part in the Farewell Parade at MOD St Athan with other Civic dignitaries to bid farewell to an establishment that had been resident in the Vale of Glamorgan since 1939 and which the Council had had close connections with over the years. The Mayor wished all at the MOD the very best in their future endeavours.
- (ii) The Leader advised that that afternoon she had received a petition of over 13,600 signatures from Protect TY HAFAN Peace supporters who sought to prevent the development of a caravan and holiday park on land at Hayes Road, Sully between Ty Hafan and Beechwood College. As the petition related to a planning application she had forwarded it to the Planning Department for their consideration.

The Leader also advised that she and the Chief Executive, accompanied by officers met with residents of the Waterfront and as promised, concerns raised at the meeting and also by email, had been conveyed to the Consortium at a meeting on Wednesday 20th September. There would now be fortnightly meetings to review progress with weekly updates of progress on delivery of outstanding infrastructure issues to be published on the Council's website alongside the details of the residents' meeting. The Council was also continuing to progress the legal action.

On Friday 22nd September the Leader had also been delighted to join residents of Ogmere for the official opening of their village hall. For forty years this small group of local people had worked tirelessly to deliver a facility for their community. At times it must have felt an impossible task but the end result was spectacular and well worth a visit, it was on the coast, with superb views and a café.

Later on the same day she had joined Newydd Housing and Glamorgan Voluntary Services with many local residents to celebrate the installation of the stained glass windows at St Pauls in Arcot Street, Penarth to complete the development that provided much-needed accommodation and a well-equipped community centre. Designed by local artist Sarah Sweeney with the help of pupils from Stanwell School and the Penarth Civic Society, she was sure the windows and the community centre would become a focal point of the town for decades to come.

- (iii) Councillor Birch, Cabinet Member for Education, Arts and the Welsh Language, was pleased to advise all Councillors about the visit from Jeremy Miles, the MS minister responsible for Education, to two of the Council's newest facilities in the Vale.

First a visit had been undertaken to Y Derw Newydd, an offshoot of Ysgol Y Deri, built on the old Court Road depot site, a good use of a brownfield site. He had been shown the airy light-filled classrooms and the state of the art teaching facilities, as well as the repurposed garages and outbuildings which had been turned into workshops so that students could gain practical skills alongside academic qualifications.

The Minister was full of praise for the school and the Council's commitment to all students being given the chance to fulfil their potential. He was also keen to visit the new Ysgol Y Deri site when it got underway.

The second visit had been to the new Ysgol Sant Baruc, the Welsh medium primary school on the Waterfront. This was another building with light airy rooms, and full access to the outside, and during the visit the Reception class were moving between classrooms and the yard in the course of their imaginative play. The building contractors, Galliford Try, also presented a sizeable cheque to the Head Teacher, Rhian Andrew.

Again the Minister, Jeremy Miles, was impressed by the school facilities and its green credentials; the school building had no gas, it was run on air source heat pumps. There were photo-voltaic panels on the roof feeding into an onsite battery storage system, electric vehicle charging points, and large habitat areas which would increase onsite biodiversity. The Minister offered congratulations to everyone involved it was a very pleasing visit and an opportunity to show off the Vale's investment in its pupils and school's programme.

- (iv) Councillor Mark Wilson, Cabinet Member for Neighbourhood and Building Services took the opportunity to thank the officers of the Council for their sterling work in implementing the recent speed limit TROs and the changing in signage within the Vale. He also asked that if there were any anomalies, that he would be grateful if the residents could contact and advise the Council's call centre or alternatively contact their local councillor. As the implementation was in its early stages he thanked the residents for complying with the legislation and noted that there may well be teething issues which would be ironed out in due course. There would also be a thorough review of speed limits in 2024 and the Welsh Government would provide additional funding and they would be revising their document Circular 24/2009- Setting Local Speed Limits as well as their 30 MPH exception guidance. In conclusion he stated that as the Cabinet member he would along with other members of Cabinet keep Members updated accordingly.
- (v) Petition – Councillor Anne Asbrey presented a petition relating to Lights on the Ash Path, Dinas Powys, on behalf of Cross Common Ward, Dinas Powys which the Mayor advised would be passed to the relevant department for consideration.

389 JOINT OVERVIEW AND SCRUTINY COMMITTEE OF THE SOUTH EAST WALES CORPORATE JOINT COMMITTEE (EL/PR) –

The report sought approval to appoint the Cardiff Capital Region City Deal Joint Overview and Scrutiny Committee (the “JOSC”) as the Joint Overview and Scrutiny Committee for the South East Wales Corporate Joint Committee (CJC) and agree the draft Terms of Reference for their functions.

The Leader, in presenting the report advised that the establishment of the JOSC was in its early stages. Councillor Mahoney commented that he did not see the purpose of such a Committee.

However, following a vote it was subsequently

RESOLVED –

- (1) T H A T the Joint Overview and Scrutiny Committee (JOSC) be appointed as the Joint Overview and Scrutiny Committee for the South East Wales Corporate Joint Committee (CJC).
- (2) T H A T the Draft Terms of Reference for its functions in respect of the CJC, as attached at Appendix 1 to the report, be approved.
- (3) T H A T it be noted that the cost of administering the JOSC for the CJC will be dealt with by a Service Level Agreement between the Rhondda Cynon Taf County Borough Council and the CJC, to be concluded in due course.
- (4) T H A T the CJC JOSC review its Terms of Reference at its first formal meeting and that any amendments be reported to the relevant constituent Local Authorities.
- (5) T H A T the Council’s representation on the JOSC for the CJC be the Chair of the Environment and Regeneration Scrutiny Committee, and Councillor I.A.N. Perry, a member of the Environment and Regeneration Scrutiny Committee as Substitute.

Reasons for decisions

(1-4) To ensure that appropriate overview and scrutiny functions are implemented in respect of the CJC.

(5) The Chair and Councillor Perry as Substitute are the Council’s appointed non-Executive representation on the JOSC for the South East Wales CJC Committee.

390 USE OF THE CHIEF EXECUTIVE’S EMERGENCY POWERS (CX) –

RESOLVED – T H A T the use of the Chief Executive’s Emergency Powers as contained within the report be noted.

Reason for decision

Having regard to the Council's Constitution.

391 SCRUTINY COMMITTEES' ANNUAL REPORT 2022-23 (DCR) –

The Annual Report had been produced in accordance with Section 7.4.4 of the Council's Constitution which stated that "Scrutiny Committees must report annually to Full Council on their workings, with recommendations for their future work programmes and amended working methods if appropriate".

The report detailed the role of Scrutiny, how Scrutiny was undertaken in the Vale of Glamorgan and highlighted key achievements from the work of each Scrutiny Committee, significant events during the Municipal years and future working, specifically in relation to the Council's agreement that the work of Scrutiny should be closely aligned to the four Wellbeing Outcomes of the Council's Corporate Plan 2020-25, and subsequently the four Wellbeing Objectives that formed the main basis of the Council's new Corporate Plan.

Councillor Thomas also clarified that having regard to the statistics and the recommendations referred to Cabinet it was noted that 63.3% of the recommendations had been agreed but it was important to note that although some recommendations had been noted by Cabinet, no recommendations had been disapproved.

Councillor Franks commented that he did not consider that Scrutiny Committees were drilling down into the detail at Committee meetings as they should, and felt that more should be done to train and provide expertise for Members as in his view there was too much time taken up thanking officers.

Councillor Ernest in agreeing with Councillor Franks further stated that the number of pages detailed in the reports did not provide the Committee with the opportunity to drill down as it should with Members being overwhelmed, in his opinion, with the detail of officer reports. He further stated that this was not a criticism rather constructive criticism and suggested that future agendas also have less items on them.

Councillor Thomas in response to both comments stated that Members would be aware of the reports that had been taken to the Committees and which had been considered by the Scrutiny Committees Chairs and Vice-Chairs Group regarding proposals for effective scrutiny. A number of the proposals were being progressed including a Scrutiny workshop to be arranged over the next few months. The Scrutiny Committees Chairs and Vice-Chairs Group had also considered items for Task and Finish work that had been forwarded to the Chairs and Vice-Chairs Group for prioritisation. He further commented on the good work that was being undertaken to promote effective scrutiny and welcomed all Members input during this process and at meetings.

It was subsequently

RESOLVED – T H A T the Scrutiny Committees' Annual Report for the Municipal Year 2022/23 be received.

Reason for decision

To receive the Scrutiny Committees' Annual Report as required under the Council's Constitution.

392 ANNUAL TREASURY MANAGEMENT REPORT 2022/23 (REF) –

The Leader presented the Annual Treasury Management Report for 2022/23 advising that this report had also been considered by the Corporate Performance and Resources Scrutiny Committee on 19th July, 2023 and a further monitoring report had been submitted for Quarter 1 in September 2023 and that this document was now being presented as the Annual Report.

There being no further comments it was subsequently

RESOLVED – T H A T the Annual Treasury Management Report 2021/22 as considered by Cabinet on 6th July, 2023 (Minute No. C45 refers) be approved.

Reason for decision

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

393 PROPOSED TRAFFIC REGULATION ORDER (TRO) FOR EXCEPTIONS TO WALES 20MPH DEFAULT SPEED LIMIT AND IMPLEMENTATION OF ANCILLARY SPEED LIMITS (REF) –

Having regard to the report it was

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C96, 7th September, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

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

394 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 K.P. Mahoney

Can the Cabinet Member confirm the total expenditure for the construction of the new transport hub at the Docks Office; what bus services are routed to call there, what process has been put in place to monitor user numbers and what are the number of bus users that have availed themselves of the new hub so far since its completion?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The total cost of the Scheme is £2.7 million which included all pre-construction work including surveys/ design/ business case, professional fees, construction, site supervision and also client fees. There was no financial cost to the Council and Officer management fees were also funded.

As it stands there are no buses serving the Barry Dock Interchange. There have been service cancellations and reduced frequency of bus services across Wales following the decreased funding made available by Welsh Government as it moves from the more generous 'Bus Emergency Scheme' (BES) to the less generous 'Bus Transition Fund' (BTF).

My Officers are in dialogue with both Adventure Travel and Cardiff Bus about running into and out of the interchange but appreciating the predicament that bus operators are in, with a 30% drop in passenger numbers following the COVID-19 pandemic, they are reluctant at this time to add time to current services or amend timetables which could be at the detriment to other areas where that their routes serve.

Supplemental

Councillor Mahoney queried why a bus shelter why a £2.7 million bus terminal was being built when they don't know whether there would be any bus services to it.

The Cabinet Member in response advised that the new Barry Dock Interchange was part of the Metro enhanced framework that was being taken forward by the Cardiff Capital Region (CCR) which the Vale of Glamorgan Council was a member of.

(ii) Question from Councillor K.P. Mahoney

Given the importance of evaluating before and after levels of vehicle emissions caused by the newly imposed 20 mph speed limits throughout Wales and the Vale of Glamorgan given the fears of vehicle engines now working more inefficiently in lower gears.

I'm sure that any increase in emission readings and subsequent decrease in air quality that may occur would be regarded by all as unacceptable and assurances of readings results by monitoring of course is vital to allay such fears.

Can you list the locations of air quality monitoring equipment installed throughout the Vale before the change and provide the comprehensive readings of these monitoring stations before the imposed new speed limits in order that these readings can be compared with those readings taken after the newly imposed limits come into force and detail when the comparison after imposition readings will be available for comparison?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Each autumn, Cabinet receives the latest Air Quality Monitoring Annual Progress Report for the Vale of Glamorgan Council area.

The most recent Air Quality Annual Progress Report is the 2022 report which reviews air quality data obtained in 2021. This report sets out the locations of some 47 static air quality monitoring locations, together with the air quality results obtained from them for the Nitrogen Dioxide pollutant.

So, for the purposes of this question, the 2022 report would provide the most recently published 'baseline' of air quality monitoring data prior to the recent introduction of 20mph speed limit on certain roads, and this will soon be updated when the 2023 report is published in the coming weeks. As for the air quality picture *after* the recent introduction of the 20mph speed limit on certain roads, full-year data will not be available until the 2024 results are reviewed and published in the 2025 Annual Progress Report, which will be considered by Cabinet in the autumn of 2025.

Supplemental

Councillor Mahoney enquired as to whether he would still have to keep asking for the report and would it be widely publicised.

The Cabinet Member responded by stating that the report would be presented to Cabinet in due course with the Cabinet being recommended to agree that the report be sent to all Members.

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

Following my last question to full Council, could the Cabinet Member confirm from what date Military Compensation has been excluded from means testing and, if the implementation is only recent, will assessments be automatically reviewed and where appropriate retrospective awards made?

Reply from the Cabinet Member for Social Care and Health

I am advised by colleagues in the Benefits service that military compensation has been excluded from Housing Benefit for many years, at least as far back as 1999.

For the Council Tax Reduction scheme, the same provisions have been in place since April 2013 when the scheme started. Prior to this it was Council Tax Benefit which was in line with Housing Benefit as far back as at least 1999.

Regarding Disabled Facilities Grants, the current Housing Renewals Policy has been in place since 2014. We expect a revised Independent Living Policy to be brought to Cabinet in the coming months.

Supplemental

Does the Cabinet Member know how many veterans have received adverse awards and is there a timescale for veterans receiving this, would they be automatic rebates or would they have to apply themselves?

The Cabinet Member in response advised if Councillor Charles could provide specifics he would ask the officers to look into the matter. He was pretty sure that the Vale was one of the best authorities for dealing with such matters and commented that the Council was fully supportive of the Covenant, the Armed Forces and their families.

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

What is the Council's position on a four-day working week?

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

At the moment we are not planning to roll out 4 day working week provisions.

Supplemental

Councillor Carroll in referring to Council Tax increases, charges for garden waste collections and black bag provision he felt residents considered that the Council's performance had deteriorated and asked the Leader whether she would categorically rule out the roll out of a four day working week.

The Leader in response advised that it would be interesting to see the Workforce Partnerships Council's report in the future but she stated that the Council valued its employees and in particular for the superb job they provided. The ability to offer flexibility was one approach and she disagreed with Councillor Carroll's assertions that residents felt the Council's performance had deteriorated.

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

Since charges were introduced for the garden waste collection service, how many instances of late collections (i.e. those which took place after the scheduled collection day) have been recorded?

Reply from the Cabinet Member for Neighbourhood and Building Services

I can advise that the service does not collect this data, although it is recognised that this service may occasionally run behind. You will know that we have a 72 hour contingency period written into the terms and conditions of the new service.

Supplemental

Councillor Carroll asked whether residents could expect a refund if collections did not take place on the date advertised?

The Cabinet Member in response advised that the 72 hours is in the contingency plan and residents were paying for that.

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

When complaints about and criticisms of the Council's performance are raised by the public on social media, what is the Council's policy for responding to them?

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

The Council's Social Media Policy sets out how we aim to engage with citizens online. This is published on the Council's website.

Supplemental

Councillor Carroll asked the Leader to confirm that no member of Council staff have been instructed to use their own personal social media accounts to defend the Council.

The Leader stated that she would be hugely surprised if that was the case but if Councillor Carroll had any specific details to provide her with the accurate information as he would be aware that a number of inaccuracies had been placed on social media by Members of the Council which have had to have been publicly disputed for their lack of accuracy.

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

Now that blanket 20mph speed limits have come into force, what plans does the Council have to review speed limits in the Vale of Glamorgan and make further alterations if necessary?

Reply from the Cabinet Member for Neighbourhood and Building Services

I do not accept the word "blanket" in your question, this is indeed a gross exaggeration and has led people into thinking that every road is now 20mph,

including exemptions, and out of scope of roads where the speed limit is 40mph or higher.

I can advise that the Council will monitor exception roads remaining at 30mph and undertake reviews of those and other roads within its local area, where concerns are raised to ensure that as far as reasonable and practicable speed limits are suitable for the conditions.

Supplemental

What opportunities will be provided to Councillors to scrutinise these decisions.

The Cabinet Member advised that a considerable amount of consultation had been undertaken in the summer on the issue where Members and the public had been afforded the opportunity to respond.

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

Will the Cabinet Member please provide an update on the operational performance of black bag waste collections for flats with communal waste areas, which have remained on a two-weekly cycle?

Reply from the Cabinet Member for Neighbourhood and Building Services

You ask for an 'update on operational performance of black bag collections for flats', but it is unclear from your question as to precisely what information you are seeking. I can however advise that the tonnage of black bags from flats and apartments is not separated from the mainstream collection service, so it is not possible to identify their individual performance, although it is fair to say that it has remained largely static since the introduction of 3-weekly waste for the majority of residents.

Supplemental

What action had been taken by the Council to ensure that collections from communal waste are being addressed?

The Cabinet Member, in response, advised that he was not aware of any issues and requested that Councillor Carroll provide him with any detail in order that he could investigate and respond accordingly.

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

What plans are in place to ensure that the Barry Docks Transport Interchange will be served by buses in future?

Reply from the Cabinet Member for Neighbourhood and Building Services

I refer the Member to the answer to Question 1 at the meeting.

Supplemental

What conversations were Councillor Wilson and Councillor Brooks having with other local authorities and Welsh Government?

Councillor Wilson, in response, stated that as a Member of the Cabinet regular meetings were taking place and lobbying was being undertaken in order to receive a larger amount of funding.

(x) Question from Councillor I.J. Johnson

Welsh Government intend to introduce legislation to stop pavement parking, with a process of exemptions that is likely to be similar to the recent introduction of exemptions to the 20mph default speed limit. What lessons have been learnt from that process that will be of use when the new legislation is brought forward?

Reply from the Cabinet Member for Neighbourhood and Building Services

I do not consider that it is appropriate or sensible to compare the two processes or legislation required at this time. Quite simply – it is premature. However, I can confirm that the Council will fully engage with Welsh Government when the consultation is published with the aim of achieving the most favourable arrangements for this Council to be able to manage and enforce pavement parking infringements.

Supplemental

Councillor Dr. Johnson enquired as to what lessons had been learnt so far.

In response, the Cabinet Member advised that he had nothing further to add.

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

The biomass incinerator on Barry Docks is anticipated to release approximately 130,000 tonnes of biogenic carbon dioxide into the atmosphere at the planned load factor, according to figures agreed by Natural Resources Wales. Assuming a current per capita emission of around 10 tonnes per person, that is the equivalent emissions of nearly a quarter of Barry's population. In planning policy terms, how do carbon intensive developments align with declarations of a climate emergency and carbon zero policies?

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

Natural Resources Wales (NRW) are a key consultee on the current planning applications, and they are responsible for permitting the plant. Both the assessment of the planning applications and NRW's decision whether to grant a permit involve

assessments of the likely environmental impacts, to ensure that developments are only granted planning permission where there not unacceptable environmental impacts.

Supplemental

Councillor Dr. Johnson enquired as to how the Council would ensure that there was a realistic plan to reduce carbon by 2025.

The Cabinet Member referred Councillor Dr. Johnson to her reply to the question advising that the Council was consulting with experts and as officers in the Council were still assessing the planning application it could not be said at this stage as to whether the applicant was not meeting the requirements.

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

Planning application 2015/00031/OUT regarding the Barry biomass incinerator is frequently described as having extant planning permission in that it is capable of being implemented. However, it has also been determined that an Environmental Statement should be submitted as part of an attempt to regularise the development which was not built according to the plans. If the 2015 application was deficient due to the failure to publish an appropriate Environmental Impact Assessment (or whatever terminology is used), how can a development be regularised when it cannot be proven that it would have been granted permission in the first place?

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

The Council's legal advice is that the permission was granted and the absence of an EIA with the previous application does not negate the permission or prevent it from being lawfully implemented. Further, in the absence of a Court quashing the permission it remains extant. Notwithstanding this, the current applications seek to regularise the development as built and are capable of being assessed on their merits, and there is an EIA with the current applications.

Supplemental

How could the Council say that 2015 planning permission should have been granted.

Again the Cabinet Member referred Councillor Dr. Johnson to her reply, advising that Counsel's advice on this matter and the EIA would not have affected the lawfulness of the planning consent.

(xiii) **Question from Councillor C.M. Cowpe**

It was stated in Prime Minister's Questions (PMQS) in July 2023 that £180 million was coming to Wales for transport infrastructure. What share of this will come to the

Vale of Glamorgan and what are the plans to support the transport system with this money?

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

The Executive Leader in response advised that when she had been made aware of the monies made available to the Vale she would advise Members.

(xiv) **Question from Councillor C.M. Cowpe**

PCSO numbers are smaller in the Vale of Glamorgan than any other Authority in South Wales the latest figures available show on average 15.25 PCSOs over a year in the Vale of Glamorgan and 58.25 in Cardiff. Are the Vale of Glamorgan Council happy with this and does the Vale of Glamorgan Council feel that a question re funding should be asked of South Wales Police?

Reply from the Cabinet Member for Leisure, Sport and Wellbeing (under the Public Housing and Tenant Engagement portfolio)

I would firstly advise that we do not recognise the statistics provided. Currently there are 35 Police Community Support Officers (PCSOs) covering every ward in the Vale of Glamorgan. The area allocations and numbers of PCSOs is a decision made by the Police and Crime Commissioner and the Chief Constable. Therefore, any concerns regarding this matter should really be addressed to them.

However, if you are able to provide me with details of the source of your data I will ask my officers to seek a response to this data from the Police.

Supplemental

In response Councillor Cowpe stated that she would forward the figures to the Cabinet.

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

A year ago, almost to the day, at this meeting, I asked the Leader for assurance that the Council would take all reasonable steps to ensure the developers complete all the unfinished works at the Waterfront development.

The minutes show the Leader responded by saying 'Officers are currently working to establish the most appropriate legal mechanism for acting in respect of beaches and failure to deliver the required open space and other infrastructure.'

When I asked for an update at the 5th December meeting last year, the Leader told Council that the 'dispute resolution clause in the legal agreement should be exhausted, before taking formal legal action.'

As the Leader is fully aware, very little has changed on the ground since these statements were made. Residents still have to put up with unsafe roads, inadequate pavements and non-existent public open spaces. For some this has gone on for over four years.

Given the Leader's recent public comments regarding the developers' failure to get the projects completed, I, and the residents of the Waterfront, would welcome a specific update on the legal processes the Council has undertaken on our behalf over the intervening period in relation to the dispute resolution process.

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

I am very surprised at this question given that Councillor Hooper was present at the community meeting that I arranged for Monday of last week. Councillor Hooper would have listened to the discussion and the various answers given by myself and officers to wide ranging questions. I am sure Councillor Hooper will have heard the very detailed answer given by the Chief Executive at the meeting to questions of the same nature as that asked by him this evening.

In addition and as you are aware, all information and updates were now live on the Participate Vale website.

Supplemental

Councillor Hooper enquired as to what had happened between December 2022 and to date and what legal processes had occurred.

In response the Cabinet Member advised that she had had conversations with the Consortium for nearly 10 years. Officers had met with the Waterfront developers and robust meetings had taken place. The Council was expecting updates against the project plan and advised Members that they would not be stopping the legal action that had been put in place.

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

You will be aware that approximately 7 acres of land is due to be passed back to the Council by the developer of the former St Cyres school site, Dinas Powys. The land is allocated for community use.

Unfortunately there have been significant delays in the transfer of this land. Will you indicate when outstanding issues will be resolved?

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

Discussions are ongoing with Barratts David Wilson regarding various works the housebuilder must physically complete at the Community and Recreational Use Zone at Murch Road, Dinas Powys. These are works that must be completed prior

to the c 7 acres of land being transferred by the housebuilder to the Vale of Glamorgan Council. It is anticipated the works will be completed by the Barratts during the Autumn.

Supplemental

Councillor Franks asked the Cabinet Member whether they could be more specific with the date to which the Cabinet Member stated that they could not give a precise date but she would be robust in seeking the completion of the works as soon as possible.

(xvii) Question from Councillor C.P. Franks

Dinas Powys Community Council has requested that Seel Park Play ground be transferred to the Community Council under the provisions of transfer of assets policy. Although a report was due to be presented to Cabinet in April unfortunately there appear to have been progress. Will you provide an update?

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

I am advised that you were provided with an update on this matter by the Director of Environment and Housing via an e mail to a Dinas Powys Community Council Councillor, to which you were copied in, on 13th September 2023.

As advised then, the delay in presenting the land transfer report to Cabinet for its consideration, is down to our technical officers not yet receiving the land valuation report from the externally appointed valuer. As I understand you have also been advised, a Cabinet report on this matter has been prepared in draft and all that is required to complete the report is the land valuation information.

Unfortunately, there is a significant demand for land valuation work at this time and therefore delays with reports being returned. We are expecting the land valuation back before the end of September 2023 and the Cabinet report will be presented to Cabinet following.

Supplemental

Councillor Franks commented that the delay in his view was bringing the Council into disrepute as he was aware that the report to Cabinet was to be drafted in April however, he was grateful for the information and looked forward to receiving the report at the end of September.

(xviii) Question from Councillor C.P. Franks

Given the budget imposes a £2 million cut for Education will you indicate the current state of school budgets, details those schools that are unable to agree a balanced budget and what you propose to do to ensure the curriculum can be delivered?

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

There are currently 21 schools that are anticipating a deficit budget by the end of the current financial year. The regulations state that schools that find themselves in a deficit position must submit a three year recovery plan eradicating that deficit over a few years. There are only 3 schools that are able to balance a three year recovery plan and therefore there are 18 schools that are currently in a non-recoverable budget situation.

Limited additional financial support is available to support schools this year. £2.3m has been ringfenced for energy costs and will be allocated based on the bills received. Additional funding of £200k has also been allocated from reserves to schools in special measures. This funding has been allocated to support the schools with additional staff and training. A further £850k for Additional Learning Needs has also been allocated to schools from reserves. Officers and colleagues from the Central South Consortium continue to work closely with all schools, offering specialist advice in order to ensure that schools remain operational and are appropriately staffed.

Supplemental

Councillor Franks asked how the Council could assure the public that the schools would be able to provide an adequate level of education.

In response the Cabinet Member stated that all services were being monitored.

(xix) Question from Councillor G. Bruce

Councillor Mark Wilson, could you please give me the results of the Feasibility Study that you said officers would undertake on Fonmon Road, Rhoose regarding the usage of bins?

Reply from the Cabinet Member for Neighbourhood and Building Services

Officers have reviewed the usage of the litter bins in the area of Fonmon Road, Rhoose and established that there is some litter bin abuse as well as a bin capacity issue that means that there is a requirement for one additional litter bin in this area.

As a result, I will arrange for the Officer within the service to contact the local Ward Members to agree a location where the new bin can be installed as well as ensuring that any bin abuse is followed up by the Council's Enforcement Team.

(xx) Question from Councillor W.A. Hennessy

Will the Cabinet Member responsible for Neighbourhood Services please advise me if communal areas of going from seven cuts to five cuts a year due to cost pressures?

Reply from the Cabinet Member for Neighbourhood and Building Services

For financial year 2023 / 2024 there are no plans to reduce grass cutting to 5 cuts per year. There will in fact be a total of 8 cuts this year and one cut in early March 2024.

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

The DfT's Traffic Signs Manual states:

The overuse of traffic signs blights the landscape, wastes taxpayers' money and dilutes important safety-critical messages. Clutter also increases risks to road workers and creates additional maintenance burdens.

The proliferation of horse warning signs on single track lanes and primary routes appears well intended but seem to offer little benefit to horse riders whilst burdening us with ongoing costs. The DfT requires Highway Authorities to minimise the use of signage. How many hazard signs warning of horses have been installed and when will those offering little benefit be removed?

Reply from the Cabinet Member for Neighbourhood and Building Services

Across the County 64 signs have been installed. There is no intention to remove any at present.

Supplemental

Would this warning signage be necessary where there is a speed limit of 20 mph.

The Cabinet Member in response stated that it was common practice in the UK to install a Ridden Horses Road Sign in country lanes or where bridleways cross a road. The signs alert drivers to the potential presence of horse riders on the roads. They are in place for the safety of all road users. The project being referred to is being delivered by the Public Rights of Way team and aims provide safe access opportunities for horse and bike users. As the routes adjoin the highway in some areas the signs seek to ensure the safety of existing local users, but also for the additional users once the route is final and published. With 20 mph he thought it would also be safer to all types of users.

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

New posts have been erected to mount new speed limit signage with a contractor providing a team of two and a vehicle for a day to install just six posts and signs. How much does it cost to install a new post and add a speed limit sign on top?

Reply from the Cabinet Member for Neighbourhood and Building Services

The cost to install a standard 76mm diameter post with a 600mm diameter regulatory signs, together with necessary traffic management is on average £1,044.52.

Supplemental

Councillor Perry enquired as to when the signage installation would be completed.

The Cabinet Member asked Councillor Perry to email him and he would respond accordingly.

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

Residents of Bonvilston are bemused by their new speed limit signage that has reduced the signed speed limit from 40mph to 20mph. Noting the Highway Authority officers advice on what is required for a 20mph speed limit, a length of road of 300m or more, a series of at least three streetlights no more than 183m apart, and a minimum number of property frontages, Old Forge provides access to three driveways and a field, has one streetlight and is just 27.2m in length. Are the two posts with new signage that have been added to the junction of Old Forge with Cowbridge Road necessary and do they provide value for public money?

Reply from the Cabinet Member for Neighbourhood and Building Services

The answer is straightforward and has nothing to do with value for money or otherwise. In order to achieve compliance with the relevant Order made by Welsh Government it has been necessary to provide appropriate signing to reflect the legal position and default 20mph speed limit.

Supplemental

Councillor Perry enquired as to whether the new speed limit signage in Bonvilston was consistent.

The Cabinet Member referred Councillor Perry to the Cabinet report of September 2023.

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

The 20mph rollout TRO has reduced the speed limit of Chapel Lane at Trehill to 20mph. Why wasn't the TRO used to also reduce the speed limit of Well Lane to 20mph within the village of St Nicholas where it passes 5 dwellings? And then why wasn't 20 then continued down to the two dwellings at the end of Well Lane, given that the narrow winding lane is used by many people on foot as it forms part of the Millennium Heritage Trail and provides a direct walking link between St Nicholas and Peterston?

Reply from the Cabinet Member for Neighbourhood and Building Services

The subject of 20mph rollout across the Vale was subject to consultation and the recent Cabinet report documented all consultation responses and the assessment of the same. I have no intention of re-rehearsing specific issues at Council and would invite you to read the report in detail.

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

On September 17, 2023 Cowbridge Road at St Nicholas as a restricted road defaulted to 20mph before a TRO came into effect on September 21 to apply a derestricted speed of 30mph – a 50% increase in speed and doubling of ambient road noise pollution than had the Vale Council done nothing. Increasing the speed limit to 30 means that Cowbridge Road, St Nicholas is once again subject to road noise that is harmful to health and well-being and designated for Priority Action for reduction to a safe level in the Welsh Government's Noise and Soundscape Action Plan. How was the action to reintroduce a speed limit that subjects people to harmful levels of noise lawful and what Priority Actions will the Vale of Glamorgan Council take to reduce road noise to an acceptable level?

Reply from the Cabinet Member for Neighbourhood and Building Services

As advised to your earlier question, the subject of 20 mph rollout across the Vale was subject to consultation and the recent Cabinet report documented all consultation responses and the assessment of the same. I have no intention of re-rehearsing specific issues at Council and would invite you to read the report in detail.

I am aware of your concerns over noise in relation to St Nicholas and am also aware as are you, that these have been considered and addressed in detail in previous extensive correspondence with the Council.

Supplemental

Councillor Perry asked what level of confidence would the public have.

The Cabinet Member referred the Councillor to the plans that had been presented to Cabinet.

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

The Trunk Road Agency manages Strategic Routes in Wales, some of which are subject to a 20mph speed limit. Cowbridge Road, St Nicholas and Bonvilston is a Primary Route managed by the local Highway Authority that is occasionally used as a diversionary route for the M4. The M4 is limited in places to 50mph and frequently 40mph. Whilst meeting the criteria of Restricted Roads (street lighting, number of dwellings fronting the road, key buildings, bus stops), at St Nicholas and Bonvilston

the road is derestricted with speed limits of 30mph and 40mph. Should villages be subject to motorway like speed limits?

Reply from the Cabinet Member for Neighbourhood and Building Services

Again, please refer to the Cabinet report which details all responses and assessment of the same.

Supplemental

Councillor Perry asked the Cabinet Member whether he thought that a 45mph limit was too high for Bonvilston.

The Cabinet Member drew Councillor Perry's attention to the Council's website.

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

In their response to issues raised in the 20mh exemption consultation, the Highway Authority claim that residents of and visitors to Trehill (footpaths S11/8/1 & S11/4/2) are able to cross Cowbridge Road at a protected crossing. To reach the nearest crossing requires a 1,000m detour and ability to negotiate footways that narrow from 1.2m to 0.7m and on one side are not continuous. Is the Highway Authority being reasonable in suggesting visitors and residents can make this detour for safe crossing?

Reply from the Cabinet Member for Neighbourhood and Building Services

Again, please refer to the Cabinet report which details all responses and assessment of the same given that this is yet another question relating to the specifics of the 20mph roll out.

Supplemental

Councillor Perry asked the Cabinet Member if he agreed that there were holes in local knowledge.

The Cabinet Member in response stated it depended on how you defined the hole.

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

Why have four bus stops been built south of Barry Docks Railway Station where there are no bus services whilst the 98 bus route passes in front of Barry Station which lacks bus stops directly outside?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

I would refer Councillor Perry to the earlier answer on the Barry Docks Interchange and also refer to the fact that service 98 is no longer in operation.

Supplemental

How many bus services and buses per hour can the four bus stops that have been installed accommodate?

In response the Deputy Leader stated discussions with the Regional Transport Authority with regard to bus services was for future discussions.

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

Residents of the new development in Bonvilston, Cottrell Gardens, have a reasonable walk to a bus stop for eastbound buses. However, there is no bus stop on the other side of the road, the next bus stop adding 350m to the walk, however there is no footway back to the crossing and the road is particularly difficult to cross being wide, having a high 40mph speed limit and carrying a high volume of vehicles. A resident with a sensory, cognitive or mobility impairment will need to walk an extra 800m, crossing the road by the Red Lion Pub. The residents of Cottrell Gardens (and visitors to the Amelia Trust Farm) need a new westbound bus stop at Sycamore Cross for the X2 service whilst bus stops are stand redundant at Barry Docks Railway Station. When will the much needed bus stop be provided?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

The nearest westbound bus stop facility is located on the A48 opposite Sheep's Court Farm which is some 400 metres from the entrance to the new development at Cottrell Gardens in Boverton.

Whilst the distance is not unreasonable, I do accept that accessibility to this bus stop is problematic as it requires pedestrians to cross the wide and busy A48 road without any controlled crossing and no drop kerb facilities to assist mobility impaired users.

We will of course consider all future funding opportunities to make necessary improvements which provide a safer and convenient access to the west bound bus stop facilities for the benefit of all residents in this area, including those at Cottrell Gardens.

Supplemental

Councillor Perry, in referring to City asked could they be requested to consider prioritising bus stops.

The Deputy Leader said that all funding opportunities would be considered to make future improvements.

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

How many children cross the A48 at Bonvilston for school transport where the speed limit is 40mph and also how many where the national speed limit applies?

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

The Council does not collect or hold this data. However, if you wish to discuss any issues with school transport colleagues, I would advise you to contact the Council's passenger transport team direct.

Supplemental

Councillor Perry asked whether the Cabinet were concerned that several children were crossing the road where it was a 60mph limit.

The Cabinet Member in response stated that she would be grateful if the Councillor could forward any specifics to her in order that she could consider and provide a detailed answer.

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

At our previous Full Council Meeting, it was revealed that a contractor whilst employed by the Vale Council has unlawfully landfilled / fly tipped and that a planning application is in the pipeline to try to regularise this activity. How was this allowed to happen – where was the scrutiny, oversight, control of the contractor?

Reply from the Cabinet Member for Neighbourhood and Building Services

I assume you are referring to the Five Mile Lane scheme. And the short answer is that there was no intentional unlawful landfilling or fly-tipping. As a result, the thrust of your question is flawed and what you ask is of no relevance.

Supplemental

Councillor Perry asked where the scrutiny was for a retrospective planning application.

The Cabinet Member considered that as it was not a question he did not need to respond.

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

A contractor was employed on a Design and Build Contract to build the new A4226 and realign the Sycamore Cross intersection. Drawings of the work being done were not available until the day before the work was completed meaning the contract was in fact Build and Design and there was no opportunity for the public to have any input

into the design. Have any lessons been learnt from this experience, and would such a contract be offered for a future engineering scheme?

Reply from the Cabinet Member for Neighbourhood and Building Services

The proposed work for the realigned A4226 was subject to a planning application described as follows....*'Proposal is for online improvements to the existing A4226 between Waycock Cross Roundabout in Barry and the lay-by to the north of the Welsh Hawking Centre and an off line new road provision to the east of the existing A4226 which will reconnect with the existing A4226 just to the south of Blackland Farm'*. Deemed planning consent was granted in December 2016 subject to appropriate conditions. You can access all the planning documents for the Five Mile Lane scheme via the Council's Planning Portal.

Based on the above information, I cannot accept your allegation that there was no opportunity for the public to have any input into the design for this scheme.

Supplemental

Councillor Perry asked what opportunities were available to discuss the removal of the Roman Fort that lay at Whitton Mawr.

In response the Cabinet Member stated that as the question was not related to the previous question he did not need to respond.

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

Llancarfan School was controversially "moved" to South Point in Rhoose leaving the village of Llancarfan without a much-valued hub. In 16 months of being the Elected Member for Llancarfan I've not been briefed on plans for the site despite having made a request to officers be briefed. Perhaps you can brief all Elected Members?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

This was raised in an email by yourself to which you received a response on 19th September, 2023.

Supplemental

Councillor Perry enquired as to when the review would be undertaken of playing fields and open spaces since it was 18 months prior that the minute was written.

The Cabinet Member stated that she understood that a response had previously been given to Councillor Perry on this via email.

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

Rather than sell off all of the Llancarfan School site, will the Vale of Glamorgan provide some public open space with play equipment for local children on part of the site? I note that play equipment in good condition remains within the school grounds although fenced off from residents.

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

Prior to the land being offered on the open market, the availability of the land was made known to Llancarfan Community Council and the Local Service Board Asset Management Group. No interest in the site was forthcoming.

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

Following the death of a child at a pickup/drop off loop within school grounds, school governors have been concerned about the safety of this type of infrastructure, and liability. When C21st Schools hand over the new St Nicholas CIW School building to governors, the governors will have to answer no to one of the RoSPA questions in relation to pedestrian desire lines. Is it fair to force school governors into difficult decisions?

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

No one is forcing anyone into difficult decisions. Furthermore the detailed matters relating to the planning of St Nicholas primary school have been the subject of considerable correspondence between you and officers for a considerable time and you will have received detailed answers to points such as this.

Supplemental

Councillor Perry enquired as to whether there were any lessons learnt from the design and building of the school at South Point?

The Cabinet Member stated that she disagreed with Councillor Perry's assessment and asked him to send specific details to her by email.

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

Residents of St Nicholas, and visitors from further afield, continue to oppose the loss of two mature trees at the front of St Nicholas CIW school, whether this is because they drop leaves each autumn or their roots may damage the surface of a proposed car parking space – I note soft materials being placed over the roots of street trees around the Vale. Trees are important in our battle against Climate Change, but newly planted trees at Cosmeston Country Park, St Davids School, Southpoint School and elsewhere throughout the Vale died in the warm dry weather brought

about by Climate Change this June and in recent years. Would you visit St Nicholas with me to look at the much-valued trees and campaign to save these trees if it is just a choice and not essential to remove them?

Reply from the Deputy Leader and Cabinet Member for Sustainable Places

I would respectfully point out that you have raised this during the application stage and I have seen numerous e-mails from yourself on this topic. I have nothing further to add to the very detailed replies already provided.

Supplemental

Councillor Perry asked whether the Cabinet Member was disappointed that there had been no proper site visit to which the Cabinet Member responded that she was disappointed that Councillor Perry was raising the question as he had received a number of responses on this matter.

395 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. M. Wallis**

The Council's promise to monitor speeds on each of the dozens of 20mph exception roads plus related concerns appears to require substantial resources. Could you outline requirements for the task, including interfacing with the public? Would you consider instead dropping most of the 20mph exceptions and concentrating on the few thought to have significant advantages?

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

The Council's traffic officers will monitor exception roads remaining at 30mph and undertake reviews of those and other roads within the Vale where concerns are raised, to ensure that, as far as reasonable and practicable, speed limits are suitable for the conditions. The public can contact the Council regarding such matters through its normal channels via the website and Contact Centre.

Any future reviews will be carried out after a suitable bedding in period for the default 20mph speed limit and based on updated guidance awaited from Welsh Government in relation to "Circular No: 24/2009 – Setting Local Speed Limits in Wales" with no date yet available from the Welsh Government as to when this will be published.

It is also the case that any monitoring and reviews will be subject to budgets and resources available at the time given the likely demand and this was specifically referenced throughout the Objection report considered by Cabinet. Where necessary, the future assessment or review of roads will likely be prioritised according to safety.

(ii) Question from Mr. D. Clarke

The Cabinet Member for Community Engagement, Equalities and Regulatory Services in a recent letter to Jane Hutt MS confirmed in relation to the recent planning applications for the incinerator on David Davies Road that: "...the service of the notice has been successful in clarifying the legal position of what has been built and in ensuring that a formal planning application is submitted to allow the Council to consider the as built scheme against current policy." Could the Cabinet Member confirm the Council's policy, bearing in mind the Council's declaration of a climate emergency, when considering an application for a development that will, when operating, emit in the order of 130,000 tonnes of carbon dioxide to the atmosphere per annum. How will the Council seek to ensure that such a project will comply with the Welsh Government's target of being net zero by 2035? Could the Cabinet Member also explain how considering the as built scheme against current policy deals with the failure previously to have an Environmental Impact Assessment as the Council is unlikely to have a policy for this failure.

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

The Council's Planning Committee will consider the development as proposed having regard to the Council's adopted Local Development Plan, National policies contained within the Planning Policy Wales edition 11, and Future Wales: The National Plan 2040 and all other relevant material planning considerations. Planning Committee will reach a decision after considering a report which contains a detailed assessment of all relevant material factors.

It is also important to note that the current applications include a relevant Environmental Impact Assessment, and this will form part of the consideration of the current applications, which will be assessed on their own merits.

(iii) Question from Mr. L. Mack

Natural Resources Wales have calculated a flood level 8.75m AOD (0.5% for sea flooding) at East Quay, implying flood depths of around 1 metre in Cory Way, East Quay, David Davies Road and Woodham Road. Emergency vehicles are unable to proceed through flood waters greater than 0.60m or when flow velocities are high. Has the Council produced an appropriate Flood Assessment for these areas? Cyngor Bro Morgannwg is an Emergency Planning Authority and Lead Flood Authority (under the Flood and Water Management Act 2010), so will the Council urgently reassess emergency planning for these flood risks?

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

The Council has a statutory responsibility under the Civil Contingencies Act 2004 to prepare plans for civil protection and respond to emergency situations that affect the Vale of Glamorgan, including flooding. The Council has a Flood Response Plan in

place which was ratified through the Vale Flood Forum, including representation by the Fire and Rescue Service and Natural Resources Wales (NRW).

The Flood Response Plan identifies the role of relevant emergency responders and other relevant organisations and the key procedures to be followed in the event of a flooding incident. There is no statutory duty or function associated with the Lead Local Flood Authority to undertake anything similar to an appropriate flood assessment as referred to by Mr. Mack.

The Flood Response Plan is currently being refreshed but there are no plans to undertake a specific assessment or implement special measures relating to this site. NRW flood warnings are available for the areas identified at potential risk of tidal flooding around the Barry docks via their website.

It appears that the current level of tidal flood risk may have been over interpreted, as the present day 0.5% annual exceedance probability (an event with a 1 in 200 chance of happening annually) tidal flood level is 7.5m Above Ordnance Datum Newlyn. This information has been sourced from the Environment Agency Coastal Design Sea Levels – Coastal Flood Boundary Extreme Sea Levels dataset. This is reflected in the latest [NRW flood maps](#) which only identify a couple of sections of road currently at low risk of tidal flooding, meaning that each year these areas have

a chance of flooding of between 1 in 1000 (0.1%) and 1 in 200 (0.5%) and the remainder at very low risk.

For context, NRW has recently updated the tidal flood maps for this area and the mapping shows only a couple of areas of the roads in question are at low tidal flood risk (each year, this area has a chance of flooding of between 1 in 1000 (0.1%) and 1 in 200 (0.5%)). For a 0.5% Annual Exceedance Probability (1 in 200yr event) as referred to below none of the roads are affected but the quayside would be overtopped and the adjacent scrubland flooded.

Having double-checked the present-day extreme sea-levels for this site the 0.5% Annual Exceedance Probability present day is 7.5m Above Ordnance Datum Newlyn (significantly lower than the 8.75m referred to below) rising to 7.9m Above Ordnance Datum Newlyn for the 0.1% (1 in 1000 year) event which matches with the NRW mapping. The 0.0001% Annual Exceedance Probability (1 in 10,000yr) present day water level of 8.6m is the highest readily available figure which is still slightly lower than the figure Mr. Mack has quoted. It therefore appears likely that the figure quoted by Mr. Mack includes an allowance for sea level rise which would be approximately 1 metre in 100yrs but I am unaware of the detailed source of the figure to investigate any further.