

CABINET

Minutes of a Remote meeting held on 22nd March, 2021.

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

Present: Councillor N. Moore (Chairman); Councillor L. Burnett (Vice-Chairman); Councillors B.T. Gray, P.G. King, K.F. McCaffer, Mrs. M.R. Wilkinson and E. Williams.

Also Present: Councillors G. Cox, Mrs. S.M. Hanks, Dr. I.J. Johnson, M.J.G. Morgan and R.A. Penrose.

C518 MINUTES –

The Executive Leader and Cabinet Member for Performance and Resources referred to Minute No. C513 which related to a deferred matter from the previous meeting. An objection had been brought to Cabinet's attention for consideration and which required clarification. The matter would be addressed further during Item 18 on the meeting agenda.

RESOLVED – T H A T the minutes of the meeting held on 8th March, 2021 be approved as a correct record.

C519 DECLARATIONS OF INTEREST –

No declarations were received.

C520 STATEMENT –

The Leader reminded Vale of Glamorgan residents that the pandemic remained present and made a plea to residents who were given a vaccination appointment to keep that appointment. There had been examples of some people not presenting for their appointment and stressed the importance of everyone getting their vaccination as soon as possible. This may have been as a result of some of the recent negative publicity from some European countries but the Leader hoped that people would continue to be vaccinated, and if anyone had missed their appointment, to contact their GP and rearrange an appointment.

C521 FLOODING EVENT ON 23RD DECEMBER 2020 (REF) –

The Leader referred to the reference from Environment and Regeneration Scrutiny Committee of 16th February, 2021.

Having considered the reference and discussions at the meeting, the Scrutiny Committee had

RECOMMENDED –

(1) T H A T Cabinet review the Council's drain cleaning scheduled, with a suggestion that drains in those areas affected by the floods on 23rd December, 2020 be cleaned on a six monthly basis.

(2) T H A T a representative from Natural Resources Wales be invited to attend a meeting of the Environment and Regeneration Scrutiny Committee in order to outline the flood risk mitigation measures being considered for the Vale of Glamorgan.

Reasons for recommendations

(1) In order to that drains for those areas affected by the floods on 23rd December, 2020 are cleaned on a six monthly basis.

(2) To allow the Scrutiny Committee to consider flood risk mitigation measures being considered for the Vale of Glamorgan.

The Cabinet Member for Neighbourhood Services and Transport had attended the Scrutiny meeting which included significant contributions from a number of people. The meeting offered members of the public who had been affected by flooding the opportunity to contribute and share their experiences. The anxiety and stress that such flooding caused could not be overexaggerated.

The Scrutiny Committee's Recommendation concerning the drain cleaning schedule would be reflected upon in association with the Section 19 report once that had been received in order to be informed by the fullest of pictures and further report would be brought forward for consideration.

Cabinet, having considered the recommendations of the Environment and Regeneration Scrutiny Committee

RESOLVED –

That the comments of the Environment and Regeneration Scrutiny Committee be noted and Cabinet would await the receipt of the forthcoming Section 19 report.

Reason for decision

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

**C522 AUDIT WALES: RESHAPING SERVICES PROGRAMME REVIEW –
VALE OF GLAMORGAN (REF) –**

The Leader referred to the reference from the Audit Committee of 1st March, 2021 together with the report to Corporate Performance and Resources Scrutiny Committee on 18th November, 2020

The Audit Committee had

RESOLVED – T H A T the contents of the report be noted, and the report be referred onto Cabinet for endorsement of the proposed actions for improvement.

Reason for decision

To ensure that the Council responded appropriately and implemented areas of improvement as identified by Audit Wales

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The Leader noted that the findings of Audit Wales were generally positive with the conclusion reached that the Council's Reshaping Services Programme was effectively managed and had helped deliver savings.

There was a question concerning the timescales for completion of actions and it was noted at the meeting that further actions which would be considered by Cabinet would be taken forward, but most actions had been substantially completed.

There was a further question concerning the use of internal or external specialist staff, and it was confirmed that the Council would use a mix of both internal and external specialists depending on the circumstances.

Cabinet, having considered the recommendations of the Audit Committee

RESOLVED – T H A T Audit Committee be thanked for their comments which were noted, and that Cabinet look forward to receiving further reports on the Reshaping Programme and working with Audit Committee to achieve results.

Reason for decision

In order that areas of improvement as identified by Audit Wales are implemented.

C523 CORPORATE RISK REGISTER QUARTER 3 UPDATE (REF) –

The Leader referred to the reference from the Audit Committee of 1st March, 2021.

The Audit Committee had

RESOLVED –

(1) T H A T the Quarter 3 position of corporate risks for the period April 2020-December 2020 as outlined in Annex A to the report be noted.

(2) T H A T any other comments be referred to Cabinet for their consideration and endorsement at the meeting when Cabinet consider a report on the Corporate Risk Register for Q3.

(3) T H A T the implications of new legislation relating to Additional Learning Needs be explored in further detail by the Audit Committee, including impact on those learners with Welsh as a first language during the COVID-19 pandemic.

Reasons for decisions

(1) To identify the Quarter 3 position of corporate risks across the Council and highlight any emerging issues and actions to be taken as outlined in Annex A.

(2) To ensure Cabinet receives the comments of the Audit Committee when considering the Quarter 3 position.

(3) To allow Audit Committee to explore in more detail issues relating to Additional Learning Needs.

The Leader noted the considerable report that provided an overview of the Corporate Risk Register for Quarter 3 (April 2020-December 2020).

There was a question asked concerning a five-year work-force plan as opposed to a longer-term plan; it was noted that the workforce strategy would also contain elements of the Corporate Plan.

Cabinet, having considered the reference and recommendations of the Audit Committee

RESOLVED – T H A T the contents of the report be noted and endorsed, with a further report to Cabinet from Audit Committee concerning the implications of new legislation relating to Additional Learning Needs, including impact on those learners with Welsh as a first language during the COVID-19 pandemic.

Reason for decision

To note and endorse the contents of the report.

**C524 AUDIT WALES: REVIEW OF OUTSOURCED LEISURE SERVICES
(REF) –**

The Leader referred to the reference from the Audit Committee of 1st March, 2021 together with the report to the Healthy Living and Social Care Scrutiny Committee: 12th January, 2021.

The Audit Committee had

RESOLVED –

(1) T H A T the Audit Wales review in Leisure Services be noted and referred to Cabinet for endorsement of the proposed actions to address the proposals for improvement.

(2) T H A T further training and support in relation to the ‘Five Ways of Working’ (Long Term, Prevention, Integration, Collaboration and Involvement) be considered for all Vale of Glamorgan Councillors and relevant Council officers and staff members.

Reasons for decisions

(1) To ensure the Council responds appropriately and implements areas of improvement as identified by Audit Wales.

(2) To increase knowledge and understanding of the ‘Five Ways of Working’.

The Cabinet Member for Leisure, Arts and Culture noted the positive report which included a recommendation for training on the ‘Five Ways of Working’, looking into what more could be done to meet the needs of ethnic minorities particularly in relation to single sex sessions and providing opportunities as far as possible to encourage communities to be more active as part of duties relating to the Equalities Act.

The Leader also noted that income continued to be received under the current contract.

Cabinet, having considered the reference and recommendations of the Audit Committee

RESOLVED – T H A T the contents of the report be noted and endorsed.

Reason for decision

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

C525 JOINT CONSULTATIVE FORUM –

The minutes of Joint Consultative Forum meeting held on 22nd February, 2021 as contained within the agenda were submitted.

The Leader referred to the issue of lone working devices which had been addressed by the Health, Safety and Wellbeing Manager working with the team to ensure the safety of staff, including the use of SoloProtect and the ‘Buddy’ system.

Cabinet also noted the presentation to the Forum on Climate Change which related to a report for consideration later on the Cabinet agenda.

RESOLVED – T H A T the minutes of the Joint Consultative Forum held on 22nd February, 2021 be noted.

Reason for decision

In noting the minutes.

C526 PROJECT ZERO – DRAFT CLIMATE CHANGE CHALLENGE PLAN (L/PR) (SCRUTINY – CORPORATE PERFORMANCE AND RESOURCES) –

The draft Climate Change Challenge Plan set out the Council's response to the climate emergency and the work that would be undertaken as part of Project Zero.

The draft Plan detailed 18 challenges and the steps the Council proposed to take to meet those challenges as part of Project Zero. These challenges were framed around the need to demonstrate strong leadership, fulfil the Council's responsibility to current and future generations and to make a difference now.

The draft Plan also detailed some of the work already underway across the Council as part of work to adapt to and mitigate the impact of climate change. This work also formed part of Project Zero.

The report set out the details for the consultation on the draft Plan which would take place from 23rd March to 11th May, 2021.

The report also set out the timetable for the Plan being approved post consultation and the proposed governance arrangements for Project Zero including scrutiny.

The Deputy Leader referred to the previous declaration of a climate emergency and would be working with and lobbying others going forward to achieve net zero carbon emissions by 2030. She said some of the work going forward would be challenging and she looked forward to hearing the debate at Scrutiny, encouraging members of the public to register to speak and contribute to the overall consultation.

The Managing Director stressed the amount of work to date and on the Strategy itself, as well as the importance of engagement going forward in terms of the Council as a community leader and being able to influence others on what was a pressing agenda.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the draft Climate Change Challenge Plan as the basis for undertaking consultation as described in the report be approved.
- (2) T H A T the consultation programme and timetable be approved.
- (3) T H A T the report be referred to the Corporate Performance and Resources Scrutiny Committee and the Environment and Regeneration Scrutiny Committee for their views on the draft Plan as part of the consultation process.
- (4) T H A T the report be referred to the Community Liaison Committee and the Voluntary Sector Joint Liaison Committee for their views on the draft Plan as part of the consultation process.

Reasons for decisions

- (1) To enable consultation to be undertaken on the draft Plan.
- (2) To confirm the timetable for the consultation and the proposed programme of activity.
- (3) To enable the Corporate Performance and Resources Scrutiny Committee and the Environment and Regeneration Scrutiny Committee to consider the draft Climate Change Challenge Plan.
- (4) To enable the Community Liaison Committee and the Voluntary Sector Joint Liaison Committee to consider the draft Climate Change Challenge Plan.

C527 ARRANGEMENTS FOR THE COMMENCEMENT OF THE SOCIO-ECONOMIC DUTY (L/PR) (SCRUTINY – LEARNING AND CULTURE) –

The report brought to the attention of the Cabinet the Council's arrangements for meeting the requirements of the Welsh Government's commencement of the Socio-economic Duty on 31st March, 2021.

The Welsh Government issued interim guidance on 1st April, 2020 and would issue statutory guidance on 31st March, 2021. The statutory guidance had been co-produced by the Welsh Government, relevant public body representatives, and other key stakeholders through a series of events.

When the duty commences on 31st March 2021, if a relevant public body failed to perform a duty, an individual or group whose interests were adversely affected by that public body's decision, may be able to bring a judicial review claim against that authority.

The Council had amended its equality impact assessment process to facilitate consideration of the socio-economic duty and would further review this following issue of the statutory guidance.

The Leader added an additional recommendation to delegate authority to the Managing Director, in consultation with the Cabinet Member for Performance and Resources, to amend the Equalities Impact Assessment as appropriate once statutory guidance had been received at the end of March 2021 and report any necessary changes to Cabinet.

The Deputy Leader said that Cabinet had had to consider reports concerning the impact of deprivation on children in schools, those eligible for free school meals not achieving as well as some peers, etc. She further noted in the review undertaken by Public Services Board that some of the most disadvantaged communities had a healthy life expectancy 23 years less than in some other communities in the Vale of Glamorgan, which was deeply concerning and needed to be addressed as part of the Equalities Impact Assessment.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting new Recommendation (4)

RESOLVED –

- (1) T H A T the content of the report and appendices be noted.
- (2) T H A T the amended equality impact assessment process as described in the body of the report and in Appendix A be approved.
- (3) T H A T the briefing note designed to raise awareness of the socio-economic duty (Appendix B to the report) be approved.
- (4) T H A T the Managing Director, in consultation with the Cabinet Member for Performance and Resources, be given delegated authority to amend the Equalities Impact Assessment as appropriate once statutory guidance has been received at the end of March 2021 and report any necessary changes to Cabinet.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To ensure the Council's amended equality impact assessment process that would facilitate consideration of the socio-economic duty was approved for use.
- (3) To provide an overview of the briefing to raise awareness of the socio-economic duty.
- (4) To enable amendments to the Equalities Impact Assessment and report any necessary changes to Cabinet as appropriate further to the receipt of statutory guidance at the end of March 2021.

C528 REVIEW OF STATUES, MONUMENTS, STREET NAMES AND BUILDING NAMES – REVIEW PANEL TERMS OF REFERENCE (L/PR) (SCRUTINY – LEARNING AND CULTURE) –

In January 2021, Cabinet approved the Terms of Reference for the Review Panel to assist in the review of statues, monuments, street names and building names in the Vale of Glamorgan, in light of the Black Lives Matter movement as previously requested by Cabinet in November 2020.

The Panel met for the first time and had proposed that Cabinet consider making changes to the Terms of Reference to change the membership which would enhance the inclusivity and independence of the Panel, including to include other political groups and to consider whether a standing representative from a history society should be included, or specific advice sought from individual experts on individual matters.

The Deputy Leader said that the Panel should be fleet of foot and the proposed changes to the Terms of Reference as a result of the first meeting would provide one degree of separation from Cabinet.

Councillor Williams recognised that time had been taken to establish the right membership of the Panel in order to produce proposals that would properly suit and represent the residents of the Vale of Glamorgan.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the report be noted.
- (2) T H A T the revised Terms of Reference for the Review Panel as described in the report and at Appendix A be endorsed.
- (3) T H A T, subject to Recommendation (2), Democratic Services contact the Leaders of the Council's political groups to request one nomination each to join the Review Panel.
- (4) T H A T the report be referred to Learning and Culture Scrutiny Committee for their consideration and to provide a further update on the work of the Review.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) Having considered the Panel's proposals regarding the membership of the Review Panel.

- (3) To enable the representation as proposed.
- (4) To provide Learning and Culture Scrutiny Committee with an update as matters were progressing.

C529 UPDATE ON THE PROPOSAL TO INCREASE THE NUMBER OF PRIMARY SCHOOL PLACES IN COWBRIDGE TO MEET THE INCREASED DEMAND AS A RESULT OF RECENT AND PROPOSED HOUSING DEVELOPMENTS (DL / ER) (SCRUTINY – LEARNING AND CULTURE) –

On 21st December, 2020, Cabinet considered feedback submitted during the consultation period on the proposal to increase the number of primary school places in Cowbridge from September 2022 by:

- Changing the age range of Cowbridge Comprehensive School from 11 – 19 to 3 – 19;
- Increasing the capacity of Cowbridge Comprehensive School from 1,586 places to 1,796 places to accommodate 210 English medium primary school places with an additional 48 part-time nursery places; and
- Constructing a new school building on the Cowbridge Comprehensive School site to accommodate the primary and nursery places.

On 21st December, 2020, Cabinet determined to progress the proposal through the publication of a statutory notice, which was published on 13th January, 2021. In accordance with the School Standards and Organisation (Wales) Act 2013, any person could object to the proposal within 28 days from the publication of the statutory notice.

The Council received 92 objections by the end of the 28 day objection period. The objections had been summarised and responded to in the attached objection report at Appendix D for Cabinet to consider as part of the decision-making process. The majority of the issues raised were addressed within the Consultation Report which was considered by Cabinet on 21st December, 2020.

A decision was now required on whether to implement the proposal to increase the number of primary places in Cowbridge from September 2022.

A competitive procurement exercise had been undertaken to appoint a contractor to design and build the proposed school building. Further details of the tender evaluation were outlined in the Part II item on this agenda.

The Deputy Leader referred to the first consultation on the first proposal where a range of views were expressed, including a desire for the school not to get bigger and to stay on the town centre site and in the heart of the community, which had been listened to and formed the basis for the proposal for the additional capacity for primary school provision.

In the interim period the existing buildings would continue to be maintained; the Deputy Leader advised that last Friday she had authorised £240k for ongoing maintenance at Y Bont Faen Primary School.

Councillor Gray acknowledged that a lot of the comments, even as part of the Statutory Notice, focused strongly on Y Bont Faen School. The local Members had been champions for Y Bont Faen School and instrumental in conversations with the community when discussing the proposals, and those consultations had led to changes being made. More places were needed in Cowbridge and the responses on how to move forward had been listened to. It was important to note the ongoing commitment to all schools across the Vale of Glamorgan that still required support and how impressive the 21st Century Schools Programme had been in providing new schools, but this was not possible all at once. Students, parents, Governors and Members should note that Y Bont Faen and other schools had not been forgotten, illustrated by the commitment from repairs funding for ongoing support. A great deal had been achieved in partnership with Welsh Government as part of the 21st Century Schools Programme which also helped delivery for local economies. He also extended his thanks to all staff working as part of the 21st Century Schools Programme.

The Leader agreed that sight had not been lost of the fact that there was a need to meet the need for places to be addressed.

This was a matter for Executive decision.

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

RESOLVED –

- (1) T H A T the report, the consultation document, consultation report, statutory notice, formal objections and objection report be noted.
- (2) T H A T implementation of the proposal to make regulated alterations under section 2.3 of the School Organisation Code 2018 be approved by:
 - Changing the age range of Cowbridge Comprehensive School from 11 – 19 to 3 – 19;
 - Increasing the capacity of Cowbridge Comprehensive School from 1,586 places to 1,796 places to accommodate 210 English medium primary school places with an additional 48 part-time nursery places; and
 - Constructing a new school building on the Cowbridge Comprehensive School site to accommodate the primary and nursery places.
- (3) T H A T, with the approval of Recommendations (1) and (2), the additional recommendations in relation to the design and construction of the new building contained within the Part II report later in this agenda be considered.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) In order to implement the proposal.
- (3) To appoint a contractor to design and build the proposed new primary school building on the Cowbridge Comprehensive School site.

**C530 SCHOOL ADMISSION ARRANGEMENTS 2022/2023 (DL / ER)
(SCRUTINY – LEARNING AND CULTURE) –**

The purpose of the report was to advise Cabinet of the outcome of the statutory consultation on the school admission arrangements for the academic year 2022/23 for admission to Community Schools in accordance with the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.

The Council received 165 responses by the closing date of 8th February, 2021. Of the 165 individual responses 71 consultees were in support of the proposals and 94 were opposed. A summary of the key themes and issues raised during the consultation exercise was included in the consultation report attached at Appendix B.

The Council had a statutory duty to consult on school admission arrangements annually and to determine the arrangements for 2022/23 following appropriate consultation by no later than 15th April, 2021.

The Deputy Leader said this was another example where consultation responses had changed proposals.

Even during the pandemic, Council Officers had made time to ensure that meaningful, relevant and transparent engagement with stakeholders as part of the consultation process took place and schools had also engaged constructively. Councillor Burnett passed on her thanks for the positive engagement.

The Deputy Leader proposed a fourth Recommendation that expressed thanks from the Cabinet to Education Admissions staff of the Vale of Glamorgan Council and school staff in engaging to find a constructive solution to a difficult problem.

The Leader proposed a fifth Recommendation using the Urgent Decision Procedure set out in Section 14:14 of the Council's Constitution in order to meet the deadline of the 15th April, 2021.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting new Recommendations (4) and (5)

RESOLVED –

- (1) T H A T the report, the consultation report and other appendices included as part of the report be noted.
- (2) T H A T the School Admissions Policy at Appendix A to the report, including an additional criterion prioritising admission of ex feeder pupils on roll at a primary school prior to the withdrawal of the ‘feeder system’ as part of the oversubscription criteria, until the end of academic year 2024/25 following which it would be removed, be approved.
- (3) T H A T the proposed changes to Ysgol Dewi Sant and Ysgol St. Baruc School catchment areas for 2022/23 be approved.
- (4) T H A T Cabinet expressed thanks to Education Admissions staff of the Vale of Glamorgan Council and school staff in engaging to find a constructive solution to a difficult problem.
- (5) T H A T the Urgent Decision Procedure set out in Section 14:14 of the Council's Constitution be approved in order to meet the deadline of 15th April, 2021.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) The Council was required to consult on school admissions annually and report on the outcome of the consultation and any proposals which arose from it.
- (3) To ensure that the Council reviews its school admission arrangements annually, keep school catchment areas under review, and to determine its admissions arrangements by 15th April, 2021 following statutory consultation.
- (4) To thank those who contributed to the positive engagement process.
- (5) The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

**C531 PROPOSED EVENTS PROGRAMME 2021 – 2022 WITH
CORONAVIRUS UPDATE (DL / ER) (SCRUTINY – CORPORATE
PERFORMANCE AND RESOURCES) –**

Prior to the Coronavirus (COVID-19) outbreak, the Council organised and supported an annual and diverse programme of events across the Vale of Glamorgan.

Due to the increase in COVID-19 cases across the Country and following Welsh Government guidance and legislation, both Council events and externally organised events on Council land in the Vale of Glamorgan were either cancelled for the year 2020/2021 or postponed to 2021/2022.

The report recognised the current lockdown and COVID restrictions in place in the Vale of Glamorgan and made suggestions for an events programme – on the basis of a relaxation and lifting of restrictions during the course of 2021/22.

It was suggested that, for 2021/22, the proposed programme be refocused to deliver safe events that supported the economy of Town Centres, the Coast and Country Parks by working in partnership with providers in line with recommendations of the Welsh Government.

Suggestions included outdoor events spread out over longer periods of time such as weeks or months, so as not to cause large gatherings, and taking place in venues across the Vale.

Events would require the specific approval of Council Senior Leadership Team (SLT) and Event Safety Advisory Group (ESAG).

Appendix A to the report detailed proposed events with costs.

The Deputy Leader said that the Council had continued to be in conversation with the external organisations during the last year as a result of the COVID-19 restrictions. In staging events it was hoped that work would take place with many more local and creative businesses and hold more ‘Meet the Buyer’ events.

Councillor Gray hoped that every suggested event listed in Appendix A to the report could happen as it would be a boost for people’s mental health and wellbeing to attend such events. Previous events where people had been able to gather in numbers had boosted visitor numbers to the Vale of Glamorgan and its resorts and it was hoped that events could take place, restrictions permitting.

The Leader highlighted paragraphs 2.11 and 2.12 of the report which stated that the Council had worked with external event organisers to reschedule several events due to be held on Council land and that those meetings with organisers were ongoing as COVID restrictions become eased and more people become vaccinated.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H AT the proposed events for the year 2021-2022 (Appendix. A to the report), subject to current legislation in place at that time, be approved.

(2) T H A T the Head of Regeneration and Planning be granted delegated powers, in consultation with the Cabinet Member for Education and Regeneration, to implement changes to the events programme, in particular to respond to the changing environment governed by COVID-19 in future months.

Reasons for decisions

- (1) To approve the proposed events programme 2021-2022.
- (2) To, where possible, support events in the Vale of Glamorgan by changing the focus of the events programme in line with the legislation associated with the COVID-19 outbreak, and as new Welsh Government legislation was introduced.

C532 PENARTH OLDER PERSONS HOUSING WITH CARE COMPLEX (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) –

The report sought authority to facilitate a project called Penarth Older Persons Housing with Care Complex. The project aimed to provide much needed older persons homes and integrated health facilities, subject to statutory consents and funding.

The project was proposed on 3.6 acres of vacant Council owned land (edged red in Appendix A to the report). The land was within the portfolio of Housing Services and was part of an adopted Local Development Plan Housing Allocation Site (shaded blue in Appendix A to the report) and was situated alongside Oak Court (an existing older persons residential facility operated by Wales and West Housing Association) near to Ty Dewi Sant (a dementia friendly care home operated by the Council).

It was intended to deliver a high-quality master planned development on the Council's land edged in red in collaboration with Wales and West Housing Association, comprising:

- (a) a new Extra Care residential block (numbers to be confirmed following the completion of a detailed feasibility and pre-planning exercise) to be delivered by Wales and West Housing Association, subject to contract; and
- (b) additional older persons' independent living accommodation (numbers to be confirmed) to be delivered by the Council.

The vision for the project was a comprehensive master plan scheme aimed at creating a critical mass of new and existing older persons' housing, social care and health facilities, promoting a village and shared community facility ethos.

The Cabinet Member for Housing and Building Services said there was a Local Letting Policy for this area so the benefits would be for the people of Penarth. It would enable residents to remain in their own homes for longer, which people preferred to do.

The Deputy Leader noted that the report had taken a time to come forward but would be of benefit to older people in Penarth, helping them to maintain their Independence. Having extra care provision on the same site alongside independent living provision was welcomed and took away some of the worries of the older residents in Penarth as they could live independently, or access support as required.

The Leader said it was about enhancing quality of life and added his thanks to the Officers for the work done to bring the matter forward.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the Penarth Older Persons Housing with Care Complex Project be endorsed and authority granted for the Head of Housing and Building Services to facilitate delivery of the project (in consultation with the Project Board identified in the report) subject to the appropriate legislative provisions, statutory consents and funding.

(2) T H A T authority be granted for the Head of Housing and Building Services (in consultation with the Project Board identified in the report) to determine the site boundary for an Extra Care development within part of the land indicatively edged red on the plan in Appendix A to the report; and to negotiate terms and conditions for disposal of the Extra Care site to Wales and West Housing Association, subject to the appropriate legislative provisions, any statutory consents required and the Extra Care site being declared surplus at a future Cabinet meeting.

(3) T H A T authority be granted for the Head of Housing and Building Services (in consultation with the Project Board identified in the report) to review Wales and West Housing Association's existing lease for Oak Court and as appropriate to facilitating the overall project, negotiate terms and conditions for the disposal of a new interest in the Oak Court site to Wales and West Housing Association, subject to the appropriate legislative provisions and any statutory consents required.

(4) T H A T authority be granted to the Head of Housing and Building Services (in consultation with the Project Board identified in the report) to submit grant applications and accept grant funding to facilitate delivery of the Penarth Older Persons Housing with Care Complex.

(5) T H A T authority be granted to waive Contract Procedure Rules and for the Head of Housing and Building Services (in consultation with the Project Board identified in this report) to allow the Council to utilise the Integrated Care Fund (ICF) grant aid awarded to it by Welsh Government (via the Regional Partnership Board and administered by the Local Health Board) to work with and remunerate Wales and West Housing Association for its feasibility, project planning, design and commissioning works in connection with delivering Penarth Older Persons Housing with Care Complex project.

(6) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to advertise the proposed disposal of the land indicatively edged red on the plan in Appendix A to the report in accordance with the provisions of Section 123 (2A) of the Local Government Act 1972 and in consultation with the Leader, Cabinet Member for Housing and Building Services, Director of Environment and Housing

and the Head of Housing and Building Services will consider any objections received and that the Head of Housing and Building Services report back to Cabinet for a decision on this matter.

(7) T H A T authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare, execute and complete all the necessary legal documentation required to procure and facilitate the delivery of Penarth Older Persons Housing with Care Complex and where appropriate to dispose of land to Wales and West Housing Association.

Reasons for decisions

(1) To obtain a general endorsement from Cabinet for the delivery of the Penarth Older Persons Housing with Care Complex Project.

(2) To obtain authority to negotiate the disposal of the land in connection with project.

(3) To obtain authority to negotiate and agree the disposal of a new interest in the Oak Court site to Wales and West Housing Association.

(4) To obtain authority to submit and accept grant applications to facilitate delivery of part or all the Penarth Older Persons Housing with Care Complex.

(5) To obtain authority for the waiver of the Contract Procedure Rules in connection with the disbursement of the Council's ICF grant funding in connection with the project.

(6) To ensure the appropriate statutory procedure is followed.

(7) To allow the necessary legal documentation to be prepared, executed and completed.

C533 GYPSY AND TRAVELLER SITE SEARCH UPDATE (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) –

The report updated Cabinet on the attempts to identify a suitable site to meet the long term needs for Gypsy and Travellers in the Vale of Glamorgan and suggested a preferred way ahead.

It reported the outcome of the public 'Call' for candidate sites for gypsy and traveller use that was approved by Cabinet on 20th January, 2020 and undertaken by the Council from 17th February to 30th March, 2020.

A further direct approach to land agents / sellers was made in December 2020-January 2021 regarding potential sites that were for sale in the Vale of Glamorgan area.

The report set out the way forward for the Council to address the identified long-term gypsy and traveller accommodation needs in the Vale of Glamorgan and the matters and issues related to the proposed options.

Councillor Mrs. Wilkinson said that once a site was up and running it would be of benefit for Gypsy and Travellers in the Vale of Glamorgan.

Councillor Williams referred to the planning aspect to this report and that this had been looked at previously as a Council. Time had been taken to get to the current point, but the need remained for a site to be identified. Discussions had taken place and some compromises discussed. The Homes and Safe Communities Scrutiny Committee would also have an opportunity to consider the report as part of the consultation and would then report back to Cabinet with any further comments.

The Leader added that the previous deadline concerning gypsy and traveller accommodation needs in the area was due to be submitted to Welsh Government by February 2021, however as a result of the pandemic this date was delayed until 2022.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the report, including the outcome of the public 'Call' for gypsy and traveller sites that was undertaken from 17th February to 30th March, 2020 and the further direct approach to land agents / sellers was made in December 2020 – January 2021 regarding potential sites that were for sale in the Vale of Glamorgan area, be noted.

(2) T H A T the options available to the Council as set out in the report to address the long-term gypsy and traveller accommodation needs in the Vale of Glamorgan be noted.

(3) T H A T the report and recommendations be referred to Homes and Safe Communities Scrutiny Committee for consideration, with any comments being reported back to Cabinet for further consideration.

(4) T H A T, subject to consideration of any comments from Homes and Safe Communities Scrutiny Committee, the Strategic Housing Board investigate further the permanent use of the land at Hayes Road, Sully (existing tolerated site and adjoining land) including: detailed site investigations; discussions to progress the potential purchase of any additional necessary land to facilitate the development; and submission of a planning application for the development.

(5) T H A T a further report be presented to Cabinet following further investigations and the outcome of the planning application to advise Members of the next steps to address the long-term gypsy and traveller accommodation needs in the

Vale of Glamorgan. This report to include further information regarding the procurement of necessary land to deliver a suitable site either by negotiation or compulsory purchase.

Reasons for decisions

(1&2) Having regard to the contents of the report and discussions at the meeting.

(3) To seek the views of the Homes and Safe Communities Scrutiny Committee on the matters raised in the report.

(4) To progress the most feasible option for the Council to meet its legal duties and deliver a permanent gypsy and traveller site that would appropriately address the long-term unmet accommodation needs in the Vale of Glamorgan.

(5) To advise Cabinet of progress in due course and to ensure the Council meets its legal duties and deliver a permanent gypsy and traveller site that would appropriately address the long-term unmet accommodation needs in the Vale of Glamorgan.

C534 OBJECTIONS REPORT TO APPROPRIATION OF GENERAL FUND LAND TO THE HOUSING REVENUE ACCOUNT FOR THE PURPOSES OF HOUSING DEVELOPMENT (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) –

The report was subsequent to Cabinet resolution C218 dated 3rd February, 2020, where Cabinet resolved to advertise the proposed loss of the open space adjacent to Pencoedtre High School and currently in the remit of the Environment and Housing Services, in accordance with Section 122 (2A) of the Local Government Act 1972 in order to appropriate the land to the Housing Revenue Account.

The resolution above included the requirement to report back to Cabinet any objections received to the appropriation.

Following the advertisement for the loss of public open spaced adjacent to Pencoedtre High School, shown edged blue on the Plan at Appendix B to the report (“the Land”) which, together with other land in the vicinity, was required for the purposes of the delivering a mixed tenure housing development, 5 no. objections were received.

Where an objection was received Cabinet were required to consider the objection before deciding whether to proceed with the appropriation of land to the Housing Revenue Account.

Having considered the objections, Officers considered that there was little veracity to the objections received and, therefore, the appropriation of the Land to the Housing Revenue Account may be completed.

It was therefore recommended that the objections be noted and that the appropriation of the Land be completed.

The Cabinet Member stated that the land in question was not a public path, the trees were not protected and was open space that needed to be developed.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the objections to the appropriation of the Land be noted, but having considered the objections, for the reasons contained in the report, the appropriation of the Land to the Housing Revenue Account be approved.

(2) T H A T the objectors be advised of this decision.

Reasons for decisions

(1) For the reasons set out in the report, the Council had sufficiently complied with requirements of s.122(2A) of the Local Government Act 1972 (“the Act”) and, having considered the objections, the appropriation of the Land could be progressed.

(2) To inform the objectors of the decision.

C535 MILLWOOD BOWLING CLUB – LEASE (LAC) (SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) –

This was a Supplementary Report to the report considered by Cabinet on 8th March, 2021 in respect of the proposal to issue a lease to Millwood Bowling Club (Cabinet Minute C513 refers).

Following the advertisement for the disposal of the land at Millwood Bowling Club, one objection was received.

Where an objection was received Cabinet were required to consider the objection before deciding whether to proceed with the disposal.

The Cabinet Member referred to Cabinet Minute No. C513 which deferred the report from the previous Cabinet meeting at the request of the Leader in order to address further received representations.

The Leader said that the further objections had been received and would now be addressed by the Monitoring Officer.

The Monitoring Officer clarified that one objection had been received to the Notices and was attached to the 8th March, 2021 Cabinet report. Officer comments in

response to those objections were also set out in the 8th March, 2021 Cabinet report, linked within the supplementary report at Paragraph 1.2.

For clarification, the deadline for objections set out in the Notices was by no later than 17th December, 2020 which linked to the comment from the Leader at the previous Cabinet meeting that deadline for responses had already passed.

Prior to the 8th March, 2021 Cabinet meeting, further representations were received from the objector dated the 7th and 8th March, 2021, which were appended to the 22nd March, 2021 supplemental Cabinet report. The objector also emailed all Cabinet Members on the 19th March, 2021 regarding Agenda Item 18. Cabinet had wished to defer the matter due to be considered on the 8th March, 2021 to have regard to those further representations.

The Monitoring Officer took Cabinet through the objections and further representations.

7th March, 2021 representations:-

Point 1 – The bowls club was accessed via an unnamed road and Legal Services are satisfied in that respect.

Point 2 (i) – Section 270 of the Local Government Act 1972 states that “open space” (referred to in the 1972 Act) has the meaning assigned to it by Section 336(1) of the Town and Country Planning Act 1990. The Monitoring Officer was satisfied that the Cabinet Member and Officers had not erred in law on that point.

Point 2 (ii) – Non-registration of land at the land Registry does not mean that you cannot apply or be granted planning permission. The Council was the owner of the land at the requisite time, therefore there was no error in that regard.

Point 2 (iii) – There was no requirement for the Council to remove a restrictive covenant before granting a lease. The proposed lessees were aware of the 1935 Conveyance and its contents.

Point 3 (i) – The land was now accessed off Pontypridd Road by the adopted highway and then over Council-owned land. The right of way referenced to in the Conveyance was now irrelevant.

Point 3(ii) – This point was not relevant to the proposed lease of the land to the Bowling Club. Ffordd Cwm Cidi was an adopted highway.

Point 3 (iii) – This point was addressed earlier.

Point 3 (iv) – Ffordd Cwm Cidi was an adopted highway.

Point 4 – None of the points raised related to the land in question, but addressing each in turn:-

Point 4 (i) – The information requested pursuant to the Freedom of Information Act was available from the Land Registry. It was not considered relevant to review the historical background to the adoption of Ffordd Cwm Cidi for the purposes of the proposed lease to the Bowling Club. Ffordd Cwm Cidi was an adopted highway.

Point 4 (ii) – This was a general point that was not relevant to the proposed lease of the land to the Bowling Club.

Point 4 (iii) – This point did not relate to the land which was subject to this report and was therefore not relevant for Cabinet's consideration of the report or Cabinet's consideration whether to proceed to grant the proposed lease of the land to the Bowling Club.

Point 5 (i) – The Monitoring Officer's guidance was that the decision to grant the proposed lease to the Bowling Club would not constitute a breach of the Members' Code of Conduct. The lessee was aware of the issues and the covenants on the land and the land has been used as a Bowling Club for over thirty years without challenge.

Point 5 (ii) – It was not usual practice to attach all the relevant legal documentation relating to land ownership to Cabinet reports of this nature.

Point 5 (iii) – If Officers had considered any of the documents relevant for Cabinet to consider in relation to the report over and beyond the advice of Officers, this would have been included. The observation regarding listing background papers was noted.

8th March, 2021 representations:-

These were set out in an addendum document attached to the supplementary report. No further relevant points were contained in respect of the matter before Cabinet at the meeting today that had not been addressed in the Monitoring Officer's comments relating to the 8th March objections.

19th March, 2021 email from the objector:-

This related to the proposals regarding the proposed Millwood Bowling Club lease.

Point 2 – the Monitoring Officer had been asked to explain the Council's assertion in Paragraph 2.2.5 that the right of way referred to was to subsist until a public roadway from Pontypridd Road was available to access the land, when according to the 1935 conveyance there was no such covenant attached to that strip of land that accessed reservation 6. Also, the Monitoring Officer was asked to explain how the adopted highway referred to could be adopted when there was nothing in the 1935 conveyance that provided for vehicular rights over this strip of land used to access reservation 6.

In response, the Monitoring Officer explained that those matters had been dealt with as part of her previous response. The rights of way issue was only of relevance at the point of time that the Council was gaining access to the land via the land which

remained in the ownership of Samuel Romilly. The land which makes up the adopted highway of Ffordd Cwm Cidi would have been put up for adoption by the owner of the land.

Point 3 – the objector had provided a plan produced by the Council in 2009. The plan had been produced by an Officer and referred to noting that the extent of the red hatching, being the access, did not reach all the way to Pontypridd Road.

In response, the Monitoring Officer advised that the point was not relevant. The adoption of the highway would have been in the gift of whom ever owned the land at the point it was adopted and the historic rights of way would no longer have been relevant for the reasons outlined previously.

Point 4 – Reference was made by the objector to land which had been developed for residential purposes in the vicinity, but not the land that was proposed to be leased to the Millwood Bowling Club. Those representations were of no relevance to the proposed lease of the Bowling Club. As mentioned previously, the Bowling Club could be accessed by adopted highway and Council land. No other rights were relied on.

The Monitoring Officer hoped that the responses clarified the matters raised in the representations. Having considered the objections, together with the Officer's comments, The Monitoring Officer's view was that there was nothing contained within the objections or follow-up representations that would preclude Cabinet from disposing of the land to Millwood Bowling Club by way of a lease.

The Leader thanked the Monitoring Officer for providing the verbal update to Cabinet.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and having regard to the further representations and verbal comments from the Monitoring Officer at the meeting

RESOLVED –

(1) T H A T having regard to the further representations and verbal comments from the Monitoring Officer at the meeting, the Supplementary Report to the report considered by Cabinet on 8th March, 2021 in respect of the proposal to issue a lease to Millwood Bowling Club be noted.

(2) T H A T the objection to the disposal of the Land by way of a lease to Millwood Bowling Club be noted but, having considered the objection, for the reasons contained in this report and having regard to the Monitoring Officer's comments, the disposal of the Land to Millwood Bowling Club by way of Lease be approved.

(3) T H A T authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to execute the Lease.

(4) T H A T the objector be advised of this decision.

Reasons for decisions

(1) In noting the late objections made in respect of the 8th March, 2021 Cabinet report.

(2) That for the reasons set out in the report the Council sufficiently specified the Land within the advertisements published in the Barry and District newspaper in compliance with the requirements of Section 123(2A) of the Local Government Act 1972 (“the Act”) and, having considered the objection, the disposal of the Land could be progressed.

(3) To complete the legal documentation required to grant the Lease of the Land to the Club.

(4) To inform the objector of the decision.

C536 IMPROVING STRATEGIC TRANSPORT ENCOMPASSING CORRIDORS FROM M4 JUNCTION 34 TO THE A48: WELTAG STAGE TWO PLUS OUTLINE BUSINESS CASE (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –

The report provided Cabinet with an update on progress of the Improving Strategic Transport Encompassing Corridors from M4 Junction 34 to the A48 WelTAG Stage Two Plus Outline Business study.

The WelTAG Stage Two Plus Outline Business Case had been completed by Consultants Arcadis Consulting Limited and had assessed the Do-Minimum scenario plus four options for a new or enhanced highway link between the M4 Junction 34 and A48 at Sycamore Cross:

- Option A – Highway Route East of Pendoylan
- Option B – Highway Route West of Pendoylan
- Option C1 – Existing Infrastructure (Online) Enhancement
- Option C2 – Existing Infrastructure (Online) Enhancement.

The study had recently been subject to the completion of a 12-week public consultation between 30th September, 2020 and 23rd December, 2020. The output of the consultation had been captured as part of a standalone Consultation Report. https://www.valeofglamorgan.gov.uk/en/our_council/consultation/M4-Junction-34-to-A48-Transport-Improvements.aspx

On the basis of the WelTAG Stage Two Plus study and in response to the key issues and themes raised as part of the public consultation exercise, it was recommended that subject to funding being received from Welsh Government's Local Transport Fund for 2021/22 all options be taken forward for further analysis at WelTAG Stage Two to assess climate resilience and carbon impacts of the proposed options, update the SEWTM traffic modelling and economic appraisal encompassing a value

for money assessment and consideration of changes to TAG Databook v1.14 and the July 2020 Office for Budget Responsibility forecasts (which considered COVID-19 impacts), and review the case for change taking into further consideration the Welsh Government and Vale of Glamorgan Council climate emergency declarations and emerging impacts of COVID-19 (as a minimum).

Full details of the submitted 2021/22 bid to Welsh Government can be found at the following location: <https://www.valeofglamorgan.gov.uk/en/living/Roads/Transport-Studies/M4-Junction-34-to-A48-Transport-Improvements.aspx>

Should funding not be received by Welsh Government then the project would not progress further beyond this Stage at this time.

The Cabinet Member for Neighbourhood Services and Transport thanked the many contributors who took part in the 12-week public consultation.

The scheme had been taken forward in partnership with Welsh Government, given the importance of the St. Athan and Cardiff Airport Enterprise Zone to the South Wales Economy. It needed to be remembered that the funding for all the studies undertaken to date had come from the Welsh Government.

The sensitivities around the scheme were appreciated, as well as the need to balance a range of issues and impacts, hence the in-depth studies and wide-ranging consultation. As part of the process, and as set out in the report, much work and analysis had already been undertaken on the potential environmental impacts on the proposal.

Cabinet were fully aware of the changing and developing situation as a result of the pandemic and particularly the urgency of the climate change agenda, as referenced in the Project Zero report discussed earlier on the agenda, which set out the Council's approach to the climate change agenda having declared a climate emergency in 2019.

Rather than simply progressing to the next stage, the ongoing relevance and appropriateness of the scheme in the current context was considered. The bid was to consider the implications of the pandemic on the scheme, given that the Council now knew that people had different travel patterns, the world of work was changing, the implications on the climate change agenda and the need to focus on active travel. That bid had been rejected, which was an indication that Welsh Government had already considered that the scheme was no longer as relevant as it was when the project was embarked on a number of years ago.

As a consequence of the recent outcome from Welsh Government on the bid process, the scheme would no longer be progressed.

The Cabinet Member therefore recommended that the second published Recommendation be removed from the report.

Councillor Gray paid tribute the amount of detail that was contained in the report. He also thanked the residents and everyone who took part in the consultation, in

particular Councillor Michael Morgan; a lifelong resident who had attended countless community meetings and engaged with community groups whilst understanding that the process was about consultation and not making statements before facts were available. Welsh Government had an approach and the Council investigated that approach with the community. The Council were already prepared for discussions concerning Active Travel and Cabinet looked forward to receiving future reports on that approach.

The Managing Director noted that how people worked and travelled had changed as a result of the pandemic and the climate change agenda was at the forefront of people's minds. As a result, Welsh Government had looked at the scheme, looked at the changing dynamic and considered they no longer wish to support it going forward.

The Deputy Leader added that alongside the announcement from Welsh Government, there was a further announcement that concerned substantial funding being made available in terms of sustainable transport.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein and noting the removal of Recommendation (2) from the published report

RESOLVED –

(1) T H A T the progress made on the Highway Link Study WeITAG Stage Two Plus Outline Business Case relating to proposals for enhanced highway connectivity between the M4 Junction 34 and A48 at Sycamore Cross be noted.

(2) T H A T, having received recent correspondence from Welsh Government on the bid process, it was agreed that the scheme would no longer be progressed.

Reasons for decisions

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

(2) To confirm the matter be no longer progressed.

C537 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

C538 EXPRESSION OF INTEREST REGARDING ABERTHAW POWER STATION SITE AND UK GOVERNMENTS STEP POWER STATION PROGRAMME (DL / ER) (SCRUTINY – ALL) –

(Urgent by Reason of the Need to Apprise Cabinet of the Submission of an Expression of Interest from the Vale of Glamorgan Council Regarding Aberthaw Power Station Site and UK Government's Step Power Station Programme before the Deadline of the End of March 2021)

In October 2019, the Secretary of State for Business, Energy and Industrial Strategy announced £220m funding towards the conceptual design of a fusion power station – Spherical Tokamak for Energy Production (STEP). STEP was an innovative plan for a commercially viable fusion power station, offering the realistic prospect of constructing a powerplant by 2040.

In November 2020, the UK Government released an invitation for Expressions of Interest to identify sites in the UK that could accommodate a STEP power station.

The report sought Cabinet's endorsement for the Expression of Interest for the Aberthaw site to be considered as a site for the STEP power station.

The Deputy Leader emphasised that it was purely an expression of interest at this stage.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T, in principle, the submission of the Expression of Interest for the Aberthaw site as one of two sites in Wales to the STEP programme be endorsed.

(2) T H A T the Urgent Decision Procedure set out in Section 14:14 of the Council's Constitution in respect of Recommendation (1) be approved in order to meet the deadline for submission of 31st March, 2021.

(3) T H A T a further report be brought back to Cabinet in order to provide an update when further information becomes available.

Reasons for decisions

(1) The site chosen for STEP would have global visibility and would form the centre of a programme of activity supporting thousands of high-quality high-tech jobs. STEP would support economic growth, providing the opportunity to attract £1.5bn of inward investment, and the training of highly skilled engineers. It would also be an integral part of meeting the global net zero challenge. The Expression of Interest stage for the STEP programme required relevant Local Authority endorsement for sites which were being submitted.

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

(3) To update Cabinet on the latest information.

The Leader noted there was one item for discussion under Part II of the agenda. As that matter was considered sensitive, it was necessary to move into private session where confidential matters could be discussed under Part II. Therefore, the Cabinet Officer would ensure that the recording was closed at this point and would ensure that only relevant parties remained to hear the detail of the items being discussed.

Following the meeting, the outcome of the Part II discussion would be formally captured as part of the minutes of the meeting, advising all parties of the final decision of the Cabinet for the items.

C539 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

C540 UPDATE ON THE PROPOSAL TO INCREASE THE NUMBER OF PRIMARY SCHOOL PLACES IN COWBRIDGE TO MEET THE INCREASED DEMAND AS A RESULT OF RECENT AND PROPOSED HOUSING DEVELOPMENTS (DL / ER) (EXEMPT INFORMATION – PARAGRAPH 14) (SCRUTINY – LEARNING AND CULTURE) –

On 21st December, 2020, Cabinet considered feedback submitted during the consultation period on the proposal to increase the number of primary school places in Cowbridge from September 2022 by:

- Changing the age range of Cowbridge Comprehensive School from 11 – 19 to 3 - 19;
- Increasing the capacity of Cowbridge Comprehensive School from 1,586 places to 1,796 places to accommodate 210 English medium primary school places with an additional 48 part-time nursery places; and
- Constructing a new school building on the Cowbridge Comprehensive School site to accommodate the primary and nursery places.

On 21st December, 2020, Cabinet determined to progress the proposal through the publication of a statutory notice, which was published on 13th January, 2021. In accordance with the School Standards and Organisation (Wales) Act 2013, any

person could object to the proposal within 28 days from the publication of the statutory notice.

A competitive procurement exercise had been undertaken using Lot 7 of the South East Wales Schools and Capital Funding (SEWSCAP) contractor framework to construct the new Centre for Learning and Wellbeing on the Court Road Depot site. Five tenders were received by the closing date of 8th February, 2021. These had subsequently been evaluated by Vale of Glamorgan Council and AECOM (Multi-disciplinary Consultancy) based on the criteria stated in the tender documentation.

It was recommended that the tender from Morgan Sindall be accepted.

This was a matter for Executive decision.

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

RESOLVED –

(1) T H A T the appointment of Morgan Sindall to undertake pre-construction design and procurement services for the proposed primary school building on the Cowbridge Comprehensive School site be approved.

(2) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to execute the Professional Services Contract with Morgan Sindall for the pre-construction design and procurement services.

(3) T H A T a further report when the full cost of the works has been determined to enter into the NEC4 Option A (Lump Sum with Activity Schedule) Contract be received.

Reasons for decisions

(1) To ensure the Council was able to deliver the proposed primary school building in Cowbridge as part of Band B of the Council's 21st Century Schools Programme.

(2) To permit execution of formal contracts between the Council and Morgan Sindall.

(3) To ensure the full cost of the scheme is determined before the NEC4 Option A (Lump Sum with Activity Schedule) Contract is entered into.