

**CABINET**

Minutes of a Cabinet meeting held on 21<sup>st</sup> June, 2021.

The Cabinet 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: Councillor Dr. I.J. Johnson.

**C592 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 7<sup>th</sup> June, 2021 be approved as a correct record.

**C593 DECLARATIONS OF INTEREST –**

<b>Name of Councillor</b>	<b>Nature of Interest</b>
Councillor N. Moore	The interest related to an item which the Chairman had decided was urgent (Part I) – Agenda Item 14 (ii) – ‘Objection Report: Barry Island Proposed Amendments to Traffic Regulation Orders’. Councillor Moore declared a personal interest in relation to matters relating to carparking charges as a family member had a blue badge, but had dispensation from the Standards Committee to speak, vote and take part in any discussions in relation to parking charges.
Councillor L. Burnett	The interest related to an item which the Chairman had decided was urgent (Part I) – Agenda Item 14 (ii) – ‘Objection Report: Barry Island Proposed Amendments to Traffic Regulation Orders’. Councillor Burnett declared a personal and prejudicial interest in the item as a family member had a blue badge and left the meeting prior to the matter being considered.

**C594 VALE OF GLAMORGAN ANNUAL AUDIT SUMMARY 2020 AND PROGRESS AGAINST EXTERNAL REGULATORY RECOMMENDATIONS AND PROPOSALS FOR IMPROVEMENT (SCRUTINY – ALL)**

The reference from the Governance and Audit Committee of 24<sup>th</sup> May, 2021 was presented to Cabinet as contained within the agenda.

The Leader in referring to the work undertaken by Audit Wales in 2020, drew attention to:-

- A number of Amber statuses which related to shared working and partnership arrangements;
- The Challenges relating to the COVID-19 pandemic;
- The Council's Insight Board was once again in operation and would be tracking progress on a monthly basis;
- Audit Wales had been able to issue an opinion of the accounts but unable to certify closure as two objections from the public had to be reviewed; those reviews were now complete and the accounts for 2019/20 were closed and certified;
- There would be a further report back to Cabinet regarding the tendering process;
- The review had been positive and concluded overall that the Council was meeting its requirements in relation to continuous improvement;
- Eleven proposals for improvement were made in relation to specific local reviews.

RESOLVED –

(1) T H A T the comments of the Governance and Audit Committee and contents of the Vale of Glamorgan Annual Audit Summary 2020 (Appendix A to the report) be noted.

(2) T H A T the progress made to date in addressing recommendations and improvement proposals made by the external regulators (as in Appendix B to the report) be noted and that a further report be brought to Cabinet in due course.

Reason for decisions

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

**C595 WELSH LANGUAGE STANDARDS ANNUAL MONITORING REPORT 2020-21 (SCRUTINY - LEARNING AND CULTURE) –**

The reference from the Learning and Culture Scrutiny Committee of 10<sup>th</sup> June, 2021 was presented to Cabinet as contained within the agenda.

Councillor McCaffer, in reference to Scrutiny Committee Recommendation (3) that Committee's comments regarding the need to progress more strongly the consideration of establishing a Welsh Language Centre in the Vale be forwarded to Cabinet for their consideration, said that there had been historical conversations between the Council and Menter Bro Morgannwg but no funding had been available to establish a Welsh Language Centre in the Vale of Glamorgan. However, there were Welsh language learning opportunities available across the Vale of Glamorgan, with a number of courses available to be booked from September 2021. The Council also promoted its support of the Welsh language within courses, schools, play provision during school holiday periods, festivals, etc.

For information Cllr McCaffer advised that with effect from the Annual Meeting that took place on 10<sup>th</sup> May, 2021, Decision Notices in both Welsh and English for all Committee decisions had been published as required and that the minutes of meetings would be translated and published from the July cycle.

RESOLVED –

- (1) T H A T the contents of the report and Appendices 1 and 2 be noted.
- (2) T H A T the Annual Welsh Language Monitoring Report 2020/21 (Appendix 1 to the report) be approved for publication by 30<sup>th</sup> June, 2021.
- (3) T H A T the Committee's comments regarding the need to progress more strongly the consideration of establishing a Welsh Language Centre in the Vale of Glamorgan be noted, whilst acknowledging the large number of Welsh language learning opportunities that were available across the County.

Reason for decisions

(1-3) Having regard to the contents of the report and the discussion at the meeting.

**C596 DISPOSAL OF SMALL PARCELS OF EDUCATION OWNED LAND (SCRUTINY – LEARNING AND CULTURE) –**

The report advised that the Council owned small parcels of land, which bordered existing, privately owned properties, that were not suitable for development but were a continuing financial burden on the Council due to their ongoing maintenance and security costs.

The Council had received enquiries to acquire five of these small areas of land, from the residents of 37 and 39 St. David's Crescent, Penarth and Bryn Awel, Crooked Shoard, High Street, Llantwit Major and 7 Great House Meadows, Llantwit Major which were currently managed by, or under the control of, the Education Department. The Council could dispose of such land if it was no longer required for its operational purpose.

Permission was therefore sought to dispose of this non-operational Education owned land identified in Appendix A to the report as surplus to Council requirements, to be used as additional garden space by purchasers subject to them gaining planning permission for this use.

The Deputy Leader informed Cabinet that Councillor Wilson, local Ward Member for St. David's Crescent, had requested that the Council work constructively with residents and within the boundaries of best value.

The Leader and Councillor Gray both said that similar principles had been followed previously.

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 parcels of Education land adjoining 37 and 39 St. David's Crescent, Penarth and Bryn Awel, Crooked Shoard, High Street, Llantwit Major and 7 Great House Meadows, Llantwit Major shown at Appendix A to the report be declared as surplus to Council requirements.

(2) T H A T delegated authority be granted to the Director of Learning and Skills, in consultation with the Deputy Leader and Cabinet Member for Education and Regeneration and the Head of Finance, to dispose of the parcels of land by the most appropriate means and on terms and conditions to be agreed.

(3) T H A T the Monitoring Officer / Head of Legal and Democratic Services be authorised to prepare, complete and execute the required legal documentation in order to formalise the disposals.

#### Reasons for decisions

(1) To comply with the Council's Constitution.

(2) To ensure that the Council obtains best consideration for the land in accordance with its statutory and fiduciary obligations.

(3) To legally formalise the disposal of the land and to ensure compliance with statute.

**C597 HOUSING and BUILDING SERVICES RESPONSIVE REPAIRS, MAINTENANCE, VOIDS, WELSH HOUSING QUALITY STANDARD AND SMALL PROJECTS FRAMEWORK (HBS) (SCRUTINY – HOMES AND SAFE COMMUNITIES) –**

The report brought to the attention of Cabinet the proposed procurement and award of the Housing and Building Services Responsive Repairs, Maintenance, Voids, WHQS and Small Projects Framework.

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 authority be granted for the tendering of a value for money framework contract for the “Housing and Building Services Responsive Repairs, Maintenance, Voids, WHQS and Small Projects Framework” through sell2wales.

(2) T H A T delegated authority be granted to the Director of Environment and Housing and the Head of Finance, in consultation with the Cabinet Member for Housing and Building Services, to accept the most advantageous tender bids for each framework lot and award this framework in accordance with the Council’s Contract Standing Orders.

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

Reasons for decisions

(1) To ensure that the Council delivers the Housing and Building Services Responsive Repairs, Voids and WHQS Internal Framework in a cost-effective way, with high quality services and products being installed on or in our Council housing.

(2&3) To ensure that the Council meets the requirements of its financial regulation and Contract Standing Orders.

**C598 LEISURE MANAGEMENT CONTRACT EXTENSION (SCRUTINY – LEARNING AND CULTURE) –**

The report advised that the current Leisure Management Contract had commenced on 1<sup>st</sup> August, 2012 for an initial period of 10 years but with the ability to extend by a further 5 years if both parties were agreeable.

The 5 year extension had been agreed in principle when the Covid-19 pandemic struck, causing considerable disruption to the Leisure Centres and changing both the delivery methodology and the financial circumstances of the original contract.

Further discussions had since taken place as the time remaining on the original contract was now limited and arrangements needed to be put in place to protect the future of the service.

Financial modelling of different options available to the Council had been undertaken and advice had been sought from the consultants who originally advised the Council on the contract in 2012. This advice had demonstrated that even with the changes in financial circumstances, the option of extending the contract was by far the best option for the Council and that a longer extension than 5 years was the optimum commercial approach.

It was proposed to extend the contract by a period of 7 years and 5 months that allowed both the Council and the Contractor to compensate for the time lost due to the pandemic. Due to the commercial sensitivity of the financial information involved, this matter was to be considered further on the agenda under Part II.

Leases of the Leisure Centre facilities were granted to the Contractor for a period of 15 years from 1<sup>st</sup> August, 2012. It would be necessary to enter into reversionary leases of the Leisure Centre facilities to cover the additional 2 years 5 months of the contract.

This was a matter for Executive decision.

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

**RESOLVED – T H A T** the report be noted with it being accepted that the matter would be considered further alongside the linked Part II report later on the Agenda so that a decision on the matter could be taken under Part II of the Cabinet Agenda.

Reason for decision

To explain the background to the proposals to extend the Leisure Management Contract and having regard to the confidential nature of the matter.

**C599            CONSIDERATION OF THE RESPONSES TO THE ARTS CONSULTATION, AND SUBSEQUENT RECOMMENDATIONS (SCRUTINY – LEARNING AND CULTURE) –**

The report had been prepared following the Arts Consultation carried out between 3<sup>rd</sup> February and 23<sup>rd</sup> March, 2020.

The report provided background information on the results of the Consultation.

The report requested that the recommendations outlined, based on the Consultation results and the requirements within the Arts sector as we emerge from the easing of Welsh Government's Coronavirus restrictions, were approved.

Councillor McCaffer advised that the landscape as well as responsibilities had changed since the consultation had been carried out. A wider conversation would be required in order to discuss what art “is” and what people perceived art to be and suggested that the matter be referred back to Scrutiny for further consideration once the matter had been progressed, which was agreed by Cabinet.

Councillor McCaffer drew attention to comments received from Councillor Dr. I.J Johnson who had submitted further comments to Cabinet on the report which had been tabled at the meeting and would be made available on the Council’s website.

Having regard to Councillor Johnson’s comments, Councillor Johnson also suggested that the report be referred to Learning and Culture Scrutiny which Councillor McCaffer had recommended to Cabinet in the earlier discussion and was the intention to add that into the Recommendations for consideration.

Councillor Johnson also recommended that an engagement programme be developed. Which Councillor McCaffer agreed could be part of the previously mentioned wider conversation to discuss what art “is” and what people perceived art to be.

Councillor McCaffer further noted that some had experienced issues accessing the consultation response link within the report and, as such, tabled the Consultation Report at the meeting advising it would be available online on the Council’s website.

Councillor Gray emphasised that the consultation was about the arts as a whole, rather than any one single element and supporting arts across the Vale of Glamorgan. He agreed with Councillor McCaffer that the matter should be referred back to Scrutiny once matters had been progressed and the Recommendations to the report amended to reflect that, which was agreed by Cabinet.

This was a matter for Executive decision.

With the amendment to the wording of Recommendation (3), Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

(1) T H A T the Vale of Glamorgan Arts and Culture service focus its resources to assist local arts organisations to recover from the impact of the pandemic and the restrictions imposed.

(2) T H A T a programme of exhibits and events be developed between the Arts Central Gallery and the Penarth Pier Pavilion, including implementation of any opportunities for income generation to support the sustainability of the venues and their programmes.

(3) T H A T, in line with Resolutions (1) and (2) above, an options appraisal be developed to evaluate a new operating model for the Arts and Culture service, review the implications to the Arts and Culture Strategy and that the matter be referred to the Learning and Culture Scrutiny Committee for consideration once such matters had been progressed.

### Reasons for decisions

- (1) To support the Council's and the community's recovery from the pandemic, reflecting the Council's four Wellbeing Objectives as outlined in the Annual Development Plan.
- (2) To ensure economies of scale, a diverse programme of events and exhibits to be showcased across the Vale, and to promote and support community engagement to build best practice, promoting the strengths and diversity available across the Vale.
- (3) To reflect the emerging themes and comments received following the Consultation and to ensure the current strategic aims and objectives reflect the current climate and were achievable in the long-term.

### **C600 EMERGENCY AND PERMANENT DEFECTS – HIGHWAYS MAINTENANCE CONTRACT (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report sought Cabinet approval to award a new emergency and permanent highway repair contract allowing the highway maintenance team to continue to maintain the adopted highway.

Section 41 of the Highways Act 1980 placed a duty on the Council to maintain highways at public expense.

Historically, highway maintenance contracts had run for two years with the option to extend for a further year. It was proposed that the new contract be offered on this basis.

Due to commercial sensitivity, full details of the financial appraisal associated with the contract award listed were detailed in the Part II report later on this agenda. This was a matter for Executive decision.

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

**RESOLVED – T H A T** the contents of the report be noted and be considered in connection with the Part II report later in the agenda.

### Reason for decision

To advise of the proposals for renewal of the Highway Maintenance Contract and to allow the commercially sensitive details of these proposals to be appropriately considered prior to a decision being taken on any award.



**C601 PENARTH HEIGHTS LANDSLIP 2016 (NST) (SCRUTINY ENVIRONMENT AND REGENERATION) –**

The report considered the matter of a landslip at Penarth Heights.

On 17<sup>th</sup> February, 2016 a significant landslip occurred on the escarpment in the Penarth Heights area directly below the Crest Nicholson site. This caused thousands of tonnes of material to slip down from the site.

Due to commercial sensitivity of the issues involved, the Part II report later on this agenda dealt with the issue.

This was a matter for Executive decision.

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

RESOLVED – T H A T the contents of the report be noted and be considered in connection with the Part II report later in the agenda.

Reason for decision

To advise of the implications of a legal dispute with a landowner in connection with a landslip at Penarth Heights in 2016 and having regard to confidential aspects.

**C602 EXPERIMENTAL TRAFFIC REGULATION ORDER - 20MPH SPEED LIMITS (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report advised that a request had been received from Local Ward Members and members of the community to introduce a 20MPH speed limit through the village of Aberthin. This had followed difficulties in installing a controlled pedestrian crossing in the area due to the current geometry of the main road.

There were S106 monies available for a sustainable transport contribution in Aberthin resulting from the development of land at Court Close, Aberthin (2016/00867/FUL). The sustainable transport contribution was £45,376.41.

The Council was currently taking part in a pilot project aimed at capturing long term data and developing an enforcement strategy before the planned roll-out of a default 20mph speed in Wales in April 2023. The pilot projects followed consideration of the matter by a Welsh Government task force and the production of their final report in July 2020.

Two specific locations with both community and local ward Member support were put forward for this project, namely St. Brides Major and Peterston Super Ely.

St. Brides Major was chosen by Welsh Government and this scheme was currently planned for implementation in June 2021. Unfortunately, Peterston Super Ely was not selected.

Whilst it would not likely be prudent to install many 20MPH schemes due to the planned implementation of the proposed Welsh Government default 20mph speed limit in Wales, the introduction of an experimental 20MPH speed limit scheme in Aberthin utilising the S106 funding available was the desire of the local ward Members. There was also considerable community support for such a scheme, and the geometry of the main highway through Aberthin did lend itself to a 20mph scheme.

It was therefore proposed that a 20MPH speed limit scheme for Aberthin be progressed on an experimental basis and that a similar scheme in Peterston Super Ely was also progressed due to the considerable work previously undertaken preparing the bid for this area to be included in the Welsh Government pilot project. This area also boasted local ward Member and community support for such a scheme. Funding for this scheme would be taken from the Neighbourhood Services and Transport capital budget for 2021/22.

It was also proposed that both schemes be introduced using experimental Traffic Regulation Orders where objections and comments as well as traffic data in respect to the schemes would be collected in their first 6 months of operation. This data would inform decisions taken on the permanency of the schemes or otherwise, within the 18 month trial periods and would be the subject of a future report to Cabinet.

The data from both schemes would be made available to Welsh Government to assist with their pilot project.

Councillor Burnett informed Cabinet that she had visited Peterston Super Ely Primary School before the pandemic with Councillor King and the local ward Member Councillor Morgan where the children had highlighted their concerns, and who were now delighted that the matter would come to Cabinet for consideration. Councillor King added that Welsh Government criteria had required community engagement and Peterston had engaged positively.

The Leader also noted positive engagement with the Local Ward Members for both proposed trial sites.

Councillor Gray said it was useful for Cabinet to understand how the pilots would affect safety and how people felt about their impact. It would also be important to be open minded about Active Travel solutions for the future, how different speed limits would work and interaction in communities with private cars going 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 approval be given to give public notice of the Council's intention to make Experimental Traffic Regulation Orders to introduce 20MPH speed limits in Aberthin and Peterston Super Ely, as detailed in Appendix A and B to the report.

(2) T H A T a further report detailing the outcome of the Experimental Orders within a period of 18 months be received.

(3) T H A T the Director of Environment and Housing be authorised, in consultation with the Cabinet Member for Neighbourhood Services and Transport, to agree the final design and extent for the 20mph speed limit trial and the execution of any legal Orders to implement the scheme.

#### Reasons for decisions

(1) To provide the necessary authority to the progress with the experimental traffic regulation orders.

(2) To allow the success or otherwise of the experimental orders to be properly considered to inform decisions on any permanent arrangements.

(3) To provide the necessary authority to ensure the scheme was implemented in the most appropriate and efficient manner.

### **C603 OBJECTION REPORT: COWBRIDGE AND COSMESTON PROPOSED RESIDENT ONLY PERMIT PARKING AREAS TRAFFIC REGULATION ORDER (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

The report advised Cabinet of objections received and to propose an appropriate way forward.

At its meeting of Monday, 27<sup>th</sup> July, 2020, Cabinet agreed to a new Resident Parking Controls Policy, as well as granting delegated authority to the Director of Environment and Housing, in consultation with the Cabinet Member for Neighbourhood Services and Transport, to design residential parking schemes for the locations listed in the report. Those locations included Cosmeston Penarth and Middlegate Court / Walk Cowbridge.

Delegated authority was granted to the Director of Environment and Housing, in conjunction with the Cabinet Member for Neighbourhood Services and Transport, to engage with the residents in the areas identified, to formulate the most suitable design plans for these schemes prior to formally advertising the plans to seek their views and then going forward with a draft Traffic Regulation Order, should, there be suitable consensus.

Informal consultation took place in all of the aforementioned areas, with letters being issued to all residents who would be affected by any potential scheme, including Middlegate Court and Middlegate Walk, Cowbridge and the cul-de-sac properties within Lavernock Park and Upper Cosmeston Farm, Cosmeston. The consultation took place during October 2020 and concluded on Sunday, 1<sup>st</sup> November, 2020. From the questionnaire responses there was overwhelming support for the introduction of resident parking controls within both Cowbridge and Cosmeston.

Consequently, it was proposed that a new Resident Only Permit Parking Areas Traffic Regulation Order be introduced in both Cowbridge and Cosmeston.

The statutory legal consultation began on 22<sup>nd</sup> April, 2021 and concluded on 14<sup>th</sup> May, 2021 and, during that period, thirteen formal objections to the proposals were received.

Cabinet was requested to consider the objections and decide whether the Proposed Resident Only Permit Parking Areas Traffic Regulation Orders should be implemented.

Councillor King said this was the first of a number of reports that looked to tackle long standing issues and address parking difficulties in specific locations. Although titled as an Objection Report and dealing with received objections, he urged residents to read the detail of the report as to why those objections were being rejected and note that there had been support for proposals also.

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 subject to Resolution (2) below, the objections to the proposals be rejected for the reasons contained in the report and the Proposed Resident Parking Controls Traffic Regulation Order be implemented.

(2) T H A T as a result of the consultation, the following amendments to the Resident Parking Controls Policy 2020 be agreed:

- paragraph 4.1 of the Resident Parking Control Policy revised to read ‘Anyone living at an address within an area covered by Resident parking Controls may apply for a resident parking permit for vehicles owned by them and registered at that address so long as the address is their primary residence. Resident parking permits must only be used in the vehicles and in the streets or areas that they were issued for’.
- Paragraph 4.14 be revised to read “Vehicles which exceed 2.44 metres in height and 5.49 metres in length or have more than eight seats, in addition to the driver’s seat, or exceed a maximum mass of 3.5 tonnes will not be eligible for a resident parking permit and must not display a visitor permit within designated Resident Permit Parking Bay schemes where there are marked bays. However, in designated Resident Permit Parking Areas where there are no marked bays, motor caravans and campervans which exceed 2.44 metres in height and 5.49 metres in length, or exceed a maximum mass of 3.5 tonnes, will be eligible for a resident parking permit as long as the vehicle is registered at the property. Visitor permits are NOT permitted for such vehicles in these areas.

- Para 4.8 be revised to read "Lost permits will be replaced once, free of charge, but any subsequent replacement permit will be issued at a charge".

(3) T H A T the objectors be advised of the above decisions.

Reasons for decisions

- (1) To enable the Order to be made.
- (2) To make the necessary changes to the Policy to overcome objectors' concerns.
- (3) To advise of the Council's position.

**C604 MATTERS WHICH THE CHAIRMAN HAD DECIDED WERE URGENT –**

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

**C605 OBJECTION REPORT: BARRY ISLAND, THE KNAP AND OGMORE-BY-SEA PROPOSED RESIDENT ONLY PERMIT PARKING AREAS TRAFFIC REGULATION ORDER (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) –**

**(Urgent by need to take a prompt decision to improve highway safety at the locations specified)**

Councillor Burnett left the meeting during consideration of this item.

The report sought to advise Cabinet of the objections received and to propose an appropriate way forward.

At its meeting of Monday, 27<sup>th</sup> July, 2020, Cabinet agreed to a new Resident Parking Controls Policy, as well as granting delegated authority to the Director of Environment and Housing, in consultation with the Cabinet Member for Neighbourhood Services and Transport, to design residential parking schemes for the locations listed in the report. Those locations included Barry Island, The Knap and Ogmores-by-Sea.

Delegated authority was also granted to the Director of Environment and Housing, in conjunction with the Cabinet Member for Neighbourhood Services and Transport, to engage with the residents in the areas identified, to formulate the most suitable design plans for these schemes prior to formally advertising the plans to seek their views and then going forward with a draft Traffic Regulation Order, should, there be suitable consensus.

Informal consultation took place in all of the aforementioned areas, with letters being issued to all residents who would be affected by any potential scheme at Barry Island (including Adar y Mor, Gwalch y Penwaig, Gwennon y Mor and Heol Gylfinir, Earl Crescent, Redbrink Crescent, Dyfrig Crescent, Marquis Close and Redbrink Crescent, Friars Road and Plymouth Road); The Knap (including Heol-Y-Bryn, Heol-y-Gaer, Glan-y-Mor and Maes-y-Coed and Birch Grove); and Ogmored-by-sea (including Main Road, Marine Drive, Marine Walk and Seaview Drive).

The consultation took place during October 2020 and concluded on Sunday, 1<sup>st</sup> November, 2020. From the questionnaire responses, there was overwhelming support for the introduction of resident parking controls. Consequently, it was proposed that new Resident Only Permit Parking Areas be introduced in Barry Island, The Knap and Ogmored-by-Sea.

The statutory legal consultation began on 29<sup>th</sup> April, 2021 and concluded on 21<sup>st</sup> May, 2021. During that period of time, thirteen formal objections: six in Barry Island, three in The Knap and four in Ogmored-by-Sea (three were from the same property) to the proposals were received, together with eleven in support: one in The Knap and ten from Ogmored-by-Sea (two were from the same property) and two queried the proposals: one from Barry Island and one from Ogmored-by-Sea.

Having considered the objections and given responses to them, the report recommended that the Proposed Resident Only Permit Parking Areas Traffic Regulation Order be implemented.

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 proposals be rejected for the reasons contained in the report and the Proposed Resident Parking Controls Traffic Regulation Order be implemented at Barry Island, The Knap and Ogmored by Sea as detailed in the plans attached at Appendix A to the report.

(2) T H A T the persons who made representations to the proposals be advised of Cabinet's decision.

#### Reasons for decisions

(1) To enable the Order to be made.

(2) To confirm the Council's position in respect of the objections made.

**C606            OBJECTION REPORT: BARRY ISLAND PROPOSED  
AMENDMENTS TO TRAFFIC REGULATION ORDERS (NST) (SCRUTINY –  
ENVIRONMENT AND REGENERATION) –**

**(Urgent by need to take a prompt decision to improve highway safety at the  
locations specified)**

The report sought to advise Cabinet of an objection and observations received and to propose an appropriate way forward.

There were a number of existing Traffic Regulation Orders on Barry Island which were introduced many years ago. Several improvements to these existing restrictions were required to regulate parking and improve the free flow of vehicles.

Furthermore, there were areas of unrestricted highway where vehicles were parking causing a road safety risk by preventing access for emergency vehicles and the proposed new restrictions would resolve this issue and generally improve road safety for both pedestrians and motorists.

The statutory legal consultation for the new and proposed amendments began on 6<sup>th</sup> May, 2021 and concluded on 28<sup>th</sup> May, 2021. During that time one formal objection and additional observations to the proposal were received.

Cabinet was asked to consider the objection. It was recommended that the objection be rejected and the new and amended Traffic Regulation Order be implemented.

Councillor King stated that there would be a further future report to Cabinet concerning the village of Llandough, discussing congestion parking in and around the hospital. The Leader added that another report concerning clearway would also be produced as a future report to Cabinet.

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 objection to the proposal be rejected for the reasons contained in the report and that the proposed Amendment Traffic Regulation Order be implemented.

(2)    T H A T the objector be advised of the Cabinet's decision.

**Reasons for decisions**

(1)    To allow the Traffic Regulation Order to be made and implemented.

(2)    To confirm the Council's position.

**C607 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 items of business on the grounds that they involve 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.

Councillor Burnett returned to the meeting at this point.

**C608 LEISURE MANAGEMENT CONTRACT EXTENSION (LAC)  
(SCRUTINY – HEALTHY LIVING AND SOCIAL CARE) (EXEMPT INFORMATION  
– PARAGRAPHS 12 AND 14) –**

The report as also detailed under the Part I report on the agenda advised that the current Leisure Management Contract commenced on 1<sup>st</sup> August, 2012 for an initial period of 10 years but with the ability to extend by a further 5 years if both parties were agreeable.

It was proposed to extend the contract by a period of 7 years and 5 months that allowed both the Council and the Contractor to compensate for the time lost due to the pandemic. Due to the commercial sensitivity of the financial information involved this matter was considered on this agenda under Part I and II.

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 current position with regard to the negotiations of the Leisure Centre contract extension, as resolved previously by Cabinet on 16<sup>th</sup> December 2019 (Minute C181 refers) be noted.
- (2) T H A T the Director of Environment and Housing be authorised, in consultation with the Managing Director, the Leader and the Cabinet Member for Leisure, Arts and Culture, to activate and negotiate the terms of a 7 year 5 month extension to the Leisure Management contract, subject to agreement being reached with Parkwood Leisure Limited, currently sub-contracted to Legacy Leisure.
- (3) T H A T the Director of Environment and Housing be authorised, in consultation with the Managing Director, the Leader, the Head of Finance / Section 151 Officer and the Cabinet Member for Leisure, Arts and Culture, to negotiate the terms of 2 year 5 month reversionary leases of the Leisure Centre facilities with Parkwood Leisure Limited, subject to agreement being reached in respect of Resolution (2) 2 above.



(4) T H A T authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to prepare execute and complete all legal documentation required to facilitate completion of the contract extension and reversionary leases set out in Resolution (2) and (3) respectively.

(5) T H A T the report be referred to the Healthy Living and Social Care Scrutiny Committee and that any reference s received from that Committee be reported back to Cabinet prior to the summer recess or that Cabinet receives a final report before any contract extension is completed.

(6) T H A T the Neighbourhood Services and Transport reserve be used to fund any additional costs that arise in 2021/22 and 2022/23.

#### Reasons for decisions

(1) To note that the extension was close to being agreed prior to the Covid-19 pandemic.

(2) To allow for negotiation and agreement of the terms of the contract extension to provide certainty for the continuation of the Council's Leisure Centre service to 31<sup>st</sup> December, 2029.

(3) To ensure that leases of the Leisure Centre Facilities were in line with the length of the extended contract.

(4) To authorise the Monitoring Officer / Head of Legal and Democratic Services to complete the necessary legal documentation.

(5) To allow consideration of the proposed contract extension by the relevant Scrutiny Committee.

(6) To agree to fund from the Neighbourhood Services Reserve, any required costs payable to Parkwood, as a result of the current agreement, after Welsh Government funding has ceased, until such time that Parkwood are able to return to running the contract on a commercial basis.

#### **C609 EMERGENCY AND PERMANENT DEFECTS – HIGHWAYS MAINTENANCE CONTRACT (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) (EXEMPT INFORMATION – PARAGRAPHS 13 AND 14) –**

The report sought Cabinet approval to award a new contract for Emergency and Permanent Highway repairs thereby allowing the highway maintenance team to continue to maintain the adopted highway.

Section 41 of the Highways Act 1980 placed a duty on the Council to maintain highways at public expense.

Historically, highway maintenance contracts had run for two years with the option for a year extension. The current contract expires on 30<sup>th</sup> June, 2021.

The report sought approval of Cabinet to award the Emergency and Permanent Highway repairs contract to Centregreat LTD. as the most advantageous tenderer.

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 contract for Emergency and Permanent Highway repairs be awarded to Centregreat LTD. until 30<sup>th</sup> June, 2023.
- (2) T H A T delegated authority be granted to the Director of Environment and Housing, in consultation with the Cabinet Member for Neighbourhood Services and Transport and the Head of Finance, to extend the contract detailed in Resolution (1) above for a further final year to 30<sup>th</sup> June, 2024, should this be advantageous to the Council at this time.
- (3) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services to draft and execute said contract.
- (4) T H A T the Urgent Decision Procedure set out in Section 14:14 of the Council's Constitution be approved, in order that the relevant contract can be put in place, having regard to the expiry of the existing contract on 30<sup>th</sup> June, 2021.

Reasons for decisions

- (1&2) To award the contract to the company providing the most advantageous tender and to ensure compliance with the Council's Contract Standing Orders and Financial Regulations.
- (3) To ensure that the necessary legal documentation is in place for the contract.
- (4) To ensure no loss of service between the expiration of the old contract and the commencement of the new.

**C610 PENARTH HEIGHTS LANDSLIP 2016 (NST) (SCRUTINY – ENVIRONMENT AND REGENERATION) (EXEMPT INFORMATION – PARAGRAPHS 13 AND 14) –**

**THIS DECISION IS NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 13 AND 14 OF PART 4 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007 DUE TO COMMERCIAL SENSITIVITY OF THE ISSUES INVOLVED**