



## **RHONDDA CYNON TAF**

### **RHONDDA CYNON TAF COUNCIL CABINET**

Minutes of the virtual meeting of the Cabinet held on Thursday, 24 September 2020 at 11.00 am

#### **County Borough Councillors - Cabinet Members in attendance:-**

Councillor A Morgan (Chair)

Councillor M Webber	Councillor R Bevan
Councillor A Crimmings	Councillor M Norris
Councillor J Rosser	Councillor R Lewis
Councillor C Leyshon	Councillor G Hopkins

#### **Officers in attendance**

Mr C Bradshaw, Chief Executive  
Mr C Hanagan, Service Director of Democratic Services & Communication  
Mr G Isingrini, Group Director Community & Children's Services  
Mr N Wheeler, Group Director – Prosperity, Development & Frontline Services  
Mr P Mee, Director, Public Health, Protection & Community Services  
Mr R Evans, Director of Human Resources  
Mr D Powell, Director of Corporate Estates  
Mr S Gale, Director of Prosperity & Development  
Mr B Davies, Director of Finance & Digital Services  
Ms G Davies, Director of Education and Inclusion Services  
Mr S Humphreys, Head of Legal Services  
Mr A Griffiths, Service Director – Highways & Engineering

#### **1 Declaration of Interest**

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

#### **2 Minutes**

It was **RESOLVED** to approve the minutes of the meeting held on 28<sup>th</sup> July 2020 as an accurate record.

#### **3 Leader's Scheme of Delegation**

Members noted the Leader's Scheme of Delegation for the 2020-2021 Municipal Year, following the presentation at the Council's Annual General Meeting.

#### **4 Cabinet Work Programme 2020-2021**

The Service Director, Democratic Services & Communication provided Cabinet Members with a draft work programme for the 2020-2021 Municipal Year, which

listed matters requiring consideration by Cabinet.

The Service Director spoke of the current circumstances, commenting that there was a greater need for flexibility of the programme.

Members were referred to Appendix 1 of the report and were advised that the programme is a live document to allow for any additional / deletion of reports throughout the year.

The Deputy Leader commented that utilising the programme assists with openness and transparency of the decision making process within the Council and gives greater opportunity for Pre-Scrutiny.

It was **RESOLVED:**

1. To approve the Work Programme for the 2020-2021 Municipal Year (with appropriate amendment where necessary) and to receive a further update on a 3 monthly basis.

**5 21st Century Schools and Colleges Programme - Mutual Investment Model (MIM) 21st Century Schools Welsh Education Partnership - Strategic Partnering Agreement (SPA)**

The Director, Education and Inclusion Services provided Cabinet Members with an update on the Mutual Investment Model (MIM) funding element of Welsh Government's 21st Century Schools and Colleges Programme and sought Cabinet approval to enter into a Strategic Partnering Agreement with Welsh Education Partnership Co (WEPCo) to facilitate the delivery of education and community facilities. The Director also sought Cabinet approval to appoint the Temporary Service Director for 21<sup>st</sup> Century Schools and Transformation and / or Director of Corporate Estates as 'Participant Representative' to sit on the Strategic Partnering Board.

The Director asked Cabinet to note that approval to enter into a Project Agreement for any of the Pathfinder Projects would be brought back to Cabinet in future for determination and that agreeing to enter into the Strategic Partnering Agreement would not commit the Council to enter into contractual arrangements in relation to any projects.

The Cabinet Member for Education and Inclusion Services thanked the Director for the complex and comprehensive report. The Cabinet Member spoke of the need to continue the school modernisation agenda and therefore, the need to access revenue funding via MIM and to enter into a Strategic Partnership Agreement with WEPCo for the delivery. The Cabinet Member emphasised that the MIM Model is different and more polished to the previous PFI model and stated that ownership would remain with the Local Authority. In respect of the appointment as 'Participant Representative' to sit on the Strategic Partnership Board, the Cabinet Member was happy with the recommendations and thought it would be beneficial for both officers to attend meetings, dependent on the agenda, due to their various expertise.

The Cabinet Member for Corporate Services voiced his support for the proposals to continue to improve the school facilities and agreed that the SPB Membership would benefit from the expertise of both officers. The Cabinet Member questioned whether it would be possible for the Council to tender for undertaking some of the maintenance work which may arise.

The Leader echoed the comments of the Cabinet Member in respect of the Council undertaking some of the work and revenue if the option is available.

The Cabinet **RESOLVED:**

1. To note the outcome of the Preferred Bidder Stage of the Competitive Dialogue Procedure under the Public Contracts Regulations 2015 as outlined in this report;
2. To be a party to the execution, delivery and performance of the Strategic Partnering Agreement with the Welsh Education Partnership Co (WEPCo) in September 2020 to facilitate the delivery of a range of infrastructure services and the delivery of education and community facilities;
3. To approve the Strategic Partnering Agreement at exempt Appendix A of the report and summarised in paragraphs 4.6 to 4.16 and Appendix 1 of this report;
4. To note that the Strategic Partnering Agreement shall be executed as a deed and attested in accordance with Article 14.05 of Part 2 of the Council's Constitution;
5. To approve Andrea Richards, Temporary Service Director for 21<sup>st</sup> Century Schools and Transformation and / or Dave Powell, Director of Corporate Estates for appointment as 'Participant Representative' to sit on the Strategic Partnering Board (SPB);
6. To begin the Approval Process for New Projects as set out in Schedule 5 of the Strategic Partnering Agreement for the delivery of new school buildings and for a Strategic Outline Business Case for three initial Pathfinder Projects be submitted to the Welsh Government. The three Pathfinder Projects are Llanilltud Faerdref Primary School, Pontyclun Primary School and Penygawsi Primary School. A further report regarding funding arrangements will be brought back to Council for approval at a future date; and
7. To note that formal approval to proceed to deliver any new project including a Pathfinder Project, and to enter into associated legal documentation to facilitate the same including a Project Agreement, would require further approval of the Cabinet.

## **6 The Council's Supplementary Capital Programmes 2020/2021**

The Director, Finance and Digital Services presented the report, which sought to provide details and obtain approval for phase 2 of the proposed supplementary capital programmes for Education & Inclusion Services and Highways, Transportation & Strategic Projects.

Members were informed that the phase 2 schemes amounted to £2.8M for Highways and £3.1M for Education.

The Leader voiced his support for the recommendations and wished to place on record his thanks to Highways and Corporate Estates teams for their ongoing work, in terms of school maintenance and delivering highways schemes.

The Cabinet **RESOLVED:**

1. To approve the phase 2 schemes shown in the relevant appendices;
2. That any schemes that are not complete by the end of the financial year are carried forward into 2021/22 which will be reported via the quarterly performance reports and when setting the Capital Programme for

- 2021/22 onwards; and
3. That resources are aligned over the current 3 year capital programme in line with the progress of the schemes.

## **7 Review of Regeneration Business Grants Portfolio**

The Director, Prosperity and Development presented the report, which sought Cabinet's approval to refocus the existing business support grant schemes delivered by the Regeneration Service, and to establish three further schemes – the Town Centre COVID 19 Recovery Grant, the Major Projects Investment Fund and the Flood Resilience Grant. The Director explained that the grant schemes would enable the Council to provide a portfolio of financial investment to support businesses to respond to the economic challenges they face, helping them build their resilience, support economic growth and diversification with the aim of stimulating future private sector investment.

The Cabinet Member for Enterprise Development and Housing voiced his support for the proposals and took the opportunity to thank officers for working through the difficult times to establish the schemes to support businesses. The Cabinet Member commented that it was critical for businesses to receive support following the impact of Covid-19 and Storm Dennis and felt that it would be key to monitor the effectiveness of the schemes going forward.

The Deputy Leader echoed the Cabinet Member's comments and spoke of the importance of supporting the town centres, along with promoting social distancing measures.

The Leader spoke of the Flood Resilience Grant, commenting on its importance to businesses and in particular to those which may not be entitled to insurance.

The Cabinet **RESOLVED:**

1. That the purpose of the Enterprise Investment Fund and Town Centre Maintenance Grant is refocused to incorporate actions, as set out in paragraph 5.1.3 and 5.2.3 of the report, to more effectively support business recovery post COVID-19;
2. A new RCT Town Centre COVID-19 Recovery Grant is established to deliver Welsh Governments Transforming Towns Grant of £350k;
3. A Major Projects Investment Fund is established to provide targeted investment for projects led by external organisations, which will deliver significant economic benefit; and
4. A Flood Resilience Grant is established to provide targeted support for businesses in Town Centres who were severely impacted by the significant flooding caused as a result of Storm Dennis.

## **8 Council Performance Report (Quarter 1)**

The Service Director, Performance and Improvement provided the Cabinet with the Quarter 1 Performance Report for the financial year.

The Service Director advised that the full year projected position for the year, was a £2.9M overspend. The Service Director explained that within the projected position was the estimated financial impact of Covid-19, amounting to £27.2M, which was assumed to be fully funded by Welsh Government financial assistance. Members were informed that within the Covid-19 estimated costs

were, Free School Meals Bacs payments, supporting the internal and external care sector, supporting home working and associated equipment costs, personal protective equipment, signage and screens in Council buildings to support social distancing.

The Service Director informed Members that there were fifteen strategic risks included within the Risk Register, all of which were reviewed and updated. There had been two specific updates to risks, firstly to Risk 11 – Regeneration Projects, which had been updated from a medium to a high to reflect the potential impact of Covid-19 on the delivery of Strategic Projects; and a new overarching risk in respect of Covid-19.

The Cabinet Member for Corporate Estates thanked the officer for the report and noted that the £2.9M overspend was primarily in the Adult Social Care and Children’s Services. Given the continuation of pressures from those services and the impact of the floods and Covid-19, the Cabinet Member emphasised the need for funding assistance from Welsh Government.

The Cabinet Member was pleased to note that despite the pressures, the Council had continued to invest an additional £7.6M in Capital Investments to improve the County Borough and that staff sickness was down to 3.3%. The Cabinet Member referred to the ‘People’ section of the report and noted the huge amount of work carried out during Covid-19 to protect the communities, elderly and businesses.

The Deputy Leader spoke of the significant investment despite the pressures and thanked officers for their management. The Deputy Leader also took the opportunity to thank the staff and the community for their engagement in an extremely difficult year.

The Cabinet **RESOLVED:**

1. To note the unprecedented circumstances Council Services are operating within as a result of the COVID-19 pandemic;

**Revenue**

2. To note and agree the General Fund revenue outturn position of the Council as at the 30th June 2020 (Section 2 of the Executive Summary) and note the incorporation of confirmed and estimated Welsh Government COVID- 19 funding into this position to support on-going service delivery;

**Capital**

3. To note the capital outturn position of the Council as at the 30th June 2020 (Sections 3a – e of the Executive Summary);
4. To note the details of the Treasury Management Prudential Indicators as at the 30th June 2020 (Section 3f of the Executive Summary); and

**Corporate Plan Priorities**

5. To note the quarter 1 progress updates for the Council’s agreed Corporate Plan priorities.

## **9 Establishing a Social Letting Agency**

The Director, Public Health, Protection and Community Services informed Cabinet of the proposal to establish a Social Letting Agency to manage private rented properties on behalf of private landlords and ensure suitable housing allocations to clients in housing need.

The Director spoke of the growing pressures placed on homelessness services, which had arisen from the pandemic and advised that during the period March to June 2020, the service saw a 76% increase in homelessness applications. The Director continued by explaining that the level of demand had highlighted that the social rented sector alone cannot meet the demands of the clients and that there was a need to work together with the private rented sector.

Members were informed that the Council had secured Welsh Government funding to set up the Agency for the current financial year and advised that there was potential for ongoing financial liability for the operation of the Agency.

The Cabinet Member for Stronger Communities, Well-being & Cultural Services commented that the service was innovative and necessary to meet the Council's wider Homelessness Strategy. The Cabinet Member acknowledged the financial implications, but felt that the proposals met the Council's ambition to move away from bed and breakfast accommodation and was positive that the proposals would strengthen the Council's links with the Private Landlord Sector.

The Deputy Leader welcomed the report on behalf of herself and the Elected Member for the Treforest ward and commented that the proposals provide sustainability and stability for the high number of private rented sector properties in the ward. The Deputy Leader emphasised the importance of marketing the scheme and encouraging landlords to join.

The Cabinet **RESOLVED:**

1. To note the Business case set out in Appendix 1 of the report and endorse the establishment of the Social Letting Agency for RCTCBC using Welsh Government grant funding secured for this purpose in 2020/21; and
2. To note the costs associated with operating a Social Letting Agency and note that funding.

## **10 Approval for RCT Theatres to produce a Digital Christmas Performance to share on-line in December 2020**

The Director, Public Health, Protection and Community Services provided the Cabinet with information in relation to the proposal for RCT Theatres to produce a digital Christmas performance to share online in December 2020.

The Director explained that, traditionally, RCT Theatres produce a pantomime every Christmas, which is very popular with residents and is very well-attended but that due to the Covid-19 restrictions, a live performance would not be possible in 2020. Members were informed that Theatre programmes are planned up to 18 months in advance and in this instance the contracts with performers were signed in January 2020 and as such, the service is obliged to pay them even though the planned pantomime could no longer take place.

The Director spoke of the option to provide a high-energy Christmas performance online, which would require small additional funding in relation to PPE, filming, editing and sign-language interpretation etc.

The Director concluded his presentation by assuring the Cabinet the social distancing guidelines would be adhered to and that the online performance would be free for residents to view and access the arts, despite the current

circumstances.

Cabinet Member for Stronger Communities, Well-being & Cultural Services spoke of the challenges faced by the Arts and Culture Sector and felt that the proposals would be an opportunity for the service to engage with the community and introduce festive cheer. The Cabinet Member acknowledged that unfortunately, there was digital poverty within the County Borough but recognised the work officers had put in to trying to engage with the community in different ways.

The Deputy Leader echoed the comments of the Cabinet Member and commented on the importance of the communities experiencing a level of normality and cheer at the end of a difficult year.

**(Note:** The Cabinet Member for Enterprise Development and Housing was not present for the vote)

The Cabinet **RESOLVED:**

1. To note the content of the report; and
2. To approve the proposal to produce a digital Christmas performance to share online.

## **11 Proposed Extension and Variation to Rhondda Cynon Taf CBC's Dog Control Public Spaces Protection Orders**

The Director, Public Health, Protection and Community Services informed the Cabinet of the outcomes of the public consultation exercise and sought authority to extend the two Public Spaces Protection Orders relating to dog controls in Rhondda Cynon Taf (the Dog Control PSPO's).

Prior to introducing the report, the Director wished to place on record his thanks to the Director, Legal Services and the Corporate Policy and Consultation Manager for their work in relation to the PSPO's in the previous months.

The Director explained that despite the introduction of the Dog Control PSPO's in October 2017, there remained a minority of dog owners who did not clean up after their dogs or keep them under control. As such, the Director considered it vital that the orders, which would ordinarily expire on 30th September 2020, be renewed for a further 3 year period in order to maintain the significant benefits the orders have had in relation to dog fouling and ensure appropriate powers remain in place to deal with the minority who continue to flout the laws.

The Director referred to the Appendix, which detailed the outcomes of the four week public consultation exercise and was pleased to inform Members of the overwhelming support for the Council's approach to tackling dog fouling, the continuance of the PSPO's for a further three year period and the retention of the maximum fine. The Director explained that many respondents felt that dog fouling remained a problem in RCT but acknowledged that there had been improvements following the introduction of the PSPO's.

The Director noted that Llanharry and Pontyclun Community Councils had requested that the PSPO be extended to sites within their responsibilities and that Members may wish to vary the PSPO to reflect their requests. The Director spoke of the marketing and awareness campaign, which was undertaken when the PSPO's were introduced in 2017 and asked Members to consider

undertaking a similar exercise.

The Service Director, Democratic Services and Communication provided Members with the comments of the Public Service Delivery, Communities and Prosperity Scrutiny Committee, which had the opportunity to pre-scrutinise the proposals at its meeting on 23<sup>rd</sup> September 2020. The Service Director informed the Cabinet that the Scrutiny Members were in favour of the continuation of the PSPO's and recognised the positive impact they had made.

The Cabinet Member for Stronger Communities, Well-being & Cultural Services spoke positive of the continuation of the PSPO's, commenting that the targeted intervention had been a success in recent years to deal with dog fouling and improving the cleanliness of the streets.

The Cabinet Member for Environment, Leisure & Heritage Services thanked the officer for the report and Scrutiny for their observations and comments. The Cabinet Member acknowledged that the consultation was managed differently but was pleased with the level of engagement. The Cabinet Member welcomed the extension for a further a three year period and was pleased to note that over 90% of residents were supportive of the proposals.

The Deputy Leader spoke positive of the consultation process, commenting that the results demonstrated the community's support to tackling dog fouling. The Deputy Leader also took the opportunity to thank the Scrutiny Committee for the invaluable feedback. In line with the comments made by the Director, the Deputy Leader moved that the PSPO is amended to include the requests of Llanharry and Pontyclun Community Councils and that a marketing and awareness campaign is undertaken.

The Cabinet **RESOLVED:**

1. To note the overwhelming public support for the extension of the Dog Control PSPO's relating to Dog Controls within Rhondda Cynon Taf for a further 3 year period from 1<sup>st</sup> October 2020;
2. To consider the responses to the public consultation, as detailed in Appendix 1, and determines whether any amendments are required to the existing prohibitions and requirements in relation to the PSPO's as detailed in Appendix 2 to the report;
3. To extend the Dog Control PSPOs as detailed in Appendix 2A and 2B to the report, with the addition of an amendment to the extended Dog Control PSPO covering Rhondda Cynon Taf, to include the addition of the two Community Council sites identified by Pontyclun and Llanharry Community Councils in their consultation responses;
4. To give delegated authority to the Director of Public Health, Protection and Community Services, in consultation with the Group Director, Prosperity, Development and Frontline Services, to produce the final PSPOs relating to Dog Controls and ensure their publication on the Council's website; and
5. That the Council undertakes an awareness and marketing campaign in relation to the extension of the Dog Control PSPO's.

## **12 Cynon Gateway North (Aberdare Bypass)**

The Service Director, Highways and Transportation updated the Cabinet on the progress related to the development and delivery of the major transportation project: Cynon Gateway North (Aberdare Bypass).

The Service Director stated that the Cynon Gateway North is an important link from the existing A4059 to the proposed duelling of the A465, which is a strategic highway. The Service Director explained that as well as being an important link, the Aberdare Bypass would provide economic stimulus to the region.

Members were referred to Section 3.3 of the report, where the transportation and regeneration benefits of the project were outlined and included:

- Connectivity;
- Reduced traffic at Llwydcoed;
- Capacity and Resilience;
- Improved journey times; and
- Improved air quality.

The Service Director continued and spoke of the progress of the project to date, informing Members that the preliminary highway alignment had been finalised and that consultation had commenced and would continue with the stakeholders and parties affected by the Cynon Gateway North proposals.

The Leader thanked the officer for the report and spoke in favour of the proposals. The Leader spoke of the Heads of the Valley duelling, which was due to progress in the near future and advised that without the link road, there would be a much longer diversion route to enter the Cynon Valley. The Leader spoke of the benefits of the road, stating that it would significantly reduce the traveling distance for residents commuting in and out of the valley. In respect of funding for the scheme, the Leader noted that £4.3M had been allocated through Welsh Government and the Local Authority and advised that he had attended meetings with Welsh Government in respect of further incremental funding. The Leader concluded by advising that the scheme links with other developments in RCT, such as the development in Robertstown.

The Cabinet Member for Enterprise Development and Housing welcomed the development for RCT and the rest of South Wales.

The Cabinet **RESOLVED:**

1. To note the progress made and endorse the next steps in the programme for the project;
2. To give delegated authority to the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council for the new Cynon Gateway North (Aberdare Bypass);
3. To give delegated authority to the Group Director Prosperity, Development and Frontline Services, subject to funding, to negotiate the purchase of any third party owned land required for the project proposal and where possible acquire such land by agreement and if such land is not able to be purchased via negotiation delegate the powers as outlined in paragraph 2.1.4 relating to the implementation of the CPO and SRO;
4. That subject to the grant of planning permission and obtaining sufficient funding for each stage of the process, give delegated authority to the Group Director Prosperity, Development and Frontline Services to take all the necessary steps to securing the making, confirmation and implementation of a CPO and SRO in respect of the land required for the implementation of the project, including but not limited to the following

procedural steps:

5. That all steps up to and including confirmation of the CPO and SRO by the Welsh Ministers (or if permitted, by the Council pursuant to Section 14A Acquisition of Land Act 1981), including the preparation and presentation of the Council's case for any Written Representations, Hearing or Public Inquiry which may be necessary.
6. That publication and service of notices of confirmation of the CPO and SRO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry.
7. To acquire the necessary interests in the land and settle the compensation, subject to funding.
8. That referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

**This meeting closed at 12.00 pm**

**Cllr A Morgan  
Chairman.**