



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNCIL CABINET

Minutes of the meeting of the Cabinet meeting held on Thursday, 24 January 2019 at 1.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Cabinet Members in attendance:-

Councillor A Morgan (Chair)

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

Officers in attendance

Mr C Bradshaw, Chief Executive
Mr C Hanagan, Director of Communications & Interim Head of Democratic Services
Mr C Lee, Group Director Corporate & Frontline Services
Mr G Isingrini, Group Director Community & Children's Services
Mr N Wheeler, Director of Highways & Streetcare Services
Mr P Mee, Director, Public Health, Protection & Community Services
Mr R Evans, Director of Human Resources
Mr S Gale, Service Director, Planning
Mr A Wilkins, Head of Legal - Corporate & Democratic Services
Ms G Davies, Director of Education and Inclusion Services
Mr D James, Head of Regeneration and Prosperity
Ms A Batley, Service Director, Children's Services
Ms C Jones, Head of Access & Inclusion
Mr D Powell, Service Director, Corporate Design & Maintenance
Ms A Richards, Head of 21st Century Schools

Others in attendance

Councillor G Caple
Councillor G Thomas
Councillor J Bonetto
Councillor S Bradwick
Councillor L Hooper

104 Declaration of Interest

In accordance with the Councils Code of Conduct the following declarations of interest were made:-

Agenda Item 5 – Proposal To Re-Align Learning Support Class Provision Within RCT

- County Borough Councillor R Bevan declared the following personal interest in respect of the item- "I am on the Governing Body of

Pontygwaith Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct”

- County Borough Councillor S Bradwick declared the following personal interest in respect of the item- “I am on the Governing Body of Caradog Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct”
- County Borough Councillor G Caple declared the following personal interest in respect of the item- “I am on the Governing Body of Porth Community School and Hafod Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct”

Agenda Item 4 - 21st Century Schools Programme - Proposals To Improve Education Provision In Cynon Valley

- County Borough Councillor G Thomas declared the following personal interest in respect of the item- “I am on the Governing Body of Penderyn Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct”

Agenda Item 11 – Review Of The Council's Senior And Associated Management Post Structure - Update

- County Borough Councillor R Bevan declared a personal interest in the matter and remained in the meeting when the item was discussed and voted upon:
“A family Member works as a Senior Officer within the Authority although the post is not referenced within the report or the report presented to Cabinet on the 18th December, 2018.”

The following officers declared a personal and pecuniary interest in this matter and left the meeting when the matter was discussed and voted upon:

- Mr C Lee – Group Director, Corporate & Frontline Services
- Mr N Wheeler – Director, Highways & Streetcare Services
- Ms G Davies - Director, Education & Inclusion Services
- Mr P Mee - Director, Public Health, Protection & Community Services
- Mr S Gale – Service Director Planning
- Mr A Wilkins – Head of Legal, Corporate & Democratic Services
- Mr D Powell - Service Director, Corporate Design & Maintenance
- Mr D James - Head of Regeneration & Prosperity

The following officers declared personal and pecuniary interests in this matter but remained present whilst the report was considered in order to advise Cabinet:-

- Mr C Bradshaw – Chief Executive
- Mr R Evans – Director, Human Resources

105 APOLOGY

An apology for absence was received from County Borough Councillor T Leyshon.

106 CHANGE TO THE ORDER OF THE AGENDA

The Cabinet agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

107 MINUTES

The Cabinet **RESOLVED** to approve the minutes of the 18th December, 2018 as an accurate reflection of the meeting.

108 PORTH TOWN CENTRE REGENERATION STRATEGY

The Service Director, Planning provided Members with the feedback of the public consultation exercise carried out on the draft Porth Town Centre Strategy; and the focussed service user consultation on the specific proposals to relocate the services currently provided by Alec Jones Day Centre to the new Community Hub at Porth Plaza.

Members were reminded of the strategy which set out an integrated, co-ordinated and holistic approach to town centre regeneration that takes into account the distinctive role Porth has at the heart of the community and its important location for services, employment, housing and transport functions.

Members were advised of the feedback received in respect of the two 6 week consultations that were undertaken, with positive face to face communication received and 80% of respondents to the Porth Town Centre Strategy questionnaire positively responding that the strategic objectives outlined in the proposals would improve Porth Town Centre although some concerns were raised about increased parking issues and the timeline for the project causing disruption to the area. In respect of the targeted consultation with the Alec Jones Day Centre 92% of service users responded to this question stating that they would attend the new Community Hub and nobody stated that they would stop attending the activities. Concerns were raised by local businesses in respect of the provision of hot meals within the Community hub and the potential affects this would have on businesses within the High Street. Officers advised Members that following these concerns, the requests of the existing service users of the day centre and the constraints around the layout of Porth Plaza, it would be necessary to explore alternative options for provision of hot meals.

The Cabinet Member for Enterprise, Development & Housing welcomed the positive responses that had been received in respect of both consultations, commenting on the small number of concerns that been raised. The Cabinet Member spoke on the opportunities for further development within the Rhondda highlighting transportation hubs around the metro and wider regeneration opportunities.

The Leader also commented upon the positive responses received to both consultations and welcomed the further work to be taken forward by officers and the local community with service users in respect of the food outlet. The Leader

advised of the discussions taking place with bus operators and Transport 4 Wales regarding opportunities surrounding synchronised timetabling and ticketing going forward.

Following discussions it was **RESOLVED**:

1. To note the responses to the public consultation exercise undertaken in respect of the Porth Town Centre Strategy and further determined that no amendments were required to the proposals.
2. To note the responses to the focussed service user consultation on the specific proposals to relocate the activities currently provided at Alec Jones Day Centre to the new Community Hub at Porth Plaza and further determined that no amendments were required to the proposals.
3. That in response to the feedback received through the consultation as set out in paragraph 7.4 and 7.8 of the report, authorise the Director, Public Health, Protection & Community Services to undertake a further engagement exercise with the service users of Alec Jones Day Centre to identify and put in place the necessary arrangements for alternative hot meal provision.
4. To approve the Porth Town Centre Strategy (subject to any changes as result of the engagement process outlined above) and the further development and delivery of schemes as set out within the document.

109 PROPOSALS TO ESTABLISH PRIMARY EDUCATION PROVISION FOR THE LLANILID HOUSING DEVELOPMENT

The Head of 21st Century Schools advise Members of the outcome of the recent consultation in respect of proposals to establish new primary education provision to serve the new housing development at Llanilid, Llanharan, following the decision taken by Cabinet on the 20th September, 2018. Members were referred to Appendix B of the report which outlined the consultation responses, although Members were advised that there had been a limited response to the consultation process with only 6 responses received. The Head of 21st Century Schools informed Members that Estyn had not raised any objections to the proposal.

The Cabinet Member for Education & Lifelong Learning commented on the disappointing number of responses received and added that with respect to the concern raised surrounding access and parking officers from Education would work with the developers to alleviate any of these concerns going forward.

The Cabinet Member for Adult Community Services & Welsh Language welcomed the proposals and the early discussions with the developers in respect of access and parking to the school, which he commented was already a problem within the area.

Following discussions it was **RESOLVED**:

1. To note the information contained within the Consultation Report (as attached to the report), which includes details of correspondence received during the consultation exercise, and notes of the various

meetings held.

2. That following consideration of the consultation responses outlined above to progress the proposals to the next stage of the consultation process by firstly agreeing to publish the Consultation Report, and secondly issuing an appropriate Statutory Notice two weeks after the Consultation Report is published.

110 21ST CENTURY SCHOOLS PROGRAMME - PROPOSALS TO IMPROVE EDUCATION PROVISION IN CYNON VALLEY

The Head of 21st Century Schools reminded Members of the proposals agreed for Consultation at the Cabinet meeting on the 20th September namely improving and increasing education provision in Hirwaun by investing in a new school for Hirwaun Primary School; and improving Welsh medium education provision by increasing the supply of places in the Upper Cynon Valley by making Penderyn Community Primary School, currently a dual language school, a Welsh medium Primary School.

Members were referred to Appendix B of the report which provided details of the consultation responses received to the proposals following a detailed consultation which ran from the 1st October to the 31st December, 2018. Members were advised of the engagement received with the consultation including open evenings at both Hirwaun Primary and Penderyn Community Primary School, consultation with the Children & Young People Scrutiny Committee on the 19th December and a late letter received from Vikki Howells AM.

At this juncture in the meeting, Councillor G Thomas spoke on this item to which officers responded.

The Cabinet Member, Education & Lifelong Learning thanked the local Member for his feedback and the officers for undertaking the necessary consultation. She commented on the positive investment the proposals would provide with investment of £10.4m through the C21st Schools and Education Programme for a new school building for Hirwaun Primary School and welcomed the Estyn response that the proposals would provide a beneficial impact on the standard of education in the area. The Cabinet Member referenced the concerns raised during the consultation in respect of nursery admissions and referenced the proposed amendment to this proposal as outlined in 2.2 and 2.4 of the report following consideration of these concerns.

The Leader spoke positively of the proposals and the compelling reasons and figures highlighted within the report as to why the proposals should be taken forward for the benefits of the pupils and the education provision available. The Leader clarified the position in respect of Home to School Transport and the officers confirmed that In catchment pupils (resident in the village of Penderyn and Rhondda Cynon Taf) attending the English medium stream of Penderyn Community Primary School would receive free transport to the new Hirwaun Primary School building as the walking route is deemed to be 'unavailable'.

Following discussions it was **RESOLVED:**

1. To note the information contained within the Consultation Report (as

attached to the report), which includes details of items of correspondence received during the consultation exercise and notes of the various meetings held.

2. To note that the consultation report recommends that an amendment to the consultation proposals be made, which **will** allow new English medium admissions to Penderyn Community Primary School until such time that the change in category of Penderyn Community Primary School, from a dual language school to a Welsh medium school, comes into effect.
3. That following consideration of the responses set out in the report to progress the proposals plus the amendment to the next stage of the review process by firstly agreeing to publish the Consultation Report, and secondly issuing an appropriate Statutory Notice two weeks after the Consultation Report is published.
4. That the modified proposals are to:
 - create a new school for Hirwaun Primary School by September 2021;
 - change the category of Penderyn Community Primary School from a dual language school to a Welsh medium school from September 2021;
 - continue to allow new English medium admissions to Penderyn Community Primary School until such time that the change in category of Penderyn Community Primary School, from a dual language school to a Welsh medium school, comes into effect.

(N.B As referenced in Minute 104, County Borough Councillor G Thomas made a personal declaration in respect of this item.)

111 PROPOSAL TO RE-ALIGN LEARNING SUPPORT CLASS PROVISION WITHIN RCT

The Director, Education & Inclusion Services referred Members to the report which advised Members of the outcome of the recent consultation in respect of the proposal to realign the mainstream Learning Support Class (LSC) provision within Rhondda Cynon Taf (RCT) and to re-invest the funding to meet the identified needs of pupils.

Members were advised of the large responses received to the consultation as highlighted with the Consultation document report attached as Appendix 1 and reference was made to the key issues raised during the consultation and the responses provided. The Director also advised Members of the response from Estyn who commented that in their opinion the proposal would likely to 'improve the current standards of educational provision for pupils with special educational needs (SEN) in the English medium sector.'

The Cabinet Member for Education & Lifelong Learning commented on the rationale for the proposals due to the high rates of empty and surplus places and the opportunity to enhance provision and continuum of provision on single sites.

At this juncture in the meeting County Borough Councillor G Caple spoke on the item.

The Leader commented on the proposals adding that this was an opportunity to match the needs with demands adding that the same level of provision would be delivered. He re-emphasised that if any savings were made in respect of the proposals these would be re-invested to meet the identified needs of pupils.

The Cabinet Member for Education & Lifelong Learning closed discussions by commenting on the proposals put forward and the consultation feedback received and proposed to revisit two of the recommendations highlighted within the report (recommendation 2.3.4 and 2.3.5). The Cabinet Member suggested that in light of the strong opposition to the proposal (2.3.5) to relocate the key stage 2 learning support class for pupils with communication disorders from Hafod Primary School to Porth Community School, and the fact that the current provision is full, it was proposed that this specific proposal was not progressed. The Cabinet Member recommended that the Council creates a new key stage 2 learning support class provision in Porth Community School so that learners are provided with the opportunity to benefit from an all through education from foundation phase to key stage 4 provision in this setting. It was added that the Council had previously consulted on this model as part of proposal to establish a new 3-16 school in Porth Community School. Progressing in this way would maintain stability for Hafod learners whilst also creating continuity in provision for learners in Porth Community School.

In respect of recommendation 2.3.4 the Cabinet Member proposed to progress with the proposal outlined in 2.3.4 to relocate the Foundation Phase LSC for pupils with Complex Learning Difficulties from Penrhys Primary School to Maerdy Primary School. However, in partnership with the family, the one remaining child currently accessing the Foundation Phase LSC would be offered a bespoke package of support to remain within mainstream provision in Penrhys Primary School (should this be the preferred option for the family), prior to progressing to the school based Key Stage 2 LSC in Penrhys Primary School.

It was **RESOLVED**:

1. To note the information contained within the consultation report (as attached to the report), which includes details of items of correspondence received during the consultation exercise and notes of the various meetings held.
2. To note that Rhondda Cynon Taf will maintain its current level of significant financial investment in its Learning Support Class (LSC) provision whilst realigning its current provision to address identified gaps in existing provision.
3. To progress the following proposals to realign the mainstream Learning Support Class (LSC) provision within Rhondda Cynon Taf (RCT) by issuing the appropriate statutory notices.
 - a) To create a new Key Stage 3/4 LSC provision for pupils with SEBD at Ysgol Nant Gwyn;
 - b) To create a new Key Stage 3/4 LSC provision for pupils with Complex Learning Difficulties at Treorchy Comprehensive School.
 - c) To re-designate the Foundation Phase LSC for pupils with Complex

Learning Difficulties at Darran Park Primary and Foundation Phase Observation and Assessment Class at Llantrisant Primary to become Early Years Assessment and Intervention LSCs for pupils under statutory school age with significant presenting needs;

- d) To relocate the Foundation Phase LSC for pupils with Complex Learning Difficulties from Caradog Primary School to Cwmbach Primary School, creating a cross phase provision from Foundation Phase to Key Stage 2.
 - e) To close the Key Stage 2 LSC for pupils with Complex Learning Difficulties in Caradog Primary School – 8 pupils would access specialist placement at Cwmbach Primary School
 - f) To close the Foundation Phase LSC for pupils with Complex Learning Difficulties in Heol y Celyn Primary School – no pupils would be affected by the closure
 - g) To close the Foundation Phase LSC for pupils with Complex Learning Difficulties in Penrhys Primary School – no pupils would be affected by the closure;
 - h) To close the Key Stage 2 LSC for pupils with Social, Emotional, Behavioural Difficulties in Penywaun Primary School – no pupils would be affected by the closure;
 - i) To close the Foundation Phase LSC for pupils with Complex Learning Difficulties in Pontygwaith Primary School – no pupils would be affected by the closure;
 - j) To close the Key Stage 2 LSC for pupils with Complex Learning Difficulties in Heol y Celyn Primary School – the class would have only 2 pupils in 2019 and in discussion with the pupil's parents, alternative provision would be provided for the two pupils;
4. To not progress the proposal outlined in paragraph 2.3.5 of the report in respect of the relocation of Key Stage 2 LSC for pupils with Communication Disorders based at Hafod Primary School to Porth Community School (3-16 provision) creating a cross phase provision from Foundation Phase to Key Stage 4, but to instead create a new Key Stage 2 LSC for pupils with Communication Disorders in Porth Community School so that learners are provided with the opportunity to benefit from an all through education from foundation phase to key stage 4 provision in this setting. The Council has previously consulted on this model as part of proposal to establish a new 3-16 school in Porth Community School. Progressing in this way would maintain stability for Hafod learners whilst also creating continuity in provision for learners in Porth Community School.
5. To progress with the proposal outlined in 2.3.4 to relocate the Foundation Phase LSC for pupils with Complex Learning Difficulties from Penrhys Primary School to Maerdy Primary School. However, in partnership with the family, the one remaining child currently accessing the Foundation Phase LSC will be offered a bespoke package of support to remain within mainstream provision in Penrhys Primary School (should this be the

preferred option for the family), prior to progressing to the school based Key Stage 2 LSC in Penrhys Primary School.

****** It was noted at the meeting that the report presented to Members contained an error in the numbering in respect of the recommendations sequence. It was confirmed that the proposals listed under Recommendations 2.3 should run from 2.3.1 to 2.3.12 consecutively. ******

(**N.B** as referenced in Minute 104 County Borough Councillors R Bevan, G Caple and S Bradwick declared personal interests in respect of this item)

112 KEY STAGE 4 AND KEY STAGE 5 EXAMINATION RESULTS AND PRIMARY AND SECONDARY SCHOOL CATEGORISATION FOR 2018

The Director, Education & Inclusion Services provided Members with the final confirmation of Key Stage 4 and Key Stage 5 examination results for 2017-18 and the Welsh Government Primary and Secondary School Categorisation for 2018-19.

Members were advised that when reviewing the comparative data it was important to contextualise the information and to take into account the socio-economic factors across the 22 Welsh local authorities. Whilst poverty and deprivation are not excuses for educational underperformance, they are factors that influence educational outcomes.

The Director proceed to outline the outcome results concluding that performance had improved across each of the key stages in the majority of cases and were in line with the National average.

The Cabinet Member for Education and Lifelong Learning commented on the encouraging performance results displayed in relation to Key Stage 4, with Rhondda Cynon Taf ranking 10th from 19th (an historic low) in the National ranking. She also commented on the key stage 5 outcomes, which although were stable were still in line with the national average. In respect of school categorisation the Cabinet Member commented on the positive increase in the percentage of schools categorised as green at both primary and secondary level. The Cabinet Member concluded that the performance across the Authority was generally positive and going in the right direction with both the Local Authority and Consortium continuing to support schools and pupils to achieve the best possible outcomes for the young people of Rhondda Cynon Taf.

It was **RESOLVED**:

1. To note the information contained within the report.
2. To note the action taken to date and the future planned intervention of the Director of Education and Inclusion Services in partnership with Central Services and Central South Consortium to support schools currently categorised as amber and red.

113 NATIONAL ADOPTION ANNUAL REPORT 2017/2018 AND THE VALE, VALLEYS AND CARDIFF REGIONAL ADOPTION COLLABORATIVE ANNUAL REPORT 2017/18

As in accordance with legislation the Service Director for Children's Services referred Members to her report which provided Cabinet with an update on the progress of the Vale, Valleys and Cardiff Regional Adoption Collaborative by considering the information provided in the Annual Report for the period 1st April 2017 to the 31st March 2018 and also referenced the National Adoption Services Wales Annual Report 2017/2018.

Members were advised that the regional performance had improved, specifically the increase in the number of children placed for adoption and the reduced time taken to place a child for adoption. The Service Director further added that there were still a number of areas that required improvement adding that these were being addressed in the VVC Regional Improvement Plan.

The Cabinet Member for Adult Social Services and Welsh Language commented on the report and the significant gap across Wales in respect of adoption recruitment and the rising numbers of children seeking adoption. He commented on the welcomed introduction of the marketing and recruitment Officer although noted that the adoption process from enquiry to placement was still a very lengthy and timely process. The Cabinet Member welcomed the improved performance overall and concluded by referencing the post adoption support to measure the long term stability of placement, ensuring positive outcomes for both the child and the adoptive parents.

It was **RESOLVED:**

1. To note the contents of both the Annual Reports.
2. To receive further reports at future meetings.

114 THE INTRODUCTION OF FIXED PENALTY NOTICES TO DEAL WITH SMALL SCALE FLY-TIPPING

The Director of Highways & Streetcare informed Members of the amendments to the Environmental Protection Act 1990 to include a fixed penalty notice as a means of disposal of a fly tipping offence instead of taking the matter to court. He advised that the amendment focuses on small scale fly tipping of up to 4 black bags. Commercial and hazardous waste would not be afforded this option and would be taken to prosecution. The measures have been taken to avoid small scale fly tippers from attending court.

The Cabinet Member for Environment, Leisure & Heritage Services welcomed the amendments to the Act and the inclusion of a fixed penalty notice, commenting that any funds received through FPNs would be invested back into the service.

The Leader and Deputy Leader also spoke of the affects fly tipping have on the communities of the County Borough and the work undertaken by the dedicated fly tipping officer and the service area to address the problem.

County Bough Councillor S Bradwick also spoke on this item.

Following discussions it was **RESOLVED**:

1. To set the amount of the small-scale fly-tipping Fixed Penalty Notice at £400 with no early payment scheme. This ability to issue a fixed penalty notice is an amendment under Section 33z(b) of the Environmental Protection Act 1990.

115 EXCLUSION OF PRESS AND PUBLIC

It was **RESOLVED**: “That the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act (as amended) for the following items of business on the grounds that it involves the likely disclosure of the exempt information as defined in paragraph 12 and 13 of Part 4 of the Schedule 12A of the Act”.

116 REVIEW OF THE COUNCIL'S SENIOR AND ASSOCIATED MANAGEMENT POST STRUCTURE - UPDATE

Members received the report of the Chief Executive, containing exempt information, which provided an update on the review of the Council's Senior and Associated Management Post Structure.

It was **RESOLVED**

1. To the amendment of the post of Head of Highways & Engineering (Head of Service Level 1) to Service Director – Highways & Engineering (Service Director Level 2);
2. To the change of post title from Service Director – Highways & Streetcare (Service Director Level 1) to Service Director – Frontline Services (Service Director Level 1);
3. To the change of post title from Head of Estates Management (Head of Service Level 2) to Head of Operational Property Services (Head of Service Level 2);
4. To note:
 - i) the amended revised directorate structures shown at Appendix 2 (i) and (i.v) of the report;
 - ii) that the previously estimated overall estimated reduction in annual management costs at the Senior and Associated Management grade levels will reduce from £404,604 (inclusive of on-costs) to £392,240 (inclusive of on-costs) as a consequence of these amendments.
5. That the directorship of the Cynon Valley Waste Disposal Company Limited (trading as Amgen Cymru) and controlling party of Amgen Rhondda Limited be realigned to the post-holder of Service Director – Finance and Improvement Services;
6. That the directorship of CSC Foundry Ltd. CSC Foundry Ltd be realigned

to the post-holder of Service Director – Finance and Improvement Services;

7. That in situations where the appointed Director is unable to attend CSC Foundry Board Meetings, a nominated substitute attend and this responsibility be aligned to the Service Director – Legal Services.

(N.B. As referenced in Minute 104 a number of Officers provided Declarations of Interest in relation to this item and left the meeting when the item was discussed and voted upon)

This meeting closed at 2.20 pm

**Cllr A Morgan
Chairman.**