



RHONDDA CYNON TAF COUNCIL CABINET

Minutes of the hybrid meeting of the Cabinet held on Monday, 18 September 2023 at 10.00 am.

This meeting was live streamed, details of which can be accessed [here](#)

County Borough Councillors – The following Councillors were present:

Councillor A Morgan (Chair)

Councillor M Webber Councillor G Caple
Councillor A Crimmings Councillor R Lewis
Councillor C Leyshon Councillor M Norris
Councillor B Harris

Officers in attendance

Mr P Mee, Chief Executive
Mr B Davies, Director of Finance & Digital Services
Mr A Wilkins, Director of Legal Services and Democratic Services
Mr D Powell, Director of Corporate Estates
Ms G Davies, Director of Education and Inclusion Services
Ms L Davies, Director, Public Health, Protection and Community Services
Mr R Evans, Director of Human Resources
Mr S Williams, Director for Highways, Streetcare and Transportation Services
Mr C Hanagan, Service Director of Democratic Services & Communication
Mr P Griffiths, Service Director – Finance & Improvement Services
Mr N Elliott, Interim Director of Social Services
Ms A Richards, Service Director for 21st Century Schools and Transformation
Ms C Jones, Head of Access & Inclusion
Ms C O'Neill, Strategic Arts & Culture Manager
Mr C Davies, Corporate Policy & Consultation Manager
Ms L Carter – Inclusion Co-ordinator

36 Declaration of Interest

The following declarations of interest were made in accordance with the Council's Code of Conduct:

- The Deputy Leader declared a personal interest in respect of Item 6 – Local Cost of Living Support Scheme 2023: "I have family members who would be recipients of the fund";
- The Deputy Leader declared a personal interest in respect of Item 11 – Consultation on the Proposals to Realign Additional Learning Needs Mainstream Learning Support Class Provision in Rhondda Cynon Taf: "A school of which I am a governor of, is referenced within the report";
- The Cabinet Member for Climate Change and Corporate Services declared a personal interest in respect of Item 6 – Local Cost of Living Support Scheme 2023: "I have family members who would be recipients

- of the fund”; and
- The Cabinet Member for Environment and Leisure declared a personal interest in respect of Item 6 – Local Cost of Living Support Scheme 2023: “I have family members who would be recipients of the fund”.

37 Minutes

The Cabinet **RESOLVED** to approve the minutes of the meeting held on 17th July 2023 as an accurate record.

38 Leader's Scheme of Delegation

The Cabinet **RESOLVED** to note the updates to the Leader’s Scheme of Delegation.

39 Change to the order of the Agenda

To accommodate speakers, the Cabinet agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

40 Statutory School Organisation - Proposal to close Rhigos Primary School with pupils transferring to Hirwaun Primary School

The Director of Education and Inclusion Services sought formal approval to begin the relevant and required statutory school organisation consultation to close Rhigos Primary School in line with the requirements of the Welsh Government’s School Organisation Code (2nd Edition) (011/2018); and to extend the catchment area of Hirwaun Primary School to incorporate the current catchment area of Rhigos Primary School.

With the agreement of the Leader, the following Non-Committee Members were granted permission to address the Cabinet:

- County Borough Councillor K. Morgan
- County Borough Councillor A. Rogers

With the agreement of the Leader, the following members of public were granted permission to address the Cabinet:

- Ms M. Evans
- Ms S. Oliver

The Leader thanked the Non-Committee Members and members of the public for their contributions. Referring to the table at section 4.5 of the report, the Leader questioned how robust the projections were and how officers had come to their conclusions. The Director advised that accurate live birth data is used from the Local Health Board.

The Cabinet Member for Education, Youth Participation & Welsh Language spoke of the Council’s statutory duty to monitor surplus places throughout its schools. The Cabinet Member commented that the projected 33% decrease in numbers of pupils attending the school in the next five years would have a financial impact on the sustainability of the school. That, together with the age of the site, the backlog of repairs required and the site’s non-compliance with the Equality Act 2010 gave the Cabinet Member concerns regarding the future viability of the school. The Cabinet Member added that there were excellent facilities within and around Hirwaun Primary school, in terms of outdoor space. As such, the Cabinet Member was in support of commencing a consultation to

gain a further insight into the views of residents.

The Deputy Leader thanked the speakers for raising key areas for Cabinet's consideration. The Deputy Leader was in support of commencing a statutory consultation based upon the ageing building and the number of surplus places, which would allow Cabinet, at a future date, the opportunity to balance the views and look thoroughly at the consultation responses.

The Cabinet **RESOLVED**:

1. To note the content of the report;
2. To give formal approval to commence a statutory consultation with relevant stakeholders on the proposal to close Rhigos Primary School and extend the catchment area of Hirwaun Primary School to incorporate the current catchment area of Rhigos Primary School;
3. To give formal approval to report back to Cabinet to consider the Consultation Report and determine whether to publish the Consultation Report and approve the publication of the proposal in the form of a Statutory Notice; and
4. To give delegated authority to the Director of Education and Inclusion Services to make any minor changes required to the draft Consultation Document prior to its publication and the statutory consultation commencing.

41 Consultation on the Proposals to Realign Additional Learning Needs Mainstream Learning Support Class Provision within Rhondda Cynon Taf

The Head of Inclusion Services advised the Cabinet 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).

The Cabinet Member for Education, Youth Participation & Welsh Language firstly took the opportunity to thank all those who engaged with the consultation process. The Cabinet Member spoke of the increased pressure, in terms of the number of children and young people additional learning needs support and felt that the report clearly demonstrated the Cabinet's willingness to invest in the provision. The Cabinet Member was in favour of the proposals and commented that the proposal to transfer the LSC for pupils in Years 3-6 with Autistic Spectrum Disorder (ASD) at Abercynon Community Primary School to create a through provision in the Primary Phase at Perthcelyn Primary School would be beneficial in the long-term. In respect of the proposal to establish two Welsh medium primary phase LSCs at the new Welsh medium primary school in Rhydyfelin for pupils with significant ALN, the Cabinet Member felt it was positive and would give further choice to families, whilst supporting National legislation.

Referring to the consultation responses, the Leader clarified that the proposals before Members were not about cost savings, and that if agreed, it would be an increase of £400,000 a year in costs.

The Leader questioned what support would be available to the children and families, in terms of transitional arrangements, should the Cabinet agree the recommendations. The officer acknowledged that there would be a small number of pupils impacted by the proposals and that families were rightfully concerned about the prospect. It was explained that transitions had been done successfully in the past and a key factor in respect of the proposals was that staff would be moving with the children, which would maintain a degree of

consistency. If the parents decided not to move their children to Perthcelyn, the pupils would be supported in mainstream with a specialist ASD and additional non-teaching support, where necessary. The Director added that further discussions with families would take place to ensure all individual's needs are met and to reduce parental concerns.

The Deputy Leader was in support of the proposals and took the opportunity to thank the Education and Inclusion Scrutiny Committee for its constructive comments.

The Cabinet **RESOLVED**:

1. To note the information contained within the consultation report, which includes a summary of items of correspondence received during the consultation exercise and notes of the various meetings held;
2. 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:
 - **Proposal 1 (amended):** To relocate the Observation and Assessment LSC at Penrhiwceiber Primary School to Abercynon Community Primary School taking effect from September 2024. *(Amended from April 2024)*.
 - **Proposal 2 (amended):** To transfer the LSC for pupils in Years 3-6 with Autistic Spectrum Disorder (ASD) at Abercynon Community Primary School to create a through provision in the Primary Phase at Perthcelyn Primary School taking effect from September 2024. *(Amended from April 2024)*.
 - **Proposal 3:** To establish one Early Years Assessment and Intervention LSC for pupils under statutory school age with significant presenting needs at Abercynon Primary School taking effect from April 2024.
 - **Proposal 4:** To establish two Welsh medium primary phase LSCs at the new Welsh medium primary school in Rhydyfelin for pupils with significant ALN taking effect from September 2024.
 - **Proposal 5:** To establish one LSC for pupils in years 7-11 with ASD at the new 3-16 school on the Hawthorn Primary/High School site taking effect from September 2024.
3. To note the comments, observations and/or recommendations of the Education and Inclusion Scrutiny Committee, following its pre-scrutiny of the above recommendations at the meeting held on 14th September 2023.

42 Pre-Scrutiny: Local Toilet Strategy Review

The Service Director of Democratic Services and Communication provided Cabinet with the feedback and comments of the Community Services Scrutiny Committee following its pre scrutiny of the Local Toilet Strategy Review at its meeting on the [10th July 2023](#).

The Head of Arts, Culture and Libraries then provided the Cabinet with an update on the review of the Rhondda Cynon Taf County Borough Council Local Toilets Strategy from 2019-2023 to 2023-2028. It was explained that the provision of local toilets for public use is not a statutory requirement of local authorities in Wales; and that at a challenging time for local authorities, the strategy aims to mitigate potential impacts by making toilets in more Council facilities available for public use and to work with the private sector to help

promote their facilities.

The officer informed Members of the progress to date and drew Members' attention to Section 6 of the report, which detailed two objectives, that had been developed with supporting actions.

The Cabinet Member for Public Health & Communities was supportive of the recommendations outlined within the report and took the opportunity to thank the Community Services Scrutiny Committee for its valuable contribution.

The Deputy Leader reiterated the thanks to the Scrutiny Committee for its contribution and commented that it would be an opportunity to engage with community councils to add further value to the provision.

The Cabinet **RESOLVED:**

1. To note the comments and observations of the Community Services Scrutiny Committee as advised within section 5 of the report; and
2. To approve the reviewed Local Toilet Strategy 2023 – 2028 as attached to the report as Appendix A.

43 Proposed Extension to Rhondda Cynon Taf CBC's Dog Control Public Spaces Protection Orders

The Director of Legal and Democratic Services provided Members with the outcomes of the public consultation exercise initiated by Cabinet in relation to the dog control public spaces protection orders and to seek authority to extend the two Public Spaces Protection Orders relating to dog controls in Rhondda Cynon Taf (the 'Dog Control PSPOs'), subject to any amendments Members may wish to consider in response to the consultation.

Members' attention was drawn to Appendix 1 of the report, which detailed the responses following the six-week consultation period.

The Cabinet Member for Environment & Leisure was supportive of the proposal to extend the Dog Control PSPOs and commented that despite the Council's best efforts, dog fouling remained a concern of residents and as such, the extension would be invaluable.

The Cabinet Member for Public Health & Communities acknowledged the overwhelming response to the consultation, which he felt highlighted the importance of the PSPO. The Cabinet Member spoke of the serious human health repercussions of dog fouling on sports pitches and was in support of the recommendations contained within the report.

The Leader was in support of the proposals and emphasised that residents of RCT were fortunate enough to have a plethora of hills, mountains, trails, and parks on their doorstep for dog walking; and that sports pitches were off limits to dogs. The Leader spoke of the extensive social media campaign undertaken over the years in respect of the PSPO and the existing signage installed in areas. The Leader requested that officers undertake a review of the signage, and if deemed appropriate, consider the installation of additional, simple signage, to ensure residents are clear.

The Leader concluded by giving credit to the local football and rugby clubs who had direct involvement in bringing the issues to the forefront for the Local

Authority to establish the PSPO's in 2017.

The Cabinet Member for Health & Social Care was in support of the extending the PSPO's and questioned how enforceable it is. The Leader was disappointed to advise that several fines were still being issued each week for non-compliance and that issues can be escalated to the police. The Leader added that it would be beneficial to receive an update in the future, in respect of the number of fines issued for dog offences in the past 12 months.

The Cabinet **RESOLVED**:

1. To note the overwhelming public support in the consultation for the extension of the Dog Control PSPO's relating to Dog Controls within Rhondda Cynon Taf for a further 3 year period from 1st October 2023;
2. To consider the responses to the public consultation, as detailed in Appendix 1 to the report, together with the Equality & Welsh Language Impact Assessments at Appendices 2 and 3, and to determine whether any amendments are required to the existing prohibitions in relation to the PSPO's as detailed in Appendices 4A and 4B to the report;
3. To extend the Dog Control PSPOs as detailed in Appendix 4A and 4B to the report;
4. To give delegated authority to the Director of Public Health, Protection and Community Services, in consultation with the Group Director, Finance, Digital and Frontline Services, to produce the final PSPOs relating to Dog Controls and ensure their publication on the Council's website; and
5. To request officers review the existing signage installed in areas where the Dog Control PSPO's apply and what improvements might be made to the same.

N.B – The Deputy Leader abstained from voting on this item as she left the meeting during the debate.

44 Local Cost of Living Support Scheme 2023

The Deputy Chief Executive and Group Director of Finance, Digital and Frontline Services provided the Cabinet with details of a further Local Cost of Living Support Scheme (2023).

The Leader took the opportunity to thank officers for putting together the substantial package of funding for Members' consideration, following his request at a full Council meeting. The Leader advised that had the Council delivered Free School Meals during the school summer holidays, it would have cost close to £1M but the package before Members amounted to approximately £4.3M, which was the biggest financial package announced by any Local Authority in South Wales.

The Leader spoke of the Community Facilities Energy Support Grant of £540 per organisation, which would financially support not for profit organisations such as churches and community centres, where activities and food banks take place. The Leader explained that such organisations are lifelines for some individuals and that the payment would provide support during winter pressures. The Leader welcomed the short-term package of localised support and hoped that further support would be provided by Welsh Government and/or UK Government.

The Deputy Leader was fully supportive of the recommendations and was pleased that the Local Authority were considering the package of support for communities, despite financial pressures.

The Cabinet Member for Climate Change and Corporate Services echoed earlier comments and welcomed the package of funding.

The Cabinet **RESOLVED:**

1. To note and agree the detail of the proposed Local Cost of Living Support Scheme (2023); and
2. To note and agree the implementation arrangements and delegation to the Deputy Chief Executive & Group Director – Finance, Digital & Frontline Services as detailed at section 9 of the report.

45 Medium Term Financial Plan 2023-24 to 2026-27

With the aid of a PowerPoint presentation, the Deputy Chief Executive and Group Director of Finance, Digital and Frontline Services provided the Cabinet with an update on the Medium-Term Financial Plan (MTFP) for 2023/24 to 2026/27, based on current modelling assumptions in advance of formulating the detailed budget strategy proposals for 2024/25 during the autumn.

The Leader thanked the Group Director for the update. The Leader sought to provide clarity on the Council's use of its reserve fund by explaining that the Capital Programme was four times bigger than a decade ago; that there was significant investment in the modernisation of the social services provision; and that new 21st Century Schools and other funded projects, such as flood alleviation schemes, require match funding. The Leader stated that the budget would need to be managed year by year based on funding available; and that it was right to use the reserve funding, where possible.

The Leader feared that the small service changes, which had previously been made by the Council would not be sustainable in next year's budget, if UK Government do not release additional funding in the Autumn.

The Cabinet Member for Climate Change and Corporate Services commented on her frustration that the Council had to undertake such reviews of services in order to close the budget gap but had every confidence in the Council's financial team.

The Deputy Leader echoed earlier comments and thanked officers for their sound financial management in what was described as 'dire' times. The Deputy Leader agreed that 'invest to save' was the correct mantra and commented that the Council's Capital Programme was one to be envied.

The Cabinet **RESOLVED:**

1. To note the current position modelled in respect of the 'Medium Term Financial Plan 2023/24 to 2026/27' and receive further updates in the autumn as part of the annual budget setting process; and
2. To note that the MTFP will be presented to Council in September and will be reviewed by the Overview and Scrutiny Committee in line with their terms of reference alongside our budget consultation arrangements.

46 Council Corporate Plan - Investment Priorities

The Deputy Chief Executive and Group Director of Finance, Digital and Frontline Services set out the position regarding the opportunity for Cabinet to propose to Council to further invest in the Council's priority areas, aligned to the Corporate Plan, "Making a Difference" 2020 – 2024.

The Leader referred to the table at section 4.1 of the report and explained that the areas identified for investment were in line with the Corporate Plan and priorities for residents. The Leader stated that the Council would not be able to bring forward almost three quarter of a million pounds of investment in addition to the £4M agreed for the Local Cost of Living Support Scheme (Minute No. 44), if it wasn't for the good financial management of the reserve fund.

The Cabinet **RESOLVED:**

1. To review and propose the additional Corporate Plan investment priorities and funding arrangements as set out in the report at Appendix A to Council at its meeting on 20th September 2023.

47 Council Performance Report - 30th June 2023 (Quarter 1)

The Service Director of Finance and Improvement Services provided the Cabinet with an overview of the Council's performance, both from a financial and operational perspective, based on the first three months of this financial year (to the 30th June 2023).

The Deputy Leader thanked the Service Director for the update and was pleased to note the decrease in sickness absence rates. The Deputy Leader advised that she and the Leader engage regularly with the Director of Human Resources and the Trade Union representatives in relation to sickness absence and other staff wellbeing related matters.

The Cabinet Member for Climate Change and Corporate Services acknowledged the difficult financial situation in which the Council services continue to operate. The Cabinet Member was pleased with the amount of investment and progress made during quarter 1 and was happy to support the recommendations contained within the report.

The Leader noted that the report indicated a potential overspend of approximately £2.5M but emphasised that Local Authorities across the country are significantly overspending due to inflation and social services pressures. The Leader advised that one Local Authority had a projected overspend of £23.8M, which was almost 10 times that of RCT.

The Cabinet **RESOLVED:**

Revenue

1. To note and agree the General Fund revenue outturn position of the Council as at the 30th June 2023 (Section 2 of the Executive Summary).
2. To request that Cabinet approve the virements listed in Sections 2a - e of the Executive Summary that exceed the £0.100M threshold as per the Council's Financial Procedure Rules.

Capital

3. To note the capital outturn position of the Council as at the 30th June 2023 (Sections 3a – e of the Executive Summary).
4. To note the details of the Treasury Management Prudential Indicators as at the 30th June 2023 (Section 3f of the Executive Summary)

Corporate Plan Priorities

5. To note the Quarter 1 progress updates for the Council's Corporate Plan priorities (Sections 5 a – c of the Executive Summary) that include updates in respect of the Council's on-going work to deliver its Climate Change ambitions..

48 To consider Passing the Following Resolution:

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 14 of Part 4 of the Schedule 12A of the Act".

49 Acquisition of Land to the East of Cenarth Drive Cwmbach, Aberdare

The Director of Corporate Estates sought authority to acquire the Freehold interest of land to the east of Cenarth Drive, Cwmbach, Aberdare comprising land immediately adjacent. The land is also known as Tunnel Tip, Cwmbach.

Following consideration of the exempt report, the Cabinet **RESOLVED:**

1. To consider the contents of the report; and
2. To approve the purchase of the Freehold Interest of approximately 5.22 Ha/12.90 acres of primarily woodland situated to the east of Cenarth Drive, Cwmbach, Aberdare, CF44 0NH from the sellers, Minecom Limited.

This meeting closed at 11.50 am

**Councillor A Morgan
Chair.**