

CABINET - TUESDAY, 20 OCTOBER 2020

MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY VIA SKYPE FOR BUSINESS ON TUESDAY, 20 OCTOBER 2020 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
NA Burnett

HM Williams

D Patel

RE Young

Apologies for Absence

Officers:

Janine Nightingale	Corporate Director - Communities
Gill Lewis	Interim Chief Officer – Finance, Performance and Change
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Mark Shephard	Chief Executive
Deborah Exton	Interim Deputy Head of Finance
Lindsay Harvey	Corporate Director Education and Family Support
Martin Morgans	Head of Performance and Partnership Services
Claire Marchant	Corporate Director Social Services and Wellbeing

546. DECLARATIONS OF INTEREST

Councillor N Burnett declared a personal interest in Agenda item 15, as a close family member was in receipt of Home to School Transport.

547. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Cabinet dated 15 September 2020, be approved as a true and accurate record.

548. ANNUAL REPORT 2019-20

The Chief Executive presented a report, the purpose of which, was for Cabinet to consider the Annual Report 2019-20 (attached at Appendix to the covering report) and recommend it to Council for approval.

The Interim Chief Officer – Finance, Performance and Change stated that, in accordance with the Shared Purpose Shared Future statutory guidance (SPSF: 2) for the Well-being of Future Generations (Wales) Act 2015, individual public bodies must annually review the progress of their well-being objectives and publish a report to assess the extent to which these objectives contribute to the 7 wellbeing goals in accordance with the sustainable development principal.

Under section 15 of the Local Government (Wales) Measure 2009 and in accordance with the related statutory guidance issued by the Welsh Government, the authority must also publish its assessment of performance for the previous financial year before 31 October.

She explained, that in March 2019, the Council published its Corporate Plan 2018-22, revised 2019-20. The Plan sets out its vision, which is, always to act as ‘One Council working together to improve lives’, and its three well-being objectives. The Plan also reiterates the well-being objectives for 2019-20.

The Interim Chief Officer – Finance, Performance and Change, stated that the Plan defined 41 commitments to deliver the three well-being objectives and set out 56 outcome focused indicators to measure the progress for the financial year.

Overall, the Council performed very well in 2019-20, she advised. Of the 41 commitments 34 (82.9%) were completed successfully with 3 (7.3%) achieving most of their milestones and 4 (9.8%) missing most of their milestones. There were justifiable reasons why some targets were missed.

Of the 56 indicators identified for the Corporate Plan, 52 can be compared against their target: 35 (67.3%) met their target, 9 (17.3%) were off target by less than 10% and 8 (15.4%) missed the target by more than 10%. Detailed information about the Council's performance was included in Appendix A to the report.

The Interim Chief Officer – Finance, Performance and Change, explained further, that due to Covid-19, Welsh Government confirmed that there would be no data collection of Public Accountability Measures (PAMs) for 2019-20 therefore no analysis has been undertaken in relation to these indicators.

A summary of funding and financial performance for the year, regulators' findings and themes that underpin the Council's work were also set out in the report, which due to the pandemic had looked forward as well as back, which had not been custom and practice for the Annual Report in the past.

The Leader stated that the report gave a true and honest reflection of BCBC's performance and how that has been assessed over the last 12 or so months, including the achievements of the Council and those performance targets that weren't achieved.

Some of the things that were not achieved included making available all Council services on-line and not realising the capital sale of the Ysgol Bryn Castell, which had now been achieved.

Some notable successes however, were:

- Exceeding the target of 180 individuals to find employment (actual 334)
- Employing 35 apprentices (target 25)
- Junior apprenticeship at the Bridgend College, supporting 72 x 15/16 year olds, enabling them to have employment aspirations
- An impressive NEET figure less than half of the Wales average
- Bringing Empty Homes into habitable use, 20 (target 5)
- Introduction of Porthcawl town beach coastal defences and the regeneration of the Salt Lake car park area.

The Cabinet Member – Future Generations and Wellbeing, thanked the staff involved in the production of the Annual Report and the positive results that were contained within this document. She felt that what stood out in the Report was the excellent partnership work that was taken place between the local authority and the likes of the third sector and Town/Community Councils, amongst others.

The Cabinet Member – Communities commended the success of the Metro Plus and the Bid for the Pyle Park and Ride, including the Porthcawl Bus Terminal.

The Deputy Leader also commended the document which had been successfully produced even though there were very difficult financial challenges being faced, in order to deliver over 800 services to the constituents of Bridgend and its visitors. 2019/20 had seen £7.6m in budget reductions and over the last 10 years such savings had amounted to over £60m since the inception of austerity.

The Cabinet Member – Education and Regeneration was pleased to confirm that the re-organisation of Education for the 16 plus had been realised in the summer, resulting in every school in the County Borough having in some capacity or another a sixth form. This had been achieved through maximum collaboration of all schools and importantly, would include blended learning. He also commended the introduction of the public square in Bridgend's open market.

The Cabinet Member – Social Services and Early Help concluded debate on this item, by saying that she was proud of some of the achievements in Social Services, such as prioritising vulnerable children and the development of MASH and Early Help Hubs. She felt BCBC were also in a good place to reduce its numbers of Looked After Children (LAC).

RESOLVED: That Cabinet considered the Annual Report 2019-20 at Appendix A to the report and recommended it to Council for approval.
549. **BUDGET MONITORING 2020-21 QUARTER 2 REVENUE FORECAST**

Interim Head of Finance, Performance and Change presented a report, that provided Cabinet with an update on the Council's revenue financial position as at 30th September 2020, and sought approval for budget virements between £100,000 and £500,000 as required by the Council's Financial Procedure Rules.

She commenced her submission, by advising that on 26th February 2020, Council approved a net revenue budget of £286.885 million for 2020-21. As part of the Performance Management Framework, budget projections are reviewed regularly and reported to Cabinet on a quarterly basis. The delivery of agreed budget reductions is also kept under review and reported to Cabinet as part of this process.

Table 1 in the report, gave the Council's net revenue budget and projected outturn for 2020-21 as at 30 September 2020. This showed a net under spend of £31,000, comprising £3.488m net over spend on directorates and a £3.519m net under spend on corporate budgets.

The next section of the report outlined the financial pressures the Council had faced since Covid-19 and the various negative ways this had impacted on the Authority's financial position. These pressures would also continue into the foreseeable future, added the Interim Chief Officer – Finance, Performance and Change.

Table 2 in the report gave a summary of the Covid-19 expenditure claims up to August 2020, while Table 3 gave a resume of the loss of income as a result of the pandemic for Quarter 1 2020-21, in respect of Schools and in the Social Services and Wellbeing, Education and Family Support, Chief Executives and Communities Directorates.

The report then shared information on the following areas:-

1. Budget virements/technical adjustments;
2. Pay/Price Inflation;
3. Budget Reduction Proposals

Table 4 in the report then gave some information regarding the Outstanding Prior Year Budget Reductions, which reflected that of the £2.501m outstanding reductions, £1.792m was likely to be achieved in 2020-21, leaving a shortfall of

£709k. Some of the proposals still likely not to be achieved were shown in paragraph 4.2.2 of the report.

Paragraph 4.2.4 outlined the Budget Reduction proposals totalling £2.413m, broken down in Appendix 2 and summarised in Table 5 within the report. The current position on which, was a projected shortfall on the savings target of £451k, or 18.6% of the overall budget reduction.

A summary of the financial position for each main service area was attached at Appendix 3, while comments on the most significant variances were provided in Table 6 in paragraph 4.3 of the report.

The final paragraphs of the report then concentrated on budgetary issues on a Directorate by Directorate basis (including schools), Council wide budgets and Earmarked Reserves, the latter of which had been further financially supplemented.

The Interim Deputy Head of Finance added that monthly claims were continuing to be submitted to Welsh Government (WG) and there were weekly responses being received from them regarding these.

She was pleased to confirm, that the Council would receive a £300k claim towards free school meal costs for this year.

The Deputy Leader stated that the Council could take some satisfaction from the overall position the Authority found itself in during difficult times, though there were big challenges ahead in respect of Directorate budgets with the pandemic continuing to have a detrimental impact on the Council's MTFS.

He was pleased with the financial support BCB were continuing to have from WG, with over £7m having been received to date, in order to mitigate the additional pressures and loss of income the Council had faced since the Spring lockdown. Without this he added, the Council would find itself in an impossible position.

He was pleased to announce that the Authority had invested £1m into an Economic Recovery Fund, established for local businesses and residents alike. This had been used for free town centre car parking, reduced Rent payments for BCBC owned properties and the wavering of Sports facility hire fees for this year.

He also welcomed the further financial assistance received for small/medium sized Enterprises, in order for them to weather the Covid-19 storm.

To conclude, he stated that this year had been an extremely difficult one, however, the Council had still in the face of such adversity, managed its budget as well as could have been expected and that it would continue to seek external funding wherever possible, so as to continue to bolster this.

RESOLVED:

That Cabinet:

- (1) Noted the projected revenue position for 2020-21

- (2) Recommended that Council approve the virements between £100,000 and £500,000 as outlined in paragraph 4.1.14 of the report.
550. CAPITAL PROGRAMME UPDATE - QUARTER 2 2020-21

The Chief Officer – Finance, Performance and Change submitted a report, in respect of a Capital Programme update for the above mentioned quarter period.

She reminded Members, that on 26 February 2020, Council approved a capital programme covering the period 2020-21 to 2029-30 as part of the Medium Term Financial Strategy (MTFS). The capital programme was last updated and approved by Council on 22 July 2020. This report provided an update on the following areas:

- Capital Programme 2020-21 Quarter 2 update;
- Capital Programme 2020-21 Onwards;
- Prudential and Other Indicators;
- Capital Strategy monitoring

Turning to the Capital Programme, the Chief Officer – Finance, Performance and Change, referred to paragraph 4.1 of the report. This section of the report provided Members with an update on the Council's capital programme for 2020-21 since the budget was last approved by Council and incorporates any new schemes and grant approvals. The revised programme for 2020-21 currently totals £53.541 million, of which £27.850 million is met from Bridgend County Borough Council (BCBC) resources, including capital receipts and revenue contributions from earmarked reserves, with the remaining £25.691 million coming from external resources, including General Capital Grant.

Table 1 in this section of the report, showed the capital programme for each Directorate from the July 2020 (Quarter 1) approved Council position to quarter 2.

Table 2, then summarised the current funding assumptions for the capital programme for 2020-21. The capital resources are managed to ensure that maximum financial benefit for the Council is achieved. This may include the re-alignment of funding to maximise government grants, she explained.

The Group Manager – Finance, Performance and Change then referred to Appendix A of the report, which provided details of the individual schemes within the capital programme, showing the budget available in 2020-21 compared to the projected spend.

A number of schemes had already been identified as requiring slippage of budget to future years (2021-22 and beyond). At quarter 2 the total requested slippage was £13.875 million. Details of these schemes were shown at paragraph 4.4 of the report.

She advised that since the last capital report in July 2020, there have been a number of new externally funded schemes approved and internally funded schemes, which have been incorporated into the capital programme. These were included on page 123/124 of the report, with a Revised Capital Programme included at Appendix B (to the report).

In February 2020, Council approved the Capital Strategy for 2020-21, which included the Prudential Indicators 2020-21 to 2022-23 together with some local indicators.

Appendix C to the report, detailed the actual indicators for 2019-20, the estimated indicators for 2020-21 set out in the Council's Capital Strategy and the projected

indicators for 2020-21 based on the revised Capital Programme. These showed that the Council is operating in line with the approved limits.

The Group Manager – Finance, Performance and Change concluded, by giving a short narrative on the Council's Capital Monitoring Strategy.

The Deputy Leader advised that this was a 10 year long term programme and he was pleased to announce that the £220m committed to capital works over this period, would play a significant part in our recovery from the present situation. This would include progression of the Council's 21st Century Schools Programme, which would continue and benefit the next generation.

The Leader added that he was pleased to see reference to £1.28m investment towards Energy Efficiency savings in Council buildings. This was a commitment to cut carbon dioxide emissions. He was also pleased to note that the Authority had secured £300k for 11A Nolton Street where works were continuing for a planned occupation following the current 'firebreak' period. Finally, he announced that he was also pleased to see the continuing investment in buildings within the Bridgend town centre, with the provision of a further 10 Affordable Homes and the provisions of Safe Routes in local communities, as well as other initiatives as referenced to in the report.

RESOLVED: That Cabinet:

- Noted the Council's capital programme for 2020-21 for the period to 30 September 2020 at Appendix A to the report;
- Agreed that the revised Capital Programme (Appendix B) be submitted to Council for approval;
- Noted the projected Prudential and other Indicators for 2020-21, at Appendix C to the report.

551. AN IN-HOUSE SERVICE FOR VICTIMS OF DOMESTIC ABUSE

The Interim Chief Officer – Finance, Performance and Change, submitted a report, the purpose of which was to seek approval to bring the drop-in provision and floating support / support in the community elements of Bridgend County Borough Council's (BCBC) funded domestic abuse provision in-house, to be delivered directly by BCBC and develop a new needs led first point of contact / support in the community service for victims of domestic abuse that will be delivered in house by staff employed by BCBC.

She explained that BCBC currently funds a range of domestic abuse services through an externally commissioned contract. This was the Integrated Domestic Abuse Services contract, as highlighted in paragraph 3.1 of the report.

Following previous approval from Cabinet on 17th September 2019 to continue service delivery, the current Integrated Domestic Abuse Services contract expires on 30 April 2021. There was no further scope to extend the existing contract. Arrangements are required to be put into place to improve accessibility and reduce duplication of services for those living and working in Bridgend. Longer term, there was a commitment to explore the modelling and commissioning of regional services across the Cwm Taf Morgannwg Region and Bridgend.

In addition to the above services, BCBC also directly employed three Independent Domestic Violence Advocates (IDVAs), who work alongside the external provider of the Integrated Domestic Abuse Services contract as part of the 'Assia Suite'.

The Interim Chief Officer – Finance, Performance and Change, advised that, provision for victims of domestic abuse is key in meeting BCBC's duties under the Violence

Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“the VAWDASV Act”). As detailed in the report, the current externally commissioned contract will come to an end on 30 April 2021. Bridgend now came within the revised Cwm Taf Morgannwg regional footprint and as such scope for regional planning and commissioning is in its infancy. It is noted that there are areas of concern in relation to the current delivery model in Bridgend and that this needs to change to ensure victims are in receipt of the best services possible.

She continued by advising, that in line with the VAWDASV Act and subsequent commissioning guidance an independent assessment of need was commissioned in 2019 by Safer Merthyr Tydfil on behalf of the Bridgend VAWDASV partnership, the Bridgend VAWDASV Needs Assessment, to help inform need and future commissioning. In addition, a second piece of independent work was completed in early 2020, which reviewed the strengths and weaknesses of existing provision, the Review of the Violence against Women, Domestic Abuse and Sexual Violence services in Bridgend, commissioned by BCBC.

The Interim Head of Finance, Performance and Change, stated that both the needs assessment and the review of existing provision, were carried out by the same Independent Domestic Abuse Consultant. The next sections of the report, gave further information that was collated as a result of this, including in respect of the Assia Suite. As could be seen from the findings, this suggested that further improvements could be made in the provision delivered through the Assia Suite.

In order to help address these issues and to be able to deliver a needs led, consistent and high quality service, it was proposed that the IDVA and current externally commissioned drop-in provision and floating support in the community teams are brought together to form a holistic, trauma informed qualified and experienced team that is managed in-house by BCBC. The next part of the report, outlined some of the benefits such a proposal would bring about.

In order to facilitate this change, staff from the externally commissioned provider would be transferred to BCBC in line with TUPE arrangements to create a new team, alongside the existing IDVA staff.

It should be noted that this proposal only related to the Assia Suite elements of existing provision; a separate commissioning exercise will be undertaken for the other elements of the existing domestic abuse provision, including accommodation based services / refuge and provision to children and young people. This exercise will allow for continued service delivery of these elements from 1st May 2021.

The proposed in-house service will be established in line with the sector specialist quality standards to maximise safety and access to support for victims. In-house provision and subsequently commissioned services will be expected to demonstrate adherence to the relevant standards.

The proposed service will be delivered in house whilst the discussions outlined in sections 4.29 to 4.31 of the report, in relation to a regional approach to commissioning are undertaken.

The Cabinet Member – Future Generations and Wellbeing advised that it was a sad fact that domestic abuse was on the increase and that this report, brings forward some proposals that will assist in addressing the problem. She added the recommendations made also arose from independent reviews and the Council would be working with partners in the coming weeks and months to address other recommendations in the review, such as the Council’s offer of support to a wider group of individuals, such as

BAME and the location of services. There would be an expansion of the current support services provided. The Cabinet Member – Future Generations and Wellbeing thanked the Police and Crime Commissioner for his input and feedback on this initiative also, which had helped shape the report and its recommendations.

This was echoed by the Cabinet Member – Communities, as Chairperson of the Community Safety Partnership. He stated that unfortunately, domestic abuse had increased since the pandemic had been in being. He added that the Police and Crime Commissioner had been complimentary of the Council's current direction of travel in putting more robust processes and procedures in place to help people who were subjected to all kinds of domestic abuse.

The Leader advised that it was important to note, that the report was the first in a series of actions that would be pursued, to improve the avenues of support that were presently available. Cabinet would await further reports, in respect of the continued re-modelling of services to best meet the needs of sufferers. The Council would continue to engage with its stakeholders to take the service further forward.

RESOLVED: That Cabinet:

1. Approved bringing the drop in provision and floating support/support in the community service, which is currently part of the Integrated Domestic Abuse Services contract in-house.
2. Approved the development of a new needs led first point of contact/support in the community (including the drop-in and floating support/support in the community service, out-reach surgeries) services for victims of domestic abuse that will be delivered in-house by staff employed by BCBC.

552. **NOVATION OF CONTRACTS FOR SERVICES PROVIDED BY BRIDGEND COUNTY CROSSROADS, CARING FOR CARERS**

The Corporate Director – Social Services and Wellbeing presented a report, to seek authority to waive the Council's Contract Procedure Rules in accordance with CPR 3.2.9.4 in respect of the following contracts:

- the Provision of a Regulated Short Breaks Service;
- the Provision of a Domiciliary Care Service

Both contracts were awarded to Bridgend County Crossroads following a procurement process for each contract and in accordance with the Council's Contract Procedure Rules. The details of the contracts were outlined in Section 3. of the report.

The Corporate Director – Social Services and Wellbeing added that Bridgend County Crossroads has been operating under a group structure managed by Carers Trust South East Wales (CTSEW) since 1st August 2019. CTSEW have submitted to BCBC a formal request to novate the two contracts detailed in paragraphs 3.1 and 3.2 (of the report) to CTSEW, to ensure all business and contractual matters come under the parent organisation.

Both contracts have provision allowing the provider to transfer the contract with the consent of the Council.

She explained further, that the two mentioned contracts with Bridgend County Crossroads contain express provision allowing for the novation of the contracts with the consent of the Council. In addition, the Social Services and Wellbeing Department have

carried out due diligence on CTSEW and to ensure CTSEW met the requirements of the original criteria for qualitative selection initially established of the respective tenders for both contracts, CTSEW completed and returned the criteria for the initial qualitative selection and it was found that they fulfilled those requirements.

The overall nature of the contracts will not be altered by this novation and all contractual terms will remain unchanged.

The Corporate Director – Social Services and Wellbeing concluded her submission, by advising that there are currently no concerns in respect of the services being provided by Bridgend County Crossroads and therefore it is considered that there are no operational risks in novating the contracts.

The Cabinet Member – Social Services and Early Help supported the report and acknowledged that the thrust of the report was in respect of an administrative change, as opposed to a change in service provision. She further noted therefore, that the report's proposals would maintain the excellent quality of service that had previously been provided.

The Leader concluded debate by echoing these comments.

RESOLVED: That Cabinet:

- Authorised the waiver of the Council's Contract Procedure Rules to allow the modification of the existing contract with Bridgend County Crossroads Caring for Carers in relation to the provision of a Domiciliary Care Service by consenting to the novation of that contract to Carers Trust South East Wales in accordance with CPR 3.2.9.4;
- Authorised the waiver of the Council's Contract Procedure Rules to allow the Authorises the modification of the existing contract with Bridgend County Crossroads Caring for Carers in relation to the provision of the Regulated Short Breaks Service by consenting to the novation of that contract to Carers Trust South East Wales in accordance with CPR 3.2.9.4;
- Delegated authority to the Corporate Director-Social Services and Wellbeing to provide written consent to the novation and enter into a deed of novation for the respective contracts in consultation with the Interim Head of Finance and Section 151 Officer and Chief Officer - Legal, HR and Regulatory Services and to arrange execution of the deed of novation on behalf of the Council, subject to such delegated authority being exercised in consultation with the Chief Officer - Legal, HR and Regulatory Services.

553. **MULTI-AGENCY PERMANENCE SUPPORT SERVICE – CHILDREN'S SERVICES**

The Corporate Director – Social Services and Wellbeing presented a report, in order to:

- Request approval to be part of a tender process, within the Cwm Taf Morgannwg region, for a regional Multi Agency Permanence Support Service (MAPSS) for Children and Young People who are looked after, or with a plan for adoption, and enter into a regional collaboration agreement; and
- Seek authorisation to delegate authority for the Head of Children's Social Care to represent Bridgend County Borough Council and make decisions within the Children's Regional Project Board, which will provide governance for the regional Multi Agency Permanence Support Service.

She explained that the Multi Agency Permanence Support Service (MAPSS) offers an assessment to identify a child's needs and provides a range of therapeutic interventions and strategies to children and their carers, supporting the child to process traumatic and difficult life experiences.

The Institute of Public Care (IPC) review was commissioned by the Cwm Taf Morgannwg Children's Project Board, to review the mental health and wellbeing needs of children who are looked after, and a business case was developed to identify service requirements and support an application for Integrated Care Fund (ICF) funding.

Turning to the present situation, the Corporate Director – Social Services and Wellbeing, confirmed that if a child who is looked after or adopted requires an assessment or any form of therapeutic services, Bridgend currently sources this provision through spot purchasing arrangements which are costly and time consuming, and quality and outcomes for the child can be variable.

She explained that, following the IPC review and the identified need for such a service across the region, it is being proposed to procure the MAPSS regionally with Rhondda Cynon Taff CBC, Merthyr Tydfil CBC and Bridgend.

The new service will appoint a specialist provider to help create a holistic, multi-disciplinary 'therapeutic intervention' service to support placement stability and achieve positive outcomes to children with the highest needs through joint working, robust assessments and a suite of therapeutic options.

BCBC officers have worked with regional partners to develop the service specification for the procurement of the service provider and will participate in the tender process and evaluation panel. Rhondda Cynon Taf CBC will act as Lead Authority for the regional procurement exercise.

Robust performance measures shall be included in the tender documents to assess the short, medium and long term outcomes in order to demonstrate achievement and value for money. It is proposed that the service contract shall be for 3 years.

The Corporate Director – Social Services and Wellbeing concluded her submission, by advising that a collaboration agreement between the region will be established to set out how RCTCBC, BCBC and Merthyr Tydfil CBC shall work together and offer support to the service provider to deliver the service fully. Approval has been sought from the Corporate Procurement Manager to this arrangement.

The Cabinet Member – Social Services and Early Help, advised that this was a very important initiative and was an Action Point in the Social Services 5 Year Delivery Plan. The funding would provide essential support to vulnerable children, including for therapeutic interventions that would also provide invaluable support to help mitigate those young people who had experienced perhaps, a prolonged adverse childhood.

The Leader echoed this and was very pleased with the £2m worth of funding provided by Welsh Government in support of the Project.

RESOLVED: That Cabinet:

1. Approved BCBC entering into a regional collaboration agreement with Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council for the provision of MAPSS;
2. Delegated authority to the Corporate Director Social Services and Wellbeing in consultation with the Interim Head of Finance and Section 151 Officer and Chief

Officer - Legal, HR and Regulatory Services to agree the terms of the regional collaboration agreement and any ancillary agreements and to arrange execution of the regional collaboration agreement on behalf of the Council, subject to such delegated authority being exercised in consultation with the Chief Officer - Legal, HR and Regulatory Services.

3. Approved BCBC being part of the regional procurement exercise to commission a service provider to provide the MAPSS, with Rhondda Cynon Taf County Borough Council acting as lead authority for the procurement and to note that approval to award the regional MAPSS service contract will be sought via delegated powers (under BCBC's Scheme of Delegation) once the procurement and evaluation process has been undertaken; and
4. Delegated authority for the Head of Children's Social Care to represent and make decisions for BCBC as part of the Regional Project Board.

554. REGULATION OF INVESTIGATORY POWERS ACT 2000

The Monitoring Officer submitted a report, that sought Cabinet's approval of the revised policy under the Regulation of Investigatory Powers Act 2000 (RIPA).

The report gave some background information, following which the Monitoring Officer advised that RIPA was only used in cases where it is important to obtain information to support potential criminal proceedings, and only where that information cannot be obtained by any other means. There had been no authorisations for RIPA since April 2014, she added.

Other reasons likely to account for the reduction in the number of authorisations being sought were:

- a reduction in the number of incidents requiring investigation, and
- increased awareness of the scope of RIPA and the alternatives to covert surveillance as a result of training delivered to Authorising Officers.

Overall responsibility for the use of RIPA was with the Monitoring Officer who acts as the Senior Responsible Officer in this capacity. The policy attached at Appendix 1 to the report, has been reviewed and updated to ensure it remains fit for purpose and in accordance with the revised Codes of Practice issued by the Home Office.

The Monitoring Officer added that the amended Policy reflected that the Shared Regulatory Service (SRS) and the Housing Benefit Fraud Service was now delivered by partner agencies.

The Cabinet Member – Future Generations and Wellbeing, advised that there was also a couple of additions to the Policy, namely in respect of Internet and Social Networking sites and changes in Record Management. She was pleased to see these changes, given that social networking sites were increasing.

RESOLVED: That Cabinet approved the revised Policy as attached at Appendix 1 to the report.

555. REPRESENTATION ON OUTSIDE BODIES AND JOINT COMMITTEES

The Monitoring Officer submitted a report, the purpose of which, was to seek Cabinet's approval for the appointment of Members to joint committees and the nomination of Members to outside bodies. A list of the joint committees and outside bodies concerned was appended at Appendix 1 to the report.

It was proposed that Members be appointed for a term of one year to the various bodies as detailed in the report Appendix, except where earlier revocation of appointment was appropriate.

The Monitoring Officer added that it was further proposed, that where Cabinet nominates on the basis of a Member's role within the Authority the appointment be attached to the role and not to the individual Member, e.g. Scrutiny Chairperson, Cabinet Member, etc.

All appointments were made, with the assumption that appointees represent Bridgend County Borough Council. Should any appointee cease to be a Bridgend County Borough Councillor, they will cease to represent this Authority and are expected to relinquish their appointments as necessary.

RESOLVED: That Cabinet appointed the requisite number of Members to the joint committees and other outside bodies as listed in Appendix 1 to the report, subject to the Leader standing down from the University of Swansea Court of Governors and being replaced by the Cabinet Member – Social Services and Early Help.

556. SHARED REGULATORY SERVICES - VARIATION TO JOINT WORKING AGREEMENT

The Chief Officer, HR, Legal and Regulatory Services, submitted a report to seek Cabinet approval to proposed changes to the Joint Working Agreement as outlined in the report and enter into a Deed of Variation.

The report's background, highlighted that in April 2015, Bridgend County Borough Council, the City Council of Cardiff, and the Vale of Glamorgan County Borough Council signed a Joint Working Agreement for the provision of regulatory services across the three Council areas. The document created the Shared Regulatory Service (SRS) and the Shared Regulatory Services Joint Committee.

The Joint Working Agreement was subsequently varied by all parties by way of a Deed of Variation in 2017 to which Cabinet gave approval on 28th March 2017.

She continued by confirming, that The Renting Homes (Fees etc) (Wales) Act 2019 came into force on 5th May 2019. Since the 1 September 2019, letting agents and landlords who manage their own properties were prevented from charging any fees before, during or after a tenancy unless specifically exempt in the Act.

Enforcement of these and certain other requirements as detailed in the report, could be undertaken by the Council and Rent Smart Wales (as the Single Licencing Authority). This would contribute to a fairer and more transparent experience for tenants relying on the private rented sector.

She explained that offences are committed where landlords and/or agents fail to comply with the Act. The functions were delegated to the Shared Regulatory Service. Consequently, the three Councils wish to amend the Joint Working Agreement to add this function to the schedule of functions delegated to the Shared Regulatory Service.

On 19th November 2019 Cabinet approved the amendment of the Scheme of Delegation of Functions to include the following function at paragraph 3.56 to ensure that the relevant statutory enforcement powers under the Act are used appropriately: "*To do anything which the Council has the power to do (including the power to serve any notice) that is necessary for the enforcement of any provisions contained within the Renting Homes (Fees etc) (Wales) Act 2019*".

Any changes to the Joint Working Agreement are subject to Clause 26 of the Agreement which states:

"This Agreement cannot be varied without the approval and prior written consent of all Participants. Where the Participants agree to make changes to this Agreement, a Deed of Variation shall be entered into between the Participants and appended to this Agreement"

Consequently, the Chief Officer – Legal, HR and Regulatory Services concluded, that the Council was required to enter into a Deed of Variation with the other Councils to amend the Joint Working Agreement. Such changes require ratification by each of the three Council's in question.

The Cabinet Member – Future Generations and Wellbeing commended the report.

RESOLVED: That Cabinet:

- (i) Approved the proposed changes to the Joint Working Agreement between the three Councils for the provision of Regulatory Services;
- (ii) Delegated authority to the Chief Officer – Head of Legal, HR and Regulatory Services in consultation with the Interim Head of Finance and Section 151 Officer to agree the terms of the Deed of Variation to the Joint Working Agreement and to arrange execution of the Deed of Variation on behalf of the Council.

557. **INFORMATION REPORT FOR NOTING**

The Chief Officer Legal, HR and Regulatory Services presented a report, that informed Cabinet of an Information Report for noting (attached thereto) that had been published since its last scheduled meeting.

Details of the Information Report was shown in paragraph 4.1 of the covering report.

RESOLVED: That Cabinet acknowledged the publication of the document listed in the report

558. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director – Education and Family Support presented a report, which sought approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1 of the report.

He explained that for the 9 schools in the table within this section of the report, all 13 applicants listed there, met the approved criteria for appointment as local authority governors and there was no competition for any of the vacancies

He added that Appendix A of the report detailed the 49 other vacancies that needed to be filled in 35 schools.

The Cabinet Member – Education and Regeneration stressed the importance of the remaining vacancies as referred to above, being filled at schools as a matter of priority.

He also thanked the candidates who had successfully been appointed as Local Authority Governors as confirmed in the report and stressed the point, that anyone who was interested in this role and who were willing to undergo the relevant training, were able to be considered as a potential School Governor.

RESOLVED: That Cabinet approved the appointment of LA Governors listed in paragraph 4.1 of the report.

559. **INVITATION OF TENDERS FOR HOME-TO-SCHOOL TRANSPORT CONTRACTS**

The Corporate Director – Education and Family Support presented a report, the purpose of which, was to:

- request Cabinet approval to undertake a procurement exercise to invite tenders to bid for contracts for multiple home-to-school transport services, for a term of five years with the option to extend by two further periods of one year; and
- delegate authority to the Corporate Director, Education and Family Support, to authorise the acceptance of the most economically advantageous tenders received and enter into contracts with the successful bidders following the procurement process.

As part of the report's background information, he advised Cabinet that the local authority has a statutory duty under the Learner Travel (Wales) Measure 2008 to make suitable transport arrangements to facilitate the attendance of children each day at the relevant places where they receive their education or training. This was primarily achieved via the contracting of transport services from the private sector.

The Corporate Director – Education and Family Support further advised, that In July 2020, Cabinet deferred a report on the outcome of the public consultation to change the local authority's Home-to-School/College Transport Policy. This report also sought suspension of the local authority's contract procedure rules to allow the local authority to extend the current home-to-school transport contracts that expired in July 2020. As the report was deferred, it was necessary in early September 2020, to seek delegated authority from the Cabinet Member for Education and Regeneration to resume the provision of the services on the same terms as the expired contracts until the end of March 2021.

There were now a number of home-to-school transport contracts that require retendering to ensure that the local authority is meeting its responsibilities under the Public Contracts Regulations 2015, the Council's contract procedure rules and to seek value for money.

He added that, in consideration of the market factors of struggling capacity in this sector, the outlined proposal is to conduct a procurement exercise awarding contracts for a term of five years with the option to extend for a further two periods of one year. This will allow the local authority to offer longer contracts to encourage investment, strengthen the existing contractual arrangements and potentially open up the market to new suppliers.

The Corporate Director – Education and Family Support concluded his report, by stating that there were currently 272 routes that would be tendered. The estimated cost of these combined contracts over the period of the tender, was detailed in Table 2 at paragraph 8.1 of the report.

The Cabinet Member – Education and Regeneration in supporting the recommendations of the report, advised that this was a very important Contract as was confirmed by its value detailed in paragraph 1.2 and broken down in the financial implications section (of the report).

RESOLVED: That Cabinet:

CABINET - TUESDAY, 20 OCTOBER 2020

1. Authorised the invitation of tenders as set out in the report.
2. Delegated authority to the Corporate Director, Education and Family Support, after consultation with the Monitoring Officer and Section 151 Officer, to authorise the acceptance of the most economically advantageous tenders received and enter into contracts with the successful bidders and any other further deeds and documents which are ancillary to those contracts following the procurement process.

560. URGENT ITEMS

None.

The meeting closed at 16:10