

# Public Document Pack

## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.  
Rhowch wybod i ni os mai Cymraeg yw eich  
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#### Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 / 643147 / 643694

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

**Dyddiad/Date:** Wednesday, 9 December 2020

Dear Councillor,

#### **CABINET**

A meeting of the Cabinet will be held remotely via Skype for Business on **Tuesday, 15 December 2020 at 14:30**.

#### **AGENDA**

1. Apologies for Absence  
To receive apologies for absence from Members.
2. Declarations of Interest  
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 20  
To receive for approval the Minutes of 17/11/20.
4. Social Services Representations and Complaints Annual Report 2019/20 21 - 44
5. Gypsy and Traveller Accommodation Assessment 2020 45 - 114
6. Porthcawl Harbour Byelaws 115 - 130
7. Introduction of a Development Viability Model 131 - 134
8. Cosy Corner 135 - 140
9. Welsh Government Homelessness Phase 2 Capital Bids 141 - 146
10. Reduced Timetable Policy 147 - 154
11. Contract for the Supply of Home-to-College Transport - Suspension of the Contract Procedure Rules 155 - 158
12. Urgent Items

By receiving this Agenda Pack electronically you will save the Authority approx. **£3.36** in printing costs

To consider any items of business that by reason of special circumstances the chairperson is of the opinion should be considered at the meeting as a matter of urgency in accordance with paragraph 2.4 (e) of the Cabinet Procedure Rules within the Constitution.

13. Exclusion of the Public

The following item is not for publication as it contains exempt information as defined in Paragraphs 16 of Part 4 and Paragraph 21 of Part 5, Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

If following the application of the public interest test Cabinet resolves pursuant to the Act to consider this item in private, the public will be excluded from the meeting during such consideration.

14. School Modernisation Programme - Band B Capital Programme - Land Costs 159 - 168

Note: Please note: Due to the current requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk) or tel. 01656 643147 / 643148.

Yours faithfully

**K Watson**

Chief Officer, Legal, HR & Regulatory Services

Councillors:

HJ David

CE Smith

Councillors

HM Williams

D Patel

Councillors

RE Young

NA Burnett

CABINET - TUESDAY, 17 NOVEMBER 2020

MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY VIA SKYPE FOR BUSINESS ON TUESDAY, 17 NOVEMBER 2020 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith  
NA Burnett

HM Williams

D Patel

RE Young

Officers:

Claire Marchant	Corporate Director Social Services and Wellbeing
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
Mark Galvin	Senior Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Martin Morgans	Head of Performance and Partnership Services
Michael Pitman	Democratic Services Officer – Committees

562. DECLARATIONS OF INTEREST

The following Cabinet Members declared a personal interest in Agenda Item 4. in that a current Member of the Authority was a former Director of one of the organisations referred to in the report:-

Councillors HJ David, HM Williams, N Burnett, D Patel, CE Smith and RE Young.

The following Cabinet Members declared a personal interest in Agenda Item 11, for the reasons so given:-

Councillor D Patel – As she knew one of the applicants mentioned in the report  
Councillor RE Young – As a member of Litchard Primary School Board of Governors who knew the applicant who applied for the vacant governor post (at that school).  
Councillor HJ David – As he knew some of the applicants mentioned in the report.

563. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Cabinet dated 20 October 2020, be approved as a true and accurate record.

564. ARBED PROGRAMME IN CAERAU

The Chief Executive submitted a report, the purpose of which, was to update Cabinet on an independent survey, commissioned by the Council and undertaken by NuVision Energy (Wales) Ltd (NuVision), on Arbed 1 funded properties in Caerau, and for Cabinet to further consider the findings.

By way of background, he confirmed that in 2011 the Welsh Government (WG) introduced a domestic energy efficiency programme which ran until 2013. This was known as the Arbed 1 Programme and had two primary objectives, to reduce carbon emissions and lower fuel bills within properties to alleviate the effects of fuel poverty. More than 6,000 homes across Wales were included in the Arbed 1 Scheme.

The Chief Executive advised that in the early part of the scheme, work was undertaken in Caerau which was neither funded by, administered, or involved the Council. At this time RSL's sought funding from energy companies to undertake CESP work in social housing in Caerau. In addition Wales Co, a Community Interest Company, were working with private sector home owners to gauge interest in accessing energy efficiency schemes.

In August 2012 Welsh Government provided the Council with an opportunity to bid for additional funding to complement existing Community Energy Saving Programme (CESP) projects. Funding of £56,050 was approved for the installation of boilers and insulation of lofts. In January 2013, additional funds were made available by Welsh Government to progress CESP schemes. The Council made a joint bid with Green Renewable Wales (GRW) Ltd for external wall insulation at 25 owner occupied properties in Caerau. The Council were advised that the bid for £259,825 was successful in early February 2013 and completion had to be by 31st March 2013. Therefore, total funding of £315,875 was received by Bridgend Council from Welsh Government. The funding for both projects was paid to Green Renewable Wales Ltd by the Authority.

GRW Ltd project managed both schemes and appointed sub-contractors to carry out the work, including WalesCo. The same contractors and sub-contractors were also appointed by GRW Ltd and WalesCo to utilise funding (CESP) they gained via energy companies to work on additional properties in Caerau. This resulted in properties having similar work being undertaken by the same contractors regardless of the funding stream. It is evident that the property owners were unaware which funding stream was used on their property.

The Chief Executive continued by confirming that it was estimated that 150 properties in the Caerau ward had boiler replacement, loft insulation, external wall insulation (EWI) and internal wall insulation (IWI) works undertaken during 2012 to 2013, utilising money from different funding streams. 70 of these properties had work undertaken via the funding administered by the Council, of which 25 properties had EWI and IWI work. Based on information gathered, a total of 104 of the 150 properties had EWI and IWI work undertaken in Caerau at this time, so 79 of these were not funded or administered by the Council.

He explained that since completion of the work in 2013, there had been numerous complaints over the standard of this, carried out by the contractors. The majority of the complaints related to the external and internal wall insulation undertaken via all funding streams.

In view of ongoing concerns brought to the attention of the Council, in 2018, Bridgend's Internal Audit Service were requested to carry out a review by the previous Chief Executive to ascertain the extent to which the Council's policies and procedures had or had not been applied in respect of the Arbed funding scheme for the period September 2012 to April 2013 in Caerau. The findings of Internal Audit highlighted a number of internal procedural issues relating to the governance, decision making, procurement, monitoring and control aspects of the funding that the Council administered for this scheme at this time.

Turning to the present situation, the Chief Executive confirmed that the Council and WG agreed to evaluate the work undertaken in Arbed 1 in the Caerau ward. It was anticipated that a jointly commissioned survey would be undertaken, however, the joint commission did not materialise and so the Council subsequently commissioned NuVision Energy (Wales) Ltd (NuVision), to undertake a study on a sample of homes within the whole programme in Caerau.

A non-invasive investigation and evaluation was carried out by NuVision with the objectives of ascertaining:

- Have the measures lowered energy bills for residents?
- Have the measures achieved carbon savings?
- Could the properties currently transition away from a gas boiler to a heat pump?
- What is the current condition of the measures installed?

The NuVision report (attached at Appendix 1 to the report) surveyed a total of 32 properties (as a sample) but due to a lack of baseline information, it was not ultimately possible to accurately quantify either the carbon or cost savings generated by the measures. However, when assessing the current condition of the measures that were installed, defects were identified in each. Seven of these properties surveyed by NuVision had work carried out through the funding stream administered by the Council. The remaining properties had work carried out utilising funding from other non-Council administered funding streams.

Appendix 1 concluded, that some of the work was defective, some of it significantly so. It further stated that whilst there was a case for remedial action to be undertaken to every property surveyed, it was possible that not all homeowners would want further work to be undertaken in view of the inevitable disruption. The NuVision report has provided an estimated cost per property of £16,000 which will involve removing the wall insulation, making good and redecorating where necessary. However, these costs are indicative only and would vary between properties. Whilst only a sample of homes were surveyed it is considered a reasonable sized sample and there is a degree of uniformity in the defects identified. It was therefore reasonable to assume, that defects would be identified in most or all of the 25 properties where funding was administered via the Council, where internal and external wall insulation was installed. It was also evident from the NuVision report that the same defects were present regardless of how the work was funded.

To summarise, the Chief Executive stated that the funding mechanisms and implementation of the whole Arbed 1 programme in Caerau during 2012 and 2013, were reasonably complex. The passage of time with regard to this historical matter and the fact that the Council officers involved in the delivery of the scheme no longer work for the Council, has made the investigation and compilation of the report more difficult. However, it was clear from the work undertaken and the independent survey carried out, that the Council was involved in administering funding for 70 properties in the Caerau ward. Of these 25 mainly focused on external wall and internal wall insulation. It was apparent from the non-invasive survey of building condition that much of the wall insulation work, whether it was on properties where the Council administered the funding or when other parties were responsible, is not of a standard that homeowners would expect.

It was now therefore important he concluded, that the Council seeks to liaise as quickly as possible with other relevant stakeholders involved in the wider EWI / IWI programme in Caerau, to explore available options and determine if a collective and consistent approach can be agreed to address the matters raised in the report/attached Appendix.

Each of the Cabinet Members, in turn, expressed their deep concerns with regard to the content of the report.

The Cabinet Member – Communities, confirmed that cavity wall insulation and external wall insulation was considered to offer many homes the insulation they needed. However, insulation that is installed incorrectly will cause more harm than good and

unfortunately, at the time, the consequences of that happening were not well understood.

The scheme was launched by Welsh Government to address fuel poverty and to contribute to carbon reduction in some of Wales' poorest areas, and was carried out in more than 6,000 homes across Wales between 2011 – 2013, by a range of contractors, some of which were as it turned out, inexperienced and not fully trained.

In the 1990's and early 2000's With rising energy costs, the government was backing various grants and funding schemes like the one subject of the report, to provide more properties with cavity wall insulation using retrofitted insulation, for those properties with cavities and external wall insulation for those without. Insulation work was subsequently completed on properties right across the UK. Though at first reported problems were minimal, there was now a legacy of incorrectly installed insulation in thousands of houses across the whole of the UK, that sadly included the scheme at Caerau, amongst others in a number of different areas all across Wales, as part of the Arbed programme.

This of course was extremely concerning, especially in light of the excellent progress that has been made locally on other unrelated work which is aiming to provide residents with cheaper, cleaner energy solutions.

The Council was contacting other funding administrators to discuss the findings of the NuVision report and further updates in respect of this would be awaited, as the situation further develops.

The result of the works had been devastating to the owners of the properties affected in Caerau, as was portrayed by the photographic evidence in the report, confirmed the Cabinet Member – Future Generations and Wellbeing.

Members felt it was important that this was an isolated occurrence in relation to work carried out by the Council on other different major housing schemes.

The Chief Executive confirmed that evidence suggested that this was a one-off historical issue that related just to the Arbed 1 Scheme in Caerau. There were other associated issues he added that had raised some concerns, with regards to compliance with the Council's Contract Procedure Rules (CPR's) and the effective management of external funding, both of which had also come under scrutiny as a result of the project.

It was also felt Cabinet advised, that the Council had to openly acknowledge the devastating effects that had taken place upon residents of the properties affected and apologise for this workmanship. The Authority needed to be totally open and transparent to this end, added the Cabinet Member – Social Services and Early Help.

The Chief Executive added that this had been and would continue to be the case. The Council had involved both Internal and External Audit in the investigations, as well as the Public Service Ombudsman for Wales. The feedback from any key findings would form part of follow-up reports to the relevant Committees.

The Deputy Leader asked when Cabinet would receive a further follow-up report, outlining the way forward in respect of this matter.

The Chief Executive confirmed that this would be in the New Year and hopefully to the February Cabinet meeting.



She reminded Cabinet, that in the autumn of 2019, Welsh Government and WEFO indicated that funding opportunities existed through RDP and ESF resources to potentially support the continuation of the VRP delivery from March 2021 to June 2023. At its meeting in March 2020 the VRP Board invited BCBC to apply for funding through ESF and RDP in its role as host. This invitation was subsequently supported by the VRP Forum.

In June 2020 BCBC officers under delegated authority submitted two full business cases to Welsh Government and WEFO.

The proposal to Welsh Government was submitted under the RDP Co-operation and Supply Chain Development Scheme to support the continued development of the VRP Guardians Scheme. The current work will provide an evaluation of the development phase which is funded by Welsh Government and is currently being delivered through a contract with Groundwork Wales working to the VRP team. This proposal would deliver the ongoing Guardian Scheme that will utilise the facilities being delivered through the Discovery Gateway capital investments that have been made directly by Welsh Government. The proposal would also enable a procurement process to be undertaken that would seek to take forward the current approach and enable funding to be in place to June 2023 for the Guardians element of the VRP.

The second was a proposal submitted to WEFO for ESF Priority 5, Specific Objective 5: Public Services Reform. This proposal was based on an approach to regional working that would strengthen sustainable management of natural resources through strategic regional collaboration to establish and enable the long-term vision and aims of the VRP to provide significant social, economic and environmental benefits. This proposal would support the VRP team and the development of the partnership with funding in place to June 2023. The proposal supports the development of proposals for the long term governance, operating model and funding mechanism for the VRP. Welsh Government and WEFO have agreed to allow the current funding for VRP to be used as retrospective match for the ESF proposal and attract the grant offer.

Based on the request of the VRP forum to do so, these proposals outlined that BCBC will continue to act as host for the programme team and to extend the appropriate financial and legal agreements with Welsh Government and the Local Authorities that form the VRP. The VRP Strategic and Operational lead would remain as a Welsh Government employee but be hosted by BCBC via an extension of the terms and conditions of the existing hosting agreement.

The Corporate Director – Communities reminded Members that there were two park areas in Bridgend that were part of the VRP, namely Parc Slip Nature Reserve and Bryngarw Park.

The Cabinet Member – Education and Regeneration commended Officers in BCBC, for their hard work which had seen the Authority continue to host this initiative and whilst he was happy to note the level of ongoing funding that had been made available, he was also sorry to note, that this was only until 2023.

The Leader advised that the funding to date had gone a considerable way to improving facilities that were now available at both Parc Slip Nature Reserve and Bryngarw Park. He encouraged people to visit both these parks to see these enhanced improvements.

The Cabinet Member – Communities gave his support for what was a good news story, particularly for open areas such as park land during the pandemic.

The Cabinet Member – Future Generations and Wellbeing concluded debate by commending the 3 valley locations that were situated in the BCB area, adding that it was worth people paying a visit to these scenic locations in order to see what was available there, which included a warm welcome from the residents.

RESOLVED: That Cabinet:

1. Noted progress to date in developing the VRP.
2. Noted the request from the VRP board that BCBC continue in its role as host of the VRP
3. Approved the proposal for BCBC to extend its role as host of the VRP delivery team to June 2023 and delegate authority to the Corporate Director Communities, in consultation with the Section 151 Officer and the Chief Officer of Legal, HR & Regulatory Services, to:
  - (i) Approved the final terms of the grant offers and accept the offers of funding from Welsh Government and WEFO for RDP and ESF resources upon their receipt; and
  - (ii) Approved the entering into any appropriate funding and legal agreements necessary to fulfil its role as host the VRP delivery team and its obligations in relation to RDP and ESF funding.

566. DEVELOPMENT OF A TOURIST FOCUSED LAND TRAIN OR SIMILAR PASSENGER CARRYING VEHICLE OPERATION IN PORTHCAWL

The Corporate Director – Communities presented a report, the purpose of which, was to seek Cabinet approval for a proposal to support the establishment of a tourist focussed land train or similar passenger carrying vehicle operation in Porthcawl. The proposal will aim to add value to on-going work to develop a range of sustainable transport methods that better connect the attractions, facilities and services that exist across the seafront with the town centre.

By way of background information, she advised that in 2014, Visit Wales (VW) stated that as part of their European Regional Development Fund (ERDF) Infrastructure Development Programme, they were looking to prioritise a small number of regional tourist 'Attractor Destinations' within Wales and anticipated that 2-3 priority schemes may be taken forward in the parts of South East Wales eligible for ERDF funding.

Following a regional prioritisation exercise involving all 10 Local Authorities in the South East Wales area, Porthcawl was scored as a priority for support. This highlighted the importance of the resort in tourism terms, both locally, and for the wider Welsh economy. This was supported in principle by Cabinet in April 2015.

The Corporate Director – Communities reminded Cabinet that to date, BCBC had delivered a number of initiatives through the TAD programme, as were detailed in paragraph 3.1 of the report.

She continued by stating, that as a result of re-profiling the funding package that has already been secured by BCBC through the TAD programme an opportunity now exists to allocate funds to support the establishment of a tourist focussed land train or similar passenger carrying vehicle operation in Porthcawl.

The intention would be to seek to link the town centre, beaches and other attractions along the seafront from Sandy Bay/Coney Beach to Rest Bay. The proposed operational season would be expected to cover, as a minimum, the main holiday periods and therefore generally commence at the end of March or beginning of Easter through to the end of September. The operator would be responsible for providing the vehicle and meeting all maintenance, repair, insurance and all other operating costs and be responsible for obtaining all approvals necessary to operate the vehicle.

The Corporate Director – Communities added, that this proposal had been discussed in principle with VW and subject to BCBC following appropriate financial processes and procedures is considered to be in line with the overall aspiration of the TAD programme and to add value to work undertaken to date.

It was therefore proposed that the opportunity to operate a tourist focussed land train or similar passenger carrying vehicle on the roads across Porthcawl Seafront, be openly advertised and expressions of interest sought from potential operators.

As soon as an operator has the appropriate consents required to operate the vehicle, route signage, line painting and amendments to the Bridgend County Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places)(Civil Enforcement) Order 2013 (TRO) will be required to assist in the safe delivery of the local transport link. It was proposed that eligible costs to facilitate these works be funded through the resources already secured by BCBC as part of the TAD programme.

The Cabinet Member – Communities welcomed the report and an added tourist attraction for Porthcawl. He hoped that when expressions of interest were submitted, that these would be for the provision of an energy sustainable vehicle ie electrically run, in-keeping with the Council's Carbon Reduction Strategy going forward.

The Cabinet Member – Education and Regeneration, stressed the fact that BCBC were facilitating this proposed added feature to one of our leading tourist locations through a successful grant funding application. The business operation itself and any costs generated through this, would be borne by an external operation as opposed to the local authority.

The Leader concluded debate on the item, by reminding those present of the popularity of trains such as this. There was a similar facility provided by volunteers at Parc Slip Nature Reserve, that was very popular with visitors to this tourist location. He assured that the Council would work with the successful operator in order to ensure, that the vehicle provided is both sustainable and accessible, ie for people with mobility issues. He welcomed a further report on this topic, in due course.

**RESOLVED:** That Cabinet:

- (1) Noted progress of work to date in delivering the aspirations of the TAD programme in Porthcawl
- (2) Approved the proposal to support the establishment of a tourist focused land train or similar passenger carrying vehicle operator in for Porthcawl.
- (3) Authorised officers to undertake the processes and procedures outlined in section 4 of this report and in doing, and in agreement with the Section 151 Officer and Head of Legal and Regulatory Services, grant any necessary consents and enter into any required agreements with the preferred operator.

567. TREASURY MANAGEMENT - HALF YEAR REPORT 2020-21

The Interim Chief Officer – Finance, Performance and Change presented a report, the purpose of which, was to:

- comply with the requirement of the Chartered Institute of Public Finance and Accountancy's 'Treasury Management in the Public Services: Code of Practice' to produce interim Treasury Management Reports.
- report on the projected Treasury Management Indicators for 2020-21.
- provide an update on the proposed changes to the Treasury Management Strategy 2020-21 and recommend that they be presented to Council for approval.

The background to the report, reminded Cabinet that Treasury Management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council is exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

The Interim Chief Officer – Finance, Performance and Change also reminded Members, that in 2017 CIPFA also published a new version of the Prudential Code for Capital Finance in Local Authorities (the Prudential Code). The updated Prudential Code includes a requirement for Local Authorities to provide a Capital Strategy, which is a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The definition of investments in the revised 2017 CIPFA Code now covers all the financial assets of the Council as well as other non-financial assets which the authority holds primarily for financial return. The Council's Capital Strategy 2020-21, complying with CIPFA's requirement includes the Prudential Indicators which in previous years were included in the TMS, along with details regarding the Council's non-treasury investments. The Capital Strategy and TMS should be read in conjunction with each other as they are interlinked as borrowing and investments are directly impacted upon by capital plans and were approved together by Council on 26 February 2020.

She explained further, that the Council had complied with its legislative and regulatory requirements during the first half of 2020-21. The TMS 2020-21 was reported to Council on 26 February 2020 with the Half Year Outturn scheduled to be reported on 18 November 2020. In addition, a quarterly monitoring report was provided to Cabinet in July 2020.

A summary of the treasury management activities for the first half of 2020-21 was shown in table 1 in Appendix A to the report. The Council had not taken long term borrowing since March 2012 and it is not expected that there will be a requirement for any new long term borrowing in 2020-21. Favourable cash flows have provided surplus funds for investment and the balance on investments at 30 September 2020 was £64.29 million with an average rate of interest of 0.24%. This was a significant reduction from the same time last year when the average rate was 0.85%, and showed the impact of the reductions in interest rates during March 2020.

Table 4 in section 4 of Appendix A, detailed the movement of the investments by counterparty types and shows the average balances, interest received, original duration and interest rates for the first half of 2020-21.

The TM Code required the Council to set and report on a number of Treasury Management Indicators. The indicators either summarised the expected activity or

introduced limits upon the activity. Details of the estimates for 2020-21 set out in the Council's TMS, against current projections, were shown in Appendix A and these reflected that the Council is operating in line with the approved limits.

The Council defines high credit quality as organisations and securities having a credit rating of A- or higher and Appendix B to the report, showed the equivalence table for credit ratings for Fitch, Moody's and Standard & Poor's and explains the different investment grades.

CIPFA's Code of Practice for Treasury Management required all local authorities to conduct a mid-year review of its treasury management policies, practices and activities. The outcome of this review is that there are changes required to investment limits, as were reflected in bullet point format in paragraph 4.7 of the report.

The proposed revised TMS was included at Appendix C to the report and the proposed amendments highlighted in red. Both these amendments had been discussed with the BCBC Treasury Management Advisors, Arlingclose.

The Deputy Leader stated that whilst low interest rates were very good for borrowers at the moment, they weren't so good for savers and investments.

He asked for some assurance that the proposals within the report, would not reduce in any way reduce the Authority's threshold of its present security and risks.

The Interim Chief Officer – Finance, Performance and Change, assured that the Council's financial priority was based very much on security, liquidity and yield as a final financial objective. She added that the local authority lending was extremely secure and it followed closely to this end, the directives from its Treasury Management advisors.

The Leader also sought assurance that the Council were depositing its funds in other institutions that were extremely safe, for example through the use of other local authorities, etc.

The Interim Chief Officer – Finance, Performance and Change confirmed that this was the case and that she could not remember a time when another local authority went bust. The Council were also very careful about the duration of time when placing funds in other institutions (in terms of looking to limit any 'risk'). BCBC she added, also used market monetary funds and should the need arise, the Authority could invest in certain registered providers which would give some flexibility when pursuing with some of its proposed future schemes.

RESOLVED: That Cabinet:

- noted the Council's treasury management activities for 2020-21 for the period 1 April 2020 to 30 September 2020 and the projected Treasury Management Indicators for 2020-21.
- recommended that the proposed changes to the Treasury Management Strategy 2020-21 be presented to Council for approval on 18 November 2020.

568. DIGITAL STRATEGY 2020-2024

The Interim Chief Officer – Finance, Performance and Change presented a report, that sought Cabinet approval to adopt and implement the Digital Strategy 2020-2024, which had taken into consideration public consultation responses.

By way of some background, she confirmed that in 2017, the Welsh Government commissioned the Society of Information Technology Managers (SocITM) Advisory Ltd to establish the digital maturity of all local authorities. It had been identified that while digital maturity was low, appetite to improve was high and a vital prerequisite to meet the Wales National Digital Agenda.

In September 2016 a Digital Transformation Programme of works commenced to primarily introduce a single 'digital platform' (My Account) and an accessible website. The Strategy builds on these improvements by further developing how citizens, businesses and visitors engage and transact with the Council.

The Interim Chief Officer – Finance, Performance and Change, advised that as part of the 2019 Budget Consultation, feedback showed that 87% of Bridgend citizens want more Council services online, using better and more modern online functionality to support channel shift as well as self-serve facilities. Also according to the Office for National Statistics (ONS), 85% of Bridgend citizens have access to the internet and prefer the convenience of online transactions, as opposed to certain other methods of communication by which to conduct their business.

For the Budget Consultation 2019 and in a separate Digital Survey undertaken between June and August 2019, the public were asked for feedback on current digital capabilities provided to them by the Council, as well as suggestions to further enhance its services. The results have been incorporated into the assessment and delivery model and were included, at Appendix A to the report.

Turning to the current position, the Interim Chief Officer – Finance, Performance and Change stated that, an ambitious four year Digital Strategy had been drafted which encapsulates Bridgend's well-being objectives, the national digital landscape and includes a matrix of measurements utilised by SocITM to assess Bridgend's digital maturity and growth. The Strategy had been divided into 3 key areas, namely Digital Citizen, Digital Council and Digital Place.

Each section has an allocated action plan, with dedicated owners to ensure the ambitions of the Strategy are achieved by 2024.

The Interim Chief Officer – Finance, Performance and Change continued, by confirming that one of the aims within the Digital Strategy is to streamline routine and repetitive processes, delivering end-to-end connections to back office systems with the ambition of delivering efficiencies through digital automation, in order to enhance service delivery.

The Council's Digital Principles have been developed to underpin the foundations of the Five Ways of Working within the Well-being of Future Generations (Wales) Act, aligning a "Digital First" approach and encapsulating the good practice principles identified by SocITM. Further information regarding this, was outlined in paragraph 4.4 of the report.

In respect of the report's financial implications, the Interim Chief Officer – Finance, Performance and Change, advised that there were established Earmarked Reserves to support both the revenue and capital aspects of Digital Transformation. The current budget available is £407,000 (revenue) and £520,000 (capital).

During the delivery of the digital programme, business cases will be developed to be approved by Corporate Management Board ahead of any future development works.

The Deputy Leader stated that this was an exciting piece of news, as there was a big demand for Digital services that would rise expedientially in future years, including over the life of the Strategy. The Strategy would allow customers the opportunity to engage

with the Authority in a more modern and innovative way, including out of normal office hours. The Strategy would also track the demand for different digital type services moving forward, that customers wish to be made available, by which to conduct their business and other queries, etc.

The Cabinet Member – Future Generations and Wellbeing confirmed that digitally speaking and in terms of advancing the Council's website, BCBC had improved considerably in the last few years. She was pleased to see that the Digital Strategy was a corporate strategy that also accounted for individuals who were digitally excluded also. She extended her thanks to the ICT and Communications teams for all their hard work in recent months, particularly during the pandemic, where effective engagement between the Council and others had continued, including crucially with our most vulnerable in society.

The Leader was pleased to note, that the BCBC web site had been recognised by an accreditation, for both its user friendly accessibility and in terms of what it offers the public at large. The Strategy was also a flexible document, to take account of any potential fast moving changes that undoubtedly would take place in the future, with regards to the developments of technology. More than ever before, large organisations were now reliant on ICT and no local public body could function in this day and age, without an effective and reliable digital platform. He hoped to see further progress reports coming before Cabinet on the development of the Digital Strategy.

The Cabinet Member – Social Services and Early Help, welcomed the Strategy and the "One front Door" policy the Council had introduced as part of this. She added however, that it was important for management to take on board, that not all of the Council's constituents wished to engage with the Authority by electronic means. Therefore, provision still had to be made for these individuals. She also felt that records should also be digitally archived as a safeguard for maintaining record keeping electronically.

**RESOLVED:** That Cabinet approved the Digital Strategy 2020-2024, attached at Appendix B to the report.

569. **LEARNING DISABILITIES SUPPORTED LIVING CONTRACTS EXTENSION**

The Corporate Director – Social Services and Wellbeing presented a report, in order to seek authority to vary the current contracts in place with the three supported living services commissioned for people with a learning disability, by extending the existing terms for a further 12 months, in accordance with Contract Procedure Rule (CPR) 3.2.9.3.

She explained that in November 2019, Cabinet approved a two-stage procurement process for the re-commissioning of service providers to deliver supported living services for individuals with a learning disability living in Bridgend. The re-commissioning plan moved away from the current 'county-wide' contracts with 3 service providers, to a 'locality' based model whereby service providers can deliver person-centred, localised support for people that enables them to engage more fully in their local community and helps to better promote their journey towards independence.

Following the above, in March 2020 Cabinet approved the award of a framework agreement to successful bidders, and for the Council to begin to implement the Stage 2 procurement of local area service call-off tenders. People First Bridgend (PFB) were the independent body that would be involved in this process, the Corporate Director – Social Services and Wellbeing added.

It was anticipated that all the local area service tenders would take place over a 12-month period, between April 2020 (when framework agreements commenced) and March 2021, when the current contracts expire.

The PFB consultation and engagement work commenced via face-to-face meetings with individuals in the service in March 2020, but due to the significant and unforeseen impact of the Covid-19 pandemic and resulting lockdown restrictions, these had to cease shortly afterwards, in April.

With national and local lockdown restrictions limiting face-to-face consultation, there has been a reliance on virtual consultation methods instead of face-to-face engagement, which is severely impacting on the effectiveness of the engagement, and also the timescales needed to fully engage with each supported living scheme prior to tendering the local area service contracts, which was originally scheduled to be completed by March 2021.

It was proposed that the existing contracts in place with the three service providers be extended for a further 12 months therefore, to 31 March 2022, which is the length of time deemed necessary in order to carry out full and meaningful consultation, in accordance with the commissioning approach approved previously by Cabinet.

There was provision under CPR 3.2.9.3 to seek to modify an existing contract, under the criteria detailed in paragraph 4.2 of the report.

The need for modification had been brought about by the impact of the Covid-19 pandemic, circumstances which the Council could not have foreseen when entering into the original contracts. The overall nature of the contract will not be altered, and all other contractual terms remain unchanged, as the proposed variation is for a 12 month extension only. The proposed modification does not exceed 50% of the original contract value. The financial implications as shown in the report, detailed the value of the proposed modification.

The Cabinet Member – Social Services and Early Help fully supported the report, adding that this was a continuation of providing vital services to vulnerable adults. She was familiar with the Cartrefi contract and was very pleased to see continuity in terms of service delivery to the people who very much needed this, particularly in the face of the Covid-19 crisis.

The Leader echoed the above, adding that he was pleased to see that the Council were committed to a full consultation and engagement exercise being undertaken with individuals that were supported by these schemes, as soon as circumstances allowed us to do so. It was vitally important he felt, that the support provided continued to be person centred with such support focusing on the specific needs and requirements of the individuals concerned, with the aim and objective also being, to improve and increase this support, where possible.

**RESOLVED:** That Cabinet authorised the modify of the existing contracts with Cartrefi (Lot 1), Mirus (Lot 2) and DRIVE Ltd (Lot 3) by extending the existing terms for a further 12 months to 31st March 2022, in accordance with the Council's CPR 3.2.9.3.

570. **CONTRACT FOR THE SUPPLY OF FRESH, FROZEN AND COOKED MEATS - SUSPENSION OF THE CONTRACT PROCEDURE RULES**

The Corporate Director – Education and Family Support presented a report, seeking:

- to suspend those parts of the Council's contract procedure rules in respect of the procurement requirements relating to the tendering of the contract for the supply of fresh, frozen and cooked meats; and
- to authorise the Corporate Director Education and Family Support to enter into a contract with the current contractors, Mid Glamorgan Provisions Ltd on the same terms as the current contract to 18 December 2021.

He explained that, following a procurement process in November 2019, the Council awarded a contract for the supply of fresh, frozen and cooked meats to Mid Glamorgan Provisions Ltd. That contract is due to expire on 18 December 2020.

The Council is part of a regional delivery group and as part of that group, has committed to the establishment of a regional framework for the supply of foods such as fresh, frozen and cooked meats. The commissioning of the regional framework is to be led by Caerphilly County Borough Council.

He proceeded further, by stating that the contract with Mid Glamorgan Provisions Ltd was awarded for a limited period to 18 December 2020, as it was anticipated that the new regional framework would have been in place by this time and that the Council would utilise that new regional framework.

Using the regional framework will likely bring financial advantages to the Council, however, due to the impact of the Covid-19 pandemic, there have been delays to the commissioning of the regional framework and it has not yet been established by Caerphilly County Borough Council.

The Corporate Director – Education and Family Support, added that due to both the unprecedented mentioned pandemic, and the approach of Brexit, it is essential to maintain supply of these high-risk foods with a supplier who we have tested quality and commitment to our service, until the regional framework can be utilised.

It was therefore proposed that the Council should suspend the contract procedure rules and enter into a contract for fresh frozen and cooked meat with Mid Glamorgan Provisions Ltd on the same terms as the current contract from 19 December 2020 until 18 December 2021. This will allow for the regional framework to be established and for the Council to ensure continuity of provision of this high risk food, until such time as the Council is able to utilise the regional framework to appoint a supplier for the provision of fresh frozen and cooked meats from the regional framework.

He concluded his report, by reminding that Cabinet should be aware, that by not complying with its contract procedure rules the Council is exposed to the risk of potential challenge from other suppliers of such products, as we are entering into a contract without any competition which breaches the requirements of procurement legislation.

The Cabinet Member – Education and Regeneration confirmed that he supported the recommendations within the report.

**RESOLVED:** That Cabinet:

1. Suspended the relevant parts of the Council's contract procedure rules in respect of the requirements relating to the procurement of the contract for the supply of fresh frozen and cooked meat; and
2. Delegated authority to the Corporate Director Education and Family Support in consultation with the Interim Head of Finance and Section 151 Officer and Chief

Officer - Legal, HR and Regulatory Services, to enter into a contract for the supply of fresh, frozen and cooked meat with Mid Glamorgan Provisions Ltd from 19 December 2020 until 18 December 2021.

571. 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 and 4.2 of the report.

He explained that for the 26 schools in the table within paragraph 4.1 of the report, all 3 applicants listed there, met the approved criteria for appointment as local authority governors and there was no competition for any of the vacancies.

There was however, competition for a vacancy at one school, ie Coety Primary and in line with the Council's selection criteria, Mrs Ella Dodd was appointed, due to her tenure as a governor, as well as her added experience as a LA governor.

The Cabinet Member – Education and Regeneration thanked all those individuals who had successfully shown an interest in the school governor vacancies as shown in paragraph 4.1 of the report. He was very pleased to see so many vacancies being filled at a considerable number of schools around the same time, he added.

For future reference, he also felt that it would be useful to put in a training programme for any future potential candidates in advance of them applying and subsequently securing a school governor vacancy at one of our schools. This would assist those interested candidates who had limited or no experience in a school governing body role, to be better placed when successfully applying for a vacant school governor position in the future, as opposed to them just having such training after they had been successful (or unsuccessful) in their application.

The Corporate Director – Education and Family Support confirmed that this point would be both followed-up and put in place.

RESOLVED: That Cabinet approved the appointments listed in paragraphs 4.1 and 4.2 of the report.

572. CORPORATE COMPLAINTS POLICY

The Chief Officer – Legal, HR and Regulatory Services presented a report, the purpose of which, was to present the revised BCBC Corporate Complaints Policy and seek approval for the same.

She advised that the Public Services Ombudsman for Wales (PSOW) wrote to the Leaders and Chief Executives of all 22 local authorities in September 2020 explaining how his Complaints Standards Authority has engaged with representatives from all local authorities to put in place a raft of measures designed to support and enhance complaint handling. These measures include bespoke training, and a process for all local authorities to report complaints statistics to the Ombudsman's office on a quarterly basis.

In his letter the Ombudsman also encouraged all local authorities to reflect on how their current practices and procedures comply with the Statement of Principles, Model Complaint Handling Process and Guidance published on the Ombudsman's website.

The Corporate Complaints Policy had therefore been reviewed and revised in line with the Ombudsman's Model Complaints Handling Policy and was attached at Appendix 1 of the report, for approval.

The Chief Officer – Legal, HR and Regulatory Services, confirmed that the revised Policy would be published on the Council's website and internally on the intranet.

The Cabinet Member – Future Generations and Wellbeing advised that in BCBC any complaints by the public etc, were taken very seriously and if deemed necessary, acted upon. She always made it clear to her constituents that they should contact herself in the first instance, in order to see if any complaint could be dealt with first and foremost, on an informal basis. She added that she was pleased that the Council adopted the model that was before Cabinet, which was very clear and set out the protocol that residents and others could expect, should they felt the need to put in a complaint.

**RESOLVED:** That Cabinet approved the Corporate Complaints Policy attached as Appendix 1 to the report.

573. **FORWARD WORK PROGRAMME**

The Chief Officer – Legal, HR and Regulatory Services, presented a report, seeking Cabinet approval for items to be included on the Forward Work Programme for the period 1 November 2020 to 28 February 2021.

In accordance with the Council's Constitution, the Forward Work Programme will be prepared by the Monitoring Officer to cover a period of four months except when ordinary elections of councillors occur, in which case the Forward Work Programme will cover the period up to the date of the elections.

She explained that the Forward Work Programme will contain matters which the Cabinet, Overview and Scrutiny Committees and full Council are likely to consider

It will also be published at least 14 days before the start of the period covered. The Authority is required to publish once a year a notice in at least one newspaper circulating in the area, stating that a Forward Work Programme will be published and giving the publication dates for that year.

Attached to the report were the Cabinet Forward Work Programme (Appendix 1), the Council Forward Work Programme (Appendix 2) and the Overview and Scrutiny Forward Work Programme (Appendix 3).

The Cabinet Member – Future Generations and Wellbeing advised that it was important for the public to see up and coming topical items that were earmarked for agendas of Cabinet, Council and Scrutiny, for reasons of transparency and to assist in engagement with them and residents of the County Borough, in order to share details of up and coming reports to be debated by Members/Officers on key service areas of the Council etc, they may have an interest in and to look to increase interest in the local authority decision making processes overall.

**RESOLVED:** That Cabinet:

- Approved the Cabinet Forward Work Programme for the period 1 November 2020 to 28 February 2021 at Appendix 1 to the report;
- Noted the Council and Overview and Scrutiny Forward Work Programmes for the same period as above, shown at Appendix 2 and 3 of the report, respectively.

**CABINET - TUESDAY, 17 NOVEMBER 2020**

574. URGENT ITEMS

None.

The meeting closed at 16:45

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING

#### SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2019/20

#### 1. Purpose of report

- 1.1 The purpose of this report is to present to Cabinet the 2019/20 Annual Report on social services representations and complaints procedures as required by Welsh Government guidance. The Annual Report is attached at **Appendix 1**.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 Members will be aware that there is a requirement for local authorities to have in place procedures for considering any representations or complaints made in relation to the discharge of their Social Services functions. This is the sixth Annual Report relating to social services representations and complaints received that have been handled in accordance with the revised Welsh Government Complaint Guidelines "A Guide to Handling Complaints and Representations by Local Authority Social Services" which came into effect on 1<sup>st</sup> August 2014. The guidance supports the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. The Regulations introduced a new two stage process which replaced the previous three stages and also brings the process for social services into line with the NHS Complaints Procedure.

- 3.2 The key elements of the Social Services Representations and Complaints Procedure are:-

- Stage 1 complaints to be responded to within 5 working days of the date of resolution (10 working days permitted to achieve resolution).
- The timescale permitted to complete Stage 2 independent complaint investigations is 25 working days.
- To make links with other Directorates of the Authority, the NHS and the Care Inspectorate Wales to provide a 'seamless' complaints service.
- Monitor performance of complaints handling, learning from complaints and using this learning to improve services for everyone who uses them.

Where complainants have exhausted the complaints procedure, the complainant has the right to refer their concern for consideration by the Public Services Ombudsman for Wales.

- 3.3 Members will note from the Annual Report that strong emphasis is placed not just upon complaints, but also on the comments and compliments received from service users which gives a balanced view. The services are keen to learn from the information gathered and use this to inform future service developments and any service improvements.
- 3.4 The Annual Report also contains statistics relating to complaints addressed in accordance with the Authority's Corporate Complaints Procedure, together with information relating to the fact that the majority of complaints are addressed and resolved informally (prior to reaching Stage 1 of the complaints procedure). This important and significant work ensures that concerns are resolved quickly and prevents complainants from being subjected to using the formal complaints procedure unnecessarily.
- 3.5 Statistical information relating to the processing of Member referrals is provided in the Annual Report. The Representations and Complaints Procedure does not preclude the right of an individual to approach their local Councillor, Assembly Member or Member of Parliament who all undertake an important role in handling concerns and queries that individual constituents may have. Member referrals can range from comments and queries to complaints.
- 3.6 The Annual Report also includes information arising from a cross-section of the feedback generated from user/carer engagement exercises undertaken by a range of service areas across both Adult Social Care and Children's Social Care.

#### **4. Current situation/proposal**

- 4.1 The 2019/2020 report contains statistical information in relation to the representations and complaints received during the year for both adult social care and children's social care.
- 4.2 The number of representations (complaints, comments and compliments) received during the reporting period was broken down as follows:

32	statutory complaints
35	corporate complaints
201	concerns resolved pre-complaints procedure
96	compliments/comments

This is a reduction in the overall number of complaints received in the period, but also shows a reduction in the number of compliments when compared to the previous reporting period. Complaints staff continue to encourage all staff across the Directorate to record and log all compliments received.

- 4.3 Statistics reflect that the Directorate has continued to achieve an early resolution for complainants. The number of complaints resolved by this approach in 2019/20 was 201 compared to previous years, 234 in 2018/19, 198 in 2017/18 and 187 in 2016/17. Therefore although there has been a reduction in the number of complaints with early resolution by 33 this year the total overall number of complaints received in the year by the Directorate has also reduced by 44. The emphasis continues to be to focus on swift and effective complaints handling in a local citizen centred way.
- 4.4 During 2019/2020, 9 complaints were received by the Public Services Ombudsman's Office, 2 of which related to Children's Social Care, 6 in respect of Adult Social Care and 1 relating to Finance. The Public Services Ombudsman decided not to investigate the 9 complaints but made recommendations for the Adults and Childrens Social Care complaints, which the Local Authority agreed and implemented.
- 4.5 The number of Member Referrals received for both adult and children's social care during the reporting period was 122, broken down as follows:
- Adult Social Care – 90  
Children's Social Care - 32
- 4.6 As referred to in paragraph 3.6, there is a wide range of feedback from people who use social care services which is used to inform service development. The Annual Report details various examples of responses and feedback received for a range of services across the Directorate.
- 4.7 The Annual Report includes feedback from the programme of rota visits by Elected Members. This is part of the quality assurance of the Authority's social care services and all Elected Members are invited to take part. The programme involves Members visiting both council-run and independent sector social care and nursing establishments for adults and children and young people and reporting on the findings and feedback on the services provided. During this period 6 rota visits took place in adult social care settings, 12, in the independent sector, and 5, in childrens social care settings.
- 4.8 Independent advocacy support services across children's and adult social care continues to be a priority, and the Annual Report provides details of advocacy activity across both service areas, together with some comments and detail of some outcomes achieved.
- 4.9 The majority of the work carried out within the Social Services Representations and Complaints Procedure is undertaken in consultation with either the Monitoring Officer and/or Legal Services.

## **5. Effect upon policy framework and procedure rules**

5.1 There is no impact on the Policy Framework and Procedure Rules.

## 6. Equality Impact Assessment

6.1 A screening for equality impact has been carried out in relation to the Representations and Complaints Procedure. There is no negative impact on the protected equality characteristics.

6.2 Complainants are welcome to submit complaints in the Welsh language; complaints leaflets are bilingual. The complaint forms are bilingual and are available for use by complainants.

6.3 There have been no complaints received in relation to equality issues during the reporting period.

## 7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The implementation of the duties and responsibilities under the Social Services and Wellbeing (Wales) Act 2014 (SSWBA), in turn, supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. By promoting an environment that maximises people's physical and mental well-being and by supporting children, young people, adults and their carers and families to fulfil their potential no matter what their circumstances, the wellbeing goals of a Healthier and more equal Bridgend and Wales are supported.

7.2 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales. Promoting the right of an individual to be involved in the development and provision of support and services, to encourage feedback and to enable a person to make a complaint about the support or services they receive contributes to ensuring the Authority works to deliver wellbeing outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

- **Long Term** – the SSWBA focuses on sustainable prevention and wellbeing outcomes for the future, and a focus on early intervention, prevention of complaints escalation, and a lessons learned approach, continues to be a priority.
- **Prevention** – there is a focus on early intervention and response to complaints received in order to avoid escalation and ensure as far as possible that an early preventative resolution is achieved.
- **Integration** - the implementation of the SSWBA requires local authorities to work with partners, in addition, one of the key elements to the Social Services Complaints Procedure would be to ensure links are made with other Directorates of the Authority, the NHS, and the Care Inspectorate Wales in order to provide a 'seamless' complaints service.
- **Collaboration** – there is a focus on linking in with other parts of the organisation and relevant partners, in terms of providing a consistent and through response to complaints made, and to ensure responses are responded to in a consistent way.
- **Involvement** - the key stakeholders are the people who use social care. There is considerable engagement with key stakeholders which includes surveys, feedback forms, member referrals and rota visiting processes, as well as the complaints process.

## **8. Financial implications**

8.1 There are no financial implications associated with this report.

## **9. Recommendation**

9.1 It is recommended that Cabinet approve the Annual Report on social services representations and complaints procedures for 2019/20.

**Claire Marchant**  
**CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING**  
**November 2020**

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**Background documents:** None

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# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS**

### **ANNUAL REPORT 2019 / 2020**

***October 2020***

**SOCIAL SERVICES  
REPRESENTATIONS AND COMPLAINTS 2019/20**

**CONTENTS**

1. Introduction
2. Summary of the complaints procedure
3. The Public Services Ombudsman for Wales
4. Member referrals
5. Engagement and Feedback
6. Statistical information 2019/2020
7. How complaints were resolved/lessons learned
8. Achievements in 2019/2020
9. Objectives for 2020/2021
10. Equalities

## 1. INTRODUCTION

This report covers the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020 and relates to representations and complaints received by the Social Services and Wellbeing Directorate regarding services and support provided by Adult Social Care and Children's Social Care.

Social Services Authorities are required to maintain a procedure for considering complaints and representations (comments and compliments). Any member of the public, including a child who has received or was entitled to receive a service from social services may make a complaint. The purpose of this report is to provide a review and statistical analysis of the complaints, comments and compliments received by Social Services during the reporting period.

This is the fifth Annual Report relating to representations and complaints received by the Directorate which have been handled in accordance with the revised Welsh Government Complaint Guidelines "A Guide to Handling Complaints and Representations by Local Authority Social Services" which came into effect on 1<sup>st</sup> August 2014. The guidance supports the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. The Regulations introduced a new two stage process which replaced the previous three stages and also brings the process for social services into line with the NHS Complaints Procedure.

## 2. SUMMARY OF THE STATUTORY COMPLAINTS PROCEDURE

**"A Guide to handling complaints and representations by local authority social services" (Welsh Government).**

**Stage 1 – Local Resolution:** As with the previous guidelines, particular emphasis is placed upon swift resolution of the majority of complaints. An offer to discuss the complaint with the complainant must therefore be made to attempt to resolve matters. This discussion must take place within 10 working days of the date of acknowledgement of the complaint. Where this approach leads to mutually acceptable resolution, the local authority must write to the complainant with details of the terms of the resolution within 5 working days of the date on which the complaint or representation was resolved.

**Stage 2 – Formal Investigation:** Appointment of an Independent Investigator is made and, as with the previous guidelines an Independent Person must also be appointed to oversee the investigation process (children's complaints). Collaborative arrangements have now been established (on a reciprocal basis) with neighbouring Local Authorities to share staff to undertake investigations

The Investigation must be completed and a full written response issued to the complainant within 25 working days. Where this is not possible, the Authority must write to the complainant to explain the reason for the delay and ensure the response is issued as soon as possible and no later than 6 months from the date of receipt of the complaint.

### 3. THE PUBLIC SERVICES OMBUDSMAN FOR WALES

Where complainants have exhausted the complaints procedure, the complainant has the right to refer their concern for consideration by the Public Services Ombudsman for Wales.

The Public Services Ombudsman for Wales provides an external independent service for the purpose of considering complaints made by members of the public in relation to all local authority services, including social services. The Public Services Ombudsman also has jurisdiction to examine and determine complaints of injustice as a result of maladministration on the part of the local authority.

The Ombudsman will normally require complainants to have sought redress, in the first instance, via the local authority's complaints procedure prior to accepting and investigating a complaint of maladministration on the part of the local authority.

During 2019/2020, nine complaints were received by the Public Services Ombudsman's Office, two of which related to Children's Social Care, six in respect of Adult Social Care and one relating to Finance. The Public Services Ombudsman decided not to investigate the nine complaints but made recommendations for the Adults and Childrens Social Care complaints, which the Local Authority agreed and implemented.

### 4. MEMBER REFERRALS

The Representations and Complaints Procedure does not preclude the right of an individual to approach their Local Councillor, Assembly Member or Member of Parliament. They undertake an important role in handling concerns and queries that individual constituents may have. Collectively, these are called Member referrals and can range from comments and queries to complaints.

If an elected Member considers it to be inappropriate to deal with a concern, the matter can be referred for consideration under the Complaints Procedure. With effect from 2017 only those referrals received from Elected Members have been recorded by Democratic Services. Cabinet Members may liaise with Assembly Members and Members of Parliament to complete referrals but this data is no longer recorded.

During 2019/20, Member referrals were received as follows:-

**Table A**

<b>2019/2020</b>	<b>Adult Social Care</b>
Wellbeing: Adult Social Care and Wellbeing	90
Wellbeing: Children's Social Care	32
<b>Total</b>	<b>122</b>

### 5. ENGAGEMENT AND FEEDBACK

In addition to receiving comments and compliments from service users and their relatives/carers, the Directorate also issues a range of feedback questionnaires from across service areas. A cross-section of the feedback generated from user/carer feedback surveys undertaken during 2019/2020 is set out below:-

## Adult Social Care:

**The Homecare** survey is forwarded to all people who have accessed a Local Authority Domiciliary Care Service and have an active Care and Support Plan. **Between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020, 118 surveys were distributed, 42 were returned completed (35.6%).**

General comments provided include:-

<p>The care team that X has are very helpful, kind and help her with a lot of things and listen to her when she is upset. They are a great team and we are very happy with them. I am X's friend, who also looks after her and the team always keep me informed if they have any worries about her or concerns.</p>
<p>Couldn't wish for better carers. The two I have coming regular are kind and thoughtful.</p>
<p>I have nothing but praise for the carers who attend to my husband, they treat him with respect, understanding and empathy, at all times they protect his dignity. His communication is very poor, the carers take time to try and understand him. To him he says they are his angels. A big thank you.</p>
<p>The team is incredible. The carers are so friendly and amiable. I hear my mother laughing with them and that is a joy! She did not want carers- this is brilliant. They have made a massive difference to my 'free time' and quality of life and that of my mother. They make a point of getting to know the family they are working with and show genuine interest in them. I cannot praise them enough. Wonderful. Committed. Honest. Professional. Thank you!!</p>
<p>I don't know how I would manage without them</p>
<p>The service we get from the Home Care ladies is 1st class, and from the ladies we contact in the office. The one thing I would down mark is the organising of the service, it seems to be quite a shambles. i.e. team continuity, and times of visits. I know these things change through sickness and holidays, but other things must be changing for it to be as bad as it is.</p>
<p>The home care service has been very helpful and the particular home carers I have has have been most diligent and patient with me. Their support for me and my wife (who is my carer) is greatly appreciated. They showed understanding and respect together with some humour when carrying out their duties in my care. The system of change over from council to private agency is flawed and needs reviewing to take in the wishes of a dementia/Alzheimer patient and his or her carer.</p>
<p>There will never be enough words and praise that we, as a family, can every say to you all for the help you gave us in looking after Mum. Without your help, support, compassion, humour and respect, Mum would have had to leave her home a lot earlier. You kept her where she belonged. Thank you from our broken hearts."</p>

**The Bridgestart** service provides short term (usually 6 weeks) personal care to service users in their homes.

Comments provided include:-

<p>She wanted to express her thanks to both myself &amp; X for our support yesterday, she said it was a very trying day and having the support off us both was what she needed.</p>
---

You've been with Dad for a long time and have come to understand him and his needs very well. I am very very grateful to you for all that you have done. Could you also please pass on my thanks to X and the team. They have been amazing.

On times it was average

**The Bridgeway service** provides an enabling service for people with dementia and their families.

Comments include:-

Any changes in the support received from the service were discussed with me. I was treated with dignity and respect by the team members. The service cannot be faulted.

Thank you so much for all your help co-ordinating mum's care visits over the last ten months. I have really appreciated the professionalism of your service. I have also really appreciated the Bridgeway carers who have come in every day to help mum get washed, dressed and ready for the day. I understood from 'X' that Bridgeway is unique in the country

I visited my parents yesterday...and wanted to thank you and in particular the Bridgeway Team for the difference it has made to lives of my parents. Bridgeway have worked so hard in building a relationship with my Mum in her involvement in being part of the everyday care team for my Dad. This has taken patience, dedication, perseverance and some inventiveness on their part. I have seen how good they are with my Mum displaying a high level of anxiety moving in and out of rooms getting upset and tearful as others were doing what she felt was her job, to where they are now. They are just part of the everyday routine in the house and accepted by my Mum and Dad. The whole team display a high level of professionalism, care and consideration in their contact and I wish to pass on my thanks to the Team. They have made such a difference to all of our lives

**The Reablement Service** provides support to service users usually following hospital admission to help them regain their independence to remain living in their own home.

Comments include:-

All around, a very high quality. My work plan was set out and everything possible was done for me to achieve my goals. The staff worked very hard, could not have been any better.

The medical staff & O.T's were very efficient and easing - I was very well looked after, Thank you all.

I was given all of the support needed to get back to my independent state and had all the questions answered, and was grateful for all of the support I needed.

This service was first class in all ways. The staff were excellent and the rapport with them was ideal. Without this service, I would have struggled to meet my own needs.

**Telecare/Mobile Response:** Provides a support service within the home (also in emergency situations), via use of wireless technology and sensors/pendant buttons. The Early Response Service links into the 24/7 mobile personal care service provided as part of the Telecare service and provides emergency assistance to service users in their home.

Comments received about the service include:-

\*Third Person, on behalf of X\* - I just wanted to pass on a compliment I have received from X this morning. She was saying how amazing the telecare service is as well as how amazing care and repair are and have been, she is so grateful for the telecare service and the additional equipment care and repair have installed into her home to ensure her safety (including grab rails).

She stated that everyone involved with her mum have been so very kind and after the loss of her son it has kept them all going and looking after her mum keeps her going. She sees her mum every day but at times does not have the car to get there quickly so having the meds dispenser gives her peace of mind. She also said that she thinks that the boys that come out are so kind and nice to them both.

### **Contract Monitoring and Commissioning:**

Rota Visits to residential care settings and other services have been undertaken by Elected Members (including independent providers). The total number of rota visits undertaken from March 2019 – April 2020 for Adult Social Care settings are as follows:-

Adult social care settings – 6

Independent sector settings – 12

Members' observations for Adult social care settings include:-

**Bryn Y Cae Residential Care Home:** Very pleasant welcome. Members chatted generally about the unit and the manager provided lots of information about the unit as they were escorted around the building. Members were shown the garden area where residents are encouraged to help grow vegetables. The main eating area was pleasant and had clear details of what food was available that day. Members were shown the TV area and craft area and also told that they have regular intergenerational days with a local school. The unit was in good decorative order and very clean. The manager explained about a dementia garden project that is planned and the unit sits in a very green expanse of land; it sounds that the project will only add to the quality of the garden space for the residents. Members had the opportunity to see the treatment room and there seems to be an issue with appropriate storage at the unit, although it was explained that some shed storage would soon be available. All those spoken to in the hair salon said how much they enjoy hair day. There were many and varied activities available to the residents. It was clear from those spoken to that they enjoyed their time in the unit and felt well looked after. They enjoyed the food and everyone spoken to appeared content. The words 'home' and 'happy' were used many times by the residents we spoke with.

**Cwm Calon Localised Base:** Members were warmly welcomed by the Manager and observed a bright and uncluttered reception and entrance area. Manager was proud to welcome the Members and share the work of Cwm Calon. Facilities were well laid out and organised by staff and informed that a number of activities take place at the same time, either within the premises or outside using the minibus; a range of outdoor trips are offered. The Manager clearly had a passion which was shared by her team – clearly very much a team spirit. Volunteers also spoken to who give of their time. Members spoke to many of the service users who advised that they liked attending Cwm Calon. Some had

<p>just returned from a cinema visit. There was a buzz about the place; staff and service users clearly interacted well together.</p> <p>Overall impression is of a service which BCBC and staff can be justly proud of.</p>
<p><b>Glyncynffig Hostel:</b> Members were able to speak to most of the residents. All residents spoken to were happy with the care and support of staff. Staff were excited about the development of the new provision for young people with complex needs.</p>
<p><b>Heathfields Residential Home:</b> Members were impressed with the homely feel when entering the premises and the spacious rooms available for residents. All the residents spoken to were very content and happy. It was of no surprise to learn that the home is almost always at full capacity.</p>
<p><b>Penybont Court Residential Home:</b> Despite the very challenging needs of the service users, the home provides very safe and clean accommodation and caters for a variety of needs across different age groups, e.g. the home provides services such as entertainment and day trips for which they have been commended. Members met a number of staff who appeared well motivated and happy. They also met service users from both male and female units and service users appeared happy and well catered for. Members were both impressed with the service provided and satisfied with the quality of care provided by staff</p>
<p><b>Danygraig House Residential Home:</b> Establishment was clean and bright, staff friendly and warm on discussion and residents that were spoken to were happy and well presented clothing and appearance. A good feeling that they were being cared for and looked after. Members were shown food menu, which was varied and interesting. Grounds were well maintained and plenty of chairs and benches available outside. Entertainment was organised for residents on occasion, good engagement with staff and with catering staff who were very approachable and forthcoming</p>

## Adult Social Care - Advocacy Arrangements

Statutory Independent Professional Advocacy (IPA) is provided under the Bridgend Voice & Choice service. This is delivered by 3 x independent providers: PromoCymru, who operate the BVC Advocacy Hub (contact centre); MHMWales, who operate 2 x contracts for client-specific IPA; and People First Bridgend, who operate IPA for clients with a learning disability.

To March 2020 the BVC Advocacy Hub received 364 contacts with 246 contacts connected and supported.

The Advocacy Hub is able to provide initial information and advice, signpost to other IAA services, support individuals to self-advocate, or make referrals to informal or formal advocacy. For 2019/20, 50 referrals were passed to statutory IPA services via the Hub.

The IPA service operated by MHMWales and PFB are able to receive referrals via the Hub or directly from referring social work teams. In this period the number of new IPA referrals accepted as unique individuals was 92.

The IPA service providers are working with BCBC to identify where advocacy support has helped an individual to meet National Wellbeing Outcomes.

Some of the outcomes achieved, as reported by IPA service providers, include:

- I know and understand what care, support and opportunities are available and use these to help me achieve my wellbeing

- I can access the right information, when I need it, in the way I want it and use this manage and improve my wellbeing
- My voice is heard and listened to
- My individual circumstances are considered
- I speak for myself and contribute to the decisions that affect my life, or have someone who can do it for me

Some examples of comments from client to the IPA provider are as follows:

I wanted to write to thank you for your amazing, professional, and individualised advocacy support
It is so reassuring, there are not enough words to express, how invaluable your advocacy service and support has, and continues to be. I live alone, I have no family of my own. I felt lost and isolated and lacked any confidence to access services or query/complain about poor treatment, especially in light of the sensitive nature of living with mental health issues. I feel I have found that essential, crucial support in advocacy support services, where I am listened to actively, heard, and supported

### Children's Social Care:

Rota visits are undertaken by Elected Members to Children's social care settings, following which a report is submitted which focusses on the quality of care provided to service users. 5 rota visits to these settings took place during the period April 2019 - March 2020. Some comments received are included below:

<b>Bakers Way:</b> Members were warmly welcomed by the manager and team. It was noted that all had been with the respite facility for a considerable time. This often means that staff feel valued in what they are doing which in turn gives parents and children confidence and stability in using the respite service. Members spoke with each of the children who were all happy. The service users do need a high level of support and one to one engagement and this engagement presented a good atmosphere. Meal and overnight arrangements were discussed and how children are taken on a wide range of trips and visits using the minibus. Members were also informed of how they are stimulated through play.
<b>Maple Tree House:</b> Establishment was clean and tidy. No concerns with appearance. Member had the opportunity to meet with one or two service users who advised that everything was ok and staff were good. Retention of staff will always be an issue in this type of service environment but staff present were very helpful and honest about their roles.
<b>Sunnybank:</b> Satisfactory visit of Sunnybank. Significant improvements to interior making the home more homely for service users. Members spoke to a client who is making excellent progress who would have difficulties completing his education without the one to one support on offer.
<b>Crosspoint Children's Home:</b> A very informative visit of a much-needed service where there is little alternative provision. Members were escorted around the premises by the manager who was very enthusiastic about the service and the facility provided.

## Children’s Social Care – Advocacy Arrangements

Advocacy for children and young people in Bridgend is provided through a regional contract to deliver the National Approach to Statutory Advocacy, as prescribed by Welsh Government. The contract for Bridgend transferred from the Western Bay region into the Cwm Taf Morgannwg region on 1<sup>st</sup> May 2019. The service provider in Bridgend remained in place, namely Tros Gynnal Plant. This continuity of provider ensured that all ongoing advocacy cases at the point of contract transfer were maintained with existing advocates.

For the period May 2019/March 2020, the advocacy service delivered the following:

Active Offers made:	68
Of which Active Offers accepted:	59
Issue-based Advocacy cases opened:	204
Of which cases were closed:	186

The level of advocacy being provided in Bridgend remains consistently high, and the increasing numbers of Active Offers being made and delivered indicates an improving position under the new regional service.

## Social Services and Wellbeing Act (Wales) 2014 - National Performance Framework:

In previous years as part of the National Performance Framework Local Authorities have collected qualitative information annually about people who use their Social Care Services. However, the National Survey was not sent out for 2019/20 as Welsh Government were reviewing the Performance Management Framework, and Local Authorities were advised by Welsh Government that the survey was no longer to be undertaken in its current format.

## 6. STATISTICAL INFORMATION 2019/2020

### Number of Representations Received and Timescales

Table 1

No. Representations Received Statutory Complaints Procedure – April 2019 to March 2020		
	Complaints	Compliments/Comments
<b>Adult Social Care</b>	85	85
<b>Children’s Social Care</b>	148	8
	<b>Total Complaints: 233</b>	
<b>Breakdown</b>  *see table 2 for informal breakdown	<b>Business Support /Finance</b>	6 *informal
	<b>Commissioned</b>	19 *informal
	<b>Stage 1</b>	27 (13 ASC, 14 CSC)
	<b>Stage 2</b>	5 (2 ASC, 3 CSC)
		<b>Total Compliments: 96</b>

**Timescales:** 100% Stage 1 complaints were resolved within the prescribed timescale of 10 working days.

**Timescales:** 100% Stage 1 complaints were acknowledged in writing within 2 working days of the date of their receipt. 100% were resolved within the prescribed timescale of 10 working days and written responses provided within 5 working days of the date of resolution. There were no complaints received outside the 12 month time limit for investigation.

### **Complaints Resolved Informally (pre-Complaints Procedure Stage 1)**

Bridgend County Borough Council complaints processes have, for a number of years, involved successful early resolution of complaints wherever possible. Recently, the new Complaint Guidelines emphasise that the complaints process will provide for a more straightforward and citizen centred approach. Swift and effective complaints handling is also encouraged with an expectation that the majority of complaints and representations should be resolved by Local Resolution.

Complaints staff therefore undertake a significant amount of work liaising with managers to identify and agree swift resolutions to the satisfaction of the complainant (by the end of the working day following the day on which the complaint was made).

**Table 2**

<b>No. Complaints Resolved prior to invoking the formal Complaints Procedure(s) 2019/2020</b>	
	2019/20
<b>Adult Social Care</b>	53
<b>Children's Social Care</b>	123
<b>Business/Finance Support</b>	6
<b>Commissioned Services</b>	19
<b>Total:</b>	<b>201</b>

Statistics reflect that the Directorate has continued to achieve a high level of early resolution for complainants. The number of complaints resolved by this approach in previous years are 234 in 2018/19, 198 in 2017/18 and 187 in 2016/17.

Therefore although there has been a reduction in the number of complaints with early resolution by 33 this year it is important also to note that the total overall number of complaints received in the year by the Directorate has also reduced by 44.

Some of the feedback comments received in relation to Complaint staff's involvement with complainants in terms of discussion to understand the nature of complaints and potential early resolution is as follows:-

Thank you for doing this for me. It has really reduced my anxiety and stress
Thank you so much... the meeting today made me and my family feel valued and I am very grateful for all your help

## **Corporate Complaints Procedure**

There are instances whereby aspects of a complaint do not fall within the remit of the social services statutory complaints procedure and, in these instances, the Authority's Corporate Complaints Procedure is utilised; 35 complaints were received which were deemed appropriate to be addressed in accordance with the Corporate Complaints Procedure during 2019/20; 8 related to Adult Social Care (5 at stage 1 and 3 at stage 2), 27 to Children's Social Care (5 at stage 1, and 22 at stage 2), and 0 related to Business/Finance Support.

## **Total Representations Received 209/20**

The total number of representations received in relation to Adult Social Care and Children's Social Care is as follows:-

**Table 3**

<b>2019/20 - Total No. Representations Handled via:</b>	
<b>Complaints Resolved at pre-Complaints stage</b>	201
<b>Statutory Social Services Complaints (St 1 &amp; St 2)</b>	32
<b>Corporate Complaints (St 1 and St 2)</b>	35
<b>Ombudsman</b>	9
<b>Total:</b>	<b>277</b>

The total number of complaints (Stage 1 and Stage 2) received and addressed in accordance with the Statutory Complaints Procedure by Social Services during 2019/2020 was 32 compared with 41 in 2018/19.

## **Complaint Outcomes (Statutory)**

Complaint outcomes are identified within the categories: Upheld, Partially Upheld and Not Upheld. Outcomes for each service area have been recorded during 2019/20 as follows:-

**Table 4 – Complaint Outcomes (St. 1 - Statutory Complaints Procedure)**

<b>2019/20</b>	<b>Adult Social Care</b>	<b>Children's Social Care</b>	<b>Business /Finance Support</b>	<b>Total</b>
Not Upheld	8	4	-	12
Partially Upheld	1	4	-	5
Upheld	4	6	-	10

## **NATURE OF COMPLAINTS**

The nature of complaints received varied and included:-

**Table 5**

<b>2019/20 – Most Common Complaints Received</b>
<b>Quality / Level of Service / Standard of Care</b>
<b>Lack of / Poor Communication</b>
<b>Disagreement with Assessment / Care Plan</b>
<b>Unacceptable Delays</b>

<b>Poor advice / misinformation</b>
<b>Staff attitude / conduct</b>
<b>Policy / Procedure Non-compliance</b>
<b>Missed / Late Appointments / Times of Visits</b>
<b>Charges for Care Services</b>
<b>Disagreement with Policy / Procedure</b>

## 7. HOW COMPLAINTS WERE RESOLVED and LESSONS LEARNED

A variety of methods were used to resolve complaints, including:-

- Liaison by complaints officers with senior managers to identify/agree immediate/informal resolution;
- Meetings by senior officers with complainants to discuss/resolve their concerns;
- Provision of explanation of reasons for decisions (verbal and/or written);
- Provision of an apology (written), where appropriate;
- Corrective actions, e.g. change of decisions, review of procedures;
- Reassessment (independent);
- Advocacy services/support;
- Independent investigation;
- Staff training (E:learning).

Key lessons learned during 2019/20 were as follows:-

**Table 6**

<b>Service Area</b>	<b>Lessons Learned/Actions Implemented</b>
<b>Adult Social Care:</b>	<ul style="list-style-type: none"> <li>• Develop a Joint Protocol which would include guidance for residential staff to improve communication between BCBC Social Services Department and the District Nursing Team (particularly in a situation where the individual being cared for by residential care staff has a clear medical need).</li> <li>• Discussions should take place with the G.P. surgery to ensure that arrangements can be secured to ensure that GP support is available and provided when required.</li> <li>• Ensure that individuals in residential care (permanent or respite) are offered a choice each morning of what they want to wear for the day</li> <li>• Ensure that it is made clear to individuals and their family members during their pre-assessment visit that the home is a residential care home and does not provide 1:1 care.</li> <li>• Ensure that staff understand the importance of respecting and implementing residents' and family members wishes as far as practicably possible. e.g. use of own personal hygiene products, offer of choice of clothing etc...</li> </ul>
<b>Children's Social Care:</b>	<ul style="list-style-type: none"> <li>• Inconsistent application of Child Protection Procedures – lesson learned shared with staff directly involved in this area</li> </ul>

	of practice and a rolling programme of safeguarding procedures training is in place across the Directorate.
<b>Children's Social Care:</b>	<ul style="list-style-type: none"> <li>Inaccurate recording and poor quality of case information – Recording skills training in place across the Directorate and Corporate Data Protection and GDPR training in place across the Local Authority.</li> </ul>

### Welsh Language Standards

There have been no complaints received during this reporting period that have been communicated via the medium of Welsh.

To ensure compliance with the requirements of the Welsh Language Standards all complaints publicity material, including leaflets and the complaints website have been translated and are readily available in the medium of Welsh.

### Compliments

Compliments are regarded as important information which can be used to identify good practice. All compliments are therefore recorded centrally and details provided in management reports. As mentioned above, 96 compliments were recorded during 2020/21, a selection of which are set out below:-

**Table 7**

<b>Compliments - Adult Social Care:</b>
<b>Common Access Point:</b> X asked me to send her 'thanks' to Y, also complimented her for being very helpful and supportive over the last few days while she was resolving her concerns regarding Mrs Z.
<b>Common Access Point:</b> Many thanks for your assistance in setting up an assessment for possible Domiciliary care for my wife X. You have a very easy and sympathetic style of communicating and it is appreciated.
<b>CRT Reablement:</b> I found the service was very good and couldn't find any faults, the staff involved were very friendly and helpful. I was more than pleased.
<b>Glyncynffig:</b> Staff are very good and very understanding
<b>ICNT West:</b> I would like to comment on Mum's meeting, it seemed to be a masterclass in discharge planning and we are all grateful for your efforts. I know Dad certainly found it a lot less traumatic than he'd anticipated...
<b>Hospital Team:</b> You may have heard from the hospital That my uncle Z died on 2nd October. Although we knew this was the most likely outcome, it was very helpful to have the process of finding a care home explained so clearly. I wanted to thank you for your help. It was good to know that there was nothing more X's family could be doing for him at that time and that the social care team did not become involved until he was ready to be discharged. This had not been made clear on the ward but perhaps the staff were being tactful as they already knew this was likely to be unnecessary. Thank you for your help and the kindness you showed in taking time to explain clearly the process which is so familiar to you. It was very helpful at a time when I was not sure if there was more I should be doing. Best wishes
<b>Community Learning Disability Team:</b> To all staff and especially X, (social worker) I would like to say thank you for supporting my son over a lot of years. Again I'd like to say thank you very much to you all for supporting my child. Thank you very much.

<p><b>Occupational Therapy:</b> The occupational therapist went to my Dads today and he was very kind and empathetic to my Dads needs</p>
<p><b>Compliments – Children’s Social Care:</b></p>
<p><b>MASH/Assessment Team:</b> I would like to acknowledge the extensive work you have undertaken on this case and crucially in terms of the direct work and time spent with the children to support them in the process of accommodation and separation from their siblings. It was clear that you worked above our usual statutory processes to support these children. Additionally, your assistance in consultations in Court were valuable.</p>
<p><b>MASH/Assessment Team:</b> I took a phone call off the mother of Y and Z wanting to speak to X. Mum explained that she wanted to thank X in relation to speaking to the children yesterday as she received positive feedback from them saying that X was really lovely.”</p>
<p><b>Permanence Team:</b> Please can you record that Conwy Local Authority have approached X as a result of his work within the Permanence Team and asked that he conference call with 2 Team Managers within the local authority to advise them about setting up their own permanence service. This a wonderful compliment to X and the permanence service that we provide.</p>
<p><b>16 Plus Team:</b> I was sorry that I wasn’t able to see you in X’s last review. I just wanted to say that it has been a pleasure working with you. You are such a wonderful social worker. You have been brilliant at keeping me informed about everything and you always have the best interests of the child in mind. You are calm, unflappable and able to contain risk which is so helpful with the young people we see. You are an ambassador for social services and a model for the way social services can work collaboratively with other professionals. I don’t know who your supervisor is but I hope you will share this e mail with her/him as I feel strongly that she/he should know how amazing you are</p>
<p><b>East Safeguarding Team:</b> I just wanted to let you know the GAL was singing the SW’s praises in his evidence. He made the following comments: “Really good social worker, competent does not go halfway there. She has carried out meticulous assessments and undertaken brilliant direct work with the children. She has worked hard at establishing a relationship with both the children and their parents. It has been a benefit to this family to have been allocated her to the case”. Thought I would pass on the comments as they don’t get said enough</p>
<p><b>Fostering:</b> I’ve just had a phone call from ‘X’ who wanted to advise she’s been to a meeting with ‘Y’ and feels she has gone above and beyond to support ‘Z’s plan. ‘X’ explained that ‘Y’ has given excellent advice to ‘Z’s parents and is very supportive of them. ‘Y’ has been expected to do a great deal of transport to and from contact which has been increased to a high level and ‘X’ feels that Lisa has transported without complaining. ‘X’ said ‘Y’ has done everything they have asked her to do and more and described her as “fantastic” and so she wants this raised, particularly for her annual review as she is aware that her initial report was a little negative however, ‘Y’ has been fantastic over the last month or so.“</p>
<p><b>Compliments - Business Support/Finance:</b></p>
<p><b>Financial Safeguarding:</b> Thank you again for all of your support and excellent ‘person centred approach’ shown towards ‘X’ – this is really appreciated and when I have 5 I will certainly advise our commissioning team J</p>
<p><b>Residential Charging:</b> I’ve just taken a call from ‘X’. He wanted to pay his invoice but didn’t want me to take payment as he wanted to thank you personally for all the help and support you have provided.</p>
<p><b>Residential Charging:</b> Thank you for taking the time to explain dads costs. It’s been very hard to sort things out with his funeral and registering his death due to</p>

distance. So I was dreading sorting out his affairs for his care home fees, but I must say you have been so helpful and patient in explaining all that I had to do from filling in the application form (several calls to you) and to its conclusion. I really must express how professional and polite but above all friendly you have been. You are a great asset to Bridgend Borough Council and I felt I had to say so too, people are always quick to email in complaints but not that quick to compliment.

## **8. ACHIEVEMENTS IN 2019/2020**

- Complaints staff have encouraged and worked closely with managers/staff to aim to resolve complaints locally and as swiftly as possible. This is reflected in the high number of complaints resolved at the pre-complaints stage (**Table 2**) of 201.
- There was a reduction from 38 to 27 (11) in the number of Stage 1 formal complaints handled in the period compared to 2018/19, however there was a slight increase in the number of Stage 2 complaints from 3 to 5. Overall there was a reduction in all social services complaints received by 42 (from 275 to 233) this period compared to 2018/19.

## **9. OBJECTIVES FOR 2020/2021**

- Continue to encourage and work with managers/staff to aim to resolve complaints locally and as swiftly as possible;
- Considering the slight increase in the number of cases progressing to Stage 2 of the complaints process and the request from the Ombudsman to progress all requests for a stage 2 to an independent investigation, there will be a need to further increase the cohort of available and appropriately skilled independent investigators
- Work with ICT to develop the use of the Welsh Community Care Information System (WCCIS) to record and report on complaints; initial work has begun in this area and the plan is to achieve this in 2020/21
- The Complaints Awareness E:learning module developed in 2015/16 (aimed at new and existing staff employed by the Directorate) has had a low staff take-up. Consideration will therefore be given to inclusion of this Module within the Social Services Induction Programme to ensure that all new starters complete it.

## **10. EQUALITIES**

A screening for equality impact has been carried out in relation to the representation and complaints procedure. There is no negative impact on the protected equality characteristics.

There have been no complaints received during the reporting period in relation to the Social Services Representations and Complaints Procedure.

**Report prepared for Claire Marchant  
Statutory Director of Social Services**

**By the Business Support Manager and Complaints & Quality Staff**

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2020

#### 1. Purpose of report

- 1.1 The purpose of this report is to outline the findings of the Gypsy and Traveller Accommodation Assessment (GTAA) and seek authorisation to submit the Assessment to Welsh Ministers for approval. This will allow the Local Housing Authority to fulfil its statutory duty and enable the statutory deposit Local Development Plan (LDP) consultation to proceed as per the Delivery Agreement.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

#### 3. Background

- 3.1 The Local Housing Authority has a statutory duty to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area under Part 3 of the Housing (Wales) Act 2014. The Act requires Local Housing Authorities to undertake a GTAA at least every 5 years, although there is flexibility to undertake GTAAs more frequently if a material change in the level of need in the area has been identified. The GTAA must be subject to consultation and submitted to Welsh Ministers for approval. If an approved assessment identifies need for additional pitches within an Authority's area, the Local Housing Authority has a legal duty to ensure that need is met by exercising its powers under section 56 of the Mobile Homes (Wales) Act 2013.
- 3.2 The Town and Country Planning (Local Development Plan) (Wales) Regulation 17 (LDPR 17) requires the Council to publish its deposit Local Development Plan (LDP) for public inspection and consultation before submitting it to Welsh Government. Welsh Government wrote to all Local Authorities in September 2019 to confirm those undertaking an LDP Review must ensure the GTAA establishes an evidence base

for Gypsy and Traveller needs across the entire plan period. Welsh Government also confirmed that this may necessitate undertaking of a new GTAA (and providing appropriate site allocations, where relevant) prior to the statutory deposit LDP consultation to ensure plans can be found sound through the examination process and are able to be adopted.

- 3.3 The Council last published a GTAA in 2016 (covering the period up to 2031) and the Local Housing Authority would have therefore been required to review this Assessment in 2021. However, as the Replacement LDP covers the period 2018-2033 and consultation on the deposit LDP is scheduled for early 2021, a slightly early review of the GTAA is necessary to comply with the LDP Delivery Agreement.

#### **4. Current situation/proposal**

- 4.1 Work on a revised GTAA began in November 2019 in accordance with Welsh Government Guidance. A final draft report was completed in May 2020. The revised GTAA sought to understand the accommodation needs of the Gypsy and Traveller population in Bridgend County Borough through a combination of desk-based research, stakeholder engagement and consultation with members of the Travelling Community. In addition, a range of local stakeholders were invited to sit on a Project Steering Group. A total of 3 interviews were completed with Gypsies and Travellers living on authorised sites in Bridgend County Borough. In addition, an interview was completed with a Travelling Showperson household living at a site in Porthcawl, an interview was completed with a household living in bricks and mortar, and an interview was completed with a household living on a public site in another local authority with links to Bridgend. There are relatively low numbers of Gypsy and Traveller households that reside in or resort to the County Borough, yet this level of engagement indicates how comprehensively the GTAA was publicised. All primary interviews were successfully completed prior to the initial COVID-19 lockdown being imposed on 23<sup>rd</sup> March 2020.
- 4.2 The revised GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total estimated pitch provision needed for Gypsies and Travellers in Bridgend County Borough was identified as being 7 pitches up until 2033. This total was the projected amount of provision necessary for the Local Housing Authority to meet its statutory obligations towards identifiable needs of the population arising in the area. The need comprised of combination of doubled-up households, movement from bricks and mortar homes and new household formation. This need could be accommodated across two new sites and through intensification of existing sites as follows:

- i) There is need for one private site with up to three pitches (Family A). During the consultation, the respective family cited ownership of a private site in Pen-y-fai that may be suitable for these purposes.
- ii) There is a 'doubled-up' household currently residing on a private site in Coytrahen (Family B). This household indicated that they may be able to afford a private site or may need to rent a pitch on a public (i.e. Council managed) site. There are also two older children on the site whose future needs could potentially be accommodated on the same (new) site.
- iii) The remaining need has been identified from children living on private sites and could be addressed through the intensification of existing sites to increase the number of caravans that are currently permitted. In particular, there is a family with children living on a site in Pen-Y-Bryn (Family C) who indicated there may be room for additional mobile homes.

- 4.3 Progress on gaining approval for the GTAA has stalled since it was completed in May 2020. This presents a significant risk in terms of slippage to the Replacement LDP timetable as consultation on the deposit LDP cannot commence until the revised GTAA is approved by Welsh Ministers and suitable site(s) are allocated. As considerable time has passed since the Assessment was completed, there is also a risk that Welsh Government may now consider the findings out-of-date, although the impacts of the pandemic may allow for some flexibility in this respect.
- 4.4 The Replacement LDP must be clear on whether the situation has changed since the GTAA was published. For example, sites that have been granted planning permission since the GTAA was published will impact on the level of remaining need to be delivered through the plan. Where the need has changed from the GTAA this must be clearly expressed and justified.
- 4.5 Family A's needs could potentially be met through submission of a planning application on the private site in the family's ownership. This would be dependent on the size of the parcel of land and its suitability in planning terms. If an application was submitted prior to the adoption of the Replacement LDP, the application would be assessed against existing LDP Policy COM6. Otherwise, an appropriate allocation would need to be identified in the Replacement LDP.
- 4.6 The needs of Family B would also be better understood through a more detailed accommodation assessment by the Local Housing Authority. The family did not indicate that they currently own any land and an accommodation assessment would determine whether the family have the means to purchase a private site. This could

lead to submission of a planning application for assessment against existing LDP Policy COM6 and/or allocation of a site within the Replacement LDP as appropriate. However, if an accommodation assessment indicated the family do need a public site, this would place a duty on the Local Housing Authority to directly provide a site under section 56 of the Mobile Homes (Wales) Act 2013. A site would need to be allocated within the Replacement LDP and funding bids would need to be submitted to Welsh Government to secure Sites Capital Grant Funding to enable its development.

- 4.7 The needs of Family C could potentially be accommodated through intensification of the existing site, although this would be dependent on a more detailed accommodation assessment by the Local Housing Authority. These needs could be met through submission of a planning application, again facilitated through proactive engagement
- 4.8 In depth accommodation assessments have been initiated with all three families.

## **5. Effect upon policy framework and procedure rules**

- 5.1 Submission of the GTAA to Welsh Ministers will enable the Local Housing Authority to discharge its duties under Part 3 of the Housing (Wales) Act 2014, following the guidance published under section 106 of the Act.
- 5.2 Town and Country Planning LDP 17 requires the Council to publish its deposit LDP for public inspection and consultation before submitting the LDP to Welsh Government. An approved GTAA will inform the deposit LDP and any related allocations, based on evidence of Gypsy and Traveller needs across the entire plan period.

## **6. Equality Impact Assessment**

- 6.1 There are no direct implications associated with this report. However, the policies contained within the Replacement LDP will require an equalities impact assessment to be carried out.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The GTAA has been produced with close involvement of the Gypsy and Traveller Community, reflecting the diversity of the population the Council serves and whose well-being the Council is seeking to improve. The Assessment has recognised the needs of current and future generations of Gypsies and Travellers and has provided the opportunity for them to influence decisions about priorities and service delivery. This process has particularly contributed to the well-being goal of ensuring 'a Wales of Cohesive Communities'. This will, in turn, help inform development of the

Replacement LDP, which will be prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

## **8. Financial implications**

8.1 The GTAA itself has already been funded through Housing's core revenue budget. Development of any resulting private sites will be funded by the Travelling Community. If a public site is required, the Local Housing Authority would need to make an application for Welsh Government Sites Capital Grant funding in relation to Gypsy and Traveller sites. (Welsh Government annually review local authority funding needs and availability of Sites Capital Grant. It is therefore unlikely that the Council would be required to fund the capital costs directly). The latter scenario would also render to Local Housing Authority liable for the ongoing management of any site(s).

## **9. Recommendations**

9.1 It is recommended that Cabinet:

- (a) Approve the Gypsy Traveller and Accommodation Assessment findings and Final Report (Appendix 1); and
- (b) Approve the Gypsy Traveller and Accommodation Assessment for submission to Welsh Ministers to enable the Council to fulfill its duty to meet assessed needs.

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15<sup>th</sup> December 2020

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# **Bridgend County Borough Council**

## **Gypsy and Traveller Accommodation Assessment**

**Final Report**

May 2020



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# 1. Executive Summary

## Introduction and Methodology

- <sup>1.1</sup> The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy and Traveller<sup>1</sup> accommodation in Bridgend County Borough. It is a robust and credible evidence base which can be used to aid in the understanding of, and the provision of Traveller pitches and plots, and potential transit provision for the Replacement Bridgend Local Development Plan period to 2033. The outcomes of this GTAA will replace the outcomes of the previous GTAA for Bridgend County Borough that was published in 2016.
- <sup>1.2</sup> The GTAA has sought to understand the accommodation needs of the Gypsy and Traveller population in Bridgend County Borough through a combination of desk-based research, stakeholder engagement and engagement with members of the Travelling Community. In addition, a range of local stakeholders were invited to sit on a Project Steering Group. A total of 3 interviews were completed with Gypsies and Travellers living on authorised sites in Bridgend County Borough. In addition, an interview was completed with a Travelling Showperson household living at a site in Bridgend; an interview was completed with a household living in bricks and mortar; and an interview was completed with a household living on a public site in another local authority with links to Bridgend. The GTAA has been comprehensively publicised and with several interviews having been completed, despite there being low numbers of Gypsy and Traveller households that reside in or resort to the County Borough compared to some other local authorities in Wales.
- <sup>1.3</sup> The baseline date for the study is **April 2020**.

## Key Demographic Findings

- <sup>1.4</sup> Ethnicity data was captured from all of the households that were interviewed on the Gypsy and Traveller sites and in bricks and mortar. All of the sites in Bridgend County Borough are occupied by Welsh Travellers, English Travellers and Romany Gypsies. In addition, a Travelling Showmen's family were identified living on land in Bridgend.,
- <sup>1.5</sup> In total the site interviews and other interviews covered 26 residents. This was made up of 13 adults and 13 children and teenagers aged under 18. This equates to 50% adults and 50% children and teenagers. Demographic information showed a mixed range of ages across the sites, though a higher proportion of the Traveller population who were interviewed were younger when compared to the overall population (the settled community and the Gypsy or Irish Traveller community) of Bridgend County Borough in the 2018 Mid-Year Estimate.

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<sup>1</sup> See Chapter 2 for the planning definition of a Traveller in Wales.

## Pitch Needs – Gypsies and Travellers

- <sup>16</sup> Based upon the evidence presented in this study the estimated pitch provision needed for Gypsies and Travellers in Bridgend County Borough for the first 5 years of the GTAA plan period is for **5 pitches**, and for the remainder of the GTAA plan period is for **a further 2 pitches**. This gives a total need for the whole GTAA plan period of **7 pitches**. These figures should be seen as the projected amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population arising in the area. These figures are made up of a combination of doubled-up households; movement from bricks and mortar; and new household formation.
- <sup>17</sup> A detailed breakdown which sets out the components that make up this additional need, together with any other issues that have been taken into consideration are included in **Chapter 6** of this report.

## Plot Needs - Travelling Showpeople

- <sup>18</sup> Whilst there are no formal Travelling Showpeople yards in Bridgend County Borough, contact was made with a Travelling Showmen's household. This household stated that their current accommodation was unsuitable for their needs and that they are seeking to privately purchase land to develop a new yard to operate from. As such the GTAA does not identify any need for plots for Travelling Showmen.

## Summary

Figure 1 – Summary of Identified Need in Bridgend (2020-2033)

Need	Years 0 to 5	Years 6 to 13	TOTAL
Permanent Pitches	5	2	<b>7</b>
Transit Pitches	0	0	<b>0</b>
Travelling Showpeople Plots	0	0	<b>0</b>
<b>TOTAL</b>	<b>5</b>	<b>2</b>	<b>7</b>

## Transit Sites

- <sup>19</sup> It is recommended that there is **not a need for the Council to provide a permanent transit site** in Bridgend County Borough at this time. However, the Council should continue to monitor the number of unauthorised encampments and continue to follow the management-based approach set out in the Gypsy and Traveller Management Protocol through the use of short-term toleration to deal with short-term transient stops. If it becomes apparent that a growing number of unlawful encampments are settling within the County Borough for periods exceeding several days at a time, then this position will need to be re-visited.

## 2. Background and Policy Context

### The Study

- <sup>2.1</sup> Opinion Research Services (ORS) were appointed by Bridgend County Borough Council (the Council) in November 2019 to complete a robust and up-to-date needs assessment of accommodation for Gypsies and Travellers residing and resorting in Bridgend County Borough for the period to 2033.
- <sup>2.2</sup> The study provides an evidence base to enable the Council to comply with their requirements towards Gypsies and Travellers under Part 3 of the Housing (Wales) Act 2014. The Act requires Local Authorities to undertake a GTAA at least every 5 years, although Local Authorities have flexibility to undertake GTAAs more frequently if a material change in the level of need in the area has been identified. The Council published a GTAA in 2016 (covering the period up to 2031), although has now formally commenced a revision to the Local Development Plan (LDP). Welsh Government wrote to all Local Planning Authorities in September 2019 to confirm those undertaking an LDP Review must ensure the GTAA establishes an evidence base for Gypsy and Traveller needs across the entire plan period. Welsh Government also confirmed that this may necessitate undertaking of a new GTAA (and providing appropriate site allocations, where relevant) prior to the statutory Deposit consultation to ensure plans can be found sound through the examination process and are able to be adopted.
- <sup>2.3</sup> This GTAA therefore provides an assessment of need for Gypsy and Traveller accommodation in Bridgend County Borough to fulfil these requirements, updating the previous GTAA published in 2016. It is a robust and credible evidence base which can be used to aid in the understanding of, and the provision of Traveller pitches and plots, and also to support the Replacement Bridgend Local Development Plan (LDP) which covers the period 2018-2033.
- <sup>2.4</sup> We would note at the outset that the study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller Accommodation Assessment (GTAA).
- <sup>2.5</sup> The baseline date for the study is **April 2020**.

### Legislation and Guidance

#### Welsh Government Circular 005/2018

- <sup>2.6</sup> Welsh Government Circular 005/2018 provides updated guidance on the planning aspects of identifying sustainable sites for Gypsies and Travellers. It also outlines how planning authorities and Gypsies and Travellers can work together to achieve this aim. It supersedes advice contained in Circular 30/2007 “Planning for gypsy and traveller caravan sites”, Circular 78/91 “Travelling Showpeople” and Circular 76/94 “Gypsy Sites Policy and Unauthorised Camping”.
- <sup>2.7</sup> The Circular include guidance on a range of issues relating to Gypsies and Travellers including:

- » Definition of Travellers

- » Gypsies and Travellers – A Context
- » Duty to Provide Sites
- » Providing the Evidence Base
- » Regional Working
- » Development Plans
- » Major Development Projects
- » Designated Areas
- » Planning Applications
- » Enforcement
- » Appeals
- » Human Rights and Equality of Opportunity
- » Monitoring Planning Applications

## Well-being of Future Generations (Wales) Act 2015

<sup>2.8</sup> In relation to Gypsies and Travellers, Welsh Government Circular 005/2018 sets out that:

*7. The Well-being of Future Generations (Wales) Act 2015 sets a framework for local authorities across Wales to ensure the ‘sustainable development principle’ (meeting the needs of the present without compromising the ability of future generations to meet their own needs) is met. Section 4 of the Act puts in place a number of well-being goals which authorities are to seek to achieve in order to meet this principle. These goals include achieving ‘a Wales of cohesive communities’, containing attractive, viable, safe and well-connected communities, and ‘a Wales of vibrant culture and thriving Welsh language’, containing a society that promotes and protects culture, heritage and the Welsh language.*

*8. Housing is a fundamental issue that affects the lives of people across Wales, including our Gypsy and Traveller communities. The Welsh Government seeks to ensure a wide choice of accommodation is available to meet the needs of all members of the community. It is reflective of the Government’s commitment to ensure equality of opportunity for all sections of the community and in this instance, Gypsies and Travellers should have equal access to culturally appropriate accommodation as all other members of the community.*

## Housing (Wales) Act 2014

<sup>2.9</sup> Part 3 of the Housing (Wales) Act 2014 (the Act) sets out that a *local housing authority must, in each review period, carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area.*

<sup>2.10</sup> Section 102 of the Act requires that local authorities must prepare a report which they must submit to Welsh Ministers for approval that:

- » details how the assessment was carried out;

- » contains a summary of:
  - the consultation it carried out in connection with the assessment, and
  - the responses (if any) it received to that consultation;
- » details the accommodation needs identified by the assessment.

2.11 Once approved the local housing authority must publish the assessment.

2.12 If need is identified in the GTAA report, Section 103 of the Act requires that a local authority must exercise its powers in Section 56 of the Mobile Homes (Wales) Act 2013 so far as may be necessary to meet those needs.

2.13 Section 106 of the Act sets out that local authorities should have regard to any guidance given by Welsh Ministers. Guidance on Undertaking Gypsy and Traveller Accommodation Assessments was published by Welsh Government in May 2015 and this Guidance still remains in place in 2020.

2.14 The GTAA Guidance covers the following issues:

- » Why a specific GTAA is required?
- » What should be produced?
- » Who needs to be consulted?
- » What data sources need to be reviewed?
- » Understanding the culture of Gypsy and Traveller communities.
- » How to identify and communicate with Gypsies and Travellers?
- » How to design, manage and undertake a GTAA?
- » Support with partnership working and working regionally.
- » Exploring specialist surveys, techniques and questions to be used.
- » How accommodation 'need' is assessed?
- » Submitting reports to Welsh Ministers.
- » How to make provision for identified need?

2.15 Section 108 of the Act sets out that:

- » **Accommodation needs** - includes, but is not limited to, needs with respect to the provision of sites on which mobile homes may be stationed;
- » **Gypsies and Travellers** – means persons of a nomadic habit of life, whatever their race or origin, including persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and members of an organised group of travelling show people or circus people (whether or not travelling together as such), and all other persons with a cultural tradition of nomadism or of living in a mobile home;
- » **Mobile home** - has the meaning given by section 60 of the Mobile Homes (Wales) Act 2013.

## Mobile Homes (Wales) Act 2013

2.16 The GTAA Guidance sets out the requirement that local authorities have to meet a legal duty to exercise their functions to provide mobile home pitches to meet any identified needs. These are set out in Section 60 of the Mobile Homes (Wales) Act 2013.

2.17 In this Act “mobile home” means:

- » *Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle designed or adapted for human habitation, but does not include any railway rolling stock which is for the time being on rails forming part of a railway system, or any tent.*
- » *A structure designed or adapted for human habitation which is composed of not more than 2 sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices, and is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer).*

## Welsh Government Designing and Managing Gypsy and Traveller Sites Guidance

2.18 As well as publishing guidance on undertaking GTAA's in May 2015 the Welsh Government also published additional guidance on designing and managing Gypsy and Traveller sites in order to assist local authorities in meeting need for Gypsies and Travellers. These two documents are intended as a guide to assist Local Authorities in providing appropriate services at reasonable cost to the public purse for Gypsies and Travellers living on residential sites in Wales. They contain practical guidance to assist local authorities to ensure sites are fit-for-purpose, and how best to manage public Traveller sites. The guidance is not statutory. However, it is anticipated by Welsh Government that the guidance will help local authorities and others in the development, improvement and management of Gypsy and Traveller sites, and will form part of the consideration of the Welsh Government in assessing applications for Sites Capital Grant funding in relation to Gypsy and Traveller sites.

## Local Plan Policies

### Local Development Plan (2006-2021)

2.19 The existing Local Development Plan (LDP) is the Bridgend Local Development Plan (2006-2021) and it was adopted by the Council in September 2013. The Plan sets out the land-use planning policies of the County Borough which are used in the determination of planning applications. These policies include land-use allocations for different types of development (i.e. housing, employment, retailing, education, open space etc.) as well as criteria for assessing individual proposals. Potentially the Plan has a direct effect on the lives of every resident of the County Borough as well as major implications for landowners. The LDP, will guide development in the County Borough up to 2021. A new Replacement Bridgend Local Development Plan (2018-2033) is currently being prepared.

2.20 The LDP has a specific policy COM6 relating to Gypsy and Traveller Sites. It also recognises that Bridgend County Borough is not an area in which any sizeable numbers of gypsies and travellers have resided, or resort to.

#### **Policy COM6 - Gypsy and Traveller Sites**

Sites and/or pitches to accommodate gypsies and travellers residing in or resorting to the County Borough will be permitted where they satisfy the following criteria:

1. There is an identified need for a site and/or pitch;
2. In sequential order of preference it has been demonstrated that there are firstly no suitable sites or pitches available within existing settlement boundaries; or secondly that a site or pitch cannot be located within the curtilage of an existing development within the countryside;
3. Are well related to community services and facilities;
4. Capable of being served by utilities including waste disposal and recovery;
5. Can accommodate residential and home-based business uses without detriment to amenity and character of the area;
6. Capable of being screened and suitably landscaped to a standard compatible with either its urban or rural surroundings; and
7. Provide an appropriate layout, in terms of pitches, amenity buildings, hard standings and open spaces.

**6.1.28** Bridgend County Borough is not an area in which any sizeable numbers of gypsies and travellers have resided, or resort to. There is currently one privately owned Gypsy and Traveller site (with planning permission) comprising two pitches just north of Pencoed. There are no 'permanent' unauthorised developments or long-term encampments in the County Borough.

**6.1.29** Local authorities are required to assess the accommodation needs of Gypsy families (Housing Act 2004 S.225 & 226). Planning Policy Wales (2012) states that it is important for LDPs to have policies for the provision of sites. It indicates that where there is an assessment of unmet need for Gypsy and Traveller accommodation, sufficient sites should be allocated in the LDP to meet these needs.

**6.1.29** As a supplement to the Bridgend County Borough Local Housing Market Assessment (2009) a Gypsy and Traveller Accommodation Assessment was commissioned. Its purpose was to assess the need for permanent residential and transit pitches for Bridgend's Gypsy and Traveller population. The report concluded that there was no evidence to suggest a need for a residential site; however, it did identify a need for 6 transit pitches within Bridgend County to 2021. The report recommended that the Council consider if the provision of a transit site would be suitable or whether a management solution would be a more effective and preferred option. The Council is developing a management solution by means of a structured and tolerant 'peripatetic' service coordinated by the Local Authority in partnership with the Police and other agencies.

**6.1.31** In tandem with the management solution the accommodation requirements of Gypsies and Travellers will be closely monitored and Policy COM6 will provide a suitable framework for the assessment of permanent and / or transit sites if a future need is identified.

**6.1.32** Policy COM6 provides the scope for gypsies and travellers who do not choose to be accommodated in settled communities to have the opportunity to be accommodated on sites or pitches designed to house temporary and/or mobile accommodation only. Such sites are not opportunities for permanent residential buildings, which would be contrary to other Policies in the Plan relating to the protection of the countryside. In demonstrating the suitability of a site and in applying the sequential test at criterion 2 above, a proposal will need to demonstrate to the Council that sequentially preferable sites are not economically viable.

2.21 The Bridgend County Borough Protocol for the Management of Unauthorised Gypsy and Traveller Encampments was published in June 2012. The aim of this Protocol is to address the need for an effective, inter agency approach to the management of unauthorised Gypsy and Traveller encampments in Bridgend County Borough. The purpose of the Protocol is to consider the human rights and the ongoing welfare of Gypsies and Travellers in Bridgend County Borough balanced against the need to protect land and property from trespass. The scope of the Protocol extends to how Bridgend County Borough Council (BCBC) works with South Wales Police where unauthorised encampment situations arise, recognising that other Public bodies such as the Local Health Board and the Environment Agency may also need to be involved, dependant on local circumstances.

### Replacement Bridgend Local Development Plan (2018-2033)

2.22 The Council is statutorily required, under Section 69 of the Planning and Compulsory Purchase Act 2004, to undertake a full review of the adopted Local Development Plan (LDP) at intervals not longer than every 4 years from the date of adoption. The Replacement LDP is now being prepared and will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan.

2.23 The Council is required to assess the accommodation needs of Gypsy and Traveller families and include policies for provision of sites in the Replacement LDP. The findings of this GTAA will be a key consideration in the plan making, monitoring and review process for the Council's Replacement LDP; forming a key part of the evidence base that will be subject to public scrutiny through the plan preparation process and public examination.

2.24 The Replacement LDP will identify suitable locations for permanent and/or transit sites that this GTAA deems necessary to meet the needs of Gypsies and Travellers. It will also include a criteria-based policy that will provide a clear and fair rationale for the determining of Gypsy and Traveller site planning applications in accordance with Welsh Government Circular 005/2018. The circular is clear that criteria-based policies must be fair, reasonable, realistic and effective in delivering sites and must not rule out or place undue constraints on the development of Gypsy and Traveller sites (paragraph 49).

2.25 In addition, the sequential approach to site selection set out within the Circular must be reflected within policies; providing equal weighting to sites that may come forward 'within or adjacent' to settlement boundaries. Criteria will also be included to assess proposals for Gypsy and Traveller sites in the

countryside if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries.

## Definition of Key Terms

2.26 The 2015 GTAA Guidance contains common definitions that have been used in the Guidance and that will also be used in the GTAA Report. These are set out in the table below:

<p><b>Gypsies and Travellers</b></p>	<p>(a) Persons of a nomadic habit of life, whatever their race or origin, including:</p> <p>(1) Persons who, on grounds only of their own or their family’s or dependant’s educational or health needs or old age, have ceased to travel temporarily or permanently, and</p> <p>(0) Members of an organized group of travelling show people or circus people (whether or not travelling together as such); and</p> <p>(b) All other persons with a cultural tradition of nomadism or of living in a mobile home.</p>
<p><b>Residential site</b></p>	<p>A permanent residential site can be privately owned or owned by the Local Authority. This site will be designated for use as a Gypsy and Traveller site indefinitely. Residents on these sites can expect to occupy their pitches for as long as they abide by the terms of their pitch agreements, under the Mobile Homes (Wales) Act 2013.</p> <p>Working space may also be provided on, or near, sites for activities carried out by community members.</p>
<p><b>Temporary residential site</b></p>	<p>These sites are residential sites which only have planning permission or a site licence for a limited period. Residents on these sites can expect to occupy their pitches for the duration of the planning permission or site licence (or as long as they abide by the terms of their pitch agreements, under the Mobile Homes (Wales) Act 2013 – whichever is sooner).</p>

<p><b>Transit site</b></p>	<p>Transit sites are permanent facilities designed for temporary use by occupiers. These sites must be designated as such and provide a route for Gypsies and Travellers to maintain a nomadic way of life. Individual occupiers are permitted to reside on the site for a maximum of 3 months at a time.</p> <p>Specific terms under the Mobile Homes (Wales) Act 2013 apply on these sites. Working space may also be provided on, or near, sites for activities carried out by community members</p>
<p><b>Temporary Stopping Place</b></p>	<p>Also known as a ‘stopping place’, ‘Atchin Tan’, or ‘green lane’, amongst other names. These are intended to be short-term in nature to assist Local Authorities where a need for pitches is accepted, however, none are currently available. Pro-actively identified temporary stopping places can be used to relocate inappropriately located encampments, whilst alternative sites are progressed.</p> <p>Temporary stopping places must make provision for waste disposal, water supply and sanitation at a minimum.</p>
<p><b>Residential pitch</b></p>	<p>Land on a mobile home site where occupiers are entitled to station their mobile homes indefinitely (unless stated in their pitch agreement). Typically includes an amenity block, space for a static caravan and touring caravan and parking.</p>
<p><b>Transit pitch</b></p>	<p>Land on a mobile home site where occupiers are entitled to station their mobile homes for a maximum of 3 months.</p> <p>Transit pitches can exist on permanent residential sites; however, this is not recommended.</p>
<p><b>Unauthorised encampment</b></p>	<p>Land occupied without the permission of the owner or without the correct land use planning permission. Encampments may be tolerated by the Local Authority, whilst alternative sites are developed.</p>

<b>Unauthorised development</b>	Land occupied by the owner without the necessary land use planning permission.
<b>Current residential supply</b>	The number of authorised pitches which are available and occupied within the Local Authority or partnership area. This includes pitches on Local Authority or private sites.
<b>Current residential demand</b>	<p>Those with a need for authorised pitches for a range of reasons, including:</p> <p>An inability to secure an authorised pitch leading to occupation of unauthorised encampments;</p> <p>An inability to secure correct planning permission for an unauthorised development;</p> <p>Households living in overcrowded conditions and want a pitch;</p> <p>Households in conventional housing demonstrating cultural aversion;</p> <p>New households expected to arrive from elsewhere.</p>
<b>Future residential demand</b>	The expected level of new household formation which will generate additional demand within the 5-year period of the accommodation assessment and longer LDP period.
<b>Overall residential pitch need</b>	The ultimate calculation of unmet accommodation need, which must be identified through the Gypsy and Traveller accommodation assessment process. This figure can be found by adding the immediate residential need to the future residential demand. The overall residential need will capture the needs across the 5-year period within which the accommodation assessment is considered to be robust.
<b>Planned residential pitch supply</b>	The number of authorised pitches which are vacant and available to rent on Local Authority or private sites. It also includes pitches which will be vacated in the near future by households moving to conventional housing or in other circumstances. Additional pitches which are due

	to open or private sites likely to achieve planning permission shortly should be included as planned residential supply.
<b>Household</b>	In this guidance this refers to individuals from the same family who live together on a single pitch / house / encampment.
<b>Concealed or 'doubled-up' household</b>	<p>This refers to households which are unable to achieve their own authorised accommodation and are instead living within authorised accommodation (houses or pitches) assigned to another household.</p> <p>This may include adult children who have been unable to move home or different households occupying a single pitch.</p>
<b>Household growth</b>	In this guidance household growth is defined by the number of new households arising from households which are already accommodated in the area.

## 3. Analysis of Existing Data

<sup>3.1</sup> The purpose of this section of the GTAA is to set out current information relating to the Gypsy and Traveller population in Bridgend County Borough including any previous assessments of need, socio-demographic data, caravan count data and the current provision of accommodation.

### Bridgend GTAA 2016

<sup>3.2</sup> The most recent GTAA for Bridgend County Borough was completed by ORS and published in May 2016. Based upon the evidence presented in the study the estimated additional pitch provision needed for Gypsies and Travellers in Bridgend County Borough for the first 5 years of the GTAA plan period was for no additional pitches, and for the remainder of the GTAA plan period was for a further 1 additional pitch. This gave a total need for the whole GTAA plan period of 1 additional pitch.

<sup>3.3</sup> It was recommended that there was not a need for the Council to provide a permanent transit site in Bridgend County Borough, and that the Council should continue to monitor the number of unauthorised encampments and use the management approach set out in the LDP and in the Gypsy and Traveller Management Protocol.

<sup>3.4</sup> Whilst there are no Travelling Showpeople yards in Bridgend County Borough, contact was made with a number of Travelling Showpeople living in Bridgend County Borough, the Vale of Glamorgan and Gloucester who expressed a wish to independently develop a private yard in South Wales.

### Population Data – 2011 Census

<sup>3.5</sup> Analysis of 2011 Census data relating to the Gypsy and Traveller population identified a total of 26 households (18 living in a house or bungalow, 4 living in a flat and 4 living in a caravan) and 63 individuals who identified themselves as Gypsies or Irish Travellers living in Bridgend County Borough – representing less than 0.05% of the population as a whole. It is likely that this could be an under-estimate given the accepted lower than average levels of response to the Census from the members of the Gypsy and Traveller community. The 2021 Census may provide a better understanding of the Gypsy and Traveller population through the inclusion of Roma in the question about ethnicity.

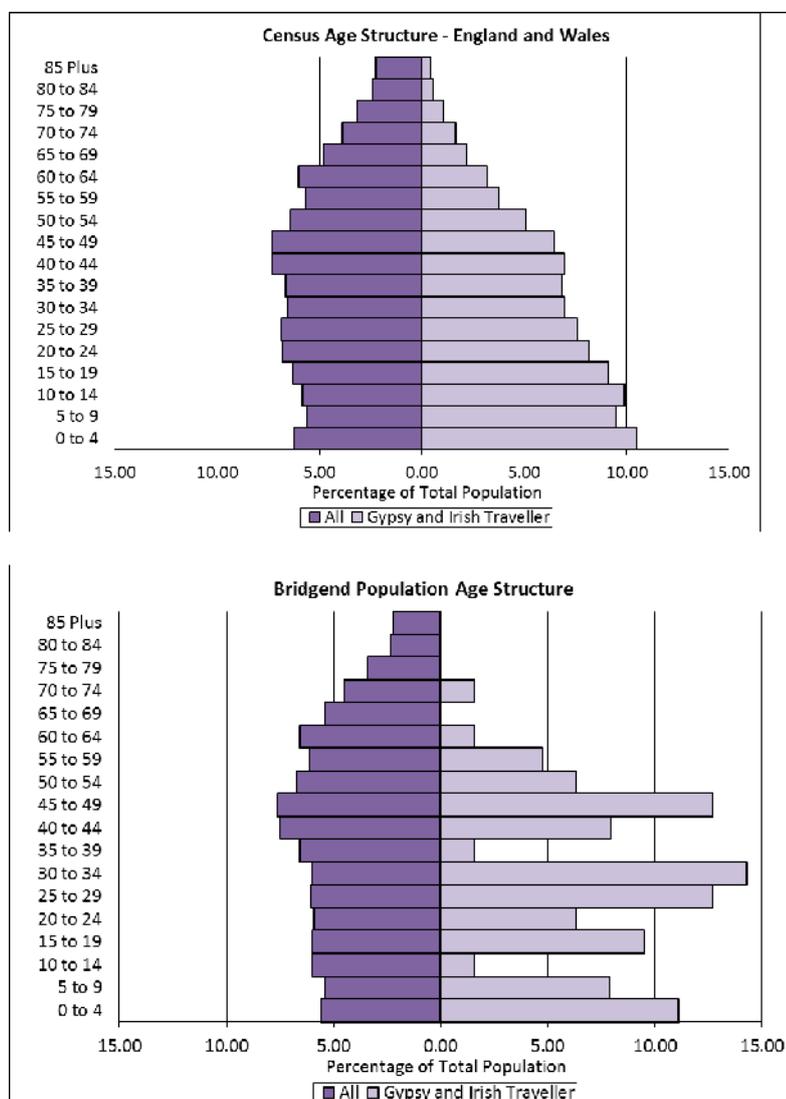
<sup>3.6</sup> Despite the likely under-estimate of the population of Gypsies and Irish Travellers, data from the 2011 Census does identify some significant demographic differences when compared to the population as a whole. These are important in terms of explaining the higher rate of new household formation for Gypsy and Traveller households compared with the settled population. In summary the Census shows that nationally for England and Wales:

- » Just under half of Gypsy or Irish Traveller households had dependent children (45%), compared to 29% for England and Wales as a whole.
- » The median age of Gypsies or Irish Travellers was 26 years compared to the national median of 39 years.
- » Just 6% of the Gypsy or Irish Traveller population were aged 65 years and over compared to a national figure of 16%.

- » Gypsies or Irish Travellers below 20 years of age accounted for 39% of the population compared to a national figure of 24%.
- » Gypsies or Irish Travellers below 10 years of age accounted for 20% of the population compared to a national figure of 12%.
- » Gypsies or Irish Travellers had the lowest proportion of people rating their health as good or very good at 70% compared to a national figure of 81%.

<sup>3.7</sup> The charts below show the age structure for the whole population (All) and the Gypsy or Irish Traveller population in England and Wales, and in Bridgend County Borough. This shows that there is a higher proportion of Gypsy or Irish Traveller children aged 0-9 and adults aged between 25 and 59, and significantly lower proportions of those aged 59 and over. This is due to higher birth rates and lower life expectancy for the Gypsy and Traveller population.

**Figure 2 - Comparison of Census Age Structure (2011 Census)**



<sup>3.8</sup> When household composition data from the 2011 Census is compared between the overall population for Bridgend County Borough and those who identified themselves as Gypsies or Irish Travellers there are further differences. This shows that there are no single person Gypsy and Traveller households aged 65 and over, as

well as showing a higher proportion of lone parent households. These patterns are statistically consistent with national patterns in relation to the Travelling Community.

**Figure 3 - Comparison of Housing Composition in Bridgend County Borough (2011 Census)**

Household Composition	All Households (%)	Gypsy or Irish Traveller (%)
<b>One-person household</b>	<b>28.2</b>	<b>23.1</b>
Aged 65 and over	13.1	0.0
<b>One family only</b>	<b>66.0</b>	<b>65.4</b>
Ages 65 and over	8.9	0.0
Married or civil partnership	35.4	26.9
Cohabiting couple	9.9	11.5
Lone parent	9.0	26.9
<b>Other household types</b>	<b>5.8</b>	<b>3.8</b>

<sup>3.9</sup> When accommodation type data from the 2011 Census is compared between the overall population for Bridgend County Borough and those who identified themselves as Gypsies or Irish Travellers there are also further differences. This shows a lower proportion of Gypsies or Irish Travellers living in detached properties and a much higher proportion living in flats, maisonettes or apartments, or mobile/temporary accommodation (or on Traveller sites).

**Figure 4 - Comparison of Accommodation Type in Bridgend County Borough (2011 Census)**

Accommodation Type	All Households (%)	Gypsy or Irish Traveller (%)
Whole house or bungalow: Total	92.9	68.6
Whole house or bungalow: Detached	25.8	17.6
Whole house or bungalow: Semi-detached	40.7	35.3
Whole house or bungalow: Terraced (including end-terrace)	26.3	15.7
Flat, maisonette or apartment, or mobile/temporary accommodation	7.1	31.4

<sup>3.10</sup> When tenure type data from the 2011 Census is compared between the overall population for Bridgend County Borough and those who identified themselves as Gypsies or Irish Travellers there are again differences. This shows a lower proportion of Gypsy or Irish Traveller households that are owned outright or owned with a mortgage or through shared ownership – and a higher proportion of households that are socially rented, or privately rented.

Figure 5 - Comparison of Tenure Type in Bridgend County Borough (2011 Census)

Tenure	All Households (%)	Gypsy or Irish Traveller (%)
Owned or shared ownership: Total	72.6	30.8
Owned outright	35.0	15.4
Owned with a mortgage or loan or shared ownership	37.7	15.4
Social rented: Total	13.8	23.1
Rented from council (Local Authority)	4.0	0.0
Other social rented	9.9	23.1
Private rented or living rent free: Total	13.5	46.2
Private landlord or letting agency	10.8	38.5
Other private rented or living rent free	2.8	7.7

3.11 When economic activity status data from the 2011 Census is compared between the overall population for Bridgend County Borough and those who identified themselves as Gypsies or Irish Travellers there are further differences. This actually shows that a slightly higher proportion of Gypsy or Irish Traveller households that are economically active but a lower proportion who are in employment; that a higher proportion who are unemployed and a higher proportion who are economically inactive due to looking after home or family; and a significantly lower proportion are economically inactive due to retirement (although there is a very small proportion of the Gypsy or Irish Traveller Census population in Bridgend County Borough aged over 60).

Figure 6 - Comparison of Economic Activity Status in Bridgend County Borough (2011 Census)

Economic Activity	All Households (%)	Gypsy or Irish Traveller (%)
Economically active: Total	58.6	65.3
In employment: Total	54.0	40.8
Employee: Total	46.4	30.6
Self-employed: Total	6.0	8.2
Unemployed: Total	4.6	24.5
Economically inactive: Total	41.4	34.7
Looking after home or family	3.5	8.2
Long-term sick or disabled	7.2	2.0
Retired	24.1	2.0

## Gypsy and Traveller Caravan Count Data

3.12 Another source of published information on the Gypsy and Traveller population is the bi-annual Gypsy and Traveller Caravan Count which is conducted by each Local Authority in Wales on a specific date in January and July of each year and reported to Welsh Government. This is a physical count of the number of *caravans* on both authorised and unauthorised sites across Wales.

3.13 As this count is of caravans *and not* households, it makes it very difficult to interpret and use for a study such as this because it does not count pitches, resident households or household demographics. The count is a 'snapshot in time' conducted by the Local Authority on a specific day, and therefore any unauthorised sites

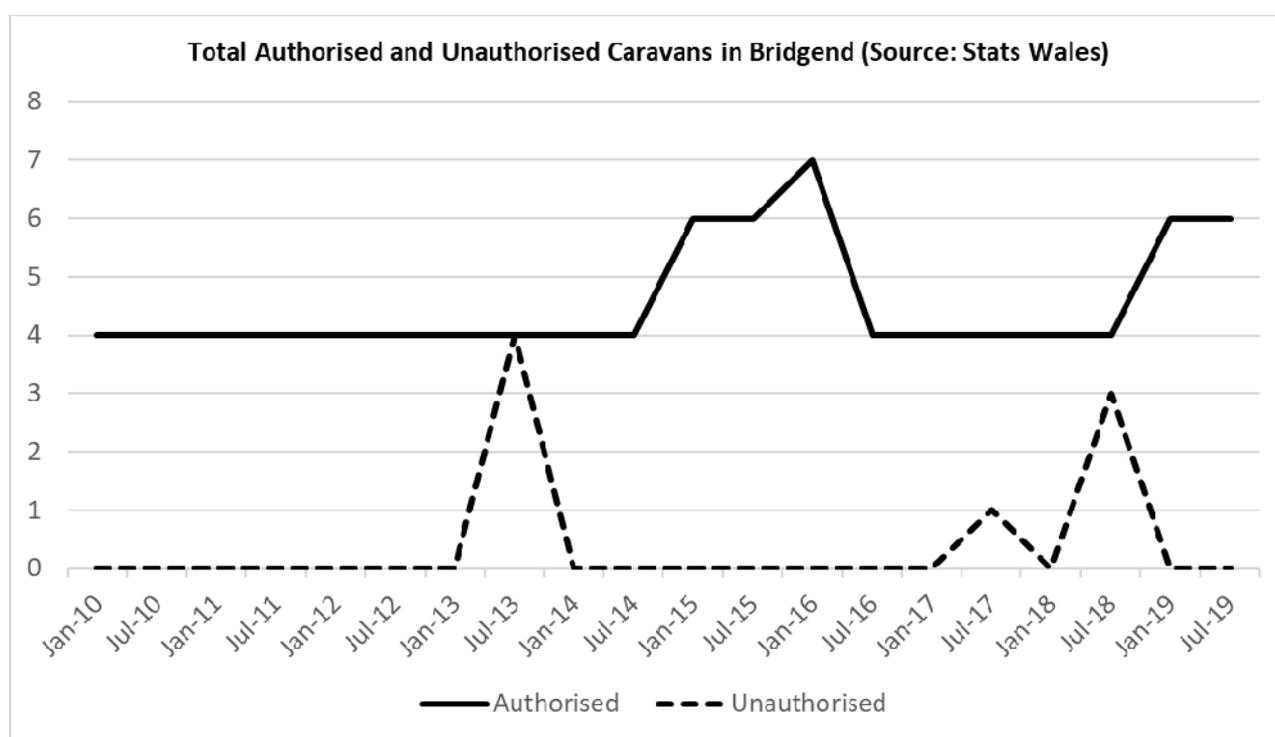
or encampments which occur on other dates are not recorded. Likewise, any caravans that are away from sites on the day of the count will not be included. The count also does not seek to determine the ethnic status of the occupiers of caravans.

3.14 However, the data captured in the Caravan Count does give an indication of the number of sites, and authorised and unauthorised caravans in each local authority, and can be useful in supporting the determination of any transit needs and identifying year on year trends to support an assessment of need.

3.15 The latest Gypsy and Traveller Caravan County data for Wales is from July 2019 and was published in October 2019.

3.16 Figure 6 shows data for the number of authorised and unauthorised caravans that have been recorded in the Gypsy and Traveller Caravan Count in Bridgend County Borough for the period 2010-2019.

**Figure 7 - Comparison of the Number of Caravans in Bridgend County Borough**



3.17 The January 2020 Gypsy and Traveller Caravan Count has not yet been verified and published by Welsh Government. However, the January 2020 count for Bridgend County Borough was completed by ORS and identified a total of 18 caravans on authorised private sites and 2 caravans on an unauthorised site.

## Current Accommodation Provision in Bridgend County Borough

- 3.18 One of the main considerations of this study is provide evidence to support the provision of pitches and plots to meet the current and future accommodation needs of Gypsies and Travellers in Bridgend County Borough. A pitch is an area which is large enough for one household to occupy and typically contains enough space for one or two caravans but can vary in size. A site is a collection of pitches which form a development exclusively for Gypsies and Travellers. For Travelling Showpeople, the most common descriptions used are a plot for the space occupied by one household and a yard for a collection of plots which are typically exclusively occupied by Travelling Showpeople.
- 3.19 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of a Gypsy and Traveller site is a publicly provided residential site, which is provided by a Local Authority or by a Housing Association. Pitches on public sites can usually be obtained through signing up to a waiting list, and the costs of running the sites are met from the rent paid by the tenants (similar to social housing).
- 3.20 The alternatives to public residential sites are private residential sites and yards for Gypsies and Travellers. These result from individuals or families buying areas of land and then obtaining planning permission to live on them. Households can also rent pitches on some private sites that are run on a commercial basis. Therefore, these two forms of accommodation are the equivalent to private ownership and renting for those who live in bricks and mortar housing. Generally, the majority of Travelling Showpeople yards are privately owned and managed.
- 3.21 The Gypsy and Traveller population also has other forms of sites due to its mobile nature. Transit sites tend to contain many of the same facilities as a residential site, except that there is a limited period of residence which can vary from a period of weeks to a period of months. An alternative to a transit site is a temporary stopping place. This type of site also has restrictions on the length of time someone can stay on it but has much more limited facilities. A number of authorities also tolerate short-term stopovers without enforcement action.
- 3.22 Further considerations for the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers or with the approval of the landowner, but for which they do not have planning permission to use for residential purposes. Unauthorised encampments occur on land which is not owned by the Gypsies and Travellers – for example layby's or car parks.

## Sites and Yards in Bridgend County Borough

- 3.23 In Bridgend County Borough, at the baseline date for this GTAA, there were no public sites; 6 private sites; no unauthorised sites; no public or private transit provision; and no Travelling Showpeople yards.
- 3.24 Whilst there is a large permanent fairground situated in Porthcawl, there are no planning records or evidence to suggest that the site has ever been used or has had planning consent as a Showperson's yard. It is classified as a permanent fairground which is a sui generis use. However, it is understood that there are a small number of Travelling Showmen's households living at the site, which are tolerated by the Council

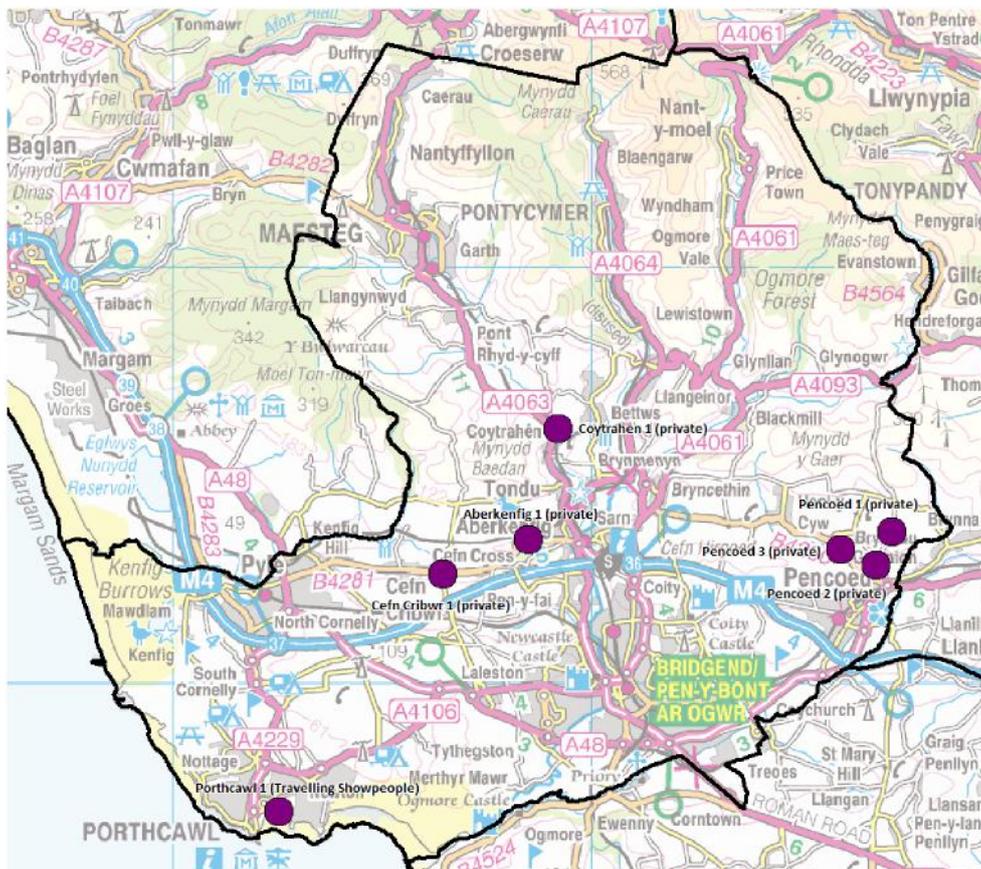
Figure 8 - Total amount of provision in Bridgend County Borough (April 2020)

Category	Sites/Yards	Pitches/Plots
Private with permanent planning permission	6	7
Private sites with temporary planning permission	0	0
Public sites	0	0
Public transit provision	0	0
Tolerated sites	0	0
Unauthorised sites	0	0
Authorised Travelling Showpeople yards	0	0
Tolerated Travelling Showpeople yards	0	0
Unauthorised Travelling Showpeople yards	0	0

Figure 9 - Sites and Yards in Bridgend County Borough (April 2020)

Site Name	Pitches/Plots	Status
Aberkenfig 1	1	Private
Cefn Cribwr 1	1	Private
Coytrahen 1	1	Private
Pencoed 1	1	Private
Pencoed 2	1	Private
Pencoed 3	2	Private

Map 1 - Indicative Location of Sites in Bridgend County Borough (April 2020)



## 4. Methodology

<sup>4.1</sup> This section sets out the methodology that has been followed to deliver the outputs for this study. The Welsh Government GTAA Guidance issued under Section 106 of the Housing (Wales) Act sets out the requirements for the GTAA and the methodology and calculation of need that has been followed has sought to address these and allow for a full and robust GTAA to be completed. The study has been undertaken by Opinion Research Services in partnership with the Council and the approach taken covers the following core areas of work:

- » Setting up a Project Steering Group.
- » Identifying and analysing existing data sources.
- » Publicising the accommodation assessment.
- » Conducting the accommodation assessment surveys.
- » Calculating the accommodation needs of Gypsies and Travellers.

<sup>4.2</sup> The stages below provide a summary of the methodology that was used to complete this study.

### Project Steering Group

<sup>4.3</sup> The Welsh Government GTAA Guidance requires that a Project Steering Group be established to ensure that the study is informed by all available local knowledge and expertise. The Council set up and managed the Steering Group and the individuals who attended meetings of the Steering Group in Bridgend County Borough were:

**Figure 10 – Bridgend County Borough GTAA Steering Group Membership**

Name	Organisation	Role
	Bridgend CBC	Development Planning
	Bridgend CBC	Communications, Marketing and Engagement
	Linc Cymru Housing Association	Registered Social Landlord Representative
	Bridgend CBC	Education
	Valleys 2 Coast Housing Association	Registered Social Landlord Representative
	Bridgend CBC	Development Planning
	Bridgend CBC	Environmental Health
	Wales and West Housing Association	Registered Social Landlord Representative
	Bridgend CBC	Education
	Bridgend CBC	Housing Solutions
	Bridgend CBC	Community Cohesion
	Opinion Research Services	Consultant
	Bridgend CBC	Communications, Marketing and Engagement
	Bridgend CBC	Communications, Marketing and Engagement
	Bridgend CBC	Housing Strategy
	Opinion Research Services	Consultant

- <sup>4.4</sup> As set out in the GTAA Guidance the key responsibilities of the Steering Group were to agree on the aims and objectives of the study; promote the benefits of the study to members of the Travelling Community; help identify households living in bricks and mortar and on unauthorised sites and encampments; provide expert stakeholder input into the identification of local need; provide feedback on the emerging outputs from the study; and to share and promote the final outcomes to members of the Travelling Community. The first Steering Group meeting was held in December 2019, the second meeting was held in March 2020, and the final scheduled meeting was replaced with remote dissemination of the findings in May 2020.
- <sup>4.5</sup> The first Steering Group meeting discussed the background to the GTAA and clarified the purpose and the role of the Group. Means of communicating the GTAA were also discussed, together with opportunities to engage with households living in bricks and mortar. The second Steering Group meeting provided an opportunity for an update on the site fieldwork and the outcomes of the publicity that was put in place. The final Steering Group meeting involved sharing the GTAA Report, discussing how the study outcomes could be communicated to members of the Travelling Community and how to address the identified need.
- <sup>4.6</sup> In addition to the Steering Group meetings conversations were held with a number of Steering Group members to gain views and information to support the wider assessment of need. These included Planning Officers, Education Officers and Housing Officers. Contact was also made with representatives from the Showmen’s Guild and the Association of Independent Showpeople.
- <sup>4.7</sup> Finally, a short online survey was sent out to all Town and Community Councils in Bridgend County Borough.

## Identify and Analyse Existing Data

- <sup>4.8</sup> A desk-based review was undertaken to collate and analyse a range of secondary data and other local intelligence that has been used to identify and support the assessment of current and future accommodation need including:
- » Planning records.
  - » Census data.
  - » Site records and waiting lists.
  - » Caravan counts.
  - » Records of unauthorised sites/encampments.
  - » Information on planning applications/appeals.
  - » Information on enforcement actions.
  - » Existing GTAA’s and other relevant local studies.
  - » Existing national and local policy, guidance and best practice.

## Publicise the Accommodation Assessment

- <sup>4.9</sup> Effective publicity and pre-notification was put in place at the start of the Assessment in order to encourage the Travelling Community to participate in the site and household interviews. This was particularly important in terms of identifying households living in bricks and mortar accommodation.
- <sup>4.10</sup> The approach to publicity was agreed with members of the Steering Group prior to the fieldwork commencing. The publicity was managed by the Council and included a poster and flyer which was placed in key locations across Bridgend County Borough including Leisure Centres, Life Centres, Libraries, GP Surgeries, Dentist Surgeries, Supermarkets and Leisure Attractions. A full list can be found in **Appendix C**. The GTAA was advertised on the Council's website, Facebook and Twitter pages. A letter was also left at sites where it was not possible to make contact with residents. Examples of the publicity can be seen in **Appendix D**. The main Housing Associations that operate in Bridgend County Borough were also provided with information regarding the GTAA and they advised the Council of any known households. Those households already known to the Steering Group and its internal and external partners were contacted directly by telephone and / or by letter (including letters sent home with school children) in accordance with GDPR. The households were able to either contact ORS directly themselves or give permission for the Council to provide their contact details to ORS.
- <sup>4.11</sup> The publicity set out above also included extensive work that was also completed by Officers from the Councils Education and Housing Departments to engage with members of the Travelling Community in Bridgend County Borough. This approach proved particularly successful and four of the households they engaged with ended up completing the household interview. As well as sending letters and flyers home with school children, Education staff adopted an 'open door' approach with families who wanted to discuss the GTAA. School secretaries read letters out to families individually, staff answered questions and encouraged households to participate in the GTAA. This happened in the weeks before and after letters and flyers were distributed. This stimulated discussion in the community, was well received and parents generally felt the assessment was a good idea.
- <sup>4.12</sup> Contact was also made with a Planning Agent who has represented households who have submitted planning applications for new Gypsy and Traveller sites in Bridgend County Borough in recent years. Through this process the Planning Agent was able to contact his clients to encourage them to engage with the GTAA process.

## Conducting the Accommodation Assessment Surveys

### Site Interviews

- <sup>4.13</sup> Through the desk-based research and information from the Steering Group, ORS sought to identify all authorised and unauthorised sites, yards and encampments in Bridgend County Borough, and sought to undertake a full census-style interview with of the residents on all pitches and plots – as required by the Welsh Government Guidance.

- 4.14 Following agreed publicity and pre-notification activities, all Gypsy and Traveller pitches (no Travelling Showmen’s plots were identified) were visited by ORS researchers. They sought to complete interviews with all of the residents using the questions set out in the GTAA Guidance.

### Bricks and Mortar Interviews

- 4.15 ORS worked closely with the Council to identify and encourage households living in bricks and mortar to participate in the GTAA. Contacts were identified through members of the Steering Group, speaking with people on existing sites and adverts on social media, in combination with the extensive local publicity set out above. Telephone interviews were attempted with all contacts that were identified in compliance with the GTAA Guidance.

### Calculate the Accommodation Needs of Gypsies, Travellers and Travelling Showpeople

- 4.16 The Welsh Government GTAA Guidance sets out a detailed methodology to assess current and future pitch needs. This approach has been followed for the purpose of this GTAA. As with any housing assessment, the underlying calculation is comprised of a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply of pitches available for occupation with the current and future population need. This information has been obtained from a combination of the desk-based research and the outcomes of the site and household interviews, together with additional information from members of the Steering Group and other local stakeholders. The key factors in each of these elements are set out below.

### Current Residential Supply

- » Occupied local authority pitches.
- » Occupied authorised private pitches.
- » Vacant local authority pitches and available private pitches.
- » Pitches expected to be vacated in the near future.
- » New local authority pitches private pitches with planning permission.

### Current Residential Demand

- 4.17 Total current residential demand is made up of the following components. It was important to make full use of the desk-based research and intelligence from members of the Steering Group to address issues of double counting (for example bricks and mortar households who are also on the waiting list for pitches):
- » Households on unauthorised encampments.
  - » Households on unauthorised developments.
  - » Concealed /over-crowded/doubled-up households<sup>2</sup>.

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<sup>2</sup> Following the guidance set out in Paragraphs 195-201 of the GTAA Guidance.

- » Conventional housing – movement from bricks and mortar<sup>3</sup>.
- » New households to arrive from waiting lists/in-migration.

## Future Demand

- 4.18 Total future demand is a result of the formation of new households during the study period. ORS has undertaken extensive research into the population and household growth of the Gypsy and Traveller community in England and Wales (see Appendix E). This was used to inform this element of the Welsh Government GTAA Guidance (see Paragraphs 203-209). Paragraph 203 sets out that the research completed by ORS suggests that an acceptable growth rate is usually within the range of 1.50% – 3.00% per annum and Paragraph 204 sets out that Local Authorities should analyse the demographic data provided by community members to consider their own local anticipated growth over the 5 year period.
- 4.19 In addition, information from the site interviews provides details of the gross number of new households expected to form within the first 5 years of the study (although it is important to net this off against supply that has been identified during the first 5 years of the study).
- 4.20 The estimate of new household formation for years 6-13 of the study has been completed by applying a net compound formation rate based on demographic evidence from the site interviews that were completed. The base for this calculation is the figure arrived at for the first 5 years of the study which includes all current authorised households, all households identified as current demand (including those not currently living on a pitch or plot), and new household formation for years 0-5 of the study identified from the site interviews. Further evidence to support the approach taken to calculate new household formation is set out in Chapter 6.

## Final Outcomes

- 4.21 All of the components of supply and demand are presented in an easy to understand table as set out in the GTAA Guidance in Table 3. A separate table has been prepared for the current and future needs of Gypsies, Travellers and for Travelling Showpeople as their needs should be considered independently as their circumstances are different from that of the wider travelling community.

## Transit Provision

- 4.22 The GTAA also includes an assessment of the need for any transit sites or temporary stopping places to meet the needs of members of the Travelling Community who either travel permanently or for part of the year. In order to investigate the potential need for transit provision when undertaking the GTAA, ORS have undertaken analysis of records of unauthorised sites and encampments that were identified during the desk-based research. ORS have also sought to conduct interviews with Gypsies and Travellers on any sites present during the course of the study to identify whether their needs are for transit accommodation or permanent accommodation in any given locality. Data from the Gypsy and Traveller Caravan Count has also been considered as supporting evidence.

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<sup>3</sup> Following the guidance set out in Paragraphs 172-183 of the GTAA Guidance.

## Compliance with Engagement Checklist

4.23 The table below shows that this GTAA has been compliant with all of points set out in the Engagement Checklist in the Welsh Government GTAA Guidance.

Figure 11 – Engagement Checklist

	Task	Completed
1	<p>Visit every Gypsy, Traveller and Travelling Showperson household identified through the data analysis process up to 3 times, if necessary.</p> <p><i>All sites were visited up to 3 times and some more than 3 times.</i></p>	<input type="checkbox"/>
2	<p>Publish details of the GTAA process, including contact details to allow community members to request an interview, on the local authority website, Travellers Times website and the World's Fair publication.</p> <p><i>Extensive publicity was undertaken to promote the GTAA and details can be found in Appendix C and Appendix D. However, Worlds Fair ceased being published as a weekly newspaper in 2019 and Travellers Times no longer publish details of GTAs on their Facebook pages.</i></p>	<input type="checkbox"/>
3	<p>Consult relevant community support organisations, such as those in Annex 1.</p> <p><i>Due to the very low number of Gypsy sites in Bridgend County Borough only the Showman's Guild were contacted. In addition, engagement was completed with Housing Associations who operate in the study area.</i></p>	<input type="checkbox"/>
4	<p>Develop a Local Authority waiting list for both pitches and housing, which is accessible and communicated to community members.</p> <p><i>There are no public sites in Bridgend County Borough.</i></p>	<input type="checkbox"/>
5	<p>Endeavour to include Gypsies and Travellers on the GTAA Project Steering Group.</p> <p><i>Due to the small numbers of Gypsy and Traveller households within the county borough, it was not possible to encourage a member of the Gypsy and Traveller community to sit on the Steering Group.</i></p>	<input type="checkbox"/>
6	<p>Ensure contact details provided to the local authority by community members through the survey process are followed up and needs assessed.</p> <p><i>All contacts provided to and by the local authority were followed up with a combination of interviews with members of the Travelling Community.</i></p>	<input type="checkbox"/>
7	<p>Consider holding on-site (or nearby) GTAA information events to explain why community members should participate and encourage site residents to bring others who may not be known to the local authority.</p> <p><i>Due to the very small number of sites in Bridgend County Borough this was not thought to be appropriate.</i></p>	<input type="checkbox"/>

## 5. Survey Findings

### Background

<sup>5.1</sup> The desk-based research and additional information from members of the Steering Group identified a total of 5 private Gypsy and Traveller sites with permanent planning permission; 1 unauthorised Gypsy and Traveller site; and no Travelling Showpeople yards in Bridgend County Borough.

**Figure 12 - Sites in Bridgend County Borough (April 2020)**

Site Name	Pitches	Status
Aberkenfig 1	1	Private - Permanent
Cefn Cribwr 1	1	Private - permanent
Coytrahen 1	1	Private - Permanent
Pencoed 1	1	Private - Permanent
Pencoed 2	1	Private - Permanent
Pencoed 3	2	Private - Permanent
<b>TOTAL</b>	<b>7</b>	

<sup>5.2</sup> Interviews were attempted between January and March 2020 and a total of 3 successful interviews were completed with households on 2 of the private sites. Whilst it was possible to make contact with residents on 3 of the other private sites, the residents refused to take part in an interview, and it was not possible to make contact with residents on the other private site. In addition, an interview was completed with a Travelling Showpeople household.

<sup>5.3</sup> The GTAA Guidance advocates the use of intermediaries trusted by the community to encourage Travellers to participate in household interviews. Discussions were therefore held with a Planning Agent as an intermediary in an attempt to further encourage participation. The Agent represented and had developed a rapport with households living on the 2 occupied sites where he had represented households. Several attempts were made to encourage these households to participate in an interview, however, both sets of households still expressed no interest in taking part in the Assessment.

<sup>5.4</sup> The same Planning Agent also represented families who recently applied for planning permission to develop 2 sites that have now been refused planning permission. Several attempts were made to encourage the prospective occupiers of these sites to participate in the GTAA. However, despite these engagement attempts, neither household chose to participate. Historical supporting information was provided to accompany the respective planning applications and this suggested potential in-migration from households living on sites in other local authorities. However, this information was compiled in advance of the GTAA taking place and as such it is unclear whether this information accurately captures the most current circumstances for these families. In addition, no consent has been given to use this information for another purpose. Without these households having actively participated in the GTAA, it has therefore not been possible to understand their current circumstances and distinguish between their accommodation needs and

accommodation preferences / aspirations. Therefore, it has not been possible to include any potential need arising from these households from in-migration within the overall calculation of need.

- 5.5 As set out earlier in this report the Council deployed extensive publicity materials about the GTAA to raise awareness of the study and to encourage households living in bricks and mortar to participate in an interview. ORS also worked closely with Steering Group Members from Education and Housing to identify households living to interview, including those living in bricks and mortar.
- 5.6 The wider publicity and engagement from Education Officers led to a Gypsy and Traveller household living in bricks and mortar contacting ORS and completing an interview; the interview set out above with the Travelling Showpeople household; and an interview with a household currently living on a public site in Merthyr Tydfil who stated a preference to move to a site in Bridgend County Borough to be closer to family members.
- 5.7 The discussions with Education Officers led to letters being sent and discussions held with a total of 6 households living in bricks and mortar in Bridgend County Borough, and to letters being sent and discussions with 3 households living on private sites in Bridgend County Borough and with 2 households living on a public site in Neath Port Talbot with links to education in Bridgend County Borough. These discussions helped to encourage 1 household in bricks and mortar and 3 households on sites to complete an interview.
- 5.8 The discussions with Housing Officers led to letters being sent to a total of 3 households living in bricks and mortar and to a discussion with 1 transient household stopping temporarily on an unauthorised encampment in Bridgend County Borough. However, all of these households declined to take part in an interview.

**Figure 13 – Interview Summary for Bridgend County Borough**

Site Name	Pitches	Interviews	Refusals	No Contact
Aberkenfig 1	1	0	1	0
Cefn Cribwr 1	1	0	1	0
Coytrahen 1	1	1	0	0
Pencoed 1	1	0	0	1
Pencoed 2	1	0	0	1
Pencoed 2	2	2	0	0
Travelling Showpeople	-	1	0	0
Other LA Site	-	1	2	0
Unauthorised Encampment	-	0	1	0
Bricks & Mortar	-	1	8	0
<b>TOTAL</b>	<b>7</b>	<b>6</b>	<b>13</b>	<b>2</b>

## Interview Log

- 5.9 An anonymised copy of the Interview Log can be found in **Appendix B**.

## Overview and Demographics of Residents

- 5.10 Information collected on the type of accommodation lived in shows that the Gypsies and Travellers who were interviewed for the Bridgend County Borough GTAA live on private sites, public sites<sup>4</sup>, in bricks and mortar, and on a fairground.
- 5.11 Ethnicity data was captured from all of the households that were interviewed. This indicated that they are Welsh Travellers, English Travellers and Romany Gypsies.
- 5.12 In total the interviews covered 7 households comprising 26 residents - 13 adults and 13 children and teenagers aged under 18. This equates to 50% adults and 50% children and teenagers. When compared with data from the 2018 Mid-Year Population Estimate for Bridgend County Borough as a whole (the settled community and the Gypsy or Irish Traveller community) this shows the same proportion by gender and a significantly higher proportion of those aged under 18 in the Traveller population when compared to that of the Bridgend County Borough population as a whole. This is important when determining the new household growth rate that will be applied to the population when longer-term need is determined<sup>5</sup>.

**Figure 14 – Age and Gender of Household Members (April 2020)**

Age and Gender	Number	GTAA Interviews	MYE (2018)
Male	13	50%	50%
Female	13	50%	50%
Under 18	13	50%	20%
18 and Over	13	50%	80%

<sup>4</sup> In another local authority.

<sup>5</sup> See Chapter 6 for further details on determining new household formation in Bridgend County Borough.

## Interview Summary

### Private Sites

#### Site 1

- 5.13 Staff from ORS completed interviews at this private site in February 2020. The site has planning consent for a hardstanding for a mobile home and an associated utility block. The site was occupied by Welsh and English Travellers.
- 5.14 There was a doubled-up household identified living on the site who stated that they need a site/pitch of their own immediately. They stipulated that the type of accommodation they need is either on a public site or a private site, dependant on what is available, and that they would like to join a waiting list for a public site if one was available. There was also 1 teenage resident who will need a pitch of their own in the next 3-5 years.
- 5.15 The residents are satisfied with the site and all live there as a result of local connections. Only the doubled-up household felt that they cannot continue to live on the site due to wanting a site/pitch of their own in order to start a family.
- 5.16 It was felt that additional transit provision is needed in Pembrokeshire, Mid-Wales and Bridgend

#### Site 2

- 5.17 Staff from ORS completed interviews at this private site in February 2020. The site has planning consent for 2 residential pitches. Interviews were completed with residents on both pitches. The site was occupied by Welsh Travellers.
- 5.18 There were no concealed or doubled-up households identified and there were enough sleeping areas. There were no residents who want to move to their own home in the next 5 years. One of the households indicated that a close relative, who is currently living on a public site in a different Local Authority in South Wales, would like to move to Bridgend. The household in another local authority was interviewed separately.
- 5.19 The residents are generally satisfied with the site and all live there as a result of local connections. No household gave any reasons why they cannot continue to live on the site.
- 5.20 It was felt that additional transit provision is needed in Cardiff, Llanelli, Newport and Pembrokeshire.

### Travelling Showpeople

- 5.21 An interview was completed with 1 Travelling Showperson household. This household stated that their current accommodation was unsuitable for their needs and that they are seeking to privately purchase land to develop a new yard to operate from.

## Bricks & Mortar

5.22 An interview was completed with 1 Gypsy and Traveller household living in bricks and mortar and currently in temporary accommodation. The household indicated a wish to move to a site, and that they already own land in Bridgend. The land does not currently have planning permission, and the household would wish to settle there if given permission. There were also 2 teenagers who will need a pitch of their own in the next 5 years.

## Interviews in other Local Authorities

5.23 An interview was completed with 1 Gypsy and Traveller household living on a public site in another local authority in South Wales. The household indicated a preference to move to a site in Bridgend due to close family connections in the area.

## 6. Assessing Accommodation Needs

- <sup>6.1</sup> This section focuses on the additional pitch provision which is needed by Bridgend Council for a period of 5 years and for the new Local Plan period up to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts for future provision, based upon the evidence contained within this study and also from secondary data sources.
- <sup>6.2</sup> This section is based upon a combination of information from the on-site surveys, planning records, Steering Group members, and from other stakeholders. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>6.3</sup> This section concentrates not only upon the total additional provision which is needed in the area, but also whether there is a need for any transit sites and/or emergency stopping place provision.
- <sup>6.4</sup> Welsh Government Guidance requires an assessment of current and future pitch needs and provides a prescribed framework for undertaking this calculation. This framework has been followed for the purpose of this GTAA.
- <sup>6.5</sup> As with any assessment of housing need the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply that is available for occupation with the current and future needs of the households. The key factors in each of these elements are set out in the sections below.

### Current Residential Supply

- » Occupied local authority pitches.
- » Occupied authorised private pitches.
- » Vacant local authority pitches and available private pitches.
- » Pitches expected to be vacated in the near future.
- » New local authority pitches private pitches with planning permission.

### Current Residential Demand

- » Households on unauthorised encampments.
- » Households on unauthorised developments.
- » Concealed /over-crowded/doubled-up households<sup>6</sup>.
- » Conventional housing – movement from bricks and mortar<sup>7</sup>.
- » New households to arrive from waiting lists/in-migration.

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<sup>6</sup> Following the guidance set out in Paragraphs 195-201 of the GTAA Guidance.

<sup>7</sup> Following the guidance set out in Paragraphs 172-183 of the GTAA Guidance.

## Future Demand

<sup>6.6</sup> Total future demand is a result of the formation of new households during the GTAA study period. Information from the site interviews provides details of the gross number of new households expected to form within the first 5 years of the study (although it is important to net this off against any supply during the first 5 years of the study). New household formation for years 6-13 of the study has been based on demographic evidence from the site interviews.

## Current Authorised Residential Supply

<sup>6.7</sup> To assess the current Gypsy and Traveller provision it is important to understand the total number of authorised pitches and their planning status. There are no public sites in Bridgend County Borough and 5 small private sites with a total of 6 pitches. There is no public or private transit provision and there are Travelling Showpeople yards – although a Travelling Showpeople household was identified living in the County.

**Figure 15 - Total number of sites in Bridgend County Borough as at April 2020**

Category	Sites	Pitches	Occupied
Private sites with permanent planning permission	6	7	7
Private sites with temporary planning permission	0	0	0
Public sites (Council and Registered Providers)	0	0	0
Public transit provision	0	0	0
Private transit provision	0	0	0

<sup>6.8</sup> The next stage of the process is to assess how much space is, or will become, available on existing sites in order to determine the supply of available pitches. The main ways of finding this is through:

- » **Current vacant pitches** – There are no vacant pitches in Bridgend County Borough.
- » **Pitches expected to become vacant** – There are no public sites in Bridgend County Borough.
- » **Pitches currently with planning permission** – There are no unimplemented pitches with planning permission in Bridgend County Borough.

<sup>6.9</sup> This gives a figure for **overall supply of no pitches**.

## Current Residential Demand

<sup>6.10</sup> The next stage of the process is to assess current need and determine how many households are currently seeking pitches in the area.

## Current Unauthorised and Tolerated Sites

<sup>6.11</sup> A problem with many Gypsy and Traveller Accommodation Assessments is that they often count all caravans on unauthorised developments and encampments as requiring a pitch in the area, when in practice many are

simply visiting or passing through, and some may be on sites that are tolerated for planning purposes. In order to remedy this, ORS' approach is to treat need as only those households on unauthorised and tolerated sites already in the planning system (i.e. sites/pitches for which a planning application has been made or are likely to be made); those otherwise known to the Council as being resident in the area; or those identified through the household survey as requiring pitches.

- 6.12 The study has identified no unauthorised sites in Bridgend County Borough, and there are no sites with temporary planning permission.

### Over-Crowded Pitches

- 6.13 The site interviews sought to identify concealed or doubled-up households on authorised sites that require a pitch immediately. A concealed household is one living in a multi-family household in addition to the primary family, such as a young couple living with parents, who need their own separate family accommodation, but are unable to do obtain it because of a lack of space on public or private sites, or a single family member or individual living within an existing family unit in need of separate accommodation. A doubled-up household is a family or single adult living in a separate accommodation unit on a site where there are more than the permitted number of caravans on a pitch or plot.
- 6.14 The information collected during the site interviews identified one doubled-up household on a site in Bridgend County Borough.

### Conventional Housing

- 6.15 Identifying households in bricks and mortar has been frequently highlighted as an issue with Gypsy and Traveller Accommodation Assessments. The 2011 UK Census of Population identified a total of just 22 Gypsy or Irish Traveller households in Bridgend living in bricks and mortar, of which 18 were identified as living in a house or bungalow and 4 in a flat, maisonette or apartment.
- 6.16 As noted earlier, the Council went to all possible lengths to identify Gypsies and Travellers living in bricks and mortar to interview. Whilst contact was made with a total of 9 households, this process resulted in just 1 interview with a Gypsy and Traveller household living in bricks and mortar in Bridgend County Borough. This household is living in temporary accommodation and is seeking to develop a private site.

### New Households to Arrive

- 6.17 There is no public site in Bridgend County Borough so there is no waiting list. Assessments also need to consider in-migration (households requiring accommodation who move into the study area from outside) and out-migration (households moving away from the study area). Site surveys typically identify only small numbers of in-migrant and out-migrant households and the data is not normally robust enough to extrapolate long-term trends. At the national level, there is zero net migration of Gypsies and Travellers across the UK, but this assessment has taken into account local migration effects on the basis of the best local evidence available.

6.18 Evidence drawn from household interviews in Bridgend County Borough has been carefully considered and has identified one household living on a public site in another local authority in South Wales that is seeking to move to Bridgend County Borough – however this is seen as a preference as opposed to a need. In addition, documents submitted to support 2 planning applications for new sites that have recently been refused planning permission suggest that the potential occupiers of these sites currently live in other local authorities. However, it is not possible to confirm the accuracy of this information or to determine whether there is a need or a preference to move to Bridgend County Borough. There was no other evidence of movement due to in-migration or out-migration. Beyond this, rather than assess in-migrant households seeking to develop new sites in the area, it is recommended that each case is assessed as a desire to live in the area and that site criteria rules are followed for each new site. It is therefore important for the Council to continue to follow its existing criteria-based planning policies for any new potential sites which do arise. In addition, no formal contact has been made by any other local authorities to advise of any Gypsy and Traveller households that may seek to reside or resort to Bridgend County Borough.

### Additional Pitch Provision: Future Need

6.19 The next stage of the process is to assess future need and determine how many households are likely to be seeking pitches in the area in the future during the first 5 years of the assessment and for the longer 13-year new Local Plan period. There are two key components of future need.

- » Population and household growth.
- » Movement to and from sites and migration.

### Population and Household Growth

6.20 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller Accommodation Assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates*. The main conclusions are set out here and the full Technical Note can be found in **Appendix E**.

6.21 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in the Caravan Counts. However, Caravan Count data is unreliable and erratic – so the only proper way to project future population and household growth is through detailed demographic analysis.

6.22 The research undertaken by ORS has identified that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.50% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.

6.23 There are 2 measures of household growth that are used for the assessment of need in this study. Evidence of *gross* household formation (family growth) from Section D of the Household Survey, *netted off* against any

evidence of 1-year pitch turnover and pitches expected to become vacant, has been used for the first 5-year period. New household formation for years 6-13 has been based on demographic evidence from the site interviews.

- 6.24 The site and bricks and mortar interviews identified **3 new households** as a result of family growth over the first 5 years of the assessment – 1 living on a private site in Bridgend and 2 living in bricks and mortar, and **no pitch turnover**.
- 6.25 The estimate of new household formation for years 6-13 of the study has been completed by applying a net compound formation rate based on demographic evidence from the site interviews that were completed. This has been done by adjusting the ORS national growth rate of 1.50% based on the demographics of the households that were interviewed. The ORS national rate of 1.50% is based on 36% of the population being under the age of 18. The proportion of the population aged under 18 in the site interviews that were completed for the GTAA was 41%. This results in a net compound growth rate of 1.70%. The household base for this calculation is 11 - the figure arrived at for the first 5 years of the study which includes all current authorised households, all households identified as current demand (including those not currently living on a pitch or plot), and new household formation for years 0-5 of the study identified from the site interviews.
- 6.26 Using this approach, the GTAA has identified new household formation of up to 1 household between 2025 and 2029 and formation of up to a further 1 household between 2030 and 2033.

## Overall Need for Bridgend County Borough

6.27 Each element of the calculation for the need has been carefully examined and the next stage of the process is to balance current and future need against supply to provide an overall need for Bridgend County Borough following the approach that is set out in the Welsh Government GTAA Guidance.

6.28 The Welsh Government Guidance requires 2 assessments of need – for the first 5 years of the plan period and for the full Local Plan period. Following this approach, the estimated provision that is needed in Bridgend County Borough for the first 5 years is for **5 pitches**. The estimated provision that is needed for the remainder of the GTAA plan period (years 6-13) is for **2 pitches**. This equates to a total of **7 pitches** for the 13-year new Local Plan period.

Figure 16 – Pitch Need for Gypsies and Travellers in Bridgend County Borough from 2020-2033

Current Residential Supply		Number of Pitches	Notes
<b>A.</b>	<b>Occupied Local Authority Pitches</b>	0	No public sites
<b>B.</b>	<b>Occupied authorised private pitches/tolerated pitches</b>	6	6 pitches on 5 private sites
<b>Total</b>		<b>6</b>	
Planned Residential Supply		Number of Pitches	
<b>C.</b>	<b>Vacant Local Authority pitches and available vacant pitches</b>	0	No public sites
<b>D.</b>	<b>Pitches expected to become vacant in near future</b>	0	No public sites
<b>E.</b>	<b>New Local Authority and private pitches with planning permission</b>	0	No unimplemented pitches
<b>Total</b>		<b>0</b>	
Current Residential Demand		Pitch Demand	
<b>F.</b>	<b>Unauthorised encampments</b>	0	No unauthorised encampments
<b>G.</b>	<b>Unauthorised developments</b>	0	No unauthorised sites
<b>H.</b>	<b>Overcrowded pitches/Unsuitable accommodation</b>	1	1 doubled-up household
<b>I.</b>	<b>Conventional housing</b>	1	1 household from housing
<b>J.</b>	<b>New households to arrive</b>	0	
<b>Total</b>		<b>2</b>	
Current Households		Future Households (at year 5)	Future Households (years 6 to 13)
<b>K.</b>	<b>8</b>	<b>11</b>	<b>14</b>
<b>L.</b>	<b>Additional household pitch need</b>	<b>3</b>	<b>2</b>
Unmet Need		Need Arising	Need Accommodated
<b>M.</b>	<b>Current residential demand</b>	<b>2</b>	
<b>N.</b>	<b>Future residential demand (year 5)</b>	<b>3</b>	
<b>O.</b>	<b>Future residential demand (years 6 to 15)</b>	<b>2</b>	
<b>P.</b>	<b>Planned residential supply</b>		<b>0</b>
<b>Q.</b>	<b>Unmet need (5 year)</b>	<b>5</b>	
<b>R.</b>	<b>Unmet need (New Local Plan period)</b>	<b>7</b>	

## Need for Travelling Showpeople Plots

6.29 Whilst there are no formal Travelling Showpeople yards in Bridgend County Borough, a telephone interview was completed with a Travelling Showperson household. This household stated that their current accommodation was unsuitable for their needs and that they are seeking to privately purchase land to develop a new yard to operate from. As such there is no identified current or future need for Travelling Showpeople plots in Bridgend County Borough over the Local Plan period to 2033.

Figure 17 – Plot Need for Travelling Showpeople in Bridgend County Borough from 2020-2033

<b>Current Residential Supply</b>		<b>Number of Plots</b>
<b>A. Occupied Local Authority Plots</b>		0
<b>B. Occupied authorised private plots/tolerated plots</b>		0
<b>Total</b>		<b>0</b>
<b>Planned Residential Supply</b>		<b>Number of Plots</b>
<b>C. Vacant Local Authority plots and available vacant plots</b>		0
<b>D. Plots expected to become vacant in near future</b>		0
<b>E. New Local Authority and private plots with planning permission</b>		0
<b>Total</b>		<b>0</b>
<b>Current Residential Demand</b>		<b>Plots Demand</b>
<b>F. Unauthorised encampments</b>		0
<b>G. Unauthorised developments</b>		0
<b>H. Overcrowded plots/Unsuitable accommodation</b>		0
<b>I. Conventional housing</b>		0
<b>J. New households to arrive</b>		0
<b>Total</b>		<b>0</b>
<b>Current Households</b>	<b>Future Households (at year 5)</b>	<b>Future Households (years 6 to 13)</b>
<b>K. 0</b>	0	0
<b>L. Additional household pitch need</b>	0	0
<b>Unmet Need</b>	<b>Need Arising</b>	<b>Need Accommodated</b>
<b>M. Current residential demand</b>	0	
<b>N. Future residential demand (year 5)</b>	0	
<b>O. Future residential demand (years 6 to 15)</b>	0	
<b>P. Planned residential supply</b>		0
<b>Q. Unmet need (5 year)</b>	0	
<b>R. Unmet need (New Local Plan period)</b>	0	

## Transit/Emergency Stopping Site Provision

- 6.30 Transit sites serve a specific function of meeting the needs of Gypsy and Traveller households who are visiting an area or who are passing through. A formal transit site typically has a restriction on the length of stay of around 13 weeks and can have a range of facilities such as water supply, electricity and in some cases amenity blocks. An alternative to a transit site is a temporary stopping place. This type of site also has restrictions on the length of time a Traveller can stay on it but has much more limited facilities with typically only a source of water and chemical toilets provided.
- 6.31 The Criminal Justice and Public Order Act 1994 (as amended by the Anti-Social Behaviour Act 2003) is particularly important with regard to the issue of Gypsy and Traveller transit site provision. Section 62A of the Act allows the Police to direct trespassers to remove themselves, their vehicles and their property from any land where a suitable pitch on a relevant caravan site is available within the same Local Authority area. A suitable pitch on a relevant caravan site is a public pitch with planning permission which is situated in the same Local Authority area as the land on which the trespass has occurred. Advice provided by the authors of the Gypsy and Traveller Law book sets out that a suitable pitch must be somewhere where the household can occupy their caravan and not bricks and mortar housing<sup>8</sup>.
- 6.32 Therefore, a transit site both provides a place for households in transit to an area and also a mechanism for enforcement action against unauthorised encampments.
- 6.33 In order to identify whether there is a need for the Council to provide transit accommodation analysis has been undertaken of the Wales Caravan Count data, reported unauthorised encampments between 2016 and 2019, and the outcomes from the household interviews.
- 6.34 Analysis of the number of authorised and unauthorised caravans that have been recorded in Bridgend County Borough for the period between November 2016 and August 2019 show only 12 instances of unauthorised encampments. These were all identified as short term and transient and no local accommodation need was identified. Being on the M4 Corridor Bridgend could be seen as a potential stop-off point for Irish Travellers making their way to and from Ireland at the beginning and end of the travelling season. Given that the majority of recorded encampments in Bridgend County Borough are in the Spring and Autumn this is suggestive of the travelling movements of Irish Travellers.
- 6.35 Following the publication of the 2010 Bridgend County Borough GTAA the Council considered whether the provision of a small transit site could be used to deal with unauthorised temporary encampments, or whether a management solution might be more cost effective and potentially provide better outcomes for both Gypsies and Travellers and the Council. Following these considerations, the Council chose to put in place a management-based solution to address small numbers of unauthorised encampments that occur in Bridgend County Borough.

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<sup>8</sup> <https://www.travellerstimes.org.uk/features/lawyers-opinion-police-powers-and-unauthorised-camps-travellers-motor-vehicles-and>

- 6.36 The lack of need identified from primary interviews coupled with the low number of unauthorised encampments does not evidence need for transit provision in Bridgend County Borough.
- 6.37 As such it is recommended that there is **not a need for the Council to provide a permanent transit site** in Bridgend County Borough at this time. However, the Council should continue to monitor the number of unauthorised encampments and continue to follow the management-based approach set out in the Gypsy and Traveller Management Protocol through the use of short-term toleration to deal with short-term transient stops. If it becomes apparent that a growing number of unlawful encampments are settling within the County Borough for periods exceeding several days at a time, then this position will need to be re-visited.

## 7. Conclusions

### Gypsy and Traveller Future Pitch Provision

<sup>7.1</sup> Based upon the evidence presented in this study the estimated additional pitch provision needed for Gypsies and Travellers in Bridgend County Borough for the first 5 years of the GTAA plan period is for **5 pitches**, and for the remainder of the new Local Plan period to 2033 is for a further **2 pitches**. This gives a total need for the whole GTAA period of **7 pitches**. These figures should be seen as the projected amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population arising in the area. These figures are made up of a combination of doubled-up households; movement from bricks and mortar; and new household formation.

### Plot Needs - Travelling Showpeople

<sup>7.2</sup> Whilst there are no formal Travelling Showpeople yards in Bridgend County Borough, contact was made with a household living on a site in Bridgend. There was no current or future need for plots identified from this household.

### Transit Sites

<sup>7.3</sup> that there is not a need for the Council to provide a permanent transit site in Bridgend County Borough at this time. However, the Council should continue to monitor the number of unauthorised encampments and continue to follow the management-based approach set out in the Gypsy and Traveller Management Protocol through the use of short-term toleration to deal with short-term transient stops. If it becomes apparent that a growing number of unlawful encampments are settling within the County Borough for periods exceeding several days at a time, then this position will need to be re-visited.

### Addressing Identified Need

<sup>7.4</sup> In general terms need identified in a GTAA should be seen as need for additional pitches. Welsh Government Guidance on Designing Gypsy and Traveller Sites (2015) recommends that as a minimum a pitch should be capable of accommodating an amenity block, a mobile home, a touring caravan and parking for two vehicles. However, this guidance relates only to public sites provided by Local Authorities and there are currently no public sites in Bridgend.

<sup>7.5</sup> Given that there are no public sites in Bridgend, it is recommended that alternative approaches should be considered by the Council when seeking to address the levels of need identified in this GTAA.

<sup>7.6</sup> The first approach to consider is in relation to concealed or doubled-up households and teenagers who will be in need of a pitch of their own in the next 5 years. In the short to medium term it is likely that the accommodation needs of these individuals could be met through additional touring caravans or smaller mobile homes on existing sites which are, generally, each equivalent to the provision of a pitch, as opposed to full new formally set out pitches.

- 7.7 The second approach to consider is for sites occupied by larger extended family groups. Sites like these are often able to meet their overall accommodation needs through intensification and redesign including shared facilities such as amenity blocks, or through expansion onto adjacent land that may be in their ownership.
- 7.8 It is common for conditions in Decision Notices for Travellers sites to simply place limits on the numbers and types of caravans as opposed to placing limits on the number of pitches. Therefore, the current conditions for private sites in Bridgend County Borough could be amended to allow for additional units on existing sites.
- 7.9 It is therefore suggested that the current need identified in this GTAA from teenage children living on private sites could be addressed through the intensification of existing sites to increase the number of caravans that are currently permitted. The Council have been provided with additional information that will allow them to consider sites that are suitable for intensification.
- 7.10 The outcomes of the interview with the household living in bricks and mortar suggested that they own land in Bridgend County Borough that could be developed to provide for their needs. It is therefore recommended that the Council engage with this household to determine if the land is suitable for development as a Gypsy site, and if so to work with them to bring forward a planning application.
- 7.11 The Council will need to consider how best to address the need identified from the doubled-up household on one of the private sites. The household stated that they would consider living on a public site or a private site – depending on what land is available. Short-term need for this household could also be addressed through amending the conditions of the site they are living on to permit additional caravans. However, this should not be seen as a long-term solution.
- 7.12 The Council will also need to carefully consider how to address any needs from households where it was not possible to complete an interview, from households seeking to move to Bridgend County Borough (immigration/windfall sites), and from households currently living in bricks and mortar that were not interviewed. In terms of Local Plan Policies, the Council should consider the use of a criteria-based policy to address these needs should they arise.
- 7.13 Finally, it is recognised that the Council are in the process of reviewing their Local Plan that sets out how overall housing need will be addressed. The findings of this report should be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to Gypsies, Travellers and Travelling Showpeople.

# Appendix A: Sites and Yards in Bridgend County Borough (April 2020)

Site/Yard	Operational Pitches/Plots	Unauthorised Pitches/Plots
<b>Public Sites</b>		
None	-	-
<b>Private Sites with Permanent Permission</b>		
None	-	-
<b>Private Sites with Temporary Permission</b>		
Aberkenfig 1	1	-
Cefn Cribwr 1	1	-
Coytrahen 1	1	-
Pencoed 1	1	-
Pencoed 2	1	-
Pencoed 3	2	-
<b>Tolerated Sites</b>		
None	-	-
<b>Unauthorised Sites</b>		
None	-	-
<b>TOTAL PITCHES</b>	<b>7</b>	<b>0</b>
<b>Public Transit Sites</b>		
None	-	-
<b>Private Transit Sites</b>		
None	-	-
<b>Private Travelling Showpeople Yards</b>		
None	-	-
<b>Tolerated Travelling Showpeople Yards</b>		
None	-	-
<b>Unauthorised Travelling Showpeople Yards</b>		
None	-	-

# Appendix B: Interview Log

Address	Type of tenure	Engagement attempts					Engagement techniques	Completed or refusal?	Reason for refusal?
Aberkerthg 1	Private authorised site	11/02/2020	19/02/2020	05/03/2020	06/03/2020	26/03/2020	Email / Phone calls /Text message /Site visits/ Engagement with Planning Agent	Refusal	Not at address when visited. Would not commit to an interview when telephoned.
Bricks & Mortar 1	Bricks and mortar	23/01/2020					Telephone	Completed	
Coin Cribwr 1	Unauthorised	11/02/2020	19/02/2020	20/02/2020	05/03/2020	26/03/2020	Email / Phone call/Text wage/ Site visit/ Engagement with Planning Agent	Refusal	Not at address when visited. No reason given. Would not commit to an interview.
Coity 1	Application Refused	24/01/2020	19/02/2020				Site visit/ Phone call/Text wage/Engagement with Planning Agent	Refusal	Site not developed. No reason given. Would not commit to an interview.
Coytrahen 1	Private authorised site	12/02/2020					Site visit	Completed	
Other LA Site	Merythr Traveller Site	17/01/2020					Telephone	Completed	
Pencoed 1	Private authorised site	24/01/2020	12/02/2020	21/02/2020	05/03/2020	06/03/2020	Site visits (Flyer and Letter left at premises)	No contact	Not at address when visited.
Pencoed 2	Private authorised site	24/01/2020	12/02/2020	21/02/2020	05/03/2020	06/03/2020	Site visits (Flyer and Letter left at premises)	No contact	No reason given. Would not commit to an interview.
Pencoed 3	Private authorised site	24/01/2020	12/02/2020	21/02/2020			Site Visit	Completed	
Pencoed 4	Application Refused	24/01/2020	19/02/2020				Site visit/Engagement with Planning Agent	No contact	Site not developed. No further contact details
Penybryn - Plot 2	Private authorised site	24/01/2020	12/02/2020	21/02/2020			Site Visit	Completed	
1	Travelling Showpeople	05/03/2018					Telephone	Completed	

## Education Contacts

Address	Type of tenure	Engagement attempts					Engagement techniques	Completed or refusal?	Reason for refusal?
Bricks & Mortar 1	Bricks and Mortar	20/01/2020	Jan-20	10/03/2020			Flyer and/or Letter + open discssion with staff at local school	Completed	Same as Bricks and Mortar 1 and interview completed 23/01/2020
Bricks & Mortar 2	Bricks and Mortar	20/01/2020	Jan-20	10/03/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	Family Deregistered 02/20
Bricks & Mortar 3	Bricks and Mortar	20/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Bricks & Mortar 4	Bricks and Mortar	15/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Bricks & Mortar 5	Bricks and Mortar	15/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Bricks & Mortar 6	Bricks and Mortar	15/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Local Authority 1	Local Authority Site	14/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Local Authority 2	Local Authority Site	14/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Authorised Private 1	Authorised Private Site	16/01/2020	Jan-20	26/02/2020			Flyer and/or Letter + open discssion with staff at local school	Refusal	None Given
Authorised Private 2	Authorised Private Site	11/02/2020	Feb-20				Flyer and/or Letter + open discssion with staff at local school	Refusal	Family chose not to participate in GTAA. Accommodated on authorised private site.
Authorised Private 3	Authorised Private Site	11/02/2020	Feb-20				Flyer and/or Letter + open discssion with staff at local school	Refusal	Family chose not to participate in GTAA. Accommodated on authorised private site.

## Housing Contacts

Address	Type of tenure	Engagement attempts					Engagement techniques	Completed or refusal?	Reason for refusal?
Bricks & Mortar 1	Bricks and Mortar	18/12/2019	11/03/2020				Flyer and/or Letter	Refusal	Not given
Bricks & Mortar 2	Bricks and Mortar	18/12/2019	11/03/2020				Flyer and/or Letter	Refusal	Not given
Bricks & Mortar 3	Bricks and Mortar	18/12/2019	11/03/2020				Flyer and/or Letter	Refusal	Not given
Unauthorised Encampment 1	Unauthorised Encampment	18/12/2019	11/03/2020				Email	Refusal	Not given

## Appendix C: Publicity Distribution

<b>Outlet</b>	<b>City / Town</b>	<b>Type</b>
Jump Jam Trampoline Park	Bridgend	Attraction & Activity
Kenfig Reserve Centre	Pyle	Attraction & Activity
Miniature Railway	Aberkenfig	Attraction & Activity
Once upon a time	Bridgend	Attraction & Activity
Parc Slip Nature Reserve Cafe	Aberkenfig	Attraction & Activity
Wiggleys Fun Farm	Bridgend	Attraction & Activity
Civic Offices	Bridgend	Business & Office
Sadie & Franks	Bridgend	Food & Drink
Ton Nurseries	Bridgend	Garden Centre
22 Dental	Bridgend	Leisure & Health
Ashfield Surgery	Bridgend	Leisure & Health
Beynon Dental Surgery	Bridgend	Leisure & Health
Brackla Dental Surgery	Brackla	Leisure & Health
Bridgend Dental Surgery	Bridgend	Leisure & Health
Bridgend Golf Complex	Bridgend	Leisure & Health
Broadlands Dental Surgery	Bridgend	Leisure & Health
Court Road Dental Practice	Bridgend	Leisure & Health
DK Wills Dental Practice	Bridgend	Leisure & Health
Garw Valley Life Centre	Bridgend	Leisure & Health
Grove Golf Club	Bridgend	Leisure & Health
Halo Leisure Centre	Bridgend	Leisure & Health
Heathbridge House	Bridgend	Leisure & Health
Maesteg leisure centre	Pyle	Leisure & Health
Maesteg Swimming Pool	Maesteg	Leisure & Health
My Dentist	Bridgend	Leisure & Health
New Street Surgery	Bridgend	Leisure & Health
Newcastle Surgery	Bridgend	Leisure & Health
Oak Tree Surgery	Bridgend	Leisure & Health
Ogmore Valley Life Centre	Ogmore Vale	Leisure & Health
Park Street Dental	Bridgend	Leisure & Health
Pencoed Swimming Pool	Pencoed	Leisure & Health
Pyle Leisure Centre/Swimming Pool	Pyle	Leisure & Health
Riverdale House	Bridgend	Leisure & Health
Stormybrook Surgery	Bridgend	Leisure & Health
The New Surgery	Bridgend	Leisure & Health
The Orthodontic Centre	Bridgend	Leisure & Health
The Surgery Heol Fach	Bridgend	Leisure & Health
Tyncoed Surgery	Bridgend	Leisure & Health

Bridgend Library	Bridgend	Libraries & Education
Pyle Library	Pyle	Libraries & Education
Sarn Park Services	Bridgend	Motorway Service
Co-op Brackla	Brackla	Retail
Co-operative Food	Bridgend	Retail
Ewenny Garden Centre	Ewenny	Retail
McArthur Glen Tourist Info	Bridgend	Retail
Pyle Garden Centre	Pyle	Retail
Asda	Bridgend	Supermarkets
Co-op Pencoed	Pencoed	Supermarkets
Lidl	Bridgend	Supermarkets
Lidl	Bridgend	Supermarkets
Sainsburys	Bridgend	Supermarkets
Tesco	Bridgend	Supermarkets
Tesco Extra Bridgend	Bridgend	Supermarkets
Bridgend Train Station	Bridgend	Transport
Bridgend Town Council	Bridgend	Visitor Information

## Appendix D: Publicity Examples

### Do you or your family need a pitch in Bridgend County Borough?

We want to understand the true accommodation needs of Gypsy and Traveller families within the county borough so we can ensure we have the right number of pitches or sites available.

We'd like your feedback before March 2020 so we can not only meet our legal duty, but have a better understanding of how we can support you and your family.



Please take part in the survey to make sure we know about your needs.

Text: 07471 267095

Tel: 01792 535319

Email: [Michael.Bayliss@ors.org.uk](mailto:Michael.Bayliss@ors.org.uk)  
[www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation)



TESCO

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## Tweet

**Do you or your family need a pitch in Bridgend County Borough?**

We want to understand the true accommodation needs of Gypsy and Traveller families within the county

borough so we can ensure we have the right number of pitches or sites available.

We'd like your feedback before March 2020 so we can not only meet our legal duty, but have a better understanding of how we can support you and your family.



**Please take part in the survey to make sure we know about your needs.**

**Text: 07471 267095**

**Tel: 01792 535319**

**Email: [Michael.Bayliss@ors.org.uk](mailto:Michael.Bayliss@ors.org.uk)  
[www.bridgend.gov.ukfconsultation](http://www.bridgend.gov.ukfconsultation)**

16:00 • 15 Jan 20 [TweetDeck](#)

Q

Tweet your reply

Page 52

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## Tweet



**Bridgend CB Council**

@BridgendCBC

We want to understand the true accommodation needs of Gypsy and Traveller families within the county borough so we can ensure we have the right number of pitches or sites available by completing our consultation here: [bit.ly/2r3Rzv7](https://bit.ly/2r3Rzv7)

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A graphic with a blue and green background. On the left, a white text box contains the question 'Do you or your family need a pitch in Bridgend County Borough?'. Below this, another white text box contains the text: 'We want to understand the true accommodaton needs of Gypsy and Traveller families within the county borough so we can ensure we have the right number of pitches or sites available.' On the right, a circular inset shows an aerial view of a residential development with several white houses and a paved road.

Tweet your reply

Cyngor Bwrdeistref Sirol Pm-ybort ter Ogwr  
Bridgend County Borough Council

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search site

Search site

My Council

My Council > Equalities and engagement > Consultations > Current consultations  
> Gypsy, Traveller and showpeople sites consultation

## Gypsy, Traveller and showpeople sites consultation

You or someone you know may need a pitch or yard in Bridgend County Borough. As per the Housing (Wales) Act 2014, we need to discover how many pitches or sites are needed, and then provide them. Consequently, Opinion Research Services are speaking on our behalf to local Gypsy, Traveller and showpeople families. They are invited to participate in a survey to ensure their accommodation needs are known.

### Respond to the consultation

Contact Opinion Research Services through the details below. You will need to give

- your full name
- the area where you live
- your phone number or email address

Then, Opinion Research Services will approach you for a conversation about your needs and share this information with us.

Contact:

Opinion Research Services

Email: Michael.Bay11@atr.orzuk

Telephone: 01792 535319

Text relay: 07471 267095

#### Related links

[Equality and engagement  
consultations](#)  
[Current consultations](#)  
[Closed consultations](#)

#### Documents

[Information leaflet - PDF 627K0](#)

## Opinion Research Services

The Strand Swansea SA1 1AF 101792 535300 | [info@orsorguk](mailto:info@orsorguk) | [wwecorsorg.uk](http://wwecorsorg.uk)

**February 2020**

**Hello**

**Bridgend Gypsy and Traveller Accommodation Assessment (GTAA)**

**Opinion Research Services are currently completing a Traveller Survey for Bridgend County Borough Council.**

**We are trying to speak with all Travellers living in the Bridgend area.**

**A Council leaflet is attached with more information.**

**The survey is key to let the Council know how many new pitches may be needed in Bridgend.**

**A similar survey took place in 2015 and you might have spoken with us then.**

**We would like to speak to you to see if anyone in your family needs a pitch of their own now or in the future.**

**If you would like to take part, please call me on 07471 267095.**

**We can then let the Council know about your family's needs.**

**I look forward to hearing from you.**

**Kind regards,**

**Michael**

# Appendix E: Technical Note on Household Formation and Growth Rates



## **Technical Note**

# **Gypsy and Traveller Household Formation and Growth Rates**

**June 2020**

**Opinion Research Services**



As with all our studies, this research is subject to Opinion Research Services' Standard Terms and Conditions of Contract.

Any press release or publication of this research requires the advance approval of ORS. Such approval will only be refused on the grounds of inaccuracy or misrepresentation.

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# Household Growth Rates

## Abstract and Conclusions

1. National and local household formation and growth rates are important components of Gypsy and Traveller accommodation assessments, but until 2013 little detailed work had been done to assess their likely scale. ORS undertook work in 2013 to assess the likely rate of demographic growth for the Gypsy and Traveller population and concluded that the figure could be as low 1.25% per annum, but that best available evidence supports a national net household growth rate of 1.50% per annum.
2. This analysis was produced as a separate document in 2013 and then updated in 2015 ([www.opinionresearch.co.uk/formation2015](http://www.opinionresearch.co.uk/formation2015)) in light of comments from academics, planning agents and local authorities. The 2015 document was complex because there was still serious dispute as to the level of demographic growth for Gypsies and Travellers in 2015. However, ORS now consider these disputes have largely been resolved at Planning Appeals and Local Plan Examinations, so we consider that much of the supporting evidence is now no longer required to be in the document.
3. This current document represents a shortened re-statement to our findings in 2015 to allow for easier comprehension of the issues involved. It contains no new research and if reader wishes to see further details of the supporting information, they should review the more detailed 2015 report.

## Introduction

4. Compared with the general population, the relative youthfulness of many Gypsy and Traveller populations means that their birth rates are likely to generate higher-than-average population growth, and proportionately higher *gross* household formation rates. However, while their *gross* rate of household growth might be high, Gypsy and Traveller communities' future accommodation needs are, in practice, affected by any reduction in the number of households due to dissolution and/or by movements in/out of the area and/or by transfers into other forms of housing. Therefore, the *net* rate of household growth is the *gross* rate of formation *minus* any reductions in households due to such factors.

## Modelling Population and Household Growth Rates

5. The basic equation for calculating the rate of Gypsy and Traveller population growth seems simple: start with the base population and then calculate the average increase/decrease by allowing for births, deaths, in-/out-migration and household dissolution. Nevertheless, deriving satisfactory estimates is difficult because the evidence is often tenuous – so, in this context in 2013, ORS modelled the growth of the national Gypsy and Traveller population based on the most likely birth and death rates, and by using PopGroup (the leading software for population and household forecasting). To do so, we supplemented the available national statistical sources with data derived from our own surveys.

## Migration Effects

6. Population growth is affected by national net migration and local migration (as Gypsies and Travellers move from one area to another). In terms of national migration, the population of Gypsies and Travellers is relatively fixed, with little international migration. It is in principle possible for Irish Travellers (based in Ireland) to move to the UK, but there is no evidence of this happening to a significant extent and the vast majority of Irish Travellers were born in the UK or are long-term residents.

## Population Profile

7. The main source for the rate of Gypsy and Traveller population growth is the UK 2011 Census. The ethnicity question in the 2011 Census included for the first time 'Gypsy and Irish Traveller' as a specific category. While non-response bias probably means that the size of the population was underestimated, the age profile the Census provides is not necessarily distorted and matches the profile derived from ORS's extensive household surveys.

**Table 1 - Age Profile for the Gypsy and Traveller Community in England (Source: UK Census of Population 2011)**

Age Group	Number of People	Cumulative Percentage
Age 0 to 4	5,725	10.4
Age 5 to 7	3,219	16.3
Age 8 to 9	2,006	19.9
Age 10 to 14	5,431	29.8
Age 15	1,089	31.8
Age 16 to 17	2,145	35.7
Age 18 to 19	1,750	38.9
Age 20 to 24	4,464	47.1
Age 25 to 29	4,189	54.7
Age 30 to 34	3,833	61.7
Age 35 to 39	3,779	68.5
Age 40 to 44	3,828	75.5
Age 45 to 49	3,547	82.0
Age 50 to 54	2,811	87.1
Age 55 to 59	2,074	90.9
Age 60 to 64	1,758	94.1
Age 65 to 69	1,215	96.3
Age 70 to 74	905	97.9
Age 75 to 79	594	99.0
Age 80 to 84	303	99.6
Age 85 and over	230	100.0

## Birth and Fertility Rates

8. The table above provides a way of understanding the rate of population growth through births. The table shows that surviving children aged 0-4 years comprise 10.4% of the Gypsy and Traveller population – which means that, on average, 2.1% of the total population was born each year (over the last 5 years). The same estimate is confirmed if we consider that those aged 0-14 comprise 29.8% of the Gypsy and Traveller population – which also means that almost exactly 2% of the population was born each year.
9. The total fertility rate (TFR) for the whole UK population is just below 2 – which means that on average each woman can be expected to have just less than two children who reach adulthood. We know of only one estimate of fertility rates of the UK Gypsy and Traveller community, in '*Ethnic identity and inequalities in*

*Britain: The dynamics of diversity* by Dr Stephen Jivraj and Professor Ludi Simpson (published May 2015). The authors use the 2011 Census data to estimate the TFR for the Gypsy and Traveller community as 2.75.

10. ORS used our own multiple survey data to investigate the fertility rates of Gypsy and Traveller women. The ORS data shows that on average Gypsy and Traveller women aged 32 years have 2.5 children (but, because the children of mothers above this age point tend to leave home progressively, full TFRs were not completed). On this basis it is reasonable to infer an average of 3 children per woman during her lifetime, which is broadly consistent with the estimate of 2.75 children per woman derived from the 2011 Census.

## Death Rates

11. Although the above data imply an annual growth rate through births of about 2%, the death rate has also to be taken into account. Whereas the average life expectancy across the whole population of the UK is currently just over 80 years, a Sheffield University study found that Gypsy and Traveller life expectancy is about 10-12 years less than average (Parry et al (2004) *The Health Status of Gypsies and Travellers: Report of Department of Health Inequalities in Health Research Initiative*, University of Sheffield).
12. Therefore, in our population growth modelling we used a conservative estimate of average life expectancy as 72 years – which is entirely consistent with the lower-than-average number of Gypsies and Travellers aged over 70 years in the 2011 Census (and also in ORS's own survey data).

## Modelling Outputs

13. If we assume a TFR of 3 and an average life expectancy of 72 years for Gypsies and Travellers, then the modelling, undertaken in PopGroup, projects the population to increase by 66% over the next 40 years – implying a population compound growth rate of 1.25% per annum. If we assume that Gypsy and Traveller life expectancy increases to 77 years by 2050, then the projected population growth rate rises to nearly 1.50% per annum. To generate an 'upper range' rate of population growth, we assumed an implausible TFR of 4 and an average life expectancy rising to 77 over the next 40 years – which then yields an 'upper range' growth rate of 1.90% per annum.

## Household Growth

14. In addition to population growth influencing the number of households, the size of households also affects the number. Hence, population and household growth rates do not necessarily match directly, mainly due to the current tendency for people to live in smaller childless or single person households.
15. Because the Gypsy and Traveller population is relatively young and has many single parent households, a 1.25%-1.50% annual population growth could yield higher-than-average household growth rates, particularly if average household sizes fall or if younger-than-average households form. However, while there is evidence that Gypsy and Traveller households already form at an earlier age than in the general population, the scope for a more rapid rate of growth, through even earlier household formation, is limited.
16. Based on the 2011 Census, the table below compares the age of household representatives in English households with those in Gypsy and Traveller households – showing that the latter has many more household representatives aged under-25 years. In the general English population 3.60% of household representatives are aged 16-24, compared with 8.70% in the Gypsy and Traveller population. ORS's survey data shows that about 10% of Gypsy and Traveller households have household representatives aged under-25 years.

Table 2 - Age of Head of Household (Source: UK Census of Population 2011)

Age of household representative	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage households
Age 24 and under	790,974	3.6%	1,698	8.7%
Age 25 to 34	3,158,258	14.3%	4,232	21.7%
Age 35 to 49	6,563,651	29.7%	6,899	35.5%
Age 50 to 64	5,828,761	26.4%	4,310	22.2%
Age 65 to 74	2,764,474	12.5%	1,473	7.6%
Age 75 to 84	2,097,807	9.5%	682	3.5%
Age 85 and over	859,443	3.9%	164	0.8%
<b>Total</b>	<b>22,063,368</b>	<b>100%</b>	<b>19,458</b>	<b>100%</b>

17. The following table shows that the proportion of single person Gypsy and Traveller households is not dissimilar to the wider population of England; but there are more lone parents, fewer couples without children, and fewer households with non-dependent children amongst Gypsies and Travellers

Table 3 - Household Type (Source: UK Census of Population 2011)

Household Type	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage households
Single person	6,666,493	30.3%	5,741	29.5%
Couple with no children	5,681,847	25.7%	2345	12.1%
Couple with dependent children	4,266,670	19.3%	3683	18.9%
Couple with non-dependent children	1,342,841	6.1%	822	4.2%
Lone parent: Dependent children	1,573,255	7.1%	3,949	20.3%
Lone parent: All children non-dependent		766,569	3.5%	795
Other households	1,765,693	8.0%	2,123	10.9%
<b>Total</b>	<b>22,063,368</b>	<b>100%</b>	<b>19,458</b>	<b>100%</b>

18. The key point, though, is that since 20% of Gypsy and Traveller households are lone parents with dependent children, and up to 30% are single persons, there is limited potential for further reductions in average household size to increase current household formation rates significantly – and there is no reason to think that earlier household formations or increasing divorce rates will in the medium term affect household formation rates. While there are differences with the general population, a 1.25%-1.50% per annum Gypsy and Traveller population growth rate is likely to lead to a household growth rate of 1.25%-1.50% per annum

## Summary Conclusions

19. The best available evidence suggests that the net annual Gypsy and Traveller household growth rate is 1.50% per annum. Some local authorities might allow for a household growth rate of up to 2.50% per annum, to provide a 'margin' if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller population, lower estimates should be used.

20. The outcomes of this Technical Note can be used to provide an estimate of local new household formation rates by adjusting the upper national growth rate of 1.50% based on local demographic characteristics.

21. In addition, in certain circumstances where the numbers of households and children are higher or lower than national data has identified, or the population age structure is skewed by certain age groups, it may not be appropriate to apply a percentage rate for new household formation. In these cases, a judgement should be made on likely new household formation based on the age and gender of the children identified in local household interviews. This should be based on the assumption that 50% of households likely to form will stay in any given area and that 50% will pair up and move to another area, while still considering the impact of dissolution. This is based on evidence from over 140 GTAAAs that ORS have completed across England and Wales involving over 4,300 household interviews.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

##### PORTHCAWL HARBOUR BYELAWS

##### 1. Purpose of report

- 1.1 The purpose of this report is to seek Cabinet approval to undertake a process to revise the byelaws that are currently effective at Porthcawl Harbour, to reflect the current operations and activities that take place and to consult on and advertise any proposed new byelaws, under the provisions of the Local Government Byelaws (Wales) Act 2012.

##### 2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Helping people and communities to be more healthy and resilient** – taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
2. **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help deliver the Council's well-being objectives.

##### 3. Background

- 3.1 Bridgend County Borough Council (BCBC) has invested in Porthcawl Harbour and successfully developed the historic harbour into a community space that accommodates a range of activities and can be enjoyed by all.
- 3.2 The capital development of Porthcawl Marina was completed in 2013, benefitting from external investment and European funding. The Marina is situated within the footprint of Porthcawl Harbour that extends beyond the confines of the Marina basin including areas of Cosy Corner, the breakwater and lighthouse and more.
- 3.3 As a result of this development project, Porthcawl Marina now has a range of additional features including a tidal lock gate and a pontoon access system that provides 70 berths for berth holders, visitors and commercial operators.

- 3.4 Since opening the Marina in 2013 the Marina has performed well in terms of generating income and has a healthy demand for moorings with a consistent waiting list of around 50 people.
- 3.5 The development of the Marina has supported increased interest in other regeneration and investment projects within the Harbour footprint including the sale of the Jennings Building which now accommodates 3 commercial premises and 14 live/work apartments. It was critical to the success of the Porthcawl Townscape Heritage Initiative (THI) bid for Heritage Lottery funding, to bring back into use key historic buildings in the Harbour Quarter, including the Look-out Tower and the Customs House.
- 3.6 Porthcawl Harbour is situated on the Bristol Channel which is famous for its large tidal range and strong currents making it a hazardous area to navigate. The Bristol Channel has a large amount of commercial activity and very often ships navigating their way up to Bristol Docks can be seen laden with containers, cars and raw materials for distribution across the UK.
- 3.7 BCBC are granted powers to assist in the operation, maintenance and development of Porthcawl Harbour and must act in the capacity of the Harbour Authority under the provisions of Part V of the Mid Glamorgan County Council Act 1987("the 1987 Act"). The Council is identified as being the Harbour Authority with the undertakings associated with the Harbour being vested in the Council.
- 3.8 Porthcawl Harbour is home to the busiest inshore lifeboat station in Wales and consequently a very active branch of National Coastwatch Institute (NCI). Both charities are dedicated to working with BCBC to improving water safety across the coastline of Bridgend County Borough.
- 3.9 Porthcawl Harbour now attracts various groups of individuals. Some visiting the site for social purposes to visit the commercial food and drink premises or to participate in a full range of coastal and water based activities. Activities include but are not limited to fishing, sailing, powerboating, water skiing, stand up paddle boarding, open water swimming and kayaking.

#### **4. Current situation / proposal**

- 4.1 Specific areas within the footprint of Porthcawl Harbour (as defined by the 1987 Act) are currently subject to local byelaws that identify Public Bathing Places across Porthcawl. These byelaws were established in 1953 by the Urban District Council of Porthcawl. A byelaw is a local law which is made by a statutory body under an enabling power which is contained in an Act of Parliament or a Measure of Act of the National Assembly.

- 4.2 BCBC hold stakeholder and partnership engagement opportunities locally through the Coastal Partnership and Porthcawl Harbour Stakeholder Group where water safety is an agenda item. A regular topic of discussion is the mixture and often conflicting uses of the water surrounding Porthcawl Harbour and calls have been made to BCBC for a workable solution for all users whilst giving BCBC a degree of control in the area that currently is not being provided by out of date byelaws.
- 4.3 Based on a recent review of Health and Safety and recent incidents reported in the area, it is considered that revisions are required to the current byelaws. In undertaking a process to revise the byelaws the intention is not to prohibit any particular activity but put in place a clear set of rules that are aligned to other coastal and quayside environments that has users safety as a priority.
- 4.4 The intention is that the byelaws that are currently in place will be revoked in so far as those byelaws are relevant to Porthcawl Harbour and replaced by up to date byelaws.
- 4.5 A process is set out in the Local Government Byelaws (Wales) Act 2012 (“the 2012 Act”) for making and revoking byelaws. The 2012 Act changed the procedure for confirmation of byelaws by Welsh Ministers and introduced an alternative procedure which removes the need for confirmation by Welsh Ministers for byelaws specified in the 2012 Act. Welsh Government has published statutory guidance on the 2012 Act (March 2015) and this document gives detailed guidance on the procedure to be followed when making byelaws under the 2012 Act. If, following the completion of the consultation process described in the paragraphs below in more detail, an authority decides to make a byelaw, at least six weeks before that byelaw can be made the authority must publish notice of their intention to make the byelaw in one or more local newspapers and also on the authority’s website.
- 4.6 Under Section 6 and Schedule 1 of the 2012 Act any byelaw made by a local authority under an enactment listed under Part 1 of Schedule 1 does not require confirmation by Welsh Ministers. The 1987 Act is listed under Part 1 of Schedule 1 so BCBC can follow the procedure in the 2012 Act which does not require confirmation by Welsh Ministers to make byelaws at Porthcawl Harbour.
- 4.7 The 2012 Act prescribes that prior to making a byelaw under Section 6 an authority must:
- a) Publish on the authority’s website an initial written statement which describes the issue which the authority thinks may be addressed by making a byelaw; and
  - b) Consult any person (including, where applicable, a community council) who the authority thinks is likely to be interested in, or affected by, the issue.
- 4.8 Following the consultation, the authority must consider the responses and decide whether making a byelaw is the most appropriate way of addressing the issue. A report back to Cabinet will be made at this stage.

4.9 The authority must then publish on its website a second written statement which contains:-

- a) the initial written statement;
- b) a summary of the consultation and the responses; and
- c) its decision – either to introduce byelaws or to address the problem through other means - and the reasons for that decision.

4.10 A copy of the proposed byelaws, intended for consultation, is included at Appendix A. It is important to stress that these have a draft status at this time.

## **5. Effect upon Policy Framework & Procedure Rules**

5.1 There are no effects upon BCBC's Policy Framework or Procedure Rules.

## **6. Equality Impact Assessment**

6.1 It is considered that no negative impacts will be created as a result of this report as the report is seeking authority to undertake a process of amending byelaws as set out in the Local Government Byelaws (Wales) Act 2012.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is below:

- Long-term: The process as outlined will be undertaken to ensure a consultation process considers not only the current issues in the area but also those that are considered to be issues in the future and will seek to put in place a more fit for purpose situation.
- Prevention: The changing nature of the Harbour area and its users has highlighted a number of concerns which the process to revise the byelaws will seek to mitigate and manage.
- Integration: The consultation process to revise the byelaws will be undertaken to ensure that their implementation integrates with current and future operations
- Collaboration: The process for revising the byelaws will be undertaken through a partnership approach between BCBC and key stakeholders.
- Involvement: The process of revising byelaws and undertaking consultation will be that as set out Local Government Byelaws (Wales) Act 2012.

## **8. Financial implications**

8.1 It is considered at this time, based on information available, that the costs involved in undertaking the process outlined above will be in the region of between £2,000 to £3,000. These costs will relate to external costs in relation to the required steps of the consultation process.

8.2 The costs involved in undertaking the above process will be met through the 2021-2022 Destination Management revenue budget within the Economy, Natural Resources and Sustainability service area.

## **9. Recommendations**

9.1 It is recommended that Cabinet:

- authorise the Corporate Director, Communities, to undertake a consultation process, under the provisions of the Local Government Byelaws (Wales) Act 2012, and to take all necessary steps described in Paragraph 4 of the report to make new byelaws under the Mid Glamorgan Act 1987 in relation to Porthcawl Harbour to reflect the current operations and activities that take place.
- note that a further report will be made to Cabinet once the process described in paragraph 4.7 of this report has been completed.

**Janine Nightingale**  
**Corporate Director Communities**  
**30<sup>th</sup> November 2020**

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### **Background documents**

- Mid-Glamorgan County Council Act, 1987
- Local Government Byelaws (Wales) Act, 2012
- Local Government Byelaws(Wales) Act 2012: Statutory Guidance to Welsh local authorities, community and town councils, national park authorities and Natural Resources Wales. March 2015.

**BRIDGEND COUNTY BOROUGH COUNCIL**

**BYELAWS FOR REGULATING PORTHCAWL HARBOUR AND  
ASSOCIATED WATERS**

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## Title and commencement

These byelaws may be cited as the Porthcawl Harbour Byelaws 2020 and shall come into effect on the expiration of 28 days from the date of their being confirmed by the Council.

## Application

These byelaws shall apply to all parts of the Porthcawl Harbour.

These byelaws apply to all persons and vessels using the harbour or within the harbour premises and, in addition, the byelaws set out in part V apply to all roads from time to time within the harbour premises except for public roads and the byelaws set out in part VIII apply to pleasure craft and recreational activities within the harbour.

## Interpretation

In these byelaws, unless the context otherwise requires, the following words or expressions have the following meanings:

1996 Regulations”	means the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (SI 1996/75);
Authorised officer of the company	means any person lawfully acting on behalf of the Council;
Berth	means any place within the harbour where a vessel may properly lie whether at a quay, at a mooring or at anchor;
Council	Bridgend County Borough Council
Dangerous Substances Regulations	means the Dangerous Substances in Harbour Areas Regulations 1987 (SI 1987/37;)
Docks	means the enclosed basin of water with a man-made structure built over water where passengers can get on or off a boat, or where goods can be transported on or off.
Harbour	means all tidal waters and all enclosed waters which lie within the area to which these byelaws apply and includes immediately adjacent quays and docks ancillary to the use of those waters;
Harbour Master	means the person appointed as the harbour master and includes his authorised deputies, assistants and any other person authorised by the Council to act in that capacity; and any permission or instruction of the harbour master, unless the byelaw requires that it be in writing, includes any authority, permission or instruction given orally in person or by radio;
Harbour premises	means the docks, quays and all other works, land and buildings for the time being vested in or occupied or administered by the Council and

	used for the purposes of or in connection with the harbour;
Master	when used in relation to any vessel means any person having the command, charge or management of the vessel for the time being;
Owner	when used in relation to goods includes any consignor, consignee, shipper or agent for the sale, receipt, custody, loading or unloading, handling and clearance of those goods and includes any other person in charge of the goods and his agent in relation thereto; and when used in relation to a vessel includes any part owner, broker, charterer, agent or mortgagee in possession of the vessel or other person or persons entitled for the time being to possession of the vessel; and when used in relation to a vehicle includes any part owner or agent or person having charge of the vehicle for the time being;]
Fairway	A navigable channel used to access or egress the harbour.
Pedal cycle	means a cycle as defined in section 192 of the Road Traffic Act 1988;
Pleasure craft	means any vessel designed or adapted wholly or in part for the purpose of sport or recreation including, without limitation, a personal watercraft and sail board;
Public roads	means all roads which are now or in the future dedicated for use as a public highway which at the date of these byelaws comprise;
Quay	means any quay, wharf, jetty, dolphin, landing stage or other structure used for berthing or mooring vessels, and includes any pier, bridge, roadway or footway immediately adjacent and affording access thereto;
Road	means any road, pier, wharf, quay, bridge or other work or any land within the harbour premises accessible by vehicles;
Sail board	means a raft with a sail or sails designed to be operated by a person or persons standing upright thereon;
Small vessel	means any vessel of less than 24 metres in length;
Vehicle	means any mechanically propelled vehicle including, without limitation, any of those vehicles referred to in sections 185, 186, 187 and 188 but not any vehicle defined in section 189 of the Road Traffic Act 1988;
Vessel	means a ship, boat, raft of any description and includes non-displacement craft and any other thing constructed or adapted for floating on or being submersed in water (whether permanently

	or temporarily) and amphibious vehicles during such time as it is in the water.
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In these byelaws:

- the expression "Highway Code" has the meaning given to it in section 38(8) of the Road Traffic Act 1988;
- the expression "Collision Regulations" means the 1996 Regulations and any other regulations made pursuant to sections 85 and 86 of the Merchant Shipping Act 1995;
- references to a byelaw are to numbered paragraphs of these byelaws; and
- references to a part are to any part of these byelaws.

# BYELAWS MADE UNDER THE PROVISIONS OF THE MID GLAMORGAN ACT 1987 WITH RESPECT TO PORTHCAWL HARBOUR

## PART I - REGULATING THE USE OF THE HARBOUR AND ASSOCIATED WATERS

### Berthing

#### 1 **Vessel movements**

- 1.1 The master of a vessel shall give reasonable prior notice to the harbour master of the vessel's arrival at, departure from or movement within the harbour.

#### 2 **Vessels to be berthed and moved as directed**

- 2.1 The harbour master shall determine the order in which vessels may enter or leave the harbour and the master of every vessel in the harbour shall moor, or place and keep moored, the vessel where directed by the harbour master and shall move that vessel to or from any berth within the harbour in accordance with any directions which the harbour master may give from time to time.

#### 3 **Provision of proper fenders**

- 3.1 The master and the owner of a vessel shall ensure that she is provided with a sufficient number of fenders of a type that would float in water and a size appropriate to the vessel and, when berthing and leaving or lying at a harbour in order to prevent damage to other vessels and council property.

#### 4 **Vessels to be kept in a movable condition**

- 4.1 The master of a vessel shall not, except when it is unavoidable that his vessel lie aground, take any steps to render his vessel incapable of movement without first notifying the harbour master and, subject as aforesaid, shall at all times keep his vessel so loaded and ballasted and in such condition that it is capable of being safely moved.
- 4.2 Where at any time a vessel is not capable of being safely moved by means of its own propulsive machinery, the master or owner shall, as soon as reasonably practicable, inform the harbour master and forthwith give to the harbour master any further information which he may reasonably require.

#### 5 **Access across decks**

- 5.1 The master of a vessel alongside a quay or alongside any vessel already berthed within the harbour shall, if required to do so by the harbour master or other authorised officer of the company, give free access across the deck of his vessel for persons and goods to and from vessels berthed alongside his vessel.

### Navigation

## **6 Vessels to navigate with care**

- 6.1 The master shall navigate his vessel with such care and caution at such speed and in such manner as not to endanger the lives of or cause injury to persons or damage to property and as not to obstruct or prejudice the navigation, manoeuvring, loading or discharging of vessels or cause unnecessary damage to moorings or other property.

## **7 Speed of vessels**

- 7.1 Within the docks and except with permission of the harbour master and subject to byelaws 5 and the Collision Regulations, the master of a vessel shall not cause or permit the vessel to proceed at a speed greater than 3 knots.
- 7.2 The master of any vessel granted permission by the harbour master to exceed a speed limit shall comply at all times with any conditions attached to that permission, it shall be a defence for the master or operator charged to prove that at the material time the vessel was engaged in an emergency or rescue operation in circumstances where adherence to the speed limit would have been likely to have hindered the use of the vessel for that purpose.

## **8 Vessels not to be made fast to aids to navigation**

- 8.1 The master of a vessel shall not make fast his vessel to or lie against any buoy, beacon or mark used for navigational purposes.

## **9 Notification of collisions etc.**

The master of a vessel which:

- 9.1 has been damaged or caused damage in a collision with any vessel, buoy, beacon or mark used for navigational purposes or any other property; or
- 9.2 has been sunk or grounded or become stranded in the harbour area or the approaches thereto; or
- 9.3 by reason of accident, fire, defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property; shall, as soon as reasonably practicable, report the occurrence to the harbour master and, as soon as practicable thereafter, provide the harbour master with full details in writing and, where the damage is such as to affect or be likely to affect its seaworthiness, the master shall not move the vessel except to moor or anchor in safety otherwise than with the permission and in accordance with the directions of the harbour master.

## **10 Navigation while affected by drink or drugs**

- 10.1 No person shall have the command, charge or management of a vessel underway or otherwise navigate or have the charge of or undertake any activity which is or may be material to the safe conduct of a vessel underway when unfit by reason of drink or drugs to do so or to have that charge.

- 10.2 The master of a vessel shall not cause or permit any person to navigate or otherwise have charge of or undertake any activity which is or may be material to the safe conduct of a vessel underway if that person is unfit by reason of drink or drugs to do so, have that charge or undertake that activity.

### **Fishing**

#### **11 Fishing in docks**

- 11.1 No person shall fish in the docks.
- 11.2 No person shall discard any bycatch or dead fish into the water within the confines of the harbour.

### **Parking**

#### **12 Observance of the Highway Code**

- 12.1 Subject to any conflicting provisions contained in these byelaws, the rules in the Highway Code shall apply to all persons within the harbour premises.

#### **13 Parking**

- 13.1 No person shall park any vehicle in the harbour area except in the areas permitted for parking as shown [coloured blank] on the plan attached to these byelaws.

#### **14 Obstruction and danger to persons or property**

- 14.1 No person in charge of a vehicle shall cause or permit the vehicle to remain at rest on a road in such a position or in such a condition or in such circumstances as may be likely:
- i. to cause danger to other persons using the road; or
  - ii. to obstruct the use of all or any part of any road.

### **Bathing and Diving**

#### **15 Safe Swimming and Bathing**

- 15.1 No person shall engage in swimming or bathing in the harbour and associated water areas except with the consent of the harbour master.
- 15.2 Swimmers may cross the channel at the entrance to the harbour but must do so using the shortest route possible.
- 15.3 Swimmers shall not cross a narrow channel of fairway if such crossing impedes the passage of a vessel.

#### **16 Diving operations (with respiratory support)**

- 16.1 No diving is to take place within the harbour without the prior consent of the harbour master.
- 16.2 Where the harbour master has approved any diving, all persons taking part shall comply with the Diving at Work Regulations 1997 and any instructions given by the harbour master.

### **Lockgates**

#### **17 Interference with plant, dock machinery, lockgates etc**

- No person shall, without lawful authority:

- 17.1 use, work, move, tamper or interfere with any plant, dock machinery, equipment or apparatus at the harbour premises; or
- 17.2 open, drawn or shut any lockgate, sluice paddle or bridge of any dock basin under control of the council.

**18 Access to lockgates**

- 18.1 No person shall enter or remain or attempt to enter upon any lockgate under the control of the council while it is in motion, or pass over any barrier or gate placed before or across any such lockgate before it is swung, or step on such lockgate before the barrier or gates shall have been removed by an officer or servant of the company on duty at the lockgate, and no person other than such officer or servant shall remove, unfasten or interfere with any such barrier or gate.

**Slipway**

**19 Usage**

- 19.1 When using the slipway the master of the vessel will ensure:
- i. the boat and engine are seaworthy.
  - ii. adequate marine insurance is in place
  - iii. arrangements have been made with the Harbour Master or appointed staff for permission to launch or recover.
- 19.2 The slipway must be kept clear. Vehicles and trailers must not be left unattended on the harbour premises.

**Shoreline restrictions**

- 20 With the exception of accredited lifesaving groups or appointed rescue services. No vessels or masters of vessels shall navigate within 50 meters of the beach shoreline referred to in appendix

## **PART II - Miscellaneous**

**Waste**

**21 Deposit of rubbish, interference with refuse bins etc.**

- 21.1 No person shall:
- i. abandon, deposit or dump any materials, goods, furniture, machinery or items of any kind or any rubbish, refuse or waste at any place in the harbour premises not specifically appointed by the Council for such purpose; or
  - ii. interfere with the contents of or remove anything from any receptacle, bin, container or place appointed or used for the time being for the deposit or storage of any rubbish, refuse, waste or other discarded items.

**22 Disposal of refuse and waste from vessel.**

22.1 The master of a vessel shall ensure that:

- i. Only paper, packaging and food waste are to be placed in the covered receptacles provided for that purpose on the quay by the council;
- ii. the receptacles are kept closed when not in use; and
- iii. the area in the vicinity of the receptacles is kept clean.

22.2 No person other than a member of the crew of a vessel or person employed, engaged or authorised by the master of a vessel shall dispose of any item of any kind in any receptacle, bin or other container provided for the use of a vessel.

### 23 **Pumping of Bilges**

23.1 The master of a vessel shall not permit bilge water to be pumped from the vessel into the docks unless the written consent of the harbour master shall have been first obtained or unless such action is necessary to avoid his vessel sinking.

## **Safety**

### 24 **Interference with firefighting and lifesaving equipment**

24.1 Except with the permission of an authorised officer of the Council, no person shall use, obstruct, remove, interfere or tamper with any firefighting equipment or any lifesaving apparatus except for the purpose of combating fire or saving life.

### 25 **Fires and naked lights**

25.1 No person shall light, or attempt to light, or use any open fire or naked flame within the harbour premises except with the permission of an authorised officer of the Council and subject to such conditions as the Council may prescribe from time to time.

## **Security**

### 26 **Unauthorised entry and trespassing**

26.1 No person shall enter or leave or attempt to enter or leave the harbour premises or any area or building within the harbour premises other than by means of an approved entrance or exit.

### 27 **Damaging or defacing premises**

27.1 No person shall damage or wilfully deface any part of the harbour premises or any of the councils property.

### 28 **Defacing notices, etc**

28.1 No person shall destroy or deface any authorised notice, bill or placard.

### 29 **Affixing notices, etc**

29.1 No person shall, without the previous approval of an authorised officer of the Council, affix or cause to be affixed any notice, bill or placard or distribute any notice, bill, leaflet or placard anywhere within the harbour premises.

**30 Obstruction of officers or employees of the Council**

30.1 No person shall obstruct:

- (i) any officer of the Council in the proper execution of his duties;
- (ii) any person carrying out an act which is necessary to the proper execution of any contract with the Council: or
- (iii) any other person in proper use of the harbour.

**32 Removal of offenders**

32.1 any person offending against any of these byelaws may be removed from the harbour by an officer of the Council or a constable.

**33 Penalty**

33.1 Any person offending against any of these byelaws is liable on summary conviction to a fine not exceeding level 2 on the Standard Scale.

**34 Revocation**

34.1 The byelaws made by (blank) and confirmed by (blank) on (blank) relating to the harbour are hereby revoked.

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### INTRODUCTION OF DEVELOPMENT VIABILITY MODEL

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek authorisation to implement a new schedule of charges for issuing a Development Viability Model (DVM) to developers and/or site promoters. The charges will cover the Council's administrative costs and will enable the submission of viability evidence in support of Candidate Sites and/or Planning Applications.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 Town and Country Planning (Local Development Plan) (Wales) Regulation 17 (LDPR 17) requires the Council to publish its deposit Local Development Plan (LDP) for public inspection and consultation before submitting the LDP to Welsh Government. Sites prioritised and proposed for allocation in the plan will need to be evidenced as deliverable, particularly in relation to financial viability. Planning Policy Wales (Edition 10) and the Development Plans Manual (Edition 3) require site-specific viability appraisals to be undertaken as early as possible during LDP preparation, although no later than deposit (LDPR 17) stage. Proposed site allocations will need to be supported with robust evidence proportionate to their scale and significance in delivering the plan. Further viability testing at the planning application stage should then only be required on an exceptional basis.
- 3.2 The Council has worked in partnership with other Councils across the South East Region to develop the Development Viability Model (DVM) assessment tool. The

DVM has been created by Burrows-Hutchinson Ltd as a comprehensive, user-friendly model that can be used to assess the financial viability of development proposals. It is based on the same, well-received approach used by the Mid and South West Wales Strategic Planning Group. The model will eventually be adopted by all authorities in the Cardiff Capital Region.

- 3.3 The Council can make the DVM available to developers, site promoters, or any other individual/organisation to undertake a financial viability appraisal of a proposed development. This would equip site promoters with a tool that can be used to demonstrate site deliverability in accordance with the requirements of Planning Policy Wales.

#### **4. Current situation/proposal**

- 4.1 The Council proposes to release the DVM to developers and site promoters in a site-specific locked format with an accompanying user-guide subject to receipt of a standard fee. This mirrors the approach employed in the Mid and South West Region for consistency. The proposed fee schedule is as follows (all charges are subject to VAT):

- Sites of 1-9 units - £195
- Sites of 10-50 units - £345
- Sites 51-100 units - £495
- Sites of more than 100 units - cost to be agreed with the Council depending on the size and complexity of the proposal, although no less than £495.

- 4.2 The fees are intended to cover the Council's administrative costs of locking and distributing the model, verifying the completed appraisal and providing a high-level review to the developer/site promoter. Therefore, payment of a fee will **not** serve to guarantee site allocation within the Replacement LDP or directly result in the granting of planning permission. The fee will enable the Council to consider whether:

- a) the DVM has been completed correctly and appropriately;
- b) the evidence supplied to support the costs and values submitted is sufficient and proportionate;
- c) the suggested timescales for the development are realistic; and
- d) the appraisal accords with policy requirements of the Council and with other guidance and/or policy statements that are pertinent to the assessment of viability in a planning context.

- 4.3 Following completion of the high-level review, the Council will issue a statement to the developer/site promoter to indicate how far the submitted appraisal is considered to meet the tests outlined above.
- 4.4 The standard fee schedule does not allow for any further time that a site promoter might wish to spend debating the findings of the Council's initial high-level review. It also does not allow for any officer time in appraising re-submissions of the model and supporting evidence.
- 4.5 In the event of any unresolvable disputes, the Council may need to draw upon expertise from a third party to act as an independent arbitrator. The costs associated with this would need to be met by the developer/site promoter.
- 4.6 This approach has been successfully piloted in Bridgend County Borough following the recommendation by Development Control Committee on 20<sup>th</sup> August 2020. Several site promoters have used the service since this time and feedback from the housing industry has been broadly positive. This pilot has confirmed that the fees detailed in paragraph 4.1 are appropriate to cover the costs of officer time in dealing with the specific tasks outlined in paragraph 4.2. However, the pilot has also shown that the fees are insufficient to cover the costs of appraising any subsequent revised viability submissions. In such instances, it would be necessary to re-charge the fees outlined in paragraph 4.1 to cover the costs of officer time. This pilot has served as proof of concept and informs the recommendations.

## **5. Effect upon policy framework and procedure rules**

- 5.1 The Planning and Compulsory Purchase Act 2004 and regulations of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 require that a Local Planning Authority must commence a full Review of its LDP every 4 years.

## **6. Equality Impact Assessment**

- 6.1 There are no direct implications associated with this report. However, the derived policies contained within the Replacement LDP will require an equalities impact assessment to be carried out.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 Introduction of the DVM will provide a mechanism for site promoters/developers to demonstrate sites are deliverable and capable of contributing towards the sustainable development principles required by the Act. This will, in turn, help inform development of the Replacement LDP, which will be prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

## **8. Financial implications**

8.1 The proposed fee schedule is intended to cover the Council's administrative costs of locking and distributing the model, verifying the completed appraisal and providing a high-level review to the developer/site promoter. The proposed approach of re-charging the fee for any re-submissions would also cover the costs of additional officer time. Any subsequent disputes would need to be verified by an independent arbitrator, the costs of which would need to be met by the developer/site promoter.

## **9. Recommendations**

- 9.1 That Cabinet agrees the proposed approach and fee charging schedule.
- 9.2 That Cabinet authorises the Group Manager Planning and Development Services to implement the Development Viability Model and fee charging schedule.

Janine Nightingale

**Corporate Director - Communities**

15<sup>th</sup> December 2020

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**Background documents:** None.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### COSY CORNER

##### 1. Purpose of report

- 1.1 The purpose of this report is to update Cabinet on recent developments in relation to the proposed development of a Maritime Centre on Cosy Corner, Porthcawl, to outline a series of recommendations in relation to taking forward a preferred option for the site and to seek authority for BCBC to submit a funding proposal to Visit Wales.

##### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015:-**

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

##### 3. Background

- 3.1 The Maritime Centre project was developed and was being taken forward by Porthcawl Harbourside Community Interest Company (CIC), which later became Credu Charity Ltd. The project was supported with funding through the Tourism Attractor Destination (TAD) Programme, which is led by Visit Wales. BCBC also secured resources through this programme for the delivery of projects such as the Rest Bay Watersports Centre and the Porthcawl Harbour enhancement facility.
- 3.2 BCBC has worked closely with Credu Charity Ltd for many years, through a number of Council departments to support them to further develop and implement their project. This was a substantial property development proposal by Credu Charity Ltd on Council owned land and officers undertook significant due diligence to ensure lease arrangements were in place to control delivery and ownership of the site. This has ensured that the Council has been able to regain control of the site due to the ongoing circumstances. Prior to the agreement for lease being entered into a full risk

assessment was undertaken and reported to Cabinet, which included an assessment of the business case and the funding requirements.

- 3.3 Credu Charity Ltd were granted a 3 year lease on part of the site on 16<sup>th</sup> November 2017 to enable them to set up portacabin showers and toilets, as well as storage shipping containers for displaced groups. On 14<sup>th</sup> November 2019 Credu Charity Ltd were granted a license to install hoardings and set up a temporary compound. The Council entered into an agreement for lease on 7<sup>th</sup> November 2019 to provide Credu Charity Ltd with certainty that they could take entry onto the site to carry out the full construction works but only once a number of conditions had been met, including funding and planning. These conditions were never met and the agreement was subsequently terminated and the Council took possession of the site on 9<sup>th</sup> November 2020.
- 3.4 On the 1<sup>st</sup> October 2020 BCBC were made aware that Credu Charity Ltd had filed notice of intention to appoint John Deal Cullen and Rachel Lai of Menzies LLP as administrators of the company. This action was agreed at a meeting of the Directors of Credu Charity Ltd on the 21<sup>st</sup> September 2020. Credu has now moved from being in administration to being in liquidation on 19<sup>th</sup> November 2020, the liquidator has disclaimed any interest in the Cosy Corner site.
- 3.5 On 2<sup>nd</sup> October 2020 BCBC received formal notification from Welsh Government that the Welsh Ministers gave Credu Charity Ltd notice on the 18<sup>th</sup> August 2020 of their intention to withdraw further ERDF funding towards the Maritime Centre and to recover the ERDF funding they had already paid to Credu.
- 3.6 As a result of this, BCBC terminated the agreement for lease relating to the Maritime Centre at the Cosy Corner site. This was because Credu Charity Ltd were unable to satisfy conditions relating to that agreement for lease within an agreed timeframe.

### **3. Current situation/proposal**

- 4.1 Andrew Scott, Credu's contractor, left site in February 2020 citing non-payment as the reason for doing so. Since this time no work has taken place on Cosy Corner and today it stands as a part completed development site surrounding by hoarding. The site has partially laid foundations and a range of materials left on it. Their removal is being considered at this time and potential implications are being reviewed.
- 4.2 Since serving notice to terminate the agreement for lease and resuming control of the site it has become clear that the site cannot remain in its current condition for any length of time and that significant resources and timely action is required. However, as the proposed Maritime Centre was being taken forward by Credu Charity Ltd, BCBC does not have funding set aside for the remediation of the site and its return to a safe and useable condition.
- 4.3 Therefore officers have met with Visit Wales to determine if resources may be available through the TAD programme. Visit Wales have confirmed that as BCBC is already a partner in the TAD programme an opportunity exists to put forward a proposal to potentially access this TAD funding. It is understood that possible funding available is significantly less than that needed were BCBC minded to take forward a development of the scale of the Maritime Centre. It is also understood that any funding within the TAD programme must be secured, spent and claimed within a

timeframe far shorter than that needed to deliver a project the size of the Maritime Centre.

- 4.4 Therefore, officers have started the process of considering options for the future of Cosy Corner with a focus on what may realistically be achieved with possible funding and the time available.
- 4.5 The preferred approach at this time, based on information available, is a two stage process. Stage 1 will take place in the short to medium term and will involve officers submitting proposals to Visit Wales in an effort to secure funding to undertake improvements to part of Cosy Corner. Stage 2 will take place in the medium to longer term and will relate to the part of Cosy Corner not impacted by such proposed improvements. Stage 2 will involve securing a development partner and working with that partner to implement further improvements to Cosy Corner. While working with a commercial partner to enhance the site, the land would remain primarily public realm with substantial community use as well as commercial opportunities. This public realm would provide a mainly open space break between nearby developed zones
- 4.6 In reviewing options for both Stage 1 and Stage 2, the following principles are proposed to be used as a set of guiding principles for the way forward, based on the current understanding of the situation:
- Desire to ensure funding allocated for Cosy Corner is retained for Cosy Corner. There is potentially funding still available through the TAD programme for Cosy Corner
  - Adopting a partnership approach with key stakeholders
  - Taking action in a suitable timeframe
  - Minimising the period of time that Cosy Corner remains in its current condition
  - Minimising the on-going maintenance requirements and costs for BCBC
  - Enhancing the tourism offer of Porthcawl
- 4.7 The current possibilities for Stage 1 may include:
- Improvements for use by community organisations, in particular the Sea Cadets
  - Improvements to the local economy and tourism offer, in particular small retail / start-up spaces
  - Improvements for Marina users, in particular storage and changing facilities
  - Improvements for use by the wider community, in particular a Changing Places facility, children's free play area, public seating, public realm/landscaping and an outdoor event space.

These options are based on information known at this time and are therefore subject to change and by no means definitive.

## **5. Effect upon policy framework and procedure rules**

- 5.1 There is no direct impact on the Council's policy framework and procedure rules.

## **6. Equality Impact Assessment**

6.1 An initial assessment has identified that there are no equality issues related to this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is below:

- Long-term: By regaining control of Cosy Corner and seeking to secure funds for its improvement, BCBC is seeking to improve the area beyond its current condition for use and access in the long-term.
- Prevention: Seeking resources to undertake improvements to Cosy Corner will ensure that the condition of the site does not deteriorate further.
- Integration: The proposal will achieve this way of working by recognising the approaches that are proposed for support are those that have been identified by internal and external stakeholders and the proposal itself will integrate with other existing activity in the area.
- Collaboration: Future action on Cosy Corner as outlined above will take place in collaboration with partners through the Harbour Operational Group and the Harbour Board.
- Involvement: Proposals relating to the future of Cosy Corner will be developed and delivered in close partnership with key stakeholders. Discussions and development with key BCBC officers will be undertaken.

## **8. Financial implications**

8.1 It is currently understood that there are not any financial implications for BCBC as a result of Visit Wales withdrawing their funding offer from Credu.

8.2 The health and safety investigation undertaken has highlighted a number of short term actions for BCBC to undertake, such as signage and security. Costs are currently being investigated for this work. Once these costs are known consideration will need to be given to funding options in order for appropriate action to be taken.

8.2 Visit Wales have indicated that whilst funding may be available for BCBC to bid for, match funding will be required. Initial discussions have suggested that potentially £1m grant may be available, which based on the intervention rate of the TAD programme of 65% grant requiring 35% match funding, would result in total scheme funding of £1,538,461. To secure all of this, match funding of £538,461 will be required. If the desire is to secure less than the potential £1m grant possibly available then a proportionally lower value of match funding would be required. At this time it is proposed that BCBC would make up this value based on land value match, which can be a maximum of 10% of a project cost in line with the terms and conditions of the TAD programme, and direct funding match. In 2015 the site was valued at £350,000, which means a 10% value of project costs for land value of £153,846 would be possible, although an updated valuation may be required. This would then require BCBC to identify a further £384,615. At this time it is considered that this value would

be provided from Communities Directorate public realm fund although officers will continue to seek alternative sources of funding.

## **9. Recommendation(s)**

9.1 Cabinet is recommended to:-

- note recent action by officers in relation to Cosy Corner.
- approve the principles for considering future action on Cosy Corner as set out in section 4.6.
- authorise the Corporate Director, Communities, to develop and submit a proposal to Visit Wales, in agreement with the Section 151 Officer and the Chief Officer, Legal, Regulatory and HR, to access possible resources for improvements to Cosy Corner in line with the financial information in section 8.2.
- Receive a further report relating to the detail of any funding offer from Visit Wales if successful and, should it be required, recommend to Council an update to the Capital programme.

**Janine Nightingale**  
**Corporate Director, Communities**  
**30 November 2020**

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**Background documents:**

None

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE INTERIM CHIEF OFFICER - FINANCE, PERFORMANCE AND CHANGE

#### WELSH GOVERNMENT HOMELESSNESS PHASE 2 CAPITAL BIDS

##### 1. Purpose of report

- 1.1 The purpose of this report is to provide Cabinet with an update regarding Bridgend County Borough Council's (BCBC) response to the Welsh Government Homelessness Phase 2 Guidance.

##### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

##### 3. Background

- 3.1 As part of the Covid 19 response, all local authorities were expected to ensure that no individual was street homeless and was provided with suitable temporary accommodation. Suitable temporary accommodation was defined as having en-suite facilities and where possible access to own kitchen. For BCBC this entailed re-purposing its current temporary accommodation and under-occupying premises to ensure it met those requirements as far as possible; reducing the numbers in floor space; securing bedrooms within the local hotels that had remained open; the use of Air BNB; purchasing four homeless pods; providing flat pack furniture, microwaves, and small fridges where needed; and providing take-away meals for those without access to a kitchen. 24 hour security has also been provided for hotels.
- 3.2 A Guidance Note from the Minister for Housing and Local Government extended the definition of vulnerable with regards to the 'priority need' criteria set out in the

Housing (Wales) Act 2014. In effect this makes all homeless persons eligible for an offer of temporary accommodation. This Guidance Note remains in place, with no known timescale for review.

- 3.3 In accordance with Welsh Government (WG) Guidance, BCBC has accommodated significantly increased numbers in temporary accommodation. Between March to November 2020, 587 households have been provided with temporary accommodation.
- 3.4 On 3<sup>rd</sup> June 2020, WG issued Phase 2 Guidance, which makes it clear that those individuals being temporarily accommodated are to be provided with permanent accommodation, with no one returning to homelessness. A Rapid Rehousing approach is to be taken to help enable this.
- 3.5 To support these plans WG provided Phase 2 capital and revenue funding for projects aimed at providing additional accommodation and support services for people housed under Covid 19 conditions. A competitive funding process was set out to bid for an initial £20 million funding pot. This pot was subsequently extended to £50 million. Funding bids could be made for both revenue and capital projects but is only in place until 31<sup>st</sup> March 2021, with no current commitment for funding past this date.

#### **4. Current situation/proposal**

- 4.1 Currently Bridgend Council has around 125 households being supported in temporary accommodation.
- 4.2 On 30<sup>th</sup> June 2020, BCBC submitted a funding application and Phase 2 Plan to WG. The application included funding bids for 7 capital projects and 8 revenue projects. Liaison with providers and partner Registered Social Landlords (RSLs) took place and bids focused on the following key areas:
  - 1) To free up the Council's current supported housing projects by securing move-on accommodation for those that can live independently and may only need low level of support for a short period of time. This will then make accommodation available for more challenging clients;
  - 2) Increase the stock of accommodation in the County Borough as quickly as possible in addition to the schemes and projects programmed through the use of the Social Housing Grant by seeking capital funding to purchase property from the open market;
  - 3) Maximising the Council's current support projects, and if required look at enhancing support, in particular the substance misuse outreach support;
  - 4) Re-purpose some of the current projects to provide a triage/assessment centre to replace floor space and pods which WG do not support;
  - 5) Providing additional incentives to private sector landlords i.e agreement to cover damage costs etc in an attempt to overcome any reluctance to take on some of the Council's clients.
- 4.3 The decision making process for the capital bids was carried out by WG. WG scrutinised applications taking into consideration minimum standard requirements and a financial viability model. Clarification meetings were held between WG and

the RSLs prior to an indicative allocation of funding. Funding will be paid directly to RSLs from WG. The RSLs will supplement the grant funding with private finance.

- 4.4 Three of the capital projects require planning permission and as such are going through the application process. Once delivered the capital projects will provide up to 34 units of accommodation. These will increase BCBC's social housing stock and also allow for increased temporary accommodation units. The revenue projects will enable increased support packages to those who are homeless.
- 4.5 In addition to funding bids, as part of its Phase 2 Plan BCBC committed to working with RSL partners to develop a Rapid Rehousing Protocol (RRP) to help meet WG requirements as quickly as possible.
- 4.6 Following an agreement between BCBC and RSL partners, a RRP has been agreed and has been operational since June 2020. The Protocol explains the context within which BCBC is now working and outlines a new operational process that is being followed, to meet the pent up demand currently housed in temporary accommodation, such as hotels and Bed and Breakfast accommodation.
- 4.7 The RRP is operating a dual allocation system with:
  - a) housing allocations (mostly family accommodation) through the Common Housing Register using the Social Housing Allocation Policy (SHAP) already in place, and;
  - b) a separate Rapid Rehousing process for a period of time to deal with the current situation.
- 4.8 To date 70 households have been rehoused via the RRP, with a further 21 pending a move in date. Without this process it is likely that the numbers in temporary accommodation would be higher than the current 125 households at present.

## **5. Effect upon policy framework and procedure rules**

- 5.1 None.

## **6. Equality Impact Assessment**

- 6.1 There are no equality implications arising from this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales, with five ways of working to guide how the Council should work to deliver wellbeing outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

Long term	Increasing the stock of homes will support objectives
Preventative	Would prevent street homelessness
Involvement	Would involve partner agencies to deliver
Integration	Benefits community development and sustainability
Collaboration	Involvement with a range of agencies and partners is required to deliver

## 8. Financial implications

- 8.1 BCBC has claimed £1.565 million from the WG Hardship fund covering the period March to October 2020 which has funded the support highlighted in paragraph 3.1. Further claims will be made on a monthly basis for the remainder of the 2020-21 financial year, however the funding is only in place until 31 March 2021, with no current commitment from WG for funding past this date. Should additional revenue funding not be forthcoming from WG then further financial support will be required, if these projects are to continue and a budget pressure will need to be submitted by the service area as part of the budget setting process for 2021-22.

## 9. Recommendations

It is recommended that Cabinet note the report and support:

- 9.1 the collaborative working arrangement with Welsh Government (WG) and the Registered Social Landlords (RSLs) to increase the temporary accommodation units across the Borough;
- 9.2 the partnership working with Registered Social Landlords (RSLs) through the Rapid Rehousing Protocol (RRP) to reduce the numbers in temporary accommodation.

**Gill Lewis**

**Interim Chief Officer - Finance, Performance and Change.**

**December 2020**

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**Background documents:** None



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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR OF EDUCATION AND FAMILY SUPPORT

#### REDUCED TIMETABLE POLICY

##### 1. Purpose of report

- 1.1 This purpose of this report is to seek formal approval and adoption of Bridgend County Borough Council's Reduced Timetable Policy (attached at Appendix A).

##### 2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the Well-being of Future Generations (Wales) Act 2015:

###### **Supporting a successful sustainable economy**

Taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

###### **Helping people and communities to be more healthy and resilient**

Taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

##### 3. Background

- 3.1 There is no statutory basis upon which to establish a reduced timetable. However, in exceptional circumstances, schools may need to implement a reduced timetable in order to support a pupil who cannot attend school for a full day for a variety of reasons.
- 3.2 Schools, pupil referral units (PRUs) and educational settings have a statutory duty to ensure all pupils on their roll receive a full time educational entitlement and achieve good outcomes.
- 3.3 In exceptional circumstances, where a pupil requires a reduced timetable for a short period of time, a pastoral support plan (PSP) must be in place.
- 3.4 The PSP is a school-based intervention to help individual pupils to better manage their behaviour and to identify any support mechanisms which need to be put in place. The PSP should identify precise and realistic behavioural outcomes for the pupil to

work towards. PSPs can also be used in other circumstances, such as a managed move or returning to school from a long health related absence.

#### **4. Current situation/proposal**

- 4.1 As there is no statutory basis to establish a reduced timetable, it is important that there is an element of consistency and equity for all pupils in schools, PRU and educational settings, who, for one reason or another may require a phased reintegration back into full time education for a limited amount of time.
- 4.2 A database is being developed in order to capture accurate data on the number of pupils who are on a reduced timetable in schools, PRU and educational settings in Bridgend County Borough.
- 4.3 Reduced timetables will be monitored by the Access to Education Panel. This panel meets on a monthly basis. This approach will ensure that there is consistent, regular oversight of any pupil that is not accessing full-time education.

#### **5. Effect upon policy framework and procedure rules**

- 5.1 There is no impact on the Council's policy framework or procedure rules.

#### **6. Equality Impact Assessment**

- 6.1 There is no equality impact in relation to this report.

#### **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 This policy aligns with the following areas of the Well-being of Future Generations (Wales) Act 2015:

Long-term	Supports the improvement of standards and outcomes for children and young people.
Prevention	The implementation of a Reduced Timetable Policy provides a framework which supports a child or young person to reintegrate back into education in a timely, supportive way, thus preventing any future absences and progress not being made.
Integration	The monitoring of a PSP ensures that the targets are achieved. Also that all relevant support is appropriate and any additional support is identified thus helping to support a successful economy.
Collaboration	The PSP requires a multi-agency approach with the voice of the child/young person and parents/carers central to the plan. The local authority works effectively in a multi-agency way with schools, PRU and educational settings to deliver the well-being objectives identified.
Involvement	This PSP involves all stakeholders in the life of the child/young person. The involvement of the stakeholders involved in a child/young person's PSP is diverse.

## **8. Financial implications**

8.1 The reduced timetable protocol will be implemented within existing resources.

## **9. Recommendation(s)**

9.1 Cabinet is recommended to formally adopt and approve the Reduced Timetable Policy.

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### **Background documents:**

- Pastoral Support Plan pro-forma 2019
- Inclusion and Pupil Support Guidance – Welsh Government 2016
- Exclusion from schools and PRUs – Welsh Government Guidance 2019
- Healthcare Needs Policy Bridgend County Borough Council 2017



## Appendix A



# Bridgend County Borough Council Reduced Timetable Policy

## Contents

- Purpose
- Summary
- The Law
- The use of reduced timetables
- Pastoral Support Plans
- Process for considering a reduced timetable

## **Purpose**

This policy is intended to support all schools, pupil referral units (PRUs) and other educational settings within the current legal and safeguarding framework for pupils medically fit to attend school.

Please note: This does not refer to nursery/reception children who are placed on a staggered intake.

## **Summary**

There is no statutory basis upon which to establish a reduced timetable. However, in exceptional circumstances, schools may need to implement a reduced timetable in order to support a pupil who cannot attend school for a short period of time. Schools, PRUs and educational settings have a statutory duty to ensure all pupils on their roll receive a full time educational entitlement and achieve good outcomes.

In exceptional circumstances where a pupil requires a reduced timetable for a short period of time, a Pastoral Support Plan (PSP) must be in place.

The PSP is a school-based intervention to help individual pupils to better manage their behaviour and to identify any support mechanisms which need to be put in place. The PSP should identify precise and realistic behavioural outcomes for the child to work towards. PSPs can also be used in other circumstances, such as a managed move or returning to school from a long health related absence.

## **The Law**

All children, regardless of their circumstances, are entitled to a full time education which is suitable for their age, ability, aptitude and takes account of any additional learning needs (ALN) they may have. The local authority has a statutory duty to secure a full time education appropriate to their needs for all pupils deemed fit for school.

Welsh Government recommends that schools should offer all pupils the following required number of hours per week of education provision:

Reception and Years 1 to 2	-	21 hours
Year 3 to 6	-	23.5 hours
Year 7 to 10	-	24 hours
Year 11	-	25 hours

All schools must be open to pupils for no less than 380 sessions (190 days).

For pupils deemed not fit to attend school because of medical issues the local authority's Healthcare Policy will apply.

## **Use of reduced timetables**

### **When can a reduced timetable be used?**

Schools have a statutory duty to provide a full time education for all pupils. Schools can face legal challenge if this is not the case.

A reduced timetable can be used in exceptional circumstances, where every other avenue has been exhausted, for example:

- where a school has explored all options to ensure the pupil attends regularly, including discussions with multi-agency colleagues through “team around the school”, statutory processes and/or The Access to Education Panel;
- as part of a planned reintegration into school following an extended period of exclusion;
- as part of a planned reintegration after a period of low or non-attendance;
- as part of a managed move process;
- following an extended absence due to ill health or medical reasons;
- as a temporary measure to manage significant challenging behaviour or social and emotional needs.

### **Pastoral Support Plans**

A PSP must be used to facilitate a reduced timetable. The PSP must contain the following information:

- key information about the pupil;
- responsible staff member as this is a school based support measure;
- date of the PSP and reviews (over a 12-week period);
- pupil’s view of what is going well and what isn’t;
- school’s view of what is going well and what isn’t;
- parent(s)/carer(s) view(s) of what is going well and what isn’t;
- views of other agencies and what is going well and what isn’t;
- action plan (what, who, when etc.);
- review(s) of progress.

### **Process for considering a reduced timetable**

In circumstances where it may be necessary to consider a reduced timetable for pupils, the school should:

- be satisfied that a reduced timetable is an appropriate intervention based on the needs of the child;
- there is a clear and evidenced rationale in place;
- ensure that a reduced timetable is only pursued in consultation and agreement with parent(s)/carer(s), and local authority officers such as the

Inclusion Service, the Education Engagement Team and the Education Welfare Service.

- ensure all other agencies who support the pupil are aware of the reduced timetable and invited to participate in the PSP;
- are satisfied that suitable arrangements are in place to ensure safeguarding and care of the pupil during the period when they are not expected to attend school, including collection and drop off outside normal school timings;
- consider carefully any Additional Learning Provision (ALP) in place for the pupil, for example, visiting therapist, additional support hours, specialist intervention;
- ensure that arrangements for a reduced timetable do not reduce a pupils' access to other opportunities such as careers guidance or lead worker support;
- ensure that arrangements do not conflict with the sitting of public examinations.

### **Record keeping, review and monitoring**

The school must:

- record the pupil's attendance using the appropriate code in order for education welfare officers (EWOs) to monitor overall attendance and progress;
- use the code 'C' when the pupil is not expected to attend. A red flag must be applied within the SIMS system and reasons provided, for example a reduced timetable for period of time;
- not mask the use of any other code;
- name the member of staff on the PSP to facilitate the reduced timetable, who will be responsible for communication with child, parents/carers and other agencies;
- ensure that this member of staff will also be responsible for reviewing and monitoring of the PSP.

The local authority will:

- ensure that pupils on a reduced timetable are appropriately recorded and monitored via the pupils attendance register;
- maintain a central record of all pupils not accessing a full time education who have reduced timetables.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 DECEMBER 2020

#### REPORT OF THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

#### CONTRACT FOR THE SUPPLY OF HOME-TO-COLLEGE TRANSPORT – SUSPENSION OF THE CONTRACT PROCEDURE RULES

#### 1. Purpose of report

1.1 The purpose of this report is:

- to suspend those parts of the Council's contract procedure rules in respect of the procurement requirements relating to the tendering of the contract for the supply of home-to-college transport; and
- to authorise the Corporate Director Education and Family Support to enter into a contract with the current contractors, First Cymru Buses Ltd, on the same terms as the current contract from the day following the current contract's expiry date (8 January 2021) to 25 June 2021 (the end of the college academic year).

#### 2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objective under the Well-being of Future Generations (Wales) Act 2015:

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

3.1 Following a procurement process in 2018, the Council awarded a contract for the supply of home-to-college transport to First Cymru Buses Ltd. That contract is due to expire on 7 January 2021.

#### 4. Current situation/proposal

4.1 Following the report to Cabinet in September 2020, on the outcome of the public consultation on the proposed changes to the Council's Home-to-School/College Transport Policy, Cabinet determined that Education and Family Support Directorate officers, together with transportation officers, continue dialogue with private sector transport providers, Bridgend College and other post-16 providers, in order to make a saving, but more significantly to create a budget which will provide students with a 'travel pass'. This would be more flexible than traditional home-to-college transport and would be a more 'adult' solution for young people. Cabinet envisaged that this

would help to create a new generation of public transport users, and would be a better fit for the Council's recently adopted strategy for post-16 education and sixth forms. Also envisaged is a more conventional transport 'safety net' for a small number of students without reasonable access to public transport routes.

- 4.2 In order for the identified engagement to progress with all prospective suppliers and stakeholders, and for a range of options to be proposed for consideration by Cabinet on the future arrangements for a post-16 travel pass, it is proposed that the Council should suspend the contract procedure rules and enter into a contract with First Cymru Buses Ltd on the same terms as the current contract from 8 January 2021 until 25 June 2021 (ie the end of the current academic year). This is necessary as work to progress the development of a travel pass and an assessment of the development required by the Council to bring this forward to fruition will likely not be completed until the end of April 2021 at the earliest. Furthermore, in August 2020 Welsh Government announced that its ongoing review of learner travel is scheduled to report at the end of March 2021 and given that the main focus of the review is in respect of post-16 learners, it is important that the Council considers the outcome of that review prior to determining the future arrangements for its student travel pass.
- 4.3 Under the Council's contract procedure rules, the Council is required to tender and advertise contracts such as this one on 'Sell2Wales' as a minimum. The Council, in entering into a contract in this manner, will be unable to comply with those requirements.
- 4.4 Cabinet should be aware, that by not complying with its contract procedure rules the Council is exposed to the risk of potential challenge from other suppliers of such products, as we are entering into a contract without any competition which breaches the requirements of procurement legislation.

## **5. Effect upon policy framework and procedure rules**

- 5.1 This report has no effect on the policy framework and procedural rules.

## **6. Equality impact assessment**

- 6.1 An equality impact assessment initial screening has been completed and it is considered that there will be no negative impacts from this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

### **Long-term**

The Council is supporting the sustainability of public bus services and ensuring that local transport operators are able to continue their investment in the provision of and its associated infrastructure, for the medium term.

### **Prevention**

The Council assesses the suitability of transport operators to deliver home-to-college transport services.

### **Integration**

Transport providers have a strategic role in providing a service to ensure that all eligible students are supported in accessing their place of education. This ultimately means that students can learn and achieve so that they can access opportunities for further learning and employment, and can play active roles in their communities, contributing positively to society as a whole.

### **Collaboration**

Transport providers have a strategic role in supporting pupil's access to school. Transport providers need to ensure the health and wellbeing of students. The Council, in conjunction with Bridgend College and transport providers, is ensuring that services are in place to meet the needs of all students.

### **Involvement**

The Council engages with transport providers and Bridgend College on a regular basis.

## **8. Financial implications**

- 8.1 The estimated value of the contract from 8 January 2021 to 25 June 2021 is £140k for the provision of home-to-college transport with First Cymru Buses Ltd. The cost will be met from within current budgets.

## **9. Recommendations**

- 9.1 It is recommended that Cabinet:
- suspends the relevant parts of the Council's contract procedure rules in respect of the requirements relating to the procurement of the contract for the supply of home-to-college transport; and
  - delegates authority to the Corporate Director Education and Family Support in consultation with the Interim Chief Officer – Finance, Performance and Change and Section 151 Officer and Chief Officer - Legal, HR and Regulatory Services, to enter into a contract for the supply of home-to-college transport with First Cymru Buses Ltd from 8 January 2021 until 25 June 2021.

**Lindsay Harvey**  
**Corporate Director – Education and Family Support**  
**December 2020**

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**Background papers:**

None

By virtue of paragraph(s) 16 of Part 4 of Schedule 12A of the Local Government Act 1972.

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