

MINUTES OF A MEETING OF BRIDGEND COUNTY BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 3 JULY 2013 AT 3.00PM

Present:-

Councillor C J James - Mayor and Chairperson

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
S Aspey	D M Hughes	J R McCarthy	M Thomas
M W Butcher	E M Hughes	H E Morgan	R Thomas
N Clarke	P James	L C Morgan	J H Tildesley MBE
H J David	R D Jenkins	M E J Nott OBE	H J Townsend
G Davies	P John	A D Owen	R Venables
G W Davies MBE	B Jones	D G Owen	K J Watts
P A Davies	R C Jones	D R Pugh	C Westwood
E Dodd	C L Jones	C Rees	D B F White
D K Edwards	M Jones	D Sage	P J White
L Ellis	D R W Lewis	C E Smith	H M Williams
E P Foley	J E Lewis	J C Spanswick	R Williams
C A Green			

Officers:-

D Mepham	-	Chief Executive
H Anthony	-	Corporate Director - Children
S Brindle	-	Corporate Director - Wellbeing
M Shepherd	-	Interim Corporate Director - Communities
N Young	-	Corporate Director – Resources and Section 151 Officer
D Llewellyn	-	Group Manager - Development
B Davies	-	Principal Solicitor
G P Jones	-	Democratic Service Manager (Electronic back-up)
A Rees	-	Senior Democratic Services Officer - Committees

198 MINUTES OF PREVIOUS MEETING

- RESOLVED: (1) That the minutes of the Annual meeting of the Council of 15 May 2013 be approved as a true and accurate record, subject to the name of Councillor J E Lewis being added to the list of apologies for absence in minute number 171.
- (2) That the minutes of the ordinary meeting of the Council of the 29 May 2013 be approved as a true and accurate record.

199 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor M Gregory	-	Attending hospital appointment with his wife.
Councillor G Phillips	-	Work Commitments
Councillor C L Reeves	-	Holiday
Councillor M Reeves	-	Holiday
Councillor G Thomas	-	Holiday
Councillor M Winter	-	Unwell
Councillor R Young	-	Unwell

200 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:-

- Councillor K J Watts - Agenda Item 6(d) - Departure Planning Application P/11/781/FUL - Councillor Watts declared a personal interest as a Member of the Planning Committee of Porthcawl Town Council and voted against this matter. Councillor Watts withdrew from the meeting during consideration of this item.
- Councillor S Aspey - Agenda Item 6(d) - Departure Planning Application P/11/781/FUL - Councillor Aspey declared a prejudicial interest as the Chairperson of the Planning Committee of Porthcawl Town Council and withdrew from the meeting during consideration of this item.
- S Brindle, Corporate Director - Wellbeing - Declared a prejudicial interest in Item 6(a) - Appointment Process and change of establishment and withdrew from the meeting during consideration of the item.
- H Anthony, Corporate Director – Children and M Shepherd, Interim Corporate Director - Communities - Declared a prejudicial interest in Item 6(a) - Appointment Process and change of establishment and Item 6(b) – Consultation with JNC officers regarding possible changes to contractual terms and conditions and withdrew from the meeting during consideration of these items.

201 MAYORAL ANNOUNCEMENTS

The Mayor thanked everyone who had attended the recent Armed Forces Day event held in Bridgend Town Centre and as ever, there was a wonderful turnout in support of the troops. He also announced that he was very proud to be part of the first Armed Forces Day flag raising ceremony held last week and congratulated everyone who played a part in organising these important events.

The Mayor congratulated the local people who had been recognised in the Queen's Birthday Honours List recently and in particular Mari Major who had received an MBE for her wonderful work in support of local charities and works tirelessly for the Mayor's Charity Appeal and has supported many of the County Borough's Mayors to fundraise during their years in office. He stated that he was looking forward to working with Mrs Major in the coming year in support of his charities are Bridgend Stroke Association, Heronsbridge School and GOFAL (thinking differently about mental health wellbeing). The Mayor stated that he was delighted to announce that pupils from Brynteg Comprehensive School had recently achieved fourth place in the UK finals of the Young Consumers of the Year competition. Brynteg were representing the whole of Wales having won their local and regional heats and just a few points separated the team which comprised of Ben, Ieuan, John and Rhys from the winners and they had put in a very impressive performance. The Mayor congratulated the team and the Trading Standards Team for supporting the team. The Trading Standards Team were keen to encourage as many schools and groups as possible to take part in the next local competition, to be held in November and he requested Members to inform him of any schools who would like to take part.

The Mayor announced that he was honoured to meet Her Royal Highness the Duchess of Cornwall at the Emmaus shop in Porthcawl this morning as well as being presented to His Royal Highness the Prince of Wales on Friday at the Prince of Wales at Ton Kenfig.

The Mayor also announced that his charity summer party would be taking place at Heronsbridge School on the 14 July 2013 at 3.30pm, with tickets available at £5 each and children being admitted free of charge.

202 CABINET MEMBER ANNOUCEMENTS

1. Deputy Leader

The Deputy Leader announced that the Tourism Information Service would be hitting the road this summer with the mobile Tourism information Centre, which had been purchased with a grant from the Rural Development Programme. The centre allowed tourism information to travel to the Tourist Centre. The centre would contain key literature about local accommodation and attractions as well as opportunities to access the Bridgend Bites website and the new tourism application there to discover, which is available on apple and android as a result of the mobile wifi system operating from the Centre.

The Deputy Leader also announced that in response to changing towards demands, the Centre would be appearing at times and in places where the most people are and would be at many of the major events such as the Bridgend Show, the Festival, Elvis Festival, Splash-up, Mash-up and the British Seniors Open Golf, after its first successful outing at the Welsh Seniors Open Golf Tournament at Royal Porthcawl. The Centre was innovative in its approach and was already receiving praise from a number of sources as a more effective way of reaching more tourists and letting them know what there is to see and do and where there is to stay in the County Borough. The tourism industry brings £268m into the County Borough each year and supported around 4,000 jobs and it was vitally important that it was supported as part of the Council's economic strategy.

2. Cabinet Member - Resources

The Deputy Leader announced on behalf of the Cabinet Member - Resources that the next pre-Council briefing on the 24 July 2013 would be the Independent Professional Advocacy for children and young people.

He also announced the following training sessions planned for July:-

<u>Date</u>	<u>Subject</u>
9 July 2013	Annual Reports (final training session)
18 July 2013	Understanding Hate Crime
25 July 2013	Rota Visiting for New Members (and refresher)
30 July 2013	Code of Conduct for New Members (and refresher)

He stated that it was essential that all Members who had not previously undertaken Code of Conduct Training attend this session, which is open for all Members who also may wish to refresh themselves on the implications of the Code of Conduct.

The Deputy Leader thanked all those Members who had taken part in last year's pilot for the annual report process. The outcomes of the pilots and the use of the Bridgend Model were being incorporated in the guidance provided by the Welsh

Government and were now being used by a majority of local authorities in Wales. Members were reminded that draft annual reports for 2012/13 were required as soon as possible, with 15 reports received so far and it was hoped that reports from all Members would be received by the end of the month. It was anticipated that all reports would be made available to the public in September.

The Deputy Leader reminded Members that it was essential that they respond accurately to member development appointments placed in their calendars. Training providers used the response information to ensure that the session is suitable for the numbers of Members that were attending. Levels of attendance have varied considerably from the responses, creating difficulties not only for the facilitators, but also reduce the effectiveness of the event for attendees. Proposals for monitoring the levels of attendance at member development events would be included in the elected member learning and development strategy which would be submitted to the next meeting of Council.

3. Cabinet Member - Children and Young People

The Cabinet Member Children and Young People congratulated the pupils and teachers of Pencoed Primary School who had been awarded the Active Mark Cymru Award, which was awarded to schools in recognition of the high quality physical education of school sport.

He also informed Members that the Flying Start Fun Day would be taking place at various locations throughout the County Borough and that volunteer directors and trustees were being sought for Flying Start.

203 CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Chief Executive congratulated the Connecting Families Project which is a partnership aimed at helping children and families affected by substance misuse and domestic violence on receiving a Health and Wellbeing Award.

The Chief Executive also announced that the Local Government Minister following a recent visit to the Council had commended its Overview and Scrutiny process and singled it out for displaying good practice.

The Chief Executive announced that the closing date for the Bridgend Business Forum Awards was now the 5 July 2013 and requested Members publicise the awards in their own wards.

205 LEADER'S REPORT

The Leader in his role as Armed Forces Champion thanked all those involved in last weeks Armed Forces Day events. He stated that the parade which had taken place last Saturday and the concert which followed was a wonderful tribute to service men and women.

The Leader announced that he was very pleased to have attended this week's launch of the Western Bay Health and Social Care Programme, which is a partnership between the Council, Swansea and Neath Port Talbot County Borough Councils and the Abertawe Bro Morgannwg University Health Board to establish, where appropriate, a regional approach to developing more sustainable and effective health and social care services. He was delighted to have had an opportunity to speak of the event and commit Bridgend to this important collaboration project which he believed would be so beneficial to its citizens.

The Leader announced that new figures from the Welsh Government had revealed that Bridgend County Borough Council is among the top three local authorities in Wales for

its decisions on planning applications which go to appeal. Out of a total of 957 applications received in the last financial year, 28 were subject to an appeal. Of those, just six were allowed giving the Council a 78.6% success rate, just behind Gwynedd and Caerphilly Councils, placing Bridgend in joint third place among all local planning authorities in Wales.

He was pleased to learn that the Register Office, based at Tir Ardd had been given an excellent rating in a satisfaction survey of the local people who had registered birth, marriages, civil partnership and deaths during the last year. 98% of births within the County Borough were being registered by the Service within the national target of 42 days and the Register Office had also been commended for their quick turnaround in booking marriage appointments. When issuing certificates through the post, the service is a high achiever, sending out certificates within 48 hours, which was well within the national target of five days. The team had also been praised for doing everything it could to be as timely as possible with the registration of deaths. He stated that the Council always strived to provide the best possible service for the people of the County Borough and was very pleasing to hear that satisfaction was so high among Register Office service users.

The Leader announced that the Council along with its partners Abertawe Bro Morgannwg University Health Board was recently highly commended in the Social Care Accolades 2013 Awards for its joint working delivering specialised dementia care training to staff. The joint investment in leading the learning and professional development for staff to deliver the best possible dementia care narrowly missed out in the Social Care Sector including care home staff and social care workers. It had also trained mental health staff, health care support workers and junior doctors ensuring that people across the spectrum were appropriately skilled and supported to deliver specialist dementia care. This work had led to more timely referrals to specialist services for those in need and improves the quality of life for people with dementia thanks to consistent, quality care.

The Leader announced that the Council was in an important consultation period covering the future of a number of hospitals in South Wales, including the Princess of Wales Hospital in Bridgend. He was stated that it was vital that Members and constituents give their views as soon as possible as the closing date for submissions was on the 19 July 2013. Full details of the proposals were available from the South Wales Programme website and linked from the front page of the Council's website. He informed Members that he had tabled a suggested response to the consultation on behalf of the Council.

206 APPOINTMENT PROCESS AND CHANGE OF ESTABLISHMENT

The Chief Executive sought approval to make appointments to the existing three Corporate Director roles - namely Children, Wellbeing and Communities and also sought approval to consult on the reallocation of some responsibilities between these roles and the existing Assistant Chief Executive and in the event of reallocation, to amend the Assistant Chief Executive pay scale.

He reported that due to a high number level of turnover in the Corporate Management tier in the last twelve months, a number of interim arrangements had been put in place pending the arrival of the Chief Executive and in agreement with Cabinet, a thorough review of current arrangements had been undertaken. A number of options for alternative senior management arrangements had been considered and developed, however, the overriding consideration had been how best to be able to effectively respond to the immediate and foreseen challenges faced by the Council and its communities, namely, the challenges of welfare reform, integration of social care and health, driving up standards in Education and the likely consequences of the Public Services Commission and the anticipated comprehensive spending review. In order to maximise the Council's ability to respond effectively to those challenges, there was a

need to have the greatest possible stability in senior leadership and it was proposed that the Council moved to make permanent appointments to the two director roles that were currently filled on an interim basis and to appoint a permanent replacement to the Director of Children's services who is retiring.

The Chief Executive reported on an opportunity to allocate responsibility for the statutory social services, education and children's roles more equitably across the management team, spreading responsibility would increase capacity to discharge those roles, which were currently fulfilled by the Corporate Director of Children's Services. He reported that it was proposed to allocate the statutory role of the Director of Education and the Director for Children's Services to the Corporate Director of Children's Services and the statutory Director of Social Service to the Corporate Director of Wellbeing. The post of Corporate Director for Communities would be retained. In addition it was proposed that the Assistant Chief Executive took on new and additional responsibility for Corporate leadership of commissioning, procurement and contract management; the establishment and management of a corporate administration function; and the role of Senior Information Risk Owner (SIRO). Subject to consultation with the Assistant Chief Executive on the new responsibilities, it was proposed that the pay scale be amended to that of 90% of the salary of a Corporate Director. He outlined the proposed appointment process in the event of the Council approving the recruitment on a permanent basis to the post of Director of Children's Services, Wellbeing and Communities.

RESOLVED: That Council:-

- (1) Gave authority for the appointment of the Corporate Director – Children's Services (with Statutory Director of Education designation and Lead Director for Children's Services), the Corporate Director - Wellbeing (with Statutory Director of Social Services designation) and the Corporate Director Communities on a permanent basis and in line with the appointment process outlined.
- (2) Authority is delegated to the Chief Executive to effect the changes to the Assistant Chief Executive's responsibilities subject to consultation with the post holder and the pay scale change be agreed.

207 CONSULTATION WITH JNC OFFICERS REGARDING POSSIBLE CHANGES TO CONTRACTUAL TERMS AND CONDITIONS

The Corporate Director - Resources reported that an extensive consultation had been conducted with JNC officers on a proposal to change their terms and conditions by removing the car lease entitlement; change of mileage rate to HMRC rates and the removal of the telephone allowance. She stated that since the consultation started, two JNC officers had left the Council, one of whom was taking up the entitlement for a lease car. As a result, only six of the eleven JNC officers were entitled to a lease car were currently taking up that entitlement, with one officer due to retire at the 31 August 2013. She stated that if all remaining ten officers, entitled at the 1 September 2013 took up their maximum entitlement the total cost, included estimated national insurance contributions would be £105,000 per annum.

The Corporate Director - Resources reported that during the consultation meetings it became apparent that there was a general acceptance to the removal of the telephone allowance and a change to the mileage rate in line with all other officers within the Authority. However, in relation to the removal of the lease car entitlement, this was the main area of concern which required extensive consultation with the officers concerned and agreement had been reached on the following proposals:-

- Lease car provision would end on 31 August 2013;
- A compensatory lump sum payment equivalent to 12% of the maximum annual salary for the substantive post of the JNC officer would be paid in September 2013;
- A mileage rate of 47 pence a mile would be payable on all business mileage from 1 September 2013;
- Telephone allowances would be removed on 31 August 2013;
- A compensatory lump sum payment equivalent to one year's allowance would be paid in September 2013 to officers who currently receive this allowance.

She stated that the Council had previously agreed to a one year compensatory payment to NJC officers entitled to lease cars.

- RESOLVED:
- (1) That Council accepted the changes to the terms and conditions for JNC officers.
 - (2) That Council gave authority for a compensatory lump sum payment equivalent to:-
 - (a) 12% of the maximum annual salary of each officers' substantive post for the removal of lease car;
 - (b) A year's allowance for the removal of the telephone allowance.

208 NHS SOUTH WALES PROGRAMME CONSULTATION

The Corporate Director - Wellbeing reported that the NHS was consulting on changes to four key hospitals services across South Wales Abertawe Bro Morgannwg University Health Board (ABMU) had carried out an engagement exercise on possible options last year which had been discussed at the meeting of Council on the 12 December 2012, with the Leader responding to that engagement exercise on behalf of the Council. The deadline for responses to the consultation exercise was the 19 July 2013 and he highlighted the main changes and their potential impact on services in Bridgend.

The Corporate Director - Wellbeing reported that the NHS South Wales Programme was initiated by the Minister for Health and Social Services and had considered the future of consultant-led maternity services, neonatal care, inpatient children's service and emergency medicine (A&E) at hospitals in South Wales, serving five local health boards. These services comprise some of the most complex specialist parts of the health system and the consensus view across the medical profession is that the status quo is not sustainable and did not deliver the right quality of care to the people of South Wales. The most acute emergency services would be concentrated between UHW and Morriston. He stated that while the majority of patients would not be directly affected by how these services were delivered, there would be consequences for other services and the changes will impact on the most severely ill and their families. A key factor within the South Wales programme was the future of services delivered from the Princess of Wales hospital in Bridgend (PoW).

The Corporate Director – Wellbeing reported that following an extensive clinician-led exercise across South Wales to identify service pressures and solutions, community led councils had developed and refined a series of options for formal consultation, with a further series of public meetings currently underway.

The Corporate Director – Wellbeing reported that across the four health boards working together on the South Wales Programme, 300 senior clinicians had developed a series of recommendations with regard to women in pregnancy and childbirth; neonatal (newborn) and paediatric (children's) services and on emergency medicine. He stated

that the services interact and the clinician recommendations would mean that the South Wales programme was looking to concentrate high end acute services into fewer regional centres. Based on the scale of services in place, recent and planned investment and geographic spread, it meant that three of the regional centres were already fixed in Cardiff, Swansea and Gwent. In addition there needs to be one or two hospitals in addition to the regional centres, to be one or two chosen out of Prince Charles Hospital (Merthyr Tydfil), the Royal Glamorgan Hospital (Llantrisant) and the Princess of Wales Hospital. He stated that six options were considered in last year's engagement exercise, with the two lower scoring options being dropped from consideration. The remaining four options presented for formal consultation were:-

- Option 1 UHW, Morriston, Special and Critical Care Centre Cwmbran (SCCC) plus Prince Charles Hospital;
- Option 2 UHW, Morriston, SCCC plus Royal Glamorgan Hospital;
- Option 3 UHW, Morriston, SCCC plus Prince Charles and Princess of Wales;
- Option 4 UHW, Morriston, SCCC plus Prince Charles and Royal Glamorgan.

The Corporate Director – Wellbeing reported that the South Wales Programme's analysis of these options had concluded that Option 3 was seen as the best fit. He stated there were two main scenarios presented as far as the Princess of Wales was concerned. Firstly that services are enhanced and PoW serves a wider population, not just for Bridgend, but for parts of Neath Port Talbot, Rhondda Cynon Taff and the Vale of Glamorgan. Options 1, 2 or 4, showed that some specialist services would be provided elsewhere and for most people, the health services they access would be as close, or closer to their communities as at present. The majority of PoW services would continue, including Paediatric assessment, midwife-led unit of low-risk births; outpatient facilities; diagnostic and scanning; planned operations and local accident centre/major injuries.

He outlined geographically the distance patients and their relatives would have to travel for specialist acute services if the PoW was not a regional centre, which would be particularly difficult for some of the most vulnerable people in the north of the County. He stated that the PoW was the most centrally located of the three hospitals under consideration for regional provision and had the best transport links to the majority of people it would save. He outlined the modelled travel times across South Wales under each of the options being considered for consultation, which showed that travel times would significantly increase to over 60 minutes for the coastal areas of the County and the Llynfi valley, if the PoW were not to be a regional centre. He stated that a pregnant woman living in the Llynfi Valley with a non-straightforward pregnancy would be likely to have significant transport difficulties in reaching a consultant-led unit to have her baby.

The Corporate Director – Wellbeing reported that the Leader had prepared a draft response for consideration as the Corporate Response to the South Wales Programme Consultation for consideration by Council.

Members expressed concern at the lack of responses to the formal consultation and urged their constituents to respond to the consultation for the retention of facilities at the Princess of Wales and for it to be enhanced as a regional centre.

The Leader drew Members attention to the availability of persons who had been active in promoting the Princess of Wales as a regional centre and stated that they would be available to meet with Members immediately after the meeting of Council to discuss the proposals contained in the consultation and who were also concerned at the lack of response in some areas to consultation.

RESOLVED: That the Council respond to the South Wales Programme consultation as follows:-

The Council was grateful for the opportunity to respond to the consultation on changes to hospital services across South Wales. Enhancing the quality of health across the County by working together to tackle health issues and encourage healthy lifestyles is a key improvement priority for Bridgend County Borough Council. Given the nature of variations in health outcomes between some wards, the Council was acutely aware of the need to maintain good access to all parts of the health system, especially for older or more vulnerable people and those living in some of the most deprived communities.

The Council recognises the need for change in the NHS. The Council has a long established and successful track record of working closely in partnership with the Local Health Board and had made award winning progress in integrating health and social care services for the benefit of local citizens, so that they are better able to support healthy and independent lives. The Council continued to work with the NHS on shifting the balance from acute services towards an enhanced community health and care system that will meet the needs of a rapidly aging population.

The Council respects the advice of clinicians from across South Wales who have advised that the specialist acute services for women in pregnancy and childbirth, neonatal and paediatric services and tier two emergency departments should be concentrated into fewer sites. The Council agrees with the consultation document conclusions that it is preferable for there to be five sites rather than four. It further agrees that the South Wales Programme has appropriately balanced the impact of quality and sustainability, equality and access and costs in its analysis of the options presented. Against those criteria, Option 3 scores highest and the Council agrees with the NHS analysis.

The Consultation Document background report showed that without regional service provision in the Princess of Wales Hospital, the communities in the coastal areas of Bridgend and the Llynfi Valley would be significantly disadvantaged in terms of access to services. This would be especially difficult for some of the most vulnerable people in South Wales as these are communities with many older people and people living on low incomes. They and their families would often be reliant on public transport to reach a regional centre.

The Council therefore agrees and supports the South Wales programmes conclusion that Option 3 is the best fit and would be in the best interests of the health of people not just in Bridgend County Borough but across all of South Wales.

209 DEPARTURE APPLICATION P/11/781/FUL

The Group Manager reported that the Development Control Committee at its meeting on the 30 May 2013 had considered Planning Application P/11/781/FUL as a departure from the Development Plan. The Development Control Committee resolved not to refuse permission and the application had been referred to Council requesting the grant of planning permission subject to conditions and the Applicant entering into a Section 106 Planning Obligation.

The Group Manager Development reported that the application was a full application for the construction of a new 38 bed convalescent home with associated parking, a conversion and refurbishment of the existing Grade 2 listed rest/convalescent home, the demolition of modern extensions to the listed building and a number of single storey out buildings, the development of new residential accommodation to the rear of the listed building and strategic landscaping. He stated that the site comprised the Rest Convalescent Home and associated grounds that covered an area approximately 4.84 hectares. The existing convalescent home is on the north western edge of Porthcawl in the Rest Bay area, approximately 1.3 miles from the town centre and was situated close to the Royal Porthcawl Golf Club and is a prominent local building within the Porthcawl coastal area. The site was entirely located within the open countryside and within the defined coastal zone. He stated that the proposed new 38 bed convalescent home would be located on land to the north east of the existing home and comprising one and two storey building with a footprint of approximately 1327 square metres. There would be parking for 28 cars together with an enclosed bowling green. The building will have a modern, contemporary appearance although the developer had indicated that materials would be sympathetic to the area and existing building. He stated that the proposed residential new build comprised two, three and four storey extensions in a mixture of local sandstone, render, timber and metal cladding with a metal roof to provide a complementary contemporary character. Car parking space is for 98 cars for the residential element of the scheme will be provided along with areas for cycle parking, refuse storage and servicing. The landscape scheme will complement the current vegetation and consist of additional local wild planting and dry stone walling as well as more ornamental shrubs close to the new building. The Group Manager Development reported that the development and more specifically the new convalescent home was development within the open countryside and is considered to be a departure from the adopted development plan. A detailed design and access statement, planning settlement statement, traffic surveys, viability study and information relating to the community use of the existing facility had been submitted in support of the application.

RESOLVED: That the Council being minded not to refuse the development, the Interim Corporate Director – Communities be given plenary powers to issue a Decision Notice in respect of the proposal once the Applicant had entered into a Section 106 Agreement requiring the following and subject to the conditions contained in the report of the Interim Corporate Director – Communities:-

- (i) Provide the sum of £379,000 as an off-site contribution of affordable housing;
- (ii) Provide the sum of £63,136.62 to improve active travel access between Rest Bay and Porthcawl town centre in a staggered/phased payment plan which would see £30,000 being paid upon the occupation of the first unit of residential accommodation within the site, and the remaining £33,236.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly three years receipt of the first instalment, unless otherwise approved in writing.
- (iii) The Developer shall ensure that the new convalescent home is complete and open for use prior to the occupation of any of the residential apartments approved.

210 IMPLICATIONS OF THE SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013 ON THE DETERMINATION OF SCHOOL ORGANISATION PROPOSALS

The Principal Solicitor presented the report of the Monitoring Officer which informed of changes in which school organisation proposals are determined by the Authority following the implementation of the Schools Standards and Organisation (Wales) Act 2013 which will result in local authorities being responsible for determining most school organisations, including those which have received objections, with some exceptions and the new Code on School Organisations which is due to be brought into force on 1 October 2013.

He reported that the new code which is to accompany the new school organisation decision making system, once in force, would apply in respect of all school organisation proposals published by way of Statutory Notice on or after 1 October 2013. The Code supersedes previous guidance on school organisation proposals and organisation of school places and will impose requirements in accordance with which relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) must act.

The Principal Solicitor reported that the proposed amendment to the Local Authorities (Executive Arrangements) (Functions and Responsibilities)(Wales) Regulations 2007 will enable the determination of school organisation proposals to be added to the list of functions (at Schedule 2 to the 2007 Regulations) which may be, but need not be, exercised by a local authority's executive. This would allow the authority to determine the matter to be a Council function or adopt alternative local decision making arrangements to that of Cabinet if it so wished. The Welsh Government has suggested that this might include the formation of a local decision making committee, potentially in collaboration with other local authorities in their region. Whilst the Welsh Government recognised that the Cabinet function was already responsible for overseeing school organisation planning and democratically accountable to the local electorate, the Cabinet function was therefore well placed to decide whether or not contested school organisation proposals should be approved. It was the view of the Monitoring Officer that the function remain with the Cabinet for the immediate future as the Executive was already well placed to make such determinations and it was as yet unclear whether there was the possibility of collaborative working or at least a less formal support mechanism between authorities.

RESOLVED: That the function remain with the Cabinet and officers review the operation of the function within the coming year.

211 AMENDMENT OF THE CONSTITUTION AND SCHEME OF DELEGATION OF FUNCTIONS

The Principal Solicitor presented the report of the Monitoring Officer which sought approval for the amendment of the Constitution and Scheme of Delegation of Functions to reflect the recent appointment of the Corporate Director – Resources, in that references throughout the Constitution to 'Assistant Chief Executive – Performance' be amended accordingly to 'Corporate Director – Resources'. The Functions and areas of responsibility set out in Article 11 of the Constitution be amended. It was also proposed that references throughout the Scheme of Delegation of Functions to 'Assistant Chief Executive – Performance' be amended accordingly to 'Corporate Director – Resources'.

RESOLVED: That the amendment of the Constitution and Scheme of Delegation of Functions as set out in the report be approved.

212 INFORMATION REPORTS FOR NOTING

The Principal Solicitor presented the report of the Monitoring Officer, the purpose of which, was to inform Council of the information reports which had been published since the last meeting.

RESOLVED: That Council acknowledge the publication of the documents listed in the report:-

<u>Title</u>	<u>Date Published</u>
Urgent Delegated Decision	- 27 June 2013
Statements of Accounts 2012-13	- 27 June 2013

The meeting closed at 4.36pm.