

Public Document Pack  
**Bridgend County Borough Council**  
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



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

Legal and Regulatory Services /  
**Gwasanaethau Cyfreithiol a Rheoleiddiol**  
Direct line / Deialu uniongyrchol: 01656 643148  
Ask for / Gofynnwch am: Mr Mark Anthony Galvin

Our ref / Ein cyf:  
Your ref / Eich cyf:

**Date / Dyddiad:** Thursday, 15 January 2015

Dear Councillor,

**COUNCIL**

A meeting of the Council will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Wednesday, 21 January 2015 at 3.00 pm.**

**AGENDA**

1. Apologies for Absence  
To receive apologies for absence (to include reasons, where appropriate) from Members/Officers
2. Approval of Minutes 5 - 24  
To receive and confirm the following Minutes of Council:-  
  
Extraordinary meeting – 24 November 2014  
Ordinary meeting – 10 December 2014
3. Declarations of Interest  
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the Members' Code of Conduct adopted by Council from 1 September 2008
4. To receive announcements from:
  - (i) Mayor (or person presiding)
  - (ii) Cabinet Members
  - (iii) Chief Executive
  - (iv) Monitoring Officer
5. To receive the report of the Leader
6. To receive the following question for the Leader/Members of the Executive  
**Question from Councillor E Venables to the Cabinet Member – Children & Young People**

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Text relay: Put 18001 before any of our phone numbers for the text relay service

Cyfnwidi testun: Rhwyd 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

On the 9 December 2014 Cabinet ratified the new Code of Conduct for issuing Fixed Penalty Notices for Unauthorised Absence from school. The new Code advises head teachers to NOT authorise ANY term holidays (apart from exceptional circumstances) Can you please explain how this complies with the All Wales Attendance Framework, the Education (Pupil Registration) (Wales) Regulations 2010 and the Education (Penalty Notice) (Wales) Regulations 2013

- |     |                                                                                                                                                                                                                                                                                                                                            |         |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 7.  | <u>Council Tax Reduction Scheme</u>                                                                                                                                                                                                                                                                                                        | 25 - 32 |
| 8.  | <u>Amendment to the Constitution</u>                                                                                                                                                                                                                                                                                                       | 33 - 36 |
| 9.  | <u>Amendment to the Scheme of Delegation of Functions</u>                                                                                                                                                                                                                                                                                  | 37 - 38 |
| 10. | <u>Urgent items</u><br>To consider any item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency. |         |

Yours faithfully

**P A Jolley**

Assistant Chief Executive Legal and Regulatory Services

**Distribution:**

Councillors:

S Aspey  
M Butcher  
N Clarke  
HJ David  
G Davies  
GW Davies MBE  
PA Davies  
E Dodd  
DK Edwards  
L Ellis  
EP Foley  
CA Green  
M Gregory  
DM Hughes  
EM Hughes  
CJ James  
P James  
RM James

Councillors

RD Jenkins  
PN John  
B Jones  
CL Jones  
M Jones  
RC Jones  
DRW Lewis  
JE Lewis  
JR McCarthy  
HE Morgan  
LC Morgan  
MEJ Nott OBE  
AD Owen  
DG Owen  
G Phillips  
DR Pugh  
CE Rees  
CL Reeves

Councillors

M Reeves  
D Sage  
CE Smith  
JC Spanswick  
G Thomas  
M Thomas  
RL Thomas  
JH Tildesley MBE  
HJ Townsend  
E Venables  
KJ Watts  
C Westwood  
DBF White  
PJ White  
HM Williams  
R Williams  
M Winter  
RE Young

COUNCIL - MONDAY, 24 NOVEMBER 2014

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON MONDAY, 24 NOVEMBER 2014 AT 4.00 PM

## Present

Councillor G Thomas – Mayor and Chairperson

S Aspey	M Butcher	N Clarke	HJ David
G Davies	GW Davies MBE	PA Davies	E Dodd
DK Edwards	L Ellis	EP Foley	CA Green
M Gregory	EM Hughes	P James	RM James
RD Jenkins	B Jones	CL Jones	M Jones
RC Jones	DRW Lewis	JE Lewis	JR McCarthy
HE Morgan	LC Morgan	MEJ Nott OBE	AD Owen
G Phillips	CE Rees	CL Reeves	M Reeves
CE Smith	JC Spanswick	M Thomas	RL Thomas
JH Tildesley MBE	HJ Townsend	E Venables	KJ Watts
C Westwood	DBF White	PJ White	HM Williams
R Williams	M Winter	RE Young	

## Officers:

Darren Mepham	Chief Executive
Susan Cooper	Corporate Director - Wellbeing
Andrew Jolley	Assistant Chief Executive Legal and Regulatory Services & Monitoring Officer
Mark Shephard	Corporate Director - Communities
Ness Young	Corporate Director Resources and Section 151 Officer
Gary Jones	Head of Democratic Services (Electronic back-up)
Andrew Rees	Senior Democratic Services Officer Committees

## 426. APOLOGIES FOR ABSENCE

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

Councillor C J James - Unwell  
Councillor P N John – Unwell  
Councillor D Sage – In hospital  
Deborah McMillan – Corporate Director Children – Leave.

## 427. DECLARATIONS OF INTEREST

None.

## 428. WELSH GOVERNMENT'S WHITE PAPER REFORMING LOCAL GOVERNMENT - COUNCIL RESPONSE

The Chief Executive reported that a Welsh Government White Paper, *Reforming Local Government*, was published in July 2014 which broadly endorsed the Williams report – including a preferred option for council mergers that includes bringing BCBC and NPT together as a single authority. The Welsh Government subsequently published a document on 18 September 2014 entitled “*Invitation to Principal Local Authorities in Wales to submit proposals for voluntary merger*” enabling Councils to submit bids for voluntary mergers which would allow them to merge sooner than the Welsh Government’s legislative timetable otherwise provides for by inviting Initial Expressions

of Interest for voluntary mergers, with a deadline for the submission of the expression of interest being 28 November 2014.

The Chief Executive sought the view of Council on a response to the Welsh Government White Paper "Reforming Local Government". He stated that Cabinet at a Special meeting on 18 November 2014 had approved and recommended to Council that BCBC and the Vale of Glamorgan proceed to develop a joint expression of interest to merge voluntarily.

The Chief Executive reported that the Welsh Government in inviting expressions of interest had made it clear that the previous assumption that local government boundaries must follow existing health boundaries was not necessarily the only option and had encouraged expressions of interest in voluntary merger across health board boundaries where there was good reason to do so. He stated that this had created the opportunity to explore the merits and disadvantages of other options available to the Council. The Welsh Government would consider a merger of local authorities straddling the boundaries of Health Boards or police forces if it had made out an exceptional case for such a merger having clearly and comprehensively demonstrated that a merger would generate the benefits of reducing complexity, strengthening strategic and operational collaboration and improving integration of front-line services.

The Chief Executive reported that the Leader had entered into informal discussions with the leaders of neighbouring authorities based on merging to the east or to the west. An option of merging BCBC, the Vale of Glamorgan and Neath Port Talbot had been considered, however this presented a particular difficulty for this Council as it would straddle both East and West Wales and would not reduce the complexity of public services. He stated that an option of merging BCBC, Neath Port Talbot and Swansea was not fully supported by all authorities and therefore there were two potential merger options, namely, a merger with Neath Port Talbot or a merger with the Vale of Glamorgan. The Chief Executive informed Council that consideration had been given to an option of a merger with Rhondda Cynon Taff (RCT) with whom this Council shares a boundary, however the Williams Commission and the Welsh Government had indicated a likely merger of RCT with Merthyr Council, who share health board and Police Basic Command Unit boundaries and have a long history of collaboration. The Chief Executive stated that a merger with RCT would increase complexity and therefore this option had not been pursued. Discussions had focused on merging to the east or west based on the Council's existing or historic relationships. Council was requested to determine a preferred partner for Bridgend County Borough Council, and to consider whether it wished to submit an expression of interest in a voluntary merger, with an earlier timeframe.

The Chief Executive reported that Bridgend has a specific difficulty in that it straddles the South East and South West regions of Wales, with Bridgend historically being part of South East Wales and consequently has well established relationships and similarities with partners in that region. He stated that it also has relationships with Neath Port Talbot on some services, such as waste and health and the last reorganisation of health boundaries amalgamated the Bridgend Local Health Board into what is now Abertawe Bro Morgannwg University Health Board (ABMU) which in turn is part of the South West region. Consequently relationships had been formed and commitments made with the Council's Western Bay partners namely Neath Port Talbot and the City and County of Swansea and the ABMU Health Board. The Chief Executive informed Cabinet that Bridgend was unique in Wales in having to operate across two distinct regions, which brought inefficiency and strains on capacity.

The Chief Executive outlined the advantages and disadvantages of a merger to the east or to the west for major areas of service delivery. In relation to the economy and

development, Bridgend is part of the Cardiff City Region in terms of economic activity, housing markets and travel to work arrangements and is a vital link to the continuing development of the Bridgend area and the ability to influence and play a key role in inward investment. He stated that the Swansea City Region has a relatively minor influence on these factors in Bridgend and whilst Bridgend is actively involved with the Cardiff City Region it has had no involvement with the Swansea City Region. The Chief Executive informed Cabinet that the Vale of Glamorgan is entirely within the Cardiff City Region and also plays a key role in the economic prosperity of the region. He stated that Neath Port Talbot is predominantly within the Swansea City region and informed Cabinet that it was important to note that those boundaries are approximate and are a response to patterns of economic and social activity. In support of the city region concept, Bridgend is a part of the emerging regional planning framework for South East Wales, while a western merger would mean that new authority would straddle both city regions equally and could lead to the new authority being marginalised by both regions as experienced by BCBC now. A merger to the East would create a new authority that is almost wholly within the Cardiff City region and well placed to be influential.

The Chief Executive reported that Bridgend is part of the Central South Consortium (CSC) for education improvement along with Cardiff, the Vale of Glamorgan, Merthyr and RCT. He stated that improving educational achievement is a key priority, with BCBC typically attaining average results for Wales. Improvements had been recently seen as the Consortium's relationships with schools start to take effect. The Chief Executive informed Cabinet that Neath Port Talbot is part of the south west and mid Wales consortium along with Swansea, Carmarthenshire, Pembrokeshire, Ceredigion and Powys, known as ERW and unlike the CSC which has centrally pooled resources, the western consortium consists of paired authorities who mutually support each other on school improvement work in hubs, with Neath Port Talbot being in a hub with Swansea. A merger to the West would necessitate a change of consortium resulting in a loss of momentum; BCBC may be able to extract via TUPE some resources from CSC to come back in house to a new authority and although not a consideration for Bridgend, it would have a destabilising effect on the Central South Consortium. Conversely if NPT were to join the CSC it would have a destabilising effect on the South West and Mid Wales consortium. A merger to the East would have no impact on the current school improvement arrangements.

The Chief Executive reported that BCBC operates a distributed tertiary model for delivery of post 16 education whilst NPT have a tertiary model. Bringing the BCBC and NPT systems together would be problematic unless BCBC move towards the tertiary model, or NPT adopt the distributed tertiary model. Changing either model to harmonise is likely to be disruptive to ongoing school improvement. BCBC and the Vale of Glamorgan have similar schools systems to each other (including a distributed tertiary model for post 16 education) with schools typically achieving comparable results. The funding formula for schools is broadly similar and the two authorities have a number of educational partnerships outside of the consortia such as the Educational Psychology Service. A merger to the West would also create an authority that is responsible for two quite distinct education systems, although in the long term this could be harmonised but in the short to medium term would lead to inefficiency and incoherence with a risk that education improvement stalls or reverses. He stated that a merger to the East would have a lower risk to educational improvement due to less distraction or upheaval with the potential to slow down progress and there would be also be no requirement to reconcile different models of tertiary education.

The Chief Executive reported that Social Care in BCBC is split with adult social care delivered via the Wellbeing directorate and children's social care via the Children's directorate. Both the Vale of Glamorgan and Neath Port Talbot operate a combined social services model. He stated that there are strengths and weaknesses in the two

approaches and in whichever direction Bridgend merges, the new authority would need to decide which model to operate. Changing the model of operation would in itself bring some disruption, with a merger to the West or East merger, but this would need to be explored further as part of a wider discussion on all service delivery models whichever merger option is decided. He stated that BCBC is actively involved in service integration with the ABMU Health Board, which is responsible for the area covered by Swansea, Neath Port Talbot and BCBC known as Western Bay. Health and social care integration has been pursued by the four bodies working together in partnership and within that arrangement there are variations between the 3 local authority areas as ABMU operates many services on a locality basis, where most of the integration takes place. He stated that this would bring a degree of flexibility to the options for merger, and would not present a 'stumbling block' to a merger to the East. Some specific social care issues have started to move to a regionally shared model, which includes the regional safeguarding board and the regional adoption service, however these particular regionalisation projects had been driven by the Welsh Government who have chosen the health boundary footprints, rather than necessarily because of strong historic operational commonalities in the service areas. He stated that a western merger would allow the new authority to work alongside Swansea to continue the direction of travel already established by the Western Bay partnership and there would be less scope for reorganisation to disrupt progress on health and social care integration. He also stated that an eastern merger would create a new authority which straddled two health boards.

The Chief Executive also reported on the implications for other partners of the merger proposals in that Bridgend and the Vale of Glamorgan are in the same Basic Command Unit (BCU) for policing. The BCU boundaries reflect geography and also similarities in policing requirements, whilst Bridgend, the Vale of Glamorgan and South Wales Police are developing further proposals for collaboration in the operation of crime and disorder reduction partnerships. He stated that a merger with Neath Port Talbot would either mean that the new authority would operate across 2 BCUs or would require South Wales Police to reorganise the command structure.

The Chief Executive reported that the South Wales programme for health will be a key driver for the future patient flows, and will influence how primary, intermediate care and community services should best be organised in a coordinated way to support people in remaining independent in localities and the Princess of Wales Hospital is one of the 5 key hospitals in the network. It was recognised that there will be a greater patient flow across South Wales, both to the East and West, and the Plan sets out that the new networks will not match to the LHB footprint. Whilst the Princess of Wales Hospital is part of the South Wales central network, it would need to maintain links with the South west and West Wales network, working both East and West. It will maintain its key links with Cwm Taf and the Royal Glamorgan hospital, and will need to work closely with Prince Charles hospital and the University Hospital of Wales in Cardiff, while the Abertawe Bro Morgannwg Health Board continues to be the commissioning body for Bridgend residents. He stated that irrespective of the way BCBC merges there is a need to broker solutions that integrate working across health boundaries as well as within health boundaries. A merger to the West may result in less complex relationships between the new authority and health partners but conversely a merger to the East may present greater opportunities for that authority to drive and influence better join up of a health and social care economy that already works across the east / west boundary.

The Chief Executive informed Council the South Wales Fire and Rescue Service follows the South East Wales boundary and incorporates Bridgend County, joint working with the fire service was well developed on the policing and community safety footprints and the South Wales Police and South Wales Fire and Rescue services are in the process of co-locating their control centre in Bridgend. He stated that Swansea and Neath Port Talbot are served by the Mid and West Wales Fire and Rescue Service. A western

merger would result in the new authority being served by two fire authorities under the current arrangements or a requirement to change the Fire authority boundaries.

The Chief Executive reported on the implications of a merger on the 3<sup>rd</sup> sector in that it is extremely diverse following many boundaries. He stated that this Council funds BAVO which acts as a voice for the 3<sup>rd</sup> sector and which has historic links to the east. BAVO has also recently developed links with Neath Port Talbot and Swansea in order to work with the Western Bay partnership.

The Chief Executive summarised the effects of a merger on the harmonisation of council tax levels and reported on indicative figures for a band D property in BCBC, Vale of Glamorgan and Neath Port Talbot. He also reported on the impact on local authority reserves and on the need to harmonise pay, grading and conditions of service.

The Chief Executive reported that those Councils who agree to voluntary merger and whose proposal is accepted by the Welsh Government would merge two years ahead of compulsory merger and come into effect on 1 April 2018. If the Council did not to submit an Expression of Interest in Voluntary Merger, Local Government elections will take place in May 2017 and the new authorities would come into effect on 1 April 2020.

He stated that the Williams Commission had recommended that early candidates for voluntary merger be incentivised to do so and that the Welsh Government prospectus sets out the process and requirements for voluntary merger and refers to support that will be made available from the Welsh Government. He stated that the nature of that support is unclear but that the type of support required might include additional funding to support the merger process, including supporting the harmonisation of terms and conditions and tackling equal pay and pension arrangements.

The Chief Executive set out the suggested benefits of voluntary merger, which include a much shorter period of uncertainty for staff and communities; setting its own pace and the potential to gain greater freedom and autonomy two years earlier from April 2018. The Chief Executive informed Council that the Welsh Government had set out a default model that would see Bridgend merging with Neath and Port Talbot and that if the Council wished to merge with Neath Port Talbot then members may consider that there is no need to express an interest in voluntary merger since it would eventually happen by default as and when legislation was put into place. He stated that there were some indications that a merger of Swansea and Neath Port Talbot may be proposed with or without Bridgend and if this was the case then waiting to see what emerged may be counterproductive if this Council had a strong view on whether or not it wished to merge with both Swansea and Neath Port Talbot. He also stated that if the Council wished to merge with the Vale of Glamorgan then an expression of interest in voluntary merger was most probably required in order to clearly indicate that both councils are serious about that proposition.

The Chief Executive concluded that BCBC was currently required to operate across two distinct regions of Wales and to operate very complex partnership arrangements, which were not sustainable and which would become even less so as the Council responds to successive years of reduced funding. He stated that the proposals by Welsh Government to reduce the number of councils in Wales presented an opportunity to ensure that public service provision for the communities of Bridgend County is simplified and more effective. He informed Council that Bridgend has linkages with a number of public sector partners to both the east and the west, meaning that the choice of authority with whom to merge was not as clear cut as it may be in some other parts of Wales. Nevertheless the balance of benefits to the community would be achieved through a merger with the Vale of Glamorgan Council. In particular this would allow Bridgend to

continue to contribute to and benefit economically from the development of the Cardiff Capital City Region, maintain momentum in educational improvement and ensure the geographical alignment with the majority of other public services serving this area. Arrangements with the NHS would still be complex since a merged Vale of Glamorgan and Bridgend would be served by two Health Boards. He stated that a combined authority with the Vale of Glamorgan would still seek to work with other local authorities over a wider area and this would apply to both Cardiff City Council and other local authorities in the city region and with Neath Port Talbot and Swansea Councils with whom it would share a health board. The Chief Executive informed Council that any expression of interest in voluntary merger would need to be clear that progression to merger would be subject to the establishment of a sound and fully funded business case.

The Chief Executive reported on the financial implications in pursuing a merger and although the prospectus referred to support from the Welsh Government, it gave no commitment to provide any additional funding to meet the costs of merger. He added that the Welsh Government did not know its settlement beyond 2016-17 and was therefore not in a position to give such a commitment at this stage. The Chief Executive stated that the Council already had significant savings targets for the coming years and until a business case was developed there was no guarantee that a merger would deliver further recurrent savings. He explained that there was no provision in earmarked reserves or baseline budgets for the costs of merger and that therefore a decision to submit an Expression of Interest would need to be caveated by making it clear that a voluntary merger would only be pursued if a satisfactory business case can be constructed which would need to include assurances that the full costs of merger (such as pay harmonisation and council tax) could be funded. In addition, any merger would result in the need to harmonise funding as well as service delivery arrangements. The Chief Executive informed Council that planning and implementing a merger would require a dedicated programme team for the duration of the project as well as some external support and an expression of interest would clearly identify what support this authority would require from the Welsh Government in order to develop that expression of interest into a firm proposal and supported by a robust business case. He stated that there was a risk that the Council could be distracted from developing and delivering plans and projects which would enable the delivery of the £50m savings required in the Medium Term Financial Strategy.

A member of Council expressed concern at the proposal for a voluntary merger with the Vale of Glamorgan and considered that a merger to the west was more appropriate given the collaboration the Council has with Neath Port Talbot and Swansea Councils and the ABMU through the Western Bay partnership in social care. Another member of Council expressed concern at the impact on European funding on the area should the Council merge with the Vale of Glamorgan and questioned whether consultation had taken place with Town and Community Council on the proposal for a voluntary merger. The Chief Executive informed Council that European structural funds were allocated on programme boundaries known as NUTS 2 regions with Bridgend placed in the West Wales and Valleys programme and the Vale of Glamorgan in the East Wales programme. He stated that the Council was currently planning for the next programme of European funding with delivery expected to run to 2023 and is again split on an east and west basis. Irrespective of any future revised local government boundary changes European funding would continue on existing European funding boundaries in that the Council would be able to draw on funding from the West Wales and Valleys programme for those communities which remained in that area and similarly communities in the Vale of Glamorgan that are eligible for funding would continue to be able to draw on funding from the East Wales programme. The Chief Executive informed Council that if a further programme of European funding was established it was likely to run to 2030. The Chief Executive informed Council that there had been no formal consultation with Town and



Community Councils but they had been informed of developments including that of a voluntary merger and some had already expressed a view on the merger proposals. He stated that there would be a formal consultation with Town and Community Councils should the proposed voluntary merger be accepted by the Welsh Government.

A member expressed concern at the development of proposals for a voluntary merger being based on the concept of the Cardiff City Region which would be based on a macro structure where the Council only had limited representation on the City Region which would be at the expense of the ongoing social care collaboration in Western Bay. He stated that future local government services in this area should not be based on the City Region and that the Western Bay region should be developed as a future model of local government where services were being developed for an increasing elderly population with the health service. He believed that the argument in favour of a merger to the east due to the existence of a different model of sixth form education in the west and improvements being seen through the Central South Consortium which is an unelected body were irrelevant.

A member of Council questioned whether the ABMU had been consulted on the voluntary merger given that many residents living in communities in the west of the County Borough had historic links to the west in connection with health care services. The Chief Executive informed Council that initial discussions had taken place with the ABMU on the proposal at chief executive / leader level. ABMU had expressed a clear preference that local government boundaries be co-terminus with health board boundaries, but had expressed a willingness to work with a new council to the east. The Chief Executive commented that the Council remained committed to working with its partners in the Western Bay region and consultation would take place on the expression of interest document with the ABMU prior to its submission to the Welsh Government. The Chief Executive informed Council that there had been no consultation to date on the proposals for a voluntary merger with Trade Unions.

A member of Council believed that there was sufficient evidence in existence for a merger to the east due to the greater linkages BCBC has with public sector service providers to the east. Another member of Council commented that the amount of collaboration taking place to the east outweighed that taking place to the west and that the new council would continue to work with the ABMU to the west.

A member of Council commented that a decision on a merger had to be based on the basis of the City Region and that BCBC is already part of the prestigious Cardiff City Region. Another member of Council stated that the majority of residents who travel to work outside the County Borough travel to work to the east and north. A member of Council while supporting the expression of interest cautioned against spending large sums of money on developing a Business Case. The Chief Executive informed Members that the Council is looking to the Welsh Government to fund a Business Case for the voluntary merger.

A member of Council stated that the Welsh Government in inviting expressions of interest had expressed reluctance for mergers across health board boundaries.

A member of Council referred to the allocation of European funding in that a far larger proportion of funding had been allocated to the west programme as opposed to the east programme and that if a merger took place with the Vale of Glamorgan the new council would need to bid for funding from two programmes and that as funding was based on income would funding be eligible from 2 funds. The Chief Executive informed Council that the new council would be eligible to bid for funding from two streams as Bridgend would still be in the west programme.

A member commented on the draft expression of interest which referred to BCBC and the Vale of Glamorgan being similar areas in that both had a coastal heritage and villages but expressed concern that there had been no mention of the valley communities and that the Vale of Glamorgan had many affluent areas which may affect the availability of European funding. The Chief Executive informed Council that it was the view of the WLGA and Welsh Government that the European funding programme boundaries would continue and the existing programme boundaries would not be re-evaluated in the short to medium term.

The Leader informed Council that he believed that a case for an expression of interest in a voluntary merger with the Vale of Glamorgan Council had been made and hoped Council would support the proposal.

The Cabinet Member Strategic Change informed Council that he was proud to see the recommendation of an expression of interest in a voluntary merger with Vale of Glamorgan and that from the healthy, wealthy wise targets the economic case for a merger to the east had been made. He stated that if the Council was to merge to the east there was the possibility of European funding continuing for a longer timeframe which would assist in increasing economic development and that both areas' diversity would be strength.

A recorded Vote was taken at this point in the meeting, as a request had been made, which was duly seconded, to receive recorded votes on the proposal to BCBC and the Vale of Glamorgan proceed to develop a joint expression of interest to merge voluntarily and to submit this expression of interest to Welsh Government. For this procedure to proceed, at least one fifth of those Members present were required to vote in favour of this proposal.

The recorded vote was as follows:-

<b><u>FOR</u></b>	<b><u>Against</u></b>	<b><u>Abstain</u></b>	<b><u>Did Not Vote</u></b>
<u>Councillor</u>	<u>Councillor</u>	<u>Councillor</u>	<u>Councillor</u>
R D Jenkins	J E Lewis		G Thomas
M Thomas	D R W Lewis		
D K Edwards	G W Davies MBE		
R Young	M Jones		
H M Williams			
R C Jones			
A D Owen			
R Williams			
J R McCarthy			
D B F White			
C E Rees			
R M James			
M Winter			
E Venables			
L Ellis			
P James			
E M Hughes			
G Phillips			
H E Morgan			
P A Davies			
E P Foley			
E Dodd			

**COUNCIL - MONDAY, 24 NOVEMBER 2014**

M W Butcher  
S Aspey  
B Jones  
G Davies  
C Westwood  
M Reeves  
R Thomas  
C Reeves  
J C Spanswick  
C L Jones  
H J Townsend  
J H Tildesley MBE  
N Clarke  
C A Green  
K J Watts  
P J White  
H J David  
M E J Nott OBE  
M Gregory  
C E Smith  
L C Morgan

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A motion was made, which was duly seconded, that BCBC and the Vale of Glamorgan proceed to develop a joint expression of interest to merge voluntarily and to submit this expression of interest to Welsh Government by 28 November 2014.

The vote was as follows:

<b><u>FOR</u></b>	<b><u>Against</u></b>	<b><u>Abstain</u></b>	<b><u>Did Not Vote</u></b>
<u>Councillor</u>	<u>Councillor</u>	<u>Councillor</u>	<u>Councillor</u>
G Thomas	D K Edwards	M Jones	
J E Lewis	R M James		
D R W Lewis	L Ellis		
R D Jenkins	E M Hughes		
M Thomas	G Phillips		
R Young	G W Davies MBE		
H M Williams	R Thomas		
R C Jones			
A D Owen			
R Williams			
J R McCarthy			
D B F White			
C E Rees			
M Winter			
E Venables			
P James			
H E Morgan			
P A Davies			
E P Foley			
E Dodd			
M W Butcher			
S Aspey			

COUNCIL - MONDAY, 24 NOVEMBER 2014

B Jones  
G Davies  
C Westwood  
M Reeves  
C Reeves  
J C Spanswick  
C L Jones  
H J Townsend  
J H Tildesley MBE  
N Clarke  
C A Green  
K J Watts  
P J White  
H J David  
M E J Nott OBE  
M Gregory  
C E Smith  
L C Morgan

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RESOLVED:

That Council approve that BCBC and the Vale of Glamorgan proceed to develop a joint expression of interest to merge voluntarily and to submit this expression of interest to Welsh Government by 28 November 2014.

The meeting closed at 5.08pm.

MINUTES OF A MEETING OF BRIDGEND COUNTY BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 10 DECEMBER 2014 AT 3.00PM

Present:

Councillor G Thomas - Mayor and Chairperson

S Apsey	M Gregory	H E Morgan	R Thomas
M W Butcher	E M Hughes	M E J Nott OBE	J H Tildesley MBE
N Clarke	R M James	A D Owen	H J Townsend
H J David	P John	D G Owen	E Venables
G Davies	B Jones	D R Pugh	K J Watts
P A Davies	C L Jones	C Reeves	C Westwood
G W Davies MBE	R C Jones	M Reeves	D B F White
E Dodd	M Jones	C E Smith	H M Williams
D K Edwards	D R W Lewis	J C Spanswick	R Williams
E P Foley	J E Lewis	G Thomas	M Winter
C A Green	J R McCarthy	M Thomas	R E Young

Officers:

D Mepham	- Chief Executive
D McMillan	- Corporate Director - Children
M Shephard	- Corporate Director - Communities
N Young	- Corporate Director - Resources and Section 151 Officer
S Cooper	- Corporate Director - Wellbeing
P A Jolley	- Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer
K Watson	- Group Manager – Legal Services
G P Jones	- Head of Democratic Services (Electronic Support)
M A Galvin	- Senior Democratic Services Officer - Committees

429 APOLOGIES FOR ABSENCE

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

Councillor C L Jones	- Childcare commitments
Councillor C J James	- Hospital
Councillor P James	- Family commitments
Councillor R D Jenkins	- Unwell
Councillor L C Morgan	- Hospital appointment
Councillor G Phillips	- Recuperating
Councillor C E Rees	- Work commitments
Councillor D Sage	- In hospital
Councillor P J White	- Hospital appointment
Councillor P John	- Unwell

430 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of Council held on the 12 November 2014 were approved as a true and accurate record.

431 DECLARATIONS OF INTEREST

Councillor D B F White declared a personal interest in Agenda item 7 due to his wife being employed in the Business Support Section of the Wellbeing Directorate, which was presently being re-structured.

432 MAYORAL ANNOUNCEMENTS

The Mayor announced that he was sure that all Members would like to join him in sending best wishes to Councillor Clive James, who has been through a very tough time recently with his health, and that our thoughts were with him and Councillor Pauline James.

He pointed out that one of the events that Councillor James enjoyed the most last year was the Mayor's Citizenship Awards, and he was pleased to say that nominations are now open for this year's event which will be held in March 2015. Further details could be found in the latest Bridgemembers newsletter which Members should have all received today, so he asked them to please think about any charity champions, outstanding volunteers or remarkable citizens who Members may like to put forward for an award.

The Mayor stated that the talent of local school children never failed to impress him, and he was delighted to attend the launch of a new anti-bullying calendar at Heronsbridge School recently. The calendar featured drawings that had been created by pupils from across the County Borough, and was an excellent way of helping to spread the message among children that we need to stamp out bullying.

The Mayor stated that the Christmas season was fast approaching, and that he was enjoying the pleasure of attending several festive events. The Nearly Christmas Dinner was an excellent charity event hosted by First Minister Carwyn Jones at the Heronston Hotel last week, and he was looking forward to his charity Carol Service at St Mary's Nolton Church in Bridgend on Wednesday, 17 December. No tickets are required for the service, which will start at 7.00pm and he hoped other Members and Officers could attend this.

The Mayor finally announced that if Members had also not made any plans for this Saturday afternoon, then they were welcome to join him in Adare Street in Bridgend town centre for the annual Elf-steddfod event. Little helpers of all ages were invited to be there at 1.00pm for another attempt at the world record for gathering the most elves in one place. Each participant will be given an elf hat, but are asked to please wear a green or red jumper if possible.

Finally, the Mayor thanked Members for their support and wished them all a happy Christmas and a healthy New Year.

433 CABINET MEMBERS' ANNOUNCEMENTS

(1) Cabinet Member - Communities

In the absence of the Cabinet Member – Communities the Cabinet Member – Strategic Change presented his announcements.

He confirmed that the Cabinet Member - Communities welcomed the Minister of Natural Resources, Carl Sargeant, to Maesteg on 21 November, to officially launch the Bridgend Nature Keepers Project. This was an innovative project attracting new visitors to the County Borough that uses poetry, oak sculpture and digital technology to encourage people to experience the natural environment in Bridgend County Borough. The seven foot tall oak Keepers are the guardians of the story of the land. Inspired by, and building on the successful four Keepers installed at Bryngarw Country Park, an additional ten Keepers have been installed in green spaces across the County for visitors to discover. The project was 100% grant funded with resources from Capital Region Tourism and Natural Resources Wales. To find out more Members could view the video on the Bridgendbites

website or download the 'Dare to Discover' app. both available on both Apple and Android platforms.

The Cabinet Member - Communities stated that on Tuesday the 25 November, an event was held at the Civic Offices not only to mark the annual White Ribbon Campaign but to celebrate the Council's success in achieving 'White Ribbon Town Status' accreditation.

The White Ribbon Campaign is unique, in that it is led by men who are working to end violence against women. An action plan was submitted to White Ribbon which was subsequently approved in September 2014 and Councillor Hailey Townsend collected the White Ribbon Corporate Supporter status certificate for Bridgend County Borough Council presented by Carl Sargent at The Sennedd.

South Wales Fire and rescue Service kindly offered to pay the bi annual fee for 2014-2016 and South Wales Police have also kindly agreed to fund the same for 2016-2018. Four ambassadors have been appointed, Councillor David White; Rhys Webb (Ospreys and Wales International Rugby player); Chief Fire Officer Hugh Jakeway and Lee Jukes (local radio personality).

Key partners in the campaign against domestic abuse received 'Supporter Status' in recognition of their partnership work with Bridgend County Borough Council. These were:-

- Bridgend Women's Aid
- Victim Support
- Hafan Cymru
- South Wales Police Service
- South Wales Fire and Rescue Service
- Youth Offender Service
- ABMU Bridgend Locality Health
- Probation Service
- Community Rehabilitation Company

(2) Cabinet Member - Children and Young People

The Cabinet Member - Children and Young People congratulated Litchard Primary School on being one of the three best practice case studies highlighted by Estyn in a thematic report on numeracy in key stage 2 and 3. The case study has been published on the inspectorate's website. Estyn's recognition resulted in BBC Wales evening news programme.

The Cabinet Member - Children and Young People pointed out that another Bridgend school had been in the limelight of television, ITV Wales News were at Heronsbridge as the school was looking for public support to gain lottery funding for bike recycling scheme. The Heronsbridge Re-Cycles project, which sees run-down donated bikes restored and transformed by its older pupils, had been shortlisted for the ITV People's Millions Lottery Fund. The school was unsuccessful but the project continues to look for ways to secure funding to make it sustainable, it is a very exciting project that can offer vital employment skills and opportunities for young people with special educational needs that often struggle to gain work once they leave school.

The Cabinet Member - Children and Young People also congratulated Ysgol Bryn Castell pupil, Reggie Baldock, for winning the poem writing competition organised by the Central South Consortium. It was really pleasing that out of all the special schools in Bridgend, Cardiff, Rhondda Cynon Taff, the Vale of Glamorgan and Merthyr Tydfil that a 'Bridgend boy' had written the best poem in the category. All winners of the competition were invited to Cardiff City stadium to receive their award from the Minister but Reggie was too shy so we will be celebrating his win in a different way.

The Cabinet Member - Children and Young People stated that schools are continuing to volunteer to sign up to the new cashless school catering system. Online payments are much more convenient for parents and carers, and another benefit is that it significantly reduces the amount of administration work required in schools as they will not need to handle as much cash and cheques. It went live in Maes yr Haul last month and Newton last week with Abercerdin, Tondu and Coety Primary starting in the New Year.

The Cabinet Member - Children and Young People also congratulated Oldcastle Primary School for its accreditation as the 1<sup>st</sup> Every Child Counts in school in Wales. An intervention for children who struggle with mathematics. Funding was provided via the PDG and through a Communities First Grant including one to one specialised teaching of four lowest achieving pupils in Year 2.

The Cabinet Member - Children and Young People informed Members that following the flood of the Early Years Unit, the fires at Tremains Primary and Cwm Garw, a lightning bolt hit Llangynwyd School last week. Luckily no one was hurt or injured. Whilst there was some damage to the roof, due to the prompt action of staff, council officers and the fire service the school had been kept open.

The Cabinet Member - Children and Young People informed Members that Brackla Primary School had ridden to the top of the league of schools that were promoting active and sustainable travel among pupils. They had become the first primary school in the County Borough to achieve the Silver Mark Award from Sustrans.

He advised that Brackla pupils regularly travel to school on two wheels, and enjoy taking part in the weekly 'Bike It' club sessions and Wheelie Wednesdays, where anyone who cycles or scoots to school is entered into a raffle to stand a chance of winning a prize. Skills sessions have also been held so that the pupils can pick up riding tips, safety advice and learn about bike and scooter maintenance.

The Cabinet Member - Children and Young People added that providing they can do so safely, travelling to school by bike, scooter or on foot is a great way for pupils to keep fit, helps the environment and also saves on petrol cost for parents. Making active travel part of a child's routine from a young age can help instil positive habits for the rest of their lives, and the pupils and teachers at Brackla Primary School deserve credit for setting an excellent example.

The Cabinet Member - Children and Young People confirmed that as Bryntirion School Governors would know, the former youth wing at Bryntirion Comprehensive which had become very tired and was underused, has been transformed into a bright new Sixth Form Study Centre which was also a multiple use. It was officially opened by the First Minister last month.

### (3) Cabinet Member - Strategic Change

The Cabinet Member - Strategic Change stated that congratulations were due to Council Officers and Bridgend FM for the success of this year's Bridgend Retail Awards. This was the second year that they have been held and more than 6,000 members of the public went on-line to vote for their top traders, which went to show just how much they value their local shops. There were ten categories in the awards with three businesses shortlisted in each one.

The Cabinet Member - Strategic Change informed Members that he had recently met with the Porthcawl over-50s Forum, SHOUT, and was shown a list of seven schemes that they



are currently involved with. These included a proposed Samptampa memorial on the Porthcawl Esplanade and an upgrade to street furniture at Station Hill. He believed that these schemes had great potential for adding value to local regeneration matters, so he would be working with the group as much as possible as they developed.

The Cabinet Member - Strategic Change stated that following permission from the Welsh Government to assess the feasibility of establishing a Business Improvement District in Bridgend town centre, he was pleased to confirm that Stage One of the scheme has been approved. Local traders would now vote on whether they want to establish such a district within the town centre, which would set up a system where businesses could each put money into a pot and then use the fund as they see fit for the benefit of local trade. A business plan was under development and a ballot would be held next June, these were interesting developments, and he would keep Members updated regarding progress.

The Cabinet Member - Strategic Change finally informed Members that Santa had been particularly busy in the County Borough recently. His arrival in Bridgend town centre and the switching-on of the Christmas lights was really well attended, and thanks were due to colleagues at Bridgend Town Council for their help and support in organising this popular event. In Porthcawl, Santa visited a Christmas market which featured a unique snow globe that kept the crowds entertained, and in Maesteg the switching on of the lights was accompanied by an ice rink in New Market Square. Again, thanks to the town councils for helping make Christmas in the County Borough really memorable this year he added.

#### 434 CHIEF EXECUTIVE'S ANNOUNCEMENT

The Chief Executive updated Members on two recent developments. Firstly, he confirmed that Estyn had just completed an inspection of BCBC Children's Services.

They were not due to provide any formal response to the Authority until the New Year, but in the meantime, the Council had received some very positive informal feedback from them, particularly around improvements in educational performance. This was of course highly promising and he would be in a position to provide more specific details in January. The Chief Executive thanked everyone who met with the Estyn Inspectors as part of this process, for example Councillors, Cabinet Members, Head Teachers, Governors and Council Officers, as well as thanking Council for their support. Hopefully he added, further positive news would be available very soon.

The Chief Executive informed Members that he had just heard that Bridgend County Borough Council had won an APSE award in the category of 'Most Improved Performer for Building Cleaning'. The awards were based on factors such as cost, quality and productivity form part of the APSE Performance Network, which covers all local councils to offer the largest voluntary data benchmarking service in the United Kingdom. In other words, the APSE awards recognise local government services that provide taxpayers with best value for money, something which is more important than ever in the current climate.

The Chief Executive was sure Members would agree that this was good news, and that he would be contacting staff to congratulate them for their success.

#### 435 LEADER'S REPORT

The Leader announced that the Council had received some exiting news recently with confirmation that the Senior Open golf tournament was set to return to the County Borough. Following the successful staging of this highly prestigious event at the Royal Porthcawl Golf Club earlier in the year, organisers had announced that they want to bring the tournament back to Porthcawl in the summer of 2017. The most recent event drew huge crowd and praise from visitors and players alike. This was excellent news and a welcome boost for trade and tourism. He understood that the Royal Porthcawl would also host the Amateur

Championship in 2016, so it was great to see the area developing such a reputation for top quality golfing action.

The Leader also announced that he was sure that Members would join him in congratulating Bettws resident Paul Jenkins and Pencoed Comprehensive pupil Rhys Jones for their success at this year's Wales Sport Awards, which took place earlier in the week. Paul received 'Coach to Disabled People of the Year' in recognition of his work as a wheelchair rugby coach, which has included helping the British team take gold at the Incivtus games. Meanwhile, Rhys won 'Young Volunteer of the Year' for his involvement with a 'learn to cycle' scheme at Pencoed Primary and contributions at Bridgend Athletics Club where he acts as an assistant coach for the junior section. He also mentioned that Rhys, who is 16, works with the Council's Active Young People team as part of their leadership and Five by Sixty programmes. Paul and Rhys thoroughly deserved this recognition for the inspirational work within the County Borough.

Finally, the Leader stated that he was delighted to inform Members that Coleg Cynunedol y Dderwen, out £39m 'gateway to the valleys' school, has won the title of Project of the Year in the recent CLAW Sustainability Awards. The awards were launched in 2006 to promote and reward excellence in the field of sustainable development among Welsh local authorities, and anyone who has had the pleasure of touring Y Dderwen will know that the school is second to none in that department. Featuring a mix of low and zero carbon technologies, the school's carbon neutral biomass boiler, a solar hot water system, rainwater harvesting facilities and use of excess energy generated by the adjacent Ynysawdre Sports Centre have already helped it to achieve a five star 'outstanding' rating from sustainable building specialists BREEAM as well as a UK BREEAM Education Award. This latest accolade was a further tribute to the project team and contractors who have delivered this truly impressive landmark school, and marks a significant achievement in the ongoing school modernisation programme, too. Well done to everyone who had played a part in its success. The Leader then formally presented the project team and contractors with the CLAW Sustainability Award.

436 TO RECEIVE THE FOLLOWING QUESTION FOR THE EXECUTIVE

**Question from Councillor Cherie Jones to the Cabinet Member - Strategic Change.**

"A recent news report concerned a care home operator being fined £92,000 by HSE after a service user fell from a first floor window and died from the fall in 2010 at Brocastle Manor Care Home, Ewenny. The HSE investigation found the window restrictor use could be over-ridden. Hafod Care Association admitted a Health and Safety charge and also had to pay £100,000. Bridgend County Borough Council had contracts with Hafod Care Association for 2 services, Picton Court and Brocastle. Does this represent any risk to this Authority"?

**Response from the Cabinet Member - Strategic Change**

"This was a tragic accident that happened in 2010. Following the incident the Council held a multi-agency meeting to review the circumstances of the incident and Hafod Care gave assurances that the window restrictors had been updated. They subsequently provided written confirmation and verification that all the windows in their 15 Care Homes across Wales had been changed. The restrictors have been accepted by the Care and Social Services Inspectorate in Wales (CSSIW).

The Council holds contracts with Hafod who have two residential and nursing care homes in the Borough, one at Brocastle Manor, near Bridgend and the other at Picton Court, near Porthcawl.

Brocastle and Picton Court have modern facilities with each catering for up to around 80 individuals for residential, mental health and nursing care need.

Vacancies at Brocastle and Picton Court are filled quickly and the perception of the general population in Bridgend is that both services offer positive experiences for residents and demand for places is usually high.

### Quality and Evaluation

Bridgend County Borough Council and Abertawe Bro Morgannwg University have a joint contract for purchasing places with Hafod and this is due for renewal in March 2016. There is ongoing monitoring of this contract. Reviews by Social Workers and Nursing Assessors indicate that very good support is generally offered in the homes. As with all care settings, there are the odd low level issues at the home from time to time. Although in general the feedback is that both services offer good experiences for residents.

Earlier in the year, both Brocastle and Picton Court were visited by Members as part of the Council's ongoing rota visiting scheme. Members visiting had a very positive experience in the home with all comments being complimentary of the overall service offered. Examples of feedback from these visits were tabled at the meeting.

Officers from Adult Social Care's Contract Monitoring Team undertake announced and unannounced visit to observe the hands on support being offered or to respond to issues that may arise. Officers also visit to benchmark the services against the Council's Care Fees Quality Payment Scheme where feedback from staff, residents, their families and visiting officers collectively form the basis of a yearly score which gives an overall indication of how well support is offered in the homes. The exercise is currently ongoing for 2014/15 but indications from previous exercises indicate that, both services seem to score consistently above the overall average care home sector scores. From an adult safeguarding perspectives, both services have never been through the concerns process and although safeguarding concerns are occasionally raised, issues tend to be minor and isolated and do not form a wider pattern of poor quality or ongoing concern.

CSSIW have visited both homes this and felt that both services are well managed. Again they felt that issues did occasionally arise, although do not raise any significant concerns.

### Summary

The Council's Adult Social Care Directorate has longstanding contracts with Brocastle Manor and Picton Court, and commissioners regularly spot purchase beds in both homes. From commissioners and other stakeholders view point it is felt that Hafod deliver above average support in both homes and those who review both services agree that there are no significant concerns in the homes.

He concluded by stating that Hafod were a well respected organisation and that the Council wanted to continue working closely with them and other like organisations in future as it continued transforming services."

### **Supplementary question from Councillor Cherie Jones to the Cabinet Member – Strategic Change**

"The Member thanked the appropriate Cabinet Member for his comprehensive response. She was however, hoping for a corporate response across all care home establishments and not just the one operator. Her supplementary question therefore, was to ask whether this incident or the subsequent ruling by HSE, had caused review of all other similar

establishments within the Borough where we provide care facilities, including all service providers”?

**Further response from the Cabinet Member – Strategic Change**

“The Care and Social Services Inspectorate in Wales is responsible for the registration, regulation and inspection of Care Homes in Wales. As part of their standards, they take account of environmental factors.

The Local Authority monitors the Contract with the provider and this includes ensuring quality of care, as well as a number of other standards that we measure against. He added that all establishments across the sector whether these be in-house or commissioned, had appropriate window restrictors fitted.

Social Workers also monitored individual care plans he added.

As a result of the recent ruling, the Authority were writing to all providers within the Borough to draw their attention to the ruling and to request that they review what they currently have in place. There was also a providers Forum that met quarterly, and safeguarding was a standing agenda item. The recent ruling would also be raised at the next meeting.

The same will apply to the Council Owned Homes”

437 **DIRECTOR RESPONSIBILITIES - SOCIAL SERVICES, EDUCATION AND TRANSFORMATION**

The Chief Executive submitted a report, that sought approval for the proposal to realign the responsibilities of the Corporate Director – Wellbeing and the Corporate Director – Children. Namely that the former would assume line management of the Safeguarding Children Teams, and therefore become the Corporate Director – Social Services and Wellbeing, and that the Corporate Director – Children would assume overall responsibility for the Council’s transformation programme, and therefore become Corporate Director – Education and Transformation.

The report gave some background information, and confirmed that the above proposals had been put forward in order to address two key corporate concerns, firstly to drive the Council’s Transformation Agenda which comprised of major projects, the success of which was critical to the delivery of the Council’s Corporate Plan and MTFS.

A Transformation team would be established to both lead on and ensure delivery of the Projects.

The second concern explained the Chief Executive was to ensure to address clarity and conformity over Social Care professional leadership and accountability, and to give greater emphasis as to the consideration of children and adults at risk more holistically speaking.

The report highlighted the main changes anticipated in terms of service delivery as a result of implementation of the proposals, which would come into effect from 1 January 2015.

**RESOLVED:** That Council agreed:

- (1) For the Corporate Director – Wellbeing to assume line management of the Safeguarding Children Teams and therefore become the Corporate Director – Social Services and Wellbeing.
- (2) For the Corporate Director – Children to assume overall responsibility for the Council’s Transformation Programme and

therefore become the Corporate Director – Education and Transformation.

- (3) For the Corporate Project Management team to move from the HR service to report directly to the Corporate Director – Education and Transformation.

438 CAPITAL PROGRAMME 2014 -15 TO 2024 - 25

The Corporate Director – Resources submitted a report, in order to obtain from Council for a revised Capital Programme for 2014-15 to 2024-25.

The report gave some background information, and the Corporate Director – Resources then advised of a number of changes to the Capital Programme since it was approved by Council in July 2014. These were itemised in paragraph 4.1, whilst the Capital Programme was attached at Appendix 1 to the report.

She explained that the programme approved in July totalled £40.835m for 2014 -15. The position at the end of quarter 2 was £29.685m. The main reasons for the variance were highlighted in paragraph 4.2 of the report, including a number of new approvals that were sanctioned.

In terms of capital receipts, the Council had secured a total of £2.3m receipts during 2010-11 to 2013-14, and is anticipating securing £19.2m usable receipts between 2014-15 and 2017-18, £9.5m of which are ring-fenced for the 21<sup>st</sup> Century Schools Programme.

The Corporate Director – Resources stated that in addition, the Council has committed to match funding of £11.135m of school capital receipts and £2m of general capital receipts to the school modernisation programme.

She explained that there had been changes to some schemes which require Council approval in order to adjust or include them in the proposed Capital programme

These schemes were:

Strategic Regeneration Funding for EU Schemes  
Maximising Space and Technology  
Llynfi Valley Development  
Provision of a Playground at Ffordd yr Eglwys, North Cornelly  
Nantymoel Community Facilities

The Corporate Director – Resources confirmed that a revised capital programme allowing for the proposed changes along with anticipated slippage from 2013-14, additional external funding approvals and changes to expenditure profiles was attached at Appendix 2 to the report.

A Member noted from the Maximising Space and Technology scheme that a further £360k was required to address existing problems in the building which had emerged during the refurbishment, and to meet essential safety requirements on Level 1 that had been identified during the design phase.

He asked why these had not been accounted for in the original budget for the works.

The Corporate Director – Resources confirmed that primarily these were for further costs relating to the installation of electrical facilities on Level 4 that were needed to meet health and safety requirements, including further re-wiring works. Changes also needed to be

made to the design of the office so as to accommodate employees from Sunnyside offices which was being sold.

The tender price for the works had also come in higher than that which was originally budgeted for, due to other changes relating to the scope of the project, that included provision of alarms in interview rooms and special lighting equipment in rooms for employees who worked outside normal office hours. There had also been an extra cost for the harmonisation of 3 different card systems that were required.

**RESOLVED:** That Council approved the revisited Capital Programme, as set out in Appendix 2 to the report.

439 **INFORMATION REPORTS FOR NOTING**

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

**RESOLVED:** That Council acknowledged the publication of the documents listed in the report as follows:

<u>Title</u>	<u>Officer</u>	<u>Date Published</u>
Welsh Government's White Paper Reforming Local Government – Expression of interest for merger with the Vale of Glamorgan Council	Chief Executive	4 December 2014
Urgent Delegated Decision report	Monitoring Officer	4 December 2014

The meeting closed at 4.30pm.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

21 JANUARY 2015

#### REPORT OF THE CORPORATE DIRECTOR – RESOURCES

#### COUNCIL TAX REDUCTION SCHEME

##### **1. Purpose of Report**

- 1.1 The purpose of the report is to provide Council with information regarding the implementation of the 2015-16 Council Tax Reduction Scheme (CTR), the requirement to adopt a CTR scheme by 31 January 2015, together with the funding implications.

##### **2. Connection to Corporate Plan / Other Corporate Priority**

- 2.1 The Housing Benefits Service, which administers CTR, is a statutory service which supports our disadvantaged citizens.

##### **3. Background**

- 3.1 CTR provides assistance for those on low incomes with a liability to pay Council Tax.
- 3.2 The Welfare Reform Bill published in February 2011 detailed the Government's intention to localise the allocation and administration of Council Tax Benefit (CTB) from 2013-14.
- 3.3 The Government devolved to Welsh Government the establishment of localised schemes in Wales, and stated the intention to reduce expenditure on CTB by the equivalent of 10%.
- 3.4 The Welsh Government decided to develop a single nationally defined scheme set out in regulations for the provision of Council Tax support in Wales. The scheme also provided for a small number of discretionary elements which individual councils can choose to adopt; any additional associated costs were to be locally funded.
- 3.5 On 8 January 2014, the Council adopted the Council Tax Reduction Scheme for 2014-15 in accordance with The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013.

- 3.6 From the latest data, there are currently 14,898 households receiving CTR; 8,844 of these are of working age and 6,054 are of pensionable age. Out of the 14,898 households receiving CTR, 11,225 are entitled to full benefit.

#### **4. Current Situation**

##### **4.1 The Council Tax Reduction Scheme 2015-16**

- 4.2 The CTR Scheme in Wales is set by Regulations made under Schedule 1B of the Local Government Finance Act 1992 (as inserted by the Local Government Finance Act 2012).

- 4.3 On 20 November 2013, the Assembly passed regulations that implemented the arrangements to support those who will pay council tax. The Regulations (The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2013) prescribe the main features of the scheme to be adopted by all councils in Wales.

- 4.4 Minor amendments to these regulations were contained in The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014.

- 4.5 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015 have now been laid. Subject to approval by the Assembly, the figures used to calculate applicants' entitlement to CTR will be updated in line with Housing Benefit. These Regulations also incorporate additional amendments to reflect consequential changes related to social security benefits and other minor technical changes.

- 4.6 The new regulations do not contain any significant changes from the claimants' perspective to the current scheme, and the maximum level of support that eligible claimants can receive remains at 100%. The regulations can be found at <http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm>.

- 4.7 Within the Prescribed Requirements Regulations, there is limited discretion given to the Council to apply discretionary elements that are more generous than the national scheme. These are:

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they have previously been receiving CTR that is to end as a result of their return to work;
- Discretion to increase the amount of War Disablement Pensions and War Widows Pensions which is to be disregarded when calculating income of the claimant; and



- The ability to backdate the application of CTR with regard to late claims prior to the new standard period of three months before the claim.
- 4.8 It is required by the Prescribed Requirements Regulations that the Council adopts a CTR Scheme by 31 January 2015, regardless of whether it applies any of the discretionary elements. If the Council fails to make a scheme, then a default scheme shall apply under the provisions of the Default Scheme Regulations. The Council can only apply discretion if it makes its own scheme under the Prescribed Requirements Regulations.
- 4.9 **Consultation**
- 4.10 The 2015 amendment regulations removes the requirement for local authorities to publish a draft scheme and consult interested persons where a billing authority revises a scheme in consequence of amendments made to the Prescribed Requirement Regulations. The effect of this amendment is to remove the requirement for local authorities to consult in relation to changes made by Welsh Ministers (as opposed to the discretionary areas of the scheme), over which local authorities have no discretion.
- 4.11 Consultation on the Prescribed Requirement Regulations was undertaken in 2013 and the results detailed in the Corporate Director – Resources’ Council Tax Reduction report to Council on 8 January 2014. This report can be found at <http://www.bridgend.gov.uk/web/groups/public/documents/agenda/111742.hcsp>. As it is proposed not to change the discretionary elements, a further consultation exercise has not been completed.
- 4.12 It is proposed that the discretionary elements remain as follows:
- The extended payment period is maintained at the minimum standard of 4 weeks.
  - War Disablement Pensions and War Widows Pensions are fully disregarded when calculating entitlement to CTR. The estimated cost of this proposal is £18,500.
  - Backdating is extended beyond the minimum standard of 3 months, to a maximum of 6 months. The vast majority of backdates are awarded for less than a 3 month period and the estimated additional expenditure to backdate up-to 6 months is relatively small (£8,000). In order to receive backdated benefit, the claimant has to prove ‘good cause’ as to why they did not claim at the appropriate time. An example of ‘good cause’ can be the physical or mental illness of the claimant.

4.13 The total estimated cost to the Council for these proposals is £26,500 for 2015-16.

**4.14 Main Issues**

4.15 The Council is obliged to make a scheme under the requirements of the Prescribed Requirements Regulations notwithstanding the fact that a default scheme would come into effect even if the Council failed to make a scheme. The obligation is a statutory duty and applies even if the Council chose not to apply any of the discretions available to it.

4.16 The Council's recommended approach to the available discretions is to apply the recommendations in Table 1, paragraph 4.24. It should be noted that there are no additional monies available from the Welsh Government to fund the discretionary elements. The cost of funding the discretionary elements is estimated to be £26,500 for 2015-16.

4.17 The scheme must be administered by local authorities within a fixed budget. There will be significant difficulties adequately funding a service which is demand led with a fixed cost budget provision. The Welsh Government has confirmed there will be no additional funding to bridge any gap and each authority will be expected to meet any shortfall.

4.18 The Council continues to have powers to support hardship on an individual basis or in respect of a defined group. Such arrangements cannot, however, form part of the CTR Scheme itself.

**4.19 Adoption of the Council Tax Reduction Scheme**

4.20 The Council is required to adopt a scheme by 31 January 2015 under The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, regardless of whether it chooses to apply any of the discretionary elements. If the Council fails to make a scheme, then a default scheme will apply under the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2013.

4.21 It is recommended that the Council adopts:

- a Scheme under The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, which includes all the elements that must be included in the scheme, as set out in the Regulations; and with regard to the discretionary elements, includes the recommendations in Table 1 set out at Paragraph 4.24 below; and
- The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014; and
- The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015.

4.22 Part 5 of The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (Other matters that must be included in an Authority's Scheme) identifies which elements of the prescribed requirements of a scheme are minimum only requirements and in respect of which local authorities have an element of discretion.

4.23 The recommendation in relation to the available discretionary elements is contained in Table 1 below: and takes into account the following:

- The consultation responses received in 2013, in particular those relating to the discretionary elements,
- The current local scheme in relation to the treatment of War Disablement Pensions, War Widows Pensions and War Widowers Pensions for Housing Benefit and 2014-15 CTR scheme, which disregards these payments in full,
- The fixed funding available.

**4.24 Table 1 – Discretionary elements**

<b>Part 5 – Other matters that must be included in an authority's scheme</b>	<b>Prescribed Requirement Regulations (Minimum Requirements)</b>	<b>Recommended Details to be Adopted with regard to discretionary elements</b>
Ability to increase the standard extended reduction period of 4 weeks given to applicants where they have previously been receiving a council tax reduction that is to end, as they have ceased receiving qualifying benefits as a result of returning to work, increasing their hours of work, or receiving increased earnings. Regulation 32 (3) and Regulation 33 (3), paragraph (33) Schedule 1 and paragraph (35) and (40) Schedule 6.	4 weeks	<p>Pensioners: The 4 weeks period specified in paragraph (33) Schedule 1 will apply, and</p> <p>Non-pensioners: The 4 weeks period specified in paragraph (35) and (40) Schedule 6 will apply.</p>

<b>Part 5 – Other matters that must be included in an authority’s scheme</b>	<b>Prescribed Requirement Regulations (Minimum Requirements)</b>	<b>Recommended Details to be Adopted with regard to discretionary elements</b>
<p>Ability to backdate applications of CTR for The minimum requirements specified in the Regulations will apply periods longer than the standard period of 3 months before the claim is made. Regulation 34 (4) and Paragraph (3) and (4) of Schedule 13.</p>	<p>3 months</p>	<p>Pensioners: The period of 3 months specified in paragraph (3) Schedule 13 to be increased to 6 months,</p> <p>Non-pensioners: The period of 3 months specified in paragraph 4, Schedule 13 to be increased to 6 months.</p>
<p>Ability to disregard more than the statutory weekly £10 of income received in respect of War Disablement Pensions and War Widows Pensions and War Widowers Pensions (disregarded when calculating income of the applicant); Regulation 34 (5), Paragraphs 1(a) and 1(b) Schedule 4 and Paragraphs 20(a) and 20(b) of Schedule 9</p>	<p>£10</p>	<p>Pensioners: The total value of any pension specified in paragraph 1(a) and 1(b) Schedule 4 will be disregarded.</p> <p>Non-pensioners: The total value of any pension specified in paragraph 20(a) and 20(b) Schedule 9 will be disregarded.</p>

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

5.1 None.

## **6. Equality Impact Assessment**

6.1 An Equality Impact Assessment was completed for the 2013-14 CTR scheme and as the proposed scheme for 2015-16 does not contain any significant changes, a further Equality Impact Assessment has not been conducted.

6.2 The Welsh Government has undertaken a detailed regulatory impact assessment, which includes an equality impact assessment; the findings reported were in line with their expectations.

6.3 The Council undertook a consultation exercise in 2013 and this consultation assists the Council in satisfying the public sector equality duty in the Equality Act 2010.

## **7. Financial Implications**

7.1 The 2015-16 Final Local Government Settlement shows that the sum provided for CTR is at a lower level than 2014-15. Bridgend's 2015-16 final settlement from Welsh Government includes £12.551 million to fund the CTR scheme, down from £12.625 million in 2014-15; this amount does not take into account any increase in council tax charges or variations in caseload and is distributed on a fixed rather than a demand-led basis.

7.2 Any shortfall between the amount provided in the final settlement and the amount of CTR awarded, including any discretionary elements, will fall on the Council. Based on the current caseload the estimated cost of the scheme for 2015-16 is around £13.8 million. Recent indications are that there has been a reduction in caseload; however it is not certain that this will continue. Additional funding of £1 million to meet the full cost of the CTR scheme was included in the base budget as part of the Medium Term Financial Strategy 2014-15 to 2017-18 (MTFS). Additional funding has been provided as part of the MTFS 2015-16 to 2018-19 to meet demographic changes and changes arising as a result of the increase in council tax. This will be kept under review throughout MTFS period.

## **8. Recommendation**

8.1 It is recommended that Council:

- Note The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, and the 2014 and 2015 amendment regulations.
- Adopts the scheme, the details of which are given in paragraphs 4.19 to 4.24 of this report.

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## **Background Documents**

Welfare Reform Act 2012

<http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted>

Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=251458&ds=12/2013>

Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=251460&ds=12/2013>

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=252369&ds=12/2013>

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015

<http://www.assembly.wales/en/bus-home/Pages/Plenary.aspx?category=Laid%20Document>

Welsh Government's Council Tax Support in Wales – Equality Impact Assessment

<http://wales.gov.uk/topics/equality/inclusivepolicy/impactassessments/counciltaxsupporteia/;jsessionid=012F3517D43EA7A601706B7C4E3DDB0E?lang=en>

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

21 JANUARY 2015

### REPORT OF THE MONITORING OFFICER

#### AMENDMENT TO THE CONSTITUTION

##### 1. Purpose of Report.

- 1.1 The purpose of this report is to seek Council's approval of proposed amendments to the Constitution which reflect changes to the Council Procedure Rules and the recent realignment of responsibilities.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 The Corporate Management structure has a direct impact on the responsibility for and the delivery of the corporate themes.
- 2.2 The Constitution governs the operation of the Authority and thereby connects to the Corporate Improvement Plan and all Corporate Priorities.

##### 3. Background.

- 3.1 The Constitution is regularly reviewed to ensure that it remains fit for purpose.
- 3.2 On 10<sup>th</sup> December 2014, Council approved the proposal to realign the responsibilities of the Corporate Director – Wellbeing and the Corporate Director – Children. The new arrangements took effect from 1<sup>st</sup> January 2015 and therefore it is necessary to update the Constitution.

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

###### Realignment of responsibilities

- 4.1 It is proposed that the Constitution be amended accordingly to reflect that:
- the Corporate Director – Wellbeing is now the Corporate Director – Social Services and Wellbeing;
  - the Corporate Director – Children is now the Corporate Director – Education and Transformation;
  - the safeguarding and family support functions and responsibilities have now transferred to the Corporate Director – Social Services and Wellbeing.

###### Council Procedure Rules

- 4.2 The present wording of the Council Procedure Rules has caused confusion and it is therefore proposed that the Council Procedure Rules be amended as set out in italics and underlined in Appendix 1 of the report.

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

5.1 The Constitution governs the operation of the Authority and thereby has an effect upon the operation of the Policy Framework.

**6. Equality Impact Assessment.**

6.1 There are no equality implications.

**7. Financial Implications.**

7.1 There are no financial implications.

**8. Recommendations.**

8.1 Council is recommended to approve the amendments to the Constitution as set out in paragraph 4.1 and Appendix 1 of the report.

**P A Jolley**  
**Assistant Chief Executive Legal and Regulatory Services & Monitoring Officer**  
**January 2015**

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**Background documents:** None.



## PART 4 – RULES OF PROCEDURE

### Council Procedure Rules

#### 1 Annual Meeting of Council

##### 1.1 Timing

The annual meeting shall be held on the second Wednesday following the first Thursday in May.

##### 1.2 Business

The annual meeting will:

- (i) elect a person to preside and to exercise the powers of the Mayor at the meeting if the Mayor is not present;
- (ii) receive any declarations of interest from members;
- (iii) receive any announcements from the Mayor
- (iv) receive the report of the Leader
- (v) elect the Mayor, the Mayor announces their consort;
- (vi) appoint the Deputy Mayor, the Deputy Mayor announces their consort;
- (vii) receive any announcement from the newly elected Mayor;
- (viii) elect the Leader;
- (ix) agree the number of members to be appointed to the Cabinet;
- (x) ~~the Leader appoint members of the Cabinet;~~  
appoint the members of the Cabinet;
- (xi) ~~the Leader may announce the Deputy Leader from those members appointed by Council to the Cabinet and may announce the appointment of Cabinet members to portfolio;~~
- (xii) approve a programme of ordinary meetings for the municipal year.
- (xiii) appoint the overview and scrutiny committees and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions and:
  - (a) determine the size and terms of reference for those committees;
  - (b) determine the allocation of seats to political groups in accordance with the political balance rules;
  - (c) determine which political groups represented at Council are entitled to make which appointments of overview and scrutiny chairpersons;
  - (d) receive nominations of councillors to serve on each committee;
  - (e) appoint to those committees (and elect the chairpersons and vice chairpersons);
  - (f) where any overview and scrutiny chairperson appointments have not been made, determine how the unappointed chairpersons are to be appointed.
- (xiv) approve a programme of committee meetings for the period up to the end of the municipal year;
- (xvi) in a year of ordinary elections of councillors to the Council appoint the requisite number of elected Members to the Standards Committee;

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

21 JANUARY 2015

#### REPORT OF THE MONITORING OFFICER

#### AMENDMENT TO THE SCHEME OF DELEGATION OF FUNCTIONS

##### 1. Purpose of Report

1.1 To seek Council approval to amend the Scheme of Delegation of Functions.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority

2.1 The Scheme of Delegation of Functions provides the authority for Cabinet Members and Officers to undertake their respective duties. The scheme therefore directly affects the ability of the Authority to process the Corporate Improvement Plan and all Corporate Priorities.

##### 3. Background

3.1 The Council's Scheme of Delegation of Functions is regularly reviewed to ensure that it remains fit for purpose.

3.2 On 10<sup>th</sup> December 2014, Council approved the proposal to realign the responsibilities of the Corporate Director – Wellbeing and the Corporate Director – Children. The new arrangements took effect from 1<sup>st</sup> January 2015 and therefore it is necessary to update the Scheme of Delegation.

##### 4. Current situation / proposal

4.1 The Scheme of Delegation has been amended to reflect that:

- the Corporate Director – Wellbeing is now the Corporate Director – Social Services and Wellbeing;
- the Corporate Director – Children is now the Corporate Director – Education and Transformation;
- the safeguarding and family support functions and responsibilities have now transferred to the Corporate Director – Social Services and Wellbeing.

4.2 The roles of the Cabinet Members in Scheme A and B1 have not been changed. The Cabinet Members with consultation responsibilities for those delegated powers transferred within Scheme B1 from the Corporate Director Children to the Corporate Director – Social Services & Wellbeing will continue to be the responsibility of the Cabinet Member for children & Young People.

4.3 Whilst undertaking these amendments it was identified that some updating due to amendments to the Town and Country Planning Act 1990 is required to the current scheme and should be added and allocated to the Corporate Director – Communities.

4.4 It is proposed that a new paragraph 6.7 be added to the Council functions of Scheme B2 of the Scheme of Delegations as follows:

6.7	To authorise officers to enter land for the purposes set out in section 196A of the Town and Country Planning Act 1990.
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4.5 This amendment will require all the subsequent Cabinet functions from paragraphs 6.7 to 6.56 to be renumbered 6.8 to 6.57 accordingly.

## 5. Effect upon Policy Framework & Procedure Rules

5.1 The Scheme of Delegation of Functions will require amendment as shown above.

## 6. Equality Impact Assessment

6.1 There are no equality implications.

## 7. Financial Implications

7.1 None.

## 8. Recommendation

8.1 It is recommended that Council note the content of the report and approve the amendments to the Scheme of Delegation of Functions as set out in paragraphs 4.4 and 4.5.

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## Background Documents

None