

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:** Wednesday 11 March 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, 18 March 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 3 - 30  
To receive and confirm the minutes of meetings of Council dated 21 January and 25 February 2015
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) Members of the Cabinet
  - (iii) Chief Executive
5. To receive the report of the Leader
6. To receive the following question for the Leader/Members of the Executive

## **Question from Councillor M Jones to the Cabinet Member – Children and Young People**

“In light of a recent damning report by Louise Casey which found that Rotherham Council was not fit for purpose regarding its responsibility to protect children, could the Cabinet Member for Children and Young People please explain what we do to protect our children?”

- |     |  |         |
|-----|--|---------|
| 7.  | <u>Pay Policy Statement - 2015/16</u>  | 31 - 58 |
| 8.  | <u>Departure Planning Application P/14/763/FUL</u>   | 59 - 76 |
| 9.  | <u>Councillor David Sage</u>   | 77 - 78 |
| 10. | <u>Information Reports for Noting</u>  | 79 - 96 |
| 11. | <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 W Butcher  
N Clarke  
H J David  
G Davies  
P A Davies  
G W Davies MBE  
E Dodd  
D K Edwards  
L Ellis  
E P Foley  
C A Green  
M Gregory  
D M Hughes  
E M Hughes  
C J James  
P James  
R M James

#### Councillors

R D Jenkins  
P John  
B Jones  
C L Jones  
R C Jones  
M Jones  
D R W Lewis  
J E Lewis  
J R McCarthy  
H E Morgan  
L C Morgan  
M E J Nott OBE  
A D Owen  
D G Owen  
G Phillips  
D R Pugh  
C E Rees  
C Reeves

#### Councillors

M Reeves  
D Sage  
C E Smith  
J C Spanswick  
G Thomas  
M Thomas  
R Thomas  
J H Tildesley MBE  
H J Townsend  
E Venables  
K J Watts  
C Westwood  
D B F White  
P J White  
H M Williams  
R Williams  
M Winter  
R E Young

MINUTES OF A MEETING OF BRIDGEND COUNTY BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 21 JANUARY 2015 AT 3.00PM

Present:

Councillor G Thomas - Mayor and Chairperson

S Aspey	D Hughes	J E Lewis	C E Smith
M W Butcher	E M Hughes	L C Morgan	J C Spanswick
N Clarke	R M James	D R W Lewis	M Thomas
H J David	P John	J E Lewis	H J Townsend
G Davies	C L Jones	J R McCarthy	E Venables
P A Davies	R C Jones	H E Morgan	K J Watts
G W Davies MBE	M Jones	M E J Nott OBE	C Westwood
E Dodd	B Jones	A D Owen	D B F White
D K Edwards	R D Jenkins	D G Owen	P J White
E P Foley	C J James	D R Pugh	H M Williams
C A Green	P James	C Reeves	R Williams
M Gregory	D R W Lewis	M Reeves	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
G P Jones	- Head of Democratic Services (Electronic Support)
M A Galvin	- Senior Democratic Services Officer - Committees

440 APOLOGIES FOR ABSENCE

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

Councillor J H Tildesley	- Unwell
Councillor D Owen	- School governor duties
Councillor D Sage	- Hospital

441 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the following meetings of Council were approved as a true and accurate record:-

Extraordinary meeting – 24 November 2014  
 Ordinary meeting – 10 December 2014

442 DECLARATIONS OF INTEREST

The following Members declared a prejudicial interest in Agenda item 7, Council Tax Reduction Scheme, for the reasons so stated, and left the meeting whilst this item was being discussed:-

Councillor E Venables – Due to her mother being in receipt of Benefits

Councillor M W Butcher – Due to a member of her family being in receipt of Rate Relief

Councillor D B F White – Due to a member of his immediate family being supported through the Council Tax Reduction Scheme

Councillor C L Jones - Due to his mother-in-law being supported through the Council Tax Reduction Scheme

Councillor H Townsend – As she is supported through the Council Tax Reduction Scheme

Councillor G Thomas - As his ex-wife is being supported through Council Tax Reduction Scheme

443 MEMBER ANNOUNCEMENT

Former Mayor Councillor C J James on behalf of himself and Councillor P James extended his thanks to all Members and Officers for their encouraging words of support during the time of his illness.

444 MAYORAL ANNOUNCEMENTS

The Mayor announced that as this was the first Council meeting of 2015, he began by wishing Members a very Happy New Year. He hoped that they all enjoyed a peaceful and merry Christmas, and made the most of the festive season, which was particularly busy for himself and the Deputy Mayor as between us they had attended 58 events.

Just before Christmas, it was announced that the Community Chest grants scheme has invested more than one million pounds into grassroots sport in Bridgend County Borough since it began 15 years ago. A Sports Wales initiative which is run locally by the council's Active Young People team, and in that time the scheme has helped hundreds of local clubs, organisations and businesses to create opportunities for people to get active and live healthier lifestyles. The most recent beneficiary was Maesteg Golf Club, which received £1,500 to expand their junior section, purchase equipment and train volunteers. That investment has already paid off with the news that the young players have won the Welsh Inter Club County Championships and the Glamorgan County Championships for the first time in the club's history. I recently met with the young players to discuss their success, and found out that the club works hard with local primary schools to make the sport as accessible as possible. To pass the one million pound funding mark was a significant achievement for the Community Chest scheme. He stated though that he would urge more clubs, organisations and businesses to find out more about it, and Members may also want to bring it to the attention of their constituents, too. Further details can be found at the Sport Wales website or by contacting our Active Young People team.

Nominations for this year's Mayor's Citizenship Awards are set to close on Friday 30 January. He asked those present, that if they knew of an individual, group or business within your local community who deserve to be recognised for going the extra mile to help others, please consider putting them forward for one of the awards. Members could find out more by visiting the mayor's page at the corporate website, and winners will be announced and honoured at a mayoral event here at the Civic Offices in March.

Congratulations were also extended to the following who have been awarded New Year Honours:-

MVO was awarded to Mary Squire, Clerk to the Lord Lieutenant for Mid Glamorgan. MBE's were awarded to Mrs Jennifer Ann Morgan from Penyfael for services to Special Education and the community in Cardiff, and also to Mrs Shirley Rose Davies-Fox Chair of ISA Training in Bridgend for services to the Hairdressing Industry.

Finally, the British Empire medal was awarded to Mrs Karyl Carter from Stroke Association, Bridgend for services to Stroke Survivors.

445 CABINET MEMBERS' ANNOUNCEMENTS

(1) Cabinet Member - Communities

The Cabinet Member – Communities advised that, Members may recall recent incidents where people have reported becoming temporarily stuck in soft sand and mud while walking or exercising their dogs at Newton Beach in Porthcawl.

This is of course a common coastline feature, but due to the number of reports and media stories, the council has arranged for new signage to be erected alerting people to the issue and advising them to be aware. The signage which reads 'Caution: soft sand and mud' has been purchased by the authority and erected at the entrance to Newton Beach in partnership with the Porthcawl Powerboat and Ski Club using a metal post owned by the club. Newton Beach is a beautiful corner of the county borough, and the signage will hopefully help people avoid further difficulties.

Members may also want to remind their older constituents that people aged over 60 are entitled to a free concessionary bus pass. The council is currently publicising the scheme in an effort to boost take-up as relatively few eligible residents have applied to date.

We are fortunate in Wales to have such a scheme as it enables older people to travel for free at any time of the day. Applications for free concessionary bus passes can be made up to three weeks prior to a residents' 60th birthday. They have to be made in person here at the Civic Offices or at libraries and life centres in Aberkenfig, Maesteg, Ogmere Vale, Pencoed, Pontycymer, Porthcawl and Pyle.

Application forms can be downloaded from the council website and completed in advance, but you will need to bring along ID such as a birth certificate, passport, driving licence or pension book as well as a bank statement or utility bill as proof of address.

People with certain disabilities are also entitled to a free bus pass or a companion pass for when they require assistance to travel. Your constituents can find out more by contacting the Council directly on 643643.

He confirmed that Cyd Cymru was a Wales wide collective energy switching project led by Cardiff and the Vale of Glamorgan Councils. BCBC signed up to the scheme last year and promoted the financial benefits of the scheme, namely reduced energy bills, to County Borough residents. Many of the constituents accessed the scheme and were now enjoying typical savings of £185 per year on their energy bills. For every person that switches their energy tariff through the Cyd Cymru scheme, money is paid into a Community Fund which was then distributed to local authorities within Wales, based upon the percentage of people from each local authority that have switched with the scheme. Last year BCBC was awarded £670.74 from the fund which will be donated to the Mayor's Charity.

(2) Cabinet Member - Children and Young People

The Cabinet Member – Children and Young People advised that this year's Holocaust Memorial Day will commemorate both the 70th anniversary of the liberation of Auschwitz-Birkenau and the 20th anniversary of the Bosnian genocide, and the Council would be marking the event with the theme of 'keeping the memory alive'. On 23 January, a HMD ceremony will take place here in the Council Chamber. Students from Bridgend College will deliver a piece of performance art and there will be screenings of videos featuring survivors of the Bosnian genocide. A second, more schools-based event is also being planned which will feature the participation of Holocaust survivor Eva Clarke. Eva will be giving a talk about her experiences and take part in a Q&A session with pupils from Brynteg Comprehensive. The pupils will also read a poem that they have written especially for the

occasion and the event will climax with the planting of a tree and unveiling of a plaque, around which 'remembrance stones' will be set in place. These are sure to be very moving events and I am sure that Members will give them their full support he added.

Pupils at Trelales Primary are to be congratulated for picking up their third Green Flag award from Keep Wales Tidy. The flag has been presented to the school in recognition of its ongoing commitment towards saving electricity, encouraging recycling and being as 'green' as possible. Among the eco-ouches that can be found throughout the school include a greenhouse made from plastic bottles, composting facilities, bug hotels and a nature area. Achieving a Green Flag is the culmination of a lot of hard work and commitment to being as 'green' as possible, so well done to them all - special thanks are due to the school's eco committee, 'Bike it' crew and eco co-ordinator, Janet Fullstone.

He advised Members that the BBC has carried out some filming at Oldcastle Primary as part of a programme they are making about efforts to boost pupil numeracy levels across Wales. Oldcastle had experienced a lot of success with the 'Numbers Count' initiative and the BBC have decided to use the school as a case study, and this would be on BBC Wales news broadcasts throughout Wednesday 28 January.

He also had a hat-trick of good news about our Flying Start programme. First of all, he was very pleased that funding had been confirmed for the scheme to be expanded with a brand new setting at Garth Primary School in Maesteg. He also extended his congratulations to Victoria Owens, a Flying Start worker from Porthcawl who picked up the top prize in The Welsh Government's inaugural 'Stars In Their Lives' awards earlier this week. The awards recognise the valuable contribution hard-working Flying Start professionals make to people's lives and children's development, and Victoria was announced as the overall national winner, as well as the Cardiff and South East Wales regional winner.

Victoria was nominated by a new-mum for the invaluable support and advice she was given by Victoria to help get her new-born baby daughter to breastfeed successfully.

Finally, the Cabinet Member – Children and Young People congratulated the Flying Start health visitors, who had been praised by UNICEF UK for the excellent support they are providing to new mums and babies. The Flying Start team were part of the ABMU health visiting service, and have been accredited with the 'Baby Friendly Initiative Award' from UNICEF in recognition of the way they help parents to bond with their babies, and make informed decisions on how best to feed them. Flying Start was making a really positive impact on the health, wellbeing and parenting skills of families living in a number of our communities, and we are delighted that it is among the local health services to receive this international recognition.

Efforts to help narrow the gap between child poverty and educational achievement at Pencoed Comprehensive have been singled out for praise by the Wales Centre for Equity in Education.

The school has been put forward as a model of good practice and its One Thousand Club held up as a leading example of how to boost attendance and engagement with pupils.

Each child receives 500 points at the start of term and is encouraged to earn more by hitting targets, participating with classes, joining school clubs, undergoing regular assessments and more.

The scheme is sponsored by local businesses and there is a draw where pupils can win bikes, scooters, tablets, vouchers and other popular prizes.

Poverty can often be an obstacle towards doing well at school, but Pencoed Comprehensive has demonstrated ways in which this can be overcome and I would like to congratulate pupils, teachers, staff and governors for their hard work in achieving this.

(3) Cabinet Member - Wellbeing

The Cabinet Member – Wellbeing advised that pre- 2010, the Meals at Home vehicle base moved from Bryncethin depot to Pyle Life Centre, which was more secure and generated savings through a reduction in mileage and reduced travel time

In February 2010 a quality assurance audit was undertaken on the meals at Home service. The subsequent report identified that the service was not achieving:

- Value for money
- Flexibility
- Appropriate nutrition standards
- Variety of meal to suit all needs and wishes
- Services were not available seven days a week across the Borough
- Efficient payment processes

In February 2011, a Cabinet briefing was produced by Wellbeing proposing to introduce an invoicing system, extend the meal delivery to 7 days a week in all areas of the Borough, explore the option to transfer to catering services, and reduce the numbers of drivers on a van from two to one

The Cabinet Member – Wellbeing went on to state that in September 2011, the Meals at Home service was transferred to Catering services, as it was deemed to be better placed because of the catering expertise in preparing nutritious meals

Catering Services implemented a choice menu for the clients, and implemented the one driver per van initiative. At this time, Wellbeing only delivered to two areas of the Borough on weekends

From August 2012 the service was extended to all areas of the Borough on weekends and bank holidays

In April 2013, when Catering Services took over the service, there were 8 vans on the road daily. In April 2013, this was reduced to 7 vans on week days, 5 vans on weekends and 5/6 vans on bank holidays (dependant on uptake)

By way of summary, he confirmed that since transferring the Meals at Home service to BCBC's Catering Services, the following had taken place:

- A 7-day- a-week service is now delivered across the whole of the county
- Service users now have a greater menu choice
- There have been improvements in nutritional standards
- Price increases to service users are kept to a minimum (3.4% average annual increase)
- An effective and efficient payment process is now in place

Service users and meal costs

Date    Service Users    Cost per meal (£)

2010/11	325	£3.45
2011/12	318	£3.53 (+2.3%)
2012/13	275	£3.68 (+4.2%)
2013/14	260	£3.82 (+3.8%)
2014/15	246	£3.94 (+3.1%)

In terms of the current situation and existing service users, the Cabinet Member – Wellbeing explained that the

table below provides a breakdown of service users (in October 2014), by age and eligibility:

b. An evolving service – a strength-based approach

- Since January 2014, the Directorate has been developing a strengths based approach to assessment and review assessment
- In the last year, all 246 service users receiving Meals at Home have been individually reviewed. Alternative meal provision and local alternative solutions were explored with individuals, as well as the implications of any potential increase in cost
- We reviewed how we support people to regain their confidence and independence at home in our Community Resource Team, Enabling and Re-ablement services. The enabling programme teaches people how to heat and prepare frozen meals safely, and enables them to have choice and control over their meal, keeping them independent and more resilient
- Rather than refer people immediately for meals at home, the referral management centre has been engaging with people in strength-based conversations, discussing alternative ways of supporting people with food preparation by advising about accredited frozen meal providers and local community solutions.

c. Quality of service

In September 2014, a short 'service quality' survey was undertaken with existing service users. 185 questionnaires were sent out, to which there were 142 responses (77% response rate):

- 86% enjoy the current menu choice
- 90% are happy with the current delivery time
- 91% are happy with the temperature of their meal

He added that below are some additional comments made by service users when completing the survey:

"I am fully satisfied with the service provided – thank you"

"Thank you all for the kindness shown to me by your ladies, I could not manage without their help"

"Keep up the good work and thank you"

"No complaints, fully satisfied with the service"

"I have found the meals a big help – all ready and hot. The servers are always cheerful, helpful and appearance is immaculate – I look forward to their visit and also look forward to seeing what's on the menu – always a varied choice. Thank you"

d. Benchmarking

The Cabinet Member – Wellbeing proceeded by advising that in September 2013, all authorities in Wales were invited to participate in a benchmarking exercise:

- 10 of the 13 participating authorities provide a community meal service
- The service models for those who provide a service are very diverse, from full in-house provision (7 LAs) to a fully commissioned service from an independent provider (Apetito)
- Of the 3 authorities who do not provide a community meal service, all have arrangements in place to signpost to alternative arrangements i.e. Third Sector, Lunch Clubs or re-ablement



- Vale - Provide a traditional, in-house service
- Charge service users £4.10 a meal (2014/15)
  - No plans to review the community meals service in the near future
- NPT - Purchase meals and hire vans from Apetito – NPT staff deliver the meals
- Charge service users £4.00 a meal – plan to increase this to £4.50-£5.00 from April (TBC)
  - Under review – BCBC meeting with NPT in Jan 2015 to scope potential for joint working
- CCS - Do not provide a community meals service – sign-post to alternative arrangements

### 3. Moving forward

There are some immediate short-term solutions that will deliver savings against the MTFS in 2015/16, although there will be a shortfall which will be made up from elsewhere in the service:

Solution	Benefits/savings	Risks/costs
----------	------------------	-------------

#### Service efficiencies and potential small increase in charges

- |   |  |                        |
|---|--|------------------------|
| - Catering services continue to provide Meals at Home                                     |  |                        |
| - Review budgets & charges  |  |                        |
| - Reduce unit cost through service efficiencies   |  |                        |
| - Increase income via levy on tea-time service  |  | - No redundancy costs  |
| - Little impact on service users  |  |                        |
| - Little impact on staff  |  |                        |
| - Additional tea-time service   |  |                        |
| - 7-day service continued   |  |                        |
| - Full control of quality/nutrition   |  |                        |
| - Savings achieved in 2015/16   |  | - Increased meal costs |
| - Chilled meal on 1 day   |  |                        |
| - Up-front costs of £15,250 through identified corporate resources to adapt existing vans |  |                        |

A breakdown of the savings that could be achieved in 2015/16 was detailed below:

2015/16 MTFS Target £82,000

Description	Savings (£)
-------------	-------------

#### Service Efficiencies

- Reduce to 5 vans
  - Deliver 6 days a week – deliver one chilled meal to fulfil 7 days service
  - Provide an additional tea-time (sandwiches and cake) service
  - Reset base budget to reflect actual demand (54,000 meals per annum) & costs
  - Net effect is gross cost per meal reducing to £5.32 from £6.96, which would be the gross cost in 2015/16, based on existing costs & services £47,480
- Potential options for increases in charges
- Increase amount paid by service users for a meal:
- Increase meal cost by £0.30 (up 7.62%) rising to £4.24 per meal
  - Increase meal cost by £0.40 (up 10.16%) rising to £4.34 per meal
  - Increase meal cost by £0.50 (up 12.69%) rising to £4.44 per meal

£16,200

£21,600

£27,000

He concluded by stating that longer term decisions will need to be made in the future, in respect of alternative remodelling solutions to deliver the Meals at Home service.

The Cabinet Member – Wellbeing announced that he was pleased to confirm that following the appointment of a catering company, Bryngarw House will re-open its doors in spring 2015 as a venue for functions, conferencing, exclusive use weddings and other special occasions.

Members will be aware that the house will no longer operate as a restaurant and hotel, but is instead focusing its efforts on the special events market.

Leading South Wales caterer Five Star Chef, who already cater for venues such as Dyffryn Gardens, Caerphilly Castle and Penarth Pier Pavilion, have been awarded the contract to provide catering for events at the house. As part of the agreement, they will also be investing significantly in the venue as well as the wider works programme for the park over the next five years.

Refurbishment work to the function rooms is due to be completed by mid-February and the first public event will be a wedding fayre held at the end of that month.

More events are planned for both the park and the house, so look out for further details on this very soon.

(4) Cabinet Member – Resources

The Cabinet Member – Resources advised that Show Racism the Red Card is an educational charity that aims to combat racism through enabling role models, who are predominantly but not exclusively footballers.

It offers school workshops which are though provoking and covers such issues as racism against Muslims, Gypsy Travellers and Asylum Seekers. Show Racism the Red Card stresses the importance of peer respect through fun interactive activities.

On 11<sup>th</sup> February Show Racism the Red Card will facilitate an interactive workshop with elected members who sit on the Cabinet Committee – Equalities together with students from local schools. This workshop will serve as a pilot for consideration of arranging further workshops in Bridgend County Borough.

The Independent Remuneration Panel for Wales was holding a series of meetings across Wales to gather the views of elected members and officers. The Chair of the Democratic Services Committee and the Head of Democratic Services will therefore be attending a meeting on the 4th March to provide feedback on behalf of BCBC.

The Panel are particularly keen to receive views on members' access to ICT support, and the distribution of allowances within the cap. They have also asked for considerations on the Care allowance, for example any barriers that would prevent members claiming this element.

All representations on these or any other concerns should therefore be made to either Councillor Jeff Tildesley or Gary Jones prior to the meeting.

(5) Cabinet Member - Strategic Change

The Cabinet Member – Strategic Change stated that he was sure that Members will share his delight at the news that funding has become available which will help more people learn about Kenfig National Nature Reserve and preserve it for future generations.

The Council has been offered a grant from Natural Resources Wales which we will match from our rural development programme so that visitor information and interpretation at the reserve can be improved.

Kenfig offers one of the most fascinating sand dune and wetland habitats in Europe, and is popular with walkers, bird watchers, horse riders, photographers, dog walkers, orchid enthusiasts, surfers, runners, anglers, astronomers, holiday makers and more. We are also mindful of the need to strike a sensitive balance between attracting visitors and conserving the reserve's ecology (refer to video on Internet), so a key message will be to encourage responsible behaviour.

He hoped that these improvements will enhance people's visits to Kenfig National Nature Reserve, and help ensure that they can continue to enjoy this fantastic landscape.

He was also very impressed with the recent drop-in workshops organised by the Library and Information Service to help make elected members aware of the wide range of resources that are now available at local libraries. Staff were on hand to demonstrate how members of this very modern library service can benefit from ICT facilities and music, film and audio book resources. What was particularly impressive was the wide range of electronic information and materials that can be downloaded directly to your own mobile phone, tablet or other device, and anything from e-magazines and e-books to e-periodicals or e-audiobooks. Not only that, but he had been reliably informed that our libraries offer normal books, too!

The Cabinet Member – Strategic Change extended his thanks to the service for helping us to keep up to date with these latest developments in library services, and if any Member hasn't already done so, he strongly recommended giving them a go.

Finally, he wanted to share with Members information regarding new funding that has been announced for three exciting community projects.

Lesley Griffiths, The Minister for Communities and Tackling Poverty, has revealed that the charity Emmaus will receive £500k to provide high quality accommodation and support for homeless people in their first ever 'Emmaus Community' in Bridgend. The funding will help to transform lives and I know that the news will be particularly welcomed by Councillors David White and Jeff Tildesley, who are both closely involved with the charity.

The Minister also announced that the Porthcawl Harbourside Community Interest Company will receive around £300k for their project to further develop the town's harbour quarter. This is excellent news as the Council has provided the project with 'seedcorn' investment counted in officer time and tens of thousands of pounds which has helped the group to attract this funding. The proposed new water sports activities and education facilities for visitors and young people would be another positive step in the regeneration of Porthcawl, and I sincerely hope that the project will ultimately result in the successful delivery of a multi-million pound project for the area.

He was also pleased to pass on some excellent news about St John's House in Newcastle Hill, Bridgend. The historic grade two listed building has received a £60k development grant from the Heritage Lottery Fund which will help towards making it a local heritage hub.

#### 446 CHIEF EXECUTIVE'S ANNOUNCEMENT

The Chief Executive updated Members on the outcome of the recent Estyn inspection of our Children's Services.

As Members may recall, he mentioned in the December meeting of Council that we had received good informal feedback from Estyn, particularly with regards to improvements in educational performance.

Since then we have been provided with more specific details, and while he stressed that the report was still in draft form, he was pleased to be able to inform Council that the feedback we have received is highly positive.

The recommendations proposed to improve outcomes for learners, especially at Key Stages 2 and 3, had been addressed, by setting more robust targets and by strengthening the rigour and consistency in our challenge to schools.

He felt that the local authority had made great strides in tackling attendance rates in primary and secondary schools by continuing to develop joint working between education welfare and family engagement officers.

Estyn also found that we have improved the quality of information we provide to elected members so they can challenge the performance of our services and schools more robustly.

And we were also continuing to reduce the number of young people not in education, employment or training, by implementing key components of the Youth Engagement and Progression Framework, and working closely with our partners at Careers Wales and Job Centre Plus.

Again, the Chief Executive stressed that the report is still in draft form, and we would soon be hearing about it formally, but overall I think that we can be very proud about how far our Children's Services have come in the last two years.

Thanks were due to the Councillors, Cabinet Members, head teachers, governors, Council Officers and others who met with the Estyn inspectors as part of this process. Once we receive formal notification, the information will be cascaded more broadly and the findings would be publicised.

447 LEADER'S REPORT

The Leader advised that Members may be aware that the Development Control Committee recently resolved that no further coaling should be allowed to take place at the Margam opencast, and that the high water levels at the site require urgent action. The Committee also agreed to look at ways of making the site safe using existing restoration funds, and to organise a public meeting with Neath Port Talbot to bring everyone up to speed on joint efforts to deal with the problem. Both he and his fellow Cabinet Members fully supported the Committee's decisions, as the site has long been a major concern and he was aware that a lot of work had been taking place between Bridgend, Neath Port Talbot, the Welsh Government and Natural Resources Wales, to find a long term solution on this very difficult issue. There will be further updates about this as the situation develops and Members would be kept informed accordingly.

He confirmed that colleagues in health had advised that Wales is experiencing its highest flu levels in four years, and are urging people to do all that they can to help stop it from spreading further. Recent figures have shown that while not everyone with flu symptoms will visit their GP, more than 3,000 have already done so. It is important that anyone who is in an at-risk group such as the elderly, the very young, pregnant women or people with a chronic health condition makes sure they are vaccinated as soon as possible. Further advice is available from local GPs, and Members may want to share this information with their constituents.

Finally, the Leader stated that he was conscious of the fact that this was the first time Council had met since the tragic accident at Maesteg Comprehensive that resulted in the death of pupil Ashley Talbot. The loss of a pupil is always a sad affair, but especially so when it involves such sudden and tragic circumstances. This was a dreadful incident for all concerned, but Maesteg Comprehensive School had always been a strong, close-knit community, and pupils, teachers, staff and governors were continuing to support one another. A full investigation into the incident is underway and we as a Council we were continuing to provide support for the school. The leader extended his thanks the Council crisis team who responded so promptly, and acknowledged the many offers of support that we received from neighbouring Councils, organisations and individuals, all of which were greatly appreciated. Ashley was a popular child with lots of friends, and will be sadly missed. Our thoughts remain with family, friends and everyone who knew Ashley, and who has been affected by this tragic accident.

One of the local Members echoed the comments of the Leader and thanked the support of the school in response to the tragic accident, in that all that could have been done was done. The school and its teachers and pupils had also been supported and still were, in order that they could try and start to possibly come to terms with their very sad loss.

He wanted to say that his and the thoughts of many others, were extended to the teacher who had been directly involved in the accident, Chris Brookes, whose life had been so unfortunately shattered as a result of the accident.

448 TO RECEIVE THE FOLLOWING QUESTION FOR THE EXECUTIVE

**Question from Councillor Elaine Venables to the Cabinet Member – Children and Young People.**

On the 9th 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 time 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?

**Response from the Cabinet Member – Children and Young People**

In line with the All Wales Attendance Framework the roles and responsibilities of parents, school and the EWS are made clear. The Education Act 1996, Section 7, provides that a parent is responsible for ensuring their child attends school regularly and that a school under the Education (Pupil Registration) (Wales) Regulations 2010 is required to undertake a register twice a day, once in the morning and once in the afternoon to determine and record pupil attendance.

Also, under section 437 of the Education Act 1996, Local Authorities have a duty to ensure that a child for whom they are responsible is receiving suitable education either by regular school attendance or otherwise.

Under the Education (Pupil Registration) (Wales) Regulations 2010 schools have a discretionary power to grant leave for the purposes of a holiday. There is no automatic right to withdraw pupils from school for a holiday and in law parents have to apply for permission in advance. The Regulations state that only in exceptional cases should a pupil be granted more than 10 school days leave in any school year. Whilst Heads have this discretion, BCBC is advising schools to use their discretion to not authorise term time holidays except where exceptional circumstances apply. Such exceptions would include, but are not limited to, pupils whose parents are in the armed forces, in recognition of the Council's commitment to the Armed Forces Covenant

Bridgend County Borough Council's advice to Head teachers is to look at individual requests on a case by case basis and make decisions based on the individual circumstances of the case as the list of exceptional circumstances is not exhaustive. Holidays being cheaper in term time is not an exceptional circumstance. If the holiday is authorised then a FPN will not be requested.

Welsh Government guidance (All Wales Attendance Framework) clearly states that parents should not expect, or be led to expect, that schools will agree to family holidays in term time. Schools may need to remind parents of this and refer to their cluster attendance policy. When considering requests, a list of factors such as time of year, length and purpose of holiday, circumstances of family, overall attendance of the pupil, duration of the holiday and its impact on continuity of learning should be considered.

Where parents fail to apply for permission then this should result in an unauthorised holiday.

He reminded colleagues of the reasoning behind the requirement to introduce Fixed Penalty Notices. The reason for this was to improve school attendance figures in Wales, as it was well researched and evidenced that there was a link between attendance and attainment. For example, if a child was in school only 80% of the maximum time he/she could be, the chance of them attaining 5 GCSE's equated to just 20%. As their attendance improves their attainment in obtaining GCSE's improves and this is in line with regulations and the School Attendance Strategy. It was incumbent upon the Corporate Director - Children to feed information such as this to all headteachers and it was then up to them to make a decision regarding any application by parents for their children to be absent from school outside of statutory school holiday periods dependent upon each individual case. There are extreme exceptions that would allow for a child(ren) to be granted special leave, for example if their parent(s) were in the armed forces etc, and were due leave home for a specific period.

#### **Supplementary question (1) from Councillor Elaine Venables**

In paragraph 3 above, it says that BCBC advises headteachers to not authorise any term time holidays and then paragraph 4 of the reply goes on to say that requests should be decided on individual circumstances which may be an exceptional circumstance.

Therefore, BCBC's advice does not comply with the Welsh Government guidelines and regulations. As they categorically state that a term time holiday, regardless of exceptional circumstances, should be assessed on individual circumstances on a case by case basis.

She asked then, if BCBC as an Authority, will penalise headteachers and schools in any way, if they choose to follow Welsh Government guidelines and not BCBC advice.

#### **Response from Cabinet Member – Children and Young People and Corporate Director - Children**

The Cabinet Member – Children and Young People responded by saying that the key word here was advises, in that it was ultimately up to the headteacher in any school to make a decision as to whether a child should be granted special leave from school. Headteachers and their schools were judged through Estyn inspections on a number of key issues, and one of these was good attendance by pupils. As a local Authority, BCBC were responsible and legally required to ensure that pupils had a good school attendance record.

The Corporate Director – Children added that under 7.8 of the Council's School Attendance Strategy, there was a minimum of 10 unauthorised absence (5 school days) that could be granted to a child or young person. Bullet point 3. Of 7.8, stated that unauthorised absence could be taken due to a family having a term time holiday, ie when the duration of the holiday extends over the end of that statutory term holiday period.

Under the provisions of the Code of Conduct, she added that there needed to be a minimum of 10 days unauthorised absence from school before a Fixed Penalty Notice could be issued, though there were other instances where they could be issued aside of unauthorised absence.

**Supplementary question (2) from Councillor Cheryl Green**

There are concerns that families with lower incomes are going to bear the brunt of any possible issuing of Fixed Penalty Notices, in that the cost of a holiday in periods where there are statutory school holidays, especially the school summer holiday period, far exceeds the cost of the same holiday in term time. She asked if there was any evidence to suggest, that the children of families who take term time holidays away aren't so successful in terms of attainment academically speaking, as children whose families take time off in school holiday periods.

**Response from Cabinet Member – Children and Young People and Corporate Director – Children**

The Cabinet Member – Children and Young People advised that he had no information to hand to confirm this or otherwise, so he would endeavour to obtain a response to this question and forward this to the Member outside of the meeting. He was aware of the fact that there was a direct correlation between poor attendance at school and that young person's subsequent academic attainment. It was irrelevant he felt as to the reason for their absence, as if they are in school they are obviously learning. A week absence from school in term time was bound to have some detrimental effect on their attainment as they were then missing 35 hours of teaching, that was hard to catch-up on when they returned to school.

The Corporate Director – Children added that it was a statutory duty for children to attend school for the purpose of receiving education. There was a maximum of 190 days school time a year, and this left including weekends and school holiday periods, 175 days where children could be at home or away on family holidays. It was proven that 20 days absence from school a year, would have a big impact on a child's ability to aspire to reaching their maximum in terms of potential from an attainment perspective. She had some concerns over the fact that headteachers at some primary schools routinely authorised absence for children in term time, in that they could authorise up to a maximum of 10 days absence per year. Headteachers who allowed this to take place and for a number of different pupils, would however be then leaving themselves and the school open to having a poor assessment for attendance if they were then subject to an Inspection by Estyn. Schools were therefore monitored by the local authority so as to address any such problem should it occur. She emphasised the point that the issuing of Fixed Penalty Notices was seen as a last attempt to resolve problems such as continued absence from school in term time. Prior to that, meetings would take place with the family and the child to address any problem associated with a child's continued or regular absence.

**Supplementary question (3) from Councillor Della Hughes**

The Member referred to Section 7.8 of the School Attendance Strategy that was recently approved by Cabinet and that bullet point 3 of this section confirmed that Fixed Penalty Notices could be used for unauthorised absence due to a term time holiday, but it did not specify how many days should be taken in cases of this, before a Fixed Term Penalty would be issued. She added that the previous two bullet points in 7.8 stated the number of absences allowed ie minimum of 10 unauthorised absences (5 school days) in the current term, that do not need to be consecutive, and a minimum of 10 sessions of lateness after close of registration. She therefore asked, did this mean that a Fixed Penalty Notice could be issued if a parent took a child out of school for 1 or 2 days (eg if the family were going

away for the weekend), or should this bullet point state 10 sessions the same as the other two bullet points.

**Response from the Cabinet Member – Children and Young People**

The Cabinet Member – Children and Young People replied that it was 10 unauthorised absences as referred to in the other two bullet points in 7.8 and that this was illustrated in Section 6.1 of the Strategy.

449 COUNCIL TAX REDUCTION SCHEME

The Mayor having declared an interest in this item vacated the Chair, and the Deputy Mayor took the Chair in his place, for this item only.

The Corporate Director – Resources submitted a report, the purpose of which, was 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.

The report gave some background information, and confirmed that 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.

From the latest data, there were 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 were entitled to full benefit.

The CTR Scheme in Wales she explained, was set by Regulations made under Schedule 1B of the Local Government Finance Act 1992 (as inserted by the Local Government Finance Act 2012).

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015 had now been laid. Subject to approval by the Assembly, the figures used to calculate applicants' entitlement to CTR will be uprated 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.

The Corporate Director – Resources advised that within the Prescribed Requirements Regulations, there was limited discretion given to the Council to apply discretionary elements that are more generous than the national scheme. These were outlined in Paragraph 4.7 of the report.

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 was proposed not to change the discretionary elements, a further consultation exercise had not been completed.

The Corporate Director – Resources advised that it was proposed that the discretionary elements remain as those detailed in Paragraph 4.12 of the report.

The Council was 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.



In terms of the adoption of the Council Tax Reduction Scheme, the Corporate Director – Resources suggested that the Council adopts the provisions as shown in bullet point format included in Paragraph 4.21 of the report.

Paragraph 4.24 of the report detailed the recommended available discretionary elements of the Scheme, following which the Officer referred to the reports financial implications, which stated that the 2015-16 Final Local Government Settlement showed that the sum provided for CTR was at a lower level than 2014-15. Bridgend's 2015-16 final settlement from Welsh Government included £12.551m to fund the CTR scheme, down from £12.625m in 2014-15. This amount did 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.

RESOLVED: That Council:

- (1) Noted the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, and the 2014 and 2015 amendment regulations.
- (2) Adopted the Scheme, the details of which are given in paragraphs 4.19 to 4.24 of the report.

#### 450 AMENDMENT TO THE CONSTITUTION

The Monitoring Officer submitted a report, the purpose of which was to seek Council's approval of proposed amendments to the Constitution which reflected changes to the Council Procedure Rules and the recent realignment of responsibilities.

By way of background information, the Monitoring Officer advised that on 10 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 January 2015, and therefore, it was necessary to update the Constitution.

The realignment of responsibilities of both Corporate Director posts, the titles of which had also been amended, were shown in Paragraph 4.1 of the report. However, the Monitoring Officer explained that contrary to part of the provisions of this paragraph, the service area of Family Support would be aligned to the Corporate Director – Education and Transformation, whilst Safeguarding would fall under the remit of the Corporate Director – Social Services and Wellbeing.

In relation to the Council Procedure Rules, he explained that some of its present wording had caused confusion amongst certain Members, and due to this, it was proposed that part of this be amended as set out in italics and underlined in Appendix 1 to the report.

RESOLVED: That Council approved the amendments to the Constitution as set out in Paragraph 4.1 (subject to the suggested amendment above) and Appendix 1 of the report.

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

The Monitoring Officer presented a report, the purpose of which was to seek Council approval to amend the Scheme of Delegation of Functions.

He reiterated that Council had previously approved the proposal to realign the responsibilities of the Corporate Director – Wellbeing and the Corporate Director – Children, with the new arrangements taking effect from 1 January 2015. It was therefore necessary to update the Scheme of Delegation to reflect this.

The Monitoring Officer referred to Paragraph 4.1 of the report where reference was made to the changes proposed, ie with both the job titles being amended and some areas of their respective responsibilities, taking into consideration the amendment to part of their respective roles as referred to in the previous agenda item.

The Monitoring Officer then referred to the second part of the report, and the necessity for a further update, namely to add a new paragraph 6.7 to Scheme B2 of the Scheme of Delegation as shown in Paragraph 4.4 of the report. This was required in light of amendments to the Town and Country Planning Act 1990, with this further provision being allocated to the Corporate Director – Communities.

RESOLVED: That Council noted the content of the report and approved the amendments to the Scheme of Delegation of Functions as set out in Paragraphs 4.4 and 4.5 of the report:

The meeting closed at 4.30pm.

MINUTES OF A MEETING OF BRIDGEND COUNTY BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 25 FEBRUARY 2015 AT 3.00PM

Present:

Councillor G Thomas - Mayor and Chairperson

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

Officers:

D Mepham	- Chief Executive
R Davies	- Group Manager, Business Strategy and Performance
Z Shell	- Head of Neighbourhood Services
R Hemingway	- Head of Finance and ICT
N Young	- Corporate Director - Resources
J Davies	- Head of Adult Social Care
P A Jolley	- Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer
G P Jones	- Head of Democratic Services (Electronic Support)
M A Galvin	- Senior Democratic Services Officer - Committees

452 APOLOGIES FOR ABSENCE

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

Councillor S Apsey	- Work commitments
Councillor L Ellis	- Medical appointment
Councillor D Sage	- Hospital
M Shephard	- Work commitments
D McMillan	- Work commitments
S Cooper	Work commitments

453 DECLARATIONS OF INTEREST

None

454 CORPORATE PLAN FOR 2013-17

The Chief Executive presented a report, the purpose of which, was to present to Members of the Authorities reviewed Corporate Plan 2013-17 (attached at Appendix A to the report) for Council to consider and approve.

He confirmed that the Corporate Plan was annually reviewed and looked at delivering certain agreed commitments for 2015-16, and the latest review has concluded that the six improvement priorities outlined originally, were still relevant. These were shown in bullet point format in paragraph 4.2 of the report.

The Chief Executive added that the desired outcomes against priorities were the same as last year, however, the actions in order to deliver these had changed and reduced in number in order to ensure a clear focus on the areas that matter the most to County Borough citizens.

He added that the Council's Community Safety and Governance Overview and Scrutiny Committee scrutinised the reviewed improvement priorities, actions to deliver those priorities, and the commitments for 2015-16. The Committee invited all Scrutiny Chairpersons to this meeting, to ensure a corporate response to the consultation.

Of the comments and suggestions recommended by this Committee, all had been incorporated into the Plan added the Chief Executive, with the exception of one, which is, that the Committee suggested under the heading 'What do we want to achieve by 31 March 2017', it should state "we aim to" rather than "we will". The reason for not adopting this suggestion though, was due to the fact that the Local Government (Wales) Measure 2009 and the statutory guidance, require that improvement objectives "both describe the overall purpose and the scope of action to deliver it". The term 'Aim to', was deemed too broad to meet this requirement.

The Chief Executive advised that there were financial implications relating to the Corporate Plan despite this not being referenced to in the report, in that it was directly linked to the Medium Term Financial Strategy (MTFS).

A Member advised that a recent survey had been undertaken with members of the public in respect of local authority services, asking them if they were satisfied with what was being provided and the level of standard of such services. He added that only 50% of the public had confirmed they were happy with the services being provided by BCBC. He asked the Cabinet and Officers what was being done to address this issue through the Corporate Plan.

The Chief Executive confirmed that this survey had only recently been undertaken, after the Corporate Plan had been prepared and put together and shared with Overview and Scrutiny and considered by the Cabinet. Therefore, the provisions of the document would not include anything that responds to the survey so referred to, though the results of this survey would be examined by appropriate Officers.

A Member referred to pages 42, 43 and 46 of the Corporate Plan and Performance Indicators. He felt that in terms of increases and reductions shown in the target columns for the various Indicators so listed, there should be specific figures or percentages outlined there, even if these were just projections. The document he felt should also confirm as to whether or not specific targets in 2014-15 had been made met (or not) in all categories of PI's shown, and similarly for 2015-16, an indicator if targets set for this period were likely to be met or not.

The Chief Executive confirmed that the reflection of some PI information, ie those which have broader outcomes associated with them, were more vague in terms of figures and percentages of targets, due to the fact they were not specifically covered individually by BCBC, but pieces of work undertaken through a multi-agency arrangement of which this Authority were not necessarily leading upon.

A Member commended the proposal to invite Chairpersons of other Overview and Scrutiny Committees well as CMB being to a recent meeting of the Community Safety and Governance Overview and Scrutiny Committee to consider various Directorate Business

Plans. However, he was disappointed to see from page 42 of the Plan that there would be an increase in the poor condition of A, B and C roads in the future, due to continued austerity measures and the borrowing initiative from Welsh Government towards highway improvements now having ceased. With £1m further being cut from the Communities Directorate he was disappointed to say that conditions of roads that form the highway network would deteriorate in the future, due to there being no money available to continue these improvement works.

A Member referred to page 46 of the Plan and the visits to local authority Sport and Leisure Centres during the year to participate in physical activity, and asked why there was a projected reduction in visits targeted next year and the year after when compared to the total visitors current year. She also sought clarification that the number of visitors all visited for the purpose of participating in sports and social activities rather than any other reason.

The Chief Executive advised that he would find out the answer to this point and in turn provide this to the Member outside of the meeting.

RESOLVED: That Council approved and adopted the Corporate Plan 2013-17 reviewed for 2015-16 as shown at Appendix A to the report.

455 LEADER'S REPORT

The Leader gave his report as follows in respect to the next item on the agenda, ie the Medium Term Financial Strategy 2015-16 to 2018-19:-

“Colleagues will be fully aware of the events that have led us here today as we gather to consider the updated Medium Term Financial Strategy, or MTFs.

As you know, local government is facing a very challenging financial outlook.

Putting this strategy together has been an extremely demanding process, but it lays out how we intend to continue with our efforts to deliver high-quality services and achieve our targets and budget reductions for 2015-16.

The MTFs has once again been designed to reflect the priorities of our Corporate Plan – that is, to develop our local economy, raise aspirations and educational achievement, support children and their families, help people to live healthier lives, make better use of resources, and help vulnerable and older people to live independently for as long as possible.

We have already delivered huge reductions via the MTFs, internal efficiencies, collaborative projects, contract renegotiations and the potential transfer of specific services to partner organisations.

Nevertheless, we currently estimate that the authority still needs to identify budget reduction proposals of up to £49m over the next four years.

Faced with cuts of this magnitude, we all need to prepare for the fact that the council will not be in a position to provide the current level and range of services or jobs in future years, and that some particularly difficult decisions are still ahead of us.

While none of us like being in the position of being asked to endorse something that restricts spending or has an impact on council services, we do need to keep in mind the reality of the situation facing local government across Wales, and also the legal requirement for all councils to deliver balanced budgets for the year ahead.

Against this backdrop, I believe that the MTFs for 2015-16 is robust, fit-for-purpose and above all extremely realistic about the challenges that we face.

The 2015-16 revenue budget has been crafted to help us achieve our budget reduction target for the year, protect essential front-line services as far as possible and drive forward improvement in areas that local people feel are most important.

Incorporating a net budget of £252 million, a capital programme of £33 million and budget reductions of £11 million, it ensures that the council can meet all of its statutory responsibilities and reflects the priorities of the Welsh Government as well as UK economic and public expenditure plans.

As laid out in last year's discussions, a council tax increase of 4.8 per cent is reluctantly included in the proposals.

This is the equivalent of an extra £1.10 a week for a Band D property, and is necessary to ensure that the authority can continue to meet the needs of local residents.

Funding for highways and transportation repairs, housing renewal schemes, disabled facilities grants, regeneration initiatives and a range of community projects have all been prioritised in the strategy.

Extra funding for schools has also been provided by the Welsh Government as part of its commitment towards protecting school budgets across Wales.

I think it is important to acknowledge that local residents have played an important role in putting these proposals together by participating with a major public consultation exercise that incorporated a series of public workshops and a questionnaire that was made available in a variety of formats.

The consultation used an online 'budget simulator' tool to give people an insight into the budget setting process, including the potentially far-reaching implications of having to make budget reductions to specific council services, the authority's need to meet all of its statutory requirements and more.

The results of the consultation demonstrated that half of all participants believed they were already very aware of the council's financial situation, and highlighted some interesting issues.

For example, 64 per cent supported proposals to save £492,000 over three years by delivering library and cultural services through a not-for-profit trust, and more than one in three people thought that residents could help reduce demand on council services by taking on more personal responsibility.

All of the feedback has been reflected in the MTFs, and I would like to offer my thanks to everyone who took the time to pass on their views and help inform the 2015-16 budget.

This has not been an easy process, but then I don't believe that deciding where to prioritise council funding should ever be 'easy'.

We have considered all options very carefully to try and deliver the right balance, and I think that the MTFs before you today achieves this.

Despite the difficulties of the situation, I am still proud of Bridgend County Borough, and still ambitious for the people who live and work here.

The ways in which we provide services are changing to meet many of the challenges we now face, and it is widely accepted that public services across Wales are set to change further in future years, too.

This strategy equips us with the tools necessary to meet this change head on, and ensure that Bridgend County Borough continues to enjoy a sustainable, successful future.”

456 MEDIUM TERM FINANCIAL STRATEGY 2015-16 TO 2018-19

The Section 151 Officer submitted a report to present Council with the Medium Term Financial Strategy for the above period, to include a financial forecast for 2015-19, a detailed revenue budget for 2015-16 and a Capital Programme for 2015-16 to 20124-25.

She explained that the Corporate Plan and Medium Term Financial Strategy (MTFS) identify the Council’s service and resource priorities for the next four financial years.

The Section 151 Officer advised that the Council’s MTFS was set within the context of UK economic and public expenditure plans, Welsh Government priorities and legislative programme. The MTFS articulated how the Council planned to use its resources to support the achievement of its corporate priorities and statutory duties, including the management of financial pressures and risks over the next 4 years.

Paragraph 3.3 of the report then advised what the MTFS comprised of and the Section 151 Officer expanded upon this.

In terms of financial context, the Section 151 Officer advised that austerity was set to continue, and that in relation to the Welsh Government Final Local Government Settlement, after considering the additional funding of £10 million for social care in the settlement that has replaced funding previously provided in the form of a specific grant, the settlement equated to a -3.6% settlement on last year. This was a reduction of £134k on the Provisional Settlement..

The Section 151 Officer added that the settlement included extra funding to protect schools, which amounted to a 0.6% cash increase or £508k for BCBC.

With regard to Grant Transfers into the 2015-16 Revenue Settlement, there had been a number of transfers into and out of the final settlement for 2015-16, amounting to £298k for the Authority as shown in paragraph 3.9 of the report.

The next section of the report, gave details regarding the Regional Collaboration Fund (RCF)/Intermediate Care Fund (ICF), which confirmed that for 2015-16 £5m funding had been allocated by Welsh Government under the RCF to cover ongoing projects. This was a significant reduction in the £10m that had been estimated. Projects receiving funding have been asked to consider how they will reconfigure these to manage within revised reduced funding for 2015-16. There was no future funding in the Final Budget for the ICF which was £50m in 2014-15. However, Welsh Government had recently announced £20m of additional funding for the Health Service for 2015-16 to take forward projects funded by the Intermediate Care Fund in 2014-15

The Section 151 Officer then referred Members to paragraph 3.14 of the report and the in-year financial position of the Council as at 31 December 2014, and Table 1 reflected that there was a projected underspend of £297k. This was mainly due to the significant underspend in Legal and Regulatory Services, but the overall figure did mask a number of in-year budget pressures in Safeguarding and Family Support and Adult Social Care. The outturn assumed full implementation of the current year budget reduction requirements across the Council’s budget which amounted to £11.274m. Where proposals to meet this requirement had been delayed or were not achievable, Directorates had met their requirements using other measures such as vacancy management. The Section 151 Officer stated that the latest figures in respect of the outturn were indicating a forecast Directorate underspend of more than £750,000.

She then explained that the Council could not exceed its approved cash limit budget. As such fortuitous underspends in budgets will be applied to offset overspends on other budgets. In accordance with the Council's Financial Procedure Rules, at year end, consideration, will be given to requests from Directors to carry forward any planned Directorate underspends for specific purposes into the following year.

The Section 151 Officer then referred to the MTFs 2015-16 to 2018-19, the development of which, had taken into account Auditors' views and issues arising in 2014-15, underpinned by the ongoing aim to embed a culture of medium term financial planning, closely aligned with corporate planning.

She added that implementation of the MTFs would continue to be led by Cabinet and CMB, supported by financial and performance data, and that it widely understood by internal stakeholders and the general public where appropriate.

The next part of the report outlined the consultation process conducted as part of the MTFs, that included with the public, and that 443 responses had been received, reflecting that 50% of participants believed they were very aware of the current financial situation. In terms of being asked how they would manage the budget effectively going forward, their feedback regarding this was shown in paragraph 4.6 of the report.

The Section 151 Officer confirmed that there was majority support for introducing a charge for pest control, a parking charge for Blue Badge holders in our off-street car parks and for introducing a percentage charge for credit card payments made to the Council. 64% of respondents voted 'yes' to delivering libraries and cultural services through a not for profit trust. Over 1 in 3 (36%) believed that residents could help to reduce demand on the Council by taking more personal responsibility. This was also supported by other respondents suggesting a need for third party and/or voluntary/co-production collaboration and engagement.

In addition to the public consultation Members had participated in the planning process through the Budget Research and Evaluation Panel, Council briefings and a specific Members' budget workshop. The Town and Community Councils (TCC) and the third sector had also been engaged through the T&CC Forum and the Third Sector Review project. The Corporate Resources and Improvement Overview and Scrutiny Committee had summarised and collated observations and recommendations. Cabinet has provided a response to these recommendations which was attached to the report at Appendix M.

The Section 151 Officer then referred to paragraph 4.9 of the report, confirming that the principles of the MTFs were the same as they had been for the last few years, and these were itemised 1 -14 in this paragraph. Point 12 was subject to a slight change, with resources being allocated to deliver the Bridgend Change Programme based on clear strategic plans that are kept under review by Corporate Directors to maintain alignment with the MTFs.

With regard to the MTFs Resource Envelope, she explained that the MTFs planning assumptions for 2016-17, 2017-18 and 2018-19 are based on a reduction in AEF of -4.5% and an assumed increase in council tax of 4.5% each year. The 2015-16 AEF figure is -3.4% based on the published Final Settlement.

Paragraph 4.11 showed in Table 3 the MTFs Potential Net Budget Reduction Requirement with an estimated budget reduction for the next 4 years of £49m. The 2015-16 figures were based on the actual settlement, with a projection for the following 3 years.

The Section 151 officer then referred to the MTFs Net Budget Requirement of £252,201m outlined in Table 4 within paragraph 4.13 of the report. Appendix A showed the indicative budgets for the next four years based on the most likely scenario. This was built up based



on the assumptions in paragraph 4.12 of the report and predicted on the budget reduction requirement being met from Directorate and Corporate Budgets identified in Table 3.

The next section of the report ie in Table 5, showed the Risk Status of Budget Reduction Proposals 2015-16 to 2018-19 using the RAG formula, ie Red (proposals in development), Amber (Implementation Plans in Development) and Green (Implementation Plans in Place). Despite these proposals, there was still a shortfall against the forecast budget reduction requirement over the next four years of £9,458.000m.

Table 6 then showed Budget Reduction Proposals 2015-16 to 2018-19 by Category. The Section 151 Officer explained that these reductions were being proposed in such a way that the Council minimises the impact on frontline services.

All of the proposals have implications for the Council workforce given that 69% of the Council's net revenue budget relates to pay costs. It follows that annual real terms reductions in Council budgets over the next four years will lead to a reduced workforce over the MTF5 period. The intention is to manage such a reduction through the continuation of a recruitment freeze, redeployment, early retirements and voluntary redundancies, but some compulsory redundancies will continue to be necessary. The costs of redundancies will be significant and the Council will need to ensure there are sufficient funds in earmarked reserves to meet these one off costs.

The Section 151 Officer then explained about the Council's Risk Assessment which identifies the key corporate risks and mitigating actions is attached as Appendix L to the report. The main risks which have been taken into account in the preparation of the MTF5 are failure to use resources effectively and achieve the planned reductions target, the impact of welfare reform measures and local government reorganisation and increased support for vulnerable people, including children and their families. The local government reorganisation risk was correct, but references to the Vale of Glamorgan should be removed as the decision on which council BCBC will merge with, is still to be made.

Table 7 of the report then identified the Revenue Budget 2015-16 which totalled £252,201 million, which would be funded through Revenue Support Grant/Non Domestic Rates and Council Tax Income, with a proposal for a 4.8% increase for the latter based on an Average Band D property.

The Section 151 Officer then explained the composition of the budget in respect of Pay, Prices and Demographics, and in relation to Delegated School Budgets, she explained that this had been completely protected from the average 8.5% reductions that other Directorate have had to find. She said the 2015-16 budget provides an additional £508,000 to the schools' budget to meet the Welsh Government's 1% protection commitment.

During 2014-15 a number of unavoidable 2015-16 service budget pressures had arisen totalling £3.270 million, detailed in Appendix B to the report. These have been categorised into one-off pressures and more certain and recurring pressures. In total for 2015-16, the recurring pressures total £2.334 million. The one-off pressures total £936,000 and funding will be retained centrally and allocated to services to meet the cost of these pressures, should they arise during 2015-16.

The Section 151 Officer stated that Corporate budgets included funding for the Council tax reduction scheme, costs of financing capital expenditure, the unallocated inflation budget, a central contingency provision, discretionary rate relief, provision for redundancy related costs and the Carbon Reduction Commitment and Outcome Agreement Grant (OAG).

She added that generally, income from fees and charges will be increased by CPI (at the prevailing rate, currently 0.5%) plus 1%, subject to rounding, or in line with statutory or service requirements. Schedules of fees and charges will be reported separately, as usual, under Delegated Powers. New charges or charges that have been included above the

general increase are shown in Appendix D. A number of new charges are proposed as a consequence of the public consultation exercise.

Table 9 of the report then gave details of the 2015-16 Budget by Corporate Improvement Priority made up of Corporate Improvement Priorities and the Council's statutory obligations ie Core Business. This protocol together with the full details of the earmarked reserves could be found in Appendix G to the report. A summary of the General Fund and Usable Earmarked Reserves were shown in paragraph 4.38 of the report, while paragraph 4.39 outlined information in respect of the proposed Capital Programme for 2015-16 to 2024-25. The Capital Programme was shown in Appendix H to the report, while Table 10 reflected the Capital Programme by Improvement Priority.

The Section 151 Officer then shared with Members information on raising aspirations and improving educational achievement. This was an ambitious programme and it was essential that the planned capital receipts already committed and ring fenced from the sale of school sites to finance the programme are retained for this purpose.

Paragraph 4.44 of the report highlighted the projects that have been included in the Council's approved programme, but funding for each of these would not be confirmed until Welsh Government approved the final business case and sufficient capital receipts had been generated.

The Section 151 Officer then outlined details regarding the additional Capital funding that had been made available for the depot rationalisation project associated with the Parc Afon Ewenni programme, and the options that had been considered in terms of moving the depot from Waterton, near Bridgend.

She then referred to Capital Minor Works, and that the allocation for these proposed in 2015-16 remained at £1.1m. However, it was proposed to top slice the revenue budget by £50,000 in 2015-16, as in 2014-15, to fund prudential borrowing to the value of £500k to enable the Council to progress major packages of repair.

Table 11 of the report then outlined Current Fixed Annual Allocations of Capital Funding. Against the background of the reductions in capital funding, these annual allocations have been reviewed and those that were proposed for the 2015-16 Capital Programme were shown in paragraph 4.49 of the report.

The Section 151 Officer then advised of the Capital Financing Strategy which was underpinned by the Council's Treasury Management Strategy

She then explained that the Council estimates that around £19 million of capital receipts could be generated over the next three years, of which £6 million is expected to be realised in 2015-16. Of the £19 million, £9.5 million relates to school buildings vacated through the 21st Century Schools Programme, to be used as match funding for the programme. It also includes receipts anticipated from Glanogwr offices, industrial units, and the Waterton site along with the sale of other surplus sites within the County Borough. Receipts are subject to the exchange of contracts, so it is prudent not to commit them until we have a contractual agreement. However, the capital programme does assume £11 million of anticipated capital receipts from the sale of school sites as this was a Welsh Government requirement as part of the match funding for the 21st Century Schools Programme. Confirmation of these receipts will be required before contracts can be awarded for these projects.

The Section 151 Officer confirmed that Prudential Borrowing totalling £34.6 million was approved by Council on 27 February 2014. It was proposed that this borrowing be increased by a further £0.5 million to allow for additional capital minor works. In addition, the Welsh Government will be making funding available to meet the cost of the Council borrowing an additional £3.6 million in 2015-16 and 2016-17 towards the costs of the 21st

Century Schools Programme under the Local Government Borrowing Initiative. This will take the overall level of approved Prudential / Unsupported Borrowing to a minimum of £41.5 million by the end of 2016-17. This does not include the £2.5 million loan, from the Welsh Government Central Capital Retained Fund, to develop sites in the Llynfi Valley.

She then explained about the Council's Treasury Management Strategy 2015-16, and this was attached at Appendix K to the report. The indicators either summarised the expected activity or introduce limits upon the activity, reflect the underlying capital programme and provide assurance that capital investment decisions are affordable, prudent and sustainable.

In respect of paragraph 6 of the report, headed Equality Impact Assessment, the Section 151 Officer stated that a high level equality impact assessment (EIA) has been undertaken on the Council's budget proposals and updated MTFs (see Appendix J of the report). EIAs have been completed for individual 2015-16 proposed budget reduction proposals which may impact on certain groups of citizens within the County Borough.

The Section 151 Officer culminated her submission by confirming the financial implications of the report. The Council's Chief Financial Officer is required to report annually on the robustness of the level of reserves. The level of Council reserves is sufficient to protect the Council in light of unknown demands or emergencies and current funding levels. It must be emphasised that the biggest financial risks the Council is exposed to at the present time relate to realising unplanned budget reduction proposals in future years and the unknown impact of national legislative changes, further collaborations and local government re-organisation. Therefore, it is imperative that the council fund balance is kept at the current level over the term of the MTFs and essential that revenue service expenditure and capital expenditure is contained within the identified budgets.

The Chief Financial Officer is also required to report to Council if he/she does not believe that he/she has sufficient resource to discharge his/her role as required by Section 114 of the Local Government Act 1988. Members should note that there is sufficient resource to discharge this role.

The budget includes estimates which take into account circumstances and events which exist or are reasonably foreseeable at the time of preparing the budget. The budget has been prepared following consultation with Members, the School Budget Forum and service managers. Subject to the risks identified in the body of the report the MTFs provides a firm basis for managing the Council's resources for the year 2015-16 and beyond.

The Cabinet Member – Resources advised that the Council continues to face significant financial challenges over the next four years. He said that we were not alone in this, as Councils across Wales were having to make difficult decisions as a result of cuts imposed by the UK Government. For Bridgend this meant that for 2015-16 the Authority had to find savings of £11.225 million and increase council tax by 4.8% to deliver a balanced revenue budget. Over the four year period 2015 to 2019, it is estimated that savings of £49 million will be needed.

He stressed that the Authority had undertaken an extensive public consultation on the budget, and the budget reduction proposals presented in the MTFs were in line with the responses that the Council received. We had tried to limit the impact of budget reductions on our citizens by developing rigorously pursuing efficiency measures, but the level of cuts are such that there will be an impact on the level and range of services the Council could provide in the next period.

The MTFs also included a Corporate Risk Assessment, Capital Programme and Treasury Management Strategy, all of which have been developed in line with BCBC's corporate improvement priorities and the principles that govern its MTFs.

A Member made the point that Council were being asked to approve this year's MTFS on what had been agreed up to the present time in accordance with Table 7 contained within the report. However, she asked if there were overspends or underspends in what has been agreed in relation to the allocation of budgets to each Directorate at the year end, how would this be managed. For example, would this require a further report being submitted to Council to amend proposals previously agreed upon.

The Section 151 Officer advised that any such adjustments would be accounted for in the year-end Financial Outturn and the Financial Statement of the Authority which would firstly be considered by the Audit Committee and then referred on to Council for information.

A Member referred to page 82 of Appendix C to the report and Schools SCH2 and a proposed reduction in Schools budget for 2016-17 amounting to £750k. She asked what this was in respect of.

The Group Manager – Business Strategy and Performance advised that this was anticipated in respect of a budget reduction for Nursery provision.

Members then voted whether or not to conduct a recorded vote on the proposals contained within the report's recommendations and this was agreed by way of an electronic vote.

A recorded vote was then undertaken, the result of which was as follows:-

<b><u>For</u></b>	<b><u>Abstain</u></b>	<b><u>Did not vote</u></b>
C J James	G Davies	G Thomas
R D Jenkins	E Venables	B Jones
M Thomas	D M Hughes	
D K Edwards	N Clarke	2
R E Young	C A Green	
H M Williams	K Watts	
R C Jones		
R Williams	6	
J R McCarthy		
D B F White		
C E Rees		
R M James		
M Winter		
D G Owen		
D R Pugh		
D R W Lewis		
J E Lewis		
P James		
E M Hughes		
G Phillips		
G W Davies MBE		
P John		
H E Morgan		
P A Davies		
E P Foley		
E M Dodd		
M W Butcher		
M Jones		
C Westwood		
M Reeves		
R Thomas		
C Reeves		
J C Spanswick		

C L Jones  
H J Townsend  
J H Tildesley MBE  
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 approved the MTFS 2015-16 to 2018-19, including the 2015-16 Revenue Budget, the Capital Programme 2015-16 to 2024-25 and the Treasury Management Strategy 2015-16, and in particular, it approved the following specific elements:

- The MTFS 2015-16 to 2018-19
- The Net Budget Requirement of £252,201,218 in 2015-16.
- A Band D Council Tax for Bridgend County Borough Council of £1249.07 for 2015-16.
- The 2015-16 budgets as allocated in accordance with Table 7 in paragraph 4.25.
- The Capital Programme 2015-16 to 2024-25 (Appendix H).
- The Treasury Management Strategy 2015-16 and Treasury Management and Prudential Indicators 2015-16 to 2018-19 (Appendix K).

457 2015-16 COUNCIL TAX

The Head of Finance and ICT presented a report, the purpose of which, was to provide Council with details of the Council Tax requirements of the Police and Crime Commissioner for South Wales and Community/Town Councils.

He advised that the Table shown in Paragraph 4.1 gave details of the approved Budget for 2015-16 Budget, while paragraph 4.2 showed the average County Borough Council Tax, including for Council Tax Base Band D equivalents.

The Head of Finance and ICT, advised that the Police & Crime Commissioner for South Wales had notified the Council that their precept for the financial year ending 31 March 2016 will rise to £10,207,008 which equates to a Council Tax of £199.86 on a Band D property, a 5% increase. The 2015-16 precept was confirmed by the South Wales Police and Crime Panel on 30 January 2015.

He confirmed that the Council, as the billing Authority, was required to formally approve the Council Tax for its area. This required to be set to meet the net budget requirement of the Council and its precepting authorities and was set out in the Table in paragraph 4.4 of the report.

The Head of Finance and ICT added that the Council was also required to approve the following Council Tax charges for Band D properties for the chargeable financial year beginning 1 April for each of the community areas which were shown in the Table in paragraph 4.5 of the report. All calculations shown were for a Band D equivalent property.

The resulting charges for each Band were reproduced in Appendix A to the report.

RESOLVED:

That Council:

- i) Approved the Council Tax for Bridgend County Borough Council of £1,249.07 for 2015-16, and the Council Tax for the area outlined in Paragraph 4.4.
- ii) Approved the Council Tax charges for Band D properties for 2015-16 for each of the community areas as outlined in Paragraph 4.5.

The meeting closed at 3.15pm.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

18 MARCH 2015

### REPORT OF THE CABINET MEMBER - RESOURCES

#### PAY POLICY STATEMENT – 2015/16

**Any recommendation expressed in this report reflects only the preliminary view of Cabinet. Where the Cabinet Members participate in the decision making process they will not make a final determination on this matter without consideration of the debate and any other relevant matter.**

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

- 1.1.1 This report confirms that the Council is meeting its legal obligation following the Localism Act 2011.
- 1.1.2 The report has been prepared and written by the Chief Executive who is not directly affected by the content of the report as the pay negotiations in respect of Chief Executives' pay are on-going.
- 1.1.3 This Pay Policy statement provides an accurate summary of the Council's policy for the purposes of publication under the Localism Act. Council is not being asked to agree to a new or changed aspect of policy or take any decision that would impact directly upon the terms and / or conditions of the Chief Executive. This policy is not specifically about the author in an individual capacity otherwise than in a way that is commensurate with all staff within the Authority.

#### **2. Connection to Corporate Improvement Objectives/Other Corporate Priorities.**

- 2.1 None.

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

- 3.1 The Localism Act 2011 requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement beginning 2012/13 and for each financial year thereafter.
- 3.2 Council has already fulfilled its obligations, as required by Section 39(1) Localism Act 2011, and the first Pay Policy Statement came into effect on 1<sup>st</sup> April 2012 with the subsequent Pay Policy Statements being published on 1<sup>st</sup> April 2013, 13<sup>th</sup> November 2013 and 17<sup>th</sup> September 2014.

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

- 4.1 The updated Pay Policy Statement for the Council for the year 2015/16 is attached as Appendix A.

- 4.2 This Pay Policy Statement is fully compliant with the Localism Act 2011.
- 4.3 There have been some national pay-related developments since the last Pay Policy statement:
- 4.3.1 Agreement was reached in respect of the NJC pay negotiations at the end of 2014 and this award, effective from 01.01.15 – 31.03.16 has been implemented.
- 4.3.2 Agreement was reached in respect of the JNC pay negotiations in early February 2015 with an award effective from 01.01.15 to 31.03.16 applicable only to those Chief Officers on a guaranteed FTE basic salary of £99,999 or less as at 31.12.14.
- 4.4 There has been no conclusion to the pay negotiations in respect of Chief Executives and those employed on and JNC Youth & Community Worker terms and conditions and therefore this pay policy statement may need updating when these negotiations have concluded.
- 4.5 The current Redundancy and Redeployment policy is attached to the Pay Policy Statement as required.
- 4.6 One significant change for Council's attention is the Welsh Government's amendment to the Local Authorities (Standing Orders) (Wales) Regulations 2006 effective from 1<sup>st</sup> July 2014 which introduced a new requirement
- “The relevant authority must determine the level, and any change in the level, of the remuneration to be paid to a chief officer”
- 4.7 The impact of this amendment is that all changes to chief officer pay must be voted upon by full Council, not just those changes which are determined locally. The amendment means that pay rises which have been nationally negotiated in respect of JNC Officers cannot be paid unless and until they have been agreed by full Council.
- 4.8 The Chief Officers employed in this Council are employed under JNC terms and conditions and these are incorporated into their contracts of employment. Council are advised that Chief Officers are contractually entitled to nationally negotiated pay rises for JNC Chief Officers and that a decision to withhold payment could result in claims against the Council for breach of contract and/or “unlawful deduction from wages.”
- 4.9 Council are advised that any deviation from national negotiations should only be taken after consultation and agreed changes to contractual terms and conditions.
- 4.10 Following the implementation of this amendment, the WLGA has entered into a debate with Welsh Government in order to achieve a pragmatic way forward. As a result it has been agreed that the requirement that full Council must determine nationally agreed pay rises for Chief Officers, to which they are contractually entitled, can be met by full Council voting to insert a suitable clause in the Pay Policy Statement to cover this issue. This clause is proposed as follows:



“The Council employs Chief Officers [ie, the Chief Executive, Corporate Directors, the Assistant Chief Executive and Heads of Service] on the nationally agreed JNC terms and conditions which are incorporated into their contracts of employment. This Council will implement any such increase as and when these are nationally determined and in accordance with Chief Officers’ contractual entitlement.

- 4.11 Should full Council determine at any time that it does not wish to implement nationally negotiated pay rises for JNC Chief Officers then the Pay Policy Statement would need to include a suitable clause to reflect that decision.

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

- 5.1 None.

**6. Equality Impact Assessment**

- 6.1 An Initial Screening Equality Impact Assessment has been undertaken which indicates that the proposed Pay Policy Statement will positively assist in the delivery of the Council’s equality duties.

**7. Financial Implications.**

- 7.1 There are no financial implications arising from the recommendations in this report.

**8. Recommendation.**

- 8.1 Council is requested to approve the updated Pay Policy Statement as attached as Appendix A.
- 8.2 Council is requested to approve the proposals outlined in Paragraph 4.10 and 4.11 above.

Darren Mepham  
Chief Executive  
25.02.15

**Contact Officer:** Sarah Kingsbury  
Head of HR, OD and Customer Services  
**Telephone:** (01656) 643201  
**E-mail:** Sarah.Kingsbury@bridgend.gov.uk

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# BRIDGEND COUNTY BOROUGH COUNCIL

## PAY POLICY STATEMENT – 2015/16

### 1. INTRODUCTION AND PURPOSE

1.1 Under Section 112 of the Local Government Act 1972 the Council has ‘the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit’. This Pay Policy Statement outlines the Council’s approach to pay policy in accordance with the requirements of 38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for 2012/3 and for each financial year after that, detailing:

- a) The Authority’s policies towards all aspects and elements of the remuneration of Chief Officers;
- b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
- c) The Authority’s policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
- d) The relationship between the remuneration of its Chief Officers and other employees.

1.2 Local Authorities are large complex organisations and provide and/or commission a wide range of essential services. The strategic approach to remuneration levels may need to differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The Council will require some flexibility in its Pay Policy Statement to address changing circumstances which may or may not be foreseeable.

1.3 As approved by full Council, as required by Section 39(1) Localism Act 2011, this Pay Policy Statement came into effect on 1<sup>st</sup> April 2012 and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation above.

### 2. LEGISLATIVE FRAMEWORK

2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the

- a) Equality Act 2010
- b) Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
- c) Agency Workers Regulations 2010 and where relevant, the
- d) Transfer of Undertakings (Protection of Earnings) Regulations

2.2 In respect of the Equal Pay requirements contained within the Equality Act, the Council is currently working to ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified. The introduction of a new pay and grading system in September 2013, following the conclusion of the job evaluation project, an equality impact assessment and a Collective Agreement with the three recognised trade unions will enable the Council to ensure that remuneration is appropriate for the requirements, demands and responsibilities of roles at an individual post level as well as in relative terms across all posts.

### **3. SCOPE OF THE PAY POLICY STATEMENT**

- 3.1 The Localism Act 2011 requires Local Authorities to develop and make public their Pay Policy Statement on all aspects of Chief Officer remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Authority, explaining their policy in respect of the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach, producing a pay policy which covers all employee groups with the exception of School Teachers. The remuneration for this latter group is set by the Secretary of State and not in the control of Local Authorities.
- 3.2 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, the Council will comply with this Pay Policy Statement in setting remuneration levels for all groups within its scope.

### **4. BROAD PRINCIPLES OF OUR PAY POLICY**

#### **4.1 Transparency, accountability and value for money**

- 4.1.1 The Council is committed to an open and transparent approach to its pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-

- a) [Employee Pay Scales](#) (Appendix A)
- b) [Chief Officer Pay Scales](#) (Appendix B)
- c) [Soulbury Pay Scale](#) (Appendix C)
- d) [JNC \(Youth & Community\)](#) (Appendix D)
- e) [Policy on Redundancy and Severance Payments](#) (including additional pension payments) (Appendix E)

#### **4.2 Development of a Pay Policy**

- 4.2.1 The primary aim of a reward strategy is to attract, motivate and retain suitably skilled employees to enable the Council to perform at its best. One of the biggest challenges for the Council in the current circumstances is to maximise productivity and efficiency within current resources. The Pay Policy Statement outlines the remuneration levels believed to be effective in facilitating a sufficient supply of appropriately skilled employees which can be objectively justified and provide the local tax payer with an assurance of value for money.
- 4.2.2 At the more senior grades in particular, remuneration levels need to effect sufficient interest to enable the attraction of a suitably wide pool of talent and the Council will often be seeking to recruit in competition with other public and private sector employers.
- 4.2.3 The Council's pay policy will, through its design, development and review, seek to balance these factors appropriately to maximise outcomes while managing pay costs appropriately and maintaining sufficient flexibility to meet future needs.

4.2.4 This Pay Policy Statement will be reviewed on an annual basis and approved annually by full Council.

### **4.3 Pay Structure**

4.3.1 The Council uses the nationally negotiated pay spine as the basis for its pay & grading structure. This determines the remuneration of the majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.

4.3.2 The Council has extended the national pay spine up to spinal column point 55.

4.3.3 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.

4.3.4 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.

### **4.4 Pay and Performance**

4.4.1 The Council does not employ any performance related pay mechanisms.

### **4.5 Job Evaluation**

4.5.1 Job evaluation is a systematic way of determining the value of a job in relation to other jobs within an organisation. It provides a means of systematic comparison of jobs to assess their relative worth for the purpose of establishing an equitable and justifiable pay structure.

4.5.2 In 2013 the Council established a Collective Agreement in respect of Single Status for all NJC employees in terms of Pay & Grading and Terms & Conditions. Our Equality Impact Assessment (EIA) process has been used throughout the process and will continue to be used in the future. The Council, as it is bound to do, engaged an independent assessor to confirm the integrity of our new pay and grading system and this external expertise was provided by NothgateArniso.

### **4.6 Market Supplements**

4.6.1 Job evaluation will enable the council to determine remuneration levels, which reward responsibility in a relative way within the council. However, from time to time it may be necessary to take account of the external pay market to attract and retain employees with particular experience, skills and capacity.

4.6.2 In due course the Council may draft a Market Supplements Policy to ensure that the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. It is the Council's policy that any such additional payments be kept to a minimum and be reviewed on an annual basis so that they can be withdrawn where no longer considered necessary. An EIA would also be carried out on any proposal.

## **4.7 Honoraria**

- 4.7.1 When the Council requires an employee to carry out additional duties to those of their substantive post, for a prolonged period of time, an additional payment commensurate with those duties may be made in accordance with the Council's Acting Rank/Honorarium Protocol, which is attached as Appendix F.

## **5. CHIEF OFFICER REMUNERATION**

### **5.1 Definitions of Chief Officer & Pay Levels**

- 5.1.1 For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are set out below: (details of the salary of each are included at Appendix B):

- a) Chief Executive
- b) Corporate Directors
- c) Assistant Chief Executives
- d) Heads of Service

- 5.1.2 The previous national pay award for JNC Chief Officers was in 2008. In February this year an award was agreed effective from 01.01.15 to 31.03.16 applicable only to those Chief Officers on a guaranteed FTE basic salary of £99,999 or less as at 31.12.14.

- 5.1.3 Each JNC Chief Officer grade consists of 4 incremental points.

No bonus or performance related pay mechanism exists in respect of Chief Officers' pay.

- 5.1.4 Any decision to vary the remuneration of chief officers [or those to be appointed] must be made by full Council, without the opportunity of delegating it to a committee of the Council.

### **5.2 Recruitment of Chief Officers**

- 5.2.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4. Rules of Procedure of the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.
- 5.2.2 The 2014 Regulations prescribe that where an authority proposes to appoint a chief officer with an annual remuneration package of £100,000 or more the post must be publicly advertised. The only exception to this requirement is where the appointment would be for no longer than 12 months.
- 5.2.3 Where the Council remains unable to directly recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post the Council may consider engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process

ensuring the Council is able to demonstrate the maximum value for money. The Council does not currently have any Chief Officers engaged under such arrangements. The Council is currently sourcing support from the WLGA on an Interim basis to cover the post of Corporate Director Resources.

### **5.3 Additions to Salary of Chief Officers**

- 5.3.1 The Council does not apply any bonuses or performance related pay to its Chief Officers.
- 5.3.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.
- 5.3.3 The cost of membership of one professional body is met by the Authority.
- 5.3.4 The Chief Executive is also appointed as Returning Officer. This is an Office Holding rather than an employment contract. The Chief Executive will receive a fee from the organisation requiring the election to be carried out in accordance with the Fee Order in force at the time. In the case of a local election the Authority's fee structure will be approved at the time.
- 5.3.5 The Deputy Returning Officer's fees are authorised by the Returning Officer in accordance with the Fee Order or, in the case of local elections, the Council's fee structure at the time.
- 5.3.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government..

### **5.4 Payments on Termination**

- 5.4.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).
- 5.4.2 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or Committee of Council in the case of the Chief Executive or; Council or Council Committee or Officer with delegated powers at the time, in the case of other JNC Officers. The Chief Executive or officer with delegated power from the Chief Executive will determine such payments in respect of all other staff.

## **6. PUBLICATION**

- 6.1 Upon approval by the full Council, this statement will be published on the Council's Website.
- 6.2 In addition, for posts where the full time equivalent salary is at least £60,000 and where the posts have been designated as a head of paid service or a statutory or non-statutory chief officer, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council's Annual Statement of Accounts will provide information in relation to: salary, fees and allowances; expenses; termination payments and pension contributions. It will also publish the number of employees in the year to which the accounts relate whose remuneration is greater than £60,000 in multiples of £5,000 brackets of scale.

## **7. PAY RELATIVITIES WITHIN THE AUTHORITY**

- 7.1 The lowest paid persons employed under a Contract of Employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1<sup>st</sup> January 2015, this is £13,500 per annum. The Council employs Apprentices [and other Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 7.2 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than twenty times the lowest paid person in the organisation. The report concluded that the relationship to average earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the average salary of the whole of the Authority's workforce.
- 7.3 The current pay levels within the Council define the multiple between:
- 7.3.1 the lowest paid employee (full time equivalent) and the Chief Executive as **1:9.5**
- 7.3.2 the lowest paid employee and average Chief Officer as **1:6.6**
- 7.3.3 the multiple between the average full time equivalent earnings and the Chief Executive as **1:4.3**
- 7.3.4 the multiple between the average full time equivalent earnings and average Chief Officer as **1:3.0**



## **8. ACCOUNTABILITY AND DECISION MAKING**

- 8.1 In accordance with the Constitution of the Council, full Council decide upon the organisational structure, recruitment, pay, terms & conditions and severance arrangements for JNC Chief Officers.
- 8.2 The responsibility for the organisational structure, recruitment, pay, terms & conditions and severance arrangements for NJC, Craft, Youth & Community and Soulbury employees has been delegated to officers.

## **9. RE-EMPLOYMENT**

- 9.1 Whilst having due regard to the Council's duty under Section 7 of the Local Government and Housing Act 1989, no Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council.

## **10. REVIEWING THE POLICY**

- 10.1 This Pay Policy Statement outlines the current position in respect of pay and reward within the Council at the time of writing. It will be reviewed and updated and published annually as a matter of course and in the event of any changes taking place during a financial year.

**PAY SCALES FOR NJC EMPLOYEES.**

<b>Salary</b>	<b>SCP</b>	<b>Grades</b>	
£13,500	5	<b>Grade 1</b> (-249)	
£13,614	6		
£13,715	7		
£13,871	8		<b>Grade 2</b> (250-294)
£14,075	9		
£14,338	10		
£15,207	11		
£15,523	12	<b>Grade 3</b> (295-320)	
£15,941	13		
£16,231	14		
£16,572	15		<b>Grade 4</b> (321-349)
£16,969	16		
£17,372	17	<b>Grade 5</b> (350-379)	
£17,714	18		
£18,376	19		
£19,048	20		<b>Grade 6</b> (380-409)
£19,742	21		
£20,253	22	<b>Grade 7</b> (410-439)	
£20,849	23		
£21,530	24		
£22,212	25		<b>Grade 8</b> (440-469)
£22,937	26		
£23,698	27		
£24,472	28		
£25,440	29	<b>Grade 9</b> (470-503)	
£26,293	30		
£27,123	31		
£27,924	32		<b>Grade 10</b> (504-539)
£28,746	33		
£29,558	34		
£30,178	35		
£30,978	36	<b>Grade 11</b> (540-569)	
£31,846	37		
£32,778	38		
£33,857	39		<b>Grade 12</b> (570-599)
£34,746	40		
£35,662	41		
£36,571	42	<b>Grade 13</b> (600-639)	
£37,483	43		
£38,405	44		
£39,267	45		
£40,217	46		
£41,140	47		<b>Grade 14</b> (640-669)
£42,053	48		
£42,957	49		
£43,858	50		
£44,758	51	<b>Grade 15</b> (670-697)	
£45,661	52		
£46,562	53		
£47,463	54		<b>Grade 16</b> (698+)
£48,364	55		

**CHIEF OFFICERS PAY SCALES**  
**1<sup>ST</sup> January 2015**

<b>CHIEF EXECUTIVE PAY RANGE</b>						
£122,323 - £131,091						
<b>DIRECTORS' PAY SCALES</b> <b>£99,384 - £ 104,068</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£99,384	£101,639	£101,857	£104,068			
<b>ASSISTANT CHIEF EXECUTIVE</b> <b>£89,445 - £95,534</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£89,445	£91,475	£93,505	£95,534			
<b>HEADS OF SERVICE</b> <b>£74,542 - £79,610</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£74,542	£76,231	£77,921	£79,610			

**SOULBURY PAY SCALES**

<b>EDUCATIONAL PSYCHOLOGISTS - SCALE A</b>	
<b>SPINE POINT</b>	<b>SALARY FROM 01.03.2015</b>
1.	£35,027
2.	£36,805
3.	£38,583
4.	£40,360
5.	£42,137
6.	£43,914
7.	£45,588
8.	£47,261
9.	£48,829
10.	£50,398
11.	£51,861

**NOTES:**

1. Salary scales to consist of six consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Extension to scale to accommodate structured professional assessment points.

<b>SENIOR &amp; PRINCIPAL EDUCATIONAL PSYCHOLOGISTS - SCALE B</b>	
<b>SPINE POINT</b>	<b>SALARY FROM 01.03.2015</b>
1.	£43,914
2.	£45,588
3.	£47,261
4.	£48,829
5.	£50,398
6.	£51,861
7.	£52,462
8.	£53,584
9.	£54,696
10.	£55,828
11.	£56,937
12.	£58,068
13.	£59,219
14.	£60,330
15.	£61,495
16.	£62,649
17.	£63,810
18.	£64,970

**Notes:**

1. Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Normal minimum point for the Principal Educational Psychologist undertaking the full range of duties at this level.
3. Extension to range to accommodate discretionary scale points and structured professional assessments
4. Principals are paid on a 4 point scale 8-14 [this also includes 3 spa points]

<b>EDUCATIONAL IMPROVEMENT PROFESSIONALS</b>	
<b>SPINE POINT</b>	<b>SALARY FROM 01.03.2015</b>
1.	£33,396
2.	£34,592
3.	£35,721
4.	£36,865
5.	£38,003
6.	£39,142
7.	£40,338
8.	£41,487
9.	£42,828
10.	£44,023
11.	£45,203
12.	£46,346
13.	£47,640
14.	£48,792
15.	£50,066
16.	£51,219
17.	£52,373
18.	£53,507
19.	£54,646
20.	£55,280
21.	£56,441
22.	£57,452
23.	£58,566
24.	£59,564
25.	£60,633
26.	£61,674
27.	£62,740
28.	£63,819
29.	£64,902
30.	£65,983
31.	£67,054
32.	£68,143
33.	£69,232
34.	£70,347

35.	£71,458
36.	£72,603
37.	£73,728
38.	£74,866
39.	£75,988
40.	£77,109
41.	£78,237
42.	£79,362
43.	£80,488
44.	£81,619
45.	£82,747
46.	£83,876
47.	£85,010
48.	£86,134
49.	£87,262
50.	£88,391

**Notes:**

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

## APPENDIX D

### YOUTH & COMMUNITY SUPPORT WORKER

JESC 172

<b>Pay Points</b>	<b>w.e.f 1.9.13</b>
1	14,283
2	14,880
3	15,477
4	16,077
5	16,674
6	17,271
7	17,874
8	18,474
9	19,236
10	19,833
11	20,796
12	21,741
13	22,713
14	23,721
15	24,408
16	25,125
17	25,830

#### **Professional Range**

<b>Pay Points</b>	<b>w.e.f 1.9.13</b>
11	20,796
12	21,741
13	22,713
14	23,721
15	24,408
16	25,125
17	25,830
18	26,541
19	27,246
20	27,951
21	28,746
22	29,646
23	30,522
24	31,401
25	32,289
26	33,174
27	34,062
28	34,959
29	35,850
30	36,741

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



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## **REDUNDANCY AND REDEPLOYMENT POLICY**

**Date of Issue: March 2010**



## 1. Introduction

- 1.1 This policy is designed to assist with the management of redundancy and redeployment situations within the Authority. It should be read in conjunction with: the Authority's Early Retirement, Ill Health Retirement and Redundancy Policy and the Managers' Guidelines attaching to this policy.
- 1.2 Whilst the Authority's policy is to avoid redundancies wherever possible, the needs of the business may from time to time require a reduction in the overall number of staff employed or organisational changes that result in some employees being made redundant.
- 1.3 The Authority, in consultation with the Trade Unions, will seek to avoid or minimise redundancies by exploring alternative options, such as
  - "Natural wastage"
  - Redeployment
  - Retraining
  - Restrictions on recruitment [inc use of agency staff]
  - Early retirement
  - Voluntary redundancy, including "bumped redundancy" where someone other than the postholder's post is made redundant
  - Reduction or elimination of overtime
- 1.4 Where redundancy is inevitable the Authority will handle the matter in the most fair, consistent and sympathetic manner possible in order to minimise any hardship that may be suffered by the employee(s) concerned. The Authority will ensure that:
  - the total number of redundancies made is kept to a minimum;
  - employees and their representatives are fully consulted on any proposals and their implementation;
  - selection for redundancy is based on clear criteria that will be determined objectively and fairly applied;
  - every effort is made to redeploy or find alternative work for employees selected for redundancy; and
  - support and advice is provided to employees selected for redundancy to help them find suitable alternative work.

## 2. Consultation

- 2.1 When a potential redundancy situation has been identified it will be necessary to write to the recognised trade unions and issue notice of formal consultation.

2.2 Selection criteria will be identified, where necessary, and where possible agreed with the employees/Trade Unions in advance.

2.3 Consultations will be carried out with affected employees and with the recognised Trade Unions over the proposals and the process to be followed. The consultation should start as soon as practicable and at least:-

<b>Number of affected employees</b>	<b>Period of consultation</b>
• Less than 20 employees	30 days
• 20 to 99 employees	30 days
• 100 or more employees	45 days

2.4 At the start of the consultation, written details of the following will be provided to employees and recognised Trade Unions:-

- the reasons for the proposals
- the numbers of employees affected by the consultation and descriptions of employees that could potentially be dismissed as redundant
- the total number of employees of any such description employed at the service unit in question
- the criteria to be applied for selection for redundancy
- how the redundancies are to be carried out, including the period over which the redundancies are to take effect.

2.5 Formal consultation meetings with employee(s) will be held with those potentially affected by the proposed redundancy.

2.6 Where an agreed position has not been reached by the end of the consultation period a further notice of formal consultation will be issued. The length of the second consultation period will be the same as the original. It is necessary for all parties to have undertaken genuine consultation with a view to avoiding redundancy and reaching agreement. Consultation should continue until all issues have been aired and parties have had a reasonable amount of time to comment on information provided and proposals made.

2.7 Following the completion of the consultation process, if no satisfactory resolution has been agreed to avoid a redundancy, the selection criteria will be applied to determine which employees will be issued with notice of redundancy.

### **3. Voluntary Redundancy**

3.1 In order to minimise the need for compulsory redundancies, the Authority may consider inviting expressions of interests from employees for voluntary redundancies. However, the Authority reserves the right at its discretion to decline all or some of such expressions of interests.

### **4. Redundancy Selection**

4.1 Where the need for redundancies arises, selection will be made on the basis of objective criteria, which will be reasonably, fairly and consistently applied. The Authority will ensure that the selection criteria are applied to the affected employees.

4.2 The criteria to be used will normally include but is not limited to:

- Absence record
- Disciplinary record
- Qualifications
- Skills
- Standard of work performance

4.3 Where an employee in the pool for selection has declared themselves as being disabled, the Authority will ensure that full consideration is given to the Disability Discrimination Act 1995 and that he/she is not put at any disadvantage on account of the selection criteria and will make reasonable adjustments as appropriate.

## **5. Redeployment**

- 5.1 The Authority will make every effort to provide suitable alternative work to any employee who is selected for redundancy. Suitable alternative work will be considered both during the consultation period and after the conclusion of the consultation period. All current vacancies suitable for redeployment will be considered in respect of the selected employees, including where possible, consideration of retraining. If more than one employee is interested in a suitable, alternative post it may be necessary to apply selection criteria and/or conduct competitive interviews. This process will be ring-fenced to the affected employees in the first instance.
- 5.2 Prior consideration will apply where employee(s) have expressed an interest in a vacancy and meet the criteria for the post which is at a grade commensurate with their existing salary range.
- 5.3 Where interest is expressed for a post of a higher salary, the normal selection procedures will apply and consideration will be in competition with any other applicants.
- 5.4 Any offer of redeployment will be made in writing. This will include notification of the trial period which will apply to a redeployment appointment. Whilst this will be for a 4 week period, it can be extended or curtailed depending upon the individual circumstances.
- 5.5 During the trial period there will be performance review(s) at appropriate intervals. This will provide opportunity for the manager and employee to assess suitability. Should the redeployment be successful this will be confirmed and the written statement of particulars issued. If the redeployment is not successful this too will be confirmed in writing.
- 5.6 An employee may undertake more than one trial period during their period of notice.
- 5.7 Should an employee embark on a trial period and the four week period exceeds the date of termination, the trial period will continue for the 4 weeks. At the end of this period should it be unsuccessful redundancy will be confirmed.
- 5.8 Where the redeployment involves an employee changing their normal place of work they will be paid excess travelling expenses, in accordance with the authority's allowances and expenses policy.

- 5.9 Should the employee decline the offer of suitable alternative employment, further redeployment opportunities will be explored during the period of the consultation and notice.
- 5.10 Should an employee refuse an offer of suitable alternative employment or resigns during the trial period the right to a redundancy payment will be lost.
- 5.11 In certain circumstances to avoid a redundancy situation, employee(s) who are in comparable positions but not directly affected by the proposed redundancy can be invited to express an interest in redundancy. This is a bumped redundancy and will only be considered where its approval will save another employee facing redundancy.
- 5.12 If after carrying out these steps there appears to be no possibility of redeployment, the employee(s) will be terminated in accordance with their notice period.

## **6. Dismissal by reason of Redundancy**

- 6.1 In all cases where a dismissal is being considered the three step process will be followed:
- Step 1 - Employee to be advised in writing of the circumstances of the meeting.
  - Step 2 - Meeting takes place with the employee to determine the options.
  - Step 3 - Employee to be advised in writing of the outcome of the meeting.
- 6.2 Where an employee has been selected after the selection criteria has been applied, the employee will have the opportunity during the step 2 meeting to make any representations in support of or against their selection. Management will then consider these representations and, if necessary, extend the consultation period. A further meeting, if necessary, may be scheduled to inform the employee of the decision.
- 6.3 Whilst under notice of termination due to redundancy an employee is entitled to a reasonable amount of paid time off to look for alternative work, attend interviews etc. Employee(s) wishing to take advantage of this provision should seek prior approval for their absence with their manager in the normal manner.
- 6.4 Where an offer of employment is made by an associated employer i.e. any other local authority or other relevant public authority and employment commences within four weeks of the date of termination, this disqualifies the employee from a redundancy payment.

## **7. Redundancy Notification**

- 7.1 At least 90 days written notification must be given to the Department for Business, Enterprise and Regulatory Reform (BERR/BISS) if 100 or more employees are to be made redundant, and at least 30 days for 20 to 99 employees. For less than 20 employees, no notification to BERR/BISS is required.

## **8. Right of Appeal**

- 8.1 Any employee who has been selected for redundancy and who is dissatisfied with the way in which the Authority has applied its redundancy selection criteria [including DDA issues], or who believes that the procedure has not been applied correctly will have a right to appeal.
- 8.2 The employee has a right of appeal against the decision of the Authority.
- 8.3 The appeal will be heard by Elected Members.
- 8.4 The employee has 7 calendar days in which to exercise their right of Appeal from the date of receipt of the written notification of termination.
- 8.5 The Appeal must be made in writing stating the grounds of Appeal as outlined in 8.1 above.
- 8.6 The bundles for the Appeal must be exchanged no later than 7 calendar days before the date of the appeal hearing.
- 8.7 Members of the Sub-Committee will hear representations from the employee and his/her representative and from the Corporate Director (or nominated officer) before making its decision.
- 8.8 The decision of the Sub-Committee will be conveyed in writing to the employee and a copy provided to Human Resources.
- 8.9 The process to be adopted at the Appeal hearing is set out in Appendix 1.

**Procedure to be adopted at Appeal**

1. The hearing will be held by the Grievance and Disciplinary Appeals Committee, who will be supported by one of the Council's Solicitors in the role of Clerk, a Human Resources Advisor and a minute taker.
2. The parties and their representatives shall be called in simultaneously before the Committee. At the start of the hearing the Chairman will introduce those present and will explain the procedure.
3. The Chief Officer or his/her representative will present the management's case calling, if appropriate, any witnesses to assist in substantiating or clarifying the facts.
4. The appellant or his/her representative will be entitled to question the Chief Officer or his/her representative and any witnesses.
5. The appellant or his/her representative will present the appellant's case calling, if appropriate, any witnesses.
6. The Chief Officer or his/her representative will be entitled to question the appellant and any witnesses.
7. The Members, Clerk of the Committee and the Human Resources Advisor will be entitled at any time during the hearing, with the consent of the Chairman, to ask questions.
8. Where new evidence arises during an appeal it may be appropriate to adjourn in order to investigate or consider such points.
9. The Chief Officer or his/her representative will be given an opportunity to sum up but will not be able to introduce any new evidence at this stage.
10. The appellant or his/her representative will be given an opportunity to sum up. He/she will not be able to introduce any new evidence at this stage.
11. All parties other than the Members of the Committee, the Human Resources Advisor and the Legal Clerk will withdraw from the meeting. The Human Resources Advisor and Legal Clerk will remain in the meeting whilst the Committee require advice.
12. Once the Committee has received advice from the Human Resources Advisor and Legal Clerk the Human Resources Advisor and Legal Clerk will withdraw, while the Committee considered the appeal.
13. The Committee may recall the Human Resources Advisor, Legal Clerk and minute-taker to clarify any points. Should the Committee require advice from the Human Resources Advisor or Legal Clerk both officers should be recalled together.
14. The Committee may recall the parties to clarify any points but, if so, must recall both parties and their representatives and allow them to comment if they so wish.
15. After the Committee has reached a decision on the appeal the parties and their representatives will be recalled and the decision announced to them together with the

reasons for it. The decision will be confirmed in writing by the Human Resources Advisor as soon as possible after the hearing.

**NOTE:**

- The term 'Chief Officer' means Chief Executive, Assistant Chief Executive, Corporate Director or Head of Service of the Council.

The appellant may be represented by either his / her Trade Union representative or by a work colleague.

# **Bridgend County Borough Council** **Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr**

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## **ACTING RANK/HONORARIA PAYMENTS PROTOCOL**

### **PURPOSE**

It will be necessary for the Authority to make arrangements to cover the absence of officers other than for annual leave purposes.

The payment of honoraria is designed to cover relatively short-term and usually unplanned absences to ensure that there is no reduction in provision of service.

### **PAYMENT (Acting Rank)**

1. Employees who are requested to undertake the full range of duties and responsibilities of a higher graded post are entitled to additional remuneration commensurate with those duties, for the period during which they are undertaken.
2. An employee will only receive an additional payment after the additional duties and responsibilities have been undertaken for a continuous period of 4 weeks.
3. Once the qualifying period of 4 weeks has elapsed, the additional payment will be paid with effect from the first day on which the employee undertook the additional duties and responsibilities.

### **HONORARIUM**

1. Where employees who are requested to undertake less than the full duties and responsibilities of a higher graded post an honorarium may be paid on a pro rata basis.
2. Where the duties and responsibilities are shared between two or more employees then any amount paid will be calculated pro rata dependent upon the circumstances of each case.
3. Employees who are requested to perform additional duties and responsibilities outside the scope of their substantive post e.g. undertaking project work will receive an honorarium based upon the value of the duties and responsibilities (evaluated by HR/OD & JE).



## **SELECTION**

### **(Acting up and honorarium payment)**

1. An honorarium will be paid to an individual who is a recognised and agreed [by management] as deputy or assistant clearly identified within a section or division.
2. Where no obvious deputy exists the consideration should be given to sharing the honorarium between the direct line management reports of the [temporarily] vacant post.
3. Where no deputy or assistant exists but it is felt that just one person is required to undertake the full range of duties and responsibilities of the higher graded post, then competitive interviews should be undertaken.
4. The selection process will mirror the Authority's policy on Recruitment & Selection.
5. Where cover is anticipated to be required for between 1-3 months, the temporary vacancy will be ring-fenced to the Service Unit or Section in which it occurs.
6. Where cover is anticipated to be required for in excess of 3 months, it will be regarded as a temporary vacancy and will be dealt with under the Protocol for Secondments.

## **EXCEPTIONAL CIRCUMSTANCES**

### **(Acting up and honorarium payments)**

1. There may be occasions where the Corporate Director Resources [or nominated Officer] and the Head of HR/OD [or nominated officer] will determine that exceptional circumstances occur. In these cases there may be a requirement to deviate from the normal procedures, e.g., where a senior officer is absented, without notice, from his/her duties and responsibilities.
2. Each case will be determined on its merits and any deviation to the protocol will be authorised by a second Corporate Director and the Head of HR/OD.

## **AUTHORISATION**

1. All honorarium payments must be agreed with the Human Resources/Organisational Development Service Unit and only the Human Resources/Organisational Development Service Unit may authorise payment.

## **REVIEW PERIOD**

1. All honorarium payments will be subject to a review period of no less frequently than 3 months.

Issue Date: October 2013

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

18 MARCH 2015

#### REPORT OF CORPORATE DIRECTOR - COMMUNITIES

##### DEPARTURE PLANNING APPLICATION P/14/763/FUL

#### 1. Purpose

- 1.1 On the 5<sup>th</sup> February 2015 the Development Control Committee considered planning application P/14/763/FUL as a departure from the Development Plan. The Development Control Committee resolved not to refuse planning permission so the application has been referred to Council which is requested to grant planning permission subject to conditions and the applicant entering into a Section 106 Planning Obligation.

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

- 2.1 The delivery of the County Borough Council's planning functions has links to most of the Council's corporate priorities as outlined in the Corporate Improvement Plan. The objective of *A Diverse and Sustainable Economy* are the most pertinent.

#### 3. Background

- 3.1 Planning application P/14/763/FUL is for a change of use, refurbishment and extension of this former convalescent home to form 68 new residential units including the demolition of a rear wing. The development is located in the open countryside and as such constitutes a departure from the adopted development plan. The Development Control Committee has resolved not to refuse this application for the reasons outlined below. A previous application on this site granted consent for the construction of a new convalescent home and the change of use, refurbishment and extension of The Rest to provide 68 residential apartments. The consent is still extant and the current application proposes an identical scheme apart from the construction of the replacement nursing home.

#### 4. Current situation/proposal

- 4.1 The proposal is a full application for the refurbishment and extension of the existing Grade II listed former Rest convalescent home, the demolition of modern extensions and a number of single storey outbuildings, the development of new residential accommodation to the rear of the listed building and strategic landscaping/car parking.

- 4.2 The site comprises the former Rest convalescent home and associated grounds and covers an area of approximately 4.84 hectares. The building lies on the north western edge of Porthcawl in the Rest Bay area, approximately 1.3 miles from the town centre. It is situated close to the Royal Porthcawl Golf Club and is a prominent local building within the Porthcawl coastal area. The site is entirely located within the open countryside adjacent to a Special Landscape Area. The nearest residential dwelling is The Lodge, which is approximately 140 metres from the Rest convalescent home. The main settlement of Nottage is located some 330 metres to the east.
- 4.3 The former Rest convalescent home, which is a Grade II listed building is surrounded by a series of adjoining Victorian and modern extensions. The main building is orientated to face the sea and Rest Bay.
- 4.4 To the east of the main building lies a cluttered group of 20<sup>th</sup> century single storey buildings and associated hardstandings which are used for a variety of functions including a day nursery. Surrounding these is a series of lawn and rough paddock areas marked out with post and rail fencing. The eastern paddock is used on occasions for caravans and camping.
- 4.5 The proposed residential new build comprises two, three and four storey extensions in a mixture of local sandstone, render, timber and metal cladding providing a complementary yet contemporary character. Car parking spaces for 98 cars for the residential element of the scheme will be provided along with areas for cycle parking, refuse storage and servicing.
- 4.6 The landscape scheme will complement the current vegetation and will consist of additional local wild planting and dry stone walling as well as more ornamental shrubs close to the new buildings.
- 4.7 The Rest convalescent home was set up many years ago as a registered charity to provide care and assistance, predominantly to the people of South Wales. The facility comprised 56 bedrooms, a mix of single and twin bed rooms as well as numerous lounge and day rooms on the ground floor. The building has also been used as a meeting venue for a number of local groups and societies. The facility is now closed and has been for the past few years. The developer indicated that it was increasingly difficult to maintain the 150 year old building and provide a modern 21<sup>st</sup> century facility. The purpose of the development therefore is to safeguard a listed building from further decline by re-developing the property. This is to be achieved using the revenue generated from the residential development of the existing building. This current proposal does not involve the creation of a new convalescent home.
- 4.8 The development is within the open countryside and as such is considered to be a departure from the adopted local development plan.
- 4.9 A detailed design and access statement, planning statement, traffic surveys viability study and information relating to the community use of the existing facility has been submitted in support of the application.

#### 4.10 RELEVANT HISTORY

P/11/781/LIS - new convalescent home; c/u of existing home to 34 res units; 34 new res units & demolition of rear wing at the rest convalescent home, rest bay, Porthcawl, approved 22<sup>nd</sup> July 2014.

P/11/782/LIS - New convalescent home; change of use of existing home to residential; demolish rear wing; 34 new residential units. Approved with Conditions - 17<sup>th</sup> January 2014.

#### 4.11 PUBLICITY

The application has been advertised in the press and on site. Neighbours have been notified of the receipt of the application. The application was advertised as a departure. The period allowed for response to consultations/publicity expired on 17<sup>th</sup> December 2014.

#### 4.12 CONSULTATION RESPONSES

##### **Town/Community Council Observations**

Notified on 20<sup>th</sup> November 2014

Has no objection to the scheme but has concerns in respect of the flat roof section of the building not in keeping with the listed building.

##### **Head of Street Scene (Drainage)**

Has no adverse comments to make on the application.

##### **Head of Parks & Playing Fields**

Has no objection to the scheme.

##### **Glamorgan Gwent Archaeological Trust**

Request that a photographic record of the building be undertaken.

##### **Destination & Countryside Management**

Further to their observations in relation to P/11/781/FUL, it is noted and they welcome the Ecological Survey and Bat and Reptile report and their findings and recommendations. Notes will be added to any decision notice.

##### **Head of Street Scene (Drainage)**

Has no adverse comments to make on the application.

##### **Group Manager Public Protection**

Has no objection to the scheme subject to a note in respect of contaminated land.

##### **Glamorgan Gwent Archaeological Trust**

Request photographic record of the building be undertaken.

##### **Natural Resources Wales**

Has no objection to the scheme subject to a condition.

**Welsh Water Developer Services**

Has no objection to the scheme.

**Head of Parks & Playing Fields**

Has no objection to the scheme.

**4.13 REPRESENTATION RECEIVED**

**Kim Dare-Edwards, 14 Stonechat Close**

Has no objection to the scheme subject to a request for conditions in relation to the construction works to be carried out at the site. Each concern is highlighted below:

1. Asbestos in some of the buildings.
2. Nesting Birds.
3. Hours of work - suggested times are:

08:00 - 17:30 Mon - Fri

09:00 - 13:00 Saturday

No Work on Sunday and Bank Holidays

4. Noise
5. Dust Suppression and Material Stockpiles
6. Traffic Management
7. Ground Water
8. Light Pollution - During Construction
9. Light Pollution - During Long Term Building Use
10. Building Finishes

**4.14 COMMENTS ON REPRESENTATIONS RECEIVED**

It is unlikely in view of the distance of the site from existing dwellings that there will be any adverse impact in terms of loss of amenity. The property at 14 Stonechat Close is some 396m away from the development site.

Points 1,3,4,5,8,9 - Any asbestos, noise, dust, light pollution problems will be regulated by the Public Protection Section.

Point 2 - The developer has been made aware of works carried out which may affect protected species - bats/birds and the developer has provided the appropriate surveys.

Point 6 - The highways officer has not raised any issues of highway and pedestrian safety subject to conditions and a Section 106 agreement. This is also addressed in the appraisal section of the report.

Point 7 - Drainage issues have been considered by Welsh water/Dwr Cymru, NRW and the Authority's Drainage Section and they do not object to the proposal subject to conditions and notes which will be attached to any decision.

Point 10 - The building finishes have been conditioned/agreed under the previously approved Listed Building application by CADW. (P/11/782/LIS) refers.

A copy of the Crime Prevention Design comments submitted by the Police has been passed to the developer.

#### 4.15 APPRAISAL

The application is reported to the Development Control Committee as it is a major development and out of accord with the Development Plan.

The appraisal will assess the following issues in relation to the various aspects of the development;

- \* The refurbishment and extension of the existing building and its impact on the surrounding area.
- \* Highway safety and sustainability
- \* The policy implications of the proposal.

The existing convalescent home was designed as a hospital and, as such, is largely devoid of any striking architectural features or ornamentation particularly within its interior which has a strong institutional feel. The building has been altered, extended and enlarged over the years, which has also impacted on its character. Nevertheless it maintains a strong Victorian gothic appearance characterised by two main gable features on the south facing elevation together with a crenelated water tower. This elevation is the principal facade and is highly prominent when viewed from Rest Bay and the town of Porthcawl. The impact of the building in terms of its appearance adds significantly to character of the local area and, as a listed building, its preservation is considered a special material factor.

The refurbishment and extension of the building involves the removal of a number of the previously added extensions most of which may be considered as unsympathetic to the overall aesthetic of the listed building. The main facade will however, remain largely unchanged. The new build will involve a number of 2, 3 and 4 storey blocks arranged in a tight configuration around the rear and sides of the existing building, creating a central courtyard amenity feature. The design is mainly contemporary although it will borrow features from the main building including deep gables and use of traditional building materials. It is considered that the extension will complement the existing listed building and provide a suitable change of traditional to contemporary style.

When viewed from the surrounding area the completed development will be seen in the context of the existing building and there will be no significant change to the silhouette.

The car parking will be arranged around the outside of the footprint of the building and will be screened by landscaping.

As such it is considered that the development is acceptable in design terms and will result in a net improvement to the appearance of the building. The direct impact of the scheme in terms of the listed building was considered in the previously approved listed building application, which was approved with conditions by Cadw (P/11/782/LIS refers).

Turning to the highway and sustainability issues of the proposal, given the remote location of the site away from community facilities and the limited public transport services available in the area, there is concern that occupiers and visitors associated with this general purpose residential development will be discouraged from undertaking daily trips using a range of sustainable transport modes. Consequently, such daily trips are likely to rely on the use of private motor vehicles, thus placing the development at variance with the sustainability advice contained in Planning Policy Wales.

It is considered, therefore, that to address this fundamental policy issue, the developer should provide a financial contribution to enhance the sustainability credentials of the site. This can be achieved by improving active travel access between Rest Bay and Porthcawl town centre, or extending the limited transport service which serves the site. The provision of an enhanced bus service and/or improvements to active travel in the area can be in the form of a financial contribution controlled by a Section 106 agreement. To secure such improvements, the developer will be required to provide the sum of £63,136.32. To enable the developer to accrue sufficient monies to fund the highways S106 funding, the Highway Authority is prepared to accept 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 £33,136.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise agreed.

There is no formal bus stop provided along Rest Bay access road. To further enhance the sustainability credentials of the site, encourage additional use of any enhanced bus service and to ensure passengers are picked up/dropped off in a safe and convenient location, the applicant will be required to provide a formal bus stop adjacent to the highway in close proximity to the site access. It is envisaged that the scheme will consist of a bus stop shelter, pole and flag, secure service timetable and carriageway markings. It is anticipated that this facility can be accommodated between the accesses serving the site and the neighbouring Royal Porthcawl Golf Club. If it is evident that a shelter will be difficult to secure on the adjacent common land, a suitable waiting area with



seating for occupiers and visitors to the site could be provided within the site boundary in close proximity to the highway.

In accordance with SPG 17, the proposed residential use requires a total of 142 off street parking spaces. However, in view of the site's location, well outside the settlement, occupiers and visitors to the site will need to be encouraged to use sustainable modes of transport to and from the site on a daily basis (through an enhanced bus service servicing the Rest Bay area, or improved active travel access in the area) so as not to solely rely on the private motor vehicle as suggested above. If this is achieved, the reduced parking provision of 98 communal spaces for the residential use, providing that all the spaces remain unallocated, is considered acceptable. This equates to almost 1.5 spaces per apartment.

To ensure vehicular and pedestrian access to and from the site is only provided via the Rest Bay access road, via the southern site boundary and not via the substandard track linking onto West Road, a condition will be imposed on any consent.

In terms of the policy implications of the development, the application site is located outside the settlement boundary of Porthcawl, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan (LDP), and should therefore be considered under Policy ENV1 Development in the Countryside in the first instance. This policy strictly controls development in the countryside except for specific identified purposes i.e. those necessary in the interests of agriculture, forestry, the winning or working of minerals, rural enterprises/farm diversification, land reclamation, transportation and outdoor recreation. Policy ENV1 expands on the above exceptions with the inclusion of suitable conversion and limited extension of existing structurally sound rural buildings.

In respect of the change of use and extension of the existing convalescent home to create 68 residential units, Policy ENV1 states that, where development in the countryside is considered acceptable, it should utilise existing buildings where possible and be of an appropriate scale, form and detail for its context. Given this and provided the scheme is acceptable in the context of Policy SP2 relating to Design and Sustainable Place Making there are no Development Planning objections in principle.

With regards to the planning obligation requirements of the proposal, Policy COM5 of the LDP states "...Where a local need is demonstrated, the Council will expect an appropriate element of affordable housing to be provided on sites capable of accommodating 5 or more units or exceeding 0.15 hectares in size....." The site is located in the Porthcawl & Rural housing market area where the target is 30%. The supporting text to Policy COM5 states that, in exceptional circumstances, on-site provision of affordable housing may be considered unfeasible or unable to deliver the Council's strategic objectives. In such cases, off site provision or payment of a commuted sum may be considered as an acceptable alternative.

The previous application (P/11/781/FUL) was supported by a financial appraisal that demonstrated the scheme had a shortfall in development viability. This led to the negotiation of a commuted sum considered acceptable by the Council for a development of that size and comparable to amounts negotiated on schemes elsewhere in the locality. The developer has submitted updated information that demonstrates that the viability of the scheme has improved slightly, due largely to the removal from the proposal of the provision of a replacement convalescent home, which has reduced the development costs. The level of profit now indicated by the revised appraisal is consistent with industry-wide guidance. This suggests that the scheme is now far more likely to proceed.

Given that the total number of residential dwellings is the same as previously proposed and the importance of facilitating the preservation and enhancement of a listed building, it is recommended that the level of affordable housing and highway contributions should remain as previously agreed.

As The Rest is a Grade 2 listed building, Policy SP5 of the LDP applies. The scheme already benefits from Listed Building approval and has had no objection from CADW. As the proposal has not materially changed in terms of design since the previous approval, it is considered acceptable in respect of this policy.

The LDP accepts that changing circumstances, as in the case of this proposal, may necessitate alterations or extensions and, where such proposals have satisfied Policy SP5, this will be favoured where it can be demonstrated that they will assist in keeping the building in optimum use.

Policy SP2 relates to the design of new development. Policy PLA5 relates to the promotion of sustainable modes of transport and improvements to existing highways.

As described above the works to the existing building are considered acceptable in design terms as well as their impact on the surrounding area. As such it can be considered that the terms of the above policies are met with regard to this aspect of the scheme.

National planning advice and legislation requires Local Planning Authorities to determine applications in line with the Development Plan unless material considerations indicate otherwise. In this case the proposal must be considered in its overall context. The development will safeguard the refurbishment of a prominent and important local listed building. The future of the building is questionable if the development is not forthcoming and the refurbishment and associated residential development will guarantee the continued maintenance of the building, which may otherwise suffer further deterioration. As such this is considered to be a special material consideration in the determination of the application. Furthermore, the developer has provided information to ensure that all aspects of the proposal will be carried out to a high standard and that the new elements of the scheme will not

adversely detract from the character of the listed building or the surrounding area. The detailed criteria of all other relevant policies are met.

In light of the above the development is considered to acceptable.

Whilst determining this application Policies PLA1, ENV1, SP2, SP5, PLA5, EV15 and COM5 of the Bridgend Local Development Plan were considered as well as SPGs 13 and 17.

#### 4.16 CONCLUSION

The conversion and extension of The Rest is considered to be acceptable in design and policy terms. The development will result in the retention and enhancement of this prominent listed building and its setting and as such justifies the conversion and new extension to accommodate 68 new apartments. These reasons are considered to be a special material consideration in the determination of the application.

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

- 5.1 Whilst the application does not fully accord with the policies of the Bridgend Local Development Plan, the development results in the refurbishment and maintenance of a significant listed building, which provides an important feature within the Rest Bay of Porthcawl.

### 6. Equality Impact Implications

- 6.1 A screening for Equality Impact has been undertaken and no negative issues have been identified.

### 7. Financial implications

- 7.1 A Section 106 Agreement requiring the following:
- (i) the sum of £370,000 as an off-site contribution towards the provision of affordable housing.
  - (ii) the sum of £63,163.62 to improve active travel access between Rest Bay and Porthcawl town centre or extending the limited transport service which serves the site 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 £33,163.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise approved in writing.

### 8. Recommendation

- 8.1 That if Council is minded not to refuse the development then the Corporate Director Communities be given plenary powers to issue a decision notice in respect of this proposal once the applicant has entered into a Section 106 Agreement requiring the following:

- (i) Provide the sum of £370,000 as an off-site contribution towards the provision of affordable housing.
- (ii) Provide the sum of £63,163.62 to improve active travel access between Rest Bay and Porthcawl town centre or extending the limited transport service which serves the site 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 £33,163.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise approved in writing.

8.2 SUBJECT TO THE FOLLOWING CONDITIONS:-

1. The development shall be carried out in accordance with the following approved plans:-

0197 AL D 00 Rev A; 0197 AL D 01 Rev A; 0197 AL D 02 Rev A;  
0197 AL D 03 Rev A; 0197 AS 23 Rev A; 0197 AE R 00 Rev B;  
0197 AE R 01 Rev B; 0197 AL R 00 Rev D; 0197 AL R 01 Rev D;  
0197 AL R 02 Rev D; 0197 AL R 03 Rev B; 0197 AL R 04 Rev A;  
0197 AX R 00 Rev B; 0197 AX R 01 Rev B; 0197 AE R 02 Rev B;  
0197 AE R 03 Rev B;

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The development shall be served by the existing single means of access from The Rest Bay access road on the southern site boundary. There shall be no means of vehicular or pedestrian access into the site via the track linking the site to West Road.

Reason: In the interests of highway safety.

3. No development shall commence on site until a scheme for the provision of a temporary compound for construction materials and plant and car park for contractors' vehicles has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to commencement of works on site and retained for the duration of the demolition and construction works.

Reason: In the interests of highway safety.

4. No development shall commence on site until a scheme for the provision of a temporary compound for construction materials and plant and car park for contractors' vehicles has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to commencement of works on site and retained for the duration of the demolition and construction works.

Reason: In the interests of highway safety.

5. No development shall commence until a scheme for the provision of temporary traffic and pedestrian management along the Rest Bay access road between the site and Mallard Way during the demolition and construction works has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented before the commencement of any work on site and retained throughout the demolition and construction works.

Reason: In the interests of highway safety.

6. No heavy goods vehicles associated with the demolition and construction works shall enter or leave the site during weekends, bank holidays and local school holiday periods.

Reason: In the interests of highway safety.

7. No development shall commence on site until details of mechanical, automatically operated, self-contained wheel washing facilities have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall be provided and retained as agreed for the duration of the demolition and construction works to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety by preventing mud and debris from being carried out onto the existing maintainable highway.

8. The proposed access road as shown on drawing number Rio 0197 AS\_23 shall be completed in permanent materials in accordance with the approved layout prior to the any part of the development being brought into beneficial use.

Reason: In the interests of highway safety.

9. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of a segregated 2.0m wide footway between the site access and the entrance to the residential building has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in permanent materials before any part of the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

10. Notwithstanding the submitted plans, no development shall commence until a scheme showing improved signing and carriageway markings around the one-way traffic island adjacent to the site access has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be

designed in accordance with the Traffic Signs Regulations and General Directions (2002) and shall be fully implemented in accordance with the agreed scheme before any part of the development is brought into beneficial use.

Reason: In the interests of highway safety.

11. No development shall commence until a scheme showing the demarcation of the existing edge of adopted highway across the site access and signs to be erected at the site entrance advising that the access road within the site is private, has been submitted to and agreed in writing by the Local Planning Authority. The demarcation line and private road signs shall be implemented in full in accordance with the agreed scheme prior to any part of the development being brought into beneficial use and shall be retained as such thereafter.

Reason: In the interests of highway safety.

12. Notwithstanding the submitted plans, no development shall commence until a scheme showing the existing site access gates being set back a minimum of 10m from the nearside edge of the adopted highway has been submitted to and agreed in writing by the Local Planning Authority. The relocated gates shall only open inwards and shall be completed in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such thereafter.

Reason: In the interests of highway safety.

13. Development shall not begin until an appropriate photographic survey of the existing structure on the site has been carried out in accordance with details to be submitted to, and agreed by, the Local Planning Authority.

Reason: To record and safeguard the historic heritage of the site.

14. Notwithstanding the submitted plans, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, roof/yard (surface water) and land drainage will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented, prior to beneficial occupation of any of the residential units.

Reason: To ensure that effective drainage facilities are provided for the proposed development.

15. No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution measures for the construction phase of the development has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented for the duration of the construction phase.

Reason: To protect water quality.

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and deterioration in water quality.

17. No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority samples or full details of the materials and finishes, including colour, to be used on the exterior of the buildings. The development shall be undertaken in accord with the agreed details.

Reason: To ensure that the materials and finishes are compatible with the character and appearance of the grade 2 listed building.

18. No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme including a full specification for hard and soft landscaping, details of the means of enclosure and a schedule for implementation and maintenance, including details of a screening bund. The agreed landscaping scheme shall be undertaken in accord with the agreed schedule of implementation and shall be maintained in accord with the agreed schedule.

Reason: To ensure that the landscape setting is appropriate to the listed building.

19. No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years has been submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the agreed schedule.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

### 8.3 THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS:-

a. The conversion and extension of The Rest is considered to be acceptable in design and policy terms. Retention and enhancement of the listed building

and its setting, justifies the new build to accommodate 34 new apartments. These reasons are considered to be a special material consideration in the determination of the application.

b. It is my understood that the access road within the site will not be laid out to adopted standards or offered to the Authority for adoption. Consequently, the applicant should consider setting up a Management Company to deal with the maintenance requirements of this access road.

Sufficient public utility value exists in respect of this private access to warrant its make up under a Private Street Works scheme as per the provisions of the Highways Act 1980. Consequently, to prevent highway rights becoming established in respect of this access road concerned, it will be necessary for the applicant to erect 'Private Road' signs that would be retained in position in perpetuity at the entrance to the site to remove any doubt as regards the private status of the access roads concerned. The sign shall read 'PRIVATE ROAD' with no intention to dedicate under S37 of the Highways Act 1980.

c. The Highway Authority reserves the right to invoke the powers contained in Section 59 of the Highways Act 1980 and recover additional expenses incurred in maintaining certain lengths of the highway network serving the site.

d. Any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.

e. The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials for the access and parking areas, although compacted chippings would not be considered acceptable. As a result of the above, impermeable surfacing such as concrete or tarmac extending across the full width of the access and parking areas should not be considered as a first option.

f. Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. You should contact the Highway Maintenance Inspector for the area, Bridgend County Borough Council, Waterton Depot, Waterton Lane, Waterton Industrial Estate, Bridgend. Telephone No. (01656) 642541.

g. Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under the Highways Act 1980.

h. The developer is reminded that sections 6.2.6, 6.2.7 and 6.2.8 of the Bat and Reptile Report relating to adopting a precautionary approach and the need to brief contractors through a toolbox talk in respect of what to do if a bat is encountered.



i. Although birds are referred to in the Ecological Survey the Ecology Section recommends that contractors are also briefed in respect of nesting birds. To assist, the developer is referred to Biodiversity Design Guidance Sheet B2 Birds & Development of Supplementary (SPG) Planning Guidance 19 Biodiversity and Development: A Green Infrastructure Approach: <http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf> . This SPG Guidance Sheet gives detailed information and mitigation measures required to comply with legislation relating to birds and development.

j. The mitigation measures relating to reptiles and wildflower area creation in the Site Enhancement Section of the Report. Furthermore, the Ecology Section recommends that the proposed planting schemes mimic and compliments those native species found at the adjoining Lock's Common Local Nature Reserve. A number of these species have been included in the Landscape Report also accompanying this application. It is also recommended that seeds/plants used for the planting scheme are of local provenance where possible.

k. The applicant is advised that, in addition to planning permission and building regulations approval, a permit under the Environmental Permitting (England and Wales) Regulations 2010 will be required for any emergency overflow from the pumping station. Permits can take up to four months to determine and there is no guarantee that consent will be granted. You are advised to contact the Environment Agency's National Permitting Team on 08708506506 at the earliest opportunity to discuss the requirements and to avoid any unnecessary delays.

l. With regards to Condition Number 13, the applicant/developer is advised to ensure that an assessment is carried out into the potential for disposing of the surface water by means of a sustainable drainage system (SUDS), in accordance with the principles set out in accordance with Technical Advice Note 15 (or any subsequent version) and the results of the assessment submitted to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i) Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water.

ii) Provide a timetable for its implementation; and

iii) Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.

- iv) Provide a ground investigation report sufficient to support the design parameters and suitability of the proposed system.
- m. Foul water and surface water discharges shall be drained separately from the site.
- n. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
- o. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
- p. The developer is advised that the information required by condition 12 should deposit the photographs with the Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL. Tel: 01792 655208).
- q. The Method Statement required by condition 14 shall identify as a minimum:
- \* Storage facilities for the fuels, oils and chemicals
  - \* Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off
  - \* Details of measures to ensure no polluting discharge from haul roads/disturbed areas
  - \* Details of the nature, type and quantity of materials to be imported on to the site
  - \* Measures for dealing with any contaminated material (demolition waste or excavated waste)
  - \* Identification of any buried services, such as foul sewers, so that they are protected
  - \* Details of emergency contacts, for example the Environment Agency Pollution hotline 0800807060.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

- r. An information pack containing active travel routes and public transport information (including timetables) within the Porthcawl area should be provided by the developer to the occupiers of each residential unit.
- s. The design of the bus shelter referred to in condition 2 above shall reflect the character of The Rest convalescent home, which is a Grade II listed building and must be appropriate for the area.
- t. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be brought to the attention of the Public Protection Section.

u. This consent is subject to a Section 106 Agreement.

**MARK SHEPPARD  
CORPORATE DIRECTOR COMMUNITIES**

**Contact Officer:** Jonathan Parsons – Development & Building Control Manager

**Telephone:** (01656) 643153

**E-mail:** [jonathan.parsons@bridgend.gov.uk](mailto:jonathan.parsons@bridgend.gov.uk)

**Background documents**

Planning Application file P/14/763/FUL  
Bridgend Local Development Plan

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

18 MARCH 2015

### REPORT OF THE MONITORING OFFICER

#### COUNCILLOR DAVID SAGE

#### 1. Purpose of Report.

- 1.1 To advise Council that the Deputy Leader Councillor Sage has not attended meetings of the Authority for a period approaching six consecutive months, and is seeking Council's approval of the reason for his absence in accordance with Section 85 of the Local Government Act 1972.

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

- 2.1 The role and function of a Councillor links to all corporate priorities and improvement objectives.

#### 3. Background.

- 3.1 Councillor Sage last attended a Committee meeting on the 16 October 2014. In accordance with Section 85 of the Local Government Act 1972, a Council Member who is unable to attend meetings of the Authority for a period of six consecutive months, ceases to be a Member of the Authority, unless the reason for the failure to attend has been approved by Council before the expiry of the period. The period of six consecutive months is due to expire on the 15 April 2015.

#### 4. Current situation / proposal.

- 4.1 Councillor Sage has informed the Monitoring Officer that the reason for his absence from meetings of the Authority has been due to a serious illness. He remains in hospital and has confirmed he will be receiving further treatment over the next few months as part of his continued recuperation. Councillor Sage is hopeful of returning to meetings of the Authority as soon as his health allows. Until that time he has requested that Council considers granting him a further 6 months absence from formal meetings as a period of convalescence.

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

- 5.1 There is no effect on the Policy Framework & Procedure Rules.

#### 6. Equality Impact Assessment.

- 6.1 There are no equality implications arising from this report

#### 7. Financial Implications.

- 7.1 There are no financial implications regarding this report.

**8. Recommendation.**

- 8.1 That Council approves the reason for Councilor Sage's continued absence from formal meetings for a period of 6 months.

**P A Jolley**

**Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer**

**3 March 2014**

**Contact Officer: M A Galvin**  
**Senior Democratic Services Officer - Committees**

**Telephone: (01656) 643148**

**Email: [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk)**

**Postal address: Democratic Services**  
**Legal & Regulatory Services**  
**Level 2 Civic Offices**  
**Angel Street**  
**Bridgend**  
**CF31 4WB**

**Background documents:**

None

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

18 MARCH 2015

#### REPORT OF THE MONITORING OFFICER

#### INFORMATION REPORTS FOR NOTING

**1. Purpose of Report.**

- 1.1 The purpose of this report is to inform Council of any information reports for noting since its last ordinary meeting.

**2. Connection to Corporate Plan / Other Corporate Priorities.**

- 2.1 The report relates to the Corporate Priority working together to make the best use of our resources by improving the way we communicate and engage with citizens.

**3. Background.**

- 3.1 Council has previously agreed to receive a report of this content.

**4. Current situation / proposal.**

4.1 Information Reports

The information reports below have been published since the last ordinary meeting of Council:-

<u>Title</u>	<u>Officer</u>	<u>Date published</u>
Urgent Delegated Decisions Report	Monitoring Officer	11 March 2014
Polling Districts, Polling Places and Station Review	Electoral Returning Officer	11 March 2014

4.2 Availability of Documents

The above reports have circulated electronically and placed on the BCBC website. Hard copies of the reports have also been placed in the Members Room for information and are available on request from Cabinet and Committee Services.

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

- 5.1 This report accords with the relevant Procedure Rules.

**6. Equality Impact Assessment.**

- 6.1 There are no equality implications attached to this report.

**7. Financial Implications.**

- 7.1 There are no financial implications regarding this report.

**8. Recommendation.**

8.1 Council is recommended to note the content of this report.

**P A Jolley**

**Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer**

**10 March 2014**

**Contact Officer:** M A Galvin  
Senior Democratic Services Officer - Committees

**Telephone:** (01656) 643148

**Email:** [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk)

**Postal address:** Democratic Services  
Legal and Regulatory Services  
Level 2 Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

**Background documents:**

None were used in the production of this report



**BRIDGEND COUNTY BOROUGH COUNCIL**

**INFORMATION REPORT TO COUNCIL**

**18 MARCH 2015**

**REPORT OF THE MONITORING OFFICER**

**URGENT DELEGATED DECISIONS**

**1. Purpose of Report.**

1.1 To report to Council two delegated decisions taken as a matter of urgency.

**2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.**

2.1 The ability of Members and Officers to make decisions directly impacts upon the Authority's ability to implement the Corporate Improvement Objectives and Other Corporate Priorities.

**3. Background.**

3.1 These decisions are required to be reported to Council under paragraph 18 of the Overview & Scrutiny Procedure Rules which are to be found at Part 4 of the Constitution. The background to the decisions are shown in the Appendices to the report.

**4. Current situation / proposal.**

4.1 CMM-PRU-15-05 - Date of Decision 5 February 2015 (Delegated decision form attached as **Appendix A.**)

4.2 CMM-HW-15-022 – Date of Decision 26 January 2015 (Delegated decision attached as **Appendix B**)

4.3 Details of Decisions

The details regarding both the decisions are shown in Part 2. of the Appendices.

4.4 Reason for Decisions

The reasons for the decisions having to be taken as a matter of urgency are outlined in Part 3. of the Appendices.

4.5 Details of Consultations

Details of the consultations undertaken prior to the decisions being made are specified in Part 4. of the Appendices.

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

5.1 These decisions are required to be reported to Council under paragraph 18 of the Overview and Scrutiny Procedure Rules which are to be found under Part 4 of the Constitution.

**6. Equality Impact Assessment**

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

**7. Financial Implications.**

7.1 There are no financial implications.

**8. Recommendation.**

8.1 It is recommended that Council note this report.

**P A Jolley**

**Assistant Chief Executive Legal and Regulatory Services & Monitoring Officer**

**3 March 2015**

**Contact Officer: Mark Galvin**  
Senior Democratic Services Officer – Committees

**Telephone:** (01656) 643148

**E-mail:** [mark.galvin@Bridgend.gov.uk](mailto:mark.galvin@Bridgend.gov.uk)

**Postal Address** Democratic Services, Civic Offices Angel Street Bridgend CF31 4WB

**Background documents**

The Overview and Scrutiny Procedure Rules as set out in the Council's Constitution.

# Bridgend County Borough Council

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

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### SCHEMES OF DELEGATION OF FUNCTIONS RECORD OF DECISION

<b>1. Scheme Information:</b>	
a. Decision Reference Number:	CMM-PRU-15-05
b. Decision Type (Proposed or Actual):	Actual
c. Scheme under which decision is to be made	A
d. Paragraph Number:	1.1
e. Does this Decision contain Exempt Information? If so, provide details with reference to paragraph(s) 12 to 18, Part 4 and paragraphs 19 to 21, Part 5 Schedule 12A, Local Government Act 1972.	No
f. Does this Decision contain "Confidential information:	No
<b>2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)</b>	
<p><b>Scheme: Llynfi Valley Development Sites</b></p> <p>To obtain approval from Cabinet for the revision of the <b>Maesteg Lower Comprehensive School</b> site plan included in the Cabinet Report dated 11<sup>th</sup> November 2014 and presented to Council 12<sup>th</sup> November 2014. The revised plan is attached to this document.</p> <p>The revision will consist of increasing the area of Parcel B from <b>0.338Ha</b> to <b>0.83Ha</b>, thereby including <u>all</u> land in private ownership within the development site boundary. The land would then become eligible under the terms of the Loan Agreement and Heads of Terms of the £2.5 million Welsh Government's Central Capital Retained Fund and would therefore allow opportunity for increased residential development, following site acquisition, site investigation work, site preparation and the marketing and ownership transfer (all included under the Loan).</p> <p>It is envisaged that the remediation proposal will generate confidence, act as a catalyst for further private sector investment whilst providing environmental and place making benefits to the community.</p>	

**3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):**

Urgent decision needed in order to finalise and agree terms of Loan Agreement and Heads of Terms with Welsh Government (WG) by the deadline of 13<sup>th</sup> February 2015. Cabinet and Council, on 11<sup>th</sup> and 12<sup>th</sup> November 2014 respectively, approved the site area to be remediated using loan funding from WG. The area excluded a small parcel of land not in the Council's ownership. WG have advised that this land also be included in the loan agreement, as this will enable loan funds to be spent on purchasing the site, should the owner be willing to sell at some future date.

**4. Details of Consultation undertaken prior to the decision or, if none reasons why none undertaken:**

Cllr John Spanswick, Chair of Community Renewal and Environment Overview and Scrutiny Committee.

Internal Consultation:

- BCBC Highways Services
- BCBC Planning
- BCBC Property

**5. Details of any interest declared in relation to the decision:**

a. by any Cabinet Member consulted in relation to the Decision:

None

b. by any Cabinet Member who would have been the Decision maker except for the declaration of such an interest:

None

c. details of any dispensation granted by the Standards Committee in respect of interest declared:

None

<b>6. Contact Details:</b>	<b>Case Officer</b>	<b>Decision-Maker</b>
a. Name:	Satwant Pryce	Cllr Phil White
b. Job Title/Role:	Head of Regeneration and Development	Cabinet Member Communities
c. Telephone Number:	(01656) 643151	(01656) 643616
d. E-mail Address:	<a href="mailto:Satwant.Pryce@bridgend.gov.uk">Satwant.Pryce@bridgend.gov.uk</a>	<a href="mailto:Cllr.Phil.White@Bridgend.gov.uk">Cllr.Phil.White@Bridgend.gov.uk</a>
e. Date Decision made:		05/02/15
f. Signature:		Cllr Phil White

Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet\_committee)

**7. Decision Administration Information (Cabinet & Committee Services use only)**

a. Date received	<input type="text" value="05/02/15"/>
b. Confirmation of Urgency	<input type="text" value="-"/>
c. Date published	<input type="text" value="05/02/15"/>
d. End of Call - In period (Scheme A & B1 only)	<input type="text" value="-"/>
e. Decision Called in.	<input type="text" value="-"/>
f. Effective date of Decision.	<input type="text" value="05/02/15"/>

# Bridgend County Borough Council

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

www.bridgend.gov.uk



### SCHEMES OF DELEGATION OF FUNCTIONS RECORD OF DECISION

<b>1. Scheme Information:</b>	
a. Decision Reference Number:	CMM-HW-15-022
b. Decision Type (Proposed or Actual):	Actual
c. Scheme under which decision is to be made	A1
d. Paragraph Number:	1.1
e. Does this Decision contain Exempt Information? If so, provide details with reference to paragraph(s) 12 to 18, Part 4 and paragraphs 19 to 21, Part 5 Schedule 12A, Local Government Act 1972.	No
f. Does this Decision contain "Confidential information:	No
<b>2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)</b>	
<p>To authorise the submission of BCBC's final Local Transport Plan to the Welsh Government for approval. The Local Transport Plan is a statutory document that contains transport schemes in the county borough to cover the next fifteen years from 2015 to 2030.</p>	
<b>3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):</b>	
<p>To comply with time table set by the Welsh Government under the guidance for developing Local Transport to submit Local Transport Plans for approval by 31<sup>st</sup> January 2015.</p>	

**4. Details of Consultation undertaken prior to the decision or, if none reasons why none undertaken:**

A wide-ranging 6-week public consultation has been undertaken.

**5. Details of any interest declared in relation to the decision:**

## a. by any Cabinet Member consulted in relation to the Decision:

Not applicable

## b. by any Cabinet Member who would have been the Decision maker except for the declaration of such an interest:

Not applicable

## c. details of any dispensation granted by the Standards Committee in respect of interest declared:

Not applicable

**6. Contact Details:****Case Officer****Decision-Maker**

a. Name:	Kwaku Opoku-Addo	Cllr Phil White
b. Job Title/Role:	Transportation Strategy and Policy Officer	Cabinet Member - Communities
c. Telephone Number:	01656 642510	01656 643685
d. E-mail Address:	Kwaku.opoku-addo@bridgend.gov.uk	Cllr.Phil.White@bridgend.gov.uk
e. Date Decision made:		26 <sup>th</sup> January 2015



f. Signature:

Cllr Phil White

Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet\_committee)

**7. Decision Administration Information (Cabinet & Committee Services use only)**

a. Date received	28/01/15
b. Confirmation of Urgency	-
c. Date published	28/01/15
d. End of Call - In period (Scheme A & B1 only)	N/A
e. Decision Called in.	N/A
f. Effective date of Decision.	26/01/15

**BRIDGEND COUNTY BOROUGH COUNCIL**

**INFORMATION REPORT TO COUNCIL**

**18 MARCH 2015**

**REPORT OF THE ELECTORAL RETURNING OFFICER**

**POLLING DISTRICTS, POLLING PLACES & STATION REVIEW**

**1. Purpose of Report:**

- 1.1 To advise Council of the findings of the Polling Station review and of any proposed changes arising from the review.

**2. Connection to Corporate Improvement Objectives/Other Corporate Priorities:**

- 2.1 The administration of elections is the responsibility of the returning officer. This includes a presumed requirement to promote and encourage participation in elections. The condition and location of polling stations is an important factor in assisting electors to vote and as such is reviewed on an ongoing basis.
- 2.2 In addition the returning officer is required to formally review the provision of polling stations every four years.
- 2.3 The returning officer is accountable to the electorate for the operation of elections and as such there is no direct relationship between this report and the Council's corporate plan.

**3. Background:**

- 3.1 Under section 16 of the Electoral Administration Act 2006, the authority has a duty to undertake a review every four years of polling districts, polling places and polling stations within its area. The last full review was undertaken in 2011.
- 3.2 Notice of the review was published on the 7<sup>th</sup> November 2014 and representations were invited to be returned by 5<sup>th</sup> December 2014. Members of Bridgend CBC were alerted to the start of the process and contact was also made with all Town and Community Councils, Assembly Members and Members of Parliament. Information was also placed on BCBC's website and the consultation was available to complete online if preferred. All comments/suggestions received by this date were then posted online for 10 days to allow for any further comments on the proposals received.
- 3.3 In addition, any relevant information from presiding officers and polling inspectors that had been gathered at recent by-elections and the European and PCC elections have been considered as part of this review.

3.4 Following the Brackla by-election representations on polling station locations were received from Brackla ward members and those comments have also been taken into account.

3.5 The changing of any County Electoral Divisions, Town or Community Council area did not form part of the review as this can only be done by statute.

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

4.1 The objective of the review is to have polling district boundaries which take into account the changes in population in certain areas (e.g. following new developments) and to ensure polling stations are in the best location and in suitable premises with good access. The review requires the Council to seek to ensure that:-

- all the electors in each Parliamentary constituency have such reasonable facilities for voting as are practicable in the circumstances
- so far as is reasonable and practicable the polling places are accessible to all electors and regard has been given to the accessibility needs of disabled persons.

4.2 Individuals that wanted to comment about existing arrangements or make representations such as suggesting alternative polling places were requested to complete a questionnaire. A number of the responses received did not require any further action as they simply confirmed suitability of existing arrangements. However, others did necessitate follow up and the outcome from the process is summarised in the table provided as Appendix 1.

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

None

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

6.1 A key objective in undertaking the review is to consider the needs of individuals and ensure polling stations are accessible for all electors.

#### **7. Financial Implications:**

There are no significant financial implications to the authority arising from the actions that will be taken as a result of the review. Any additional costs will be met from within existing resources.

#### **8. Recommendation:**

8.1 Council is asked to note the outcome of the review and in particular the changes identified in appendix 1.

**Darren Mepham**  
**Chief Executive and Returning Officer**  
**10 February 2015**

**Contact Officer:** Julie Cooper  
Team Manager, Electoral & Emergency Planning Services

**Telephone:** (01656) 643300

**E-mail:** [Julie.cooper@bridgend.gov.uk](mailto:Julie.cooper@bridgend.gov.uk)

**Postal Address** Level 3, Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

**Background documents:**

None

## Appendix 1

Electoral Division	Polling Station	Comments received	Outcome of Review	Action to be taken
Maesteg West (OS4)	Carmel Chapel, Commercial Street	Concern re the close proximity of three polling stations - following the relocation of the former polling station (Catholic Hall) suggesting a move toward the Llwydarth road vicinity.	There is no alternative venue in the lower end of the Maesteg west area. The Town Council would like to see a portacabin placed either on waste ground near Gills garage in Llwydarth Road or Standard Cooper site (owned by BCBC) near entrance to Oakwood Estate. The previous polling station for Maesteg West was just along the road, but was moved when the building became unavailable so the number of Polling stations remained the same.	No change.
Maesteg West (OS2)	Dylan's Nightclub	Concerns from Presiding Officers & staff over suitability of the premises. This relates to the suitability of the room used on Polling day.	An alternative site has been identified at Ysgol Cynwyd Sant, Old Caretakers House, in School Road. There is a fairly steep short ramp access to the property.	No change for the Parliamentary Election but further consultation will be undertaken to ensure suitability of the alternate site for future elections.
Porthcawl (BT1 & 2) (BR1 & 2)	<ul style="list-style-type: none"> <li>• Rest Bay Scout Hall</li> <li>• West Central,</li> </ul>	Porthcawl Town Council propose one polling station each in these four wards. Currently two wards have two	The existing polling stations in Porthcawl are considered to be a better option as there is little financial benefit in reducing	No change.

Electoral Division	Polling Station	Comments received	Outcome of Review	Action to be taken
(BM1 & 2) (BI1 2 & 3)	Victoria Avenue <ul style="list-style-type: none"> <li>• Nottage Church</li> <li>• Newton Institute</li> </ul>	polling stations and the Town Council believes that this is unnecessary	them in number and there is no evidence that this would increase voter turnout.	
Broadlands (BB3,4,5 & 6)	Maes yr Haul Primary School	Laleston Community Council suggests more provision is required for the western side of the Broadlands estate.	No suitable additional premises have been identified and the school was a new polling station at the European Elections because of difficulties in identifying other suitable sites.	No change.
Brackla (BA1)	Community Centre	The ERO has met with Brackla Town Councilors who have expressed concern using the Community Centre as a Polling Station for BA1 following a recent Town Council election. The area where a portacabin used to be sited as a Polling Station for BA1 has had a poor voter turnout for the last three elections (less than half that of the other polling stations in Brackla) and was the lowest turnout at a Polling Station for all Polling Stations at the European Elections with only a 12.9% turnout.	Alternative sites within the Polling area have been considered including the previous siting of a portacabin in Madoc Close, a community facility used by V2C, which is not suitable, and the grounds of the Welsh School, as well as the school itself, which would cause disruption. The low turnout for this Polling Station may be due to the removal of the portacabin and needs to be reinstated so that this can be tested.	The previous site of Madoc Close will be re-used to site a portacabin to be used as the Polling Station for BA1 for the Parliamentary Election to analyse voter turn-out.

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