

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 1 SEPTEMBER 2015 AT 2.30 PM

Present

Councillor MEJ Nott OBE – Chairperson

HJ David
HM Williams

M Gregory

CE Smith

HJ Townsend

Officers:

Darren Mepham	Chief Executive
Ness Young	Corporate Director - Resources & Section 151 Officer
Deborah McMillan	Corporate Director - Education & Transformation
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Andrew Jolley	Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer
Mark Galvin	Senior Democratic Services Officer - Committees

737. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P J White who was on holiday

738. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:-

Councillor H Townsend declared a personal interest in Agenda items 4 and 13, in that she was Vice-Chairperson of Archdeacon Infants and Primary school, Brackla

Councillor M Gregory declared a personal interest in Agenda items 4, 13 and 14, in that he was on the Board of Governors at Pencoed Primary school and Bridgend College.

Councillor H J David declared a personal interest in Agenda item 13 in that he was on the Board of Governors at Bridgend College.

739. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Cabinet meeting of 14 July 2015 were approved as a true and accurate record

740. RATIONALISATION OF LEARNER TRANSPORT

CABINET - TUESDAY, 1 SEPTEMBER 2015

The Chairperson of the Children and Young People O&SC presented a report, the purpose of which, was to present Cabinet with the recommendation of the Committee in response to their consideration of the subject of Rationalisation of Learner Transport.

He confirmed that at its meeting on 29 July 2015, the above Overview and Scrutiny Committee received a report from the Children's Directorate setting out the progress made in relation to the rationalisation of Learner Transport for pupils with a Special Educational Need

Paragraph 4.2 of the report included details of the recommendations made by Committee at its above meeting, which the Chairperson of the Children and Young People O&SC asked the Cabinet to consider looking into.

He advised that any review to be undertaken, should be cross Directorate in order to utilise transport opportunities in other Directorates rather than just the Education Department.

The Leader thanked the Member for his submission and asked that he convey this to Overview and Scrutiny Committee Members and Officers for all the hard work they have put into the investigation into the rationalisation of Learner Transport.

RESOLVED: That Cabinet advised that they would give consideration to the recommendations of the Children & Young People O&SC in relation to Learner Transport and Transport Services within the Local Authority

741. BUDGET MONITORING - QUARTER 1 2015-16

The Corporate Director Resources submitted a report, that provided Cabinet with an update on the Council's financial position as at 30 June 2015.

Paragraph 4.1.1 of the report outlined the Council's net revenue budget and projected outturn for 2015 – 16 in Table 1, which showed that presently the Authority had an underspend of £107k. She added that Appendix 1 to the report gave details of the Budget Reduction proposals. It was anticipated as of now, that the Budget would reach a break-even position at year end.

In respect of the monitoring of budget reduction proposals for 2015 – 16, the Corporate Director Resources explained that this amounted to £11.225m (as broken down in Appendix 1), and this was summarised in the form of a RAG status in Table 2 within paragraph 4.2.1 of the report.

In terms of the proposals in Red these totalled £815k, however, these were still showing an improvement on the same position last year by 7.3%.

Paragraph 4.3 of the report then gave a summary of the financial position for each main service area (Appendix 2 to the report), and commented upon the most significant variances. At this stage of the year, there had been no draw down on earmarked reserves by any Directorate, though the position would be reviewed at the half year stage.

Paragraph 4.3.6 of the report then gave information on Council wide budgets, while paragraph 4.4 gave details regarding the monitoring of the Capital Programme. This stated that the budget for this for 2015 – 16 totalled £51.300m, of which £35.481m was BCBC resources with the remaining £15.819m coming from external grants.

The Corporate Director Resources culminated her submission by confirming that at this point in the financial year, and following discussions with Directorates, it was assumed that all other projects will be in line with the revised Budget as set out in Appendix 3 to the report.

The Cabinet Member Resources confirmed that the report was a positive one, and he thanked all the relevant Officers within Departments across the Council for their hard work and input into this. The Leader echoed these sentiments.

RESOLVED: That Cabinet noted the projected revenue and capital outturn position for 2015-16.

742. MAXIMISING USE OF OUR ASSETS - LEASING RAVEN'S COURT

The Corporate Director Resources presented a report, that informed Cabinet of the proposal to lease the Raven's Court offices, Bridgend.

The report gave some background information, and confirmed that Officers had produced a Business Case evaluating the potential of releasing Raven's Court offices (which are currently underutilised) and relocating staff to the Civic Offices and Sunnyside House, as well as introducing more flexible ways of working. She added that the appraisal involved the financial and non-financial implications of 3 possible options shown in paragraph 3.2 of the report. It was subsequently agreed that Option 2 of these be pursued, ie to lease Raven's Court and relocate staff and increase homeworking.

In bringing Members up to speed the Corporate Director Resources further added that work had been undertaken to establish whether there was further available space in both Civic Offices and Sunnyside House. At a strict ratio of 3:2 (staff to desk) working, there would be capacity to accommodate the staff from Raven's Court in these 2 buildings. There was also some potential for hot-desking at other Council owned properties such as the Hubs.

The Corporate Director Resources added that by retaining Raven's Court the Council were maintaining an asset upon which it would receive income in the future.

RESOLVED: That the report be noted.

743. INTERNAL AUDIT SHARED SERVICE

The Corporate Director Resources presented a report, that updated Cabinet on the Internal Audit Shared Service with the Vale of Glamorgan Council and the proposal to extend this partnership arrangement to 31 January 2018.

She confirmed that the Bridgend and Vale Internal Audit Shared Service (IASS) was now in its third year of a 3 year commitment programme. In this time, considerable service developments and progress had been made. Overall the performance of the partnership had been very good in respect of both the delivery of the Audit Plan and the feedback from customers, all of which have been reported regularly to the respective Audit Committee and summarised in Appendix A to the report.

Paragraphs 4.2 to 4.8 of the report, the outlined details on the performance of the Shared Service including the achievement of various aims and objectives that had originally targeted as part of the Shared Service.

The financial implications of the report highlighted the savings that had been made to date as a result of the merger of the two services.

The Cabinet Member Resources commended the service, and added that the Authorities should look for partners in other neighbouring authorities in order to achieve even increased savings by extending the partnership further.

RESOLVED: That Cabinet considered the current position as outlined in the report and approved an extension to the Internal Audit Shared Service Partnership arrangement, ie to extend this for a period of 2 years from 1 February 2016 – 31 January 2018

744. SPORTS PAVILIONS CARETAKING REVIEW 2015

The Corporate Director Communities submitted a report, that presented to Cabinet the outcome of consultation conducted on proposals for changes to the current management and caretaking arrangements for Sports Pavilions, and to seek Cabinet approval for the implementation of changes to the current management and caretaking arrangements for Sports Pavilions in light of the outcomes of consultation.

He explained that as part of the Council's response to the cuts to public service funding, measures to achieve savings against the provision of the Council's Parks and Playing Fields Service have been included in the MTFs in terms of a saving of £100k for 2016/17.

The Council at present managed and operated 80 individual outdoor sports facilities, which were serviced by 34 pavilions.

He went on to state that the £100k annual saving for 2016/17 was the element of saving expected to be made from the review of the pavilion arrangements. The total annual cost of managing and operating these premises was in excess of £400k, including £188k for caretaking services, with the remainder being the costs attributed to holding and maintaining the fixed assets. The annual income for the hire of these buildings was around £32k. The Council was therefore significantly subsidising the use of these facilities, in excess of 90% of the running costs.

In respect of the current situation, the Corporate Director Communities advised that consultation on the proposed changes had taken place, and this consisted of 3 elements as shown in paragraph 4.2 of the report. A total of 60 responses were received. Paragraph 4.3 gave the headline figures from the consultation process in bullet point format.

The Corporate Director Communities gave a resume of these, and added that the consultation had appeared to demonstrate a level of acceptance and understanding by users of the financial pressures and the difficult decisions facing the Council. A full copy of the final report was provided at Appendix 1 to the report.

While the principle of mobile cleaning did not appear to be too contentious, there was some concern expressed by users with regard to the self-cleaning implications of the proposals. This view seemed to conflict with the support expressed by users / partners to take on more responsibility for the pavilions, which would involve a more substantive

cleaning role. In light of this, he stated that Cabinet are asked to give their approval to the introduction of mobile cleaning teams to replace the current caretaking arrangements and subject to compliance with appropriate agreements to be drawn up, that users become key holders to the facilities and take on responsibility for the opening and closing of the pavilions when being used. It should be noted that under this arrangement, users of the pavilions will be expected to carry out some cleaning of the pavilions following their use.

Replacing the resources attached to the opening, closing and cleaning of the pavilions with two mobile facility cleaning vehicles manned with two operatives in each vehicle and equipped with appropriate cleaning materials, will result in each pavilion being cleaned on a rotational basis once or twice a week depending on the overall usage of individual pavilions.

The cost of this service will be approximately £88k and will generate the saving of £100k identified in the MTFs when set against the staffing budget of £188k for the provision of caretaking services.

The Cabinet Member Communities advised that due to the current financial climate, the proposals within the report made sense with the ideology that users of Sports Pavilions and who benefit from the service provision associated with this, contribute more to the support of these premises including financial support.

RESOLVED:

That Cabinet:

- (1) Noted the outcomes of the consultation
- (2) Subject to the outcome of appropriate consultation with caretaking staff, approved the introduction of mobile cleaning operatives in place of the existing caretaking arrangements.
- (3) Subject to the outcome of appropriate consultation with caretaking staff, approved users of pavilions becoming key holders for outdoor Sports Pavilions, in accordance with agreements to be developed in consultation with the Assistant Chief Executive Legal and Regulatory Services.

745. BRIDGEND CULTURAL PARTNERSHIP

The Corporate Director Communities submitted a report that sought Cabinet approval to proceed with the transfer of cultural services to Awen Cultural Trust from 1 October 2015

A critical area of work for the Council has been to determine how to tackle the long term sustainability of some of its cultural facilities and activities, in the context of diminishing public funding resources. It was required to consider what delivery models are most suitable to achieve the best artistic, cultural and wellbeing outcomes for the people of Bridgend. At the same time it has to achieve immediate MTFs outcomes and the flexibility to respond to future financial pressures.

A full business case indicated that in developing an alternative service delivery model the Council could achieve its targeted MTFs savings for the period 2015/16 to 2017/18 of £625K. In doing so, it provided an alternative solution to service reduction models that may otherwise have needed to be considered.

On 13th January 2015, Cabinet resolved to work in partnership with a locally based charitable trust to achieve common objectives aligned to the Council's corporate priorities and to manage and operate the facilities detailed in paragraph 3.3 of the report.

The Corporate Director Communities explained that all of the above mentioned services were discretionary services other than the Library Service.

The Corporate Director Communities then confirmed that it had been agreed that a new Charitable Trust be established as a charitable company limited by guarantee. It would have exclusively charitable objects, and would apply to the Charity Commission for charity registration. This would be governed by a voluntary Board of Trustees.

He then explained that since the decision of Cabinet in January 2015 to proceed with the establishment of a new NPDO (ie the Trust), project management arrangements had been initiated to provide the necessary governance and oversight of the range of complex tasks associated with the transfer of services to a newly established organisation.

The project was multi-faceted but the key tasks were summarised in paragraph 4.2 of the report. In support of the report also, the Corporate Director Communities referred to the following Appendices:-

- Appendix A – A summary of the main provisions of the Partnership agreement between the Council and the Trust (also see Paragraph 4.7 of the main report);
- Appendix B – A financial summary of the transitional business plan ('the Plan') for Awen Cultural Trust Ltd
- Appendix C – Any key risks associated with the transfer of the services
- Appendix D – A proposed Outcomes Framework by which to measure the partnership's success, including indicative key P.I.'s by which to monitor and secure minimum levels of service quality and provision
- Appendix E – An Environmental Impact Assessment document

Paragraph 4.3 explained that it had been established from the outset that the proposal was being progressed within an ethos of partnership which the Council has successfully adopted for a range of other service models, whilst paragraph 4.5.

confirmed that a full and open recruitment process was undertaken in April/May 2015 to recruit the Trustees. Provisions had also been made within the Business Transfer Agreement for staff within scope to transfer to the Trust under TUPE regulations.

The Corporate Director Communities then advised that provision had been made within the Partnership Agreement to provide the necessary flexibility for the partnership in terms of building maintenance, with the Council retaining responsibility for building structures while the Trust would be responsible for minor repairs and decoration. The transfer would also include the specialist nature of the services at B-Leaf and Wood-B.

The Corporate Director Communities completed his presentation by expanding upon the report's financial implications and the financial risk of the Trust operations which would still largely rest with the local authority.

The Cabinet Member Communities advised that this was a good news report, and he had been very impressed by the level of interest shown in the proposal and was pleased to advise that a new Board had been established, which would contribute to the success of the new Charity, giving particular regard to business and financial skills. The Trust he added would be wholly dependent of the Council, and this would be supported by a structure of Advisory Groups to secure local engagement on key areas of work.

RESOLVED: That Cabinet:

1. Approved the transfer of cultural services to Awen Cultural Trust from 1st October 2015 with the partnership acknowledgement as proposed in 4.3 of the report.
2. Approved the Transitional Business Plan (Appendix B to the report) as a template for the effective and efficient delivery of cultural services over the three year period 2015-2018.
3. Noted the key risks as outlined in Appendix C of the report.
4. Approved the Outcomes Framework and key performance indicator set (Appendix D to the report) as the basis for the initial service planning agreement with final measures to be agreed
5. Approved the management fee proposal as set out in Section 7 of the Report and delegated authority to the Corporate Director Communities and the Corporate Director Resources (Section 151 Officer) to finalise the management fee in accordance with the principles set out in Section 4.
6. Approved the key provisions of the partnership agreement outlined in Appendix A of this report and the associated proposals outlined in Section 4, delegating authority to the Corporate Director, Communities to approve the final terms of the Partnership Agreement and any ancillary documentation, in consultation with the Assistant Chief Executive Legal and Regulatory Services and the Section 151 Officer and to arrange execution of those agreements on behalf of the Council.
7. Approved the granting of leases to the cultural trust, co-terminus with the terms of the Partnership Agreement.
8. Authorised the Corporate Director Communities to be the named Council Officer as referred to within the Partnership Agreement and delegated authority to the Corporate Director Communities to undertake necessary contract variations to the benefit of the Council and the Cultural Partnership, in consultation with the Assistant Chief Executive Legal & Regulatory Services in order to ensure that any variations comply with current legal requirements and in consultation with the Head of Finance or the Section 151 Officer where any proposed variations would have an ongoing financial impact for the Council. Any significant changes will be referred back to Cabinet.
9. That consideration be given as part of the report proposals to support former Care Leavers of the Authority (eg Looked After Children) in any apprenticeships, traineeships and work placement positions that will be in place as part of the transfer of Cultural Services to Awen Cultural Trust
10. That a further report be awaited in respect of Bedford Country Park and how this is intended to be managed in the future, considering that this does not form part of the transfer proposals

746. COMMUNITIES FOR WORK - A EUROPEAN FUNDED PROJECT BETWEEN COMMUNITIES FIRST AND WELSH GOVERNMENT

The Corporate Director Communities submitted a report, seeking Cabinet approval to deliver a joint project with the Department of Work and Pensions (DWP) funded through European Social Fund (ESF) to support adult and youth employment. This had been developed as a national project for all Communities 1st Clusters by Welsh Government. Approval was sought subject to the satisfaction of conditions identified within the report.

He explained that the previous report to Cabinet on 3rd February 2015 highlighted the development of a new project by Welsh Government and Department for Work and Pensions – Communities for Work (C4W). This report sought authority for officers to explore with Welsh Government (WG) proposals for the Bridgend area and to bring a further report when details were available.

He added that current guidance from Welsh Government indicates that 3 staff per cluster will be funded, (an adult mentor, a youth mentor, and a triage officer) with a potential additional one post for each lead delivery body for financial and governance purposes, subject to negotiation.

The lead bodies for European funding purposes are Welsh Government and DWP. In order to participate in this project, Bridgend Council, as the Communities First Lead Delivery Body (LDB) will be required to enter into a legal agreement with WG, to undertake a specific activity on its behalf, under a 'Service of General Economic Interest' which is provided in an 'Act of Entrustment' to meet EU regulations. This legal documentation had not yet been issued by Welsh Government, so any decision by Cabinet to participate in the project will be subject to the Assistant Chief Executive Legal and Regulatory Services, and the Corporate Director Resources being satisfied with the terms of the agreement.

The Corporate Director Communities then referred to paragraph 4.6 of the report, and work that was underway on the Project, and he expanded upon this for the benefit of the Cabinet.

He added that the project was to be welcomed, as it would provide a level of intensive support and mentoring for individuals which will enhance the current employment support activities of the C1st programme within the Communities First structure. Subject to successful conclusion of the negotiations on the financial and legal issues, Cabinet was recommended to authorise officers to pursue this project with the purpose of implementation, as soon as possible.

The Cabinet Member Resources asked if the Authority were making provision for redundancy costs proposed as a result of the Project, from grant monies that had been committed to it.

The Corporate Director Communities explained that this would be raised with Welsh Government as part of the business planning of the Project. The first 2 years of the Project would be supported through grant funding for the Project itself, however, after this period the Council would be responsible for the Project. Staff would be aware at the outset that the length of the Project would be for 2 years, so it was anticipated that they would look for other employment opportunities before this term ends. He acknowledged that this was a risk though, that he would look into.

The Cabinet Member Children's Social Services and Equalities asked how the Project was intended to be managed.

The Corporate member Communities confirmed that this was an issue that would be looked into further accordingly.

RESOLVED: That Cabinet authorised the Corporate Director Communities to develop the Delivery Plan for the project in Bridgend, and in consultation with the Corporate Director Resources and the Assistant Chief Executive Legal and Regulatory Services, to enter into the necessary agreements with Welsh Government on behalf of the Council, as set out in paragraph 4.5 of the report.

747. AMENDMENT TO THE PRIVATE SECTOR HOUSING RENEWAL AND DISABLED ADAPTATIONS POLICY

The Corporate Director Communities submitted a report that sought Cabinet approval to amend the Private Sector Housing Renewal and Disabled Adaptations Policy (Appendix 1 to the report), to amend two existing grants, and to include a new grant, the Home Security Grant to assist people suffering from domestic abuse.

The Corporate Director Communities referred Members to paragraph 3.4 of the report and the need to update the above, in recognition of the Authority's need to support the creation of single units of accommodation, work proactively to develop the private sector and meet our obligations under the Housing (Wales) Act 2014. Also, in recognition of the Authority's development of a holistic 'One Stop Service' approach to help address domestic abuse issues and presentations, and provide a comprehensive service to victims of domestic abuse.

He then referred to the changes that were proposed to the following that were outlined in paragraphs 4. of the report:-

1. Empty Homes Grant
2. Assistance to RSL's in Strategic Regeneration
3. Domestic Abuse and Domestic Violence Security Grant

The Deputy Leader referred to paragraph 4.9 of the report, where it specified that an application for assistance under the Domestic Abuse and Domestic Violence Security Grant would be up to £350 per application. He questioned if this was enough to make a property totally secure.

The Corporate Director Communities advised that the householder under the Scheme was also expected to make a contribution to this, and therefore, this amount added on to the £350 would ensure that the property is adequately secured.

RESOLVED: That Cabinet approved the Private Sector Renewal and Disabled Adaptation Policy, as attached at Appendix 1 to the report.

748. MYNYDD CYNFFIG PRIMARY SCHOOL INSTRUMENT OF GOVERNMENT

The Corporate Director Education and Transformation submitted a report, in order to seek approval from Cabinet for the revised Instrument of Government for Mynydd Cynffig Primary School Governing Body.

She explained that the governing body of the above school had revised their old Instrument of Government in preparation for becoming a Primary school in September 2015 when they would be providing education for 3 – 11 year olds. The governing body unanimously agreed at their meeting on 16 June 2015 to increase their Constitution from 13 governors to 18 governors. She added that Governors felt that as the school will be responsible for an additional education phase, and due to the increase in the number of pupils attending the school, increasing the membership to bring new governors on will bring additional qualities and skills to enable the school to operate more effectively.

The Deputy Leader confirmed that the report reflected a good example of the Authority making financial efficiencies in schools through amalgamation proposals.

RESOLVED: That Cabinet agreed to the Revised Instrument of Government attached at Appendix A to the report

749. **LEARNER TRAVEL POLICY**

The Corporate Director Education and Transformation submitted a report on the results of the consultation exercise initiated by Cabinet together with the accompanying Equality Impact Assessment (EIA) regarding the proposed change to the Council's Learner Travel policy, to assist Cabinet in determining whether or not it will progress with the proposals, and if implemented how the proposal would contribute to the overall saving to the Council's Medium Term Financial Strategy to 2018/19.

In the Council's current Learner Travel Policy, Bridgend County Borough Council uses its discretionary powers to provide free transport for:-

- primary and nursery aged children, residing more than 1.5 miles from the nearest suitable school (normally defined as their catchment area school);
- secondary aged children residing more than 2 miles from the nearest suitable school (normally defined as their catchment area school);
- post-16 learners, subject to the 2 mile limit;
- all learners attending VA schools (subject to existing limits), regardless of whether the school is the nearest suitable school.

She confirmed that Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of language preference. Furthermore, in cases where learners do not attend the nearest suitable school, local authorities can use their discretion to provide free transport to Welsh Medium schools regardless of the distance criteria in order to promote access to education and training through the medium of Welsh.

Section 6 of the Measure also gives local authorities the power to make any arrangement they think fit to facilitate the travel of learners to and from a place where they receive education or training. The power applies in relation to a learner living or studying in the authority's area.

The next Section of the report confirmed the national picture in Wales in respect of Learner travel provision in local authorities., which portrayed that BCBC's current provision was one of the most supportive in Wales along with Caerphilly and RCT County Borough Councils.

Paragraph 3.20 then outlined the financial case for change, in that the local authority had to make some changes to the Policy under savings aligned to the MTFs.

The next section of the report then outlined Cabinet decisions that had been made to date, and details of an initial evaluation exercise from which arose 3 proposals to move forward with as part of a consultation exercise. The consultation proposals also included community engagement workshops she added.

The Corporate Director Education and Transformation then advised that a further consultation exercise that subsequently took place, arising from which came three proposals and these were detailed in paragraph 3.55 of the report.

The Corporate Director Education and Transformation then alluded to the following Sections of the report:-

- a) Guidance received from the Children's Commissioner for Wales
- b) Conformity with BCBC's Consultation and Engagement Guidelines
- c) Conformity with the National Principles for Public Engagement in Wales
- d) Conformity to the National Children and Young People's Participation Standards for Wales
- e) Conformity with Paragraph 12 of the Children and Families (Wales) Measure 2010
- f) Conformity with the Rights of Children and Young Persons (Wales) Measure 2011

The Corporate Director Education and Transformation then outlined a summary of the Consultation Responses as expressed in paragraphs 4 of the report which gave rise to three main Proposals for change, and she went through these including the advantages and disadvantages attached to adopting any of these, including any impact on faith based and Welsh medium education provision.

The next section of the report referred to the response made by the Children and Young People O&SC, following which she reminded Cabinet to note that there are a range of possible mitigations that the local authority could put in place to address the concerns that had been outlined in the public consultation in relation to all 3 proposals that had been put forward.

The Corporate Director Education and Transformation then outlined an evaluation of all the issues raised on each of the Proposals and the local authorities responses to these.

The Leader and the Deputy Leader in turn, commended the amount of work that had gone into the very comprehensive report that was before Members. All aspects of this important issue had been very closely investigated before the proposals had been carefully considered and narrowed down into feasible options. The Leader stated that he hoped that the outcomes had been met with understanding and approval from the constituents of the County Borough.

The Deputy Leader added that he had attended one of the Community Engagement Workshops in Porthcawl, and emphasised that the design of this was good and that Officers who attended this took time to speak to members of the public who

attended this on a one to one basis. There had also been close engagement with all the various stakeholders including children and young people who would be affected by the changes, and the relevant Overview and Scrutiny Committee. This had resulted in the local authority both listening and responding to some of the important issues that had been raised as part of the consultation exercises.

He emphasised that the Council had taken some positive steps in that it had made some changes to those originally proposed with regard to Learner travel arrangements for Voluntary Aided Schools, and protection in terms of continuation of transport provision for those siblings of children who were being taught at the school, who had not yet entered the school but would be after the conclusion of their primary education. He further added that paying places for transport provision would be pursued on a full cost recovery basis, and this charge would be reduced in the future.

There would also be provided, a range of different payment options to parents who may in the past have struggled to pay this in the form of one total payment.

There would also be increased viability options for Post 16 students and those being taught Welsh medium education, as there would be in the only Catholic secondary school situate within the County Borough.

The Cabinet Member Children's Social Services and Equalities raised concerns over the issue of there being a Safe Route to School being provided at all schools where pupils may have to walk there (or part of the way) should there be no option of transport being provided for them to these schools.

The Corporate Director Education and Transformation advised that this had been looked into as part of the review, and also that it was a statutory responsibility of a local authority to provide a Safe Route to School if transport provision was not being provided for certain pupils who were attending that school.

The Cabinet Member Regeneration and Economic Development added that more active travelling arrangements could also be examined, for example cycling to school.

The Cabinet Member Communities further added that Rhondda Cynon Taf were also looking at reviewing their Learner Travel Policy, and there could be scope he felt, to look at some of the outcomes they were pursuing, including any partnership arrangement ensuing in due course. He further added that a Hardship Fund was in place to protect local families, and he stated that he would like this to be possibly reviewed in due course.

The Cabinet Member Resources stated that even though the changes proposed in the report had been finalised, there would be a phased approach to these being implemented. Therefore, the savings that the Council were required to make in this area, would not be fully realised for some several years.

The Leader concluded debate on this item by asking Officers if Bridgend College could possibly assist in the support of transport provision for Post 16 students.

RESOLVED: That Cabinet:-

1. Approved the changes to the current Learner Travel Policy to bring it in line with minimum statutory requirements, realising savings of £67,092 in 2016/17 rising to £776,550 by 2023/24. This would mean that the

qualifying distance for free primary school transport would change from 1.5 miles to 2 miles and the qualifying distance for free secondary transport would change from 2 miles to 3 miles. This will also apply to Welsh-medium and voluntary aided schools and will include Post-16 students. Pupils who currently receive free transport will maintain their entitlement until they transition to the next stage of their education. The change in policy will also include support for families through ensuring siblings attending the same school will receive the same level of transport entitlement. If a child maintains free transport at the lower threshold of 1.5/2miles then any sibling starting the same school whilst the elder sibling is still there will also receive the same entitlement. The policy will be introduced in September 2016.

2. Approved the cost of a paying place at £1.90 per day for all school pupils (including post-16 students) which is £361 per annum, rather than full cost recovery. This equates to an increase of 33.7%, realising £4,367. The increase to the cost of a paying place will be introduced from September 2016 and will be reviewed on an annual basis.
3. In line with current proposals regarding the strategic review of the school curriculum and estate, agreed that no decision is made regarding proposal 3 (to withdraw free post-16 transport to school and college students), leaving an estimated budget shortfall of £529,000 for 2016/17.

750. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN): PROPOSAL FOR CHANGES TO PENCOED PRIMARY SCHOOL MLD LEARNING RESOURCE CENTRES - OBJECTIONS REPORT

The Corporate Director Education and Transformation submitted a report, the purpose of which, was to inform Cabinet of the outcome of the consultation on the proposal to close one moderate learning difficulties (MLD) Learning Resource Centre at Pencoed Primary School and of the intention to carry out a period of monitoring which will consider the uptake of placements for September 2016.

In order to progress the proposal to close one moderate learning difficulties (MLD) Learning Resource Centre at Pencoed Primary School, consultation exercises were carried out between 9th February and 25th March 2015 with staff, governors, parents and pupils of Pencoed Primary School and also the wider community. This was carried out in accordance with the Statutory School Organisation Code which requires the Authority to publish a consultation report summarising any issues raised by consultees and the Authority's response as

well as setting out Estyn's view of the overall merit of the proposal. The Authority's Consultation Report was shown at Appendix 1 to the report.

She confirmed that following the consultation, it was proposed to abandon the proposal to close the moderate learning difficulties (MLD) Learning Resource Centre for 1st September 2015 at Pencoed Primary School. Given the views expressed during the consultation, it was also proposed that the school continues to be funded for a further academic year offering 30 MLD pupil places. The funding will be closely monitored throughout the academic year and will be reviewed in the summer term. If after the period of monitoring it is considered that the class should close, then, the process to close the class would then restart.

The Corporate Director Education and Transformation referred to paragraph 4.6 of the report, that outlined that Cabinet was asked to revisit the consultation outcome report with particular regard to Estyn's response to the proposal. It was recommended that a full investigation into the Estyn response is carried out to ensure that all their queries regarding the proposal are addressed. Following this, it was also recommended that a further response is received from Estyn prior to a final decision being determined.

She concluded her submission by confirming that the decision not to close the Learning Resource Centre would have no financial implications, as the cost of the provision was already factored into the Individual School Budget (ISB) formula.

The Deputy Leader confirmed that during the consultation process, the local authority had listened to all stakeholders including, parents of pupils at the school, Governors and the Children and Young People O&SC who had actually called-in the original decision of Cabinet.

He added that there would now take place a period of careful monitoring of the position, in order to ascertain if additional pupils require sufficient support that would require one of the Learning Resource Centre's to remain open in the future.

The Cabinet Member Resources added that he had been disappointed to see the reaction of Estyn to the original proposal, bearing in mind that 2 teachers would now be responsible for a class of 13, when in other schools 1 teacher in terms of ALN classes was in charge of 15 pupils.

RESOLVED: That Cabinet:

- Noted the outcome of the consultation
- Approved the attached Consultation Report for publication
- Abandoned the proposal to close the moderate learning difficulties (MLD) Learning Resource Centre for 1st September 2015 at Pencoed Primary School to enable a monitoring period to take place.

751. SCHOOL MODERNISATION PROGRAMME: OUTCOME OF PUBLIC NOTICE ON PROPOSAL TO MAKE A REGULATED ALTERATION TO YSGOL GYNRADD GYMRAEG CWM GARW BY RELOCATING THE SCHOOL

This report is to inform Cabinet of the statutory objections received by the Authority during the objections period in respect of the proposal to make a regulated alteration to Ysgol Gynradd Gymraeg Cwm Garw by relocating the school to a new school building on the Betws Primary School site, to request a determination on the proposal and to seek Cabinet's approval to publish the draft 'Objections Report' (Appendix A) on BCBC's website .

In November 2013 the Council used statutory procedures to consult on relocating the Welsh medium primary provision of Ysgol Gynradd Gymraeg (YGG) Cwm Garw from Pontycymer to the existing Betws Primary School site. In May 2014 Cabinet determined to relocate the school to a new Welsh medium school on the site currently occupied by Betws Primary School. The proposal was to co-locate YGG Cwm Garw with the new English medium primary school serving the south of the Garw Valley. In February 2015 Cabinet further determined that the relocated YGG Cwm Garw should be a 1.5 form entry.

Following the outcome of a challenge ,in respect of Betws and Tynyrheol Primary Schools the Council reconsidered the scheme. The proposal relating to YCG Cwm Garw has not been significantly affected and the authority proposes to make a regulated alteration to YGG Cwm Garw by relocating the school to a new building on the Betws Primary School site. .

On 3rd March 2015, Cabinet approval was received for the Council to adopt revised principles as a framework for school organisation in Bridgend; five key principles were set out to inform the organisation and modernisation of our schools, as was outlined in paragraph 3.3 of the report.

In respect of the current situation, and in order to progress the proposal, consultation was carried out between 25th April and 1st June 2015 in accordance with the statutory School Organisation Code. A copy of the consultation document was also made available during this time on the Council's website, and details regarding this was shown in paragraphs 4.2 – 4.4 of the report, while paragraph 4.5, gave details of one statutory objection to the proposal. Appendix 1 to the report contained an Objections report and gave details of the objections and the Authority's consideration of these.

The Deputy Leader expressed his disappointment with an objection to the proposal submitted by the governing body of Ysgol Gynradd Gymraeg Cwm Garw school. He added that the school was in a poor state of condition, and as such, was not feasible to continue to accommodate pupils in its present state as a long term option at its current site. He further added that a Conditions survey carried out had revealed major defects in the current building structure. There was also no playing field on site nor other outdoor facilities in keeping with a modern school and no IT facilities neither.

It was intended for the school to be re-located with the new building providing state of the art facilities in-keeping with other schools in the County Borough that had been improved under the Council's School Modernisation Programme.

The current position of the school at the top of the Garw valley, also meant that there were too many school places remaining vacant at the school which was not anticipated to rise because of its present location.

The Cabinet Member Regeneration and Economic Development added that a budget had set aside for the provision of the school on a new site further down the valley which would serve both the Garw Valley and Bettws locations, therefore resulting in a larger catchment area for the new school.

The Cabinet Member Resources advised that an inordinate amount of money would have to be committed to the present school over the next 2 years in order to bring it up to standard or the school would have to close, and the works required were too extensive hence the recommendation to close the school and re-locate a new build within the general location it was situate in.

RESOLVED: That Cabinet:

- (1) Noted the statutory objections received and the consideration of those objections as detailed in the attached draft Objections report and associated Appendices.
- (2) Approved the draft Objections report for publication.
- (3) Determined to implement the proposal with effect from 1 September 2018

752. **SCHOOL MODERNISATION PROGRAMME: OUTCOME OF PUBLIC NOTICE ON THE PROPOSAL TO RELOCATE BRYNMEYN PRIMARY SCHOOL TO LAND ADJACENT TO COLEG CYMUNEDOL Y DDERWEN AND MAKE A REGULATED ALTERATION IN THE FORM OF AN ENLARGEMENT**

The Corporate Director Education and Transformation submitted a report, that informed Cabinet of the outcome of a Public Notice on the proposal to relocate Brynmenyn Primary School to land adjacent to Coleg Cymunedol Y Dderwen, and make a regulated alteration in the form of an enlargement.

By way of background information, she confirmed that in order to relieve the pressure on primary school places in the Valleys Gateway area, it was proposed to build a new school for Brynmenyn Primary School on land adjacent to Coleg Cymunedol Y Dderwen. It was also proposed to make a regulated alteration to Brynmenyn Primary School in the form of an enlargement to the school. The relocation of the school was less than 1 mile from the existing school site. However, she added that the regulated alteration was subject to statutory procedures.

The Corporate Director Education and Transformation confirmed that statutory public notice was issued on 25th June 2015 and the closing date for objections was 22nd July 2015. The public notice sets out the details of a proposal to allow the public to comment generally or on specifics. A period of 28 days must elapse to allow any comments or objections to be made. Any objections made within this period must be submitted in

writing to the Council. The Council must then publish an objections report summarising the statutory objections together with the Council's response to those objections.

She added that no objections were received during the statutory public notice period, and Cabinet was, therefore, now able to determine the implementation of the proposal.

The Deputy Leader advised that he was happy to support the proposals contained within the report.

RESOLVED: That Cabinet, having given full consideration to the outcome of the consultation and public notice process, determined to relocate Brynmenyn Primary School to a new build school on land adjacent to Coleg Cymunedol Y Dderwen and make a regulated alteration in the form of an enlargement with effect from 1 January 2018.

753. **STRATEGIC REVIEW INTO THE DEVELOPMENT AND RATIONALISATION OF THE CURRICULUM AND ESTATE PROVISION OF PRIMARY, SECONDARY AND POST 16 EDUCATION**

The Corporate Director Education and Transformation presented a report, the purpose of which was to update Cabinet on the work of the schools task group, and to seek approval to appoint a strategic partner to support the development of a Strategy that will provide an evidence based rationale for change and will form a basis in order to reach informed conclusions about the nature of provision of primary, secondary and post 16 education and the need to add, remove or relocate school places.

By way of background information, she confirmed that in August 2014 the Children's Directorate established the Schools Task Group to consider the way forward for schools within the County Borough and to ensure we continue to plan for and provide a high quality education system for our young people, that gives them the very best opportunities for their lives in the 21st century and builds upon the excellence and good practice that we already have in our county. The rationale behind this was explained in the report.

She explained that the the Task Group established a set of principles and criteria to underpin the future of education and learning provision which may be applied to establish a strategy for the next ten years (Appendix A to the report referred). These were approved by Cabinet on 3rd March 2015. These criteria provide a framework upon which decisions may be considered and will contribute to the formation of a draft model of schools' provision prior to full consultation. It may be that alternative models could be designed for consultation. The Schools Task Group had taken into account the different dynamics of Bridgend County Borough, ie towns, rural areas, valleys and such like and other issues as they arise. These were also detailed in the report, as was a summary of the findings of each workstream

The Corporate Director Education and Transformation then gave a brief summary of the findings of each of these workstreams.

In respect of developing a Strategy, the Corporate Director Education and Transformation explained that the new principles provided a structured approach to aid in consideration of the rationalisation of education provision in Bridgend. The principles and the strategy is an approach that will provide evidence based rationale for change and will form a valuable basis in order to reach informed conclusions about the nature of provision and the need to add, remove or relocate school places. The approach will support the drive for improved pupil outcomes through the Central South Consortium by securing a more sustainable and effective pattern of provision than exists in all areas of the County Borough at present. The report then outlined the purpose behind the Strategy.

The Deputy Leader advised that a significant amount of work had been committed to this Review, particularly by the Schools Task Group. This work had to be undertaken in order that the quality of education presently being provided for young people within the County Borough could continue into the future ie over the next 10 – 15 years. As there was no capacity by which to undertake this internally, this work had to be carried out by a Strategic partner he added.

As paragraph 4.9 of the report illustrated, the review would consider a range of options as listed within this paragraph. The matter would be the subject of a further report to Cabinet therefore, in due course.

RESOLVED: That Cabinet

- (1) Approved the sourcing of a Strategic partner to support the development of a Strategy that will provide an evidence based rationale for change, and will form a basis in order to reach informed conclusions about the nature of provision and the need to add, remove or relocate school places.
- (2) Approved the 5 outline areas for inclusion in the specification as set out in paragraph 4.8 of the report
- (3) Approved the review as set out in paragraph 4.9 of the report.

754. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

The Corporate Director Education and Transformation presented a report the purpose of which was to seek Cabinet approval for the appointment of Local Authority (LA) Governors to the school governing bodies listed in paragraph 4.1 of the report.

RESOLVED: That Cabinet approved the appointments as listed in paragraph 4.1 of the report.

755. OUTCOME AGREEMENT 2013-16 WITH WELSH GOVERNMENT - MONITORING REPORT 2014-15 AND REVIEW OF THE TARGETS FOR 2015-16

The Assistant Chief Executive Legal and Regulatory Services submitted a report, that sought approval for the monitoring report relating to the above Outcome Agreement to be submitted to Welsh Government.

He confirmed that in 2013, the Council developed a three year Outcome Agreement with Welsh Government, with the Agreement Framework comprising two distinct components, ie Part 1 relating to Outcomes, and Part 2 Corporate Governance.

He added that five Outcomes are included in the Agreement, and each year the Authority was required to self-assess whether it has achieved its planned outcomes for the year, and provide a monitoring report to Welsh Government. The full score for the Outcomes is 10 points, though the Authority had to score 10 points or above to receive the full amount of the 70% of the grant. It was anticipated that the Authority would be awarded the full amount of grant for the coming year, ie £1.4m.

The Assistant Chief Executive legal and Regulatory Services added that the Council has reviewed the targets in the Outcome Agreement for 2015-16 in light of the Council's performance in 2014 – 15, and to reflect any changed circumstances. The reviewed targets were included in the attached report.

RESOLVED: That Cabinet

(1) Approved the Monitoring report attached to the covering report, and agreed that it is submitted to Welsh Government to meet the deadline.

(2) That Cabinet approved the changes made to the targets for 2015-16

756. AMENDMENT TO THE SCHEME OF DELEGATION

The Assistant Chief Executive Legal and Regulatory Services submitted a report, the purpose of which, was to seek Cabinet approval for a series of amendments, which would have been made to the Schemes of Delegation of Functions relating to their functions within the Scheme.

He then proceeded to outline the changes that were proposed, as outlined paragraphs 4. of the report. These were included in the full version of the Scheme of Delegation that was attached to the report at Appendix A.

He then gave a further verbal update on one further change that was required over and above those detailed in the report, as outlined in 2. below.

RESOLVED: That Cabinet:

(1) Approved the Schemes of Delegation of Functions relating to its Cabinet Functions as attached at Appendix A to the report.

(2) That Cabinet also approved that Scheme B2, Paragraph 2.58 be amended to read "Official Feed and Food Controls (Wales) Regulations 2009"

757. AMENDMENT TO THE CALENDAR OF MEETINGS

The Assistant Chief Executive Legal and Regulatory Services submitted a report, seeking Cabinet approval to make amendments to the calendar of its meetings, so as to align them with the revised Budget timetable schedule.

Attached at Appendix A to the report, was the complete timetable of meeting date changes resulting from the above, whilst a summary of the Cabinet meeting changes were shown in paragraph 4.3 of the report.

Paragraph 4.4 of the report outlined for noting changes to dates of certain Council meetings, and these would be considered by Council at its meeting on 2 September 2015.

Paragraph 4.5 then showed a timetable for the suggested re-scheduling of certain Overview and Scrutiny Committees as detailed within the Table in that part of the report, which would also be considered by Council at tomorrow's meeting.

The Assistant Chief Executive Legal and Regulatory Services then referred to paragraph 4.6 of the report and a proposal to add a further meeting of Cabinet Committee Corporate Parenting to the Calendar of meetings for this coming October.

RESOLVED:

758. INFORMATION REPORTS

The Assistant Chief Executive Legal and Regulatory Services presented a report, the purpose of which was to inform Cabinet of the Information Reports which had been published since the last meeting.

RESOLVED: That Cabinet acknowledged the publication of the documents listed in the report:-

<u>Title</u>	<u>Date Published</u>
--------------	-----------------------

759. URGENT ITEMS

760. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contained exempt information as defined in Paragraphs 14 and 16 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the under-

CABINET - TUESDAY, 1 SEPTEMBER 2015

mentioned item in private with the public being excluded from the meeting as it would involve the disclosure of exempt information as stated above.

<u>Minute No:</u>	<u>Summary of Item:</u>
761	Exempt Minutes of Cabinet of 14 July 2015
762	Area Planning Board for Substance Misuse – Collaborative Agreement
763	Waste Services Provision

761. APPROVAL OF EXEMPT MINUTES

762. WASTE SERVICES PROVISION

763. WASTE SERVICES PROVISION

764. COMMISSIONING AND AWARD OF CONTRACTS IN RESPECT OF SUPPORTING PEOPLE PROGRAMME AND LEARNING DISABILITY SERVICES

765. AREA PLANNING BOARD FOR SUBSTANCE MISUSE - COLLABORATIVE AGREEMENT

The meeting closed at 4.30 pm