

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)
643147/643148
Ask for / Gofynnwch am: Andrew Rees

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

Date / Dyddiad: Wednesday, 9 March 2016

Dear Councillor,

CABINET

A meeting of the Cabinet will be held in the Committee Rooms 1/2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 15 March 2016 at 2.30 pm.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 5 - 12
To receive for approval the Minutes of the meeting of the Cabinet of 1 March 2016.
4. Corporate Health & Safety Policy Review 13 - 28
To gain approval from Cabinet for the amended Corporate Health and Safety Policy.
5. Development of the Strategic Equality Plan 2016-2020 29 - 44
To seek Cabinet approval for Bridgend County Borough Council's Strategic Equality Plan 2016 – 2020.
6. Renewal of Insurance Cover 45 - 48
To seek approval for the renewal of the Council's insurance programme and to authorise Marsh UK Ltd, as the Council's appointed insurance broker, to accept cover for the full range of policies, on behalf of the Council.
7. Use of Welsh Language in the Workplace 49 - 94
To seek Cabinet approval for the proposed way forward in the use of Welsh Language in the workplace.

Tel/Ffôn: 01656 643643

SMS Messaging/Negeseuon SMS: 07581 157014

Fax/Facs: 01656 668126

Twitter@bridgendCBC

Email/Ebost: talktous@bridgend.gov.uk

Website/Gwefan: www.bridgend.gov.uk

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

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

8. Rhiw Gateway Vibrant and Viable Places 95 - 98
 To agree to undertake a Deed of Variation to the Development Agreement with Coastal Housing Group Limited (CHGL) the purpose of which will be to provide for a provision to enable the Council to make an advance payment to CHGL, to seek Cabinet approval to authorise a payment of £1 million to CHGL to cover expenditure that CHGL will incur making an advanced payment bond to ensure that the Welsh Government's (WG) Vibrant & Viable Places (VVP) Grant allocation for 2015-16 is fully maximised by the Council and suspend Rule 8 (4) (a) of the Council's internal Financial Procedure Rules to allow for the payment to CHGL to take place before 31 March 2016.
9. Gypsy and Traveller Accommodation Assessment 99 - 152
 To inform Cabinet of the findings of the Gypsy & Traveller Accommodation Assessment (GTAA) and to seek approval to submit the document to Welsh Government for consideration.
10. Proposed introduction of Blue Badge Charging in Off-Street Car Parks 153 - 164
 To seek approval to re-consult on proposed changes for the future provision of the introduction of Blue Badge charging in Council Managed Off-Street Car Parks within Bridgend County Borough.
11. Waste Services Provision 165 - 214
 To set out for consideration by Cabinet the findings of the recent public consultation on the provision of residual and recycling collection services and the provision of services at the Council's Household Waste Amenity Sites.
12. Statutory Agreements - Un-adopted Roads and Paths that are Subject to Such Agreements 215 - 218
 To seek approval to trial the services of a specialist consultant to complete works in connection with selected outstanding statutory highway agreements so that roads and paths that are subject to such Agreements within developments can be adopted by the Highway Authority without having to use public funds.
13. Highways and Open Space Grass Cutting Arrangements 2016 219 - 226
 To seek Cabinet approval for the preferred service level for highway and open space grass and hedge cutting, and for the award of the contract for the provision of grass and hedge cutting services, as detailed in this report.
14. National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate 227 - 232
 To update Cabinet on the National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate developed by Welsh Government and to seek delegated authority for the Chief Executive to sign up to the spirit of the National Pathway.
15. Financial Assessment and Charging Framework under the Social Services and Wellbeing (Wales) Act 2014 233 - 240
 To update Cabinet on the changes to the financial assessment framework introduced by the new Social Services and Well-being (Wales) Act 2014 for residential and non-residential services and seek approval to undertake a formal consultation exercise to inform a new Charging Policy.
16. Reconfiguration of Pil Primary MLD Learning Resource Centre 241 - 274
 To seek Cabinet's approval to consult formally with parents, staff, the governing body of Pil Primary School and any other interested parties, to close the moderate learning difficulties

(MLD) learning resource centre at the school.

17. School Modernisation - Garw Valley South, Invitation to Tender 275 - 280
To seek Cabinet approval to undertake a pre-qualifying tender exercise for the construction of the Garw Valley South schools.
18. Anti-Social Behaviour, Crime and Policing Act 2014 and Amendment to the Scheme of Delegation of Functions 281 - 284
To seek Cabinet approval to amend the Scheme of Delegation of Functions as a result of the Home Offices' reform of anti-social behaviour powers.
19. Information Reports for Noting 285 - 304
To inform Cabinet of the Information Reports and Minutes of Joint Committees which have been published since its last scheduled meeting.
20. Urgent Items
To consider any items of business that by reason of special circumstances the chairperson is of the opinion should be considered at the meeting as a matter of urgency in accordance with paragraph 2.4 (e) of the Cabinet Procedure Rules within the Constitution.
21. Exclusion of the Public
The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraphs 14 and 16 of Part 4 and Paragraph 21 of Part 5, Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
If following the application of the public interest test Cabinet resolves pursuant to the Act to consider these items in private, the public will be excluded from the meeting during such consideration.
22. Approval of Exempt Minutes 305 - 306
To receive for approval the exempt minutes of the meeting of Cabinet of 1 March 2016
23. Extension to Welsh Purchasing Framework Contracts 307 - 312
24. Local Government Pension Scheme Deficit 313 - 316
25. Disposal of Land at Former Ogmores Comprehensive Playing Fields, Bryncethin 317 - 320

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

MEJ Nott OBE

HJ David

M Gregory

Councillors

CE Smith

HJ Townsend

PJ White

Councillors

HM Williams

This page is intentionally left blank

MINUTES OF A MEETING OF THE CABINET HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 1 MARCH 2016 AT 2.30 PM

Present

Councillor MEJ Nott OBE – Chairperson

HJ David

M Gregory

CE Smith

HM Williams

Officers:

Darren Mepham

Chief Executive

Ness Young

Corporate Director - Resources & Section 151 Officer

Mark Shephard

Corporate Director - Communities

Susan Cooper

Corporate Director - Social Services & Wellbeing

Andrew Jolley

Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer

Andrew Rees

Senior Democratic Services Officer - Committees

Nicola Echanis

Head of Strategy Partnerships & Commissioning

Gary Jones

Head of Democratic Services

847. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor HJ Townsend – Cabinet Member Childrens Social Services and Equalities

Councillor PJ White – Cabinet Member Adult Social Care and Wellbeing

848. DECLARATIONS OF INTEREST

None.

849. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 16 February 2016 be approved as a true and accurate record.

850. MEDIUM TERM FINANCIAL STRATEGY 2016-17 TO 2019-20 AND DRAFT BUDGET CONSULTATION PROCESS

The Chairperson of the Corporate Resources and Improvement Overview and Scrutiny Committee presented the recommendations of the Corporate Resources and Improvement Overview and Scrutiny Committee and the findings of the of the Standing Budget Research and Evaluation Panel (BREP) in considering the draft Cabinet proposals on the Medium Term Financial Strategy 2016-17 to 2019-20. He stated that in considering the challenges associated with continued budget reductions, the Budget Research and Evaluation Panel recognised the need for a whole Council response to be adopted in managing anticipated cuts to services against a backdrop of increasing demand, public sector reform and the challenging financial outlook. He informed Cabinet that the Standing BREP had met on seven occasions and examined the Budget Strategy for the Council as whole and individual draft budget proposals for each Directorate by means of with Directors and Officers. He stated that the Panel had requested presentations and detailed information to inform discussions regarding the

direction of future budget cuts across the Authority including the rationale behind the early draft proposals and how they linked to the new Corporate priorities.

The Leader placed on record his thanks to the Members of the Corporate Resources and Improvement Overview and Scrutiny Committees and the Budget Research and Evaluation Panel for the work undertaken in relation to the draft Budget Proposals and that the recommendations would be considered by Cabinet.

RESOLVED: That Cabinet agreed to consider the recommendations of the Corporate Resources and Improvement Overview and Scrutiny Committee, in response to the Medium Term Financial Strategy 2016-17 to 2019-20 and the Draft Budget Consultation Process.

851. MEDIUM TERM FINANCIAL STRATEGY 2016-17 TO 2019-20

The Section 151 Officer presented the Medium Term Financial Strategy (MTFS) for 2016-17 to 2019-20, which included a financial forecast for 2016-20, a detailed draft revenue budget for 2016-17 and a Capital Programme for 2016-17 to 2025-26.

The Section 151 Officer reported that the Corporate Plan is reviewed each year to ensure it continues to reflect the Council's corporate improvement priorities, commitments and performance indicators. The Corporate Plan would be presented to Council alongside the MTFS as the two documents are aligned to each other and include explicit links between resources and corporate priorities. The Medium Term Financial Strategy articulated how the Council planned to use its resources to support the achievement of its corporate priorities as well as the management of its statutory and core duties, known pressures and risks.

The Section 151 Officer reported on the financial context in that the Chancellor of the Exchequer had announced as part of the 2015 Autumn Statement an improvement of £27 billion in public sector finances over the next 5 years. As a consequence of this the Welsh Government had been given a cash increase of 0.85% for 2016-17. She stated that the provisional Local Government Settlement provided an average -1.4% reduction in Aggregate External Finance for 2016-17 across Wales, with Bridgend's reduction being 1.2%, which includes a requirement to protect school budgets equivalent to 1% above the change in the Welsh Government's Revenue Budget as well as notional additional funding for social services pressures. The Final Local Government Settlement would not be published until 2 March 2016 and voted upon by the Welsh Government on 9 March 2016.

The Section 151 Officer reported that there was no indication of local government settlements for 2017-18 onwards, but in view of current economic and fiscal projections and the absence of other information the MTFS sets out a most likely scenario based on the most likely assumption of a -3.2% annual reduction in Aggregate External Finance for 2017-18, 2018-19 and 2019-20, which would mean a total recurrent budget reduction of £35.531m from 2016-17 to 2019-20.

The Section 151 Officer also reported on the grant transfers into the revenue settlement for 2016-17, however the full picture on specific grants was not yet clear, but the draft settlement did include information on a number of changes to the level of grants at an all Wales level which impact on the Council's resources. She stated that the Welsh Government had ceased the Regional Collaboration Fund in 2016-17 but had increased the Intermediate Care Fund from £20m in 2015-16 to a proposed £50m across Wales for 2016-17. This Fund had been allocated to the NHS to support greater integration with local authorities. The Section 151 Officer informed Cabinet that the draft 2016-17 draft

budget assumed a Council Tax increase of 3.9% based on an appropriate balance between service provision and the financial burden of any rise on households.

The Section 151 Officer reported that Council in February 2015 had approved a capital programme for 2015-16 to 2024-25, based on the assumption that annual capital funding would be flat lined from 2015-16 onwards. Revised capital programmes were approved during the year reflecting funding changes to some schemes, slippage, additional external funding approvals and changes to expenditure profiles. The Local Government Capital Settlement for 2016-17 provided the Council with £6.296m capital funding for 2016-17, which is £8k more than 2015-16, with no indications given for 2017-18 or beyond. The Section 151 Officer informed Cabinet of the comparison of budget against projected outturn at 31 December 2015, which showed an overall under spend of £1.165m, comprising £602k net underspend projected on Directorate budgets and £563k underspend on corporate budgets.

The Section 151 Officer reported on the MTFs for the next four financial years, based on the latest information available from the Welsh Government. The MTFs is reviewed regularly and amended as additional information became available, with the detail for future years being developed over the period of the strategy. The development of the MTFs 2016-17 to 2019-20 has been led by Cabinet and the Corporate Management Board and took into account the views of the Auditors and Overview and Scrutiny Committees and issues arising in 2015-16, underpinned by the ongoing aim to embed a culture of medium term financial planning closely aligned with corporate planning. As well as linking explicitly to the Council's corporate priorities, the MTFs is linked to the Workforce Plan, the ICT Strategy, the Treasury Management Strategy, the Asset Management Plan and the Council's Transformation Programme.

The Section 151 Officer informed Cabinet that consultation on the MTFs had been undertaken over an eight week period which included an online survey, community engagement workshops, social media debates, community engagement stands and a meeting with third sector organisations. There had been 1,819 responses with positive support for the majority of proposals put forward. At least 80% of participants agreed with the three proposed participants; however 71% believed something was missing, citing most commonly the themes of streamlining the Council, public transport and infrastructure and local business support. The majority of respondents agreed with the idea of protecting some services over others but two thirds felt schools should be expected to make efficiency savings too. She stated that in addition to the public consultation, Cabinet and the Corporate Management Board had been working with the Budget Research and Evaluation Panel to facilitate the budget planning process and Cabinet had considered the recommendations of the Corporate Resources and Improvement Overview and Scrutiny Committee. The Section 151 Officer stated that a number of changes had been made to the budget reduction proposals as a result of the public consultation and the overview and scrutiny process. In particular, the budget reduction proposal for highways maintenance had been reduced by £0.5m from the £1.207m consulted on. Similarly the proposal to cut subsidised bus routes by £229k has been reduced to just £15k in 2016-17. In addition the proposed budget reduction to voluntary sector bodies of £33k has been reduced to £15k in 2016-17.

The Section 151 Officer highlighted the MTFs principles which would drive the budget and spending decisions over the four year period. Principle 12 has been expanded in response to the significant financial challenges the Council expects to face over the coming years to allow the Council to manage inescapable problems with delivery of particular savings when they arise until a solution can be found.

The Section 151 Officer reported that the MTFs planning assumptions for 2017-20 are based on an annual reduction in AEF of -3.2% and an assumed increase in council tax

of 3.9% for 2017-18, 4.2% for 2018-19 and 4.5% for 2019-20. The AEF figure of -1.2% is based on the published Provisional Settlement. The Section 151 Officer highlighted the potential net budget reductions requirement based on the best scenario, most likely scenario and worst scenario for 2016-17, 2017-18, 2018-19 and 2019-20.

The Section 151 Officer reported that the MTFs included an additional £6.451m for a number of foreseen pressures that the Council will have to manage over the MTFs period, plus £1.4m for the transfer in of the Outcome Agreement Grant. In addition, consideration was given each year to any inescapable unforeseen Directorate pressures that cannot be accommodated within existing budgets and that £2.316m inescapable pressures had emerged during 2015-16. The Council has unavoidable pressures of £10.167m in 2016-17.

The Section 151 Officer reported on how much the Council needs to find from within existing budgets to help meet the inescapable pressures it faced over the next four years, based on the AEF assumptions and assumed Council tax increases of 3.9% in 2016-17 and 2017-18, 4.2% in 2018-19 and 4.5% in 2019-20. Cabinet and CMB are working together to develop plans to meet the most likely scenario. The Section 151 Officer outlined the risk status of the budget reduction proposals for 2016-17 to 2019-20 and that proposals had been amended since the draft budget to reflect the £18k reduction to the cut in the third sector funding proposal. The Section 151 Officer reported that delivering budget reductions of £35.5m would result in a smaller Council as two thirds of the Council's net revenue budget is required to meet cost of staff. It was intended to manage reductions in Council budgets through the continuation of a recruitment freeze, redeployment, early retirements, and voluntary redundancies, but some compulsory redundancies would continue to be necessary. The Section 151 Officer highlighted the risk status of these for each year and also highlighted the savings proposals categorised according to the priorities in the Corporate Plan.

The Section 151 Officer reported on the Draft Revenue Budget for 2016-17 which, based on the proposed budget of £254,891m the council tax increase for 2016-17 would be 3.9%. The Section 151 Officer informed Cabinet of the impact of pay, prices and demographics and unavoidable pressures on the revenue budget. The draft settlement from the Welsh Government included within it additional amounts in respect both of schools' protection as well as the recognition of the pressures facing social care. Budget reduction proposals of £7.477m had been identified from service and corporate budgets to achieve a balanced budget. Corporate budgets include funding for the council tax reduction scheme, the 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. Income from fees and charges would be increased by CPI of +0.3% plus 1% subject to rounding, or in line with statutory or service requirements. The Council has maintained its Council Fund at a minimum of £7m and at 31 March 2015 it was £7.45m and it was proposed that the general fund be maintained at no less than £7m in 2016-17 with the Council's earmarked reserves being kept under review and the forecast may change in the final MTFs report to Council in March 2016.

The Section 151 Officer reported on the proposed capital programme for 2016-17 to 2025-26 and Capital Financing Strategy (including prudential borrowing and Capital Receipts forecast). Both had been developed in line with the MTFs principles and reflect the Welsh Government provisional capital settlement for 2016-17, which provides general capital funding for the Council for 2016-17 of £6.296m, of which £3.914m is un-hypothecated supported borrowing and the remainder £2.382m as general capital grant. There had been no indicative allocations provided for 2017-18 but it was assumed that this level of funding would remain constant after 2016-17. The development of the proposed capital programme had involved a review of the Council's capital investment

requirements for 2016-2025 compared to available capital. The programme contains a number of fixed annual allocations that are met from the total general capital funding for the Council. In addition, the Council has approved a contribution of £1m per year as part of the local authority matched funding contribution for the Programme. The current capital programme contains a number of significant strategic investment projects which support a number of the proposed new corporate priorities. The following projects had been included in the Council's approved programme but funding for each project would not be confirmed until the Welsh Government had approved the final business case and sufficient capital receipts had been generated:-

- Coety / Parc Derwen Primary School
- Special Education Needs Provision
- Garw Valley South Primary Provision
- Pencoed Primary School
- Gateway Primary Provision
- Mynydd Cynffig Primary School
- Heronsbridge Special School

The Section 151 Officer informed the Cabinet that the Capital Financing Strategy is underpinned by the Council's Treasury Management Strategy. Capital receipts of around £21m could be generated as part of the enhanced disposals programme, with approximately £9.3m already delivered and £11m of capital receipts to be generated over the next three years of which £4m is expected to be realised in 2016-17. Of the £21m, £8.8m relates to school buildings and land vacated through the 21st Century Schools Programme to be used as match funding for the programme. It included receipts anticipated from the Waterton site along with the sale of other surplus sites within the County Borough.

The Section 151 Officer reported that Council on 25 February 2015 had approved Prudential Borrowing of £41.5m, which included £5.6m of Local Government Borrowing Initiative funding towards the costs of the 21st Century Schools Programme. Total Prudential Borrowing taken out by the end of 2016-17 is estimated to be £41.745m, of which £32m is still outstanding.

The Section 151 Officer also reported that the Council is required prior to the start of the financial year to approve the Treasury Management and Investment Strategies for 2016-17 and the Treasury Management and Prudential Indicators for the period 2016-17 to 2019-20.

The Section 151 Officer reported that the budget reduction proposals had been the subject of an Equality Impact Assessment.

The Cabinet Member Resources in commending the MTFs stated that the Council in order to deliver the proposed new priorities set out in the Corporate Plan, meet its statutory responsibilities and at the same time be attentive to the needs of communities must take a very proactive approach to managing its resources. He stated there is a need to strike an appropriate balance between service provision and the financial impact on householders through the level of council tax increase.

He informed Cabinet that in terms of the MTFs, the Council continues to face significant financial challenges and still has to make difficult decisions as a result of cuts imposed by the UK Government. He stated that the Council has undertaken extensive public consultation on the budget and the budget reduction proposals presented in the MTFs are in line with the responses that the Council received.

He also commented that the Council has tried to limit the impact of budget reductions on citizens by rigorously pursuing efficiency measures, whilst the provisional Local Government settlement by the Welsh Government was better than anticipated the Council still needs to make budget reductions in the order of £35.5m over the next four years.

The Deputy Leader welcomed the additional investment by the Welsh Government in the Intermediate Care Fund as a result of representations made by the Welsh Local Government Association to the Minister. The additional funding will enable people being discharged from hospital to remain in their home. He stated that demographic pressures had been recognised by the Welsh Government resulting in social services being protected. He also stated that the protection of schools budgets will ensure that education outcomes could be maintained. The Deputy Leader also informed Cabinet that despite the Council being required to make budget reductions of £35.5m over the life of the MTFs, it intended pressing ahead with providing new schools for Cwm Garw and Brynmenyn, Bettws and Pencoed as well as making significant investment to primary provision in Kenfig Hill and also special educational needs provision. The Council was also making a major commitment by developing 2 new extra care facilities to meet current need and to plan for the future.

The Cabinet Member Regeneration and Economic Development stated that citizens could be assured that services were being held together despite austerity measures. He also stated that he welcomed initiatives such as the City Deal and investment by an ICT company in Pencoed.

The Leader placed on record his thanks to the Section 151 Officer and her team in developing the MTFs.

RESOLVED: (1) That Cabinet approved the MTFs 2016-17 to 2019-20 including the 2016-17 revenue budget, the Capital Programme 2016-17 to 2025-26 and the Treasury Management Strategy 2016-17, and recommend these to Council for adoption. In particular Cabinet approved that the following specific elements are forwarded to Council for approval:

The MTFs 2016-17 to 2019-20

- The Net Budget Requirement of £254,891,190 in 2016-17.
- A Band D Council Tax for Bridgend County Borough Council of £1,297.78 for 2016-17.
- The 2016-17 budgets as allocated in accordance with Table 8 in paragraph 4.23 of the report.
 - The Capital Programme 2016-17 to 2025-26
 - The Treasury Management Strategy 2016-17 and Treasury Management and Prudential Indicators 2016-17 to 2019-20.
 - The Corporate Income Generation and Charging Policy

(2) Cabinet delegated authority to the Section 151 Officer to make any necessary amendments to the MTFs that arise from the Final Welsh Government settlement, prior to the publication of the Final MTFs Council report on 3 March 2016.

852. CORPORATE PLAN 2016-2020

The Chief Executive sought approval of the Corporate Plan 2016-20 prior to its submission to Council.

He informed Cabinet that the corporate priorities and proposed budget reductions had been subject to public consultation over an eight week period where 1,819 responses had been received from a combination of the consultation survey. A similar survey was also undertaken with employees and a social media debate had taken place. The Chief Executive had led a Twitter debate on success indicators linked to the corporate priorities. He stated that the purpose of the survey was to seek citizens' views on how the Council measures success. The survey was made available online, at local libraries and also in alternative formats upon request. A total of 37 suggestions/ideas were generated; 24 responses were received online; 66 comments during the twitter debate reaching 586 individuals. He informed Cabinet that all suggestions have been reviewed and of those ideas, five have been considered particularly useful. Six new indicators have since been developed or identified around those six ideas.

The Chief Executive informed Cabinet that the Corporate Plan had been developed to deliver on the revised corporate priorities. The Plan identifies programmes and projects to carry out these priorities and sets out the commitments for 2016-17. The Plan is supported by the Medium Term Financial Strategy with the Council's overall revenue and capital budgets forming an integral part of it. He stated that the Medium Term Financial Strategy has been guided by the Council's priorities in the Corporate Plan and will enable delivery of those priorities. He outlined the principles of the Corporate Plan guided by the "One Council" approach.

The Chief Executive informed Cabinet that the Corporate Plan will be presented to the meeting of Council on 10 March 2016 together with the MTFs and in line with the requirements of the Local Government (Wales) Measure 2009; the Plan must be published by 31 March 2016.

The Deputy Leader in commending the Corporate Plan stated that it was shorter than previous Plans which is a reflection of the financial position of the Council.

RESOLVED: That Cabinet approved the Corporate Plan 2016-20 and the following six new performance indicators be included in the Corporate Plan and recommended to Council for approval.

- People reporting that they have received the right information and advice when they needed it
- People who are satisfied with the care and support they received
- Number of adults who received a service provided through a social enterprise, co-operative, user led service or third sector organisation during the year
- Number of Council-owned assets transferred to community for running
- Number of managers receiving training to improve their people management skills (including absence management)
- Number of employees receiving training to improve Welsh language skills.

853. URGENT ITEMS

There were no urgent items.

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

855. APPROVAL OF EXEMPT MINUTES

856. APPROVAL OF FINANCIAL IMPLICATIONS ARISING FROM THE PROVISION OF NEW EXTRA CARE FACILITIES IN THE COUNTY BOROUGH

The meeting closed at 3.48 pm

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR - RESOURCES

CORPORATE HEALTH & SAFETY POLICY REVIEW

1. Purpose of Report.

- 1.1 To gain approval from Cabinet for the amended Corporate Health and Safety (H&S) Policy Appendix A.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 The H&S Policy statement includes the overall aim of the Council and its priorities.
- 2.2 Corporate governance details the development and maintenance of Directorate risk register to support prioritisation for H&S improvements to be included in business plans.

3. Background.

- 3.1 The current H&S Policy was agreed by Cabinet in October 2012 with a three year review period.

4. Current situation / proposal.

- 4.1 A review of the Policy commenced in 2015, which identified the changes detailed on page 3 of the policy document. These changes include:
- Policy statement change to pictorial: “plan, do, check and act” in line with Health and Safety Executive guidance changes for HSG 65.
 - Structural changes have resulted in changes to Lead Officers within the H&S Policy.
 - Organisational details have been amended to reflect the changes within Directorates including title changes and corporate priorities.
 - Amendments to the support services responsibilities following structural and responsibilities changes.
 - Removed colours from the front page for ease of printing should it be required.
- 4.2 A health & safety gap analysis process commenced in September 2014. This included a council wide survey of H&S performance from all management tiers. This information has been used to support the review of the H&S Policy.

5. Effect upon Policy Framework& Procedure Rules.

5.1 No effect.

6. Equality Impact Assessment

6.1 No impact

7. Financial Implications.

7.1 Whilst there are no financial implications within this Report, failure to adhere to the H&S Policy could result in financial penalties for the Council.

8. Recommendation.

8.1 Cabinet approves the revised Corporate Health and Safety Policy February 2016 (Appendix A).

**Ness Young
Corporate Director of Resources
01st March 2016**

Contact Officer: Claire Howells
Health and Safety Manager

Telephone: (01656) 642872

E-mail: Claire.Howells@bridgend.gov.uk

Postal Address Waterton Depot, Bridgend CF31 3YP

Background documents

Health & Safety Policy October 2012



Corporate Health & Safety Policy

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Page 15 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 1 of 13

1.1 CONTENTS

Section 1.1 Contents

Section 1.2 Manual Issue & Control

Section 1.3 Health & Safety Management System

Section 1.4 Scope & Application

Section 1.5 Health & Safety Policy Statement

Section 1.6 Structure & Responsibilities

Section 1.7 Glossary

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Page 16 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 2 of 13

1.2 MANUAL ISSUE AND CONTROL

All documents will be held electronically by Bridgend County Borough Council and as such all documents within the health & safety management system will be available and accessible to all via the [Bridgend website](#).

The revision and issue status of the health & safety management system is summarised in the table below:

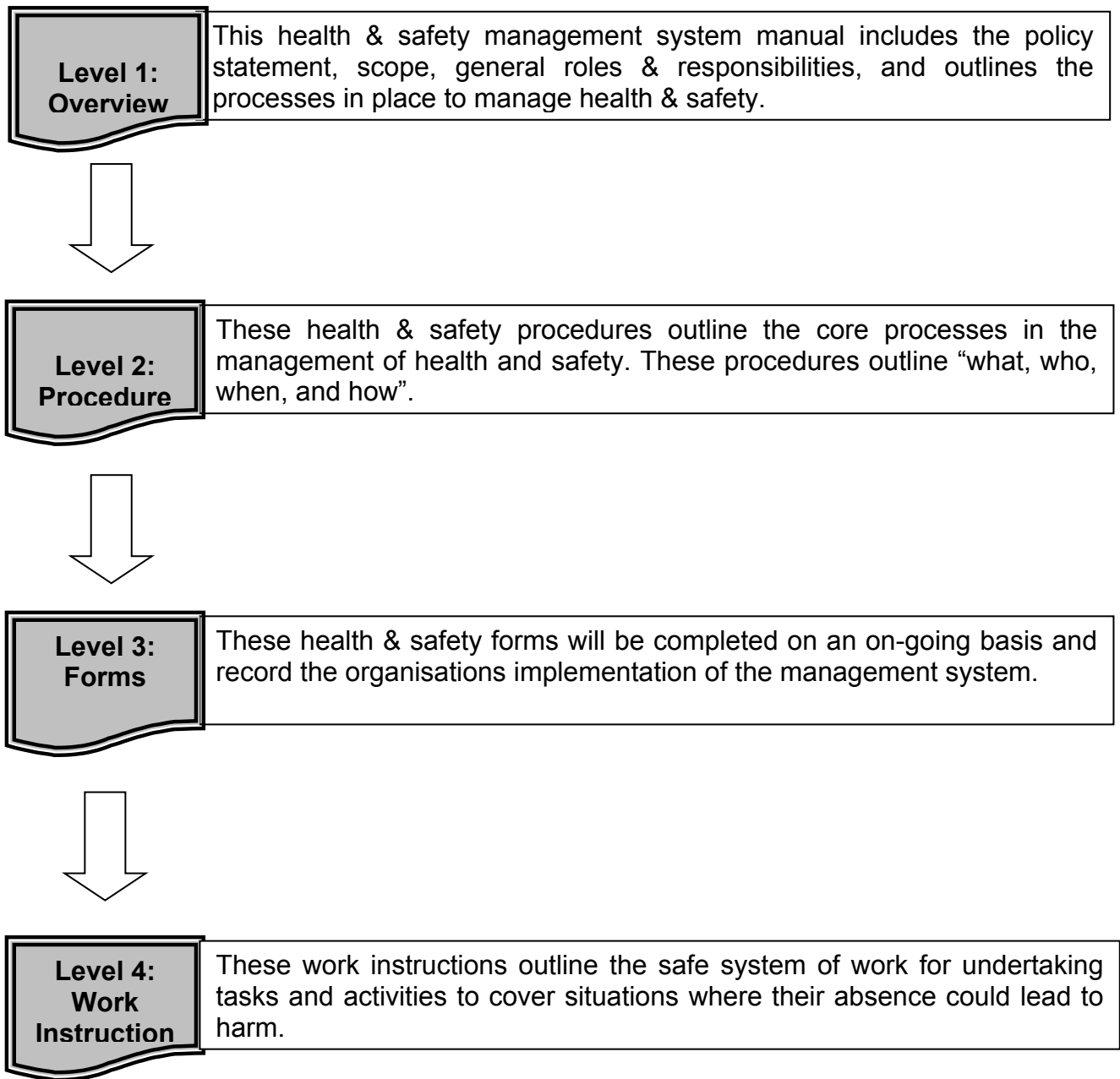
Section No.	Revision No.	Date Issued	Changes Made and Reason for change	Approved By
1.3	2	Oct 14	Change of title for lead officers	M C Howells
1.4	2	Oct 14	Organisational details changed	M C Howells
1.5	2	Oct 15	Policy statement change pictorial to plan, do, check and act.	M C Howells
1.6	2	Oct 15	Structure – changes to job titles and responsibilities	M C Howells
1.6.2	2	Oct 15	Directorate title changes	M C Howells
1.6.3	2	Oct 15	Structural and responsibilities changes for support services	M C Howells
Front Cover	2	Oct 15	Remove colours for ease of printing	M C Howells
1.3.2	2	Feb 16	Changes to job title	M C Howells
1.5	2	Feb 16	Changes to corporate priorities	M C Howells
1.4	2	Feb 16	Organisational details changed	M C Howells

The health and safety management system is maintained and updated by the Corporate Health and Safety Unit for Bridgend County Borough Council.

1.3 HEALTH & SAFETY MANAGEMENT SYSTEM

1.3.1 System Structure

The structure of the health & safety management system is outlined below:



The health and safety management system will be supported by a library of H&S guidance available via the [health and safety bridgenders web pages](#).

1.3.2 Health & Safety Procedures

The Level 2 Procedures within the Health & Safety Management System are listed below:

Ref	Procedure Title	Lead Officer	Associated Documents	Standards OHSAS 18001
P001	H&S Risk Assessment	General Health & Safety Manager Head teacher		4.3.1
		Service user Head of Adult Social Care Head of Safeguarding & Family Support Head of Strategic, Partnerships and Commissioning Head teachers		
P002	Legal Requirements	Health & Safety Manager		4.3.2
		Assistant Chief Executive, Legal & Regulatory		
P003	Leadership & Business Planning	Assistant Chief Executive, Legal Regulatory		4.3.3, 4.3.4
		Head Teacher		
P004	Change Management	Director of Resources		4.3.4 4.4.6
		Head Teacher		
P005	Recruitment & Selection	Group Manager Human Resources		4.4.2
		Head Teacher		
P006	Competency, Awareness & Training	Health and Safety Manager		4.4.2
		Head Teacher		
P007	Consultation & Communication	Communications Manager		4.4.3
		Head Teacher		
P008	Documentation, Data Control & Records	Health & Safety Manager		4.4.4 4.5.3
		Head Teacher		
P009	Safe Systems of work	Health & Safety Manager		4.3.1 4.4.6
		Head Teacher		
P010	Facilities Management, Maintenance & Servicing	Director of Resources		4.3.1 4.4.6
		Head Teacher		
P011	Contractors	Director of Resources		4.3.1 4.4.6
		Head Teacher		
P012	Hazardous Materials	Health & Safety Manager		4.3.1 4.4.6
		Head Teacher		
P013	Emergency Preparedness & Response	Group Manager Business Support, Communities		4.4.7
		Head Teacher		
P014	Accidents, Incidents & Near Misses	Health & Safety Manager		4.5.2
		Head Teacher		
P015	Corrective & Preventive Action	Health & Safety Manager		4.5.2
		Head teacher		
P016	Audits	Health and Safety Manager Internal Audit Manager		4.5.4
P017	Monitoring & Review	Director of Resources		4.5.1 4.6
P018	Construction Design & Management	Director of Resources		4.3.1 4.4.6
		Head teacher		

The framework above includes the strategic “owners” for ensuring the continued suitability, effectiveness, and efficiency of each relevant procedure.

All schools are encouraged to use the council’s procedures to support their health and safety performance which provides process, forms and guidance. However, schools are able to operate their own management system providing that it meets these expected standards of legislative and best practise requirements.

1.4 SCOPE AND APPLICATION

1.4.1 Organisation details

The Corporate Management Board, led by the Chief Executive, oversees the day-to-day running of the council. Approximately 4,600 council staff are employed to deliver or commission the delivery of services within Bridgend County Borough. The authority also works in partnership with other bodies to deliver services.

The council is undergoing a modernisation programme to improve the way local services are delivered. Part of this programme has involved changing the way the council is structured to enable services to be more responsive to the needs of the boroughs' residents, businesses and those who visit the area.

This structure is designed to better reflect council priorities, make the authority more efficient in its use of resources and management costs, and create better opportunities for services to interact more efficiently both within the authority and with partner agencies – for example, by bringing all services for children and young people into one directorate.

The Corporate Health and Safety Unit are based within the Built Environment Service in the Resources Directorate. The unit provides assistance on health, safety and wellbeing matters arising from all the council's activities.

Education & Transformation - This Directorate supports all children, young people and their families across the county borough with the focus on both education and early help services. Our vision is clear to help all children and young people to thrive and make the best use of their talents; live healthy and safe lives; be confident and caring individuals; and know and receive their rights.

Communities - The Communities directorate is actively seeking to take a balanced approach to improving the wellbeing of communities through social, physical, cultural and economic improvements, in order to achieve a safe, pleasant & sustainable environment for residents of and visitors to Bridgend County Borough. The Directorate brings together a wide range of services that are committed to renewing the physical, social and environmental fabric of the County Borough and enhances its overall economic wellbeing.

Legal and Regulatory Services – The Assistant Chief Executive's Directorate (Legal & Regulatory Services) provides a mix of support and front line services (Democratic Services, Licensing, Registrars, Legal, Trading Standards and Environmental Health) and is committed to the delivery of the highest quality services both to the public and the Authority through a genuine commissioning approach.

Resources - The Resources Directorate's primary function is to support the rest of the organisation in the delivery of its priorities. We are responsible for the effective planning and management of all the council's resources including finance, people, information technology and building assets. We are also responsible for the administration of council tax and housing benefit payments, customer services and communications and marketing.

Wellbeing & Social Services - The wellbeing directorate is actively seeking to promote independence, wellbeing and choice that will support individuals in achieving their full potential. We are responsible for the planning, commissioning, assessment and, where appropriate, the direct provision of adult social care. We are also re-shaping healthy living services to give children and adults every chance to take part in activities regardless of their skills and abilities while also promoting successful sport. We will particularly aim to enhance healthy living services within the preventative health agenda through a new model of commissioning service delivery.

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Page 20 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 6 of 13

1.4.2 Scope

This Health & Safety Management System outlines the Bridgend County Borough Council plan to satisfy health & safety requirements.

The manual is a "controlled" document, however "uncontrolled" copies can be distributed to any interested party upon approval of the Corporate Health and Safety Unit.

This manual is intended to describe the core elements of the management system and their interaction.

1.4.3 Application

This Health & Safety Management System is intended to directly meet the requirements of the following legislation and regulations:

Health & Safety at Work Act 1974 – Section 2(3) requires organisations to have a health & safety policy which should include:

Statement of Intent (i.e. health & safety mission)

Organisation (i.e. structure, roles & responsibilities)

Arrangements (i.e. procedure and guidance)

Management of Health & Safety at Work Regulations 1999 – Regulation 5 requires organisations to have arrangements for undertaking effective planning, organisation, control, monitoring and review of the preventive and protective health and safety measures.

HSG65 Successful Health & Safety Management – This guidance outlines the management system requirements for implementing the arrangements required within regulation 5 of the Management of Health and Safety at Work Regulations 1999.

This plan, do, check, act approach will provide the mechanism for managing other legislative, regulatory and policy requirements (e.g. risk assessment, training, etc).

1.4.4 Enforcement

The name and address of enforcing authority whose Health & Safety Inspectors cover Bridgend County Borough Council workplaces:

Health and Safety Executive
Government Buildings
Phase 1
Ty Glas
Llanishen
Cardiff
CF14 5SH

Telephone number: 0300 003 1747

Fax number: 029 2026 3120

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 7 of 13

1.5 HEALTH & SAFETY POLICY STATEMENT

Our vision is to work together to improve lives across the county borough.

The Corporate Plan confirms our three priority themes to realise this vision. Our Medium Term Financial Strategy, developed alongside the Corporate Plan, and the Change Programme will ensure that the way we work and spend is geared towards delivering the key outcomes for our citizens.

- **Supporting a successful economy**
- **Helping people to be more self-reliant**
- **Smarter use of resources**

Statement of Intent

We are committed to providing and maintaining a healthy and safe working environment for all our employees and ensuring our work does not adversely affect the health and safety of other people such as service users, visitors and contractors. Our employees are our most important asset and we will therefore aim to promote their good health and wellbeing as well as preventing their injury and ill health. We will comply with relevant legislation and management standards to effectively manage all significant risks associated with our activities, workplaces, equipment and facilities.

The organisation is committed to the continual improvement of its health & safety performance and recognises the health and safety management system as a core management function. The management system will effectively and efficiently meet changing business, legislative and regulatory needs. This will be achieved through proactive implementation of its health and safety risk management system.

The organisation’s health & safety management system provides the framework for planning, doing, checking and acting on health & safety performance. This framework helps the council ensure that health, safety and wellbeing issues are addressed and identify areas for further improvement.

Bridgend Council will widely promote its health & safety policy to demonstrate its commitment to the health & safety of its employees, service users and those it comes into contact with. The council will use its health & safety framework to review the implementation of its policy providing continual improvement and promote a positive health and safety culture.



Chief Executive

Council Leader

February 2016

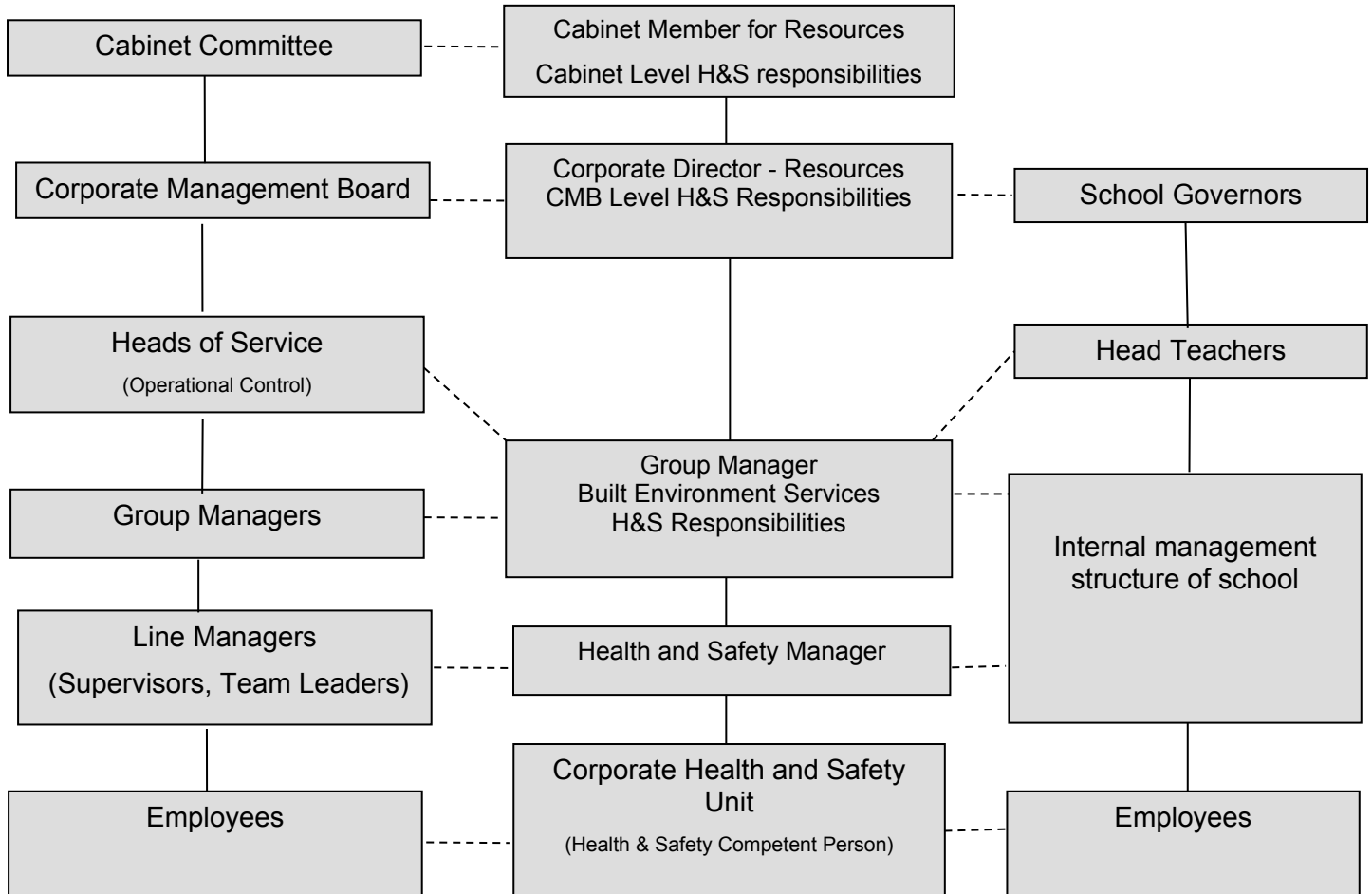
February 2016

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Page 22 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 8 of 13

1.6 STRUCTURE AND RESPONSIBILITIES

1.6.1 GENERAL STRUCTURE

The structure within the council that supports the continual improvement of health & safety management is summarised in the chart below:



The chart indicates the arrangements for escalation to a higher level of management to resolve any conflict between health & safety issues and service delivery considerations. A more detailed structure outlining the management reporting lines are available for each directorate and service on the [Bridgend website](#).

Health & safety roles and responsibilities are summarised in the job descriptions and make reference to the health & safety management arrangements.

Collaborative working is a key priority for the council. Any collaborative project proposals will need to consider the health and safety arrangements for both parties and agree the role and responsibilities for that post, services or the employees that it works within.

1.6.2 GENERAL RESPONSIBILITIES

The general health and safety roles and responsibilities of management and employees are outlined in the shaded areas within the matrix below:

What		Who								
		Cabinet/Elected members	Chief Executive	Corporate Management Board School Governors	H&S Steering Group Members	Heads of Service/ Head teachers	Group Managers Internal management structure of schools	Corporate H&S Unit	Line Managers Internal management structure of school	Trade union and H&S Representatives
1.	Ensure so far as is reasonably practicable, employees' health, safety and wellbeing at work.									
2.	Appoint a Director/Cabinet Member with board level responsibility for Health and Safety.									
3.	Appoint a Health & Safety Competent Person (and/or outside competent support) for advice and guidance for health and safety matters.									
4.	Implement, maintain & co-ordinate a health and safety management system.									
5.	Assign adequate resources including funds, materials, equipment and human resources to implement the health & safety management system									
6.	Ensure that reports on the performance of the OH&S management system are presented to top management for review and as a basis for improvement of the management system.									
7.	Consider the health & safety implications of all strategic planning, budgeting and decision making processes.									
8.	Lead by example and provide visible demonstration of commitment to continual improvement of OH&S performance (e.g. inspecting departments, issuing messages of support, promotion of rules and procedures, reflect health & safety in decision making, etc)									
9.	Ensure all employees have received adequate information, instruction and training									
10.	Supervise and enforce conformance to health & safety rules, procedures, and safe working practices.									
11.	(a) Take reasonable care for their own health (b) Take reasonable care for their own safety (c) And of anyone who may be affected by their actions.									
12.	Co-operate with employer or any other person to enable legal obligations to be met.									
13.	No person must misuse or interfere with anything provided in the interests of health and safety at work.									
14.	Make full and proper use of any equipment or system of work provided.									
15.	Report any change in their own condition i.e. ill health, injury, pregnancy etc; that may affect their ability to carry out their duties.									
16.	Report any workplace defects or hazards, accidents, incidents or near misses that could have resulted in injury or harm. e.g. dealing with difficult or aggressive behaviours.									
17.	Use all work items as trained and instructed.									
18.	Ensure appropriate items of personal protective equipment are used in the appropriate manner.									
19.	Take reasonable care of any premise or equipment provided, report any loss, damage or obvious defects, and ensure it is returned to its place after use.									
20.	Represent Department at Health & Safety Committee meetings by raising concerns expressed by colleagues and providing feedback.									

Please note that specific roles & responsibilities within the health & safety management system (e.g. undertaking risk assessments, statutory inspections, etc) are covered directly either within the relevant procedure which outlines "what, who, when, and how" and/or the output of a relevant procedure (e.g. risk assessment, corrective action, etc).

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit				
Status:	Page 24 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 10 of 13	

1.6.3 SPECIFIC RESPONSIBILITIES

The shaded areas of the following matrix outline the specific responsibilities of line managers within each department and/or site and/or project for implementing the health & safety management system. The matrix indicates whether responsibilities are deployed or centrally initiated.

What		Children's; Communities; Legal & Regulatory; Resources and Wellbeing					Who				
Procedure Title	Key Responsibilities	Employee	Line Manager	Senior Managers (Group Managers/ HOST & CMB)	HROD inc Occ health	Emergency Planning Health & Safety	Built Environment Service	Procurement	Property Services	Finance & ICT inc Insurance	
P001- Risk Assessment	Classify tasks/activities requiring risk assessments within a planned programme										
	Implement and review risk assessments within frequencies of planned programme										
	Initiate formal actions to address weaknesses / significant risks / improvement themes										
	Communicate findings or risk assessments and associated control measures.										
P002 - Legal Requirements	Review new legislative, regulatory and other requirements impacting upon the organisation										
	Communicate new legislative, regulatory and other requirements to relevant stakeholders.										
	Be aware of relevant legislative, regulatory and other requirements impacting upon the departments' activities.										
P003 – Leadership & Business Planning	Initiate health & safety objectives, targets and programmes of action										
	Initiate health & safety performance indicators (proactive / reactive)										
	Monitor and review status of objectives, targets, programmes of action, and performance indicators										
P004 - Change Control	Seek approval for significant changes										
	Approve proposed significant changes										
P005 - Recruitment & Selection	Review competencies prior to recruitment										
	Implement induction plan for new and transferred employees										
	Evaluate effectiveness of induction process										
P006 - Competency, Awareness & Training	Define and review job competencies										
	Identify training needs										
	Provide information, instruction & training										
	Evaluate effectiveness of training										
P007 - Consultation & Communication	Involve employees in decisions										
	Ensure health & safety employee representatives exist and are released to perform their roles										
	Maintain notice boards with required information										
	Disseminate information, performance, and other best practices through newsletters, etc.										
P008 – Doc, Data Control & Records	Maintain register of critical documentation/records										
	Retain documentation/records as specified										
P009 - Safe systems of work	Implement control measures										
	Monitor continuing suitability / adequacy of controls										

What		Children's; Communities; Legal & Regulatory; Resources and Wellbeing					Who				
Procedure Title	Key Responsibilities	Employee	Line Manager	Senior Managers (Group Managers/ HOST & CMB)	HROD inc Occ health	Support Services					
						Emergency Planning Health & Safety	Built Environment Service	Procurement	Property Services Finance & ICT inc Insurance		
P010 - Maintenance	Inform Built Environment Service of items to be subject to planned maintenance/ servicing (e.g. electrical equipment)										
	Maintain facilities management, maintenance, servicing system										
P011 - Contractors	Review and approve new contractors										
	Maintain contractors database										
	Monitor and review contractors										
P012 - Hazardous Materials	Review and approve new hazardous materials										
	Maintain hazardous materials database										
P013 - Emergency Preparedness & Response	Identify foreseeable emergency situations										
	Implement emergency response plans										
	Maintain programme of testing emergency plans										
	Inform group of new emergency scenarios/events										
P014 - Accidents, Incidents & Near Misses	Directly action identified hazards										
	Report all accident, incident, near miss and other significant events										
	Undertake an investigation										
	Initiate and closeout corrective/preventive actions										
	Maintain accident, incident, and near miss database										
	Review and advise upon quality and adequacy of investigations and associated actions										
P015 - Corrective & Preventive Action	Initiate corrective and preventive actions										
	Monitor status of corrective and preventive actions										
	Verify and closeout corrective and preventive actions										
P016 - Audits	Generate audit and inspection programmes										
	Undertake audits and inspections										
	Initiate corrective and preventive actions										
	Monitor audit and inspection findings										
P017 - Monitoring & Review	Maintain meetings and review matrix										
	Participate in meetings and reviews										
	Initiate corrective and preventive actions										
	Monitor quality, status, and effectiveness of meetings and reviews										
P018 - Construction, Design & Management	Compliance with CDM requirements										

1.7 Glossary

Accident

“Undesired event giving rise to death, ill health, injury, damage or other loss”

Audit

“Systematic examination to determine whether activities and related results conform to planned arrangements and whether these arrangements are implemented effectively and are suitable for achieving the organisation’s policy and objectives”

Continual Improvement

“Process of enhancing the OH&S management system, to achieve the improvements in overall occupational health & safety performances in line with the organisation’s OH&S policy”

Hazard

“Source or situation with a potential for harm in terms of human injury or ill health, damage to property, damage to the workplace environment, or a combination of these”

Hazard Identification

“Process of recognizing that a hazard exists and defining its characteristics”

Incident/ Near Miss

“Event that gave rise to an accident or had the potential to lead to an accident”

Interested Parties

Individual or group concerned with or affected by the OH&S performance of an organisation

Non Conformance

“Any deviation from work standards, practices, procedures, regulations, management system performance, etc that could either directly or indirectly lead to injury or illness, property damage to the workplace environment, or a combination of these”

Objectives

“Goals in terms of OH&S performance that an organisation sets itself to achieve”

Occupational Health & Safety

“Conditions and factors that affect the well being of employees, temporary workers, contractor personnel, visitors and any other person in the workplace”

OH&S Management System

“Part of the overall management system that facilitates the management of the OH&S risks associated with the business of the organisation. This includes the organisational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining the organisation’s OH&S policy”

Organisation

“Company, operation, firm, enterprise, institution or association, or part thereof, whether incorporated or not, public or private, that has its own functions and administration”

Performance

“Measurable results of the OH&S management system, related to the organisation’s control of health and safety risks, based on its OH&S policy and objectives”

Risk

“Combination of the likelihood and consequence(s) of a specified hazardous event occurring”

Risk Assessment

“Overall process of estimating the magnitude of risk and deciding whether or not the risk is tolerable”

Safety

“Freedom from unacceptable risk of harm [ISO/IEC Guide 2]”

Tolerable Risk

“Risk that has been reduced to a level that can be endured by the organisation having regard to its legal obligations and its own OH&S policy”

Title:	Corporate Health and Safety Policy			Owner:	Corporate H&S Unit			
Status:	Page 27 Approved	Issue Date:	February 2016	Review Date:	February 2019	Version:	2	Page 13 of 13

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR - RESOURCES

DEVELOPMENT OF THE STRATEGIC EQUALITY PLAN 2016 - 2020

1. Purpose of Report

The purpose of this report is to seek Cabinet approval for Bridgend County Borough Council's Strategic Equality Plan 2016 – 2020.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The Equality Act 2010 sets out general and specific duties for local authorities in Wales.

2.2 This report also supports the following corporate priorities:

- Priority 2: Helping people to be more self-reliant
- Priority 3: Smarter use of resources

3. Background

3.1 The council has a general duty to:

- eliminate discrimination, harassment and victimization;
- advance equality of opportunity; and
- foster good relations between people who share a protected characteristic and those who do not.

3.2 One of the specific duties is to produce a Strategic Equality Plan (SEP).

3.3 Within the SEP the council must publish equality objectives that describe how the most pressing issues for people in Bridgend will be addressed for the next four years.

3.4 Bi-annual progress reports describing the work involved in implementing the current SEP 2012 – 2016 have been presented to Cabinet Equalities Committee since 2012.

4. Current situation / proposal.

4.1 The nine equality objectives that were set in 2012 have been reviewed in order to develop the SEP for 2016 – 2020. The review of these objectives has been based on progress to date, further consideration of the protected characteristics, consideration of local and national issues, learning that has come out of networks and partnerships, feedback regularly received from equality and diversity groups and consideration of the council's priorities and external reports.

As a result of this review, it was proposed to reduce the equality objectives from nine to seven. The main changes are:

- remove equal pay as an objective as this is now business as usual for the council and any issues arising will sit under the Our Role as an Employer Objective;
- remove benefits as an objective as the original welfare reforms have now been introduced and are now business as usual;
- expand the Fostering Good Relations objective to include awareness raising. This involves combining the objective and actions previously related to consultation, engagement and communications and also now includes community cohesion issues such as hate crime reporting, human trafficking and sexual exploitation;
- expand leisure to also include arts and culture as well as sports and recreation participation;
- develop a new equality objective on children which will support the emotional and educational attainment of children in the borough through addressing issues such as school bullying.

4.2 The above proposed changes formed the basis for the council's consultation exercise which began on 4 February and ended on 25 February 2016. During the consultation period a drop in session was arranged to which all members of the Bridgend Equality Forum were invited. This was also made available to the public. A survey was developed and made available in hard copy and online and promoted through a variety of channels. In total the council received 101 responses to the consultation. The full consultation report is attached as appendix 1.

In summary:

- 66% of respondents agreed with the proposed changes in section 4.1. 18% did not agree and 16% didn't know if they agreed or not;
- Of those who said no to the changes (18%), some concerns were around the removal of equal pay and benefits as an objective and adding arts and culture into the leisure objective;
- 76% agreed with objective one: transportation;
- 83% agreed with objective two: fostering good relations and awareness raising;
- 73% agreed with objective three: our role as an employer;
- 86% agreed with objective four: mental health;
- 93% agreed with objective five: children;
- 84% agreed with objective six: leisure, arts and culture;
- 51% agreed with objective seven: data.
- When asked if they thought there were any gaps 20% said yes, 24% said no and 46% said they didn't know;
- Of those who said there were gaps (20%), this covered issues such as general well-being, children with disabilities accessing sports, older people, education and training and work around EIAs and consultation.

4.3 As the majority of respondents have agreed with the proposed changes and to each individual objective, it is recommended that there is no change to the proposed objectives in principle. Amendments that have been made to mitigate concerns raised are as follows:

- Under the objective for 'Our role as an employer' it has been highlighted that equal pay is still recognised as important and that actions will be developed and progressed accordingly;
- Under the objective for 'Fostering good relations and awareness raising' it has been highlighted that benefits is still recognised as important and that actions will be developed and progressed accordingly;
- The wording of the objective for leisure, arts and culture has been amended to make it clearer that the council will be working with partners to support this objective.

It is also important to note that although data as an objective received a lower percentage of respondents who agreed with this objective (51%) the council needs to continue to improve our collection and use of data in order to develop services. It is also something we are committed to doing under our equality duties.

Other relevant points raised such as where respondents identified gaps will be used to support the development of the actions that will sit under these objectives.

A copy of the draft SEP 2016-2020 is attached as appendix 2.

- 4.4 Following approval of the SEP, a detailed action plan will be developed during April 2016 and further consultation and engagement will be arranged. The action plan will outline the specific tasks and actions to be undertaken over the next four years and will be outcome focused. The final action plan will be presented to Cabinet Equalities Committee for approval in July 2016.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 The report has no direct effect upon the policy framework or procedure rules but is required to effectively implement the council's statutory duties in relation to equalities and human rights.

6. Equality Impact Assessment

The objectives set out in the SEP 2016-2020 will positively assist the council in meeting its duties under the Equality Act. A Full Equality Impact Assessment will be undertaken following conclusion of the consultation exercise to be undertaken on the actions that will come under each of the equality objectives in the SEP.

7. Financial Implications.

- 7.1 The implementation of the plan will be managed within existing resources.

8. Recommendation.

- 8.1 That Cabinet approves and adopts the authority's Strategic Equality Plan 2016 – 2020.

Ness Young
Corporate Director – Resources
Date: 7 March 2016

Contact Officers:

Sarah Kingsbury
Head of Human Resources and Organisational Development
Email: Sarah.kingsbury@bridgend.gov.uk
Telephone: 643212

Paul Williams
Equality and Engagement Officer
Email: Paul.williams2@bridgend.gov.uk
Telephone: 643606

Background papers: None.

Strategic Equality Plan 2016 - 2020



This document is also available in Welsh. Should you require this document in an alternative format such as large print or braille please contact us via:

Email: talktous@bridgend.gov.uk

Tel: 01656 643643

By fax: 01656 668126

Introduction and background

This is Bridgend County Borough Council's second Strategic Equality Plan and covers the period 2016 – 2020.

As a council 'equality' for us means understanding and tackling barriers so that everyone has a fair chance to fulfil their potential. Equality and fairness is at the heart of our day to day business and our Strategic Equality Plan forms part of how we plan and deliver our services. We aim to mainstream equalities legislation into all aspects of our work and the services we deliver and support.

During 2012-2016 some of the key achievements in terms of delivering our equality objectives included:

- working with our Community Safety Partnership and South Wales Police to increase the level of hate crime reporting;
- increasing the numbers of dropped and raised kerbs at bus stops and road junctions;
- implementing a pay and grading system for all employees who are employed under NJC Terms & Conditions;
- developing and introducing sport and leisure activities for disabled people in our communities;
- developing a Bridgend Council LGB & T staff network;
- working with South Wales Police and Bridgend College to develop the Bridgend LGB & T Forum;
- arranging race awareness workshops for children in our primary schools to address issues of bullying;
- developing an effective consultation toolkit enabling us to better engage with our citizens on issues that affect them.

We recognise however that there is further work to be done. This plan will build on what we have previously achieved and learnt to support services being delivered more appropriately and for outcomes to focus on individuals' protected characteristics such as race, sex, disability, age, sexual orientation, religion or belief, transgender status, pregnancy and maternity, marriage or civil partnership.

We have welcomed and openly demonstrated our commitment to the duty set by the Government and the [Equality and Human Rights Commission \(EHRC\)](#) to ensure equality is mainstreamed in both internal and external facing functions. Tackling institutional discrimination in policies, practices and procedures are core values in delivering our services.

As the council's Leader and Chief Executive, we see equality as a core principle within our roles, and we will continue to strive to provide high quality services to all individuals, residents and employees.



Leader



Chief Executive

1. Overview of Bridgend County Borough and our core functions

Bridgend County Borough is a diverse and vibrant area with 141,214 residents and over three million annual visitors.

We provide a wide range of services in a variety of ways. Some are provided centrally from our main civic offices whilst others are provided from the front-line in our communities, e.g. highway maintenance and care/support at home. Others, such as refuse collection, leisure, libraries and cultural activities are provided by outside agencies or by contractors. As one of the county borough's largest employers and service providers we recognise our unique role and influential position within the area and the contribution we can make to the development of inclusive and confident communities.

2. Equality objectives

How have we decided on our equality objectives? We have:

- reviewed our Strategic Equality Plan 2012 – 2016 and our action plan for this period and considered our achievements such as improving access to services for Deaf and hard of hearing people and where further work needs to be done such as with transportation;
- used the council's new corporate objectives of supporting a successful economy; helping people to be more self-reliant and smarter use of resources to help provide a structure and approach to reviewing our objectives, e.g. we have developed a consultation toolkit to support a more consistent and effective approach to consulting and engaging with our communities.
- given further consideration to each of the eight [protected characteristics](#) covered by the three main aims of the general duty and the requirement to eliminate discrimination, harassment and other actions prohibited in the Equality Act 2010 in respect of civil partnerships and [marriage](#).
- considered national and local issues such as immigration;
- assessed what we have learnt from regional networks and partnerships such as regional approaches to meeting the needs of Gypsy and Traveller families, domestic abuse, violence against women, and sexual violence and hate crime;
- looked at a number of the council's existing plans and strategies as well as the [consultations](#) which took place to inform their development, e.g. in 2015/16 we consulted on proposals to review our public toilets, waste collection and the council's budget (Shaping Bridgend's Future);
- considered a number of national reports recently produced by the [Equality and Human Rights Commission](#) such as "Is Wales Fairer?";
- used feedback that we regularly get from local equality and diversity groups and via the Bridgend Equality Forum such as how accessible our services are and how we can help support, promote and raise awareness of issues such as hate crime and LGB & T History Month;

- carried out a consultation and engagement exercise with the public, partners and equality and diversity groups. We asked them for their views on the changes we proposed to make to the objectives set in 2012 and if they felt there were any gaps. 101 people shared their views with us and we have used these views to help shape our final equalities objectives.

Final objectives:

Objective	What we hope to achieve/support?	Why we think this objective is important?
Objective 1: Transportation	We will help to provide an accessible, cost effective, all-inclusive transport network within Bridgend County Borough.	<ul style="list-style-type: none"> • Transportation continues to be highlighted as an issue by local disability groups who require reliable and accessible transportation helping them maintain community links and access local facilities. • Progress has been made in this area e.g. increasing the number of raised and dropped kerbs but there is still work to be done around accessible taxis and improving the transport network. • 76% of people agreed with this objective as part of the consultation. Top suggestions included checking compliance, subsidised transport and routes/frequency of buses.
Objective 2: Fostering good relations and awareness raising	We will positively promote a fairer society in the county borough by increasing public awareness of the issues faced by people with protected characteristics and increasing our efforts to help tackle issues such as hate crime and domestic abuse. We will also improve the ways in which we communicate, consult and engage with those who share a protected characteristic.	<ul style="list-style-type: none"> • We know that the county borough is becoming increasingly diverse and will soon welcome its first Syrian asylum seekers; • We know from our work with CalanDVS that the incidences of domestic abuse, violence against women and sexual violence is increasing in the county borough and that children can easily become emotional and physical victims; • We know that between April and December 2015 there were 86 recorded hate crimes in Bridgend County Borough and we want to help encourage more reporting to tackle these issues; • We want to involve people and representative groups in planning and shaping services by giving

		<p>them a voice in decisions that may impact their lives;</p> <ul style="list-style-type: none"> • As the council looks to reduce its spending, services are being reviewed and we need to consult and engage with people on many of these changes. We want the views we use that help inform our decision-making to be representative of the people of the county borough. • 83% of people agreed with this objective as part of the consultation. • Some consultation respondents highlighted that even though the original welfare reforms have now been introduced they still felt this was important so we will ensure actions related to that sit here.
<p>Objective 3: Our role as an employer</p>	<p>We will build on our efforts to be an inclusive, supportive employer promoting diversity and equality within our workforce, enabling all employees who have a protected characteristic to fulfil their potential.</p>	<ul style="list-style-type: none"> • We think this is important because the council has a role within the wider community to lead the way on equality and diversity; • Supporting our employees whatever their protected characteristics will help enable them reach their potential; • Many of our employees live within the county borough and raising awareness of equality and diversity amongst them may benefit the wider community. • 73% of people agreed with this objective as part of the consultation. Top suggestion related to more staff training at all levels. • Some consultation respondents highlighted that even though the council has introduced its equal pay framework that equal pay was still important so we will ensure actions related to that sit here.
<p>Objective 4: Mental health</p>	<p>Our Adult Social Care service will build on its partnership work with the third (voluntary) sector to</p>	<ul style="list-style-type: none"> • Raising awareness of mental health issues will help to reduce stigma; • Accessible services such as drop in centres for people with mental

	provide mental health support and services.	<p>health and substance misuse issues are important so that they can get the support they need when they need it;</p> <ul style="list-style-type: none"> • Some of our customers have mental health issues. We want to provide mental health awareness training to our frontline staff so they have an understanding of some of these issues and can support our customers more appropriately; • 86% of people agreed with this objective as part of the consultation. Top suggestion was to support easier and quicker access to specialists.
Objective 5: Children	We will positively promote and support the emotional and educational attainment of children in the county borough and address the issues children face such as bullying.	<ul style="list-style-type: none"> • We know that bullying and identity related incidents occur in our schools and we must do all we can to address this. We have an anti-bullying task group in place to assist with this; • We know that the number of NEETs (Not in Education, Employment or Training) leaving secondary school is unacceptable and that life expectancy and the opportunity to achieve can be reduced as a result; • Some children in our county borough do not attend school regularly which can prevent them from reaching their full potential. We must work with the families of children such as Gypsies and Travellers, Syrian refugees and other asylum seekers to encourage them to attend and remain within the education system. • 93% of people agreed with this objective as part of the consultation. Top suggestion was to have more training and support for anti-bullying programmes including anti-cyber bullying in schools.
Objective 6: Leisure, arts	We will work with our partners to help to	<ul style="list-style-type: none"> • Increasing participation in affordable and accessible sporting

<p>and culture</p>	<p>promote fair and equal access to participation in sport and recreation services as well as in the arts and culture services to all members of the community.</p>	<p>facilities amongst residents will improve health and fitness levels;</p> <ul style="list-style-type: none"> • Improving access to affordable and accessible arts and culture facilities amongst people from all protected characteristic groups will promote inclusion and improve their cultural development in these activities. • 84% of people agreed with this objective as part of the consultation highlighting affordability and awareness of services as the top suggestions.
<p>Objective 7: Data</p>	<p>We will continue to develop systems to collect, collate, monitor and publish equalities data on our service users and employees as well as improve our equality impact assessments.</p>	<ul style="list-style-type: none"> • By collecting and analysing data we can better understand the demographics of our employees and our service users; • We need to be confident that our employment practices are transparent; • We need to be able to identify any gaps in service provision where, perhaps, a particular groups needs are not being fully met; • We will be able to make evidence based, informed decisions on service developments outlined within the council's Medium Term Financial Strategy. • 51% of people agreed with this objective as part of the consultation.

In arriving at our objectives, we have kept in mind the overriding purpose of the general duty. This is the requirement to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

3. Strategic Equality Plan action plan

We will develop an action plan to support this plan which will outline:

- the actions we are seeking to progress under each of our objectives which will make a positive difference to peoples' lives;
- when we expect to achieve these actions;
- who is responsible for taking the actions forward; and
- how we will measure our success.

We will use information that has come out of the initial consultation to support the development of our actions. Following the development of our proposed actions to support the objectives outlined within this Strategic Equality Plan we will consult on these actions in the spring of 2016. The action plan will be finalised after this has been completed and added to this plan as an appendix 1.

4. How will our equality objectives help us meet the duties in respect of each protected characteristic?

We believe our objectives will improve outcomes for the protected characteristic groups. Through our on-going work and engagement activity we are aware of priority issues in respect of sex, disability, sexuality and race.

Collecting, using and publishing equality data will help us develop an evidence base on which to make informed decisions.

Race, religion and belief

We have described how we intend to address issues in relation to race, religion and belief within our objectives, particularly in terms of:

- raising public awareness of race, religion and belief related hate crimes and hate crime reporting;
- working with local race and religious groups to help promote awareness of culture and practice;
- increasing the involvement of people from BME backgrounds in local and public life.

Disability

We have addressed disability issues within our objectives, particularly through our commitment in respect of:

- developing a better transportation infrastructure;
- raising awareness of disability issues via awareness campaigns;
- improving our mental health services;
- increasing the involvement of disabled people in sport, leisure, arts and culture.

Gender and sex including maternity and pregnancy

Delivering equal pay for women and men continues to be important for us and, in addition, we have a range of processes in place to ensure our female and male employees are treated fairly e.g. maternity, adoption and paternity leave policy.

Gender and sex is also supported within our objectives under:

- Fostering good relations, particularly around domestic abuse, violence against women and sexual violence;
- Data, as we intend to capture employee equality information to help us identify and address any issues of inequality and
- Children, particularly where we will work closely with families to ensure that both boys and girls regularly attend and remain in the education system.

Sexual orientation and transgender

Between 2012 and 2016 we engaged with transgender people who often experience the most difficult barriers and discrimination in employment, receiving services, experiencing hate crime and in education. We now have a much better understanding of the issues faced by LGB & T people in Bridgend County Borough and have established a closer working relationship with them. To assist us in meeting our equality duties over the next four years we will:

- work with the Bridgend Lesbian, Gay, Bisexual and Transgender Forum to develop support services for LGB & T people such as advice, guidance and signposting to other sources of support such as health and housing;
- work with the council's LGB & T staff network to ensure our work practices are inclusive and to develop a support network for employees (and/or their families) who are contemplating "coming out";
- promote and support local and national awareness raising events such as LGB & T History Month by raising the rainbow and transgender flags.

Age

We will continue to collect age related information for staff and service users and prospective service users. We will continue working towards identifying and differentiating between age appropriate provision and aspects of our functions which may be creating disproportionate outcomes for people of different ages. We will do this by:

- collating and monitoring equality related information (including age) that we gather from public consultation and engagement activities;
- ensuring that the protected characteristic of Age is represented at our Bridgend Equality Forum and;
- monitoring feedback and complaints that we receive from customers and service users.

5. How will we monitor progress of our Strategic Equality Plan objectives?

Successful delivery of our objectives requires strong leadership which is driven primarily by the Cabinet Member holding the Equalities Portfolio and our Head of Human Resources, Organisational Development and Customer Services.

Responsibility for operational delivery rests with all service areas and teams within the authority. Each Corporate Director and Head of Service ensures their employees have the appropriate skills and knowledge of equality that are required. Our Cabinet Equalities Committee monitors delivery against the objectives and scrutinises information available to ensure we identify and implement new strategies and objectives appropriately.

Reports summarising progress against each of the objectives will also be presented to the Cabinet Equalities Committee for consideration.

Our main area of focus in monitoring progress is to undertake further, regular consultation and engagement with all protected characteristic groups. We are mindful that our most reliable measure of success of our equality objectives is via our citizens, service users and employees as it is they that will use our services and be able to tell us where we need to improve.

6. How will we collect and publish relevant equality information?

We are committed to collecting data where it is useful and to use that data in an effective manner to identify where some protected characteristic groups may be experiencing a disproportionate impact or where there may be opportunities to deliver a service/s in a different way. We will collect data on customers and citizens via our consultation and engagement activities and on our employees via our own internal systems.

We will collect and use the following equality data:

- employment profile data in respect of all protected characteristics;
- service user data so that we understand the characteristics of the people who use our services;
- job applicants in respect of all protected characteristics.

This data will be published annually as part of our Strategic Equality Plan annual reporting process.

We recognise that there are limitations to the data we currently have in respect of protected characteristics and the robustness and completeness of data collected particularly in respect of certain characteristics such as sexual orientation, religion and belief and transgender status. These limitations exist because some people do not wish to share their personal information with us. We hope that, in building better relationships with protected characteristic groups in the future, we can build trust and confidence amongst them which will help us to:

- encourage people taking part in our consultation and engagement activities to share more information with us;
- encourage our employees to disclose their sensitive personal data with us and;
- build more robust and complete data on the people we employ and those that use our services.

In addition we will publish annually:

- a list of the Full Equality Impact Assessments undertaken;
- the Strategic Equality Plan action plan and
- the Strategic Equality Plan annual report.

7. How will we assess the impact or potential impact on protected groups?

We are committed to assessing the impact of new and existing policies, practices and procedures on all equality groups by conducting appropriate

equality impact assessments. Our Equality Impact Assessment page is available on the council's website or by [clicking here](#). When conducting equality impact assessments we will:

- collect and analyse relevant data;
- engage appropriately, through involvement and consultation, with people who are likely to be affected by policies and programmes from the start of the development and planning processes;
- provide our staff with training and support to ensure they carry out robust and meaningful equality impact assessments with confidence and knowledge.

In order to assess the impact of our policies and programmes on all protected characteristic groups we will continue to utilise the following information:

- demographic data and other statistics, including census findings;
- survey data;
- equality monitoring data.

We have also produced an Equality Impact Assessment toolkit which is a practical guide for service managers to use to assess the likely impact of their functions, policies and procedures on different groups of people. In addition to publishing our Equality Impact Assessments we have also published this [guide](#) on our website.

Our published EIAs clearly highlight where there is either:

- a positive impact on protected characteristic groups in which case there will be a clear outline of the work to be done to ensure that the impact remains positive
- a negative impact on protected characteristic groups in which case there will be a clear outline of the mitigating work to be done to reduce or remove barriers or a statement outlining why the barrier/s will remain.

8. How will we promote knowledge and understanding of the general and specific duties amongst employees?

Our objectives will include the commitment to continue developing and implementing a comprehensive training and awareness programme for staff in respect of the general and specific duties. We will develop a rolling training programme for the period of this plan.

9. Engagement

Equality is diverse and we need to include people and their representative groups in our planning and decision making processes to help them unlock their potential. We also need to engage appropriately with people to help us meet our duties in the Public Sector Equality Duty in order to:

- set equality objectives;
- prepare and review our Strategic Equality Plan;

- identify how our work and activities may contribute to meeting the general duty;
- assess the likely impact on protected groups of our policies and practices being proposed or reviewed.

We recognise that we need specific processes in place to ensure that the needs of people are taken into account. We use a range of approaches to engage with people, from formal consultation and engagement activities to informal meetings with local groups and individuals.

DRAFT

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR RESOURCES

RENEWAL OF INSURANCE COVER

1. Purpose of Report.

- 1.1 The purpose of this report is to seek approval for the renewal of the Council's insurance programme and to authorise Marsh UK Ltd, as the Council's appointed insurance broker, to accept cover for the full range of policies, on behalf of the Council.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 The Council must manage its finances carefully and in a way that enables resources to be directed at spending priorities and the delivery of core services. The purchase of insurance is part of careful financial and risk management.

3. Background.

- 3.1 Whilst the Council's insurance cover is subject to long term agreements with providers, the Council is required each year to agree annual premiums and associated claims handling costs for each policy. This is carried out by Marsh UK Ltd, who were appointed as the Council's insurance broker in 2013 following a tender exercise. The outcome of the renewal negotiations are shown in paragraphs 4.1 to 4.9.

4. Current situation / proposal.

- 4.1 The annual insurance negotiations have been undertaken and net premiums are detailed below.

Table : Annual Insurance Costs

Policy	2015-16 £	2016-17 £	Year on Year Change £	Insurer
Material Damage	335,193	353,646	18,453	Zurich Municipal
Personal Accident & Travel	7,834	7,660	(174)	Zurich Municipal
Engineering Insurance	4,348	3,400	(948)	Zurich Municipal
Engineering Inspection	28,321	25,598	(2,723)	Zurich Municipal
Combined Liability	216,700	216,700	0	QBE (Via RMP)
Liability Claims Handling	23,420	30,230	6,810	Gallagher Bassett
Professional Indemnity	6,600	6,600	0	QBE (Via RMP)
Fidelity Guarantee	24,000	24,000	0	QBE (Via RMP)
Motor and ULR	122,310	121,685	(625)	QBE (Via RMP)
Computers	10,095	9,729	(366)	RSA
School Offsite Activities	20,102	22,403	2,301	ACE European Group
Youth Offsite Activities	500	500	0	ACE European Group
Terrorism	11,500	10,675	(825)	Marsh
Medical Malpractice	2,496	TBA	TBA	Marketform
Porthcawl Harbour	715	613	(102)	Allianz
Total	814,134	833,439	19,305	

- 4.2 Liability Claims Handling fees are based on estimated claims numbers.
- 4.3 The Motor and Uninsured Loss Recovery costs include claims handling by Gallagher Bassett.
- 4.4 Terms for the Medical Malpractice policy have not yet been received.
- 4.5 The premiums are net figures and other than the Engineering Inspection, claims handling and part of the Terrorism insurance are subject to 9.5% Insurance Premium Tax. This is an increase from 6% in 2015-16. The Engineering Inspection, claims handling and part of the Terrorism insurance are subject to VAT. The total tax liability for Insurance Premium Tax is £75,723.
- 4.6 The Material Damage premium has risen because sums insured have increased by £38,615,327 following a revaluation undertaken by Property Department.
- 4.7 In July 2014 Bryncethin Primary School was damaged by water that escaped from a sprinkler head. Whilst that loss cost less than the policy deductible of £150,000 a decision has been made to purchase sprinkler leakage cover because of the potential for greater losses in larger buildings. The annual cost of this insurance is £3,784 and it is included within the Material Damage premium in the Table contained in paragraph 4.1 of the report.
- 4.8 Alternative quotations for the Motor insurance have been received. These would increase the existing £nil policy excess to £50,000 or £100,000. However, upon analysis the most economically advantageous excess was found to be £nil.
- 4.9 The total spend on premiums across all insurance policies and claims handling arrangements in 2016-17 is £833,439 compared to £814,134 in 2015-16. The

2016-17 Medium Term Financial Strategy (MTFS) includes a provision of £28,000 to cover the costs of the increase of Insurance Premium Tax which has increased from 6% to 9.5%. The 2016-17 MTFS also includes a £100k budget reduction to reflect the decision by the Council to reduce the annual amount put aside to meet the estimated cost to the Council of the outstanding Employer's Liability, Public Liability and Property. The net insurance budget in 2016-17 is sufficient to meet the insurance policy arrangements detailed in the table contained in paragraph 4.1 of the report, as well as including a provision to meet the costs of the Medical Malpractice cover.

5. Effect upon Policy Framework & Procedure Rules.

5.1 There will be no direct effect on the Policy Framework & Procedure Rules.

6. Equality Impact Assessment

6.1 There are no equality implications.

7. Financial Implications.

7.1 These are reflected in paragraph 4.9 above with the costs being met from the existing insurance revenue budget.

8. Recommendation.

8.1 That Cabinet approves the acceptance of the quotations in paragraph 4.1 and the renewal of the insurance programme through Marsh UK Limited as the Council's appointed Insurance Broker.

8.2 That Cabinet approves the use of delegated powers by the Corporate Director - Resources to agree the Medical Malpractice policy costs.

**Ness Young
Corporate Director - Resources
3 March 2016**

Contact Officer: Roger Martin
Risk Management & Insurance Officer

Telephone: (01656) 643318

E-mail: Roger.Martin@bridgend.gov.uk

Postal Address Bridgend County Borough Council
Ravens Court
Brewery Lane
Bridgend
CF31 4AP

Background documents

The Risk Management & Insurance Section has both the renewal report from Marsh UK Limited and the renewal quote provided by Zurich Municipal.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR - RESOURCES

USE OF WELSH LANGUAGE IN THE WORKPLACE

1. Purpose of Report

- 1.1 To seek Cabinet approval for the proposed way forward in the use of Welsh Language in the workplace.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 This report and proposal links to the following Corporate Priority:

- Working together to make the best use of our resources.

3. Background

- 3.1 The introduction of the Welsh Language Standards obliges the Council to adopt a new approach to the way in which it treats the Welsh Language.
- 3.2 The majority of standards will need to be met as of 26.03.16 with the remainder coming into force as of 01.09.16.
- 3.3 The Council are appealing 7 standards, where it believes that these are not deliverable, eg, for technological reasons, disproportionate and unaffordable. The outcome of these appeals is awaited.

4. Current situation / proposal

- 4.1 An "HR" policy for employees which explains the Council's approach to the use of Welsh language in the workplace is attached at Appendix 1. This is a new policy and it is recognized that this will need to be reviewed and updated as the full extent of the impact of the Welsh Language Standards becomes known.
- 4.2 The "guiding principles" provide context for the policy and there are a number of key areas where bilingual services must be introduced notably
- 4.2.1 publications
 - 4.2.2 correspondence
 - 4.2.3 telephone calls
 - 4.2.4 reception areas
 - 4.2.5 public meetings
 - 4.2.6 social media

4.3 The standards also mean that we offer all our employees the opportunity to confirm their preferred language in which we will correspond with them.

4.4 There will also be changes in a number of HR practices:

4.4.1 vacancy management

4.4.2 recruitment and selection

4.4.3 assessment of skills

4.4.4 induction

4.4.5 training

4.5 The Council has a Corporate Complaints policy and this been updated in order that we comply with the Compliance Notice, ie, specifically Standards 147, 148, 149, 156, 162, 168. This policy is attached at Appendix 2.

4.5.1 recording the number of complaints

4.5.2 keeping copies of the complaints

4.5.3 establishing a complaints procedure which enables compliance

4.6 The final policy for consideration by Cabinet is the Grants Policy. This policy is attached at Appendix 3. This is a new policy and it is recognised that this will need to be reviewed and updated as the full extent of the impact of the Welsh Language Standards becomes known. This policy enables us to comply with Standards 71, 72, 72A, 74 and 75, ie

4.6.1 bilingual documentation

4.6.2 inviting applications in Welsh

4.6.3 no less favourable treatment of grants in Welsh than English

4.6.4 if the applicant wishes, conducting the interview in Welsh

4.6.5 informing applicants of decisions in Welsh

5. Effect upon Policy Framework & Procedure Rules

5.1 None.

6. Equality Impact Assessment

6.1 An initial screening EIA has been undertaken which indicates that the policy will have a positive impact on both the Council employees' and the public's use of the Welsh language. The policy will also contribute positively to the understanding and development of Welsh culture in the Council. and assist with our compliance with the Welsh Language Standards.

7. Financial Implications

7.1 A budget pressure arising from the implementation of the Welsh Language Standards has been recognised in the Medium Term Financial Strategy (MTFS) 2016-17 to 2019-20. This comprises one off funding of £81,000 and recurrent funding of £313,000. This pressure does not take into account the financial implications for those standards to be appealed. Should the appeal not be successful the Council will have to meet those costs in the short term from the

corporate contingency or Council Fund until such time as recurrent funding is identified from budget reductions elsewhere or council tax increases.

8. Recommendation

- 8.1 Cabinet is recommended to note the report and approve the proposals outlined in Point 4 above.

Contact Officer: Sarah Kingsbury Head of HR/OD
E-mail: Sarah.kingsbury@bridgend.gov.uk
Postal Address Ravens Court
Brewery Lane
Bridgend
CF31 4AP

This page is intentionally left blank

POLICY ON USING WELSH IN THE WORKPLACE

SCOPE STATEMENT

This Policy applies to all employees of Bridgend County Borough Council

Date of Issue: February 2016

1.0 Introduction and Guiding Principles

- 1.1 This policy sets out the council's internal arrangements for using the Welsh language in the workplace. This provides managers with relevant information to ensure compliance within service areas with the Welsh Language Standards.
- 1.2 The following principles underpin how the council is working towards ensuring the provision of language choice in service delivery and within our internal processes:
 - The council must deliver services in Welsh and encourage the use of the language
 - Customers have the right to communicate with the council in Welsh
 - Welsh must be positioned to be read first, i.e. to the left or above the English
 - Language choice is available for employees when dealing with HR matters
 - The quality of service and a positive attitude are important.

2.0 Developing a Five Year Strategy

- 2.1 The council must produce and publish a 5-year strategy that sets out proposals to promote the Welsh language and to facilitate the use of the Welsh language more widely in the council. This will include the plans for maintaining or increasing the number of Welsh speakers by the end of the 5 year period concerned, and details of how it is intended to reach this target.
- 2.2 This strategy must be reviewed to assess its impact and evidence has to be provided to demonstrate the measures the council has taken to increase the number of Welsh speakers in the council.
- 2.3 An annual report must be produced which will demonstrate the way in which the council has complied with service delivery standards, policy making standards and operational standards and relevant records of such.

3.0 What Does This Mean for our Customers?

Publications

- 3.1 All publications, paper and electronic, must be bilingual. Some, eg, signage must display Welsh be read first. Others, eg, correspondence Welsh and English are to be treated equally

Correspondence

- 3.2 The council must state that it welcomes correspondence in Welsh.
- 3.3 If a customer or organisation writes to the council in Welsh then the response must be in Welsh.

Telephone Calls

- 3.4 Callers to the council (via the main contact centre, other reception services, helplines and direct lines) must be greeted in Welsh first and if requested, be able to access a Welsh speaker. Where there is no Welsh speaker available an offer of a call back from a Welsh speaker should be made, wherever possible.
- 3.5 Every attempt must be made to meet the needs of our customers and individuals who wish to use Welsh.
- 3.6 Where contact numbers and helplines are published, the document must state that we welcome calls in Welsh

Reception Areas

- 3.7 All employees working in the reception areas of the council, who are able to provide a Welsh language reception service, must wear a lanyard to show language ability.
- 3.8 Lanyards will also be provided for learners to wear.
- 3.9 Signs will state “You are welcome to use Welsh” and all council notices on display must be bi-lingual.

Public meetings

- 3.10 Any advertising material and invitations must be bilingual and confirm the use of Welsh is welcome at the meeting.
- 3.11 Where this is requested by an individual or guest speaker, all attendees must be advised ahead of the meeting that they are welcome to use Welsh and simultaneous translation is provided.

Text and or Logo for e-mail Signatures including contact details

- 3.12 The council’s brand guidelines set out details that must be included on employees’ e-mail signatures which will enable them to indicate if they are able to speak Welsh fluently or learning the language.
- 3.13 These guidelines also contain instructions for employees to enable them to include a Welsh language version of e-mail contact details and out of office messages (where Welsh is positioned to be read first).

Social Media

- 3.14 When using social media if an individual uses Welsh then the response if required] must be in Welsh.
- 3.15 From September 2016 all social media information must be bilingual.

4.0 What Does This Mean for our Employees?

Vacancies

- 4.1 When a vacancy arises, managers must undertake an assessment of the language skills required by considering the duties and requirements of the individual post as well as that of the team. The Recruitment and Selection Managers' Guidelines provide further advice on this screening process.
- 4.2 In order to increase the number of Welsh speaking employees and improve the Welsh language service provided by the council, all posts will be advertised with Welsh desirable, unless the assessment identifies Welsh is essential.
- 4.3 Relevant details must be included on the Vacancy Management form which will be held and recorded in HR. These details will be included in the Annual Monitoring Report.

Recruitment and Selection

- 4.4 All advertisements are published bilingually via the council's web recruitment and any external advertisement must also be published bilingually.
- 4.5 Application information will state that those submitted in Welsh will not be treated less favourably than applications in English.
- 4.6 Applicants are able to complete and submit their application in Welsh and can indicate that they wish to use Welsh in the selection process (interview and any assessments). If required simultaneous translation must be provided.
- 4.7 New employees can choose to receive correspondence relating to the contract of employment in Welsh.

Assessment of Skills

- 4.8 An audit of employees' skills in the Welsh language will provide a foundation for workforce and training plan. Assessing the Welsh language skills of employees will enable the council to :
 - Plan its capacity to deliver services through the medium of Welsh, and;
 - Help plan a Welsh in the Workplace training programme.
- 4.9 All employees should, on an annual basis when their appraisal is being undertaken, ensure that their personal details, including Welsh language skills are updated via the [Employee Equalities/Welsh language Survey](#).
- 4.10 A hard copy of the survey will be available for all non IT users and all new employees are required to complete this information as part of their on line application form.

Induction

Version 5 22 February 2016

- 4.11 All new employees must undertake the Corporate Induction e-learning module which includes information on the Welsh language for the purpose of raising awareness and language requirements within the workplace. This Policy will also be linked to the induction framework.

Training

- 4.12 A training plan will be developed to meet business needs and also encourage employees to take up learning the Welsh language. This will include a range of learning and development activities such as face to face training, e-learning, briefings and the use of IT resources and written materials.
- 4.13 Training will be both targeted and prioritised to meet specific business needs, e.g. for front line/public facing employees.
- 4.14 At the outset briefing sessions will be provided as well as other resources to raise awareness of the Welsh language.
- 4.15 There will also be opportunities available for employees to have time off to access basic Welsh language lessons and, if desired, to progress to advanced training, to develop their language skills.

Employment Issues

- 4.16 All existing employees will be given the opportunity to state if they wish to receive documentation relating to their employment in Welsh. Letters will be issued to all employees to allow them to confirm this choice.
- 4.17 Employees have the right to: make complaints in Welsh; receive related correspondence in Welsh; and have simultaneous translation at related meetings (unless the meeting is conducted in Welsh without translation services).
- 4.18 Equally, employees have the right to: respond in Welsh to allegations made against them in any internal disciplinary process; receive related correspondence in Welsh; and have simultaneous translation at related meetings (unless the meeting is conducted in Welsh without translation services).

5.0 Roles and responsibilities

- 5.1 The roles and responsibilities for the use of Welsh language in the workplace are as follows:
- **Corporate Management Board (CMB)** - will agree and ensure implementation of the council's Welsh Language Strategy
 - **Corporate Director, Resources** – will lead and oversee the work of the Welsh Language Standards project board
 - **Welsh Language Standards Project Board** – comprising Directorate representatives will take responsibility for interpreting requirements of the standards, collating and disseminating data

- **Heads of Service** – will be responsible for briefing employees and reinforcing and ensuring compliance within their service areas
- **HR/OD** – will take the lead on employment and training matters
- **Workforce Development Manager** – will co-ordinate recruitment and selection and learning and development matters
- **Welsh Language Champions** – will facilitate 2 way communication
- **Line Managers** – will review service need and identify recruitment and training requirements
- **Employees** – will adopt a positive attitude to service delivery and the Welsh language and be open to opportunities available to learn Welsh

Bridgend County Borough Council Concerns and Complaints Policy

Bridgend County Borough Council is committed to dealing effectively with any concerns or complaints you may have about our service. We aim to clarify any issues about which you are not sure. If possible, we will put right any mistakes we may have made. We will provide any service you are entitled to which we have failed to deliver. If we got something wrong, we will apologise and where possible we will try to put things right. We also aim to learn from our mistakes and use the information we gain to improve our services.

Welsh Language Standards

Bridgend County Borough Council embraces the Service Delivery, Policy Making and Operational Welsh Language Standards with which it is expected to comply positively and will strive to ensure that the use of the Welsh language in Bridgend is developed and promoted.

How we will deal with complaints relating to our compliance with the Welsh Language Standards

The public is able to raise complaints with the Council's compliance with the Welsh Language Standards under this Complaints Procedure using the process described. All complaints related to the standards (or any other service provided in Welsh) will be taken seriously and will be fully investigated to establish the validity of the complaint. If the council has failed in its compliance with the Welsh Language Standards, it will apologise to the complainant and will consider any shortfall in compliance when reviewing any relevant internal processes or practices.

Staff training and awareness raising

We will raise awareness amongst all relevant council employees of the requirement to deal with any complaints regarding the Council's compliance with the Welsh Language Standards to ensure that such complaints are investigated fully and impartially. Employees will also be made aware of the need for records of all written complaints, investigations and outcomes, against the council's compliance with the Welsh Language Standards to be retained and to be included and published in the Council's Annual Welsh Language Reporting process. This will be provided for each financial year.

This policy is also available in Welsh at our public buildings and on our website.

When to use this policy

When you express your concerns or complain to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal (e.g. against a refusal to grant you planning permission or the decision not to give your child a place in a particular school) so, rather than investigate your concern, we will explain to you how you can appeal. Sometimes, you might be concerned about matters that are not decided by us

(e.g. NHS) and we will then advise you about how to make your concerns known.

Also, this policy does not apply if the matter relates to a Freedom of Information or Data Protection issue. In this circumstance, you should contact: **The Information Officer, Legal and Regulatory Services, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB, tel: 01656 643565 or foi@bridgend.gov.uk**

Have you asked us yet?

If you are approaching us for a service for the first time, (e.g. reporting a faulty street light, requesting an appointment etc) then this policy does not apply. You should first give us a chance to respond to your request. If you make a request for a service and then are not happy with our response, you will be able to make your concern known as we describe below.

Informal resolution

If possible, we believe it is best to deal with things straight away rather than try to sort them out later. If you have a concern, raise it with the person you are dealing with. He or she will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern then the member of staff will draw them to our attention. If the member of staff can not help, they will explain why and you can then ask for a formal investigation.

How to express concern or complain formally

You can express your concern in any of the ways below.

- You can ask for a copy of our form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- You can get in touch with our central complaint contact point on tel **01656 643565** if you want to make your complaint over the phone.
- You can use the form on our website at **www.bridgend.gov.uk**
- You can e-mail us at **complaints@bridgend.gov.uk**
- You can write a letter to us at the following address:

**Complaints
Legal and Regulatory Service
Bridgend County Borough Council
Angel Street
Bridgend
CF31 4WB**

We aim to have [concern and complaint forms](#) available at all of our service outlets and public areas and also at appropriate locations in the community (e.g. libraries, leisure centres etc).

Copies of this policy and the complaint form are available in Welsh upon request and as audio, large print and Braille.

Dealing with your concern

- We will formally acknowledge your concern within 5 working days and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you have a disability.
- We will deal with your concern in an open and honest way.
- We will make sure that your dealings with us in the future do not suffer just because you have expressed a concern or made a complaint.

Normally, we will only be able to look at your concerns if you tell us about them within six months. This is because it is better to look into your concerns while the issues are still fresh in everyone's mind.

We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to give us strong reasons why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. (In any event, regardless of the circumstances, we will not consider any concerns about matters that took place more than three years ago.)

If you are expressing a concern on behalf of somebody else, we will need their agreement to you acting on their behalf.

What if there is more than one body involved?

If your complaint covers more than one body (e.g. Housing Association, NHS) we will usually work with them to decide who should take a lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about a body working on our behalf (e.g. private residential homes, specialist health providers) you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally, we will look into this ourselves and respond to you.

Investigation

We will tell you who we have asked to look into your concern or complaint. If your concern is straightforward, we will usually ask somebody from the service to look into it and get back to you. If it is more serious, we may use someone from elsewhere in the Council or in certain cases we may appoint an independent investigator.

We will set out to you our understanding of your concerns and ask you to confirm that we have got it right. We will also ask you to tell us what outcome you are hoping for.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you do not want this to happen, it is important that you tell us.

If there is a simple solution to your problem, we may ask you if you are happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate and produce a report.

We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days. If your complaint is more complex, we will:

- let you know within this time why we think it may take longer to investigate
- tell you how long we expect it to take
- let you know where we have reached with the investigation, and
- give you regular updates, including telling you whether any developments might change our original estimate.

The person who is investigating your concerns will aim first to establish the facts. The extent of this investigation will depend on how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

In some instances, we may ask to meet you to discuss your concerns. Occasionally, we might suggest mediation or another method to try to resolve disputes.

We will look at relevant evidence. This could include files, notes of conversations, letters, e-mails or whatever may be relevant to your particular concern. If necessary, we will talk to the staff or others involved and look at our policies and any legal entitlement and guidance.

Outcome

If we formally investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. This could be by

letter or e-mail, for example. If necessary, we will produce a longer report. We will explain how and why we came to our conclusions.

If we find that we got it wrong, we will tell you what and why it happened. We will show how the mistake affected you.

If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to change things to stop it happening again.

If we got it wrong, we will always apologise.

Putting Things Right

If we did not provide a service you should have had, we will aim to provide it now if that is possible. If we did not do something well, we will aim to put it right. If you have lost out as a result of a mistake on our part we will try to put you back in the position you would have been in if we had got it right.

If you had to pay for a service yourself, when you should have had one from us, or if you were entitled to funding you did not receive we will usually aim to make good what you have lost.

Ombudsman

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- have been treated unfairly or received a bad service through some failure on the part of the body providing it
- have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- phone: 0845 601 0987
- e-mail: ask@ombudsman-wales.org.uk
- the website: www.ombudsman-wales.org.uk
- writing to: Public Services
Ombudsman for Wales
1 Ffordd yr Hen Gae,
Pencoed CF35 5LJ

There are also other organisations that consider complaints. For example,

the Welsh Language Board about services in Welsh. We can advise you about such organisations.

Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our Corporate Management Board considers a summary of all complaints quarterly as well as details of any serious complaints. Our Council/Cabinet/Committee/Board also considers our response to complaints at least twice a year.

Where there is a need for change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it by. We will let you know when changes we have promised have been made.

What if I need help

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. You may wish to contact Age concern, Shelter etc who may be able to assist you.

You can also use this concerns and complaints policy if you are someone under the age of 18. If you need help, you can speak to someone on the Meic Helpline (phone 080880 23456, www.meiccymru.org) or contact the Children's Commissioner for Wales. Contact details are:

01792 765600 (South Wales) 01492 523333
(North Wales)
post@childcomwales.org.uk
www.childcom.org.uk

South Wales Office:

Oystermouth House
Phoenix Way
Llansamlet
Swansea
SA7 9FS

North Wales Office:

Penrhos Manor
Oak Drive
Colwyn Bay
Conwy
LL29 7YN

What we expect from you

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We, therefore, expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. We have a separate policy to manage situations where we find that someone's actions are unacceptable.

This page is intentionally left blank

GRANTS POLICY

SCOPE

This Policy applies to all departments of Bridgend County Borough Council and covers all grant and external funding received by the Council, and all funding awarded by the Council.

Date of Issue: March 2016

GRANTS POLICY

CONTENTS

Section	Page
Foreword	2
<u>PART A – SECURING EXTERNAL FUNDING</u>	
1. Using external funding	3
2. Submitting a grant bid	6
3. Accepting a grant	9
4. Project delivery / record keeping and monitoring	10
5. Grant claims	12
6. Audit requirements	13
7. Clawback	14
8. Audit Recommendations	15
<u>PART B – AWARD OF GRANT FUNDING</u>	
9. Award of Funding to external bodies and individuals	16
10. Glossary of Terms	19
Grant Management Forms	22

Foreword

It is essential that proper management of external funding or grants received, or funding awarded by the Council, is undertaken in order to safeguard the financial position of the Council and also to maximise the benefits to service delivery from the receipt of these additional funds.

The benefits of securing grant funding for the Council and its citizens can be significant and enable activities to take place that might not otherwise be the case. Similarly, the award of funding by the Council demonstrates the Council's commitment to support individuals and other organisations, which are instrumental in enabling it to achieve its corporate improvement priorities.

This policy must be followed in order to assist Project Managers and Finance Manager in the proper management of grant funding and other internal and external funds. It is designed for all officers who are involved in either, bidding, managing or preparing claims for grant or similar funding streams, or awarding grant funding to individuals or organisations outside of the local authority. It is the responsibility of all officers to:

- Carefully read all sections that apply and check that all relevant procedures are being carried out.
- Refer to the procedures for future reference e.g. to act as a checklist when managing externally funded projects, making new awards of grant funding or training new staff.

If you have any queries regarding the operation of these procedures, please contact the Grants Co-ordinator in the Finance Section on telephone number 01656 643623.

PART A – SECURING EXTERNAL FUNDING

Section 1 – Using external funding

1.1 Why use external funding?

There are a number of situations where attracting external funding is beneficial to the Authority and will help it meet its Corporate Priorities. It is important that funding is sought to address identified objectives and priorities – and not just because it is there. The process of bidding for and managing external funding utilises considerable amounts of existing resources – and should not be targeted just because it is available.

If a project has been identified for which external funding is beneficial, advice should be sought from the Finance Section and / or the Regeneration Funding Team. This is particularly important if funding is to be sought from the European structural funds such as the European Regional Development Fund (ERDF) and European Social Fund (ESF) as there are specific rules and guidance in relation to European Funding that must be adhered to.

Every grant has its own specific Terms and Conditions contained in the Grant Offer letter that governs its eligibility criteria, award and monitoring. Failure to comply with this funding-specific guidance can and does result in funding being withdrawn and or reclaimed. This could result in the Council having to find additional resources to meet the financial commitment.

1.2 Definition of External Funding

External funding is seen as discretionary money which is over and above our core Welsh Government funding allocations (i.e. not part of the 'Standard Spending Assessment (SSA)' or the 'General Capital Funding' allocated from the Welsh Government (WG).

There are 3 main types of external funding to the local authority:

Type 1

Funding that is allocated by funding bodies (e.g. WG) for specific purposes for which the local authority has to submit a spending plan for approval. WG assume local authorities will accept these grants in full, but there is no legal requirement to do so. Over the years a number of these types of grants have transferred into the Local Authority Settlement and they can usually be regarded as core funding to support business as usual, although it may be necessary to still specifically account for these funding allocations.

Type 2

Grants which service directorates actively pursue through an application process, which may start as Expressions of Interest, and for which they are in competition with other applicants.

This usually includes a range of funding bodies e.g. Welsh Government, European funding, Lottery funding (Heritage, Sportslot), Natural Resources Wales, Cymal, etc.

Type 3

These grants could belong under either Type 1 or Type 2, but they differ in that the grant is awarded on a regional basis to a number of different authorities, with BCBC either acting as lead for the grant, or BCBC acting as a partner organisation with another authority acting as lead and liaising with the funding authority on behalf of all authorities. There must be a signed agreement in place between BCBC and the partner/lead authority (ies) to ensure compliance with the grant terms and conditions and to safeguard BCBC's interests (often called an 'Inter-authority Agreement', but may well be a formal contract agreement).

In collaboration circumstances where BCBC is not the lead, all internal approvals must still be followed in line with those required for Type 1, Type 2 and capital grants.

Where BCBC is working in collaboration with other organisations and is not the lead authority for the grant, and therefore not the authority responsible for accepting the grant from the funding body, it is imperative that these procedures are still followed in terms of seeking approval to bid for and accept the grant, and claiming grant funding from the lead organisation.

The following sources of mainstream funding are **not** covered by these procedures:

- Central Government/Welsh Government Revenue Support Grant allocations
- Local taxes
- Fees and charges for the use of Council services
- Capital receipts obtained from the sale of surplus assets.

1.3 Managing externally funded projects

In common with all projects within the Council, any projects, whether funded from internal or external funds, **MUST** be managed in accordance with the Council's Project Management Toolkit, the requirements of which are summarised below:

Project management toolkit – some key success factors:

- **The project must have a project sponsor as well as a Project Manager**
- **Other roles and responsibilities need to be clearly defined**
- **The project must be initiated, managed, and closed as defined in the Toolkit**
- **Project controls should be consistent with the scope, size, complexity, risk of the project and defined on initiation**
- **Technical advice should be sought at start-up (including Finance) where applicable and suitable feasibility undertaken**

Note: When grant funding is awarded for goods or services not classified as a project (e.g. Education Improvement Grant, Environment and Sustainable Development Grant), the grant scheme must still have a nominated manager appointed to manage the overall requirements of the funding and must still follow these procedures.

1.4 Advice required

Before preparing any bid for external funding, including Expressions of Interest, advice should be sought from the following sources to ensure that the proposed project presents a minimal risk to the Council:

- Finance Manager;
- Procurement;
- Legal advice on the implications of State Aid;
- Appropriate technical advice.

Section 2 – Submitting a funding bid

2.1 The Bidding Process

What is a funding bid?

ANYTHING that has the potential to result in ‘grant’ funding being received by the Council, including:

- An Expression of Interest for European Funding to WEFO
- A response to a WG request, including an Expression of Interest
- An on-line grant request
- A tender via the ‘Sell to Wales’ website
- An Expression of Interest to a collaborative partner organisation

NB If unsure, please consult with the Grant Co-ordinator for clarification

The following procedure has been agreed by Programme Management Board (PMB):

Revenue Grants

- Type 1 grants - there is no requirement to seek PMB / Corporate Management Board (CMB) approval before seeking delegated powers, but delegated power must still be secured.
- Type 2 grants - PMB is required to consider and agree to the submission of any revenue grant application *before* any action is taken. This is a standing item on the agenda. If timescales require, the issue will be considered by CMB.
- Delegated Powers are only sought after approval by either PMB/CMB has been given.
- Once Delegated Powers have been secured, the application passes to the relevant Finance Manager for sign off.
- The Finance Manager then passes the application over to the Grant Co-ordinator who organises the Chief Finance Officer sign off (or authorised representative).

Capital Grants

Capital grant bid applications (property related) must be channelled through the Corporate Property Group (CPG) in the first instance. This will ensure fit with corporate priorities and that all property related issues are considered before the application is submitted. Delegated Powers are only sought once CPG has evaluated the bid and it is approved by PMB/CMB.

The procedure for Type 2 grants (as above) must be followed for all non-property related capital bids.

Once the relevant Delegated Powers have been secured, the application is then passed to the relevant Finance Manager for sign off. The Finance Manager then passes the application over to the Grant Co-ordinator who organises the Chief Finance Officer sign off (or authorised representative).

The officer making the bid is responsible for:

- Ensuring that the Grants Co-ordinator is aware of potential funding bids in order to allow time for any necessary checks and approvals;
- Setting up and/or being part of an appropriate project team for the bid and if successful, for ongoing delivery of the project;
- Obtaining all the necessary internal approvals (see list below);
- Ensuring due consultation with all interested stakeholders and appropriate corporate services such as legal, IT and procurement;
- Ensuring specific consultation with Directorate Finance Manager to confirm costs, match-funding details, staffing and available internal resources;
- Ensuring that the application form or on-line documentation is completed as required by the funding provider;
- All supporting information is clear and comprehensive;
- That sufficient time is allowed before any submission deadline to obtain necessary approvals.

Approvals required:

(NB Obtain approval to bid for and accept grant at the same time)

- **Approval sought from PMB / CMB where appropriate.**
- Delegated power approval.
- Alternatively, where considered appropriate, a report should be submitted to Cabinet requesting approval to submit and / or accept a bid.
- Resources required to manage the project have been identified.
- An Exit Strategy has to be submitted for time limited projects **before** approval will be granted to bid for the grant.
- Financial approval of the Chief Financial Officer (or authorised representative thereof) is required **PRIOR** to the submission of any bid for external funding.
- Any 'State Aid' implications must be discussed with Legal and the implications highlighted at approval stage.

2.2 Financial checks

A Finance Manager must certify that they have carried out the following checks prior to obtaining the signature of the Chief Financial Officer or authorised representative thereof:

Financial checks required:

- Bid is based on accurate and realistic costings (including technical advice where appropriate)
- Any apportionment methodologies used have been confirmed (for eg for staff time or overheads if applicable) and actually approved in advance for European applications
- Arithmetical accuracy
- Confirmation of sources of match funding
- Grant conditions met in respect of funding sources
- All financial implications (including any on-going financial consequences) have been considered and budgets identified
- Implications of State Aid
- Any design and supervision fees (including those for internal staff) have been allowed for.
- Audit costs (where allowable) have been included
- VAT is excluded from the bid
- Any other eligible and verifiable costs have been included
- Any support costs (e.g. Finance, legal, administrative) are included where these can be claimed from the funding source

NB A minimum of 2 working days must be allowed for financial checks to be completed.

All exceptions will be reviewed by the Chief Finance Officer or authorised representative thereof, who will decide on the necessary course of action.

2.3 The Grant Bid Pro-forma (Finance)

A grant bid pro-forma (Finance) (attached) must be completed by a Finance Manager and attached to the grant bid along with a copy of the Delegated Power (attached) and Project Initiation Document (PID). All documents are to be submitted to the Grants Co-ordinator, who will obtain the signature of the Chief Financial Officer or authorised representative thereof.

The Grants Co-ordinator will maintain a central register of all grant bids and their outcome, both compliant and non-compliant.

Section 3 – Accepting a grant

3.1 Changes since the bid was submitted

If, since the grant bid was submitted, any fundamental* changes have been made to the project as outlined in the original bid, then all approvals obtained when the bid was submitted must be re-obtained.

* Fundamental includes any significant financial changes in excess of 10%, changes to the geographical location of the project changes in staffing requirements and anticipated outcomes, changes in delivery timescales..

3.2 The approval letter

The grant paying body will normally issue a formal approval/offer letter showing the award of grant. This will usually be accompanied by the Terms and Conditions relating to the award and payment of that grant.

A common condition of a grant is the formal acceptance of the award, which is also an acceptance of the Terms and Conditions. **The acceptance must be authorised by the Chief Financial Officer or authorised representative thereof, before being sent to the funding body.**

Internal Approvals required:

- Delegated powers / Cabinet approval – must be obtained unless approval was granted to both bid for and accept any grant.
- A separate delegated power **WILL** be required if there have been any fundamental changes to the project (see 3.1)
- Financial approval of the Chief Financial Officer or authorised representative thereof, is required **PRIOR** to acceptance.

3.3 Financial approval.

Financial approval by the Chief Financial Officer or authorised representative thereof, is subject to completion of a Grant Acceptance form (attached). All documents must be submitted to the Grants Coordinator at least 2 working days prior to the submission deadline. All exceptions will be reviewed by the Chief Finance Officer or authorised representative thereof, who will decide on the necessary course of action.

Section 4 – Project delivery / record keeping and monitoring

4.1 The Project Manager's role

The Project Manager role is defined in the Project Management Toolkit. It is the responsibility of the Project Manager to ensure that the project is delivered in accordance with BCBC Grants Policy, the individual Terms and Conditions of the grant, the Project Management Toolkit and the European Grant Procedures (where applicable).

4.2 Records/monitoring

In particular for grant-aided projects, it is the responsibility of the Project Manager to ensure that all necessary records, in compliance with the terms and conditions of the grant (such as **original invoices and performance evidence**) are kept for the duration of the project and until final audit clearance has been obtained.

European Funded Projects

In the case of European projects, all records relating to the delivery of the project have to be stored in the dedicated European Projects archive once the project is complete. This can be for up to 15 years after the start of the project. Documents should not be destroyed until the necessary instruction is issued from Wales European Funding Office. Failure to comply with these requirements can and will result in funding being withdrawn and a financial detriment to the Council.

Records to be kept / monitored

- Documents related to project development / internal approvals
- All financial transactions- **original documentation**
- Eligible / ineligible expenditure breakdown
- Outcome / outputs as per the grant acceptance
- Evidence of publicity and acknowledgement of funding body

Where receipt of grant is dependant on outcomes or outputs, robust evidence based monitoring systems must be put in place by the Project Manager to prevent any clawback of grant. This evidence will need to be fully documented and retained for a prescribed period, as original documentation is a requirement of the European Auditors.

4.3 Electronic records

Under certain circumstances, grant funding bodies will accept electronic records as evidence of expenditure. Please refer to the relevant grant terms and conditions and, specifically for European projects, to WEFO Guidance 'Management and Retention of Records' (August 2012) for examples of where this will be appropriate. Further advice and support can be obtained from the Regeneration Funding Team. **At present BCBC requires that original hard copies of all evidence are retained for any European Funded project.**

4.4 Record retention

It is the responsibility of the sponsoring Directorate to maintain records for the minimum specified period.

Complete project files including original invoices must be kept securely until a final audit certificate has been awarded. Retention times will vary depending on the grant body, but **no records should be destroyed unless confirmation has been received from the Grants Co-ordinator that this is appropriate.**

Record retention requirements

- VAT – Current financial year plus 6 years
- European projects – original invoices recommended 15 years plus
- All other projects – until final audit certificate is awarded and for at least 6 financial years plus the year in which the expenditure was incurred,

4.5 Project closure

At the end of each project, the project must be closed in accordance with the specific Terms and Conditions of the grant.

4.6 European Projects Archive

For European funded projects, a central European Records Archive has been established in the Civic Offices. This archive is managed by the Regeneration Funding Team and they should be contacted once a project is approved in order to set up standardised archiving systems and to make arrangements for record storage.

Section 5 – Grant claims

5.1 What constitutes a grant claim?

Any claims made to an external body for funding. This will not always be in the format of a grant claim form, but must always be treated as such and these procedures followed.

Examples of grant claims:

- Traditional grant claim forms
- On-line claims
- Invoices raised for grant funds
- Invoices for services via 'Sell to Wales'
- Claims to lead authorities for collaborative projects.

5.2 Completion of claims

The Project Manager is responsible for ensuring that claims for grant are made in accordance with the Terms and Conditions of the Grant, as laid out in the grant approval letter.

The officer responsible for the completion of the claim must ensure that all of the following information is included on the claim or available for audit:

Grant claim check list

- Claim must include all eligible expenditure per Terms & Conditions of the grant.
- Expenditure must be defrayed* before it can be claimed as required.
- Expenditure **must** be supported by entries on the financial ledger.
- There must be clear working papers to support the claim.
- Any non-financial elements of the claim (e.g. outputs) **must** be supported by evidence.
- Claims must be submitted within deadlines.

* Defrayed means physically paid, not just reflected on the ledger. Seek finance guidance if unsure. This applies to ALL European Funded projects and most other funding bodies.

5.3 Grant claim form

All grant claim forms must be certified by the Chief Financial Officer or representative thereof. In order to obtain this certification, a Grant Claim Approval Form (attached) must be completed and signed by the responsible Finance Manager, once the following financial checks have been completed. All documentation is then forwarded to the Grants Coordinator to obtain the necessary certification.

A record is kept of all grant applications and approvals, and amounts claimed and received. This information is used to populate the statutory 'Whole of Government Accounts' return completed annually. It is also used to support the annual audit and to ensure that appropriate authorisations and processes have been followed to meet audit requirements.

Section 6 – Audit requirements

6.1 The requirement for an audit certificate

Most grant-paying bodies will require a certificate from an independent auditor to provide assurance that the Council is entitled to the grant funding that it has received. In the majority of cases, the audit certificate is provided either at the completion of a project or at the end of each financial year.

In some instances the Shared Internal Audit Service is required to provide an opinion on the use of the grant and provide assurance that the terms and conditions of the grant have been complied with. In these instances the responsibilities of the Project Manager and Finance Manager are the same as with externally funded projects with regard to audit requirements.

6.2 Finance responsibilities

Finance Managers and the Grants Co-ordinator are responsible for ensuring that all relevant documentation is available for auditors when the annual and final claims are submitted for audit.

The following 'checklist' must be used to ensure that all relevant information is available. The list will be passed to the auditors along with the claim.

Additional information can and will be requested during the audit to provide the necessary assurance to the auditors of compliance to existing procedures and protocols.

Audit Information Checklist			
Project Name:			
Funding Body:			
Document Required	On File	Ref	Signed Off
Final Claim submitted to Audit		A	
Contact Details for Grant Queries		B	
Copy of Grant Offer Letter, Acceptance and Terms & Conditions		C	
Copy of Delegated Powers accepting grant approval. Explanation required for non-receipt of Delegated Powers		D	
Reconciliation of Actual Spend to Grant Offer, virements highlighted with copies of any necessary approvals (e.g. Welsh Government correspondence)		E	
Supporting schedule of expenditure and reconciliation to grant offer and final claim		F	
Copies of all grant remittances with CoA details		G	

The relevant Finance Manager will submit the final claim and supporting documentation to the Grant Co-ordinator who will submit them to the Auditors.

Section 7 – Clawback

7.1 Notification

Should clawback of any amount of grant paid be necessary, at any time due to factors described in the particular grant conditions, then the Grants Coordinator should be informed immediately.

7.2 Financial implications

Reduction of revenue grant will reduce the income in the relevant Directorate and reduction in capital grant will have capital financing repercussions. Both place financial pressures on the Local Authority. Any significant clawback will need to be reported as part of quarterly financial monitoring reports to management and/or Cabinet.

Section 8 – Audit Recommendations

8.1 Audit Report

The auditors provide BCBC with an annual statement of performance in relation to their grants audit. This will identify any weaknesses and/or shortcomings in the grant claims and grant monitoring processes, and will identify recommendations for improvement on a grant level. It is essential that these recommendations are followed up and amendments implemented as necessary and in a timely manner.

The outcome of the external audit of grant claims is reported to Audit Committee each year, including any recommendations made. It is therefore imperative that any recommendations are followed up and dealt with appropriately. The Grants Co-ordinator will take a lead role in liaising with relevant officers to put in place actions and responses to recommendations, and provide updates to the Chief Finance Officer as to progress on a regular basis. This may involve liaison with Internal Audit and funding bodies as necessary.

Following the above an update report will be presented to Audit Committee identifying the management actions taken to respond to any External Audit recommendations raised. It is therefore imperative that actions are followed up and implemented as necessary.

8.2 Lessons Learnt

As part of the audit process a number of recommendations will be made to improve BCBC grant claim processes. This has a number of beneficial impacts including ensuring maximum grant is drawn down, minimising audit time on the grant and as a consequence reducing the audit fee to the Council. A record of 'common' issues will be developed and included in this document as a 'checklist' of what to check before submitting a grant claim/file for audit. There is already a checklist included at section 6.2 which provides the minimum necessary file contents for audit purposes which must be adhered to.

PART B – AWARD OF GRANT FUNDING

Section 9 – Award of Funding to External Bodies and Individuals

9.1 Policy on awarding external funding

The Council may award grants or other funding to be used by any organisation or individual for a specific purpose in the furtherance of the wellbeing of the community, either generally or for a specific purpose, which is not controlled or administered by Bridgend County Borough Council. The purpose of any grant or other funding will be to support initiatives in the local community and to help create opportunities for the residents of the County Borough.

9.2 General Principles

- The availability of funds is dependent on the Council's overall financial position and the decisions it makes as part of its Medium Term Financial Strategy (MTFS).
- Grant applications must be fully completed and assessed against a set of criteria agreed by the funding directorate in advance of invitation of applications.
- When awarding grants to any specific person or organisation for specific activities, directorates must ensure that appropriate use is made of the Welsh Language, following the principles:
 - ▶ that the Welsh language is treated no less favourably than the English language within that activity, and;
 - ▶ that the Welsh language is promoted and facilitated in the context of that activity.

9.3 Grant Criteria

The following list is not exhaustive, but it is recommended that the following requirements are taken into account when setting grant criteria and terms and conditions of grant:

- ▶ The criteria must state the maximum amount of funding available, and whether or not there is a matched funding element required.
- ▶ The applicant must provide a copy of the organisation's constitution.

- ▶ The applicant must provide copies of the most recent set of accounts / bank statements.
- ▶ The applicant must provide copies of public / employee / buildings insurance certificates, where appropriate.
- ▶ All successful applicants must provide receipts and supporting documents after the money has been spent.
- ▶ Grant applications cannot be made retrospectively.
- ▶ The grant must only be used for the purpose for which it was awarded, unless written approval has been received from the Council for a change in use.
- ▶ The Council has the right to reclaim the grant if it has not been used for the purpose specified on the application form, or revised purpose following subsequent agreement.
- ▶ Any unspent monies must be returned to the Council.
- ▶ In the case of grants awarded for projects for which additional grant funding is to be sought to enable the project to proceed, the funding approved will only be available when all other funding is secured / in place.
- ▶ On-going commitments to award grants in future years will not be made. A fresh application will be required each year.
- ▶ The criteria must state that any on-going revenue costs arising from one-off funding is the sole responsibility of the applicant.

9.4 Application of Welsh Language Standards

Directorates should establish clear procedures that will ensure that the Welsh Language principles outlined above are followed when grants are awarded. Such procedures will include:

- ▶ ensuring that those who apply for a grant are given clear information about the Welsh language requirements in any explanatory notes or guidance provided to them with application forms, explaining how those requirements will be considered within the assessment of the grant applications.
- ▶ ensuring that grant application forms ask applicants to explain what use will be made of the Welsh language within the funded activity.
- ▶ ensuring that grant application assessment procedures consider to what extent the applicants intend to use the Welsh language within the funded activity.
- ▶ ensuring that letters offering grant aid set out clear conditions in relation to the Welsh language as part of the offer.
- ▶ helping applicants to understand the requirements in terms of the use of Welsh, and where appropriate, supporting those who

receive a grant to ensure that appropriate use is made of Welsh within the funded activity.

- ▶ establishing monitoring systems to ensure compliance with those conditions, seeking regular reports as appropriate, and addressing any weaknesses at an early stage and in a constructive manner where possible, reserving the possibility of withdrawing a grant to serious cases.
- ▶ ensuring that those who receive grants make appropriate use of the Welsh language is the responsibility of the directorates that award those grants.

Section 10 – Glossary of terms

External Funding	Any funds received from an external source which is used to deliver a specific project or projects by the Council and for which a grant claim (in whatever form) will be made.
Grant Bid	An application form / Expression of Interest/ Business Case or report used to request funding from an external source e.g. WG, WEFO, , and authorised by a nominated signatory
Grant Approval	Formal confirmation of an award of grant from the external source
Grant Acceptance	The Authority's formal acceptance of the award and the terms and conditions of the grant, authorised by a nominated signatory
Grant Claim	A form or report used to claim external funding for expenditure identified as eligible under the terms and conditions of the grant
Delegated power	A form (see attached) which records the performance of a Cabinet or Council function which has been allocated to specific officers under the Authority's Scheme of Delegation.
Chief Financial Officer	The Corporate Director Resources or one of his nominated signatories – currently the Head of Finance and ICT
Finance Manager	The relevant Directorate Finance Manager attached to the project.
Grants Coordinator	Officer within the Finance Section responsible for the co-ordination of all externally funded projects within the Authority
Project Manager	The officer responsible for the completion of the bid, the management of the project and the submission of the grant claims
Grant Management Form	A form, supplied by the Grants Coordinator, that must accompany each bid, acceptance or claim when submitted for authorisation by a nominated signatory (see attached).

Matched Funding	Public or private sector finance put forward as a contribution to gross project costs is defined as matching funding or co-funding. European funds are designed to fill the funding gap for a project when all other possible sources of finance have been exhausted. A wide range of public organisations and voluntary agencies are designated as eligible for grant purposes.
Project Management Toolkit	The Council's Programme & Project Management Toolkit explains how programmes and projects are managed in the Authority.
Project Initiation Document (PID)	A logical document which brings together all the key information needed to start the project on a sound basis and to convey that information to all concerned with the project
Regeneration Funding Team)	The Regeneration Funding Team) of Bridgend County Borough Council offers support, advice and guidance to council departments and organisations within BCBC on carrying out projects funded by European Structural Funds and other external funders.

Useful information links

Grants Policy

<http://www.bridgenders.net/finance/Pages/Grants-policy.aspx>

Project Management Toolkit:

<http://www.bridgenders.net/coe/Pages/Project%20management%20toolkit%20home%20page.aspx>

Audit Committee reports:

<http://parliment/ieListMeetings.aspx?CIId=132&Year=0>

Wales Audit Office Good Practice Guide: Grants Management:

<http://www.wao.gov.uk/good-practice/finance/grants-management>

Finance Section

Grant

Management

Forms*

March 2016

* Available via the intranet

GRANT BID/ACCEPTANCE FORM

Project Name				
Funding Source				
Sponsoring Directorate				
Project Manager				
Link to Corporate Priority				
Date agreed by PMB / CMB				
Deadline for Bid to be Submitted				
Financial Year	Fin Yr /	Fin Yr /	Fin Yr /	Total
	£	£	£	£
(a) Capital Grant				
(b) Revenue Grant				
(c) Total Grant (a) + (b)				
(d) Capital Match Funding				
(e). Revenue Match Funding				
(f) Total Match Funding (d) + (e)				
Total Project Cost (c)+(f)				
Internal Fees (incl. in line above)				
Detail of match funding (incl. financial codes if applicable)	£	£	£	£
Total (to agree with (f) above)				
	£	£	£	£
Grant Audit fees incl. in project costs				
Explanation for exclusion of internal fees and/or grant audit fee:				
FINANCIAL CHECK COMPLETED BY:				
To be completed by Grant Co-ordinator Resources Finance				
Received by:		Date:		

GRANT CLAIM APPROVAL FORM

Project name _____

Funding source _____

Sponsoring Directorate _____

**Cost Centre for
Eligible Expenditure**

**Cost Centre Code
for income**

CLAIM PERIOD:

DUE DATE:

TOTAL GRANT APPROVED:

AMOUNT NOW CLAIMED:

CUMULATIVE TOTAL OF GRANT DRAWN DOWN:
(Including amount now claimed)

Source of evidence for non financial data

FINANCIAL CHECK COMPLETED BY:

To be completed by Grant Co-ordinator Resources Finance

Received by: _____

Date: _____

SCHEMES OF DELEGATION OF FUNCTIONS
RECORD OF DECISION

1.	Scheme Information:	
	a. Decision Reference Number:	<input type="text"/>
	b. Decision Type (Proposed or Actual):	<input type="text" value="Proposed"/>
	c. Scheme under which decision is to be made	<input type="text" value="Scheme B2"/>
	d. Paragraph Number:	<input type="text" value="1.2"/>
	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.	<input type="text"/>
	f. Does this Decision contain "Confidential information:	<input type="text"/>
2.	Details of Decision (including details of public interest test used in Part 1(e) above):	
	<input type="text"/>	
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):	
	<input type="text"/>	

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

--

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

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

--

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

--

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

--

	Contact Details:	Case Officer	
a.	Name:	<table border="1" style="width: 100%; height: 20px;"><tr><td></td></tr></table>	
b.	Job Title/Role:	<table border="1" style="width: 100%; height: 20px;"><tr><td></td></tr></table>	
c.	Telephone Number:	<table border="1" style="width: 100%; height: 20px;"><tr><td></td></tr></table>	
d.	E-mail Address:	<table border="1" style="width: 100%; height: 20px;"><tr><td></td></tr></table>	
e.	Date Decision made:		
f.	Signature:		

Notes:

1. Electronic copies of this form must be sent to Cabinet & Committee Services (cabinet_committee) & Member Services (membersbcbc).

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

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

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES AND THE SECTION 151 OFFICER

RHIW GATEWAY VIBRANT AND VIABLE PLACES

1. Purpose of Report

1.1 The purpose of the report is to:-

- agree to undertake a Deed of Variation to the Development Agreement with Coastal Housing Group Limited (CHGL) the purpose of which will be to provide for a provision to enable the Council to make an advance payment to CHGL. The contract between CHGL and their contractor for the Rhiw Gateway Development has terms and conditions which allow for the provision of an advanced payment bond;
- seek Cabinet approval to authorise a payment of £1 million to CHGL to cover expenditure that CHGL will incur making an advanced payment bond to ensure that the Welsh Government's (WG) Vibrant & Viable Places (VVP) Grant allocation for 2015-16 is fully maximised by the Council;
- suspend Rule 8 (4) (a) of the Council's internal Financial Procedure Rules to allow for the payment to CHGL to take place before 31 March 2016.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

2.1 The VVP programme in Bridgend supports the emerging Corporate Priority: Supporting a successful economy by creating successful town centres.

3. Background

3.1 In March 2013, Welsh Government (WG) announced its new Regeneration Framework for Wales, 'Vibrant and Viable Places.' Bridgend CBC was successful awarded £5,978,000 over three financial years. The restriction contained within the award letter was that "each financial year's allocation must be claimed in full by the end of that financial year otherwise any unclaimed part of the Funding will cease to be available".

3.2 The annual allocations are set out in the table below:-

2014-15 To be expended in full by 31 March 2015	2015-16 To be expended in full by 31 March 2016	2016-17 To be expended in full by 31 March 2017
£641,635	£4,267,175	£1,069,190

In common with other VVP schemes in Wales, managing WG's annual budgets without the ability to move funding between years is proving challenging on schemes of this scale and complexity. The project did achieve full spend and thus

maximised the grant in 2014-15. However, there is an issue achieving the full spend necessary for the current financial year.

4. Current Situation

- 4.1 In April 2015, Cabinet approved that the Council entered into a Development Agreement (DA) with CHGL to deliver the Rhiw Gateway Project and any ancillary contracts. The DA recognised that the successful contractor identified to undertake the project works would be appointed by CHGL, in accordance with the Public Contract Regulations 2006 and that there would be no direct contract between the Council and the Contractor although there would be a number of collateral warranties with the Council and relevant contractors including consultants.
- 4.2 CHGL undertook the procurement process following the OJEU procedure and this resulted in tender returns exceeding the secured funding available for the contract which included the WG grant together with resources from CHGL and Bridgend CBC. This required an extensive period of Value Engineering of the scheme to achieve a contractual position to bring the project within the budgets available for both the car park and the residential and commercial units. The consequential effect of the prolonged procurement was a delayed construction start date by two months beginning on site in late September 2015. At this point, it was identified that the target spend for 2015-16 would not be achieved and this was raised with WG in October 2015.
- 4.3 Discussions have taken place with WG officials, to find the most suitable means to ensure there is no underspend on grant at year end and the following options have been explored:
- i. WG managing this at programme level (i.e. Pan Wales), and identifying projects in other areas that may be able to bring forward expenditure from next year into this year and allow a sway of grant allocations between authorities;
 - ii. The Council identifying other eligible expenditure within the Bridgend VVP programme against which the grant may be drawn down in this financial year and the capital resources that were to be used in 2015-16 retained for use in 2016-17 on the Rhiw development; and
 - iii. CHGL investigating instruments to enable advance payments to be made without incurring financial risk.
- 4.4 At January's VVP Project Board Meeting, WG officials confirmed that option (i) above had not materialised, but a revised approval letter was issued which allowed other eligible expenditure within the Bridgend VVP Programme to be used to draw down grant as per option (ii). The Council has endeavoured to maximise this and CHGL have authorised the early procurement of steel which will be funded from the grant. However, despite this, there is still an anticipated shortfall, which allowing for a contingency in case forecast valuations for February and March are less than anticipated, is circa £1 million. The Project Board therefore agreed that, subject to cabinet approval, CHGL should proceed with option (iii) and make an Advanced Payment Bond in line with their contract. Once CHGL can evidence the defrayment of monies following payment to the contractor, it will raise an invoice to Bridgend CBC for payment and the grant will be drawn down in 2015-16.

- 4.5 If this option is not pursued, the completion of the scheme will be at risk as there would be a circa £1 million shortfall in funding due to the loss of the WG grant. WG have confirmed the terms of the grant and that there is no opportunity to carry forward the funding into 2016-17. The Advanced Payment Bond would be an On Demand bond, so could be drawn down by the Council or CHGL, however, this would be likely to be used to pay for April and May valuations to the contractor. WG have confirmed that the legal costs and professional fees for setting up this arrangement will be eligible expenditure that the grant will cover and therefore will have no impact on the Council.
- 4.6 The delayed start on site will have no adverse effect on meeting the grant drawdown for the 2016-17. The projected spend for 2016-17 is over £6 million of which only just over a £1 million is WG grant with the remainder being external sources of funding mainly from CHGL.
- 4.7 In drafting the Deed of Variation, consideration will also be given as to whether any of the other financial provisions of the Development Agreement should be amended to meet the needs of the Council, given the requirements of the WG Grant, and to ensure that the development can be completed by the contractual deadline for the project, in particular the provisions relating to retentions to be held by the Council under the terms of the Development Agreement. It is therefore proposed that Cabinet give the Corporate Director – Communities delegated power to agree any other provisions of the Deed of Variation in consultation with the Section 151 Officer and the Assistant Chief Executive Legal & Regulatory Services.

5. Effect upon Policy Framework and Procedure Rules

- 5.1 Cabinet are asked to suspend Rule 8.4 (a) of the Financial Procedure Rules as detailed below to allow for the payment to CHGL to be made:-

8.4 Before authorising an account, the authorising officer shall be satisfied that:

- (a) The work, goods or services to which the account relates have been received, carried out, examined and approved.

6. Equality Impact Assessment

- 6.1 A screening exercise has been undertaken on the Welsh Government Regeneration Strategy to ensure it will have a positive impact on the equalities agenda.

7. Financial Implications

- 7.1 The financial implications are reflected within the report. The Wales Audit Office (WAO) has been consulted and advised that they are happy for the payment to be made in 2015-16 and the accounting treatment will reflect that it is a payment in advance within the Statement of Accounts 2015-16.

8. Recommendation

- 8.1 It is recommended that Cabinet :-

- a) Approve that a Deed of Variation on the Development Agreement is undertaken to include the provision for advancing funds to CHGL and including suitable clawback arrangements;
- b) Authorise that a payment is made to CHGL upon evidence that they have defrayed monies into the Bond of £1 million;
- c) Suspend Rule 8.4 (a) of the Council's internal Financial Procedure Rules to allow for the payment to CHGL to take place
- d) Give the Corporate Director – Communities delegated power to agree any other provisions of the Deed of variation in consultation with the Section 151 Officer and the Assistant Chief Executive Legal and Regulatory Services.

Mark Shephard
Corporate Director - Communities

Ness Young
Section 151 Officer

23 February 2016

Contact Officer: Mary Williams
Group Manager – Chief Accountant

Telephone: 01656 643605

E-mail: Mary.Williams2@bridgend.gov.uk

Postal Address: Bridgend County Borough Council
Resources - Finance
Raven's Court
Brewery Lane
Bridgend
CF31 4AP

Background documents:

Welsh Government Award of Funding – VVP Programme for Bridgend

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR, COMMUNITIES

GYPSEY & TRAVELLER ACCOMMODATION ASSESSEMENT

1. Purpose of Report

To inform Cabinet of the findings of the Gypsy & Traveller Accommodation Assessment (GTAA) and to seek approval to submit the document (attached as Appendix 1) to Welsh Government for consideration.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The Gypsy and Traveller Accommodation Assessment will help to address the Council's Corporate Plan priorities of 'Supporting children and families by helping them to deal with their problems as early as possible' and 'Working together to make the best use of our resources'.

3. Background.

3.1 Part 3 of the Housing (Wales) Act 2014 places a duty on all local authorities to undertake an assessment of the accommodation needs of Gypsy & Traveller households and to make provision for unmet mobile home pitch needs where the assessment identifies an unmet need for mobile home pitches.

3.2 The Local Authority, as the strategic housing body, is the lead agency that will take the assessment process forward. The Act requires that the Assessment must be completed and returned to Welsh Government and that it is undertaken at least every 5 years. The cost of undertaking the assessment is an additional budget pressure on the service.

3.3 A survey and analysis of Gypsy & Traveller households residing in or resorting to the county borough is required in order to inform the assessment. There is a pre-defined questionnaire provided by Welsh Government to do this. The survey must be undertaken in a census-style interview approach.

3.4 The definition of "Gypsies and Travellers" for the purposes of this assessment is contained in section 108 of the Housing (Wales) Act 2014. The definition is as follows;

“(a) Persons of a nomadic habit of life, whatever their race or origin,

including:

- persons who, on grounds only of their own or their family's or dependent's educational or health needs or old age, have ceased to travel temporarily or permanently, and
- members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
- all other persons with a cultural tradition of nomadism or of living in a mobile home."

3.5 Members of these communities do not necessarily need to demonstrate a continued nomadic habit of life to be considered Gypsies or Travellers for the purposes of this assessment. Therefore, Gypsy and Traveller households living in bricks and mortar must also be included in the assessment.

4. Current Situation

4.1 A Steering Group was established consisting of representatives from Housing & Community Regeneration, Development Planning, Public Protection, Education and Health, the Equalities & Engagement Officer and the Western Bay Regional Community Cohesion Coordinator. The purpose of the Steering Group was to ensure the process was informed by all available expertise, in particular those with established networks within the community and those with accountability for meeting the accommodation needs of these communities.

4.2 Opinion Research Services (ORS) were appointed to undertake the primary and secondary data research to establish their potential future accommodation requirements over the first 5 years of the study and also to utilise these findings to estimate future requirements over a longer period (6-15 years). Utilising the findings of this research, ORS were required to produce a report to meet the Welsh Government requirements as published in their Guidance document. A copy of the Final Report is attached at **Appendix 1**.

4.3 The methodology used for the Assessment was as prescribed by Welsh Government and involved seeking primary data through interviews with existing Gypsy and Traveller households both on existing permanent sites and those known to be living in bricks and mortar accommodation.

4.4 In order to maximize participation from members of the Travelling Community, it was important that effective publicity and pre-notification was put in place. The approach to publicity was agreed with members of the Steering Group prior to the fieldwork commencing. The publicity was managed by the Council and included posters and leaflets placed in key locations across the county borough such as Life Centres, GP Surgeries, Primary Care and Planning Team, Supermarkets, Catholic Churches and in the Bridgend Association of Voluntary Organisations (BAVO) offices.

- 4.5 The GTAA was advertised on the Council and the Communities First Programme websites, Facebook and Twitter pages and also on the Bridgend Housing Options website. A “message of the day” was sent to all staff within the Council advising them of the GTAA so they in turn could advise any Gypsy and Traveller households they were aware of.
- 4.6 In total 4 households on permanent authorised sites were identified and all participated in the Assessment. In addition, a further 16 households were identified as living in bricks and mortar accommodation, and of these, 5 agreed to participate in the Assessment, 5 refused for personal reasons and a further 6 did not reply despite numerous contacts.
- 4.7 The conclusions of the Assessment are summarised below.
- 4.7.1 Based upon the evidence presented in this study, the estimated additional pitch provision needed for Gypsies and Travellers in Bridgend for the first 5 years of the GTAA plan period is for no additional pitches. For the remainder of the GTAA plan period (years 6-15) there is currently a need for a further 1 additional pitch. This gives a total need for the whole GTAA plan period of 1 additional pitch. These figures should be seen as the projected amount of provision which is necessary to meet the identifiable needs of the population arising in the area. These figures are made up of new household formation as no other components of need have been identified.
- 4.7.2 The Assessment indicates that there is not a need for the Council to provide a permanent transit site in Bridgend. However the Council should continue to monitor the number of unauthorised encampments and continue the management approach set out in the Local Development Plan and in the Gypsy and Traveller Management Protocol through the use of short-term toleration or Negotiated Stopping Arrangements to deal with short-term transient stops.
- 4.7.3 Finally, whilst there are no Travelling Show people yards in Bridgend, contact was made with a number of travelling Show people who have expressed a wish to develop a yard in South Wales, which could be within the Bridgend area. It would however, like all such developments, be the subject of Planning process.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 The Gypsy & Traveller Accommodation Assessment will provide essential additional evidence to complement the current Local Development Plan and assist the evidence for the proposed Local Housing Strategy (2016-18), currently out for consultation, in providing services to vulnerable clients where identified and contributing to Corporate and Welsh Government objectives, within available resources.

6. Equality Impact Assessment

- 6.1 The GTAA will help to deliver the Council's Equality duties as it identifies the accommodation needs of a group of people with protected characteristics. An Equality Impact Assessment is not required to be undertaken as the GTAA specifically applies to one specific protected characteristic group. The Council will be undertaking a wider Local Housing Market Assessment for the whole of the County Borough area later this year which the GTAA will inform and as part of this, consultation work will be undertaken to produce an Equality Impact Assessment of the whole market needs.

7. Financial Implications.

- 7.1 The cost of undertaking this assessment has caused an additional budget pressure on the service, resulting from the additional statutory requirement imposed by the Housing (Wales) Act 2014. The cost of this assessment has been met from within existing service budgets.

8. Recommendation.

- 8.1 It is recommended that Cabinet:
- 8.1.1 Note the findings of the Gypsy & Traveller Accommodation Assessment; and
- 8.1.2 Approve submission of the Assessment (attached as Appendix 1) to Welsh Government for their approval.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES
18.02.16

Contact Officer: Martin Ridgeway
Housing Strategy Team leader

Telephone: (01656) 643527

E-mail: martin.ridgeway@bridgend.gov.uk

Postal Address Housing & Community Regeneration,
Communities Directorate,
Bridgend County Borough Council,
Civic Offices,
Angel Street,
Bridgend
CF31 4WB

Background documents

Undertaking Gypsy and Traveller Accommodation Assessments – Guidance (Welsh Government – May 2015)

This page is intentionally left blank

Opinion Research Services The Strand, Swansea SA1 1AF
Steve Jarman, Claire Thomas and Ian Woodward
Enquiries: 01792 535300 · info@ors.org.uk · www.ors.org.uk

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

www.bridgend.gov.uk



Bridgend

Gypsy and Traveller

Accommodation Assessment

Final Report
February 2016



© Copyright February 2016

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2014)

Contents

1. Executive Summary	5
Introduction and Methodology	5
Key Demographic Findings.....	5
Additional Pitch Needs – Gypsies and Travellers.....	5
Transit Sites.....	6
Travelling Showpeople.....	6
2. Background and Policy Context	7
The Study	7
Legislation and Guidance	7
Housing (Wales) Act 2014.....	7
Mobile Homes (Wales) Act 2013	8
Planning Circulars 30/2007 and 78/91.....	9
Welsh Government Designing Gypsy and Traveller Sites Guidance	9
Local Plan Policies	9
Local Development Plan 2006-2021	9
Rural Exception Policies	10
Definition of Key Terms	11
3. Analysis of Existing Data	15
Current and Previous GTAAs.....	15
Bridgend GTAA 2010.....	15
Population Data – 2011 Census	15
Caravan Count Data	18
Sites and Yards in Bridgend.....	20
4. Methodology	22
Project Steering Group	22
Identify and Analyse Existing Data.....	23
Publicise the Accommodation Assessment	23
Conducting the Accommodation Assessment Surveys.....	24
Site Interviews	24
Bricks and Mortar Interviews.....	24
Calculate the Accommodation Needs of Gypsies, Travellers and Travelling Showpeople	24
Current Residential Supply	25

Current Residential Demand.....	25
Future Demand	25
Final Outcomes	26
Transit Provision	26
Compliance with Engagement Checklist.....	26
5. Survey Findings	28
Background	28
Interview Log	28
Overview and Demographics of Residents	29
Interview Summary.....	29
Private Sites	29
Bricks and Mortar Interviews.....	30
6. Assessing Accommodation Needs	31
Need for Gypsies and Travellers	31
Current Residential Supply	31
Current Residential Demand.....	31
Future Demand	32
Current Authorised Residential Supply.....	32
Current Residential Demand.....	32
Current Unauthorised and Tolerated Sites	33
Over-Crowded Pitches	33
Conventional Housing.....	33
Additional Pitch Provision: Future Need.....	34
Population and Household Growth	34
Overall Need for Bridgend	35
Need for Travelling Showpeople Plots.....	37
7. Conclusions.....	38
Gypsy and Traveller Future Pitch Provision	38
Transit Sites.....	38
Travelling Showpeople.....	38
Appendix A: Sites and Yards in Bridgend (November 2015).....	39
Appendix B: Interview Log	40
Appendix C: Publicity Examples	41

1. Executive Summary

Introduction and Methodology

- 1.1 The primary objective of the 2015 Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy and Traveller accommodation in Bridgend. It is a robust and credible evidence base which can be used to aid in the understanding of, and the provision of Traveller pitches and plots for the GTAA period 2016-2031, and also to support any periodical reviews of the Bridgend Local Development Plan which will run until 2021.
- 1.2 The GTAA has sought to understand the accommodation needs of the Gypsy and Traveller population in Bridgend through a combination of desk-based research, stakeholder engagement and engagement with members of the Travelling Community. In addition a range of local stakeholders were invited to sit on a Project Steering Group. A total of 4 interviews were completed with Gypsies and Travellers living on authorised sites in Bridgend, representing a response rate of 100% of occupied authorised pitches. In addition a total of 6 interviews were completed with Travellers and Travelling Showpeople living in bricks and mortar or temporary accommodation. No Travelling Showpeople yards were identified in Bridgend. In addition, no formal contact has been made by any other local authorities advising of any Gypsy and Traveller households seeking to reside in or resort to the County Borough. Whilst the GTAA has been comprehensively publicised, there has been a relatively low level of engagement, which is indicative of the low numbers of Gypsy and Traveller households that reside in or resort to the County Borough.
- 1.3 The baseline date for the study is **November 2015**.

Key Demographic Findings

- 1.4 Ethnicity data was captured from all of the households that were interviewed on the Gypsy and Traveller sites. All of the sites in Bridgend are occupied by Romany Gypsies.
- 1.5 In total the site interviews covered 12 residents living on Gypsy and Traveller sites. This was made up of 7 adults and 5 children and teenagers aged under 18. This equates to 58% adults and 42% children and teenagers. Demographic information showed a mixed range of ages across the sites, though a slightly higher proportion of the site population were younger when compared to the overall population (the settled community and the Gypsy or Irish Traveller community) of Bridgend (2011 Census).

Additional Pitch Needs – Gypsies and Travellers

- 1.6 Based upon the evidence presented in this study the estimated additional pitch provision needed for Gypsies and Travellers in Bridgend for the first 5 years of the GTAA plan period is for **no additional pitches**, and for the remainder of the GTAA plan period is for **a further 1 additional pitch**. This gives a total need for the whole GTAA plan period of 1 additional pitch. These figures should be seen as the projected amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population

arising in the area. These figures are made up of new household formation as no other components of need have been identified.

- 1.7 A detailed breakdown which sets out the components that make up this additional need, together with any other issues that have been taken into consideration are included in **Chapter 6** of this report.

Transit Sites

- 1.8 It is recommended that there is not a need for the Council to provide a permanent transit site in Bridgend. However the Council should continue to monitor the number of unauthorised encampments and continue the management approach set out in the LDP and in the Gypsy and Traveller Management Protocol through the use of short-term toleration or Negotiated Stopping Arrangements to deal with short-term transient stops.

Travelling Showpeople

- 1.9 Whilst there are no Travelling Showpeople yards in Bridgend, contact was made with a number of Travelling Showpeople living in Bridgend, the Vale of Glamorgan and Gloucester who have expressed a wish to independently develop a private yard in South Wales.

Summary

Need	Years 0 to 5	Years 6 to 15
Permanent Pitches	0	1
Transit Pitches	0	0
Travelling Showpeople Plots	0	0

2. Background and Policy Context

The Study

- 2.1 Opinion Research Services (ORS) were appointed by Bridgend County Borough Council (the Council) in September 2015 to complete a robust and up-to-date needs assessment of accommodation for Gypsies and Travellers residing and resorting in Bridgend for the GTAA plan period to 2031.
- 2.2 The study provides an evidence base to enable the Council to comply with their requirements towards Gypsies and Travellers under Section 3 of the Housing (Wales) Act 2014.
- 2.3 The GTAA provides a robust assessment of need for Gypsy and Traveller accommodation in Bridgend. It is a robust and credible evidence base which can be used to aid in the understanding of, and the provision of Traveller pitches and plots for the GTAA plan period 2016-2031, but also to support the periodic review of the Bridgend Local Development Plan (LDP) which will run until 2021.
- 2.4 We would note at the outset that the study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller Accommodation Assessment (GTAA).
- 2.5 The baseline date for the study is **November 2015**.

Legislation and Guidance

Housing (Wales) Act 2014

- 2.6 Part 3 of the Housing (Wales) Act 2014 (the Act) requires that a local housing authority should carry out a new assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area between February 2015 and February 2016.
- 2.7 Section 102 of the Act requires that local authorities must prepare a report which they must submit to Welsh Ministers for approval that:
 - » details how the assessment was carried out;
 - » contains a summary of:
 - the consultation it carried out in connection with the assessment, and
 - the responses (if any) it received to that consultation;
 - » details the accommodation needs identified by the assessment.
- 2.8 Once approved the local housing authority must publish the assessment.

- 2.9 If need is identified in the GTAA report, Section 103 of the Act requires that a local authority must exercise its powers in Section 56 of the Mobile Homes (Wales) Act 2013 so far as may be necessary to meet those needs.
- 2.10 Section 106 of the Act sets out that local authorities should have regard to any guidance given by Welsh Ministers. Guidance on Undertaking Gypsy and Traveller Accommodation Assessments was published in May 2015.
- 2.11 This guidance covers the following issues:
- » Why a specific GTAA is required?
 - » What should be produced?
 - » Who needs to be consulted?
 - » What data sources need to be reviewed?
 - » Understanding the culture of Gypsy and Traveller communities.
 - » How to identify and communicate with Gypsies and Travellers?
 - » How to design, manage and undertake a GTAA?
 - » Support with partnership working and working regionally.
 - » Exploring specialist surveys, techniques and questions to be used.
 - » How accommodation 'need' is assessed?
 - » Submitting reports to Welsh Ministers.
 - » How to make provision for identified need?
- 2.12 Section 108 of the Act sets out that:
- » **Accommodation needs** - includes, but is not limited to, needs with respect to the provision of sites on which mobile homes may be stationed;
 - » **Gypsies and Travellers** – means persons of a nomadic habit of life, whatever their race or origin, including persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and members of an organised group of travelling show people or circus people (whether or not travelling together as such), and all other persons with a cultural tradition of nomadism or of living in a mobile home;
 - » **Mobile home** - has the meaning given by section 60 of the Mobile Homes (Wales) Act 2013.

Mobile Homes (Wales) Act 2013

- 2.13 The GTAA Guidance sets out the requirement that local authorities have to meet a legal duty to exercise their functions to provide mobile home pitches to meet any identified needs. These are set out in Section 56 of the Mobile Homes (Wales) Act 2013.
- 2.14 In this Act "*mobile home*" means:

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

Planning Circulars 30/2007 and 78/91

- ^{2.15} In December 2007 Welsh Assembly Government guidance on Planning for Gypsy and Traveller Caravan Sites was published in the form Circular 30/2007. This document formed the previous framework around which a GTAA study was to be based, and provided updated guidance on the planning aspects of finding sustainable sites for Gypsies and Travellers and how local authorities and Gypsies and Travellers can work together to achieve this aim.
- ^{2.16} Planning advice relating to Travelling Showpeople was provided in Welsh Office Circular 78/91 and this was not revoked by Circular 30/2007. This recognises the more specific needs of Travelling Showpeople, and in particular the requirement to provide for storage and maintenance need, as well as residential need – often on a seasonal basis. It also sets out that local authorities should be willing to discuss the needs of Travelling Showpeople at an early stage of the development plan process and to seek to *help the Showpeople to help themselves*.

Welsh Government Designing Gypsy and Traveller Sites Guidance

- ^{2.17} In order to assist local authorities in meeting need for Gypsies and Travellers the Welsh Government published this guidance in May 2015. This is intended as a guide to assist Local Authorities in providing appropriate services at reasonable cost to the public purse for Gypsies and Travellers living on residential sites in Wales. It contains practical guidance to assist local authorities to ensure sites are fit-for-purpose. This guidance is not statutory. However, it is hoped that following this guidance will help local authorities and others in the development and improvement of Gypsy and Traveller sites in their area, and will form part of the consideration of the Welsh Government in assessing applications for Sites Capital Grant funding in relation to Gypsy and Traveller sites.

Local Plan Policies

Local Development Plan 2006-2021

- ^{2.18} The Bridgend Local Development Plan was adopted by the Council in September 2013. The Plan sets out the land-use planning policies of the County Borough which are used in the determination of planning applications. These policies include land-use allocations for different types of development (i.e. housing, employment, retailing, education, open space etc.) as well as criteria for assessing individual proposals. Potentially the Plan has a direct effect on the lives of every resident of the County Borough as well as major

implications for landowners. The LDP, will guide development in the County Borough up to 2021, and will be reviewed periodically.

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

Policy COM6 - Gypsy and Traveller Sites

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

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

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

- 2.20 The Bridgend County Borough Protocol for the Management of Unauthorised Gypsy and Traveller Encampments was published in June 2012

Rural Exception Policies

- 2.21 Local authorities can also authorise private sites in rural areas under a rural exceptions policy. Planning for Gypsy and Traveller Caravan Sites notes that:

'If the Accommodation Needs Assessment shows that new sites are needed, in rural areas your council should think about having a 'Gypsy and Traveller caravan rural exception site' policy in the Local Development Plan. This type of policy allows new sites to be developed on land which is next to a village or town, but where new housing would not normally be allowed. Councils can use rural exceptions policies for affordable housing for people who already live in the area, or for people who have links with local families or jobs.'

2.22 In response to this the Policy ENV1 "Development in the Countryside" of the adopted Bridgend LDP identifies the provision of Gypsy and Traveller accommodation as an exception to strictly controlling development in the countryside.

Definition of Key Terms

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

<p>Gypsies and Travellers</p>	<p>(a) Persons of a nomadic habit of life, whatever their race or origin, including:</p> <p>(1) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and</p> <p>(2) Members of an organized group of travelling show people or circus people (whether or not travelling together as such); and</p> <p>(b) All other persons with a cultural tradition of nomadism or of living in a mobile home.</p> <p>Source: Section 108, Housing (Wales) Act 2014</p>
<p>Residential site</p>	<p>A permanent residential site can be privately owned or owned by the Local Authority. This site will be designated for use as a Gypsy and Traveller site indefinitely. Residents on these sites can expect to occupy their pitches for as long as they abide by the terms of their pitch agreements, under the Mobile Homes (Wales) Act 2013.</p> <p>Working space may also be provided on, or near, sites for activities carried out by community members.</p>

Temporary residential site	These sites are residential sites which only have planning permission or a site licence for a limited period. Residents on these sites can expect to occupy their pitches for the duration of the planning permission or site licence (or as long as they abide by the terms of their pitch agreements, under the Mobile Homes (Wales) Act 2013 – whichever is sooner).
Transit site	<p>Transit sites are permanent facilities designed for temporary use by occupiers. These sites must be designated as such and provide a route for Gypsies and Travellers to maintain a nomadic way of life. Individual occupiers are permitted to reside on the site for a maximum of 3 months at a time.</p> <p>Specific terms under the Mobile Homes (Wales) Act 2013 apply on these sites. Working space may also be provided on, or near, sites for activities carried out by community members</p>
Temporary Stopping Place	<p>Also known as a 'stopping place', 'Atchin Tan', or 'green lane', amongst other names. These are intended to be short-term in nature to assist Local Authorities where a need for pitches is accepted, however, none are currently available. Pro-actively identified temporary stopping places can be used to relocate inappropriately located encampments, whilst alternative sites are progressed.</p> <p>Temporary stopping places must make provision for waste disposal, water supply and sanitation at a minimum.</p>
Residential pitch	Land on a mobile home site where occupiers are entitled to station their mobile homes indefinitely (unless stated in their pitch agreement). Typically includes an amenity block, space for a static caravan and touring caravan and parking.
Transit pitch	Land on a mobile home site where occupiers are entitled to station their mobile homes for a maximum of 3 months.

	Transit pitches can exist on permanent residential sites, however, this is not recommended.
Unauthorised encampment	Land occupied without the permission of the owner or without the correct land use planning permission. Encampments may be tolerated by the Local Authority, whilst alternative sites are developed.
Unauthorised development	Land occupied by the owner without the necessary land use planning permission.
Current residential supply	The number of authorised pitches which are available and occupied within the Local Authority or partnership area. This includes pitches on Local Authority or private sites.
Current residential demand	Those with a need for authorised pitches for a range of reasons, including: An inability to secure an authorised pitch leading to occupation of unauthorised encampments; An inability to secure correct planning permission for an unauthorised development; Households living in overcrowded conditions and want a pitch; Households in conventional housing demonstrating cultural aversion; New households expected to arrive from elsewhere.
Future residential demand	The expected level of new household formation which will generate additional demand within the 5 year period of the accommodation assessment and longer LDP period.
Overall residential pitch need	The ultimate calculation of unmet accommodation need, which must be identified through the Gypsy and Traveller accommodation assessment process. This figure can be found by adding the immediate residential need to the future residential demand. The overall

	residential need will capture the needs across the 5 year period within which the accommodation assessment is considered to be robust.
Planned residential pitch supply	The number of authorised pitches which are vacant and available to rent on Local Authority or private sites. It also includes pitches which will be vacated in the near future by households moving to conventional housing or in other circumstances. Additional pitches which are due to open on private sites likely to achieve planning permission shortly should be included as planned residential supply.
Household	In this guidance this refers to individuals from the same family who live together on a single pitch / house / encampment.
Concealed or 'doubled-up' household	<p>This refers to households which are unable to achieve their own authorised accommodation and are instead living within authorised accommodation (houses or pitches) assigned to another household.</p> <p>This may include adult children who have been unable to move home or different households occupying a single pitch.</p>
Household growth	In this guidance household growth is defined by the number of new households arising from households which are already accommodated in the area.

3. Analysis of Existing Data

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

Current and Previous GTAAs

Bridgend GTAA 2010

- 1.2 In April 2009 Fordham Research was commissioned to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) for Bridgend County Borough Council. The purpose of the assessment was to assess the need for residential and transit pitches amongst Bridgend County Borough's Gypsy and Traveller population. The assessment also served to inform Bridgend County Borough Council's housing and planning policies, and also contributed towards the Bridgend County Borough Local Housing Market Assessment (LHMA).
- 1.3 The GTAA indicated that there was no need for additional residential pitches for Gypsies and Travellers who live in the County Borough. It also suggested there could be a need for up to 6 transit pitches, but did not provide any evidence to support this.

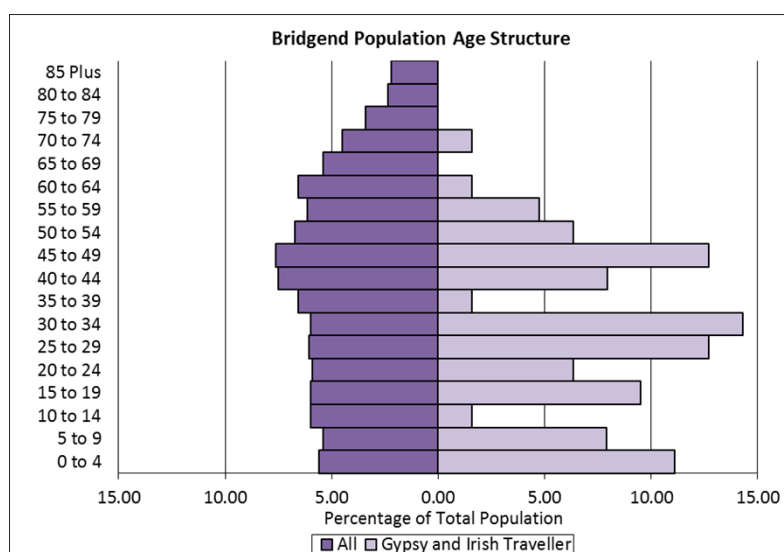
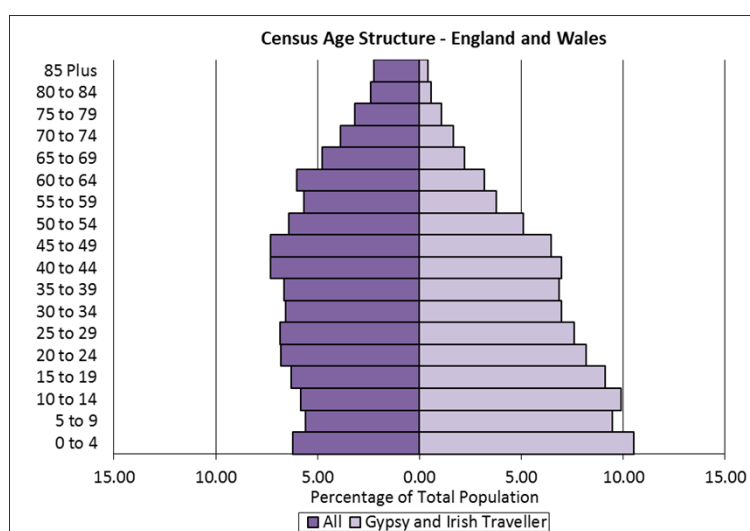
Population Data – 2011 Census

- 1.4 Analysis of 2011 Census data relating to the Gypsy and Traveller population identified a total of only 26 households and 63 individuals who identified themselves as Gypsies or Irish Travellers living in Bridgend – representing less than 0.05% of the population as a whole. It is likely that this could be an under-estimate given the accepted lower than average levels of response to the Census from the members of the Gypsy and Traveller community.
- 1.5 However, despite the suggested under-estimate of the population of Gypsies and Irish Travellers, data from the 2011 Census does identify some significant demographic differences when compared to the population as a whole. These are important in terms of explaining the higher rate of new household formation for Gypsy and Traveller households compared with the settled population. In summary the Census shows that nationally for England and Wales:
- » Just under half of Gypsy or Irish Traveller households had dependent children (45%), compared to 29% for England and Wales as a whole.
 - » The median age of Gypsies or Irish Travellers was 26 years compared to the national median of 39 years.
 - » Just 6% of the Gypsy or Irish Traveller population were aged 65 years and over compared to a national figure of 16%.

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

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

Figure 1 - Comparison of Census Age Structure (2011 Census)



1.7 When household composition data from the 2011 Census is compared between the overall population for Bridgend and those who identified themselves as Gypsies or Irish Travellers there are further differences. This shows that there are no Gypsy and Traveller households aged 65 and over, as well as showing a higher proportion of lone parent households.

Figure 2 - Comparison of Housing Composition in Bridgend (2011 Census)

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

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

Figure 3 - Comparison of Accommodation Type in Bridgend (2011 Census)

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

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

Figure 4 - Comparison of Tenure Type in Bridgend (2011 Census)

Tenure	All Households (%)	Gypsy or Irish Traveller (%)
Owned or shared ownership: Total	72.6	30.8
Owned outright	35.0	15.4
Owned with a mortgage or loan or shared ownership	37.7	15.4
Social rented: Total	13.8	23.1
Rented from council (Local Authority)	4.0	0.0
Other social rented	9.9	23.1

Private rented or living rent free: Total	13.5	46.2
Private landlord or letting agency	10.8	38.5
Other private rented or living rent free	2.8	7.7

- ^{1.10} When economic activity status data from the 2011 Census is compared between the overall population for Bridgend and those who identified themselves as Gypsies or Irish Travellers there are further differences. This actually shows that a slightly higher proportion of Gypsy or Irish Traveller households that are economically active but a lower proportion who are in employment; that a higher proportion who are unemployed and a higher proportion who are economically inactive due to looking after home or family; and a significantly lower proportion are economically inactive due to retirement (although there is a very small proportion of the Gypsy or Irish Traveller Census population in Bridgend aged over 60).

Figure 5 - Comparison of Economic Activity Status in Bridgend (2011 Census)

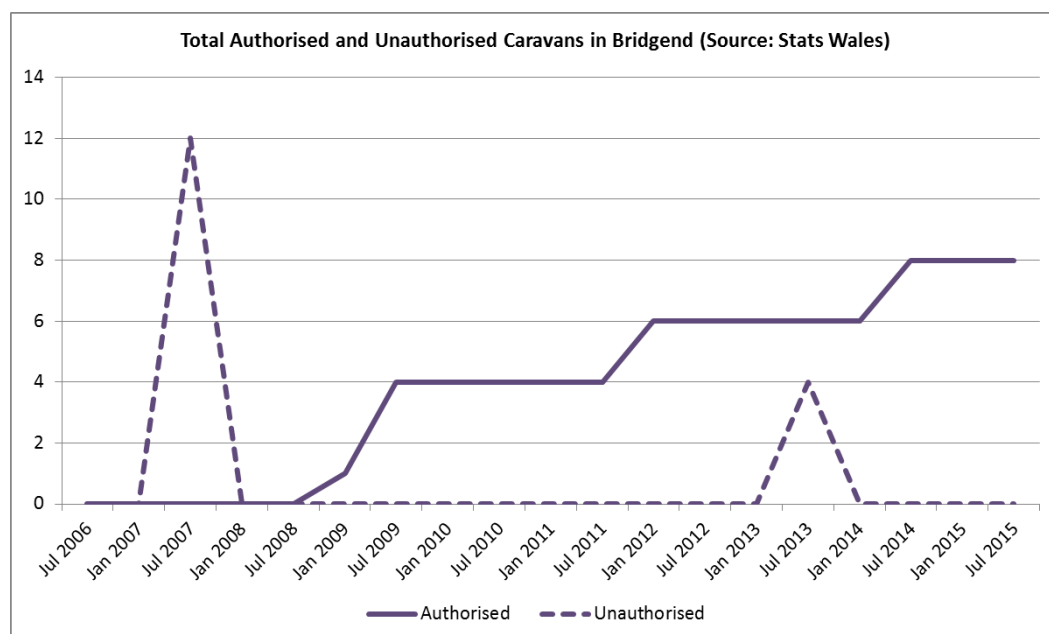
Economic Activity	All Households (%)	Gypsy or Irish Traveller (%)
Economically active: Total	58.6	65.3
In employment: Total	54.0	40.8
Employee: Total	46.4	30.6
Self-employed: Total	6.0	8.2
Unemployed: Total	4.6	24.5
Economically inactive: Total	41.4	34.7
Looking after home or family	3.5	8.2
Long-term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

Caravan Count Data

- ^{1.11} Another source of published information on the Gypsy and Traveller population is the bi-annual Gypsy and Traveller Caravan Count which is conducted by each Local Authority in Wales on a specific date in January and July of each year, and reported to Welsh Government. This is a physical count of the number of *caravans* on both authorised and unauthorised sites across Wales.
- ^{1.12} As this count is of caravans *and not* households, it makes it very difficult to interpret and use for a study such as this because it does not count pitches, resident households or household demographics. The count is merely a 'snapshot in time' conducted by the Local Authority on a specific day, and therefore any unauthorised sites or encampments which occur on other dates are not recorded. Likewise any caravans that are away from sites on the day of the count will not be included. The count also does not seek to determine the ethnic status of the occupiers of caravans.
- ^{1.13} However the data captured in the Caravan Count does give an indication of the number of sites, and authorised and unauthorised caravans in each local authority, and can be useful in supporting the determination of any transit needs, and identifying year on year trends to support an assessment of need.
- ^{1.14} It should be noted that published Caravan Count data for Bridgend did not include 2 caravans on the site at Mill View, Coytrahen that was granted planning permission in October 2011. The site has now been included in the Caravan Count from January 2016. For the sake of accuracy these have been added to the charts and narrative set out below.

- 1.15 Figure 6 shows data for the number of authorised and unauthorised caravans that have been recorded in Bridgend for the 9 year period since 2006. This shows a gradual increase in the number of authorised caravans following the granting of planning consent for the 3 private sites (there is no public provision in Bridgend). There are only 2 instances recorded of unauthorised caravans in July 2007 and July 2013.

Figure 6 - Comparison of the Number of Caravans in Bridgend



Current Accommodation Provision in Bridgend

- 1.16 One of the main considerations of this study is provide evidence to support the provision of pitches and plots to meet the current and future accommodation needs of Gypsies and Travellers in Bridgend. A pitch is an area which is large enough for one household to occupy and typically contains enough space for one or two caravans, but can vary in size. A site is a collection of pitches which form a development exclusively for Gypsies and Travellers. For Travelling Showpeople, the most common descriptions used are a plot for the space occupied by one household and a yard for a collection of plots which are typically exclusively occupied by Travelling Showpeople.
- 1.17 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of a Gypsy and Traveller site is a publicly-provided residential site, which is provided by a Local Authority or by a Housing Association. Pitches on public sites can usually be obtained through signing up to a waiting list, and the costs of running the sites are met from the rent paid by the tenants (similar to social housing).
- 1.18 The alternatives to public residential sites are private residential sites and yards for Gypsies and Travellers. These result from individuals or families buying areas of land and then obtaining planning permission to live on them. Households can also rent pitches on some private sites that are run on a commercial basis. Therefore, these two forms of accommodation are the equivalent to private ownership and renting for those who live in bricks and mortar housing. Generally the majority of Travelling Showpeople yards are privately owned and managed.

- 1.19 The Gypsy and Traveller population also has other forms of sites due to its mobile nature. Transit sites tend to contain many of the same facilities as a residential site, except that there is a restricted period of residence which can vary from a period of weeks to a period of months. An alternative to a transit site is an emergency stopping place. This type of site also has restrictions on the length of time someone can stay on it, but has much more limited facilities. Another alternative is a Negotiated Stopping Agreement that allows Gypsy and Traveller families to set up short-term camps as long as they agree to certain conditions. These are designed to accommodate, for a temporary period, Gypsies and Travellers whilst they travel. A number of authorities also operate an accepted encampments policy where short-term stopovers are tolerated without enforcement action.
- 1.20 Further considerations for the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers or with the approval of the land owner, but for which they do not have planning permission to use for residential purposes. Unauthorised encampments occur on land which is not owned by the Gypsies and Travellers – for example layby's or car parks.

Sites and Yards in Bridgend

- 1.21 In Bridgend there are no public sites, 3 private sites, no public or private transit provision, and no Travelling Showpeople yards. This differs from the data recorded in the Caravan Count as this does not include details from 1 of the private sites.
- 1.22 Whilst there is a large permanent fairground situated at Coney Beach in Porthcawl, there are no planning records or evidence to suggest that the site has ever been used or has had planning consent as a Showpersons yard. It is classified as a permanent fairground which is a sui generis use.

Figure 7 - Total amount of provision in Bridgend (November 2015)

Category	Sites/Yards	Pitches/Plots
Private with permanent planning permission	3	4
Private sites with temporary planning permission	0	0
Public sites	0	0
Public transit provision	0	0
Private transit provision	0	0
Tolerated sites	0	0
Unauthorised sites	0	0
Authorised Travelling Showpeople yards	0	0
Tolerated Travelling Showpeople yards	0	0
Unauthorised Travelling Showpeople yards	0	0

Figure 9 - Sites and Yards in Bridgend (November 2015)

Site Name	Pitches/Plots	Status
Mill View, Coytrahen	1	Private
Minffrwd Stables, Pencoed	1	Private
Penybryn, Pencoed	2	Private

Map 1 - Indicative Location of Sites in Bridgend (November 2015)



4. Methodology

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

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

1.24 The stages below provide a summary of the methodology that was used to complete this study.

Project Steering Group

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

Figure 10 – Bridgend GTAA Steering Group Membership

Name	Organisation	Role
Martin Ridgeway	Bridgend CBC	Housing Strategy Team Leader
Jonathan Flower	Bridgend CBC	Senior Housing Strategy Officer
Huw Owen	Bridgend CBC	Supporting People Strategy Officer
John Davies	Bridgend CBC	Community Safety Team Leader
Emma-Louise Maher	Bridgend CBC	Community Safety and Welfare Officer
Sue Jones	Bridgend CBC	Development Planning Manager
Gareth Denning	Bridgend CBC	Principal S106 Officer
Helen Pembridge	Bridgend CBC	Principal Housing/Pollution Officer
Charlotte Williams	Bridgend CBC	Lead Education Welfare Officer
Karen Ferri	Bridgend CBC	Specialist Teacher – EAL
Paul Williams	Bridgend CBC	Equalities and Engagement Officer
Alyson Ruddy	Bridgend CBC	Flying Start Health Manager
Riaz Hassan	Swansea Council	Regional Community Cohesion Coordinator
Steve Jarman	Opinion Research Services	Consultant

1.26 As set out in the GTAA Guidance the key responsibilities of the Steering Group were to agree on the aims and objectives of the study; promote the benefits of the study to members of the Travelling Community; help identify households living in bricks and mortar and on unauthorised sites and encampments; provide

expert stakeholder input into the identification of local need; provide feedback on the emerging outputs from the study; and to share and promote the final outcomes to members of the Travelling Community. A total of 4 Steering Group meetings were held between August and December 2015.

- 1.27 The first Steering Group meeting discussed the background to the GTAA and clarified the purpose and the role of the Group. The Welsh Government video “sites, your say, your future” was shown to gain a better understanding of what the GTAA was aiming to achieve. The following meetings were used to discuss the known sites and households living in bricks and mortar and agree how these could best be engaged with. The Steering Group were responsible for agreeing key decisions such as who would undertake the survey, what publicity would be undertaken and the timescales for the work.
- 1.28 In addition to the Steering Group meetings conversations were held with a number of Steering Group members, and other Council Officers to gain views and information to support the wider assessment of need. These included Planning Officers, Education Officers and Housing Officers. Contact was also made with representatives from the Showman’s Guild and the Association of Independent Showpeople.
- 1.29 Information was also obtained from Carmarthenshire, Powys, Pembrokeshire, Conwy, Denbighshire and the Vale of Glamorgan in relation to travelling patterns and movement of unauthorised encampments.

Identify and Analyse Existing Data

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

Publicise the Accommodation Assessment

- 1.31 In order to get buy-in from members of the Travelling Community to ensure that they were able and willing to participate in the site and household interviews and provide accurate information, it was important that effective publicity and pre-notification was put in place. This was also very important in terms of identifying households living in bricks and mortar accommodation to interview as part of the study.
- 1.32 The approach to publicity was agreed with members of the Steering Group prior to the fieldwork commencing. The publicity was managed by the Council and included a poster and flyer which was placed in key locations across the county borough including Life Centres, GP Surgeries, Primary Care and Planning Team, Supermarkets, Catholic Churches and in the Bridgend Association of Voluntary Organisations (BAVO)

offices. The GTAA was advertised on the Council's and the Communities First Programme's website, Facebook and Twitter pages and also on the Bridgend Housing Options website. A "message of the day" was sent to all staff within the Council advising them of the GTAA so they in turn could advise any Gypsy and Traveller households they were aware of. Examples of the publicity can be seen in **Appendix C**. The GTAA was also placed on the information screens in the Council's Customer Service Centre. The organisers of the Bridgend Horse Fair were liaised with and provided information regarding the GTAA. The four Housing Associations that operate in the county borough were also provided with information regarding the GTAA and they advised the Council of any known households. Those households already known to the Steering Group and its internal and external partners were contacted directly by telephone and / or by letter (including a flyer and a DVD copy of the Welsh Government video "sites, your say, your future"). The households were able to either contact ORS directly themselves or give permission for the Council to provide their contact details to ORS.

Conducting the Accommodation Assessment Surveys

Site Interviews

- 1.33 Through the desk-based research and information from the Steering Group, ORS sought to identify all authorised and unauthorised sites, yards and encampments in Bridgend, and sought to undertake a full demographic study of the residents on all pitches and plots – as required by the Welsh Government Guidance.
- 1.34 Following agreed publicity and pre-notification activities, all pitches (no plots were identified) were visited by ORS researchers. They conducted interviews with all of the residents using the questions set out in the GTAA Guidance.

Bricks and Mortar Interviews

- 1.35 ORS worked closely with the Council to ensure that all opportunities were utilised to identify households living in bricks and mortar to participate in the GTAA as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were identified through sources including speaking with members of the Steering Group, speaking with people on existing sites, adverts on social media and in local and national print media including World's Fair and Travellers Times, as well as extensive local publicity that is set out above. Telephone interviews were attempted with all contacts that were identified using the questions in the GTAA Guidance.

Calculate the Accommodation Needs of Gypsies, Travellers and Travelling Showpeople

- 1.36 The Welsh Government GTAA Guidance requires an assessment for current and future pitch requirements and sets out a detailed methodology for completing this. This differs from the approach usually followed by ORS but has been followed for the purpose of this GTAA. As with any housing assessment, the underlying calculation is comprised of a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply of pitches available for occupation with the current and future demand of the population. This information to feed into the assessment of need has been obtained from a

combination of the desk-based research and the outcomes of the site and household interviews, together with additional information from members of the Steering Group and other local stakeholders. The key factors in each of these elements are set out below.

Current Residential Supply

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

Current Residential Demand

^{1.37} Total current residential demand is made up of the following components. It was important to make full use of the desk-based research and intelligence from members of the Steering Group to address issues of double counting (for example bricks and mortar households who are also on the waiting list for pitches):

- » Households on unauthorised encampments.
- » Households on unauthorised developments.
- » Concealed /over-crowded/doubled-up households¹.
- » Conventional housing – movement from bricks and mortar².
- » New households to arrive from waiting lists/in-migration.

Future Demand

^{1.38} Total future demand is a result of the formation of new households during the study period. ORS has undertaken extensive research into the population and household growth of the Gypsy and Traveller community in England and Wales. This was used to inform this element of the Welsh Government GTAA Guidance (see Paragraphs 203-209). Our research advocated a net compound household formation rate based on local evidence, as opposed to the 'accepted' growth rate of 3.00%.

^{1.39} In addition information from the site interviews provides details of the gross number of new households expected to form within the first 5 years of the study (although it is important to net this off against supply that has been identified during the first 5 years of the study).

^{1.40} The net compound household formation rate that is used for years 6-15 of the study has been based on demographic evidence from the site interviews. The base for this calculation will be the figure arrived at for the first 5 years of the study which includes all current authorised households, all households identified as current demand, including those on waiting lists not currently living on a pitch or plot, and new household formation identified from the site interviews. The research that ORS have conducted provides evidence to

¹ Following the guidance set out in Paragraphs 195-201 of the GTAA Guidance

² Following the guidance set out in Paragraphs 172-183 of the GTAA Guidance

support the use of a formation rate as low as 1.50% for GTAA studies. Evidence to support the selected formation rate will be included in Chapter 6.

Final Outcomes

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

Transit Provision

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

Compliance with Engagement Checklist

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

Figure 10 – Engagement Checklist

	Task	Completed
1	Visit every Gypsy, Traveller and Travelling Showperson household identified through the data analysis process up to 3 times, if necessary. <i>It was possible to interview all households at the first visit.</i>	✓
2	Publish details of the GTAA process, including contact details to allow community members to request an interview, on the local authority website, Travellers Times website and the World's Fair publication. In addition adverts were placed by Welsh Government. <i>Extensive publicity was undertaken to promote the GTAA.</i>	✓
3	Consult relevant community support organisations, such as those in Annex 1. <i>Due to the very low number of Gypsy sites in Bridgend only the Showman's Guild and the Association of Independent Showpeople were contacted.</i>	✓

4	<p>Develop a Local Authority waiting list for both pitches and housing, which is accessible and communicated to community members.</p> <p><i>There are no public sites in Bridgend.</i></p>	✓
5	<p>Endeavour to include Gypsies and Travellers on the GTAA Project Steering Group.</p> <p><i>Due to the small numbers of Gypsy and Traveller households within the county borough, it was not possible to encourage a member of the Gypsy and Traveller community on the Steering Group. It was planned to invite a representative from the Bridgend Horse Fair who were liaised with and provided information regarding the GTAA, however the Horse Fair was cancelled and therefore a representative was not available.</i></p>	✓
6	<p>Ensure contact details provided to the local authority by community members through the survey process are followed up and needs assessed.</p> <p><i>All contacts provided to and by the local authority were followed up with a combination of interviews with members of the Travelling Community.</i></p>	✓
7	<p>Consider holding on-site (or nearby) GTAA information events to explain why community members should participate and encourage site residents to bring others who may not be known to the local authority.</p> <p><i>Due to the very small number of sites in Bridgend this was not thought to be appropriate.</i></p>	✓

5. Survey Findings

Background

- ^{1.44} The desk-based research, additional information from members of the Steering Group, and initial site interviews identified a total of 3 private Gypsy and Traveller sites and no Travelling Showpeople yards in Bridgend.

Figure 11 - Sites in Bridgend (November 2015)

Site Name	Pitches	Status
Mill View, Coytrahen	1	Private
Minffrwd Stables, Pencoed	1	Private
Penybryn, Pencoed	2	Private

- ^{1.45} Interviews were attempted on the sites and yards during September 2015 and a total of 4 successful interviews were completed across all 3 of the sites. This represented an overall response rate of 100% of pitches. A total of 16 households living in bricks and mortar were known to the Steering Group and its internal and external partners. 6 were with the Housing Solutions Team, 9 with Education and 1 with Wales & West Housing Association (1 household was known to the Benefits Team and 1 to Linc-Cymru Housing Association, however these were the same household and already known to Education). In addition, colleagues in Health were aware of households, however these were the households already known by partners above. A further household contacted the Council having seen an advert in Worlds Fair. All 16 were contacted directly by telephone and / or by letter (including a flyer and a DVD copy of the Welsh Government video "sites, your say, your future"). Of the 17 there were 5 households who initially agreed to take part in the survey, 6 households who refused and 6 households who did not respond to the communication (see **Appendix B**). As a result a total of 7 face-to-face interviews were attempted with households living in bricks and mortar between October 2015 and January 2016. Despite repeated attempts it was not possible to make contact with one household.

Figure 12 – Interviews completed in Bridgend

Site/Yard Name	Pitches	Interviews	Refusals
Mill View, Coytrahen	1	1	0
Minffrwd Stables, Pencoed	1	1	0
Penybryn, Pencoed	2	2	0
Bricks and Mortar	-	6	1

Interview Log

- ^{1.46} A copy of the Interview Log can be found in **Appendix B**.

Overview and Demographics of Residents

- 1.47 Information collected on the type of accommodation lived in by those who were interviewed shows that all of the Gypsies and Travellers who were interviewed in Bridgend live on private sites or in bricks and mortar.
- 1.48 Ethnicity data was captured from all of the households that were interviewed on the Gypsy and Traveller sites indicated that they are all occupied by Romany Gypsies.
- 1.49 In total the site interviews covered 12 residents living on Gypsy and Traveller sites, comprising 7 adults and 5 children and teenagers aged under 18. This equates to 58% adults and 42% children and teenagers. Although not a direct comparison, data from the Census for Bridgend as a whole (the settled community and the Gypsy or Irish Traveller community) and for Gypsies or Irish Travellers has been compared to the site population. This shows a slightly higher proportion of those aged under 18 in the Gypsy and Traveller population when compared to that of the Bridgend population as a whole. This is important when determining the new household growth rate that will be applied to the population when longer-term need is determined.

Figure 13 – Age and Gender of Household Members as % of Total Site Residents Interviewed (November 2015)

Age and Gender - Sites	Number	%
Male	6	50%
Female	6	50%
Under 18	5	42%
18 and Over	7	58%

Interview Summary

Private Sites

Mill View, Coytrahen

- 1.50 Staff from ORS visited the private site at Coytrahen in September and October 2015. The site has planning consent for a hardstanding for a mobile home and an associated utility block. Interviews were completed with the residents. The site was occupied by Romany Gypsies.
- 1.51 There were no concealed or doubled-up households identified and whilst there were not felt to be enough sleeping areas, there is room to accommodate more when needed. There were no residents who want to move to their own home in the next 5 years.
- 1.52 The residents are satisfied with the site and all live there as a result of local connections. None gave any reasons why they cannot continue to live on the site.
- 1.53 It was felt that additional transit provision is needed in Bridgend.

Minffrwd Stables, Pencoed

- 1.54 Staff from ORS visited the private site at Minffrwd in September and October 2015. The site has planning consent for 1 residential pitch. Interviews were completed with the residents. The site was occupied by Romany Gypsies.
- 1.55 There were no concealed or doubled-up households identified and whilst there were not felt to be enough sleeping areas, there is room to accommodate more when needed. There were no residents who want to move to their own home in the next 5 years.
- 1.56 The residents are satisfied with the site and all live there as a result of local connections. None gave any reasons why they cannot continue to live on the site.
- 1.57 It was not felt that any additional transit provision is needed in Wales.

Penybryn, Pencoed

- 1.58 Staff from ORS visited the private site at Penybryn in September 2015. The site has planning consent for 2 residential pitches. Interviews were completed with residents on both pitches. The site was occupied by Romany Gypsies.
- 1.59 There were no concealed or doubled-up households identified and there were enough sleeping areas. There were no residents who want to move to their own home in the next 5 years.
- 1.60 The residents are satisfied with the site and all live there as a result of local connections. None gave any reasons why they cannot continue to live on the site.
- 1.61 It was felt that additional transit provision is needed all over Wales and particularly in Bridgend.

Bricks and Mortar Interviews

- 1.62 Interviewers were able to complete a total of 6 interviews with Gypsy, Traveller and Travelling Showperson households living in bricks and mortar and in temporary accommodation. None of the Gypsy and Traveller households indicated a wish to move to a site, and the Travelling Showpeople are considering a cooperative approach to purchase land and independently develop a private yard in South Wales.

6. Assessing Accommodation Needs

- ^{1.63} This section focuses on the additional pitch provision which is needed by Bridgend Council for a short-term period of 5 years and the full GTAA plan period of 15 years. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts for future provision, based upon the evidence contained within this study and also from secondary data sources.
- ^{1.64} This section is based upon a combination of information from the on-site surveys, planning records, Steering Group members, and from other stakeholders. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- ^{1.65} This section concentrates not only upon the total additional provision which is needed in the area, but also whether there is a need for any transit sites and/or emergency stopping place provision.
- ^{1.66} Welsh Government Guidance requires an assessment of current and future pitch needs, and provides a prescribed framework for undertaking this calculation. This framework has been followed for the purpose of this GTAA although it is **not the approach** that ORS would usually follow when assessing need for Gypsy and Traveller accommodation.
- ^{1.67} As with any assessment of housing need the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply that is available for occupation with the current and future needs of the households. The key factors in each of these elements are set out in the sections below.

Need for Gypsies and Travellers

Current Residential Supply

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

Current Residential Demand

- » Households on unauthorised encampments.
- » Households on unauthorised developments.
- » Concealed /over-crowded/doubled-up households³.

³ Following the guidance set out in Paragraphs 195-201 of the GTAA Guidance

- » Conventional housing – movement from bricks and mortar⁴.
- » New households to arrive from waiting lists/in-migration.

Future Demand

^{1.68} Total future demand is a result of the formation of new households during the study period. Information from the site interviews provides details of the gross number of new households expected to form within the first 5 years of the study (although it is important to *net* this off against supply that has been identified during the first 5 years of the study). The *net* compound household formation rate that has used for years 6-15 of the study has been based on demographic evidence from the site interviews.

Current Authorised Residential Supply

^{1.69} To assess the current Gypsy and Traveller provision it is important to understand the total number of existing pitches and their planning status. There are no authorised public sites and 3 small private sites in Bridgend. There is no public or private transit provision or Travelling Showpeople yards.

Figure 14 - Total number of authorised sites in Bridgend as at November 2015

Category	Sites	Pitches	Occupied
Private sites with permanent planning permission	3	4	4
Private sites with temporary planning permission	0	0	0
Public sites (Council and Registered Providers)	0	0	0
Public transit provision	0	0	0
Private transit provision	0	0	0

^{1.70} The next stage of the process is to assess how much space is, or will become, available on existing sites in order to determine the supply of available pitches. The main ways of finding this is through:

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

^{1.71} This gives a figure for **overall supply of no pitches**.

Current Residential Demand

^{1.72} The next stage of the process is to assess current need and determine how many households are currently seeking pitches in the area.

⁴ Following the guidance set out in Paragraphs 172-183 of the GTAA Guidance

Current Unauthorised and Tolerated Sites

- 1.73 A problem with many Gypsy and Traveller Accommodation Assessments is that they often count all caravans on unauthorised developments and encampments as requiring a pitch in the area, when in practice many are simply visiting or passing through, and some may be on sites that are tolerated for planning purposes. In order to remedy this, ORS' approach is to treat need as only those households on unauthorised and tolerated sites already in the planning system (i.e. sites/pitches for which a planning application has been made or are likely to be made); those otherwise known to the Council as being resident in the area; or those identified through the household survey as requiring pitches.
- 1.74 The study has identified no unauthorised or tolerated sites in Bridgend and there are no sites with temporary planning permission.

Over-Crowded Pitches

- 1.75 The site interviews sought to identify concealed or doubled-up households on authorised sites that require a pitch immediately. A concealed household is one living in a multi-family household in addition to the primary family, such as a young couple living with parents, who need their own separate family accommodation, but are unable to do obtain it because of a lack of space on public or private sites, or a single family member or individual living within an existing family unit in need of separate accommodation. The information collected during the site interviews did not identify any concealed or doubled-up households on sites in Bridgend.

Conventional Housing

- 1.76 Identifying households in bricks and mortar has been frequently highlighted as an issue with Gypsy and Traveller Accommodation Assessments. The 2011 UK Census of Population identified a total of just 26 Gypsy or Irish Traveller households in Bridgend, of which 18 of these households were identified as living in a house or bungalow, 4 in a flat, maisonette or apartment and 4 in a caravan or other mobile or temporary structure.
- 1.77 As noted earlier, the Council went to all possible lengths to identify Gypsies and Travellers living in bricks and mortar. This process resulted in 6 Gypsy, Traveller and Travelling Showpeople households who took part in a telephone interview. None of the Gypsy and Traveller households that were interviewed stated a wish to move to a site, and the Travelling Showpeople indicated that they are seeking to independently develop a private yard in South Wales.

New Households to Arrive

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

1.79 Evidence drawn from household interviews in Bridgend has been carefully considered and has not identified any specific sources of movement due to in-migration or out-migration, other than natural pitch turnover. Beyond this, rather than assess in-migrant households seeking to develop new sites in the area, it is recommended that each case is assessed as a desire to live in the area and that site criteria rules are followed for each new site. It is therefore important for the Council to continue to follow its existing criteria-based planning policies for any new potential sites which do arise. In addition, no formal contact has been made by any other local authorities to advise of any Gypsy and Traveller households that may seek to reside or resort to the County Borough area.

Additional Pitch Provision: Future Need

1.80 The next stage of the process is to assess future need and determine how many households are likely to be seeking pitches in the area in the future during the first 5 years of the assessment and for the longer 15 year GTAA plan period. There are two key components of future need.

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

Population and Household Growth

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

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

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

1.84 There are 2 measures of household growth that are used for the assessment of need in this study. Evidence of *gross* household formation (family growth) from Section D of the Household Survey, *netted off* against evidence of 1 year pitch turnover and pitches expected to become vacant, has been used for the first 5 year period. A compound *net* household formation rate has been used for years 6-15 based on demographic evidence from the site surveys.

1.85 The site and bricks and mortar interviews identified **no new households** as a result of family growth over the first 5 years of the assessment, and **no pitch turnover**.

1.86 The rate for years 6-15 has been calculated based on the overall demographic of the population. The Technical Note supports a national net growth rate for the Gypsy and Traveller population of 1.50% using a population base from the 2011 Census where, nationally, approximately 36% of the Gypsy and Traveller population were aged under 18. The site and household survey for Gypsies and Travellers in Bridgend indicates that approximately **42%** of the on-site and bricks and mortar population are children and teenagers aged under 18. Given that this is slightly higher than the rate used to calculate the national net growth rate ORS consider that it is appropriate to allow for longer-term projected household growth for the Gypsy and Traveller population in Bridgend to occur at an annual **net growth rate of 1.75%**, using the total number of households at year 5 as the population base.

Overall Need for Bridgend

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

1.88 The Welsh Government Guidance requires 2 assessments of need – for the first 5 years of the plan period and for the full 15 year plan period. Following this approach the estimated provision that is needed in Bridgend for the first 5 years is for **no additional pitches**. The estimated provision that is needed for the remainder of the GTAA plan period (years 6-15) is for **1 additional pitch**. This equates to a total of 1 pitch for the 15 year GTAA plan period. This will address the needs of all identifiable Gypsy and Traveller households from the expected growth in household numbers due to new household formation.

Figure 15 – Additional Pitches Needed in Bridgend from 2016-2031

Current Residential Supply	Number of Pitches
A. Occupied Local Authority Pitches	0
B. Occupied authorised private pitches/tolerated pitches	4
Total	4

Planned Residential Supply	Number of Pitches
C. Vacant Local Authority pitches and available vacant pitches	0
D. Pitches expected to become vacant in near future	0
E. New Local Authority and private pitches with planning permission	0
Total	0

Current Residential Demand	Pitch Demand
F. Unauthorised encampments	0
G. Unauthorised development	0
H. Overcrowded pitches/Unsuitable accommodation	0
I. Conventional housing	0
J. New households to arrive	0
Total	0

Current Households	Future Households (at year 5)	Future Households (years 6 to 15)
K. 4	4	5
L. Additional household pitch need	0	1

Unmet Need	Need Arising	Need Accommodated
M. Current residential demand	0	
N. Future residential demand (year 5)	0	
O. Future residential demand (years 6 to 15)	1	
P. Planned residential supply		0
Q. Unmet need (5 year)	0	
R. Unmet need (GTAA plan period)	1	

Transit/Emergency Stopping Site Provision

- ^{1.89} Transit sites serve a specific function of meeting the needs of Gypsy and Traveller households who are visiting an area or who are passing through. A transit site typically has a restriction on the length of stay of around 13 weeks and has a range of facilities such as water supply, electricity and amenity blocks. An alternative to a transit site is an emergency stopping place. This type of site also has restrictions on the length of time for which a Traveller can stay on it, but has much more limited facilities with typically only a source of water and chemical toilets provided. Some authorities also operate an accepted or negotiated encampment policy where households are provided with access to lighting, drinking water, refuse collection and hiring of portable toilets at a cost to the Travellers.
- ^{1.90} The Criminal Justice and Public Order Act 1994 is particularly important with regard to the issue of Gypsy and Traveller transit site provision. Section 62A of the Act allows the Police to direct trespassers to remove themselves, their vehicles and their property from any land where a suitable pitch on a relevant caravan site is available within the same Local Authority area (or within the county in two-tier Local Authority areas). A suitable pitch on a relevant caravan site is one which is situated in the same Local Authority area as the land on which the trespass has occurred, and which is managed by a Local Authority, a Registered Provider or other person or body as specified by order by the Secretary of State. Case law has confirmed that a suitable pitch must be somewhere where the household can occupy their caravan. Bricks and mortar housing is not a suitable alternative to a pitch.
- ^{1.91} Therefore, a transit site both provides a place for households in transit to an area and also a mechanism for greater enforcement action against inappropriate unauthorised encampments.
- ^{1.92} In order to identify whether there is a need for the Council to provide transit accommodation analysis has been undertaken of the Caravan Count data, the assessment for transit provision that was undertaken as part of the 2010 Bridgend GTAA, reported unauthorised encampments and the outcomes from the household interviews.
- ^{1.93} Analysis of the number of authorised and unauthorised caravans that have been recorded in Bridgend for the 9 year period since 2006 show only 2 instances of unauthorised caravans. In addition the 2010 GTAA

identified a total of 5 locations across Bridgend that had been used occasionally in the past by families passing through the county.

- ^{1.94} The 2010 Bridgend GTAA recommended that the Council consider whether the provision of a small transit site would be used in preference to unauthorised temporary encampments, or whether a management solution might be more cost effective and potentially provide better outcomes for both Gypsies and Travellers and the Council. This was considered and in the LDP the Council have chosen to put in place a management solution to address small numbers of unauthorised encampments.
- ^{1.95} In addition there was 1 unauthorised encampment in Porthcawl during the fieldwork period. Whilst it was not possible to speak to the residents on the encampment, an informal interview was completed with the same group of Travellers on an unauthorised encampment in Llanelli. This confirmed that they were transient Irish Travellers who were moving across South Wales and that they had no permanent accommodation needs in the Bridgend area. There have also been other instances of short-term unauthorised encampments in Porthcawl in recent years – mainly at Rest Bay – but again it has been confirmed that these are transient Travellers with no permanent links to the Bridgend area.
- ^{1.96} The outcomes from the household interviews were inconclusive in that 2 households thought there is a need for some transit provision both in the Bridgend area and across Wales in general, and 1 household did not. The low number of unauthorised encampments does not support the view that there is currently a need for transit provision in Bridgend.
- ^{1.97} Reported instances of unauthorised encampments in Bridgend have also been very low with just 23 between 2007 and 2015. All of these were reported to be short-term.
- ^{1.98} As such it is recommended that there is **not a need for the Council to provide a permanent transit site** in Bridgend. However the Council should continue to monitor the number of unauthorised encampments and continue the management approach set out in the LDP and in the Gypsy and Traveller Management Protocol through the use of short-term toleration or Negotiated Stopping Arrangements to deal with short-term transient stops.

Need for Travelling Showpeople Plots

- ^{1.99} Whilst there are no Travelling Showpeople yards in Bridgend, telephone interviews were completed with Travelling Showperson households currently living in Bridgend, the Vale of Glamorgan, and Gloucestershire. They have expressed a wish to independently develop a yard in South Wales.

2. Conclusions

Gypsy and Traveller Future Pitch Provision

- 2.1 Based upon the evidence presented in this study the estimated additional pitch provision needed for Gypsies and Travellers in Bridgend for the first 5 years of the GTAA plan period is for **no additional pitches**, and for the remainder of the GTAA plan period is for a further **1 additional pitch**. This gives a total need for the whole GTAA plan period of 1 additional pitch. These figures should be seen as the projected amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population arising in the area. These figures are made up of new household formation as no other components of need have been identified.

Transit Sites

- 2.2 It is recommended that there is **not a need for the Council to provide a permanent transit site** in Bridgend. However the Council should continue to monitor the number of unauthorised encampments and continue the management approach set out in the LDP and in the Gypsy and Traveller Management Protocol through the use of short-term toleration or Negotiated Stopping Arrangements to deal with short-term transient stops.

Travelling Showpeople

- 2.3 Whilst there are no Travelling Showpeople yards in Bridgend, contact was made with Travelling Showpeople households living in Bridgend, the Vale of Glamorgan and Gloucester who have expressed a wish to independently develop a private yard in South Wales.

Appendix A: Sites and Yards in Bridgend (November 2015)

Site/Yard	Operational Pitches/Plots	Unauthorised Pitches/Plots
-----------	---------------------------	----------------------------

Public Sites		
None	-	-
Private Sites with Permanent Permission		
None	-	-
Private Sites with Temporary Permission		
Mill View, Coytrahen	1	-
Minffrwd Stables, Pencoed	1	-
Penybryn, Pencoed	2	-
Tolerated Sites		
None	-	-
Unauthorised Sites		
None	-	-
TOTAL PITCHES	4	0
Public Transit Sites		
None	-	-
Private Transit Sites		
None	-	-
Private Travelling Showpeople Yards		
None	-	-
Tolerated Travelling Showpeople Yards		
None	-	-
Unauthorised Travelling Showpeople Yards		
None	-	-

Appendix B: Interview Log

Address	Type of tenure	Interview attempts			Engagement techniques used	Completed or refusal?	Reasons for refusal?
Penybryn - Plot 1	Private authorised site	30/09/2015			Site Visit	Completed	
Penybryn - Plot 2	Private authorised site	30/09/2015			Site Visit	Completed	
Mill View, Coytrahen	Private authorised site	30/09/2015	05/10/2015		Site Visit	Completed	
Minffrwd Stables	Private authorised site	30/09/2015	05/10/2015		Site Visit	Completed	

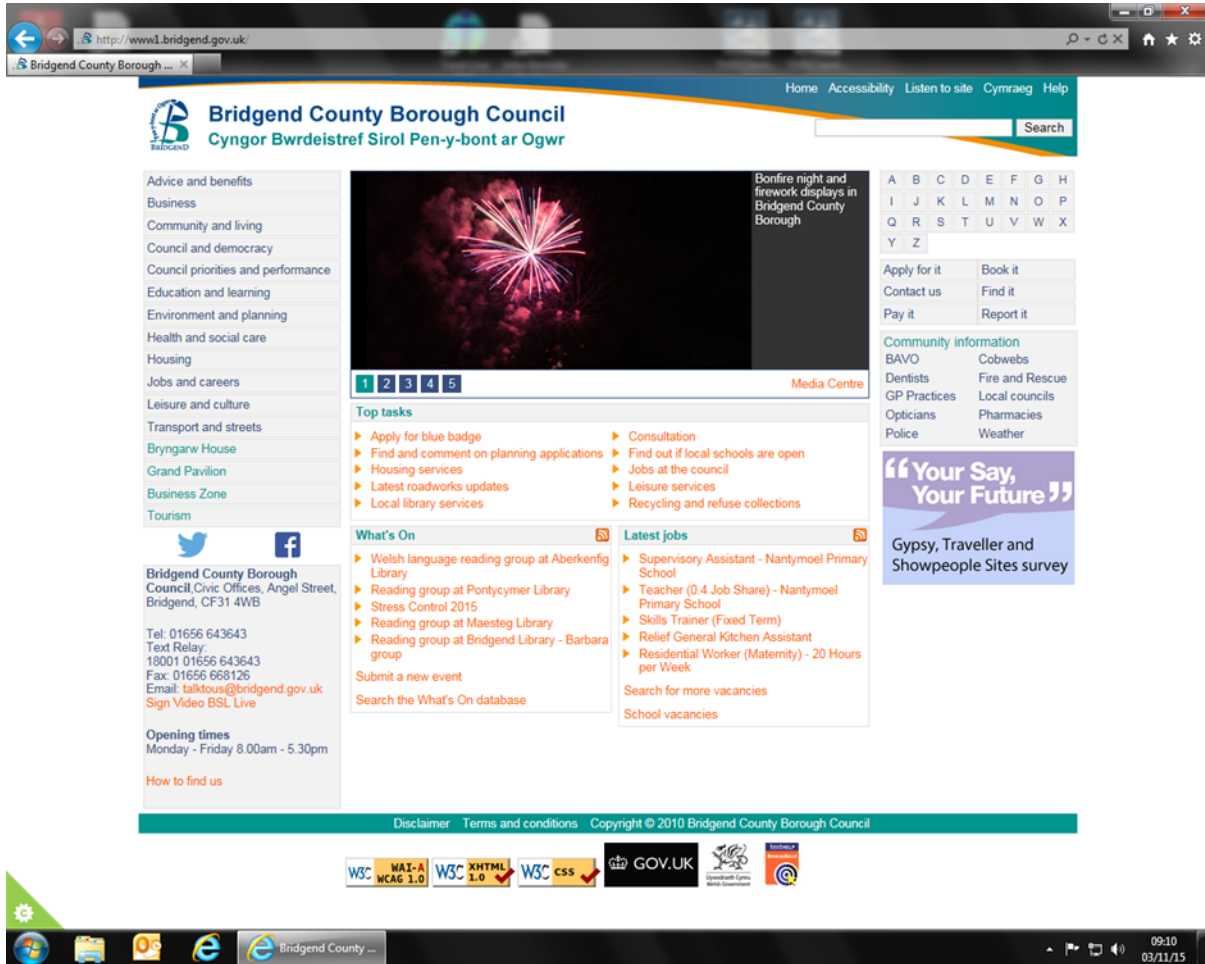
The following is a breakdown of the engagement attempts with households living in bricks and mortar known to the Housing Solutions Team. It also records engagement attempts with households living in bricks and mortar known to Education through the Education Welfare Officers. As the Education Welfare Officers do not have a direct relationship with some of the households it was not appropriate for them to contact the households directly themselves and therefore information was sent home with the children given to them by the schools. The households were able to either contact ORS directly themselves or give permission for the Council to provide their contact details to ORS. The 2 final contacts are a household in bricks and mortar who was contacted by Wales & West Housing Association and an individual who contacted the Council having seen an advert in Worlds Fair.

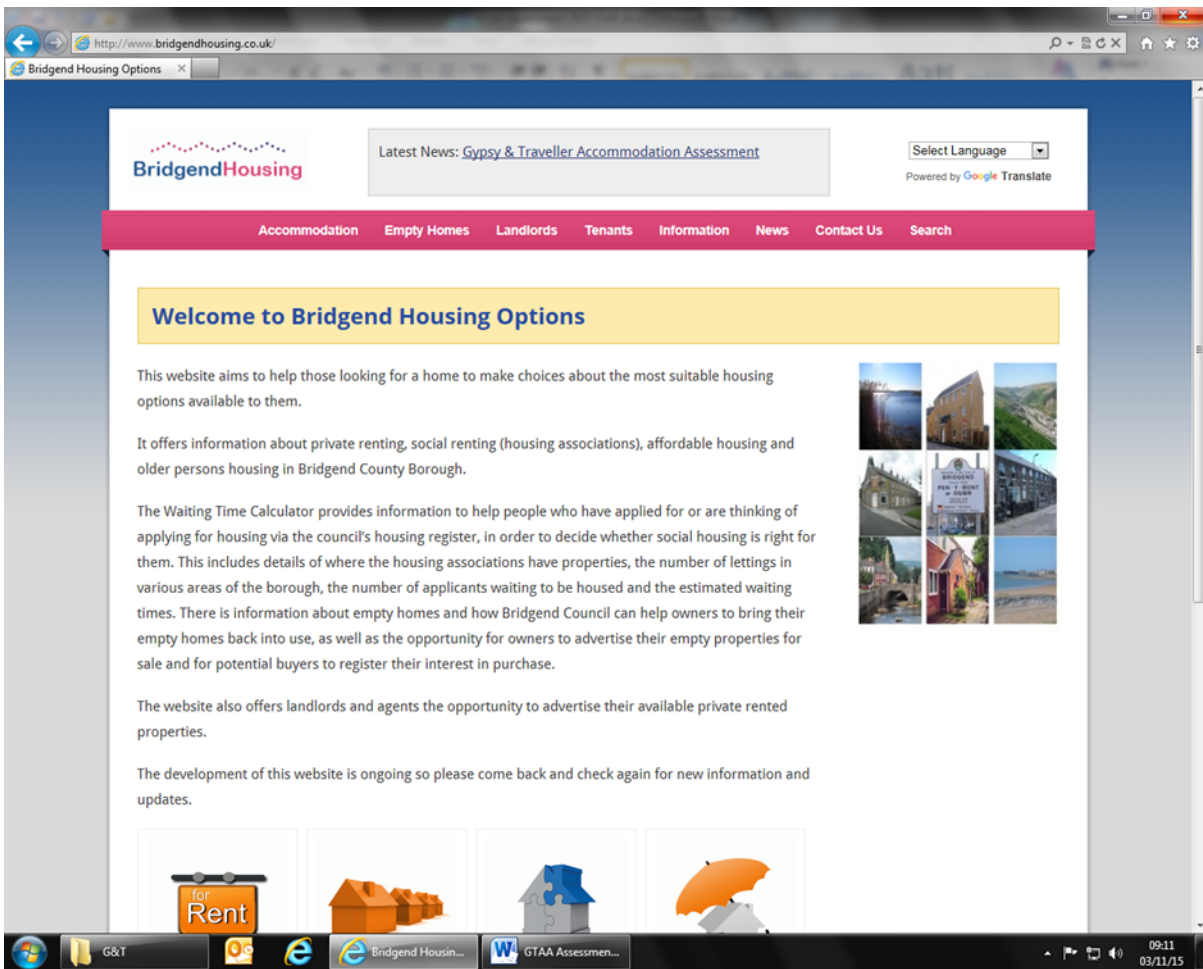
Address	Type of tenure	Engagement attempts			Engagement techniques used	Completed or refusal?	Reasons for refusal?
Bricks and Mortar 1	Bricks and mortar	15/10/2015			Telephone	Refusal	Not given
Bricks and Mortar 2	Bricks and mortar	15/10/2015	19/10/2015		Telephone	Agreed	
Bricks and Mortar 3	Bricks and mortar	15/10/2015	19/10/2015	23/10/2015	Telephone & letter	No reply	
Bricks and Mortar 4	Bricks and mortar	15/10/2015	19/10/2015	23/10/2015	Telephone (address not known)	No reply	
Bricks and Mortar 5	Bricks and mortar	15/10/2015	19/10/2015		Telephone	Agreed	
Bricks and Mortar 6	Bricks and mortar	15/10/2015			Letter (telephone no. not known)	No reply	
Bricks and Mortar 7	Bricks and mortar	Nov-15	Dec-15		Letter	No reply	
Bricks and Mortar 8	Bricks and mortar	Oct-15			Telephone (same household as known to the Benefits Team and Linc-Cymru Housing Association)	Agreed	
Bricks and Mortar 9	Bricks and mortar	Nov-15	Dec-15		Telephone	Refusal	Estranged from travelling family
Bricks and Mortar 10	Bricks and mortar	Nov-15	Dec-15		Letter	No reply	
Bricks and Mortar 11	Bricks and mortar	Nov-15	Dec-15		Telephone	Refusal	Reluctant to share personal information
Bricks and Mortar 12	Bricks and mortar	Nov-15	Dec-15		Not appropriate to contact household who are living out of county in a refuge	Refusal	
Bricks and Mortar 13	Bricks and mortar	Nov-15			Telephone	Refusal	Not given
Bricks and Mortar 14	Bricks and mortar	Nov-15	Dec-15		Letter	No reply	
Bricks and Mortar 15	Bricks and mortar	Nov-15	Dec-15		Telephone	Refusal	Family first thought to be New Age Travellers but confirmed they are not
Brick and Mortar 16	Bricks and mortar	Nov-15			Contact made by Wales and West Housing	Agreed	
Bricks and Mortar 17	Bricks and mortar	Oct-15			Contacted the Council after seeing advert in Worlds Fair	Agreed	

The log below is for the interview attempts that were made by ORS and includes 2 additional Travelling Showperson households that were identified during one of the interviews.

Address	Type of tenure	Interview attempts			Engagement techniques used	Completed or refusal?	Reasons for refusal?
Bricks and Mortar 2	Bricks and mortar	22/10/2015	04/11/2015	16/11/2015	Telephone	Refusal	Unable to contact
Bricks and Mortar 5	Bricks and mortar	22/10/2015			Telephone	Completed	
Bricks and Mortar 8	Bricks and mortar	22/10/2015	04/11/2015	16/11/2015	Telephone	Completed	
Bricks and Mortar 16	Bricks and mortar	22/10/2015	09/11/2015	16/01/2016	Telephone	Completed	
Bricks and Mortar 17 (TSP)	Bricks and mortar	16/10/2015			Worlds Fair Advert	Completed	
Bricks and Mortar 18 (TSP)	Bricks and mortar	22/01/2016			Telephone	Completed	
Bricks and Mortar 19 (TSP)	Bricks and mortar	22/01/2016			Telephone	Completed	

Appendix C: Publicity Examples





**Bridgend County Borough Council
is supporting Welsh Government's survey:
Gypsy, Traveller and Showpeople Sites -**

**“Your Say,
Your Future”**

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

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

We'd like your feedback before December 2015, so we can not only meet our legal duty but have a better understanding of how we can support you and your family.

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



Tel: 01792 535337
email: claire.thomas@ors.org.uk
www.travellerstimes.org.uk/GTAA



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

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

We'd like your feedback before December 2015, so we can not only meet our legal duty but have a better understanding of how we can support you and your family.

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

Bridgend County Borough Council is supporting Welsh Government's survey: Gypsy, Traveller and Showpeople Sites

“Your Say, Your Future”

Mae Cyngor Sirol Bwrdeistref Pen-y-bont yn cefnogi arolwg Llywodraeth Cymru: Safleoedd ar gyfer Sipsiwn, Teithwyr a Phobl Sioeau

“Eich Barn Chi, Eich Dyfodol Chi”



A oes arnoch chi neu'ch teulu angen lle i wersylla ym Mwrdeistref Pen-y-bont?

Rydym yn awyddus i ddeall gwir anghenion Sipsiwn a theuluoedd Teithwyr o fewn y Fwrdeistref Sirol i sicrhau bod gennym y nifer cywir o fannau gweryslla a safleoedd ar gael.

Hoffem gael ymateb gennych cyn dechrau mis Rhagfyr 2015, nid yn unig er mwyn cwrrd â'n dyletswydd gyfreithiol, ond hefyd i ddeall yn well sut y gallwn eich cefnogi chi a'ch teulu.

Byddem yn ddiolchgar iawn pe gallech gymryd rhan yn yr arolwg i wneud yn siŵr ein bod yn gwybod beth yw'ch anghenion.

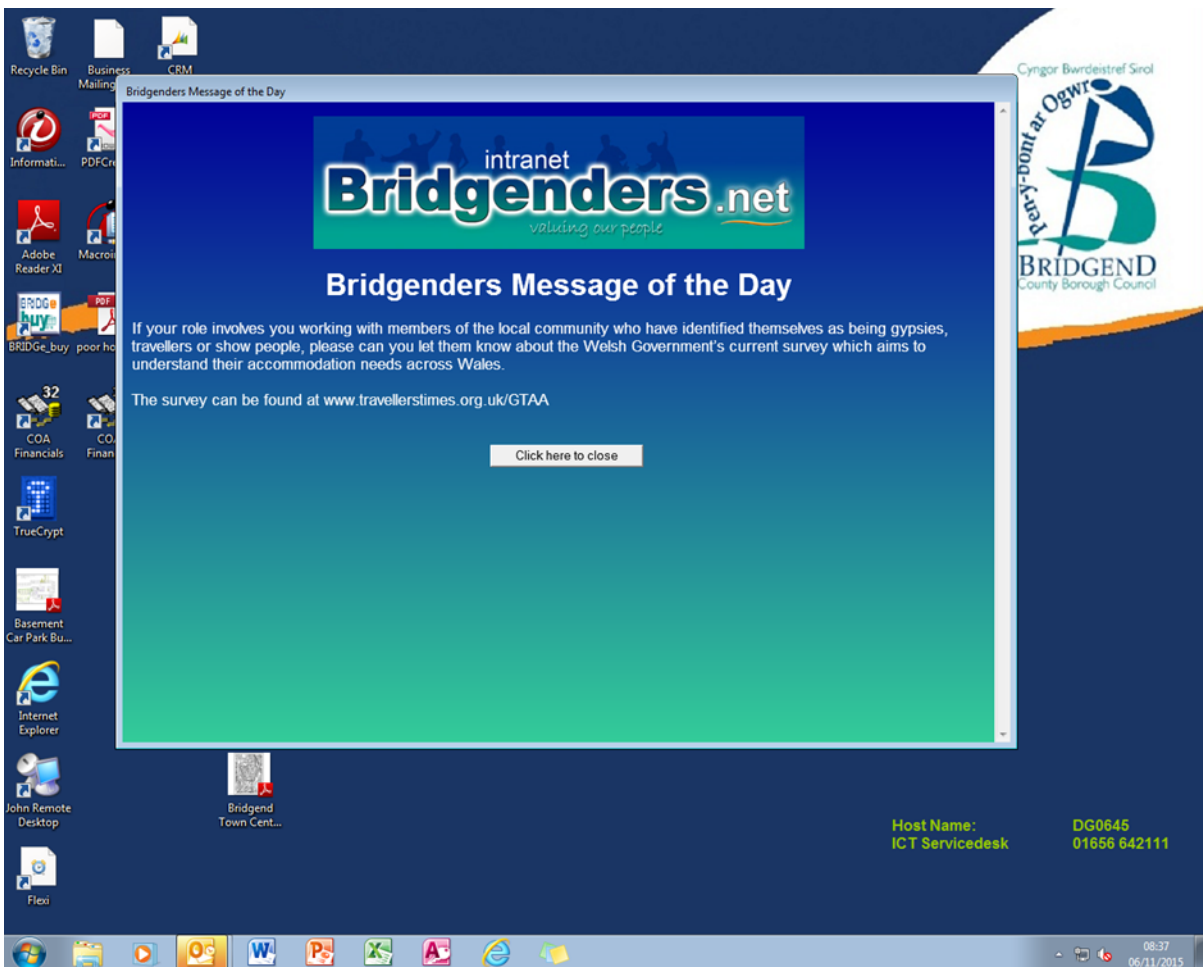
Tel/Ffôn: 01792 535337

email/e-bost: claire.thomas@ors.org.uk

www.travellerstimes.org.uk/GTAA







Bridgend County Borough Council
Published by Hel Chatsworth [?] · 24 November at 12:00 · Edited [?] · [?]

Are you part of a Gypsy or Traveller community?

As part of Welsh Government's survey 'Gypsy, Traveller and Showpeople Sites – Your Say, Your Future', we are asking for feedback to understand the true accommodation needs of Gypsy and Traveller families within Bridgend County Borough.

We'd like feedback before the end of December so we can have a better understanding of how we can support you and your family, as well as meeting our legal duty... See More

“Your Say, Your Future”
Gypsy, Traveller and Showpeople Sites survey

936 people reached Boost Post

Like Comment Share

Write a comment...

Bridgend CB Council @BridgendCBC · Oct 22
We want feedback from #Gypsy and Traveller communities in #Bridgend County. Please help by taking part in our survey

Government's survey: Gypsy, Traveller and Showpeople Sites
“Your Say, Your Future”
Mae Cynghor Sirrol Bwrdeistref Pen-y-bont yn ceffnogi arolwg Llywodraeth Cymru: Safleoedd ar gyfer Sipsiwrn, Toltwyr a Phobl Sioeau
“Eich Barn Chi, Eich Dyfodol Chi”
A oes arnoch chi neu'ch teulu angen lle i wersylla ym Mwrdeistref Pen-y-bont?

Bridgend CB Council @BridgendCBC · Nov 16
Are you part of a #Gypsy #Traveller community? Have your say by taking part in our survey.

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

We'd like your feedback before December 2015, so we can not only meet our legal duty but have a better understanding of how we can support you and your family.

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

Bridgend CB Council @BridgendCBC · Nov 3
We want feedback from #Gypsy and Traveller communities in #Bridgend County. Please help by taking part in our survey

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

We'd like your feedback before December 2015, so we can not only meet our legal duty but have a better understanding of how we can support you and your family.

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

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

PROPOSED INTRODUCTION OF BLUE BADGE CHARGING IN OFF- STREET CAR PARKS

1.0 Purpose of Report

1.1 To seek approval to re-consult on proposed changes for the future provision of the introduction of Blue Badge charging in Council Managed Off-Street Car Parks within Bridgend County Borough.

2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities.

2.1 Making better use of our resources and help vulnerable people stay independent are important themes in the Council's Corporate Plan - Improvement Objectives.

2.2 Car parking provision (and in particular Blue Badge parking) along with Shopmobility facilities to varying degrees promote accessibility, equal opportunities allowing older people and people with disabilities to live with dignity and independence supporting the strategic themes.

3.0 Background

3.1 Reports were presented to Cabinet on the 31 March 2015 and the 14th July 2015 which among changes to disabled parking provision, proposed changes to the concession to disabled parkers that allows these users to park free of charge in all Council car parks throughout the County Borough where other users may be required to pay to park.

3.2 It was identified that there are currently a number of measures which assist in providing equitable access, particularly for those who are participants in the Blue Badge Scheme. These include:

- Reserved spaces for Blue Badge Holders in Off-Street Car Parks in convenient locations;
- Guidance on the proportion of disabled parking spaces within new parking facilities;
- Some on-street parking provision in town centre locations;
- The ability to park on double yellow lines for up to 3 hours, as long as no obstruction is caused;
- Shopmobility scheme operated within Bridgend Town Centre.

- 3.3 In providing parking either at ground level or in multi-storey car parks, the Council incurs both capital and ongoing revenue costs which the Council must source from its own funds.
- 3.4 The current position is that a concession is applied in Off Street Car Parks for persons displaying a Blue Badge which provides for unlimited parking free of charge.
- 3.5 The Council reconsidered its position in respect of the concession currently allowed for persons displaying entitlement through the use of their Blue Badge as a result of proposed enhanced provision and additional cost in providing the same and in the current financial climate for Blue Badge users in Council managed off street car parks. In this respect it was proposed that persons displaying their Blue Badge in a Council managed Off-Street Car Park would pay the same amount as other users of the facility. However, a concession of an extra hour of parking without charge, in addition to a period of parking in respect of which payment has been made, would be allowed.
- 3.6 The recommendation of the first cabinet report dated 31/03/15 was to proceed with an informal consultation and report back its outcome for consideration by Cabinet of an appropriate way forward.
- 3.7.1 The Cabinet report also indicated that in order to meet the recommended standard of disabled spaces (6% of the total spaces) and apparent demand for disabled parking, it would seem appropriate to increase the number of disabled parking spaces in accordance with the table below:

CAR PARK LOCATION	Current number of disabled spaces	Proposed No of spaces (percentage of car park)	Additional disabled spaces proposed
BRIDGEND			
New Rhiw (When built)	15	15 (6%)	0
Recreation centre	9	9 (6%)	0
Bowls hall	2	6 (6%)	+4
Leisure Pool	0	3 (6%)	+3
Brackla 1	5	24 (6%)	+19
Brackla 3	4	8 (6%)	+4
Tondu Road	5	7 (6%)	+2
Tremains Road	3	3 (10%)	0
PORTHCAWL			
John Street	6	10 (10%)	+4
Hillsboro	12	21 (6%)	+9
TOTALS	61	106	+45

- 3.8 As can be seen from the above table it was deemed appropriate to provide an additional 45 disabled parking bays to improve accessibility provision as well as meet recommended standard for disabled spaces in these car parks.
- 3.9 In accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations), an informal consultation was carried out between 10th June 2015 and the 1st July 2015 with letters being sent to various stakeholders including all local ward members, town and community councils, emergency services, transport operators, as well particular stakeholders including the Bridgend Coalition for Disabled People.
- 3.10 The Council received 9 responses to the consultation letter of which all with the exception of two supported the proposal that, persons displaying a Blue badge in a Council managed Off-Street Car Park should pay the same amount as other users of the facility.
- 3.11 Whilst not opposing or supporting the proposal one response expressed concerns that these changes were being considered.
- 3.12 One respondent commented that the concession of an 'extra hour' of parking should be available to all users of off street car parks to promote the economy.
- 3.13 The response in opposition to the proposal expressed the view that it was inappropriate to expect disabled people to inconvenience themselves to approach and have to pay a fee at pay and display machines, especially during inclement weather.
- 3.14 The Bridgend Coalition of Disabled People (BCDP) missed the return deadline for the informal consultation however a letter was subsequently received from the group with 3 supplementary individual supporting letters. The response was in opposition to the proposal expressing the opinion that implementation of charges would be cruel and unfair for disabled users particularly in light of how benefit payments had recently been reduced.
- 3.15 The recommendation of the second cabinet report dated 14/07/15 was to give officers approval to proceed to the next stage of statutory consultation required under the Regulations which was duly approved.
- 3.16 Consultation was carried out between 9th November 2015 and the 7th December 2015 with the notice of the proposed changes sent to various stakeholders including all local ward members, town and community councils, emergency services, Transport operators, as well particular stakeholders including Bridgend Coalition for Disabled People.
- 3.17 However as a result of a meeting with a representative of the BCDP the date for the submission of responses was extended as concerns were raised that there would be a difficulty in responding to the existing deadline due to various reasons. It was also agreed that the council would meet with the

BCDP before the new deadline expired and that minutes would be taken at that meeting to record the various points raised. The representative advised that a meeting in this manner would improve access to the consultation to some members of the BCDP as they were unable to provide a response in writing. The notice period was therefore extended to Friday 18th December 2015 and the notice was also updated so that if any person had difficulty in responding in writing or required the notice in an alternative format they could contact the council for further assistance.

3.18 The Council received 16 responses to the statutory notice of which 12 objected to the proposal (red), 2 agreed with the proposal (green) and the rest suggested variations to the proposal (amber). A list of the formal responses, together with a summary of the objections, is outlined in Table 1 below.

Correspondent	Support / Object	Issues Raised
1	Objects to the proposal.	Expressed concern that the capital cost of making the changes inc replacing machines may not be repaid as blue badge holders may chose not to use the car parks and instead use out of town shops and supermarkets which would impact local businesses.
2	Objects to customers of the Lifelong Centre and Library with blue badges having to pay.	Raised concerns that when the EIA was prepared for the relocation of the library to the recreation centre that free parking for blue badge holders was an important issue which is felt should continue.
3	Objects to the proposal	Suggested an alternative of charging council employees for parking at full market rate. Requested a consultation on this.
4	In favour of the proposal	Advised that the parking charges should be levied for disabled persons parking.
5	No objection to the proposal	No further comment
6	Not obvious if objecting but has commented.	Suggested a payment scheme i.e yearly or quarterly etc which would make it easier for Blue badge holders to pay as being disabled means a lack of mobility and the exertion of finding and using a pay and display station may prove difficult.

Correspondent	Support / Object	Issues Raised
7	Objects to the proposal	Not happy with the proposal. Has picked up negative responses from those affected by the proposal.
8	Objects to the proposal	<p>Responded that it is of paramount importance that the impact of this proposal be assessed before it was even put forward. Austerity measures have impacted on disabled people to a greater extent than many other groups of people and therefore to consider adding another financial burden seems irresponsible. Secondly, made the comment that an additional hour makes a difference but does not negate the cost in the first place. Many disabled people/blue badge users have no option but to use a car. Public transport is not an accessible option. Wheelchair users only have one space on a bus and not all buses have a wheelchair space. Vision impaired people can often not use public transport at all and there are no audio announcements on Bridgend buses. Furthermore it was stated that cuts to many bus routes are going to be made and this increases the difficulties to public transport. Taxis are a very expensive option and certainly not viable. This means there is often not a choice as there is for other users. By adding a cost to parking you are adding a financial burden. Other users have a choice whether to go by car or not.</p>
9	Objects to the proposal	<p>With cuts to care and benefits it feels like disabled people and the most vulnerable are being targeted. A lot of disabled people don't have a choice on how they travel and have to use their car unlike able bodied motorists.</p>
10	Objects to the proposal	Would like an hours free parking for disabled persons with charges payable after that.
11	On behalf of the residents of Ogmore Vale they agree the unlimited	It was is felt that to provide an hour of free parking is insufficient for someone with severe mobility issues. It was claimed that non blue badge holders are provided with

Correspondent	Support / Object	Issues Raised
	free parking be reduced.	more than an hour in Supermarkets. It was proposes that there is a time limit of 3 hours.
12	Objects to the proposal	<p>A meeting was held with the group where the proposal was explained and concerns were raised related to</p> <ul style="list-style-type: none"> • Enforcement • More parking on double yellow lines • Legality of the proposal • Needs to relook at proposal especially with the extra money Council have received this year • Cost of upgrading existing machines • Blue badge users would not use the town anymore • Some blue badge people may not be able to afford to pay • Some public transport not suitable <p>The issues raised were some of the topics raised but not exclusively</p>
13	Objects to the proposal	Raised the question if charging in car parks is legal without toilets
14	Supports increase in bays and the additional hour but objects to charging.	<p>Disabled people have been hit hard by austerity measures. They also take longer to go about their business.</p> <p>Raises concerns regarding the questions asked in the Consultation.</p> <p>Requests we consider the points raised by Stakeholders as they are knowledgeable of the issues that affect disable people.</p>
15	Objects to the proposal	<p>Believes it would be beneficial to blue badge holders and town centres to continue with free parking for blue badge holders.</p> <p>Is concerned about the financial position of disable people due to welfare cuts and reforms and this proposal would be another burden.</p>
16	Objects to the proposal	No further comment

Table 1

3.19 A public survey on Bridgend County Borough Council's blue badge parking was also conducted between 9th November 2015 and 18th December 2015. The survey was available to complete online through an interactive survey link on the consultations page of the Council's website or by visiting www.bridgend.gov.uk/consultation. Paper copies of the consultation were also

made available all local libraries or alternatively, they could be sent directly to the residents upon request in either English or Welsh. The content of the page remains available online.

- 3.20 Details of the consultation were sent as part of a press release emailed to various stakeholders including Bridgend business forum and business directory, councillors, town and community councils, members of the Local Service Board (LSB) and the Bridgend Equality Forum (BEF), Facebook and Twitter.
- 3.21 The council tweeted its 6,230 @Bridgend CBC followers and posted to its 3,727 Facebook fans about the consultation on several occasions during the consultation period to help raise awareness.
- 3.22 The consultation press release was made available on the Bridgend County Borough Council website via the consultation webpages or by visiting www.bridgend.gov.uk/consultation. A notification appeared in the Western Mail on 9th November 2015 and 25th November 2015. The release was sent to a database of local media outlets. Related articles and opinion letters were published by third parties including the Glamorgan Gazette in response to the consultation.
- 3.23 In total there were seven questions regarding a combination of usage questions and proposal responses. All questions in the survey were optional. All survey responses offered the option of anonymity.
- 3.24 Comments regarding the consultation were also invited via letter, email and phone call.
- 3.25 The majority of respondents to the survey (83%) used Council managed Off-Street Car Parks half of which used the facilities more than once a week. Based upon this any change to the current service is likely to have an impact on the majority of the residents who have responded.
- 3.26 Bridgend town centre is likely to see the largest alteration should any changes be made to the current service as 90 per cent of respondents frequently visit the town.
- 3.27 If the proposal were to be introduced, the majority of respondents (71%) supported the introduction of more parking spaces for blue badge holders and more than half of the respondents (52%) stated they supported the introduction of an additional hour of parking for blue badge holders. In the associated qualitative section for the latter question, 42 per cent of those who provided a comment stated that did not support the proposal and that parking for blue badge holders should remain free.
- 3.28 In the final comment section respondents were most concerned with ensuring those in receipt of the blue badge provision were genuine users (29%), 26 per cent did not want the proposal to be introduced and 13 per cent wanted the same charge for anyone who uses a car park.

3.29 Alternatives suggested included offering the free hour prior to a ticket purchase being made or issuing an annual fee or quarterly payments in order to allow disabled badge holders the flexibility of not having to reach the pay and display machines.

4.0 CURRENT SITUATION / PROPOSAL

4.1 As a result of the replies and issues raised associated with the online and statutory consultation undertaken, the Council has decided to carry out a further consultation exercise which incorporates some of the suggestions and issues raised together with some further proposals for consideration.

4.2 Some of the issues raised by the previous consultation included:

- Will blue badge users decide not to park in Council car parks and instead park in supermarkets?
- Will the proposal affect the use of the library at the recreation centre by blue badge holders?
- Should parking charges be levied for blue badge users?
- Will the use of new Pay and Display machine present problems for disabled users once they are DDA compliant?
- Does the additional hour of free parking help blue badge users or should a longer free period of parking be allowed?
- Are there any specific problems for blue badge users using public transport?
- Will blue badge holders relocate to on street parking places if charges are introduced?
- Would an advance payment scheme assist blue badge users ie yearly/quarterly as it may be difficult for some users to access a pay and display station?

4.3 It would therefore be appropriate that the above issues are taken into consideration in the new consultation and that a number of options be put forward as part of the consultation process detailed as follows:

4.4 **OPTION 1** – Blue Badge holders park free in designated disabled spaces for up to 3 hours but charges for parking will apply outside allocated disabled spaces. This option will enable free parking in designated disabled spaces in the Bridgend and Porthcawl Car Parks but if there are no designated bays available, those persons displaying their blue badge and parking in non-designated bays will pay the same amount as other users of the facility but will be provided a concession of an extra hour parking free of charge in addition to any period of parking in respect of which payment has been made.

4.5 **OPTION 2** – Annual charge or permit to park in Council managed off street Car Parks for Blue Badge holders. This option would require Blue badge holders to apply to the Council annually for a Parking permit. The Parking permit would be issued to the applicant rather than to a vehicle registration.

- 4.6 OPTION 3 – Blue Badge holders park free in Council managed off street Car Parks with the display of blue badge and vehicle tax exemption Road Tax Disc. This option would allow those blue badge holders who have a vehicle tax exemption Road Tax Disc to park free in the Council's car parks. Other blue badge holders would have to pay the appropriate parking fee. (Vehicle tax exemption certificates and subsequently Road Tax Discs are issued to those individuals eligible for payment of Higher Rate Mobility Component of the Disability Living Allowance).
- 4.7 OPTION 4 - Blue badge holders are charged the same rate as other users except they get an extra 50% of free parking on whatever time period they purchase. This option means that blue badge holders will pay the same charges as members of the public but if they pay for example 1 hour and display their blue badge then an extra 30 minutes will be added to their allowed stay free of charge.
- 4.8 OPTION 5 - Blue badge holders are charged the same rate as other users except they get twice as long on whatever time period they purchase. This option means that blue badge holders will pay the same charges as members of the public but if they pay for example 1 hour of parking and display their blue badge then an extra 1 hour period without charge will be added to their allowed stay.
- 4.9 OPTION 6 – Blue badge holders do not have any concession when parking in Council managed off street car parks.. This option means that blue badge holders will pay the same charges as other members of the public whether or not they park within designated disabled bays.
- 4.10 Due to the timescales between the previous Cabinet Report's it was decided that an update was required on the current number of marked disabled parking spaces in these car parks particularly in light of the relocation of Shopmobility to Brackla 1 Off-Street Car Park and the results are as follows in Table 2:

Car Park Location	Current Designated disabled Spaces	Proposed Number of Disabled spaces	Additional disabled spaces	Proposed % of car park
New Rhiw	15	15	0	6%
Rec Centre	9	9	0	8%
Bowls Hall (Short)	0	3	3	9%
Bowls Hall (Long)	2	3	1	6%
Brackla 3	5	8	3	6%
Tremains (Short)	0	1	1	6%
Tremains (Long)	3	3	0	8%
Leisure Pool	0	3	3	8%
Brackla 1	23	23	0	6%
Tondu Road	5	5	0	6%
John Street	7	10	3	11%
Hillsboro Place	12	21	9	6%
Rest Bay (Front)	8	8	0	9%
Totals	89	112	23	7%

Table 2

- 4.11 As can be seen from the above table in Brackla 1 there are 23 disabled bays. This does not include the 10 new Shopmobility bays that have been allocated as a result of its relocation. It is proposed that the Shopmobility bays remain solely for the use of Shopmobility customers and are not allocated as disabled parking bays. This is due to the fact that users do not need to have a blue badge to use the Shopmobility facility as the need for its use may only be a temporary measure. Those using the Shopmobility bays must have an appropriate permit in their car indicating that they are utilising the Shopmobility facilities.
- 4.12 The proposed pay on foot machines that are going to be used in the redeveloped Rhiw Car Park cannot differentiate between blue badge users and non-blue badge users. Therefore, when implemented, all customers using this car park will be required to pay the appropriate rate with no concessions. However, efforts are being made to identify whether a system can be procured within the project budget and time constraints, that will enable differential rates to be charged for blue badge holders. Designated disabled bays will be available at appropriate locations near the lifts and exits to aid blue badge users.
- 4.13 The consultation will be made available to complete online through an interactive survey link on the consultations page of the council's website or by visiting www.bridgend.gov.uk/consultation. Paper copies of the consultation will also be made available at community engagement events or alternatively, they could be sent directly to the residents upon request in either English or Welsh.

- 4.14 Details of the consultation will also be sent as part of a press release emailed to various stakeholders including Bridgend business forum and business directory, councillors, town and community councils, members of the Local Service Board (LSB) and the Bridgend Equality Forum (BEF), Facebook and Twitter.
- 4.15 It is proposed that the council will tweet its 6,230 @Bridgend CBC followers and will post to its 3,727 Facebook fans about the consultation on several occasions during the consultation period to help raise awareness.
- 4.16 In addition, the consultation press release will also be made available on the Council website via the consultation webpages or by visiting www.bridgend.gov.uk/consultation. A notification will also appear in the Western Mail. The release will be sent to a database of local media outlets.
- 4.17 The Equality Act 2010, as amended, requires that the Council must, when exercising its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 4.18 Upon completion of this consultation and engagement process a further report will be presented to Cabinet together with the findings of the full EIA.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 This report has no effect upon the Policy Framework or the Procedure Rules.

6. Equality Impact Assessment

- 6.1 It is the duty of the Council to carry out an Equalities Impact Assessment on any proposal. The Authority has a published procedure which ensures the appropriate Protected Characteristics are safeguarded. A full assessment to the Authorities published procedure "Guide to Equalities Impact Assessment" will be undertaken upon the completion of the online engagement exercise.
- 6.2 As part of the Cabinet report dated 14th July 2015 an EIA screening report was undertaken to identify the need for the type of consultation required. The screening form identified that a full EIA was required.

7. Financial Implications.

- 7.1 There would be a requirement to upgrade 7 pay and display machines to be compliant for use as well as amend car parking orders to implement such changes subject to the outcome of a statutory consultation of the proposal.

The machine modification is expected to cost circa £71,000. The funding to upgrade the machines will be made available from surplus monies in accordance with the financial requirements of the Road Traffic Regulation Act 1984.

7.2 In the Council's Medium Term Financial Strategy £165,000 was included in 2015/16 as the likely level of income to be generated from the introduction of Blue Badge charging. This was agreed by Council in February 2015. This figure assumed that disabled parkers would not migrate to surrounding streets.

7.3 Following the re-consultation of this proposal and the possible reduction in income associated with some of the proposals, any MTFS budget reduction will need to be considered once the outcome of the consultation exercise has been determined, and a reserve will be created in accordance with MTFS Principle 12 (MTFS Budget Reduction Contingency Reserve) if needed.

8.0 Recommendations

8.1 It is recommended that:

8.1.1 Cabinet approve the revised proposal outlined in the report;

8.1.2 A further report be presented to Cabinet upon completion of the consultation exercise together with the findings of the full EIA.

MARK SHEPHARD

CORPORATE DIRECTOR - COMMUNITIES

March 2016

Contact Officer: Kevin Mulcahy, Group Manager Highways

Telephone: 01656 642535

Background Papers:

None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

WASTE SERVICES PROVISION

1 Purpose of Report

- 1.1 To set out for consideration by Cabinet the findings of the recent public consultation on the provision of residual and recycling collection services and the provision of services at the Council's Household Waste Amenity Sites (HWAS).
- 1.2 The report will seek Cabinet's approval in a number of areas including:-
 - Approval to proceed to tender an external contract service provider.
 - The contract period.
 - The frequency of collection services.
 - Potential restrictions on the quantity of residual waste collected.
 - The option to collect absorbent hygiene produces (nappies etc.).
 - A review of resource levels required to administer the new service.
- 1.3 The proposals identified in the public consultation and brought forward for consideration by Cabinet in this report are in response to the Welsh Government's Blueprint for waste "Towards Zero Waste" and its Municipal Sector Plan, which sets out in detail amongst other things targets for the reuse and recycling of municipal waste. Cabinet will recall from previous reports that failure to achieve the Welsh Government targets could attract fines being imposed on the Authority of £200 per tonne.

2 Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 The performance and outcomes linked to the Waste Service Area are in accordance with the improvement priorities detailed in the Corporate Plan under Priority 6 - (Working Together to Make Best Use of Our Resources).

3 Background Waste Collection Services Contract

- 3.1 The Domestic Waste Collections Service and Household Waste Amenity Sites (HWAS) have been delivered via a contract for services since 2003 and 2004 respectively. On the 31st March 2010 both contracts were brought together following a competitive dialogue procurement exercise into a single integrated contract for the provision of waste and recycling services which was awarded at the time to May Gurney but is now operated by Kier, The current contract term is seven years with a contract provision to allow the extension of this contract, subject to agreement between the parties, for a further period of up to seven years.
- 3.2 The current operating model and collection methods set out in the contract for residual and recycling streams are broadly compliant with the Welsh Government's

(WG) Blueprint for separated recycling collection services, as described in their policy document 'Towards Zero Waste'.

3.3 The current collection service consists of:

- fortnightly collection of refuse, collected in black sacks with no restriction on the number of sacks collected.
- weekly collection of recyclables, collected in 2 x 35 Litre boxes and 1 x 85 Litre reusable sack.
- weekly collection of food waste (collected on same vehicle as dry recyclate), with provision of kerbside caddies, kitchen caddies and food waste liners.
- charged fortnightly garden waste collection April – October, with an annual subscription.
- The contractor manages 3 HWAS's and Tondu Waste Transfer Station on behalf of the Council ensuring that all necessary environmental controls are in place to allow the sites to be operated in compliance with relevant environmental standards.

4 Current Situation / proposals

4.1 Discussions with Neighbouring Authorities

4.1.1 In order to explore potential opportunities for collaborative working with Bridgend County Borough Council and its immediate local authority neighbours discussions have been held with the following authorities on the possibility of forging closer working ties in the area of waste management. The information given below outlines the discussions with each of the following Authorities.

- **Neath Port Talbot (NPT)**
- **Vale of Glamorgan (VoG)**
- **Rhondda Cynon Taff (RCT)**

4.1.2 NPT expressed their reservations in this particular area as the potential for local government reorganisation to reshape the boundaries of the local authorities was felt to be a key risk and a barrier to progressing any collaborative arrangement at this time. Therefore discussions with NPT were not pursued further.

4.1.3 Different collection methods amongst the Council's immediate neighbouring authorities presented further barriers to merging service provision. In particular the design and specification of collection vehicles and the contractual arrangements each of the Council's neighbours have in place for the disposal of the materials that they collect. These arrangements vary based on the quality of the waste streams i.e. co-mingled or source segregated systems. The VoG discussed the possibility of collaborative working with the Council on the collection service. Their interest was only in the residual collection due to the potential availability of excess collection capacity of their vehicles. In reviewing this option it was considered that the splitting of the refuse and recycling within the contract would increase the overhead and maintenance elements of the contract and therefore the option was discounted.

4.1.4 RCT showed interest through AMGEN Cymru (The Local Authority Waste Disposal Company (LAWDC) wholly owned by Rhondda Cynon Taf County Borough

Council), in undertaking the management of the Authority's Household Waste Amenity Sites (HWAS) operations. However, this would again result in a split service delivery.

- 4.1.5 Legal advice was obtained from which it is understood that the service would need to be competitively tendered to secure the Most Economically Advantageous Tender (MEAT) and could not be 'given' to RCT. This would result in the tender documents having to be revised to take account of separating the services with the HWAS's as one contract and the residual / recycling collection service as another.
- 4.1.6 There is no guarantee that should RCT(AMGEN Cymru) place a bid for the work that they would win the contract, as with the VoG discussions, splitting of the contract would likely increase the overhead and maintenance elements of the contract and therefore the option was discounted.

4.2 Waste Services Model Options

- 4.2.1 The Authority has considered various methods of service delivery as set out in this report. However three challenges will be critical to the selection of the new service provision.
 - 4.2.1.1 To support the Medium Term Financial Strategy (MTFS) the new service provision from 2017, shall be driven by price and as low a cost option as possible taking into account any relevant economic and social factors.
 - 4.2.1.2 The service model chosen must, however, also place the Authority in a position to meet the Welsh Government (WG) recycling targets as it move forwards:

The current level of recycling of BCBC municipal solid waste is projected to fall short of the 58% target required by the WG.

The WG recycling rate targets moving forward are:

2015/16 – 58%
2019/20 – 64 %
2024/25 – 70 %

On the basis of the above with no change to the current collections methodology, the authority would inevitably fall increasingly behind the recycling targets required, with the potential consequence of fine levels at £200 per tonne for material not recycled. For clarity if the Authority were to miss the recycling target by 1%, this may result in fines of around £150,000; there is also the potential that special measures may be imposed by Welsh Government. Therefore retaining the status quo collection methodology has considerable financial implications.

- 4.2.3 The option selected will need to take into account the results of the public consultation recently undertaken on the provision of waste services.
- 4.2.4 In order to look closely at options that will meet the recycling targets at lowest cost a series of meetings were held with WRAP Cymru (Waste & Resources Action Programme in Wales). WRAP is funded by Welsh Government to give local authorities "hands on" practical expertise, advice and financial help. WRAP agreed

to model waste flow utilising its knowledge of performance and cost with other Welsh Authorities and predict what effects differing service offerings will be likely to have in terms of output and cost in order to inform the Authority's choice of service model.

4.2.5 In order to increase recycling, a number of methods exist that can facilitate changes in the behaviour of the residents of BCBC to recycle more material. In order to reduce residual waste that is still being presented in black bagged waste sacks, some of the steps that can be taken include:

- Increasing the promotion of recycling via: radio, schools campaigns, door step engagement and general publicity material including newspaper advertisements, flyers and leaflet drops.
- Increasing the range of recyclable materials collected or recycled at home, this could include: nappy recycling, black plastic recycling and film.
- Consideration of enforcement activities if and when the appropriate legislation and or guidance is issued by Welsh Government.

4.2.6 All of the above steps listed in paragraph 4.2.5, (some of which already occur as part of the existing contractual relationship with the current provider), will help to improve the recycling levels, but come at an increased cost to the Authority and typically would be unlikely, by themselves, to improve the recycling percentage by more than 1-3%, albeit they would potentially form an essential part of any new campaign to improve recycling. However, they are not considered the stand alone answer to the challenges faced, rather they are a contribution to the ongoing challenges.

4.2.7 The principle of restriction of residual waste (black bagged) is known to be by far the greatest driver for increasing recycling percentage, as was demonstrated by the increase in the Bridgend County recycling percentage when residual collections were changed to a fortnightly cycle. The constraint effectively drives residents to further recycle their waste. It also has the beneficial effect of reducing costs, as lower levels of resources are required to collect waste materials and lower waste disposal / treatment costs are incurred with decreasing tonnages.

4.2.8 Cabinet should note a 5% change in the Authority's municipal solid waste stream from residual to recyclable waste would save circa £0.5 million p.a. based on current disposal costs.

4.3 Public Consultation

4.3.1 A public consultation reviewing Bridgend County Borough Council's household waste and recycling service was undertaken over an eight week period from 14 December 2015 to 8 February 2016. The consultation received 2,795 responses from a combination of the consultation survey, social media interactions, letters, emails and telephone calls.

4.3.2 The survey was available to be completed online through a link on the consultation page of the Council's website or by visiting www.bridgend.gov.uk/consultation. Paper copies of the consultation were also made available at local libraries and the

Civic Offices, or alternatively, they could be sent directly to the residents upon request in either English or Welsh.

- 4.3.3 Three proposals were considered which required a reply from respondents. All questions in the survey were optional and all survey responses offered the option of anonymity.
- 4.3.4 Details of the consultation were sent as part of a press release, emailed to the stakeholders including; Councillors, town and community councils, members of the Local Service Board (LSB), neighbourhood networks, the Youth Service Cabinet (YSC), Bridgend Equality Forum (BEF), Bridgend Business Forum (BBF) and business directory, Bridgend First, Bridgend Employer Liaison Partnership database, Communities First database and local media outlets, Citizens' Panel members interested in receiving additional consultations from Bridgend County Borough Council were invited to complete the survey using a link provided.
- 4.3.5 The Council's corporate Facebook and Twitter accounts were used to promote the consultation throughout the live campaign period.
- 4.3.6 In total there were 2,795 responses received to the survey.

Total Survey Responses

Response format	No	%
Online survey responses	2,361	84.5
Social media	218	7.8
Social media debate	91	3.3
Emails	57	2.0
Paper survey responses	57	2.0
Telephone	11	0.4
Total	2,795	100.0

4.3.7 The survey included:-

- 2,361 responses to the consultation surveys were received online – of the responses received there were 2,347 English online submissions and 14 Welsh versions completed.
- During the social media question and answer sessions there were a total of 19 interactions from Twitter and 120 interactions from Facebook, being seen a total of 15,977 times on Twitter and 8,446 times on Facebook respectively. During the consultation period there were a total of 468 interactions using social media.
- There were 57 responses received by email, 57 responses by post and 11 responses via telephone call.

4.3.8 A sample of 2,795 is robust and is subject to a maximum standard error of ± 1.84 per cent at the 95 per cent confidence level on an observed statistic of 50 per cent.

Thus, we can be 95 per cent confident that responses are representative of those that would be given by the total adult population, if a census had been conducted, to within ± 1.84 per cent of the percentages reported. This means that if the total adult population of Bridgend had taken part in the survey and a statistic of 50 per cent was observed, we can be 95 per cent confident that the actual figure lies between 48.16 per cent and 51.84 per cent.

4.3.9 The following proposals were consulted upon during the public consultation reviewing Bridgend County Borough Council's household waste and recycling service.

4.3.10 **Proposal 1 - How the Council collects black bag household waste.**

While recycling will remain weekly, there were three options that the Council invited residents to consider for residual waste collection (black bag collections) with further options for the collection of absorbent hygiene products, the Councils Household Waste Recycling Centres and the use of wheeled bins as set out in more detail below: -

4.3.10.1 Option one: Two week collections restricted to two black bags.

Under this option, refuse collections to remain fortnightly but there will be a restriction on the number of black bags allowed; a householder will only be able to put out 2 black bags on each collection day.

4.3.10.2 Option two: Three week collections restricted to three black bags.

This option would reduce the frequency of refuse collections to once every 3 weeks but there will also be a restriction on the number of black bags allowed; a householder will only be able to put out 3 black bags on each collection day.

4.3.10.3 Option three: Four week collections with unrestricted black bags

This option would reduce the frequency of refuse collections to once every four weeks, but householders would not be restricted in the number of bags that they could put out.

4.3.10.4 In association with these three options residents were also asked which waste storage method would be most suitable to respondents between 'wheelie bins' and the current method of refuse sacks.

4.3.11 **Proposal two: Introducing an absorbent hygiene products collection service.**

This proposal would introduce an absorbent hygiene products collection service to coincide with a restriction on the number of black bags being collected, and is intended to support families and residents who use absorbent hygiene products.

4.3.12 **Proposal three: Recycling black bag waste at household waste amenity sites.**

This proposal would see changes made at household waste amenity sites so that they would become community recycling centres, which prohibits the disposal of black bag waste to improve recycling.

4.3.13 Detailed breakdowns of the results of the public consultation are attached to this report at **Appendix A**.

An extract of the information attached to each proposal and the options relating to each proposal is presented at **Appendix B**. This table provides members with an overview of the finding of the public consultation.

The Equality Impact Assessment is attached to this report at **Appendix C**.

4.3.14 The following information is presented to Cabinet and is based on the outcomes of the public consultation as presented in Appendix A.

4.3.15 The specific residual waste collection option with the strongest support is the 2 weekly collection with a 2 bag restriction, this option was preferred by 76% of respondents.

4.3.16 If the collection methodology of 2 weekly collection with a 2 bag restriction is adopted then this along with other measures is anticipated to achieve a recycling target of 64%.

4.3.17 In considering all of the options placed before Cabinet, option 1 of proposal 1 is considered to be the most appropriate collection methodology to take forward and achieve both the aims of the MTFs and meets the public's preference as demonstrated by the outcome of the public consultation.

4.3.18 During the public consultation exercise a number of consultees raised comments on the potential for the proposed restriction on the number of black bags placed at the kerbside for collection, to be flouted or abused by householders not wishing to comply with the scheme.

4.3.18.1 The comments listed amongst the concerns included the potential for householders to place additional bags against neighbouring properties, or for those who present their waste in communal areas to put out for collection as many bags as they want due to the difficulties that the Council would have in identifying the households or individuals concerned. Should Cabinet be minded to proceed on the basis of restricted residual waste collection, then as a means of addressing these concerns and overcoming some of the anticipated behaviour of some of the Boroughs householders, it is proposed to review the levels of enforcement. To further support the proposed restriction, the colour and markings on the bags used by the public could be changed to uniquely identify them as Bridgend County Borough Council residual waste sacks.

4.3.18.2 The appropriate number of bags to service each household would then be issued to the public to use i.e. an annual allocation of 52 refuse bags. The contractor will only collect the uniquely identified 2 sacks per / household each fortnight, detailed proposals will be contained within the contract specification of the measures to be adopted where householders present more than the 2 bag limit, such measures may include leaving excess waste at the kerbside, placing stickers to bags, recording location and address to be subsequently followed up by a home visit

- 4.3.18.3 The anticipated cost of providing branded refuse bags of the type described above will be £ 147,300 per annum, whilst the cost of supplying plain black bags to householders is anticipated to be £ 124,300 per annum. This would prove to be a cost effective measure against both the reductions in enforcement needed to police the scheme and the reductions in the costs of residual waste disposal that the restriction will generate.
- 4.3.19 As indicated in paragraph 4.3.10.4 of the report the respondents were asked to consider the use of wheeled bins as opposed to sacks for storage of residual waste, the public expressed a preference within the consultation for utilising wheeled bins.
- 4.3.20 The utilising of wheeled bins for the storage of residual waste would result in the Authority limiting its options to undertake changes to the contract at a future date within the contract period i.e. by selecting a containment capacity based around a 2 weekly 2 bag collection (140 Litre bin) the Council would have to provide at a capital and operational costs in excess of £2,000,000 over the term of the contract). Should recycling targets not be met during the contract period and the need to introduce a revised collection cycle become apparent, the 140 Litre bin would not have the containment capacity necessary to accommodate additional residual waste; the bin would then become obsolete at the point of change, forcing the Authority to provide revised storage capacity with the purchase of new containment bins (240 Litre bin) with all the associated capital costs. If, however, sacks are selected for use to contain residual waste under the new contract and the issue of having to increase the recycling rate arose at some future point within the contract, issuing of additional sacks would not pose a great problem, with minimal additional cost involved.
- 4.3.21 It is therefore recommended that the use of sacks is selected, as the use for containment of residual waste over wheeled bins.
- 4.3.22 It is anticipated recycling containers will be agreed with the incoming contractor, who may need to revise / change the containers to ensure compatibility with the collection vehicles and collection system used.

Absorbent Hygiene Products Waste Collection Service

- 4.3.23 Respondents were asked to what extent they would support the introduction of a new Absorbent Hygiene Product (**AHP**) waste collection service for items such as nappies and incontinence pads. Strong support was shown for this proposal which would complement any restriction in the collection of residual waste. Cabinet are therefore asked to consider the provision of a separate AHP collection for residents wishing to access the service. This will remove this material from the residual waste stream and provide additional capacity for those who have a requirement to dispose of such material. The introduction of this service would be accompanied by a corresponding increase in the contract sum, however, dependent on costs to be established during the tendering exercise it may be possible to mitigate this cost by treating the nappies and removing them from the residual waste stream. This would also have the added benefit of increasing the Councils recycling percentage by approximately 0.7 percent per annum, depending on take up of the scheme. It is proposed that Absorbent Hygiene Product (**AHP**) are collected at the same time and frequency as the

Council's residual waste, i.e. fortnightly. The public will be able to register with the contractor in order to make use of the scheme and issued with an appropriate number of identifiable sacks.

4.3.24 Household Waste Amenity Sites

4.3.24.1 The final proposal in the public consultation exercise asked respondents to consider a change to amenity sites into possibly becoming community recycling centres, which prohibits the disposal of black bag waste to improve recycling at each of the sites.

4.3.24.2 The results of the consultation showed that 72.6% of respondents were opposed to this option.

4.3.24.3 Therefore as a means of mitigation and meeting Welsh Government Recycling targets the following compromise is proposed:-

- Under this proposal residents would still be able to dispose of residual waste at the sites, but they would be asked to separate any black bag waste into the various recyclable components i.e. plastics, paper etc. and to dispose of these in the appropriate containers on the site, prior to disposing of the remaining and true residual part of their waste, which in practice should only represent a very small part of the waste contained in most black bags taken to the sites. This will have the effect of increasing the recycling performance of the sites, while significantly reducing the disposal costs for residual waste.
- Cabinet in considering this recommendation may also wish to take into account the proposed restrictions to residual waste to 2 bags collected fortnightly, which is supported by the public. If black bags were to be permitted into the HWAS without the type of control described above, it is likely that large numbers of households would still not recycle and take their black bag waste to the Household Waste Amenity Sites to be disposed of. This would have a significant negative impact on the performance and costs of operating these sites.

4.4 Resource levels

4.4.1 If Cabinet are minded to accept the recommendations contained in this report, particularly those relating to the restriction in the presentation of residual waste at the kerb-side by householders, it is likely that to ensure the effectiveness of this service, additional resources may be required to ensure compliance, to enable monitoring, education and enforcement where households do not comply with the 2 bag limit collection system. Accordingly Cabinet are asked to note that the Corporate Director – Communities will review the requirement for additional resources prior to the commencement of the proposed contract on 1st April 2017.

4.4..2 Whilst the principal changes to the waste collection system have been outlined for the Cabinet to consider in the body of this report there will inevitably be other minor operational decisions, which will be included in the contract specification, to be taken which will influence and effect the manor and way in which the service at the commencement of the new contract on 1st April 2017 is finally delivered. Cabinet are asked to delegate responsibility for these decision to the Corporate Director – Communities for action. The type of decisions are limited to operational matters

related to the delivery of various aspects of the service. This could include such additional steps as to enforcement of the two residual waste sacks (if approved by Cabinet), which could include the possibility of branded sacks as part of this process. A further report on the outcome of the tendering process for the new Waste Services Collection Contract will be placed before Cabinet for Cabinet's further consideration.

4.5 Public Communication

4.5.1 Under the current contractual arrangements the responsibility for responding to requests for service and complaints from the public is split in various proportions between the Council and the Contractor. In the case of complaints these are currently received by the customer contact centre who will try and respond to the customer's complaint at the point of contact, where they are unable to do this the complaints are referred to the contractor or passed to the Cleaner Streets Teams in Civic Offices to investigate and respond. In many instances the contact centre, Cleaner Streets Team and the Contractor are all involved with responding to a complaint. Under the new contract it is proposed that all requests for service and complaints are referred directly to the Contractor as first responder; only matters which he has not been able to fully resolve would be dealt with by the Council's contact centre or Cleaner Streets Team. The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards (No 1) Regulations 2015 are now in force and under these regulations any activity being carried out by a body, or any service being provided by a body on behalf of the Council are bound by the Welsh Standards imposed upon the Council. Compliance with the standards is not optional and the Welsh Language Commissioner has the power following a County Court Judgment to fine the Council £5,000 for each breach of the standards that have been imposed. The new contract would have to contain a provision that the Contractor agrees to comply with the Standards imposed upon the Council. To ensure that appropriate checks and balances are in place and that matters of financial probity and transparency are properly considered the Contract would be managed going forward through exception reports presented at appropriate frequencies by the Contractor at operational and partnership board meetings, these reports would contain the relevant detail required by the Council on performance and delivery of the service.

5 Effect upon Policy Framework & Procedure Rules.

5.1 There are no effects on the Policy Framework and Procedures Rules.

6 Equality Impact Assessment

6.1 A full Equality Impact Assessment has been carried out in conjunction with consultation with the public and is attached.

7 Financial Implications

7.1 The introduction of wheeled containers for residual waste would have a financial impact on the waste collection budget in the order of £2,000,000 over the term of the contract. The figures supporting this are set out in section 7 of this report.

- 7.2 A further report on the outcome of the financial implications from the tendering process for the new waste services collection contract will be placed before Cabinet for Cabinet's further consideration.

8 Recommendations

Cabinet is recommended:

- 8.1 To consider the outcomes of the public consultation which was undertaken over an eight week period from 14 December 2015 to 8 February 2016.
- 8.2 To give approval to tender The Waste Collection Service Contract with the documentation prepared for a term of 7 years commencing on 1st April 2017 and the specification in that contract should be based upon the Cabinet's resolutions in respect of this report.
- 8.3 To approve the proposals to collect residual waste on a 2 weekly cycle, and to restrict the amount of residual waste collected from each household to 2 number sacks in line with the findings of the public consultation.
- 8.4 To consider the outcomes, associated costs and consequences of the public consultation and attached information on the type of containment for use on the household waste collection service, and to approve the use of sacks as opposed to wheeled bins as a method of residual waste containment.
- 8.5 To approve the option of a change to the specification of the residual waste collection sacks, as a means of contributing towards compliance with the collection system.
- 8.6 To approve the option of introducing an Absorbent Hygienic Products collection service to coincide with a restriction on the number of sacks that are collected, this is intended to support families and residents who use Absorbent Hygiene Products.
- 8.7 To approve the renaming the Household Waste Amenity Sites as Community Recycling Centres, and to approve the introduction of a policy for use at the Authority's Community Waste Amenity Sites of asking the public to presort any residual waste collection sacks waste into its recyclable components to minimise the residual waste arising at the sites.
- 8.8 To delegate to the Corporate Director – Communities the power to take decisions on operational matters related to the delivery of various aspects of the service, and to approve and issue the tender documentation for the Waste Collection Service Contract in consultation with the Assistant Chief Executive Legal & Regulatory Services and the Section 151 Officer.
- 8.9 To note that Cabinet will receive a further report on the outcome of the tender process for the procurement of Waste Collection Service Contract and to seek Cabinet's approval to award a contract as a result thereof.

Mark Shephard
CORPORATE DIRECTOR - COMMUNITIES
July 2015

Contact Officer: ZACHARY SHELL
Head of Neighborhood Services

Telephone: (01656) 643403

E-mail: Zak.Shell@bridgend.gov.uk

Background Documents:

Welsh Assembly Government - Towards Zero Waste, One Wales One Planet

Welsh Assembly Government – Municipal Sector Plan

Waste Public Consultation Report

Cabinet Report 1 September 2015 Waste Services Provision

Appendix A

7.1.1 Proposal one – preferred option

Of the three options put forward for proposal one, all respondents were asked to rate which option was the most preferable to them (N.B. this question is only in relation to the proposals put forward and should also be considered alongside any alternative suggestions put forward in the qualitative question, see section 7.4).

Table 1 - survey respondents: preferred option of proposal one

Response	Two week collections	Three week collections	Four week collections
#	1657	101	421
%	76.0	4.6	19.3

7.1.2 Proposal one – storing waste

Table 2 - survey respondents: storage method

Residents were asked which waste storage method would be most suitable to respondents between 'wheelie bins' and the current method of refuse sacks.

Storing waste	#	%
Wheeled bins	1344	59.8
Refuse sacks	904	40.2
Total	2248	100.0

From the 2,229 respondents who answered this question the wheelie bins were the most popular option with six in ten (59.8%) supporting this option. When comparing responses by age category, the younger a respondent the more likely they were to support wheelie bins, from 87.7 per cent for those aged between 18 – 24 years old to 29.4 per cent for those aged 65+.

7.2 Proposal two

Respondents were asked to what extent they would support the introduction of a new hygiene waste collection service for items such as nappy waste and incontinence pads.

Table 3 - survey respondents: proposal two

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
#	107	73	532	706	953
%	4.5	3.1	22.5	29.8	40.2

Overall, 70.1 per cent of respondents would agree or strongly agree with the introduction of the hygiene waste collection service. The level of agreeability is lowest for those aged between 45 – 54 with the acceptance level falling to 61.8 per cent.

7.3 Proposal three

The final proposal asked respondents to consider a change to amenity sites into possibly becoming a community recycling centres which prohibits the disposal of black bag waste to improve recycling.

Table 4 - survey respondents: proposal three

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
#	1174	549	236	285	128
%	49.5	23.1	9.9	12.0	5.4

In total seven in ten (72.6%) selected either disagree or strongly disagree in regards to proposal three. Those aged 65+ were the only age group to deviate from this however, the age range still did not support this proposal (av. 62.1%).

Appendix B

	Which collection option is the most preferable to you	Strongly Disagree	Disagree	Neither Agree or Disagree	Agree	Strongly Agree	Recycling Rates ¹	Comment
Option one -two week collection If we were to collect refuse sacks every two weeks, residents would be limited to having two sacks.	76%	32%	18%	8%	27%	14%	69% Inclusive of trade waste and HWAS's Excluding of AHP Collection	1% More expensive than Base Case Option
Option two -three week collection If we were to collect refuse sacks every three weeks, residents would be limited to having three sacks.	5%	59%	26%	6%	7%	2%	72% Inclusive of trade waste and HWAS's Excluding of AHP Collection	0% Base Case Option ²
Option three -four week collection If we were to collect refuse sacks every four weeks, there would be no limit on refuse collected per household	20%	65%	16%	6%	9%	5%	67% Inclusive of trade waste and HWAS's Excluding of AHP Collection	8% More expensive than Base Case Option

¹ Recycling rates From WRAP report estimates

² Base Case refers to 3 Weekly Collection Option

	Which collection option is the most preferable to you	Strongly Disagree	Disagree	Neither Agree or Disagree	Agree	Strongly Agree	Recycling Rates ¹	Comment
Absorbent Hygienic Product Collection To what extent do you agree with the introduction of a hygiene waste collection for nappy waste or incontinence pads.		5%	3%	23%	30%	40%		It is noted that 70% of respondents either agree or Strongly Agree with the proposal
Household Waste Amenity Sites To what extent do you agree with the introduction of removing black bag waste collection in order to encourage more residents to recycle		50%	23%	10%	12%	5%		It is noted that 73% of respondents either Strongly Disagree or Disagree with the proposal
Storing waste How would you prefer to have your refuse stored and collected.	Using Wheeled Bins 60%							
	Using Refuse Sacks 40%							

Appendix C

Full Equality Impact Assessment

Name of project, policy, function, service or proposal being assessed:	Changes to Residual Waste Collection Service
Date assessment completed	7th March 2016

At this stage you will need to re-visit your initial screening template to inform your discussions on consultation and refer to [guidance notes on completing a full EIA](#)

Cabinet approval will be required on the future operation and provision of the Waste Collection Service Council operated by a Contractor appointed by the council. An Initial Screening EIA was undertaken on 14 November 2015. This indicated that a Full EIA on the review of service provision would be required, to include data, demographics, feedback and views from the general public and representative groups before any final decisions could be made on the future operating model of Waste Collection Service in Bridgend County Borough.

1. Consultation

		Action Points
<p>Who do you need to consult with (which equality groups)?</p>	<p>Age: Older community members Some of the older members of the community will need assistance with placing their waste and recycling ready for collection.</p> <p>Disability: Some of the members of the disabled community will need assistance with placing their waste and recycling ready for collection.</p>	<p>The consultation tools and mechanisms to be used should include: Focussed Meetings, Public Meetings, a consultation document and associated questionnaire, publication of all information on the council's website and any other relevant websites, press releases, all partners, social media, Bridgemembers, Local Service Board and citizens panel.</p>

How will you ensure your consultation is inclusive?	<p>The council is mindful that as wide a range of consultation, engagement activities and tools as possible need to be deployed in order to reach as wide an audience of consultees as possible. Consultation and engagement must be maximised in order that public views and concerns are “heard and considered” by the council to identify better ways of working and influence difficult decision making from a representative group.</p> <p>Methods of consultation will include (where appropriate) bilingual (Welsh / English) materials, information produced in languages other than English and Welsh, large print documents</p>	
--	---	--

<p>What consultation was carried out? Consider any consultation activity already carried out, which may not have been specifically about equality but may have information you can use</p>	<p>Consultation activity comprised: a) Bridgend Equality Forum; (comprising representation from public, private and third sector service providers and representative groups).</p>	
---	--	--

DRAFT

Consultation document and survey

A public consultation reviewing Bridgend County Borough Council's household waste and recycling service was conducted over an eight week period between 14 December 2015 and 8 February 2016. The survey was available to complete online through a link on the consultation page of the council's website or by visiting www.bridgend.gov.uk/consultation. The content of the page remains available online. The eight week survey was made available to complete in either English or Welsh via a link on the consultation pages of the council's website.

Paper copies of the consultation were also made available at local libraries and the Civic Offices, or alternatively, they could be sent directly to the residents upon request in either English or Welsh.

Comments regarding the consultation were also invited via letter, email and telephone call

Details of the consultation received promotion within the council through a 'message of the day' notification

Three proposals were considered which required a reply from respondents, a final qualitative question allowed respondents to propose their own alternatives to the proposal and to share their views on the topic. All questions in the survey were optional and all survey responses offered the option of anonymity.

Promotional tools and engagement methods

Details of the consultation were sent as part of a press release emailed to the stakeholders including; councillors, town and community councils, members of the Local Service Board (LSB), neighbourhood networks, the Youth Service Cabinet (YSC), Bridgend Equality Forum (BEF), Bridgend Business Forum (BBF) and business directory, Bridgend First, Bridgend Employer Liaison Partnership database, Communities First database and local media outlets.

Citizens' Panel members interested in receiving additional consultations from Bridgend County Borough Council were invited to complete the survey using a link provided.

Bridgend County Borough councillors received a copy of the press release as well as local Assembly Members and Members of Parliament

A consultation document was created to provide respondents with information on the consultation itself and included a link to the consultation questionnaire. Contact details were also provided to offer additional support and guidance if necessary. Both documents were written in plain English to maximise potential inclusion and were also translated into Welsh

Social media

The council's corporate Facebook and Twitter accounts were used to promote the consultation throughout the live campaign period.

The council tweeted its 6,615 @Bridgend CBC followers and posted to its 4,365 Facebook fans about the consultation on several occasions during the consultation period to help raise awareness.

A live social media debate was held with the director of communities on Thursday 4 February 2016 held between 17:30 – 18:30. The event was promoted leading up to the debate to generate awareness and interest. During the debate, Mark Shephard opened the session by inviting questions which were themed around the consultation.

Local press

The consultation featured on Wales Online from 14 December 2015 and the Gazette newspaper on the 16 December 2015, the Glamorgan Gem and Seaside news also covered the topic on multiple occasions. Information on the consultation featured in members' columns in local publications also. The story was also distributed online through third parties.

The topic overall has received high levels of publicity across Wales

Engagement event

Bridgend County Borough Council officers gave members of Bridgend's Equality Forum the opportunity to arrange an engagement session to help those with additional needs to complete the surveys and to encourage representative groups who are partners of the forum to cascade information down to their members and encourage them, as individuals, to respond to the consultation and survey.

Posters

Bilingual posters advertising the consultation were placed in all local libraries and the Civic Offices with contact details on the range of ways in which the public could respond to the consultation.

The consultation survey was made up of 3 Sections :

- section one asked four questions regarding the respondent to understand their demographic;
- section two included eight quantitative questions regarding the Waste Collection Service and proposed changes to current operational procedures;
- section three featured the standard equalities questions suggested by Welsh Government

All questions asked in the survey were optional and all survey respondents had the opportunity to remain anonymous.

The following consultation was undertaken with equality groups:

Record of consultation with people from equality groups

Group or persons consulted	Date, venue and number of people	Feedback, areas of concern raised	Action Points
Anthony Gribben (<u>Shout Bridgend</u>)	E mail 26 th January 2016 .	'Many thanks Clive our members are responding to this consultation at the moment and hopefully we can arrange for you or a member of your team to come and talk to us about this subject in the near future as I am sure they will have a few questions for you.'	Awaiting further response on invite to speak to group.

<p>Bridgend Coalition dp</p>	<p>E mail 26th January 2016 .</p>	<p>Hi Clive</p> <p>Sorry only just seen this message. I will forward info on to all our members to see if anyone has issues. The main issue that I am aware of is regarding adults who have incontinence issues and problems with storing large nappies, similar to those with small babies but obviously adult nappies are larger. Storage of general waste is also an issue as with anyone else but many disabled people have less places to</p>	<p>Awaiting further response on issues It is BCBC's intension to implement a separate Absorbent Hygienic Products Collection Service</p>
------------------------------	--	--	--

		<p>store rubbish. I will be in touch if any other issues arise</p> <p>thanks, SIMON GREEN (Chair, BCDP)</p>	
Katrina Kurowski (Bridgend People First)	E mail 26 th January 2016 .	<p>Thanks for letting us know - how can I access the consultation? Is it online? It would be great to consult with our groups so that they feel they are having a say on local issues.</p>	Replied advising that consultation team would supply information on access to documents
Cristina Lepri (abfabb)	E mail 26 th January 2016 .	No Response	No further action
Elizabeth Bevan (Snapcymru)	E mail 26 th January 2016 .	No Response	No further action
Elizabeth Jones (shaw-trust)'	E mail 26 th January 2016 .	No Response	No further action

Every Link Counts	E mail 26 th January 2016 .	No Response	No further action
Jason Price (mhmwales)	E mail 26 th January 2016 .	No Response	No further action
Karyl Carter (Stroke)	E mail 26 th January 2016 .	<p>Hi Clive.</p> <p>I requested copies of the consultation pro-forms from Andrew (Harris?) and a number of my group members have completed them. I am going to the HMD event as an invited guest on 5th February and intended to pass them to Paul Williams then. Is that ok?</p> <p>Best wishes, Karyl</p>	<p>Replied 27th January 2016 Via E mail</p> <p>Hi Karyl</p> <p>That's great thanks very much for your response</p> <p>No Further Action</p>

Michelle f (bda)	E mail 26 th January 2016.	No Response	No further action
Tony (Shout Bridgend County)	E mail 26 th January 2016.	No Response	No further action

DRAFT

Extracts from Consultation Report

Response rate

In total there were 2,795 responses received to the survey. This included:

- 2,361 responses to the consultation surveys were received online – of the responses received there were 2,347 English online submissions and 14 Welsh versions completed.
- During the social media question and answer sessions there were a total of 19 interactions from Twitter and 120 interactions from Facebook, being seen a total of 15,977 times on Twitter and 8,446 times on Facebook respectively. During the consultation period there were a total of 468 interactions using social media.
- There were 57 responses received by email, 57 responses by post and 11 responses via telephone call.

Response format	#	%
Online survey responses	2,361	84.5
Social media	218	7.8
Social media debate	91	3.3
Emails	57	2.0

Total Survey Responses

Paper survey responses	57	2.0
Telephone	11	0.4
Total	2,795	100.0

Survey Respondents: Age Categories

	Under 18	18 - 24	25 - 34	35 - 44	45 - 54	55 - 64	65+	PNTS	Total
#	0	61	460	622	520	403	270	22	2,358
%	0.0	2.6	19.5	26.4	22.1	17.1	11.5	0.9	100.0

2. Assessment of Impact

Gender	Impact or potential impact	Actions to mitigate
Identify the impact / potential impact on women and men.	Breakdown of consultation respondents is: Male 550 Female 818 Other 2	Neither men nor women will be disproportionately negatively affected by this proposal.

	<p>preferred not to say 33</p> <p>The council is mindful that this figure may not be a full and true representation of usage.</p>	
Disability	Impact or potential impact	Actions to mitigate
Identify the impact/potential impact on disabled people (ensure consideration of a range of impairments, e.g. physical, sensory impairments, learning disabilities, long-term illness).	<p>From the responses received to the equality related questions within the consultation,</p> <p>117 respondents confirmed they had a disability (as described in the Equality Act 2010),</p> <p>1240 confirmed they did not have</p>	<p>At the commencement of the new contract on 1st April 2017, the Council will transfer the management of the assisted collection service to the incoming contractor the council will (in terms of protected characteristic), monitor the assisted collection</p>

	a disability, 49 preferred not to say and 63 did not answer the question. The council is mindful that this figure may not be a full and true representation of usage.	service offered by the waste collection contractor to ensure no protected characteristic group (or other hard to reach or socially excluded group) is negatively impacted.
Race	Impact or potential impact	Actions to mitigate
Identify the impact/potential impact of the service on Black and minority ethnic (BME) people.	<p>Breakdown of consultation respondents is:</p> <p>Asian or Asian British: 4</p> <p>White: 1344</p> <p>Mixed / Multiple Ethnic Groups 2</p> <p>Black / African / Caribbean / Black British 2</p>	There is no potential negative or disproportionate effect on Race expected by this service review. However, the council will, as far as possible, monitor the use of the service to ensure no protected characteristic group (or other hard to reach or socially excluded group) is negatively impacted.

	<p>Other ethnic group 5</p> <p>Prefer not to say: 28</p> <p>Question unanswered: 67</p> <p>The council is mindful that this figure may not be a full and true representation of usage.</p>	<p>The council will take appropriate action to communicate with all Black and minority ethnic (BME) people in their chosen language.</p>
Religion and belief	Impact or potential impact	Actions to mitigate
<p>Identify the impact/potential impact of the service on people of different religious and faith groups.</p>	<p>Breakdown of consultation respondents is:</p> <p>Christian: 659</p> <p>Hindu: 3</p> <p>Muslim 3</p> <p>No Religion 620</p> <p>Other religion or belief: 18</p>	<p>There is no potential negative or disproportionate effect on religion and belief expected by this service review. However, the council will, as far as possible, monitor the use of the service to ensure no protected characteristic group (or other hard to reach or socially excluded group) are negatively</p>

	<p>Prefer not to say: 101</p> <p>The council is mindful that this figure may not be a full and true representation of usage.</p>	<p>impacted.</p>
Sexual Orientation	Impact or potential impact	Actions to mitigate
<p>Identify the impact/potential impact of the service on gay, lesbian and bisexual people.</p>	<p>Breakdown of consultation respondents is:</p> <p>Gay man: 12</p> <p>Heterosexual: 1223</p> <p>Prefer not to say: 126</p> <p>Gay Women : 15</p>	<p>There is no potential negative or disproportionate effect on sexuality expected by this service review. However, the council will, as far as possible, monitor the use of the service to ensure no protected characteristic group (or other hard to reach or socially excluded group) are negatively</p>

	<p>Bisexual : 11</p> <p>Prefer not to say: 126</p> <p>The council is mindful that this figure may not be a full and true representation of usage.</p>	<p>impacted.</p>
Age	Impact or potential impact	Actions to mitigate
<p>Identify the impact/potential impact of the service on older people and younger people.</p>	<p>The analysis of respondents' age within the equality related questions within the consultation is outlined on page 16 of this Equality Impact Assessment. The council is mindful that this figure may not be a full and true representation of usage.</p>	<p>However the council will, as far as possible, monitor the use of the service to ensure no protected characteristic group (or other hard to reach or socially excluded group) is negatively impacted.</p> <p>The contract will make provisions for assisted collections for older</p>

		people who are unable to present their waste for collection this service will be managed by the incoming contractor.
Pregnancy & Maternity	Impact or potential impact	Actions to mitigate
Identify the impact/potential impact on pregnancy and maternity	<p>Breakdown of consultation respondents is:</p> <p>Currently pregnant: 20</p> <p>Not currently pregnant: 785</p> <p>Prefer not to say: 9</p> <p>Pregnant in last 26 weeks?: 29</p>	<p>There is no potential negative or disproportionate effect on pregnancy and maternity expected by this service review. However, the council will, as far as possible, monitor the use of of the service to ensure no protected characteristic group (or other hard to reach or socially excluded</p>

	<p>Not pregnant in last 26 weeks: 777.</p> <p>Prefer not to say: 6</p> <p>The council is mindful that this figure may not be a full and true representation of usage.</p>	<p>group) are negatively impacted.</p> <p>The council will be implementing an Absorbent Hygienic Product collection service at the commencement of the new contract on 1st April 2017, collection of the AHP will take place on a 2 weekly basis at the same time as the residual waste collection.</p>
<p>Transgender</p>	<p>Impact or potential impact</p>	<p>Actions to mitigate</p>
<p>Identify the impact/potential impact of the service on transgender people</p>	<p>Breakdown of consultation respondents is :</p> <p>Is your gender the same now as</p>	<p>There is no potential negative or disproportionate effect on Transgender expected by this service review. However, the</p>

	<p>that you were assigned at Birth.</p> <p>Yes: 1342</p> <p>No: 5</p> <p>Prefer not to say: 36</p> <p>There is no anticipated impact of gender dysphoria on individuals which may result in Trans people not wishing to use the service for fear of being a hate crime/incident target or harassment.</p>	<p>council will, as far as possible, monitor the use of the service to ensure no protected characteristic group (or other hard to reach or socially excluded group) are negatively impacted</p>
Marriage and Civil Partnership	Impact or potential impact	Actions to mitigate
Identify the impact/potential impact of the service on Marriage and Civil Partnership.	<p>Breakdown of consultation respondents is :</p> <p>Single: 131</p>	<p>There is no disproportionate or negative affect identified by this proposal in terms of marriage and civil partnership</p>

	Married: 891 Divorced: 81 Partnered: 174 Civil Partnered: 13 Widowed: 30 Prefer not to say: 76	
--	---	--

DRAFT

It is essential that you now complete the action plan. Once your action plan is complete, please ensure that the actions are mainstreamed into the relevant Service Development Plan.

3. Action Plan

Action	Lead Person	Target for completion	Resources needed	Service Development plan for this action
Ensure that assisted collection service is included in contract documentation for the contractor to implement and the client to monitor.	Service manager	Completion by the issue of the contract document to procure the new waste collection contractor. This will be an ongoing situation during the contract period.	Only Staff time required will be to monitor the contractors systems and actions. This will only require the contractor's system to be monitored	The assisted collection service will be run by the incoming contractor and will be monitored by BCBC on a monthly basis.

			during the contract period.	This system will be in use for those people who suffer disabilities and age
--	--	--	-----------------------------	---

Please outline the name of the independent person (someone other the person undertaking the EIA) countersigning this EIA below:

Paul Williams, Equality Officer

Please outline how and when this EIA will be monitored in future and when a review will take place:

Should BCBC's cabinet approve proposals for change, they will be implemented on 1st April 2017 when the new Waste Collection Service contract comes into force. Following implementation the monitoring actions outlined above will be put into practice. Any suggestions for improvements that can be accommodated within financial constraints will be incorporated into the Streetworks Service Development plan.

Signed:

Date:

4. Publication of your results and feedback to consultation groups

It is important that the results of this impact assessment are published in a user friendly accessible format.

It is also important that you feedback to your consultation groups with the actions that you are taking to address their concerns and to mitigate against any potential adverse impact.

Please send completed EIA form to [Paul Williams, Equalities and Engagement Officer](#)

DRAFT

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES

15 MARCH 2016

STATUTORY HIGHWAY AGREEMENTS– UN-ADOPTED ROADS AND PATHS THAT ARE SUBJECT TO SUCH AGREEMENTS

1. Purpose of Report.

- 1.1 To seek approval to trial the services of a specialist consultant to complete works in connection with selected outstanding statutory highway agreements so that roads and paths that are subject to such Agreements within developments can be adopted by the Highway Authority without having to use public funds.

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

- 2.1 The current Corporate Improvement Plan 2013-2017 has six Improvement Priorities. The first of these is to “improve the local economy”. In order to do this, it is necessary to have a functioning, well-maintained highway network to facilitate movement of people and goods.
- 2.2 The sixth Improvement Priority in the Corporate Improvement Plan is to “work together to make the best use of our resources”. One of the ways that the Plan says we will achieve this is to “explore innovative and flexible ways of delivering services, including commissioning.” As a result of current staffing levels and current workload, it is not possible to “call in the Bond” as required by the signed statutory highway Agreements for problem sites using our own staff. Consequently, it will be necessary to seek the services of an external specialist Consultant in such matters, in order to achieve any progress for such sites.

3. Background.

- 3.1 The Council has powers as a Highway Authority under Section 38 of the Highways Act 1980 (Section 38 Agreements) to enter into Legal Agreements with developers (or other persons) to adopt highways (roads and/or paths) that they build as part of their developments for future maintenance at public expense.
- 3.2 The criteria for the adoption of highways include that they must be of sufficient public utility, constructed to agreed standards, maintained for the maintenance period by the developer, and be used as a highway during the maintenance period.
- 3.3 Those elements of a highway may include carriageways cycle-ways, footways, verges, service strips, street lighting and highway drains where no public sewer has been provided.
- 3.4 A Section 38 Agreement provides for a developer to bear the costs of the construction and maintenance of the highway and other appropriate matters. A bond or cash deposit is deposited to cover the cost of bringing the road up to an

adoptable standard should a developer become insolvent or is otherwise unable to meet their obligations under the Agreement.

- 3.5 Most residents in buying a new property seek assurance via their solicitors that the highway will eventually be adopted under the mechanism of a Section 38 Agreement. The existence of a Section 38 Agreement and Bond is revealed on a Local Land Charges Search which is part of the conveyancing process.
- 3.6 It is prudent for the Council in its capacity as the Highway Authority not to adopt a highway until a development is completed. This ensures that wear or damage through the use of the road by construction traffic is not rectified at the public expense but by the developer.
- 3.7 The time taken for a highway to become adopted and maintainable at the public expense is dependent upon the developer and how long it takes for a development to be completed to the stage that the highway is of adoption standard. In some cases a small development may only take a matter of months to complete and the highway may then be ready for adoption in a short timeframe. In other cases with much larger developments it can be several years before the roads are ready for adoption. In addition the economic climate can have an impact on the speed with which developments are brought to the stage when the highway can be adopted.
- 3.8 In a number of instances however developers have either unfortunately ceased to trade before bringing the highway in their developments to an adoptable standard or have failed to construct the highway to a standard that is suitable for the Council to adopt. This has resulted in concerns being raised by Local Members and residents who highlight that it has a serious impact upon those living on developments where they were informed that the highway would be adopted but through no fault of their own they remain un-adopted. Such residents may find that they are responsible for maintenance costs and meeting the costs of insurance claims, whereas if the highway were adopted then these responsibilities would be assumed by the Council. Residents living on a development where the roads have not been adopted may find it difficult to sell their houses and may have Council services such as regular litter-picking denied as a result of the non-adoption of their road. Residents may even find themselves left with a half-finished road.

4. Current situation / proposal.

- 4.1 The Council in its capacity as the Highway Authority recognises that this is important issue but unfortunately does not have sufficient resources available to deal with all of the outstanding Section 38 Agreements and ensure that roads are completed to a standard where they may be adopted. It is therefore important that an alternative solution can be found as it is likely that some long standing issues with un-adopted roads on developments will continue unresolved as explained in paragraph 3.8 above).
- 4.2 There are instances when it is difficult for the Highway Authority to make progress on such matters particularly when a developer has ceased to trade or sold on their site or business. In addition, in the case of older developments, the original bond amount can be eroded by inflation meaning that there is insufficient funding for the Council to complete the necessary works to the developer's highways by default to

bring them up to adoptable standards so that they can be adopted. It is therefore necessary for early intervention in order to avoid such a scenario.

- 4.3 For those existing developments where the Developer has defaulted, it will be necessary to “call in the Bond” using the default procedure laid out in the Section 38 Agreement. This procedure involves a Notice – Counter-Notice process and will involve a tender process to engage a Contractor to carry out the outstanding (“default”) works. This procedure is resource-intensive, and the Council does not have the staff resources to carry out the default process in addition to the usual workload.
- 4.4 One option open to the Council is to make use of a specialist consultant to complete works on behalf of developers utilising the bond supporting the Section 38 Agreement. These specialist consultants offer their services to navigate through the complexities of these issues without it becoming an additional burden to a local authority in either time or resource as their fees can be recouped as part of the “establishment charges” defined in the Agreement. The establishment charges are defined as “the costs incurred by the Council in the surveying, inspecting, designing, estimating, preparing tender documents, inviting tenders, vetting tenders, letting successful tender and supervising a scheme of completion works including all administration procedures associated with the scheme”. The default procedure allows for the amount or remaining bond to be claimed from the Surety and be used for carrying out any default work, maintaining the works for the maintenance period prior to the road or roads becoming maintainable at the public expense, payment of the appropriate usual establishment charges of the Council and any outstanding commuted sums/one-off payments owing to the Council. Therefore there is no additional financial burden on the Authority by using external consultants rather than in-house staff.
- 4.7 Such consultants are already employed by a number of other councils who are Highway Authorities including Durham, Shropshire and Worcestershire County Councils who have all reported favourably on the consultants.
- 4.8 The consultants have expertise and experience in dealing with outstanding Section 38 Agreements that the Council would have difficulty in completing. This enables them to bring most outstanding Agreements to a satisfactory conclusion with the eventual adoption of the estate roads and at no cost to the Authority.
- 4.9 In exploring the use of such consultants in the County of Bridgend the Council has recently been approached by Bellavail Indemnity Management Services (IMS) who provide such a service and have worked for a number of other local authorities and successfully dealt with over 300 outstanding Agreements over the past 6 years. In order to ascertain if the service offered is of benefit to the Council it is proposed to carry out a trial arrangement with Bellavail (IMS) whereby they are employed to bring a particular site to a satisfactory state so that the estate roads may be adopted. Upon completion of the trial it is proposed that the results will be reported back to Cabinet. If the trial is deemed to be successful and the service offered is still required then a proposal will also be presented to Cabinet to enter into a formal agreement through the appropriate procurement processes.
- 4.10 By having a small initial trial the Council will be able to determine the usefulness of the service offered prior to carrying out a full procurement tendering process. The

Procurement Section are satisfied that an initial trial of one site only using this Consultant will be acceptable, although if successful and the Council wish to continue to employ external consultants for similar matters then adherence to the full procurement procedure will be required. In order to undertake this small trial a A waiver of the Council's Contract Procedure Rules will be required under Rule 3.6 to permit this small trial to take place by means of a single tender procedure. Under Rule 3.6 of the Council's Contract Procedure Rules a single tender procedure shall only be permitted when a single firm or contractor or a proprietary item or service of a special character is required and justified. The circumstances as outlined in the report demonstrate that this is of a special character and is justified in order for the Council to be able to assess whether this consultancy process can be successful and enable the Council to then consider a full procurement exercise.

5. Effect upon Policy Framework & Procedure Rules.

5.1 There is no effect upon Policy Framework or Procedure Rules

6. Equalities Impact Assessment

6.1 An Equality Impact Screening Form has been completed and this did not highlight potential impacts.

7. Financial Implications.

7.1 The use of a specialist consultant will have no financial impact on the Council as the Consultant's fees will be recouped as part of the "establishment charges" defined in the relevant statutory highway Agreements.

8. Recommendation.

It is recommended that:

8.1 Approval be given for the Corporate Director-Communities to enter into a trial arrangement with Bellavail (IMS) where they are engaged to bring the highways for an identified area or areas to be decided upon by the Corporate Director - communities to an adoptable standard utilising the bond supporting the main agreement, and in order for the trial to take place Cabinet authorise under Rule 3.6 waiver of the Council's Contract Procedure Rules to enter into the agreement with Bellavail (IMS).

8.2 Upon completion of the trial it is proposed that the results of the trial be reported back to Cabinet and if the trial is deemed to be successful and the service offered is still required then arrangements will be made for tender documents to be prepared and issued in accordance with the appropriate procurement processes to engage the services of a specialised consultancy service.

MARK SHEPHARD CORPORATE DIRECTOR - COMMUNITIES

Contact Officer: Kevin Mulcahy, Group Manager Highways
Telephone: (01656) 642535

E-mail: kevin.mulcahy@bridgend.gov.uk

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

HIGHWAY & OPEN SPACE GRASS CUTTING ARRANGEMENTS 2016

1. Purpose of Report.

1.1 The purpose of the report is to seek Cabinet approval :

- i. for the preferred service level for highway and open space grass and hedge cutting, and
- ii. for the award of the contract for the provision of grass and hedge cutting services, as detailed in this report.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The review and subsequent outsourcing of the highway and open space grass cutting service provided by the Council, formed part of the Communities Directorate response to reconciling operational levels of service with the financial settlement at the time and was in accordance with the improvement priorities detailed in the Corporate Plan under Priority 6 - (Working Together to Make Best Use of Our Resources). This report for the second award of contract for grass and hedge cutting also falls under Priority 6 – Best use of resources.

3. Background.

3.1 As part of the Medium Term Financial Strategy (MTFS) for 2015/16 the Grounds Maintenance and Bereavement Services had a savings target of £437,000 to achieve. In seeking to meet this target a comprehensive review of the staffing structures and management arrangements within the Parks and Playing Fields Service area was initiated. However, it was not possible to achieve all of the savings required from this structural review alone, and it was, therefore, necessary to also review operational practices and procedures. Part of this review identified the cutting of highway and open space grass across the County Borough as an area where savings could be made. Following a review of grass cutting arrangements, tenders were sought from selected contractors for a range of service level options.

3.2 The cutting of open space is to all intents and purposes driven by aesthetic considerations. In extreme circumstances i.e. little or no cutting taking place, health and safety concerns may arise i.e. fire risk in dry summers. The cutting

of grass alongside highways - high speed roads, is driven more by safety considerations - maintaining sight lines, vision splays etc., with aesthetics being a secondary consideration. There is no stipulation in highway legislation of minimum maintenance levels. The obligation is simply to implement a regime of maintenance. The level of maintenance adopted is, in principle, a decision for the Council. That said, best practice based on the general requirements of codes of practice are available and no doubt reference will be made to the relevant recommendations these contain should any incident occur which results in legal action against the Council.

- 3.3 Cabinet on the 3rd February 2015, made a decision to award the contract to the lowest priced tenderer and to reduce the service level from 9 annual urban cuts and 5 annual rural cuts to 7 and 4 cuts respectively – a number of areas were also identified where more ‘relaxed’ regimes of maintenance could be used ie meadow and herbaceous regimes. This change resulted in a net budget saving to the Council of approx. £132,000 – approximate contract value of £157,000. This along with other measures identified by the review would achieve the balance of the savings required to meet the saving target without undue impact on the remainder of the service area.
- 3.4 The performance of the contract on balance was acceptable, however, the contractor, whilst keen to continue providing the service for the Council, was of the opinion that he was unable to do this for a second year on the basis of the existing contract.
- 3.5 Based on the principle that tendering of this work resulted in a significant budgetary saving, repeating the process was viewed, on balance, as the best course of action to follow given the ongoing requirements of the MTFs, even though the outcomes of this last maintenance season would seem to suggest, that the scale of the savings achieved through the initial outsourcing exercise were unlikely to be realised again.
- 3.6 Based on the experience gained last year the following changes were made to the tendered contract : –
- an extended contract period – 2 year contract, with a possible extension for a further year
 - single swathe highway grass cutting (2 cut side arm flail work) and field hedge cutting added to the contract,
 - revised matrix of service levels – refer to **Appendix 1**

4. Current Situation

- 4.1 Working in conjunction with Procurement, an open procedure electronic tender exercise was conducted. An OJEU notice was placed in the European Journal and the tender opportunity was also advertised through Sell2Wales on the 30th December 2015. The closing date for tender submissions was the 4th February 2016. Five tenders were received via the electronic tendering portal (E-tenderWales) and subsequently evaluated.

- 4.2 The evaluation process used consisted of two stages. Stage 1 - an assessment of the tenderer's responses to mandatory/compliance criteria and supporting information. Tenderers not meeting these requirements were eliminated at this stage. Stage 2 - An assessment of price alone, i.e. this being the basis of identifying and evaluating the most economically advantageous tender.
- 4.3 Two companies failed to meet the minimum mandatory/compliance criteria and were eliminated at Stage 1. The details of the Stage 2 assessment of the remaining three tender submissions are provided in **Appendix 2**.
- 4.4 Contractor 5 provided the most economically advantageous tender, with three service level options being priced. Service Level 2 is equivalent to the level of service used last year, albeit that this year's tender includes additional work - single swathe grass cutting and hedge cutting. Whilst the cost of this additional work is budgeted for, there is an underlying increase in cost for the remaining grass cutting work (the urban and rural grass cutting). This will manifest itself as a budget pressure. For Service Level 2 this underlying increase in cost is £80,000 per annum.
- 4.5 For an improved level of service ie Service Level 1 – refer to **Appendix 1**, the budget pressure would increase to £142,000 per annum.
- 4.6 The option is available to reduce the scope of the new contract to Service Level 3. This change would still result in an increased contract value, however, the underlying increase – budget pressure, would be reduced to £35,000 per annum. Cabinet is requested to note that Service Level 3 would be a much reduced service. The main changes being the reduction in the frequency of urban verge and open space grass cutting from the current 7 four weekly cuts per season to 5 six weekly cuts, and the reduction of single swathe grass cutting from twice a year to once only. The cutting of grass along the strategic highway network would remain at 4 nine weekly cuts on the grounds of Health and Safety. Hedge cutting would remain at one cut per season.
- 4.7 As part of the tendering exercise for the initial 2015 contract, an in-house bid was submitted which, as well as being a bona fide bid to secure the delivery of the service, was also used as the 'cost comparison benchmark' for the assessment of the other submitted tenders. The Parks and Playing Fields Service, the Cemeteries Service and the Coychurch Crematorium have recently been restructured into a combined Green Space and Bereavement Service Area. The structure adopted for the Green Space element of the service area, reflected the arrangement whereby the urban and rural grass cutting was delivered through an outsourced contract. Operating areas have been reduced from four to two, with supervision reduced to reflect this set up. In addition depot provision is being rationalised, with all operational areas of the service area (grounds maintenance, cemeteries and play area inspection/maintenance), planned to be accommodated in the one depot at Bryncethin. Historically, these services have been delivered out of four area depots. These changes contribute significantly to the achievement of the

service area savings targets identified in the MTFs. In light of this background an in-house bid was not submitted for this tender. However, simply from the point of view of an operational price comparator/price check, the most economically advantageous tender is much closer to the in-house valuation of the services covered by this contract than was the case last year, now approximately £ 36,000 lower than an in-house operational service provision estimate for Service Level 2. This saving is in addition to the facilitation of the savings to the management structure and review of depots mentioned.

- 4.8 Cabinet are therefore asked to approve in the context of the ongoing challenging financial position, and the need to achieve set levels of savings, a level of service i.e. frequency of grass cutting/number of grass cuts per season, to be adopted by the Council for the new contract. This needs to strike a balance between achieving the necessary financial savings but preserving a level of service that continues to allow grass cutting to be preserved at an acceptable level. On balance this is best achieved by awarding the work to the contractor who submitted the most economically advantageous tender to deliver the service at Service Level 2 as described earlier in the report.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 This report has no effect on Policy Framework and Procedural Rules.

6. Equality Impact Assessment

- 6.1 The Council's Equalities Impact Assessment Toolkit has been utilised which indicates that the proposal would have no impact on specific equality groups.

7. Financial Implications.

- 7.1 Selection of Contractor 5 to deliver Service Level 2 would result in an 'underlying' increase in cost of £80,000. However, this increase can be met from within existing budgets by savings generated through the restructure of the service area in 15/16 and 16/17, together with overtime reductions. Despite the increase in cost there is still a net saving in outsourcing this element.

8. Recommendations.

- 8.1 Cabinet is recommended to approve the award of contract to Contractor 5 (Total Ground Care Ltd.) for the delivery of Service Level 2 as detailed in this report.

Mark Shephard
Corporate Director, Communities
March 2016

Contact Officer: Andrew Hobbs

Group Manager – Streetworks

Telephone: (01656) 643416

E-mail: andrew.hobbs@bridgend.gov.uk

Postal Address Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background Papers: Cabinet report 3rd February 2015 Highway and Open Space
Grass Cutting None

Service Level Options

Type of Grass	Service Level		
	1	2	3
Urban Grass (Open Space)	9 cuts at three weekly intervals Ht of cut 25mm Ht of grass prior to cutting 100mm to 150mm	7 cuts at four weekly intervals Ht of cut 50mm Ht of grass prior to cutting 150mm to 200mm	5 cuts at six weekly intervals Ht of cut Ht of grass prior to cutting 200mm +
Rural Grass (Highway Grass)	Vision Splays 6 cuts at four weekly intervals All other Areas 4 cuts at four weekly intervals (late start and early finish to cutting cycle) Ht of cut 50mm Ht of grass prior to cutting 200mm +	Vision Splays 5 cuts at six weekly intervals All other Areas 3 cuts at six weekly intervals (late start and early finish to cutting cycle) Ht of cut 50mm Ht of grass prior to cutting 250mm +	Vision Splays 4 cuts at 8 weekly intervals All other Areas 2 cuts – one early and one late season cut Ht of cut 50mm Ht of grass prior to cutting 300mm +
Naturalised Areas	The maintenance regime for all naturalised areas will be one early and one late season cut (2 cuts per season)		

Stage 2 Price Assessment

Service Level	Contractor 1	Contractor 2	Contractor 3	Contractor 4	Contractor 5
Service Level 1	Failed Stage 1 Assessment	£354,601.26	Failed Stage 1 Assessment	£1,235,762.00	£325,003.20
Service Level 2		£288,566.73		£1,003,731.00	£263,309.89
Service Level 3		£251,148.68		£725,835.40	£218,085.49

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 March 2015

REPORT OF THE CHIEF EXECUTIVE

NATIONAL PATHWAY FOR HOMELESSNESS SERVICES TO CHILDREN, YOUNG PEOPLE AND ADULTS IN THE SECURE ESTATE

1. Purpose of Report

1.1 **The purpose of this report is to update Cabinet** on the National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate developed by Welsh Government and to seek delegated authority for the Chief Executive to sign up to the spirit of the National Pathway.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

2.1 **The Pathway will help to deliver the current Corporate Improvement Priorities of:**

- Working together to help vulnerable people to stay independent; and
- Working together to make the best use of resources.

3. Background

3.1 The new Housing (Wales) Act 2014 reinforces the duty to prevent homelessness. It introduced a new corporate duty for Local Authorities to take reasonable steps to help people prevent homelessness, extended the definition of 'threatened with homelessness' from 28 to 56 days and introduced a power rather than a duty to apply the intentionality test.

The intention is to provide more help for more people either at risk of becoming homeless, or homelessness, while also retaining the safety net for those vulnerable people who need the additional support.

3.2 The new Act enables the improvement of the private rented sector, better standards in social housing, help to meet people's housing needs and prevent homelessness, enhance our communities and help prevent the difficulties and lack of opportunities often encountered by vulnerable people.

3.3 The duty to prevent homelessness under the new Act is irrespective of whether the applicant has a local connection to Bridgend or, whether the applicant is intentionally homeless.

- 3.4 In the event that homelessness prevention is not successful, there is a duty to relieve the applicant's homelessness and again, there is a duty to take all 'reasonable steps' to do so.
- 3.5 Prior to the Housing (Wales) Act, it was quite often the case that a prisoner would be released from custody and arrive at the Local Authority's office homeless the same day. The Authority would rarely have any notice of this release. Where notice was provided, this merely consisted of the name of the prisoner and the date of release. This was not consistent; some Prisons did not send notification. The Authority would not be furnished with any other information and would often have to make contact with numerous agencies to request or, to formulate a risk assessment plan.
- 3.6 The lack of notice of released prisoners often impacted on resources as it would entail a last minute homeless presentation plan, pressure of time in undertaking the emergency appointment resulting in a number of advisors becoming involved to undertake the interview and contact different agencies to gather information.
- 3.7 Prior to the Housing (Wales) Act, the Housing Act 1996 deemed a released prisoner with local connection to be a priority need category for accommodation. The Authority was faced with individuals assuming they would be accommodated and often, the individuals would not take steps to help their own situation. Not all prisoners were vulnerable and could otherwise manage to secure accommodation independently, albeit with some support, and did not require the Authority to secure accommodation for them.
- 3.8 The Housing (Wales) Act removed the criteria of prisoners being deemed automatic priority need for accommodation and replaced the priority need status with:
- 'A person who has a local connection with the area of the local housing authority and who is vulnerable as a result of one of the following reasons:*
- *having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) act 2000;*
 - *having been remanded in or committed to custody by an order of a court, or:*
 - *having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012'.*
- 3.9 To manage the impact of the change to prisoner's priority need status, the previous Minister established a Prisoner and Resettlement Working Group which BCBC is a member of. The aim of this group was to develop effective arrangements to support the prevention of homelessness for released prisoners. The joint efforts of all agencies that formed this group led to the development of the 'National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate'.

4. Current situation / proposal

- 4.1 Preventing homelessness can help to break the cycle of offending, as well as avoiding all the negative impacts which can result from being without a home. The Pathway offers significant opportunity to help individuals avoid homelessness on release from custody.
- 4.2 From 1st May 2015, every adult prisoner has had access to 'Through the Gate' resettlement services which starts whilst they are still in custody and continues in the community. The aim is to reduce reoffending by providing a package of support. The package might include help finding accommodation.
- 4.3 The Pathway ensures that action is taken to address the needs of those held in custody and that those in custody have the same access to the advice and assistance services resulting from the duties detailed below.
- 4.4 The Housing (Wales) Act places a duty on the Council to assist those who are threatened with homelessness within 56 days. In addition, the new Act places a duty on the Council to take 'reasonable steps, to prevent homelessness.
- 4.5 The duty to prevent homelessness under the new Act is irrespective of whether the applicant has a local connection to Bridgend or, whether the applicant is intentionally homeless.
- 4.6 In the event that homelessness prevention is not successful, there is a duty to relieve the applicant's homelessness and again, there is a duty to take all 'reasonable steps' to do so.
- 4.7 The prisoner pathway ensures consistent services are provided to all prisoners, which recognise the type and timing of the assistance prisoners need. It contains standard forms for use, which will help to ensure consistent services are provided to those who need them. It also ensures the Authority is furnished with information on the prisoner and, is provided with a risk assessment.

The pathway operates as follows:

- 4.8 Housing support commences on reception into custody. A prisoner will receive support to sustain or end tenancy. To assist the Authority and the Community Rehabilitation Company, this support can be provided by Prison Link Cymru which is a Welsh Government-funded support service.
- 4.9 During the 12 week resettlement window prior to release, the prisoner undergoes a review with the Community Rehabilitation Company. Consideration is then given as to whether the prisoner needs to apply to the Authority to secure accommodation.
- 4.10 If an application to the Authority is required, a standard Referral form is completed and sent to the relevant Local Authority approximately 66 days prior to release. This timescale takes into consideration the requisite 56 days

for a Homeless Relief duty to be triggered and, the period of 10 days within which the Housing Assessment must be completed.

- 4.11 At the time the referral is sent to the Authority, a Housing Risk Assessment is requested by the Community Rehabilitation Company from the Offender Manager in the Community which is then completed and sent to the Authority within 5 working days.
- 4.12 Together, the referral form and the Housing Risk Assessment become the referral to the Authority which is sent to a single point of contact within the Local Authority. This referral triggers the Housing Assessment.
- 4.13 Within 10 days the Local Authority will notify the prisoner of the outcome of the Housing Assessment and also detail the reasonable steps both the authority and prisoner will take to relieve the prisoner's homelessness.
- 4.14 The Authority retains the power to make a local connection referral to another Local Authority if the referral is received from a prisoner who does not have a local connection to the Bridgend County Borough area. The local connection referral is made back to the Local Authority area where the prisoner has a local connection.
- 4.15 On release, the support continues either via continuation of existing case and if the prisoner is deemed to be Priority Need, interim accommodation will be secured. If the existing case has closed, being release from prison is considered a change in circumstances in the Code of guidance to local authorities on the allocation of accommodation and homelessness 2015 therefore, it will result in a new homelessness assessment and again the Authority can consider whether to provide interim accommodation if the prisoner is deemed a priority need.
- 4.16 An applicant has the right to review the outcome of the assessment and the ending of any of the duties owed including the reasonable steps taken.
- 4.18 The Pathway has reduced the number of unexpected homelessness presentations and has benefited the Authority by having risk assessments.
- 4.19 It was initially anticipated that being a host Authority to a prison, the Authority would receive a higher number of referrals due to prisoners not wanting to return to their own area or, to request assistance in preventing homelessness due to this not having the criteria that there has to be a local connection for this type of assistance. This has not been the case and referrals have primarily been for those who have a local connection to this Local Authority Area.
- 4.20 Welsh Government has now requested that all Local Authorities sign up to the spirit of this Pathway to support prisoners on release from custody. Welsh Government must report back to both the Minister for Communities and Tackling Poverty and the Minister for Public Services with regards to the Local Authority's decision.

5. Effect upon Policy Framework& Procedure Rules

5.1 None.

6. Equality Impact Assessment

6.1 The National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate' was developed by Welsh Government. The responsibility of the Equality Impact Assessment would rest with them.

6.2 An Equality Impact Assessment was undertaken by the Authority on the main Housing (Wales) Act as part of the preparatory work to the Act, but no additional assessment has taken place in relation to the Pathway itself. However, the Pathway will provide a mechanism to follow the Act.

6.3 The main objective of the Pathway is to ensure more equality in terms of helping a particular disadvantaged group gain access to the new legislation.

7. Financial Implications

7.1 There are no financial implications arising from this report. The Pathway has reduced the number of unexpected homelessness presentations to the Authority.

8. Recommendation

8.1 Cabinet is recommended to note the contents of the report and delegate authority to the Chief Executive to sign up to the spirit of the National Pathway for Homelessness Services to Children, Young People and Adults in the Secure Estate on behalf of the Authority.

DARREN MEPHAM
Chief Executive

Contact Officer: Joanne Ginn
Team Leader Housing Solutions

Telephone: (01656) 643104

E-mail: Joanne.Mitchell@bridgend.gov.uk

Postal Address Civic Offices, Angel Street, Bridgend, CF31 4WB

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

JOINT REPORT OF THE CORPORATE DIRECTOR OF SOCIAL SERVICES AND WELLBEING AND CORPORATE DIRECTOR – RESOURCES

FINANCIAL ASSESSMENT AND CHARGING FRAMEWORK UNDER THE SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014

1. Purpose of Report.

- 1.1 To update Cabinet on the changes to the financial assessment framework introduced by the new Social Services and Well-being (Wales) Act 2014 for residential and non-residential services and seek approval to undertake a formal consultation exercise to inform a new Charging Policy.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report links to the following improvement priorities in the Corporate Plan:

- Working together to help vulnerable people to stay independent;
- Working together to make best use of our resources.

3. Background.

- 3.1 The Corporate Director of Social Services and Wellbeing's Cabinet report of 15th March 2016 on The Social Services and Wellbeing (Wales) Act 2014 details the main background to the new Act.
- 3.2 The charging and financial assessment provisions are contained in Part 5 of the Act this allows local authorities to impose charges for providing or arranging a service where appropriate. The Act provides for regulations to create a framework for charges, including matters to be taken in account in determining a person's ability to pay; and a system for review of a local authority's determination in this respect.
- 3.3 The regulations in relation to Part 5 of the Act (Charging and Financial Assessment) were laid in November 2015 and these can be found at <http://www.ccwales.org.uk/regulations-and-codes/>.

4. Current situation / proposal.

- 4.1 The Act provides for a single legal framework for charging for care and support, or in the case of a carer, charging for support. It provides a local authority with the discretion to charge in either case. It also provides authorities with the discretion to require payment of a contribution, or a reimbursement, towards the cost of securing care and support (or support to a carer) where a person receives direct payments to enable them to obtain this. Local authorities can exercise this discretion to charge, or to require a contribution or reimbursement where they feel it is appropriate to do so and where they have established that the person required to pay any charge,

contribution or reimbursement has sufficient financial means to do so. The framework entirely replaces the existing framework that is currently in use.

4.2 The Act brings together the duties and functions in relation to improving the well-being of people who need care and support, and carers who need support, into a single piece of legislation and a code of practice made under the Act (<http://www.ccwales.org.uk/codes-of-practice-and-statutory-guidance/>). The aim of the new framework is to provide a more streamlined and consistent system than is currently in place.

4.3 The main changes being introduced by the Act in relation to Charging and Financial Assessments are as follows:

- There will be a single financial assessment and charging framework for both non-residential and residential care, and for contributions or reimbursements for direct payments; this brings together the assessment rules for both residential and non-residential assessments;
- The Act specifies the information that must be provided to a person before they are financially assessed, with that person having 15 working days to provide any information or documentation that is required to complete the assessment;
- The local authority must allow up to 6 weeks free reablement to enable a person to maintain or regain their ability to live independently at home. This replaces the current 6 week's free homecare policy after a hospital stay and is not restricted to it being provided on a set number of occasions in any given period; it is provided on each occasion where a person requires reablement to maintain or regain their independence;
- The extension to residential care of the requirement to provide a person with a statement of their charge (as is currently required in charging for non-residential care);
- The extension to residential care of the requirement to operate the review process currently as required in charging for non-residential care;
- The ability of a local authority to charge a set level of interest on the amount deferred in a deferred payment agreement; the interest is calculated from the start of the deferred payment;
- Short-term residents in a care home, i.e. those whose stay is not expected to exceed 8 continuous weeks, are to be charged as if they were still receiving non-residential care at home. This means that short-term residents will pay a maximum of £60.00 per week (or a maximum of £60.00 for part week stays) for their respite stay. From the 9th week, their contribution can be assessed under the residential rules. Those whose stay is expected to exceed 8 weeks from the outset will be charged under the residential charging rules;
- The disregard applied to a War Disablement Pension in a financial assessment will increase from £10 to £25 per week from 6 April;

- The minimum income amount in residential care (known currently as the personal expenses allowance) is being increased by £1.00 to £26.50 per week from 6 April;
- A statement of a person's charge for residential care or non-residential care must be provided to them before the local authority can collect the charge. However, a person's liability for these commences on the day they first receive residential care, non-residential care or direct payments;
- When calculating a person's non-residential charge, the local authority must leave a weekly amount equivalent to any flat rate charges being paid in a person's minimum income amount. This is to ensure that the person is left sufficient funds to be able to pay for the flat rate charge;

4.4 There are major elements of the Authority's existing framework that remain unchanged under the new framework, these are as follows:

- The main categories of people, and the main categories of care and support, for which a charge cannot be levied are unchanged (e.g. those with Creutzfeldt-Jakob disease (CJD) and aftercare services provided under s17 of the Mental Health Act);
- The operation of the capital limit and its level (i.e. £24,000) remain unchanged;
- The operation of the minimum income amount (currently known as the buffer) and the disability related expenditure allowance in non-residential charging remain as now (notwithstanding flat rate charges);
- The present savings credit disregard in a residential financial assessment, and its level, remains unchanged and will be extended to non-residential financial assessments;
- The arrangements on a person's choice of accommodation, and the ability of an authority to charge an additional cost (referred to a top up at present) for more expensive accommodation chosen, are unchanged.

Deferred Payment Agreements

4.5 Deferred payment agreements are available to residents where they:

- Have had their care home place arranged by the Council;
- Own their home and the capital value of the property is taken into account in their financial assessment;
- Have savings below the £24,000 capital limit; and
- Are required to contribute towards the cost of their accommodation.

They are legal arrangements which currently allow the resident to defer part of their care payments until either the resident sells their main home, or until 56 days after the resident's death.

4.6 On 9th December 2014, Cabinet received a report outlining the current Deferred Payment Scheme and approved:

- A rate of interest at 4% above the Bank of England's base rate, capped at the County Court Judgment Rate (currently 8%), which is applied from day 57 after the resident's death;
- The introduction of legal and administration charges plus recouping Land Registry fees for the work undertaken in relation to deferred payment agreements.

4.7 The main changes in relation to deferred payments that are being introduced by the 2014 Act are as follows:

- Local authorities **must** offer a deferred payment agreement to people entering or in residential care who meet the eligibility criteria as defined in the regulations;
- Compound interest **may** be charged from the date that the person enters into a deferred payment agreement. The maximum interest that can be charged is 0.15% above the 'relevant rate', which is currently 2%, and accrues up to the point that the deferred payment debt is repaid.
- If for some reason the local authority cannot recover the amount it is owed in a deferred payment agreement, and seeks to pursue this through the courts, the local authority **may** charge the County Court rate of interest in that instance.
- Under the new Act, local authorities can still recover the administration costs associated with the agreements, including Land Registry fees, legal and ongoing operating costs.

4.8 If a resident wishes to apply for a deferred payment the resident or their representative will be required to sign a formal legal agreement. This will give more transparency and clarity and offer proper protection for both the Council and the resident. When the agreement is signed, the Council will place a legal charge under the new 2014 Act.

4.9 To ensure that new residents and their families are fully informed, a factsheet has been developed to explain how the Deferred Payments Scheme will work. This includes the suggestion that they seek independent legal and financial advice. The factsheet will be included in the information pack they receive before they move to residential care.

4.10 As a result of the Act, it is proposed that paragraph 5.9 of the Scheme of Delegations at Scheme B2 as a function allocated to the Corporate Director – Social Services and Wellbeing be amended accordingly with effect from 6th April 2016:

5.9	"To authorise and agree terms for, deferred payment agreements and legal charges under the Social Services and Well-being (Wales) Act 2014 and authorise the registering of the legal charges at the Land Registry on behalf of the Council".
-----	---

- 4.11 In line with the requirements of the Act, the Regulations and the Code of Practice, Authorities are required to decide which care and support, if any, they will make a charge, for the nature and level of any charges to be made and how these charges will be applied to particular care and support recipients. Within the framework, Authorities must also determine how their processes for undertaking the various stages of their charging procedure would operate and ensure that these are compliant with the Act.
- 4.12 The Code of Practice (Charging and Financial Assessment) states that where authorities design new policies, or significantly amend existing policies, they **must** consult those affected locally and take their views into account **before** deciding upon what policy, or what amendments to their policy, they should operate.
- 4.13 As local authorities were required to charge for residential accommodation under the National Assistance Act 1948, there was no requirement for councils to have a policy in relation to residential charging. Therefore in order to inform and create a new Charging Policy, it is necessary to undertake a formal consultation exercise. The non-residential charging policy that was agreed by Cabinet on 30 April 2013 will also be reviewed.
- 4.14 It is intended that the main areas for consultation will be the Act providing the Council with discretion to charge for:
- Residential care;
 - Short-term residential care after 8 weeks;
 - Interest on deferred payments and levying administration charges;
 - Preventative services and assistance;
 - Direct Payments

The non-residential charging policy that was agreed by Cabinet on 30 April 2013 will also be reviewed as part of the consultation exercise.

Transitional arrangements

- 4.15 The new financial assessment rules apply to those that have new care plans made under the Act. Existing cases will be transferred onto the new assessment arrangements during April 2016.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 The Scheme of Delegation of Functions will require amending as set out at paragraph 4.10.

6. Equality Impact Assessment

- 6.1 The Welsh Government has undertaken an Equality Impact Assessment on Financial Assessment and Charging under Parts 4 and 5 of the Social Services and Well-being (Wales) Act 2014; the declaration concludes that the policy does not have a significant impact upon equality issues.

6.2 The Council will undertake its own Equality Impact Assessment for the draft residential charging policy following the consultation exercise.

7. Financial Implications.

7.1 The exact level of the potential loss of income is difficult to predict at present, the Authority is seeking clarification from Welsh Government on the mechanism that will be used to take this forward.

Areas of potential loss of income:-

- Short-term residents in a care home, i.e. those whose stay is not expected to exceed 8 continuous weeks, are to be charged as if they were still receiving non-residential care at home. This means that short-term residents will pay a maximum of £60.00 per week (or a maximum of £60.00 for part week stays) for their respite stay. From the 9th week, their contribution can be assessed under the residential rules. Those whose stay is expected to exceed 8 weeks from the outset will be charged under the residential charging rules;
- The disregard applied to a War Disablement Pension in a financial assessment will increase from £10 to £25 per week from 6 April;
- When calculating a person's non-residential charge, the local authority must leave a weekly amount equivalent to any flat rate charges being paid in a person's minimum income amount. This is to ensure that the person is left sufficient funds to be able to pay for the flat rate charge;

7.2 Any loss of income will be met from within existing Social Services and Wellbeing resources, which may put further pressure on the service.

8. Recommendation.

It is recommended that Cabinet:

- Note the new financial assessment and charging framework under the Social Services and Well-being (Wales) Act 2014;
- Approve that a formal consultation exercise be undertaken in order to inform a Charging Policy as set out at paragraphs 4.11- 4.14;
- Note that a further report will be brought to Cabinet following the outcome of the consultation exercise;
- Approve amendment to the Scheme of Delegations in relation to Deferred Payment Agreements as set out in paragraph 4.10 of the report with effect from 6th April 2016.

Susan Cooper
Corporate Director – Social Services and Wellbeing

Ness Young
Corporate Director – Resources

Contact Officer: Janice Jenkins
Benefits and Financial Assessments Manager

Telephone: (01656) 643504

E-mail: Janice.Jenkins@bridgend.gov.uk

Postal Address Bridgend County Borough Council
Civic Offices
Angel Street
CF31 4WB

Background documents

Welsh Government White Paper – Sustainable Social Services for Wales: A Framework for Action:

<http://www.wales.nhs.uk/sitesplus/documents/829/WAG%20-%20Sustainable%20Social%20Services%20for%20Wales%202011.pdf>

Social Services and Well-being (Wales) Act 2014:

Part 5 – Charging and Financial Assessment:

<http://www.ccwales.org.uk/regulations-and-codes/>

Part 4 and 5 Code of Practice (Charging and Financial Assessment)

<http://www.ccwales.org.uk/codes-of-practice-and-statutory-guidance/>

Welsh Government's equality impact assessment on the Financial Assessment and Charging under Parts 4 and 5 of the Social Services and Well-being (Wales) Act 2014:

<http://gov.wales/docs/phhs/publications/151124eia5en.pdf>

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND TRANSFORMATION

PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) - CHANGES TO PIL PRIMARY SCHOOL

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet's approval to consult formally with parents, staff, the governing body of Pil Primary School and any other interested parties, to close the moderate learning difficulties (MLD) learning resource centre at the school.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 These proposals are related to the Corporate Plan (2013-2017) and the Education Inclusion Programme and, in particular, in the Corporate Plan Improvement priority two;

- working together to raise ambitions and drive up educational achievement

- 2.2 In order to achieve improvement priority two, to work together to raise ambitions and drive up educational achievement, we must work with our partners to support pupils with additional learning needs to drive up educational attainment for all learners in the County Borough. This will improve the future prospects for our children and young people. We have already contributed to this priority by improving the provision in mainstream schools for pupils with additional learning needs. We will know that we are collectively succeeding when pupils with additional learning needs are receiving the support they need.

3. Background

These proposals also relate to the Educational Inclusion Strategy which was agreed by Cabinet in March 2009. Within that policy it states the desire for all our schools and education providers to be inclusive – learning communities that value diversity and that can accommodate as wide a range of needs as possible. It also states the belief that the needs of the overwhelming majority of school-age learners can and should be accommodated in local schools that are properly equipped and fit for purpose, and that reflect the diverse strengths of the communities they serve.

There has been a successful approach by the Inclusion Service in training staff in schools to support pupils with moderate learning difficulties. Staff are far better equipped to identify needs at an earlier stage and support pupils with moderate learning difficulties through a differentiated curriculum in mainstream classes, rather than placing children with these difficulties in a separate unit. However, there is also sufficient alternative provision within the County Borough for those pupils with

moderate learning difficulties who are unable to access mainstream classes and need to make use of a separate learning resource facility.

The Council supports the principles that, when possible, children should be educated within a mainstream school environment as near to their home as possible.

4. Current situation / proposal

4.1 A copy of the consultation paper is annexed at Appendix 1. The proposal if approved would mean that:

- The MLD (Moderate Learning Difficulty) learning resource centre provision at Pil Primary School comprising of 1 classroom that can accommodate 15 pupils would close. There is currently only one pupil placed in the learning resource centre, and this pupil is transitioning to secondary school in September and this pupil is transitioning to secondary school in September.
- There will remain two learning resource centres for MLD pupils in the West locality, one in Cefn Cribwr Primary School and the other in Corneli Primary school. Current demand indicates that there will be 10 places available in the west from September 2016.
- It is proposed to close the learning resource centre from 1st September 2016.

5. Effect upon Policy Framework and Procedure Rules

5.1 There is no effect upon the policy framework and procedure rules.

6. Equality Impact Assessment

6.1 The Council has a duty to consult and fully consider the implications of any proposal on all members of the local community who may be affected unfairly as a result of the proposal being carried out.

6.2 A full equality impact assessment will be undertaken in parallel with the consultation process. The outcomes and actions identified by this assessment will be included in a report to Cabinet on the consultation process.

7. Financial Implications

7.1 There are projected full year savings of £45,000 per year from the closure of the MLD Learning Resource Centre at Pil Primary School.

7.2 Savings will be re-allocated within the Primary Schools ISB (Individual Schools Budget) to fund continuing Learning Resource Centre provision within other primary schools in Bridgend.

8. Recommendations

(i) Cabinet is requested to agree to consult formally on the proposal to close the moderate learning difficulties (MLD) learning resource centre at Pil Primary School

with effect from 1st September 2016 and for the outcome of the consultation to be reported back to Cabinet so that an informed decision can then be made on the proposal.

Deborah McMillan
Corporate Director – Education and Transformation

Contact Officer: Michelle Hatcher

Telephone: (01656) 815253

E-mail: michelle.hatcher@bridgend.gov.uk

Postal Address Civic Offices
Angel Street
Bridgend
CF31 4WB

Appendix 1.

Consultation Document. Provision for pupils with additional learning needs (ALN) - Changes to Pil Primary School.

Background documents

Learning Communities: Including all our learners – Educational Inclusion Strategy (report to Cabinet; March 2009)

Education Inclusion Programme: Reviewing and developing support and provision for the inclusion of children and young people with additional learning needs (ALN) (report to Cabinet; December 2011)

This page is intentionally left blank

Proposal to change the provision for pupils with additional learning needs (ALN) at Pil Primary School

Consultation document

Date of issue: 15 March 2016

Action required: Responses by 28 April 2016

Tel: (01656) 815 253

Email: Anne.Whittome@bridgend.gov.uk

Web: www.bridgend.gov.uk/consultation

Contents

Overview	3
How to respond	3
Data protection	3
Related documents	3
Background and information	4
The proposal	4
Why has this proposal been brought forward?	4
What the proposal means in practice	5
What are the advantages if the proposal goes ahead?	6
What are the potential disadvantages if the proposal goes ahead?	6
Impact of the proposals	6
Impact Assessments	9
Risks	10
Alternatives	10
Details of the affected school(s)	10
Finance	13
The consultation process	13
Pro forma	16
Appendix A	17
Appendix B	17
Appendix C	17

Overview

The consultation is to invite your views on the proposal to cease the moderate learning difficulties learning resource class for 15 pupils with Moderate Learning Difficulties (MLD) at Pil Primary School

The MLD provision at Pil Primary School comprising of one learning resource centres for 15 pupils with MLD. Currently, there is one pupil taught by one MLD teacher.

How to respond

This consultation period will begin on the **16 March 2016** and close the **28 April 2016** You can respond or ask further questions in the following ways;

Tel: (01656) 815 253

Email:

Anne.Whittome@bridgend.gov.uk

Online: [Click here](#) or visit www.bridgend.gov.uk/consultation

Post: Children's Directorate, Bridgend County Borough Council, Angel Street, Bridgend, CF31 4WB.

Alternative formats are also available upon request.

Data protection

How we use the views and information you share with us

All responses received by Bridgend County Borough Council will be seen in full by its staff members involved in the consultation process. The information may also be seen by other departments within the council or local service board members to help improve upon the services provided.

The council may also use the information gathered to publish subsequent documents both directly and indirectly linked to this consultation, however the Council will never disclose any personal information such as names or addresses that could identify an individual.

If you do not wish for your opinions to be publicised, please state so in your response.

Related documents

For more information on consultations in Bridgend County Borough or how to join our Citizens' Panel.

Visit:

www.bridgend.gov.uk/CitizensPanel

Background and information

In order to meet the growth in the incidence of pupils with autistic spectrum disorders (ASD) including the need for specialist provision for high-functioning pupils with autistic spectrum disorders at Key Stage 2, 3 and 4, it is proposed that there is realignment of services due to the reducing numbers of pupils requiring moderate learning difficulties (MLD) specialist provision. The consultation is to invite your views on the proposal to cease the moderate learning difficulties learning resource class that can accommodate 15 pupils with Moderate Learning Difficulties at Pil Primary School.

The consultation exercise will seek the views of staff, parents, pupils, interested parties and the governing body as the first step in the statutory process. If the proposals are supported they would come into effect on 1 September 2016.

The proposal

This is a proposal to change the provision for pupils with additional learning needs (ALN) at Pil Primary School.

Why has this proposal been brought forward?

The proposal is related to the Educational Inclusion Policy which was agreed by Cabinet in March 2009. Within that policy it states the desire for all our schools and education providers to be inclusive, learning communities that value diversity and that can accommodate as wide a range of needs as possible. It also states the belief that the needs of the overwhelming majority of school-age learners can and should be accommodated in local schools that are properly equipped and fit for purpose, and that reflect the diverse strengths of the communities they serve.

In December 2011, cabinet received an update on the review of support and provision for the inclusion of children and young people with additional learning needs (ALN).

This proposal has been brought forward because in order to meet the growth in the incidence of pupils with autistic spectrum disorders (ASD) including the need for specialist provision for high-functioning pupils with autistic spectrum disorders at Key

Stage 2, 3 and 4, it is proposed that there is realignment of services due to the reducing numbers of pupils requiring moderate learning difficulties (MLD) specialist provision.

What the proposal means in practice

The proposal if approved would mean that:

- ▶ The MLD (Moderate Learning Difficulty) learning resource centre at Pil Primary School comprising of one class for 15 pupils would close.
- ▶ The class is taught by one MLD teacher. Currently there is one pupil with moderate learning difficulties in Year 6 who is transitioning to his/her local Secondary School in September 2016.
- ▶ There would still be two MLD learning resource centres for 15 pupils in each learning resource centre in the West locality, one in Cefn Cribwr Primary School and one in Corneli Primary school.
- ▶ The proposal is to close the Pil Primary learning resource centre from 1 September 2016.

What are the advantages if the proposal goes ahead?

- ▶ Recognising financial savings and making the best use of the resources available.

What are the potential disadvantages if the proposal goes ahead?

- ▶ There will not be a separate MLD unit that can accommodate 15 pupils at Pil Primary School.

Impact of the proposals

Quality and standards in education;

There will be no likely impact on the quality of outcomes, provision and leadership and management in Pil Primary School, Corneli Primary School or Cefn Cribwr Primary School regarding the proposal to close the MLD learning resource centre at Pil Primary School.

There will be no likely impact of the proposal on the ability of Pil Primary School, Corneli Primary School or Cefn Cribwr Primary School to deliver the full curriculum at foundation phase and each key stage of education.

The proposal to close the MLD learning resource centre at Pil Primary school will not have a likely impact on SEN provision as there will still be two learning resource centres for 15 pupils in each in the west locality.

Other considerations

The National Categorisation School Report for 2015/2016 for Pil Primary School is included at appendix A.

Quality and standards in education;

Step 1 - Standards

Based upon the National Categorisation for standards the school is in standards group 2.

School Context

- The percentage of pupils eligible for free school meals (e-FSM) in 2014-2015 was 41.1%, (CSC 21.4%, Wales 19.6%) compared with 42.1% in 2013-2014 and 45.0% in 2012-2013.
- There were 31 pupils in Year 2 and 25 pupils in Year 6 in 2014-2015.
- The school has one learning resource base (LRB) class in key stage 2. There was only 1 boy in year 6 in the class. There was also 1 boy in mainstream with a statement.
- The percentage of pupils in the school that recorded their ethnic background as anything other than "White-British" in 2015 was 13.6% (LA 5.4%, Wales 10.6%). Nearly all of these pupils were from the Traveller ethnic group.

Key Strengths

The school's analysis of its performance correctly evaluates the following as strengths:

- In Foundation Phase, the school is in quarter 2 in all areas except for language, literacy and communication (LLC), where it is in quarter 3, just below quarter 2 by 0.34%. Also, the three-year average shows the school is performing above the core data sets family in all areas at both outcome 5+ and 6+.
- At outcome 5+, within its benchmarking group, the school has been in quarter 1 or 2 for the past three years in all areas except for language, literacy and communication in 2015. Similarly, at outcome 6+, the school has been in quarter 1 or 2 for the past three years in all areas except for personal and social development (PSD) in 2013.
- Outcomes in PSD in Foundation Phase are high. This year, 96.77% achieved outcome 5+, which is above the family, local authority and Wales averages. This is due to the improvement in the performance of boys over the three-year period (+50%)
- In key stage 2, performance has improved in all core subjects when compared with performance over the past few years. At level 4+, in all three core subjects, the school has moved from quarter 4 in 2014 to quarter 3 this year, and, at level 5+, the school has moved from quarter 3 in 2014 to quarter 2 this year.
- Value added performance is very good with 48% of pupils making three levels of progress between the end of Foundation Phase and the end of key stage 2.

Areas for further improvement

Appropriate attention is given to the following areas for improvement:

- In key stage 2, standards in mathematics are inconsistent. At level 4+, the school has been in quarter 3 or 4 for the past three years.
- Gender differences are significant in some key areas, particularly in Foundation Phase, in language, literacy and communication and mathematical development at outcome 5+. Also, in key stage 2, at level 4+, in English and mathematics

The achievement of pupils who are eligible Free School Meals e-FSM has been inconsistent over the past three years.

- Although attendance has improved from 89.6% in 2013 to 92.3% in 2014, this still leaves the school in quarter 4 of its benchmarking group. It is noted that the poor attendance of pupils from the Traveller ethnic group greatly affects the overall attendance percentage of the school.

Step 2 – Improvement Capacity

Based upon scrutiny of evidence and discussion at the review, challenge and support meeting the headteacher, governors and the challenge adviser agree that the capacity to bring about improvement is B. This is because:

Key strengths in leadership and teaching and learning

- The school's leaders and staff have a shared vision and a clear strategy that has improved outcomes for most learners.

- Self-evaluation is regular and thorough in many areas. Leaders plan and implement change and sustain improvement successfully in most respects. They enable staff and other partners to participate well in the change process.
- There is a clear link between the school self-evaluation report and the school's improvement plan and leaders and staff are clear about the priorities that need to be addressed in it. Action, and the use of resources, is effective in securing improvement in key indicators for most pupils including for pupils eligible for free school meals and other vulnerable groups.
- There is a clear emphasis on raising standards. Through its ambitious targets the school has high expectations for the achievement of its pupils.
- Processes to track pupils' progress are effective in most cases.
- Leaders and staff take advantage of opportunities to work with schools and other partners. Collaboration is developing well and makes an important contribution to capacity building and improvement.
- Governors have a good understanding of the school's strengths and areas for improvement. Their work to support and challenge the school's performance is developing.
- The school gives good attention to national and local priorities and in general implements these effectively.

Areas for improvement

The headteacher and senior leaders continue to be open to challenge and set their sights on continuous improvement. They are committed to developing the quality of learning and teaching and recognise that:

- the proportion of good and excellent teaching is not yet quite as high as it might be;
- distributive leadership is underdeveloped;
- assessment for learning strategies are not fully embedded across the school;
- many pupils do not regularly review their own learning and are not fully involved in setting their own targets for improvement;
- the standard of Welsh across the school is not as high as it should be.

The school's leaders and governors have chosen rightly to focus on the following priorities in 2015-2016:

- To improve standards of literacy and numeracy.
- To improve standards of teaching and learning.
- To increase the capacity of the senior leadership team.
- To close the gap between the attainment of eligible free school meals and non free school meals eFSM and nFSM pupils.

Evidence scrutinised to make the judgement

- Whole-school performance data over the past three years including national benchmarking data and the all-Wales core data sets.
- Data at individual pupil level including the performance of specific groups of pupils such as eligible free school meals pupils and pupils with English as an Additional Language EAL and value-added data.
- National literacy and numeracy test data.
- The school's self-evaluation report.

- The school's improvement plan.
- The school's inspection report from January 2012.
- The challenge adviser's previous school improvement report and notes of school visit.

Exceptions have been applied: No

Step 3 – Support Category

It was agreed at the meeting that the support category is yellow. The school will take steps to increase the proportion of good and excellent teaching and improve standards of literacy and numeracy across the school.

Categorisation Overview

Step 1	Step 2	Step 3	Exceptions applied
2	B	Yellow	No

Other considerations

Travel arrangements and accessibility impact

- ▶ The proposal would have no impact on the current travel arrangement as the 1 pupil who currently access the MLD learning resource centre is transitioning to his/her local Secondary School in September.
- ▶ Transport would be provided for those pupils with MLD who live in the Pil Primary catchment area and who would be eligible to attend either the learning resource centre at Cefn Cribwr Primary School or Corneli Primary School.

Land and buildings

- ▶ The proposal will not involve any potential transfer or disposal of land:- nor is there any planned building associated with the proposal. The current MLD classroom would be used as a mainstream classroom by Pil Primary School.

Impact Assessments

Community Impact Assessment

There is no significant negative impact on the community.

Please see appendix B

Equality Impact Assessment

The council has a duty to consider the implications of this proposal on all members of the local community who may be affected unfairly as a result of the proposal being carried out.

An initial impact screening assessment has been undertaken (see appendix B). The outcomes and actions identified by this assessment will be included in a report to Cabinet on the consultation process and will help to create a full equality impact assessment (EIA).

If you have any views on the potential of this proposal to affect any groups or individuals either positively or adversely, then we would welcome your comments as part of this consultation.

Please see appendix C

Risks

- ▶ There is a risk that if this proposal is introduced, there may not be sufficient places for MLD learners in the future. Historical data can be used to estimate the future enrolment figures as well as parents stating an interest for enrolment for new pupils with MLD a year before the place is required. This gives the council a sufficient period of time to potentially make alternative arrangements. Currently, there is 1 pupil in 1 class taught by 1 MLD teacher at Pil Primary School.

The full EIA will assess any potential impacts associated with the protected characteristic of 'disabled' pupils.

Alternative

An alternative to closing the Pil MLD learning resource centre would be to keep it open. The likely consequence of keeping it open would be that there would be no pupils with MLD admitted and the local authority would be funding empty places.

Alternative Provision

There are two KS2 MLD learning resource centres in the West locality. There is one class for 15 pupils at Cefn Cribwr Primary School and one class for 15 pupils at Corneli Primary School.

- ▶ Currently there are 7 places available at Cefn Cribwr Primary School and there are no places available at Corneli Primary School.
- ▶ From September 2016, there will be 6 places available at Cefn Cribwr Primary school and 4 places available at Corneli Primary School.

Details of the affected school(s)

Pil Primary School.
Pyle Inn Way
Bridgend.
CF33 6AB

The table below provides details of the January 2015 numbers on roll at Pil Primary School and the figures recorded for the previous four annual censuses

	Jan-2011		Jan-2012		Jan-2013		Jan-2014		Jan-2015	
	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T
Pil Primary	30N & 219	10N	26N & 206	7N	28N & 210	6N	22N & 207	11N	26N & 197	11N

The following table provides a five year projection of pupil population for Pil Primary School which is an English medium primary school with an age range of 3 to 11 and a pupil capacity of 210 with 30 nursery places. The quality of the accommodation is graded as condition B. Grade B means that it is satisfactory and performing as intended but exhibiting minor deterioration.

Sufficiency is graded B which means it is not completely sufficient, minor problems but allows service delivery and can be improved. Suitability is graded B which is satisfactory with minor problems but allows service delivery.

Year	Nursery 1 & 2 2-4	Reception 4-5	Year 1 5-6	Year 2 6-7	Year 3 7-8	Year 4 8-9	Year 5 9-10	Year 6 10-11	Total 2-11
2016	34	27	21	28	32	27	32	31	231
2017	34	26	27	21	27	30	28	30	224
2018	34	26	26	28	21	26	32	27	219
2019	34	26	26	27	27	20	27	30	218
2020	34	26	26	27	26	26	21	26	222

Cefn Cribwr Primary School
 Cefn Road
 Cefn Cribwr
 Bridgend
 CF32 OAW

The table below provides details of the January 2015 numbers on roll at Cefn Cribwr Primary School and the figures recorded for the previous four annual censuses

	Jan-2011		Jan-2012		Jan-2013		Jan-2014		Jan-2015	
	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T
Cefn Cribwr Primary School	23N & 117	0	20N & 137	0	20N & 129	3N	24N & 137	5N	16N & 137	12N

The following table provides a five year projection of pupil population for Cefn Cribwr Primary School which is an English medium primary school with an age range of 3 to 11 and a pupil capacity of 140 with 20 nursery places.

The quality of the accommodation is graded as condition B. Grade B means that it is satisfactory and performing as intended but exhibiting minor deterioration. Suitability is graded B which is satisfactory with minor problems but allows service delivery. Sufficiency is graded B which is not completely sufficient with minor problems but allows service delivery and can be improved.

Year	Nursery 1 & 2 2-4	Reception 4-5	Year 1 5-6	Year 2 6-7	Year 3 7-8	Year 4 8-9	Year 5 9-10	Year 6 10-11	Total 2-11
2016	25	24	26	20	16	24	17	23	176
2017	27	24	24	27	19	16	23	17	177
2018	27	25	24	24	25	19	15	23	183
2019	27	25	25	24	23	26	18	15	182
2020	27	25	25	25	23	23	24	18	190

Corneli Primary School
 Greenfield Terrace
 North Cornelly
 Bridgend
 CF33 4LW

The table below provides details of the January 2015 numbers on roll at Corneli Primary School and the figures recorded for the previous four annual censuses



Corneli Primary School	Jan-2011		Jan-2012		Jan-2013		Jan-2014		Jan-2015	
	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T	F/T	P/T
	28N & 266	0	32N & 255	0	32N & 259	0	40N & 272	0	43N & 289	0

The following table provides a five year projection of pupil population for Corneli Primary School which is an English medium primary school with an age range of 3 to 11 and a pupil capacity of 322 with 46 nursery places.

The quality of the accommodation is graded as condition B. Grade B means that it is satisfactory and performing as intended but exhibiting minor deterioration. Suitability is graded B which means that it is satisfactory with minor problems but allows service delivery. Sufficiency is graded A which means it allows for efficient service delivery.

Year	Nursery 1 & 2 2-4	Reception 4-5	Year 1 5-6	Year 2 6-7	Year 3 7-8	Year 4 8-9	Year 5 9-10	Year 6 10-11	Total 2-11
2016	39	37	37	35	40	35	53	39	275
2017	39	37	43	37	36	43	36	53	271
2018	39	37	37	43	38	40	44	35	278
2019	39	37	39	37	45	42	40	44	279
2020	39	37	39	39	38	49	43	40	284

Finance

There are projected full year savings of £45,000 per year from the closure of the MLD Learning Resource Centre at Pil Primary School.

Savings will be re-allocated within the Primary Schools ISB (Individual Schools Budget) to fund continuing Learning Resource Centre provision within other primary schools in Bridgend.

The consultation process

The consultation process will be completed by 25 April 2016 and the outcomes (which will be incorporated into the proposal where possible) will be reported to Cabinet. If there is a decision not to proceed, that will be the end of this proposal for the future and an alternative proposal will need to be sought.

If the decision is to go ahead, a statutory notice outlining the proposals would need to be published for a period of 28 days. If there are no objections to the proposal, then it will go ahead subject to final approval by Cabinet. If there are objections at the Public Notice stage, an objection report must be published. Cabinet could determine to accept, reject or modify the proposal.

It is proposed to implement the proposal from 1 September 2016.

Activity	Date
Consultation period where we welcome your views on the proposal*.	16 March 2016 to 28 April 2016
Consultation Report to Cabinet on the outcomes of the consultation.	10 May 2016
Publish Consultation Report on BCBC website, hard copies available on request.	24 May 2016
If agreed by the Cabinet of Bridgend County Borough Council, a public notice will be published and there will be a period of 28 days in which to submit any objections to the proposal in writing.	25 May 2016
End of Public Notice period. If there are no objections Cabinet can immediately decide whether to proceed or not. If there are any objections, an Objections Report will be published and forwarded to Cabinet for their consideration and subsequent determination.	22 June 2016
Potential implementation.	1 September 2016

*Please note that responses to consultation will not be counted as objections to the proposal and that objections can only be registered following publication of the public notice.

What do you now have to consider?

You are invited to consider the proposal and submit your views as to whether or not you support the proposal to close the moderate learning difficulties class at Pil Primary School with effect from 1 September 2016.

How to make your views known?

There will be consultation meetings held as detailed below for the different interested parties. You are invited to attend the relevant meetings where you can hear an explanation of the proposal, put questions and express any views or concerns you may have.

Venue: Pil Primary School	Date	Time
School Council of Pil Primary School	22 March 2016	2.30pm
Staff of Pil Primary School	22 March 2016	3.30pm
Governing body of Pil Primary School	22 March 2016	4.30pm
Parents of pupils at Pil Primary School and other interested parties	22 March 2016	5.30pm

If you have any further questions regarding this proposal, wish to put your views in writing, suggest alternative proposals or request a copy of the consultation report when published, please contact (using the attached pro forma):

Post: Director of Education and Transformation
Children's Directorate, Civic offices
Angel Street
Bridgend
CF31 4WB

Please mark for the attention of Anne Whittome, or
Email: Anne.Whittome@bridgend.gov.uk

Online: [Click here](#)
Tel: (01656) 815 253

Alternative formats are also available upon request.

All views must be received by no later than **28 April 2016**

Pro forma

Pro forma - Proposal to cease the moderate learning difficulty learning resource centre at Pil Primary School

Name:

Contact details:

Are you (*please tick*):

School governor

Parent/guardian

School pupil

School staff

Other interested party (please specify)

Comment/suggestions/requests/questions:

Appendix A

National Categorisation School Report 2015/2016

Appendix B

Communities impact assessment (CIA) initial screening

Appendix C

Equalities impact assessment (EIA) initial screening.

Quality and Standardisation Group Grŵp Ansawdd a Safoni

**National Categorisation School Report 2015 / 2016
(Provisional pending National Verification)**

Quality Assurance	
Reg. Mod	
Nat. Ver	

School:	Pil Primary School
Region:	Central South Consortium (CSC)

Step 1 - Standards

Based upon the National Categorisation for standards the school is in standards group 2.

School Context

- The percentage of pupils eligible for free school meals (e-FSM) in 2014-2015 was 41.1%, (CSC 21.4%, Wales 19.6%) compared with 42.1% in 2013-2014 and 45.0% in 2012-2013.
- There were 31 pupils in Year 2 and 25 pupils in Year 6 in 2014-2015.
- The school has one learning resource base (LRB) class in key stage 2. There was only 1 boy in year 6 in the class. There was also 1 boy in mainstream with a statement.
- The percentage of pupils in the school that recorded their ethnic background as anything other than "White-British" in 2015 was 13.6% (LA 5.4%, Wales 10.6%). Nearly all of these pupils were from the Traveller ethnic group.

Key Strengths

The school's analysis of its performance correctly evaluates the following as strengths:

- In Foundation Phase, the school is in quarter 2 in all areas except for language, literacy and communication (LLC), where it is in quarter 3, just below quarter 2 by 0.34%. Also, the three-year average shows the school is performing above the core data sets family in all areas at both outcome 5+ and 6+.
- At outcome 5+, within its benchmarking group, the school has been in quarter 1 or 2 for the past three years in all areas except for language, literacy and communication in 2015. Similarly, at outcome 6+, the school has been in quarter 1 or 2 for the past three years in all areas except for personal and social development (PSD) in 2013.
- Outcomes in PSD in Foundation Phase are high. This year, 96.77% achieved outcome 5+, which is above the family, local authority and Wales averages. This is due to the improvement in the performance of boys over the three-year period (+50%)
- In key stage 2, performance has improved in all core subjects when compared with performance over the past few years. At level 4+, in all three core subjects, the school has moved from quarter 4 in 2014 to quarter 3 this year, and, at level 5+, the school has moved from quarter 3 in 2014 to quarter 2 this year.
- Value added performance is very good with 48% of pupils making three levels of progress between the end of Foundation Phase and the end of key stage 2.

Areas for further improvement

Appropriate attention is given to the following areas for improvement:

- In key stage 2, standards in mathematics are inconsistent. At level 4+, the school has been in quarter 3 or 4 for the past three years.
- Gender differences are significant in some key areas, particularly in Foundation Phase, in language, literacy and communication and mathematical development at outcome 5+. Also, in key stage 2, at level 4+, in English and mathematics.

- The achievement of pupils who are e-FSM has been inconsistent over the past three years.
- Although attendance has improved from 89.6% in 2013 to 92.3% in 2014, this still leaves the school in quarter 4 of its benchmarking group. It is noted that the poor attendance of pupils from the Traveller ethnic group greatly affects the overall attendance percentage of the school.

Step 2 – Improvement Capacity

Based upon scrutiny of evidence and discussion at the review, challenge and support meeting the headteacher, governors and the challenge adviser agree that the capacity to bring about improvement is B. This because:

Key strengths in leadership and teaching and learning

- The school's leaders and staff have a shared vision and a clear strategy that has improved outcomes for most learners.
- Self-evaluation is regular and thorough in many areas. Leaders plan and implement change and sustain improvement successfully in most respects. They enable staff and other partners to participate well in the change process.
- There is a clear link between the school self-evaluation report and the school's improvement plan and leaders and staff are clear about the priorities that need to be addressed in it. Action, and the use of resources, is effective in securing improvement in key indicators for most pupils including for pupils eligible for free school meals and other vulnerable groups.
- There is a clear emphasis on raising standards. Through its ambitious targets the school has high expectations for the achievement of its pupils.
- Processes to track pupils' progress are effective in most cases.
- Leaders and staff take advantage of opportunities to work with schools and other partners. Collaboration is developing well and makes an important contribution to capacity building and improvement.
- Governors have a good understanding of the school's strengths and areas for improvement. Their work to support and challenge the school's performance is developing.
- The school gives good attention to national and local priorities and in general implements these effectively.

Areas for improvement

The headteacher and senior leaders continue to be open to challenge and set their sights on continuous improvement. They are committed to developing the quality of learning and teaching and recognise that:

- the proportion of good and excellent teaching is not yet quite as high as it might be;
- distributive leadership is underdeveloped;
- assessment for learning strategies are not fully embedded across the school;
- many pupils do not regularly review their own learning and are not fully involved in setting their own targets for improvement;
- the standard of Welsh across the school is not as high as it should be.

The school's leaders and governors have chosen rightly to focus on the following priorities in 2015-2016:

- To improve standards of literacy and numeracy.
- To improve standards of teaching and learning.
- To increase the capacity of the senior leadership team.
- To close the gap between the attainment of eFSM and nFSM pupils.

Evidence scrutinised to make the judgement

- Whole-school performance data over the past three years including national benchmarking



- data and the all-Wales core data sets.
- Data at individual pupil level including the performance of specific groups of pupils such as e-FSM pupils and pupils with EAL and value-added data.
- National literacy and numeracy test data.
- The school's self-evaluation report.
- The school's improvement plan.
- The school's inspection report from January 2012.
- The challenge adviser's previous school improvement report and notes of school visit.

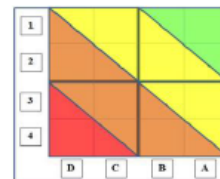
Exceptions have been applied: No

Step 3 – Support Category

It was agreed at the meeting that the support category is yellow. The school will take steps to increase the proportion of good and excellent teaching and improve standards of literacy and numeracy across the school.

Categorisation Overview

Step 1	Step 2	Step 3	Exceptions applied
2	B	Yellow	No



The judgements at Step 2 and Step 3 are provisional until national verification has been completed.

This categorisation report will be shared with the governing body after the national verification meeting on: (7 and 8 January 2016)



Community Impact Assessment

Draft – to be updated following consultation

Name of proposal:

Proposal to cease one moderate learning difficulties (MLD) Learning Resource Centre provision at Pil Primary School with effect from 1st September 2016.

Who will make the decision? :

Cabinet

Who has been involved in developing the proposal? :

Director of Education and Transformation

Group Manager Inclusion

Aims and objectives: The MLD provision at Pil Primary School comprising of one learning resource centres for 15 pupils with MLD. Currently, there is one child taught at present by one MLD teacher.

Key actions: Statutory procedure to cease one moderate learning difficulties (MLD) Learning Resource Centre provision at Pil Primary School with effect from 1st September 2016.

Expected outcomes: To close the learning resource centre from 1st September 2016.

Who will be affected: Staff, governors, pupils, parents and the community.

Approximately how many people will be affected: A reduction in pupil enrolment space may affect future enrollers.

Expected date of decision: July 2016

Scope/focus of the assessment: Consideration given to:

- Current quality and standards in education
- School priority targets (in the statement of action)
- Current provision of additional learning needs (ALN)
- Relationship of school with stakeholders.
- Potential impact of introducing the proposal on pupils and staff.

- Potential impact on the community.
- Potential impact on protected characteristics (outlined in the EIA).

Relevant data and/or research:

- Pupil projections for the primary school.

Year	Nursery 1&2 2-4	Reception 4 - 5	Year 1 5 - 6	Year 2 6 - 7	Year 3 7 - 8	Year 4 8 - 9	Year 5 9 - 10	Year 6 10 - 11	Total 2-11
2016	34	27	21	28	32	27	32	31	231
2017	34	26	27	21	27	30	28	30	224
2018	34	26	26	28	21	26	32	27	219
2019	34	26	26	27	27	20	27	30	218
2020	34	26	26	27	26	26	21	26	212

- Financial savings – a projected full year savings of £45,000 from the closure of one MLD Learning Resource Centre at Pil Primary School.
- BCBC policy for The Education Inclusion Strategy was agreed by the council’s Cabinet in March 2009 specifically principle two and three:
 - Equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend;
 - Inclusive schools, which cater for the learning needs of all their pupils.

Findings:

- The projected level of nursery and reception enrolment between 2016 – 2020 has no expected level of significant fluctuation that would impact the proposal (table regarding future projected level of enrolment provided in ‘relevant data’ section above).

Inclusion of children and young people:

- This proposal follows the ‘inclusion of young people with additional learning needs’ policy.

Impact on extended community

- There are two KS2 MLD learning resource centres for 15 pupils in the West locality one at Cefn Cribwr Primary School and one at Corneli Primary School.

Impact on other schools

- The classroom will become available for school use.

How will the decision affect people with different protected characteristics? :

The ratio is 1 teacher to 15 pupils for an MLD class. All other MLD classes work to this. Currently there is 1 teacher to 1 pupil. Those pupils with MLD from the Pil Primary catchment will be able to access a learning resource centre at either Corneli Primary School or Cefn Cribwr Primary School.

Consultation

Has there been specific consultation on this decision (if not, state why not and/or when this may happen):

Consultation will commence early March 2016.

What were the results of the consultation? :

The impact of this proposal has been considered and further responses have been requested as part of this consultation, the outcome of which will be recorded and reported to Cabinet in the Consultation Report

Across the protected characteristics, what difference in views did analysis of the consultation reveal?

TBC upon completion of consultation

What conclusions have been drawn from the analysis on how the decision will affect people with different protected characteristics?

TBC upon completion of consultation

Assessment of impact on staff

One MLD teacher will be affected.

Assessment of impact on wider community

- There are two KS2 MLD learning resource centres for 15 pupils in the West locality, one at Cefn Cribwr Primary School and one at Corneli Primary School. There will be 10 spaces available in total between the two learning resource centres from September 2016.

Analysis of impact by protected characteristics

Please summarise the results of the analysis:

TBC upon completion of consultation

Assess the relevance and impact of the decision to people with different characteristics Relevance = High/Low/None Impact = High/Low/Neutral

Characteristic	Relevance	Impact
Age	High	Low
Disability	High	Low
Gender reassignment	None	Neutral
Marriage and civil partnership	None	Neutral
Pregnancy and maternity	None	Neutral
Race	None	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups (include health inequalities)	None	Neutral

Where any negative impact has been identified, please outline the measures taken to mitigate against it:

Subject to the outcome of consultation on this proposal:

- There is a risk that if this proposal is introduced, there may not be sufficient places for MLD learners in the future. Historical data can be used to estimate the future enrolment figures as well as parents stating an interest for enrolment for new pupils with MLD a year before the place is required. This gives the council a sufficient period of time to potentially make the alternative arrangements. Currently, there is 1 pupil in taught by 1 MLD teacher.

Please advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact:

An EIA has been conducted taking into account protected characteristics and any other potential impacts on minority groups. Once the consultation is complete and the results comprehensively considered, a full community impact assessment and equalities impact assessment will be provided along with the final report on the outcomes of the consultation.

Signed:

M Hatcher

Date:20.1.16

Equality impact assessment (EIA) screening form

Please refer to the [guidance notes](#) when completing this form.

Proposal being screened.

Proposal to close a moderate learning difficulties (MLD) learning resource centre at Pil Primary School

Brief description of the proposal

The proposal is to close the moderate learning difficulties learning resource provision for 15 pupils at Pil Primary School. Consultees will include staff, governors, pupils and parents of the school, members of the local community and any other interested parties.

Does this policy relate to any other policies?

The Education Inclusion Strategy was agreed by the council's Cabinet in March 2009. Specifically principles two and three relate to:

- ▶ Equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend;
- ▶ Inclusive schools, which cater for the learning needs of all their pupils;

What is the aim or purpose of the policy?

The council supports the principles that, when possible, children should be educated within a mainstream school environment and as near to their home as possible.

Who is affected by this policy (e.g. staff, residents, disabled people, women only?)

Children/pupils with special education needs, parents, existing staff members in Pil Primary.

Who is responsible for delivery of the policy?

Corporate Director (Education and Transformation)

Is this a review of an existing policy?

No

If this is a review or amendment of an existing policy, has anything changed since it was last reviewed?

No.

Has an EIA previously been carried out on this policy?

No

Screening questions

1. Is this policy an important or 'large scale' function, and/or is it likely the policy will impact upon a large number of staff, residents and/or contractors

Yes.

2. Is it possible that any aspect of the policy will impact on people from different groups in different ways? (See *guidance for list of 'protected characteristics' to consider*) No for the following reasons:-

There are two other learning resource centres in the West locality. One in Cefn Cribwr, which currently has 8 pupils in the MLD learning resource centre and will have 9 pupils in the class from September 2016, with spaces for 6 additional pupils. There is capacity for 15 pupils in the class. Cefn Cribwr is 1.9 miles from Pil Primary School.

The other MLD learning resource centre is at Corneli Primary school, which currently has 15 pupils in the class and will have 11 pupils from September 2016, with spaces for 4 additional pupils. There is capacity for 15 pupils in the class. Corneli Primary School is 0.9 miles from Pil Primary school.

Characteristic	Yes	No	Unknown	Explanation of impact
Age	X			The class will be empty as a result of the closure

Disability	X			The class will be empty as a result of the closure and there will be no separate MLD learning resource centre at the school.
Gender reassignment		X		Gender Reassignment is not expected to be impacted by this proposal.
Pregnancy and maternity		X		Pregnancy and Maternity is not expected to be impacted by this proposal.
Race		X		Race is not expected to be impacted by this proposal.
Religion/belief		X		Religion and Belief is not expected to be impacted by this proposal.
Sex		X		Sex is not expected to be impacted by this proposal.
Sexual orientation		X		Sexual Orientation is not expected to be impacted by this proposal.
Civil Partnerships and Marriage		x		Civil Partnerships and Marriage is not expected to be impacted by this proposal.

3. What is the risk that any aspect of the policy could in fact lead to discrimination or adverse effects against any group of people? (See guidance for list of protected characteristics?)

There is no risk for pupils with MLD as there is spare capacity in the other two learning resource centres in the West locality therefore ensuring that a pupil with MLD will be able to be educated close to his/her home.

What action has been taken to mitigate this risk? [Guidance](#)

There is spare capacity in the other two MLD learning resource centres at Cefn Cribwr Primary School and Corneli Primary School in the West locality. The total numbers of places available from September 2016 is 10. This ensures that a

If 'yes', please expand:

7. Is this policy likely to impact on Community Cohesion?

No – there will be minimal change to the community as children with special educational needs who currently attend the school will continue to receive a service at the same location. The one pupil who currently attends the Pil Primary learning resource centre is progressing to secondary school in September and will not be affected by the closure. In addition, there are two MLD learning resource centres in the West locality, one in Cefn Cribwr Primary School and one in Corneli Primary School for future students who need to attend a separate MLD learning resource centre.

Conclusions

8. What level of EIA priority would you give to this policy? [\(Guidance\)](#)

HIGH - full EIA within is to be undertaken.

Please explain fully the reasons for this judgement including an awareness of how your decisions are justified.

High – to ensure the policy is correctly implemented and to support one of the protected characteristics it is suggested to conduct the full EIA 12 months after implementation.

9. Will the timescale for EIA be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

[\(Guidance\)](#)

Activity	Date
Consultation period where we welcome your views and observations on the proposal*.	16 March 2016 to 28 April 2016
Report to Cabinet on the outcomes of the consultation.	10 May 2016
Publish Consultation Report on BCBC website, hard copies available on request.	24 May 2016

If agreed by the Cabinet of Bridgend County Borough Council, a Public Notice will be published and there will be a period of 28 days in which to submit any objections to the proposal in writing.	25 May 2016
End of Public Notice period. If there are no objections Cabinet can immediately decide whether to proceed or not. If there are any objections, an Objections Report will be published and forwarded to Cabinet for their consideration and subsequent determination.	22 June 2016
Potential implementation.	1 September 2016

10. Who will carry out the full EIA?

Children's Directorate – Group Manager and / or Corporate Director.

EIA screening completed by: Michelle Hatcher Date: 20.1.16

When complete, this initial screening form and, if appropriate, the full EIA form must be sent to [Paul Williams](#)

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR OF RESOURCES AND CORPORATE DIRECTOR OF EDUCATION AND TRANSFORMATION SCHOOL MODERNISATION – GARW VALLEY SOUTH, INVITATION TO TENDER

1. Purpose of Report

The purpose of the report is to seek Cabinet approval to undertake a pre-qualifying tender exercise for the construction of the Garw Valley South schools. Subsequent to the completion of this exercise and subject to the successful appropriation of land at Betws Primary School and obtaining appropriate planning permission, to tender for the construction of the new schools.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The report relates to the following priorities in the Corporate Plan 2013-17:

- working together to raise ambition and drive up educational achievement; and
- working together to make the best use of resources.

2.2 The Council aims to help all young people to thrive and make the best of their talents. One of the barriers to achieving this aim that the Council has identified is a serious need to modernise our schools.

2.3 In March 2015, the Council set out 5 key principles to inform the organisation and modernisation of our schools:

1. Commitment to high standards and excellence in provision
2. Equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend
3. Inclusive schools, which cater for the learning needs of all their pupils
4. Community focussed schools, where the school actively engages with its local community
5. Value for money

3. Background.

- 3.1 On the 16th September 2014 Cabinet agreed to participate and be a signatory to the South East Wales Schools Capital Procurement Framework (SEWSCAP Framework) for a four year period, commencing April 2015.
- 3.2 On 31st March 2015 Cabinet agreed to proceed with a replacement of Betws Primary School on land which has been used as the playing fields of the existing school site, and which is also an area of public open space. On 1st September 2015 Cabinet approved the proposal to relocate Ysgol Gynradd Gymraeg Cwm Garw to the existing Betws Primary School site with effect from September 2018.
- 3.3 A planning application for the new schools (reference P/15/791/BCB) was submitted on 25th November 2015; it is anticipated that a decision will be made regarding the application in due course.
- 3.4 On 16th February 2016, Cabinet approved the publication of a S122(2A) Local Government Act 1972 Notice. A local authority can appropriate land for any purpose for which the Council is authorised by any enactment to acquire land by agreement and which belongs to the Council and is no longer required for that purpose for which it is held immediately before being appropriated. However, where that land is an area of public open space there is a requirement under Section 122 (2A) that before such land is appropriated that the Council's intention to appropriate the land is advertised in accordance with the requirements of Section 122(2A) and to consider any objections it receives to the proposed appropriation. Cabinet will in due course consider any objections in order to assess whether the land which forms part of an open space should be appropriated for educational purposes.

4. Current Situation

- 4.1 The tender process for the SEWSCAP Framework was undertaken and administered by Rhondda Cynon Taff County Borough Council, in conjunction with Capita Glamorgan on behalf of all participating Councils. Throughout the process of establishing the SEWSCAP Framework, Bridgend County Borough Council (BCBC) officers expressed the need to include the full suite of JCT and NEC contracts to allow flexibility in determining the most suitable contract available for the individual projects of the respective Councils.
- 4.2 Unfortunately, on establishment of the SEWSCAP Framework and review of the guidance provided for its use, it became apparent that the JCT Standard form of Contract with Quantities had been omitted.
- 4.3 Due to the way in which BCBC has developed the in-house design of the Garw Valley South scheme within the School Modernisation programme, it is necessary to use the JCT Standard Form of Contract with Quantities 2011 edition.
- 4.4 The Outline Business Case, which has received approval by Welsh Government, indicated that the SEWSCAP Framework would be used as the procurement route

for the scheme. Welsh Government have now been advised of the issues detailed within this report and have given their approval for Garw Valley South to be procured as a separate contract following an EU compliant procedure.

- 4.5 The proposed procurement and tender process will be advertised on Sell2Wales as well as being placed in the European Journal of the European Union (OJEU). A two stage process as set out in paragraphs 4.6 and 4.7 below will be undertaken using an electronic tender exercise via E-tenderWales.
- 4.6 During the first stage the potential contractors will be asked to complete a pre-qualification questionnaire which will be assessed and scored in accordance with the scoring criteria set out in the tender documents. The questionnaire will include mandatory pass/fail questions plus scored questions which have been weighted to ensure that the most suitable potential contractors are on the shortlist to receive the invitation to tender pack.
- 4.7 The second stage will invite contractors to tender for the works. Tenders will be evaluated on the basis of the most economically advantageous tender and will be based on a combination of cost and quality with the appropriate weighting. The contractor achieving the highest score will be the preferred bidder which Cabinet will be asked to award the contract to.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 This report has no effect on Policy Framework and Procedural Rules.

6. Equality Impact Assessment

- 6.1 The Council's Equalities Impact Assessment Toolkit has been utilised which indicates that the proposal would have no impact on specific equality groups.

7. Financial Implications

- 7.1 The cost of the tender exercise will be met from within existing resources.
- 7.2 The anticipated cost of the new Garw Valley South Schools will be funded by the Council and Welsh Government under the 21st Century Schools Programme for which the Authority has received '*approval in principle*'. The project is included within the Council's Capital Programme as approved by Council in October 2015. The total approved budget for the Garw Valley Scheme is £10 million. The financial profile for the scheme has been revised and approved by Welsh Government to reflect the construction programme. The total cost of the scheme will be reviewed in the context of the proposed changes outlined above.
- 7.3 The costs of the scheme will be contained within the approved Capital Programme budget of £10 million. Some highways works are expected to be required to ensure safe access to the new schools, but guidance from the Welsh Government explicitly states that "where a capital project requires works to be done to improve highways access to the school this would not qualify for Welsh Government grant, and would fall to the Local Authority to fund". The highways works are currently estimated to cost in the region of £200,000. The Welsh Government will provide half of the funding for the eligible elements of the scheme with the rest coming from capital

receipts that Council has agreed will be ring fenced for the School Modernisation Programme.

8. Recommendation

8.1 Cabinet is recommended to:

8.1.1 Approve a pre-qualifying tender exercise be undertaken for the construction of the Garw Valley South schools.

8.1.2 Subject to the successful appropriation of land at Betws Primary School and obtaining of appropriate planning permission in respect of the planning application, to approve the issue of an invitation to tender for the construction of the new schools.

8.1.3 Note that Cabinet will in due course receive a further report seeking Cabinet's approval for the award of the contract to the successful tenderer.

Ness Young
Corporate Director Resources

Deborah McMillan
Corporate Director Education and Transformation

Contact Officer: Gaynor Thomas
Schools Programme Manager

Telephone: (01656) 642626

E-mail: gaynor.thomas@bridgend.gov.uk

Postal Address Bridgend County Borough Council
Property Services
Raven's Court
Bridgend
CF31 4AP

Background Papers:

Cabinet Report, 16th September 2014 "CONTINUED SUPPORT OF THE SCHOUTH EAST WALES SCHOOLS CAPITAL PROCUREMENT FRAMEWORK (SEWSCAP)"

Cabinet Report, 31st March 2015 "SCHOOL MODERNSIATION PROGRAMME: GARW VALLEY SOUTH SCHEME (BETWS PRIMARY SCHOOL AND YSGOL GYNRADD GYMRAEG CWM GARW)"

Cabinet Report, 1st September 2015 "SCHOOL MODERNISATION PROGRAMME: OUTCOME OF PUBLIC NOTICE ON PROPOSAL TO MAKE A REGULATED ALTERATION TO YSGOL GYNRADD GYMRAEG CWM GARW BY RELOCATING THE SCHOOL"

Cabinet Report, 12th February 2016 “ SCHOOL MODERNISATION PROGRAMME
PROPOSAL TO CONSULT ON APPROPRIATION OF LAND FOR EDUCATION
PURPOSES AT BETTWS ROAD, BETTWS”

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE MONITORING OFFICER

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 AND AMENDMENT TO THE SCHEME OF DELEGATION OF FUNCTIONS

1. Purpose of Report

- 1.1 To seek Cabinet approval to amend the Scheme of Delegation of Functions as a result of the Home Offices' reform of anti-social behaviour powers.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

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

3. Background

- 3.1 Anti-social behaviour is a broad term to describe the day-to-day incidents of crime, nuisance and disorder that make many people's lives a misery: from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords. The Home Office has reformed the anti-social behaviour powers to give professionals increased flexibility they need to deal with any given situation.

4. Current situation / proposal

- 4.1 The Anti-social Behaviour, Crime and Policing Act 2014 makes provision about anti-social behaviour, crime and disorder. The Act sets out the following 6 new tools for responsible bodies and responsible authorities:

Injunction

The injunction is a civil power made by the County Court which can be applied for by the Council in order to deal with anti-social individuals. The injunction can offer fast and effective protection for victims and communities and set a clear standard of behaviour for perpetrators, stopping the person's behaviour from escalating. The Council can apply to the County Court for the injunction if two tests are met:

- causing nuisance and annoyance in residential setting and
- causing harassment, alarm or distress elsewhere.

In many cases before applying to the County Court there are informal measures which will be attempted. If the Injunction is made by the County Court and then breached, this is punishable as contempt of court.

Criminal Behaviour Order (CBO)

The CBO is available following conviction for any criminal offence in any criminal court. The Order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court. The prosecution, which in some cases may be the Council, may apply for the CBO in the criminal court after the offender has been convicted. For a CBO to be made:

- the court must be satisfied, beyond reasonable doubt, that the offender has engaged in behaviour that caused, or was likely to cause, harassment, alarm or distress to any person: and
- that the court considers making the order will help in preventing the offender from engaging in such behaviour.

Breach of a CBO is a criminal offence with a maximum penalty of up to five years in custody.

Dispersal power

The dispersal power is a flexible power which the police (not the Council) can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. In areas where there are regular problems, the police should work with the Council to find sustainable long-term solutions.

Community Protection Notice (CPN)

The CPN is intended to deal with particular, ongoing problems or nuisances which negatively affect the Community's quality of life by targeting those responsible. In many areas, councils already take the lead in dealing with these kinds of issues and they will continue to be able to issue the new notice. If there are existing powers available to the Council under other legislation, these will in most cases be used before the CPN. The CPN is envisaged as a useful power in circumstances not already covered by legislation and there are various new situations where it may be considered. A CPN can be issued if the conduct of the individual, business or organisation is:

- having a detrimental effect on the quality of life of those in the locality;
- is persistent or continuing in nature: and
- is unreasonable.

Before the Council can make a CPN there is a procedure set down by statute which must be obeyed and includes a warning.

Once issued, breach of a CPN is a criminal offence with a maximum penalty of up to a level 4 fine (currently £2500). Breach can be dealt with by issuing a Fixed Penalty Notice. Other orders can be requested upon breach such as paying for remedial work and forfeiture of items.

Public Spaces Protection Orders (PSPO)

PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing

conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. Importantly they replace the old Designated Public Place Orders; Gating Orders and Dog Control Orders. These three old orders (where in existence) remain valid for 3 years from the 14th October 2014 at which point they are converted to PSPO's. PSPO's are only valid for 3 years and must, if they continue to be needed, be renewed every three years. The three old orders can be replaced by PSPO's earlier than the 14th October 2017 which may simply the enforcement landscape. Should this be proposed, a separate report will follow to deal with this issue. A PSPO can be issued if the Council are satisfied that the activities carried out, or likely to be carried out, in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed

Before the Council can make a PSPO there is a procedure set down by statute which must be obeyed and includes consultation with various bodies.

Once issued, breach of a PSPO is a criminal offence with a maximum penalty of up to a level 3 fine (currently £1000). Breach can be dealt with by issuing a Fixed Penalty Notice.

Closure Power

The closure power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder. The power comes in two stages: the closure notice and the closure order which are intrinsically linked. The notice can be used by the Council and following the issuing of a notice, an application must be made to the Magistrates Court for a closure order, unless the closure notice has been cancelled.

Breach of a Closure Order is a criminal offence with a maximum penalty of up to six months in custody or an unlimited fine.

- 4.2 As a result of the Anti-social Behaviour, Crime and Policing Act 2014, it is proposed that the following insertion is made to the Scheme of Delegations at Scheme B2 as a function allocated to the Assistant Chief Executive, Legal and Regulatory:

2.64	To do anything which the Council has the power to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Anti-social Behaviour, Crime and Policing Act 2014 with the exception of Public Spaces Protection Orders as specified in Part 4, Chapter 2 of the Act.
------	---

- 4.3 It is further proposed that the Anti-social Behaviour, Crime and Policing Act 2014 be inserted into the list of enactments at Scheme B2 paragraph 2.58.

5. Effect upon Policy Framework & Procedure Rules

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

6. Equality Impact Assessment

6.1 An Initial Screening EIA has been undertaken and there are no equality implications.

7. Financial Implications

7.1 There are no financial implications arising from this report.

8. Recommendation

It is recommended that Cabinet:

8.1 Note the content of the report and approve the amendments to the Scheme of Delegation of Functions as set out at paragraphs 4.2 and 4.3;

8.2 Note that a further report will be presented to Cabinet regarding Public Spaces Protection Orders.

Contact Officer: P A Jolley
Assistant Chief Executive Legal and Regulatory Services

Telephone: (01656) 643106
E-mail: Andrew.Jolley@bridgend.gov.uk

Postal Address Level 2,
Civic Offices,
Angel Street,
Bridgend,
CF31 4WB

Background Documents

None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE ASSISTANT CHIEF EXECUTIVE - LEGAL AND REGULATORY SERVICES

INFORMATION REPORTS FOR NOTING

1. Purpose of Report .

- 1.1 The purpose of this report is to inform Cabinet of the Information Reports and Minutes of Joint Committees which have been published since its last scheduled meeting.

2. Connection to Corporate Improvement Objectives.

- 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 At a previous meeting of Cabinet, it was resolved to approve a revised procedure for the presentation to Cabinet of Information Reports for noting.

4. Current situation / proposal.

4.1 Information Reports

The following information reports have been published since the last meeting of Cabinet.

<u>Title</u>	<u>Date Published</u>
Estyn Inspection Outcomes for Llangewydd Junior School	9 March 2016
Bridgend College Partnership Working	9 March 2016
Social Services and Well-Being (Wales) Act 2014	9 March 2016

4.2 Minutes for Noting

The following minutes of Joint Committees have been published since the last meeting of Cabinet

<u>Title</u>	<u>Date Published</u>
Coychurch Crematorium of 4 December 2015	9 March 2016
Catalogue Supplies of 18 December 2015	9 March 2016

4.3 Availability of Documents

The documents have been circulated to Elected Members electronically via Email and placed on the BCBC website. Hard copies of the reports have been placed in the Members Room for information and are available on request from Cabinet and Committee Services. The documents have been available from the date of publication.

5. Effect upon Policy Framework and Procedure Rules.

5.1 This procedure has been adopted within the procedure rules 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 regarding this report.

8. Recommendation.

8.1 That Cabinet acknowledges the publication of the documents listed in this report.

P A Jolley
Assistant Chief Executive Legal and Regulatory Services
9 FEBRUARY 2016

Contact Officer: Andrew Rees
Senior Democratic Services Officer – Committees
Telephone: (01656) 643387
Email: cabinet_committee@bridgend.gov.uk

Postal address: Cabinet & Committee Services
Legal & Regulatory Services
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents: Reports referred to in this covering report.

BRIDGEND COUNTY BOROUGH COUNCIL

INFORMATION REPORT TO CABINET

15 MARCH 2016

REPORT OF THE DIRECTOR OF EDUCATION AND TRANSFORMATION

ESTYN INSPECTION OUTCOMES FOR LLANGEWYDD JUNIOR SCHOOL

1. Purpose of Report

1.1 This report informs Cabinet of the outcomes of the recent Estyn inspection of Llangewydd Junior School.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

2.1 The information in this report relates to strategic priority 2 in the Corporate Plan 'Working Together to Raise Ambitions and Drive Up Educational Achievement'.

3. Background

3.1 This school was inspected by Estyn in November 2015 and the report was published in January 2016. The full text of the report is available on the Estyn website: www.estyn.gov.uk

4. Current situation / proposal

4.1 Inspectors reached the following judgements:

Current Performance	Good
Prospects for Improvement	Excellent
How good are outcomes?	Good
Standards	Good
Wellbeing	Excellent
How good is provision?	Good
Learning experiences	Good
Teaching	Good
Care, support and guidance	Excellent
Learning environment	Good
How good are leadership and management?	Excellent
Leadership	Excellent
Improving quality	Excellent
Partnership working	Excellent
Resource management	Good

The school's current performance is good because:

- Many pupils make at least good progress and build on their skills well as they move through the school;
- Pupils of all abilities make good progress in learning and using Welsh as a second language;
- Pupils' behaviour and their level of engagement are good;

- Listening and responding to pupils' views are a strength;
- There is a robust system for assessing and tracking pupils' progress regularly;
- There are outstanding levels of care, support and guidance for all pupils, which also have a positive impact on parents;
- The school is a vibrant community where staff recognise and celebrate the diversity of its pupils.

The school's prospects for improvement are excellent because:

- The headteacher provides highly effective leadership and direction for the school;
- The governing body carries out its duties very well and contributes extensively to the strategic direction of the school;
- The school's arrangements for self-evaluation, monitoring and planning for further improvements are well established and very effective;
- The school has developed an excellent partnership with parents;
- The school has an important and active role within the local community, where outstanding relationships are evident;
- Leaders manage the deployment of staff and resources highly effectively;
- The school uses its resources well to ensure that all groups of pupils achieve successfully.

4.2 The report included the following recommendations:

- R1 Ensure regular and varied opportunities for pupils to use their numeracy skills across the curriculum.
- R2 Improve the consistency of marking and assessment for learning by giving pupils opportunities to respond to teachers' comments.
- R3 Share the highly effective practice of family and community engagement with other schools across Wales.

4.3 The school will draw up a post inspection action plan which will show how it will address the recommendations. At the invitation of Estyn, the school will also prepare a written case study, describing the excellent practice identified during the inspection.

4.4 The Local Authority and the Central South Consortium will support the school to continue to improve outcomes and address all the recommendations.

5. Effect upon Policy Framework and Procedure Rules.

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

6. Equality Impact Assessment

6.1 There are no direct equality impact issues arising from this report.

7. Financial Implications

7.1 There are no financial implications arising directly from this information report.

8. Recommendation

8.1 It is recommended that Cabinet note the content of this report and that the school's current performance is judged by Estyn to be "good" and prospects for improvement are judged "excellent" by Estyn.

Deborah McMillan
Corporate Director - Children

Telephone: (01656) 642612

E-mail: Deborah.McMillan@bridgend.gov.uk

Postal Address Children's Directorate
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

Estyn Inspection Report

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

REPORT OF THE CORPORATE DIRECTOR - SOCIAL SERVICES AND WELLBEING

SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014

1. Purpose of report

- 1.1 The purpose of this report is to update Cabinet on the Social Services and Well-being (Wales) Act 2014, which provides the legislative basis for social services in Wales from 6th April 2016. This report sets out the requirements of the Act and the work ongoing to implement the regulations and codes into working practice both at a regional and local level.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report links to the following improvement priorities in the Corporate Plan:

- Working together to help vulnerable people to stay independent;
- Working together to make best use of our resources.

3. Background

- 3.1 The Social Services and Well-being (Wales) Act 2014 received Royal Assent in January 2014 and gives effect to the policy stated in the White Paper "Sustainable Social Services for Wales: A Framework for Action". It provides a legal framework for the policy aims of the Welsh Government in relation to Social Services, bringing together Local Authorities' duties and functions.

- 3.2 The Act has two key policy objectives:

- To improve the wellbeing outcomes for people who need care and support and
- To reform social services law.

It seeks to:

- Transform the way in which social services are delivered, primarily through promoting people's independence and giving them a stronger voice and control;
- Promote partnership working in social care;
- Enhance the preventative role of social care and health, setting out overarching wellbeing duties to reduce or delay the need for care and support.

- 3.3 This can be seen as part of the wider wellbeing agenda, in particular the opportunity to explore and support people to achieve individual wellbeing, either prior to, or instead of, becoming eligible for social care services. Local Authorities are charged with providing or arranging preventative services, developing new models of practical responses, based on social enterprise co-operative models as well as user led and with the third sector.

3.4 The Act also strengthens Local Authorities' duties so that:

- when assessing an individual, the Local Authority must consider not only the individual's needs and the outcome/s the person wishes to achieve but also the strengths and capacity of the individual, their family and others who may support them;
- Irrespective of whether the individual has an eligible need, they will have access to information, advice and (where necessary) assistance as well as a range of preventative options and other opportunities in the community;
- There is better access to good information, advice and assistance to engage the citizen, with links to the resources available in the community to enable people to exercise their voice, choice and control and make informed decisions;
- There is a wide spectrum of proportionate community-based support which citizens who have needs can access without having to rely on a complex assessment and care package;
- There is more targeted help to assess individuals and families with significant and enduring needs, and to organise and secure the care and support they require.

4. **Current Situation / Proposal**

Legal Framework

4.1 The Act repeals much of the previous framework of social care legislation in Wales in an attempt to establish a single, clear, modern statute and code of practice that underpins a coherent social care system. It is important to note that some legislation will remain in place including the Mental Capacity Act 2005, including elements of the Children's Act 1989. The primary legislation is supported by regulations (secondary legislation) and detailed codes of practices.

4.2 The Act is made up of 11 parts. These are briefly summarised below:

Part 1 Introduction – the introduction sets out definitions underpinning the rest of the Act. The Act moves away from definitions in previous legislation which used language such as age, illness and disability to 'people who need care and support' and 'carers who need support'. The definition of carers is far broader than in previous legislation, removing the requirement that carers must be providing 'a substantial amount of care on a regular basis'.

Part 2 General Functions – this part of the Act details overarching duties, duties in respect of well-being outcomes and strategic and operational duties in respect of preventative services.

Overarching duties – The Act requires that persons 'exercising functions' under the Act give due regard to the UN Principles for Older People (1991) and the UN Convention on the Rights of the Child. The duties are:

- Well-being Outcomes - this duty requires Local Authorities to be proactive in seeking to improve well-being for people who need care and support and carers who need support, when exercising social services functions for a person.

- Population Needs Assessments - Local authorities and Local Health Boards are required to work together on a regional basis to produce an evidence base in relation to care and support needs and carers' needs. The first population assessment must be produced by April 2017.
- Preventative services - local authorities **must** provide or arrange for the provision of a range and level of preventative services which they consider will prevent people's needs for care and support and stop needs from escalating. Authorities should promote well-being in delivering universal services.
- Social enterprises - local authorities must promote the development of social enterprises and co-operatives and/ or involve people and carers in the design and operation of care and support and preventative services.
- Provision of information, advice and assistance - Each local authority, with the assistance of Local Health Board partners, must secure the provision of a service for providing people with information and advice relating to well-being, care and support in their area, and (where appropriate) assistance in accessing these.
- Local authorities must develop registers of sight-impaired, hearing impaired and other disabled people.

Bridgend County Borough Council along with other statutory and third sector partners has been involved in a number of working groups around partnership, prevention and planning. Work being undertaken includes: communication planning, community development / local community connection work and the development of an outcomes framework for Wales. A range of approaches are being developed in order to ensure that the service can more effectively respond to people approaching us for information, advice and assistance.

Part 3, Assessing the Needs of Individuals – The underlying approach of this part of the Act is for an assessment to be undertaken in partnership with an individual using a more simple approach which reduces unnecessary bureaucracy. Assessments will be proportionate and need to focus on what matters to a person and how they can use their own strengths and resources to do things. It also begins a significant legal change as carers will have an equal right to an assessment. Welsh Government is currently working with key partners to develop a national assessment and eligibility tool.

Part 4, Meeting needs – The Act sets out duties to respond to identified needs and determine whether those needs are eligible for managed care services. Determining eligibility requires the assessor to focus on people's strengths and capabilities, as well as on their needs and the barriers they face, to achieve their personal outcomes. The national eligibility framework will bring with it an enforceable right for the individual. The Code of Practice removes any reference to what had become known as the 'can and can only' test for accessing identified care and support. Care and support plans need to identify the role played by unpaid carers, parents, partners and other family members in an individual's care and support. A care and support plan must identify the personal outcomes and set out the best way to help achieve them. Care and support plans will be portable across Welsh local authority borders. Local authorities have a duty to explore innovative ways people's needs might be met through direct payments. A significant change is that direct payments can be used to purchase care and support direct from their local authority.

The Social Services and Wellbeing Directorate has adopted a project management approach to the implementation of the Act and in particular to progress and inform the development of the assessment tools and approach required from practitioner teams. This has required significant work with managers and practitioners, to map out the new requirements, and integrate them into practice tools and a new IT recording system. This work has also ensured that the necessary links have been made with the new Welsh Community Care Information System which is being implemented at the same time. The development of practice guidance to support all practitioners is being developed. Awareness raising sessions have been held over the last 6 months on the changes which the Act requires from Bridgend County Borough Council and its partners.

Part 5, Charging and Financial Assessment – This part of the Act identifies the circumstances in which a local authority may charge for providing or arranging care and/ or support including when an authority may charge for preventative services and provision of assistance. It also sets out how charges can be set, paid and enforced. A separate report setting out the new Charging and Financial Assessment is being presented to Cabinet on 15 March 2016.

Part 6, Looked After and Accommodated Children – Part 6 of the Act largely re-enacts the provisions in part 6 of the Children Act 1989 relating to looked after children and the various extensive duties on local authorities to meet the care and support needs of ‘looked after’ children and care leavers.

The necessary work to amend current document and practice guidance and work is underway.

Part 7, Safeguarding – Safeguarding is a theme that runs throughout the Act. A new duty to report is introduced for relevant partners in relation to safeguarding children. The Act also introduces a new statutory framework for Adult safeguarding and this includes a new duty for relevant partners to report adults who may be at risk. This will enable authorised officers of the local authority to apply to the court for an adult safeguarding and support order if there are significant concerns that an adult is at risk. This will confer a power of entry so that the authorised officer can speak to an adult at risk, but not a power to remove. New structures for safeguarding boards are mandated, with board areas and lead partners prescribed through regulations. Western Bay established safeguarding boards for both children and Adults 2 years ago and they have now aligned their work plans to incorporate the new requirements for safeguarding set out in the Act.

Part 8, Social Service Functions – Part 8 of the Act specifies the Social Services functions of Local Authorities. Local Authorities must appoint a Director of Social Services who must demonstrate competencies specified by Welsh Ministers. This part of the Act also provides for grounds for intervention by Welsh Ministers in the exercise of Social Services function, where a local authority is deemed to be failing.

Part 9, Well-being Outcomes, Co-Operation and Partnership – Statutory guidance has been issued in respect of Part 9 relating to partnership arrangements between organisations and the need to ensure that effective regional partnership boards are in place. The statutory guidance requires regional partnership boards to prioritise integration of certain areas: older people with complex needs and long term conditions (including dementia), integrated family support services, learning

disabilities, children with complex needs and carers (including young carers). In addition, the guidance now requires the establishment of pooled funds in specific areas: the exercise of care home accommodation functions, the exercise of family support functions and functions that will be exercised jointly as a result of an assessment carried out under section 14 of the Act.

Western Bay has already established a partnership board which is made up of Chief Executives and senior Officers and a leadership board which reflects the political leadership across the region. Work has now begun to develop these to be compliant with the new Act

Part 10, Complaints, Representations and Advocacy Services – this part of the Act has three chapters – complaints and representatives, complaints about private social care and palliative care and advocacy services. There are significant changes to ensure that people are able to access advocacy support as part of the assessment process.

The changes required around complaints and representation has been fully implemented and staff guidance has been developed and introduced. In addition e-module learning tools are being developed. Further work is required to ensure that people can access advocacy to overcome any barriers to engagement. The Code of Practice for assessing needs requires the Authority to ensure that individuals are empowered to express their needs and are able to fully participate in the process as equal partners.

Part 11 Miscellaneous and General –This part of the Act includes various miscellaneous and general provisions, one of which is a new duty in respect of adults with care and support needs who are in the secure estate in Wales. This duty exists regardless of their place of ordinary residence in Wales or elsewhere before their detention, and a change in how existing responsibilities for the care and support of children in the secure estate whether detained in England or Wales) are fulfilled. There is also a requirement for the provision of information advice and assistance, and where appropriate the consideration for the need to access advocacy in order to support effective participation in decisions around an individual's wellbeing. This has significant implications for Bridgend as it currently has the biggest prison population in Wales, and will take responsibility for assessing and meeting the 'care and support' needs of prisoners whether they are from Wales, England or another nationality. The local authority must also consider in partnership with others how we deliver preventative services needed by those in the secure estate.

The intended amount for Bridgend from Welsh Government to assist in this part of the Act is £236,774 for 2016-17, reducing to £217,448 for 2017-18 onwards. The Council is currently out to advert for two Social Workers and an Occupational Therapist based at HMP Parc to meet the Council's statutory responsibilities, including undertaking assessments, support planning and review. Children's Services are working with the Youth Offending Service to make arrangements to ensure that statutory responsibilities will be met.

Workforce Development

- 4.3 The Care Council for Wales working with Local Authority partners have developed a national learning and development plan designed to ensure that the workforce is supported and informed to deliver social services in accordance with Welsh law, and its interface with other relevant statutes, and to practice in line with the principles of the Act.
- 4.4 The Social Care Workforce Development Team delivered ten 'Getting in on the Act' introductory training events between August and December 2015. There were 390 attendances by staff working across the social care sector in the County Borough.
- 4.5 Training for managers and practitioners on the key areas of the Act: Introduction and general functions; Assessing and meeting the needs of individuals; Looked after and accommodated children and Safeguarding have commenced. 37 events have been scheduled. Skills based workshops to support the transfer of knowledge into practice will follow.
- 4.6 Work has been undertaken with Children Services and Adult Social Care to develop a supervision and support policy which will provides structure and guidance for Managers to support their teams through the significant changes required by the Act. The developed policy recognises a mentoring and coaching approach to supporting change. This clearly links to the work of the Care Council and the council's own workforce development teams' agenda.
- 4.7 Four Welsh voluntary organisations have received funding to enable them to develop learning materials to support implementation. Age Cymru, Tros Gynnal Plant, Disability Wales and Hafal were each awarded the funding through the second round of the Co-production Grant Fund, created by the Care Council to draw upon the expertise of other organisations in developing resources for the Act. All learning materials developed by these organisations will be available by the end of March. Some of the third sector bodies will develop their materials themselves; others will take a partnership approach with various other organisations contributing to the final output. For example, Age Cymru will take the lead in collaboration with Swansea University and Disability Wales to create materials which focus on advocacy support and services for those acting as advocates in the wider workforce.

Regional Implementation

- 4.8 Welsh Government has made available a specific grant, the Delivering Transformation Grant (DTG) in each region of Wales to support implementation of the Act, at present the allocation of the specific grant is being finalised across Western bay details of which will be available shortly.. A regional implementation plan has been developed for the Western Bay area. This plan sets out high level aims and objectives; below this there has been the development of Operational Action Plans that provide more detail in the key areas. The Director of Social Services and Wellbeing for Bridgend County Borough Council is the regional Lead Director for the implementation of the Act.
- 4.9 The four national work groups, established to share best practice and produce consistent material on an all-Wales basis, have now met. Bridgend, as part of the Western Bay region, have sent officers to each of these groups to contribute to the development of national toolkits/checklists and, where possible, avoid duplication

and develop procedures/processes to meet the local context. Where appropriate any issues not able to be resolved locally are being escalated to the national level.

- 4.10 In line with the requirements of the Act, the following areas have been identified for scoping to explore what can be done on a regional basis: Social Enterprise; Advocacy; Secure Estates and Resettlement Functions. Work has been done to map the requirements for regional working arrangements set out in the Code of Practice, which will inform on-going work for the group. The local plans for the 3 authorities have been transferred onto a common template to enable regional comparison. The group is currently looking to work with the Institute of Public Care (IPC) to explore how best they can collaborate regionally.

Future Considerations

- 4.11 At a local level, Bridgend has a Project Group working on the implementation of the Act as part of its Remodelling Programmes. This work is focusing on the planning and implementation required by 6th April 2016.
- 4.12 There are considerable workforce considerations, ICT and financial implications for Bridgend County Borough Council and its partners, with significant new duties in the Act which need to be complied with. These have been mapped out by the Project Group with the necessary actions and work required.
- 4.13 Work has been undertaken to ensure that Bridgend is where it needs to be by 6th April 2016, and any risks and gaps identified. The fit between local transformation programmes to deliver cultural and practice change in line with the requirements of the Act is fundamental to embedding the significant legal changes outlined in the Act, regulations and codes of practices. There will be considerable ongoing work across the Authority and with partners, essential to delivering the significant level of longer term transformation required by the Act.
- 4.14 As the initial work plan for December 2015–April 2016 is concluded, the project team will update the gap analysis which will inform the ongoing plan for change. Within this plan, consideration will be given to the work required under the following headings:
- The ongoing regional transformation approach and plan (Western Bay) – the links to local work;
 - The development of social enterprises;
 - Ongoing communication with the communities, service users, carers, the third sector and partners to ensure their perspective informs ongoing service re-design and development;
 - Continue the development of the information, advice and assistance response;
 - Continue working with partners to ensure community support is available to maximise people's independence and well-being without the need for formal assessments.

5. Effect upon Policy Framework and Procedure Rules.

- 5.1 There is no impact on the policy framework and procedure rules.

6.0 Equality Impact Assessments

- 6.1 The Social Services and Wellbeing (Wales) Act, by its very nature, will in part be providing support and care to the most vulnerable in our communities and should also have a positive impact on those people with protected characteristics.
- 6.2 An Equality Impact Assessment has been undertaken for each part of the Act by Welsh Government. There are no negative impacts cited. In undertaking the assessments, the Government stated that there is a clear and unequivocal commitment to an inclusive approach is set out within the statutory Code of Practice. The Act promotes equality, improvements in the quality of services and the provision of information people receive, and a shared focus on prevention and early intervention.

7. Financial Implications.

- 7.1 The Social Services and Wellbeing (Wales) Act 2014 sets a whole range of new challenges and service user entitlements which will have to be met at a time of severe financial restraints for local government and social services. It has been made clear that there will be no additional resources from the Welsh Government for this purpose, apart from the transitional/transformational funding as detailed in paragraph 4.8. Local authorities should remain very cautious about whether there will be sufficient resources available to meet increased commitments and expectations in the face of growing demand for services. It is essential that the Council takes account of the budget pressures that will be experienced by the Social Services Directorate as a direct consequence of the Act from the beginning of the next financial year.
- 7.2 In relation to the new responsibilities in relation to the secure estate, detailed at paragraph 4.2 under Part 11, it has been confirmed that Bridgend CBC will receive grant of £236,774 in 2016/17 reducing to £217,448 in 2017/18 onwards via Welsh Government. .

8. Recommendation.

- 8.1 Cabinet is recommended to note the content of this report and the actions set out for the future implementation of the Social Services and Well-being (Wales) Act in Bridgend.

Susan Cooper
Corporate Director, Social Services and Wellbeing
February 2016

9. Contact Officers:

Jackie Davies, Head of Adult Social Care and
Laura Kinsey, Head of Safeguarding and Assessment
(01656) 642216
Telephone:
E-mail: Jacqueline.davies@bridgend.gov.uk;
Laura.kinsey@brudgend.gov.uk
Postal Address Bridgend County Borough Council
Civic Offices, Angel Street, CF31 4WB

10 Background Documents

- Social Services and Well-being (Wales) Act 2014
- Codes of Practices and Regulations made under the 2014 Act

This page is intentionally left blank

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 MARCH 2016

INFORMATION REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND TRANSFORMATION

BRIDGEND COLLEGE PARTNERSHIP WORKING

1. Purpose of Report

- 1.1 The purpose of this report is to update members of the Cabinet regarding the latest developments relating to the Council's partnership working with Bridgend College.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report relates to the Corporate Improvement Plan priority "Working together to raise ambitions and drive up educational achievement."

3. Background

- 3.1 The broad background position was outlined to Cabinet in the July 2013 report on "Post 16 Transformation update" (Appendix A). Since that report there have been further discussions with Welsh Government and Bridgend College on transformation issues, continued development of cluster working among schools, the introduction of value-added systems to sharpen the view on quality of provision and a shift in grant funding with greater emphasis on the role of the Central South Consortium.
- 3.2 Welsh Government has been supportive of the discussions held between Bridgend College and BCBC. In 2015 possible future directions for the organisation of Post 16 provision were examined and discussed with the *Schools Organisation Strategic Group*, Secondary Headteachers and Bridgend College. There was strong recognition for increasing collaboration between schools and the college and the need to seek, in the future, a blend of 6th form and tertiary provision across the Borough. It was recognised that any such proposals would need to integrate with the wider School Organisation discussions in Bridgend.
- 3.3 As part of on-going discussions the issue of capital requirements to meet any potential future Post 16 re-organisation has been raised. Any substantive proposals will need to link into the Borough's 21st Century School proposals and the ability of Bridgend College to raise capital from the sale of land at some of its sites.
- 3.4 Secondary schools in Bridgend continue to collaborate and are continually reviewing the range of subjects on offer and the number that can be shared through partnership and cluster activity. Particularly strong links have been developing between the Welsh medium schools of Ysgol Llangynwyd in Bridgend and Ysgol Llanhari in RCT in order to provide a broad and viable curriculum offer. Both schools are developing good vocational links with Bridgend College. The twilight 'A' level provision offered to Bridgend schools by the College continues to be

popular with more students participating in this form of collaboration than in day time shared courses.

- 3.5 From 2014 Bridgend has subscribed to the Alps value-added quality system. This system covers all A level and BTEC Level 3 teaching in 6th forms and Bridgend College. Alps allows schools, the college, teachers and students to set aspirational targets for their studies and to review the outputs against comparative results across England and Wales. Alps has been welcomed by Headteachers and the College Principal and it provides a much more detailed analysis of quality than current Welsh Government measures. A recent detailed report based on this new data is attached to this report. (Appendix B).
- 3.6 There has been a significant change to Welsh Government Grant funding in recent years. The 14-19 grant has been significantly reduced and is now directed toward the Central South Consortium where it has been subsumed into the Education Improvement Grant with the majority of the grant being delegated directly to schools. Over the last two years Post 16 activity has been ineligible within the 14-19 grant. The impact for Bridgend has been a reduction in support for Post 16 transport costs with the burden increasingly falling on to school budgets. Bridgend College has continued to meet the transport costs of the twilight provision. The schools and the college have continued to work together on 14-16 issues especially the "School Plus" vocational provision aimed at supporting disengaging learners in Year 11 and maintaining the downward reduction in those young people not engaged in education, employment or training.
- 3.7 From 2014 the Welsh Government introduced a new Post 16 Planning and Funding regime. The funding mechanism is no longer related to qualifications but is based on Learning Programmes. These represent the total volume of learning undertaken by a student, for example, a 3 A level plus Welsh Bac. Programme. In this new system Welsh Government funds the local authority (LA) which then determines the allocation of funds to schools. This has opened up a fresh and more flexible approach to planning between the LA, school 6th forms and the College which is closer to a commissioning model of engagement. Through this the LA is able to more precisely discuss collaborative arrangements and the quality of delivery (using Alps data) and align into this work a number of LA responsibilities under the Learning & Skills Measure, The Youth Engagement & Progression Framework and the Youth Guarantee. It also allows all partners to plan more holistically to meet the reductions in grant and the changing Welsh Government priorities especially within the Further Education sector.
- 3.8 Bridgend continues to meet the demands of the Welsh Government's Learning & Skills Measure at key stage 4 and Post 16. The KS4 offer has been reduced to 25 subjects at Level 2 of which 3 should be vocational subjects. At Post 16 the requirement remains an offer of 30 subjects at Level 3 of which 5 should be vocational. The 5 vocational courses should be drawn from at least 3 of the 5 domains of learning and must include one from the area of Science & Technology.

4. Current situation

- 4.1 Bridgend is continuing to develop its plans for Post 16 rationalisation. This work will take account of the small size of some 6th forms, the reduced offer available to students in these centres, the quality of provision, the practicalities of day time

partnership and twilight provision and the reduction in grant funding (£171,274 reduction in 2016-17).

- 4.2 A *Working Group* has been established and with officer support it will prepare a range of options that will be presented to Cabinet as a basis for future consultation on Post 16 delivery across Bridgend. The ability among partners to generate capital for future Post 16 facilities will also be considered. Welsh Government has been invited to be party to these discussions and plans.
- 4.3 Through its commissioning role with 6th forms the LA will continue to review and adjust partnership / cluster arrangements across Bridgend. In this context Bridgend College and Pencoed Comprehensive are seeking to work more closely together on Year 12 provision from September 2016. Both parties are seeking to maximise the effective use of budgets, staffing and campus arrangements to provide a high quality breadth of curriculum provision. Where appropriate, other schools with smaller 6th forms will be encouraged to take advantage of these new arrangements.
- 4.4 Due to the significant uptake of twilight provision by learners the LA is investigating with the college and 6th forms the possibility of introducing a second twilight option on two further evenings. This may involve delivery by school staff as well as those at the college and will require negotiations with Heads, staff and staff organisations.
- 4.5 The LA will continue to work with its partners in the College, schools, Careers Wales and its own Youth Support Services to ensure the implementation of the Welsh Government's Youth Guarantee and support all young people into positive destinations at age 16, 17 or 18. This will entail providing high quality and up to date careers advice and guidance and making sure that, across all partner settings, there is a curriculum / training / employment offer suitable to meet the needs of all learners emerging from Year 11. Part of this work will focus on improving the dialogue between schools, their learners and the college with respect to the provision available at Post 16 transition. Also, through data sharing protocols, improvements will be made to the flow and range of communications that underpin successful learner transfer from school to college.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 There is no impact on the Council's policy framework or procedures rules at this time.

6. Equality Impact Assessment

- 6.1 All on-going work in relation to post 16 developments will be monitored to ensure that the outcomes and impact of future models of working contribute positively to the Council's duty to promote equality.

7. Financial Implications

- 7.1 All Post 16 funding is now routed through either the LA or the College as their respective Post 16 allocations from Welsh Government. For the LA there is greater flexibility with its Post 16 partners which can be exercised through its commissioning role.

7.2 The Bridgend Post 16 grant has been reduced by £171,274 for 2016-17, a reduction of 2.63%. Further reductions are expected over the next two years. Post 16 stakeholders, faced with continuing financial constraints, will need to generate flexible solutions to meet the needs of learners in a more demanding fiscal climate.

8. Recommendation

8.1 That Cabinet members note the progress made to-date in relation to the on-going review of Post 16 rationalisation and prepare to receive additional reports and information throughout the process leading up to a paper in October 2016 that will recommend a range of solutions for Consultation.

Deborah McMillan
Corporate Director – Education and Transformation

Telephone: (01656) 642612

E-mail: Deborah.McMillan@bridgend.gov.uk

Postal Address Children's Directorate
Bridgend County Borough Council
Civic Centre
Angel Street
Bridgend
CF31 4WB

Appendices

Appendix A: Post 16 Transformation update

Appendix B: Bridgend Performance at Key Stage 5

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14, 16 of Part 4 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank