

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 /
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Direct line / Deialu uniongyrchol: 01656 643147
Ask for / Gofynnwch am: Mr Andrew Rees

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

Date / Dyddiad: Wednesday, 26 August 2015

Dear Councillor,

COUNCIL

A meeting of the Council will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Wednesday, 2 September 2015 at 3.00 pm.**

AGENDA

1. Apologies for absence
To receive apologies for absence from Members/Officers for the reasons so stated.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest from Members/Officers in accordance with the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 5 - 18
To receive for approval the following minutes of meetings of Council:-

Extraordinary meeting – 8 July 2015
Ordinary meeting – 15 July 2015
4. To receive announcements from:
(i) Mayor (or person presiding)
(ii) Members of the Cabinet
(iii) Chief Executive
5. To receive the report of the Leader
6. Amendment to the Constitution 19 - 26
7. Public Services Ombudsman for Wales Annual Letter 27 - 38
8. Amendment to the Scheme of Delegation 39 - 90

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9. Amendment to the Calendar of Meetings

91 - 96

10. Urgent Items

To consider any item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

11. Exclusion of the Public

The minutes relating to the following items are not for publication as they contain exempt information as defined in Paragraph 14 of Part 4 and Paragraph 21 of Part 5, Schedule 12A of the Local Government Act 1972, as amended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 this item in private, the public will be excluded from the meeting during such consideration.

12. Approval of Exempt Minutes

97 - 102

To receive for approval the exempt minutes of Council of 8 July 2015.

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

G Thomas
S Aspey
D Sage
HJ David
M Gregory
MEJ Nott OBE
JH Tildesley MBE
PJ White
E Dodd
M Winter
E Venables
M Butcher
N Clarke
G Davies
GW Davies MBE
PA Davies
DK Edwards
L Ellis

Councillors

EP Foley
DM Hughes
EM Hughes
CJ James
P James
RM James
RD Jenkins
PN John
B Jones
CL Jones
M Jones
RC Jones
DRW Lewis
JE Lewis
JR McCarthy
HE Morgan
AD Owen
DG Owen

Councillors

G Phillips
DR Pugh
CL Reeves
M Reeves
CE Smith
JC Spanswick
M Thomas
RL Thomas
HJ Townsend
KJ Watts
C Westwood
DBF White
HM Williams
R Williams
LC Morgan
RE Young
CA Green
N Farr

MINUTES OF AN EXTRAORDINARY MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 8 JULY 2015 AT 10.00 AM

Present

Councillor RE Young – Mayor and Chairperson

M Butcher	N Clarke	HJ David	G Davies
GW Davies MBE	PA Davies	E Dodd	DK Edwards
EP Foley	CA Green	M Gregory	EM Hughes
RM James	RD Jenkins	PN John	RC Jones
DRW Lewis	JE Lewis	JR McCarthy	HE Morgan
LC Morgan	MEJ Nott OBE	AD Owen	DG Owen
G Phillips	DR Pugh	CL Reeves	M Reeves
D Sage	JC Spanswick	G Thomas	M Thomas
HJ Townsend	E Venables	KJ Watts	C Westwood
PJ White	HM Williams	R Williams	

Officers:

Andrew Jolley	Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer
Ness Young	Corporate Director – Resources & Section 151 Officer
Fiona James	Senior Development Surveyor
Kelly Watson	Group Manager Legal & Democratic Services
Gary Jones	Head of Democratic Services
Rachel Keepins	Scrutiny Officer
Sarah Daniel	Democratic Services Officer - Committees

502. APOLOGIES FOR ABSENCE

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

Councillor R Thomas – Other Council Business
Councillor D White – Personal
Councillor J Tildesley – Medical Appointment
Councillor C J James – Medical Appointment
Councillor P James – Medical Appointment
Councillor N Farr – Work Commitments
Councillor B Jones – Personal
Councillor S Aspey – Work Commitments
Councillor D Hughes – Family Commitments
Councillor C L Jones – Work Commitments
Councillor M Jones – Other Council Business
Councillor CE Smith – Holiday

503. DECLARATIONS OF INTEREST

The following Declarations of Interest were received from Members

Councillor R Young – Member of Coity Higher Community Council
Councillor E Dodd – Member of Coity Higher Community Council and as the Chairperson of the Governing Body of Coety Primary School

Councillor R C Jones – Member of Coity Higher Community Council

504. EXCLUSION OF THE PUBLIC

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

505. DISPOSAL OF COETY PRIMARY SCHOOL

The meeting closed at 11.02 am

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 15 JULY 2015 AT 3.00 PM

Present

Councillor RE Young – Mayor and Chairperson

G Thomas	S Aspey	D Sage	HJ David
M Gregory	MEJ Nott OBE	JH Tildesley MBE	PJ White
M Winter	E Venables	M Butcher	N Clarke
G Davies	GW Davies MBE	PA Davies	DK Edwards
EM Hughes	CJ James	P James	RM James
RD Jenkins	PN John	B Jones	M Jones
RC Jones	JE Lewis	JR McCarthy	HE Morgan
AD Owen	DG Owen	G Phillips	DR Pugh
CL Reeves	M Reeves	CE Smith	JC Spanswick
M Thomas	RL Thomas	HJ Townsend	KJ Watts
C Westwood	DBF White	HM Williams	R Williams
LC Morgan	CA Green	N Farr	

Officers:

Darren Mepham	Chief Executive
Susan Cooper	Corporate Director - Social Services & Wellbeing
Deborah McMillan	Corporate Director – Education and Transformation
Andrew Jolley	Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer
Colin Turner	Head of Safeguarding and Family Support
Randal Hemingway	Head of Finance and ICT
Gary Jones	Head of Democratic Services
Sarah Daniel	Democratic Services Officer - Committees

506. APOLOGIES FOR ABSENCE

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

Ness Young Corporate Director Resources & Section 151 Officer – Annual Leave
Mark Shephard Corporate Director Communities – Annual Leave
Councillor E P Foley – Holiday
Councillor J C Spanswick – Holiday
Councillor E Dodd – Holiday
Councillor R Jenkins – Holiday
Councillor D Pugh – Work Commitments
Councillor C L Jones – Family Commitments

507. DECLARATIONS OF INTEREST

None.

508. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Council of 17 June 2015 be approved as a true and accurate record subject to the amendment of missing Members on the attendance list

509. TO RECEIVE ANNOUNCEMENTS FROM:

MAYORAL ANNOUNCEMENTS:

The Mayor informed Council that Bridgend County Borough Council recently participated in the national one minute silence held in memory of those who lost their lives during the Tunisian terrorist attack. He added that he was sure that Members would agree that now more than ever, we need to show solidarity and support.

He informed Council that he had written to the Tunisian Embassy in London and had received a short but apt response from Ambassador Nabil Ammar that he shared with Members. It read "You have said everything that is to be said in your kind letter of sympathy and support. While expressing to you my deepest condolences for those of your fellow citizens horribly killed and injured, please receive my warmest thanks and best regards."

The Mayor informed Council that he had recently had a site visit to Parc Prison which involved a royal visit from His Royal Highness Prince Charles who was there to view the prison gardens and the Prince's Trust project that was seeking to rehabilitate offenders by getting them involved with football. He added that TV royalty was also present in the form of popular presenters Ant and Dec; he further added it was a great opportunity to highlight what important work was taking place to help people stay out of trouble and succeed in life.

The Mayor informed Council that on the 10th July he saw an emotional service held at Heronsbridge School as part of the 2015 National Holocaust Memorial commemorations. He explained that the event was aimed at schools and saw representative pupils from every secondary school in the area meet holocaust survivor Eva Clarke, who spoke about her experiences. He stated that as the theme for this year's HMD is 'keeping the memory alive', a plaque and a tree was planted in the grounds at Heronsbridge and each school received a 'remembrance stone' which they were able to write on and place at the foot of the tree. He added that this year was especially relevant as it marked the 70th anniversary of the liberation of the notorious camp, Auschwitz-Birkenau, as well as the 20th anniversary of the Bosnian genocide. He asked that Members joined him in congratulating everyone who played a part in organising the extremely sensitive and moving event.

The Mayor was pleased to confirm that the charities he would be supporting during his mayoral year would be the Bridgend branch of Mental Health Matters Wales, the Guy Chappell Cardio-Respiratory Investigation Unit at the Princess of Wales Hospital, the Bridge Mentoring Plus Scheme and Ysgol Bryn Castell. He added that they were all very worthy causes and was looking forward to raising money on their behalf that will benefit local people in Bridgend County Borough.

Finally, he stated that although it was still July, at the end of the month he had to give the Grand Pavilion in Porthcawl a broad idea of how many tickets the Authority would need to set aside for a mayoral charity pantomime performance in December of "Beauty and the Beast". He informed Members that tickets are £6.50 each and £2 out of every ticket sold for the charity performance will go towards the appeal fund, he added that all Members and their partners/ families would be very welcome to attend and asked if Members could let Mari Major of the Charity Committee know if they would like to attend the performance.

MEMBERS OF THE CABINET:

Deputy Leader

The Deputy Leader informed Council that a number of head teachers were retiring or have moved on, and he publically thanked them for making a major difference to the education of hundreds of children in Bridgend County Borough.

- Mrs Andrea Wood was retiring as head of Bryncethin Primary School. Mrs Wood led the amalgamation of the separate infants and junior school, the incorporation of Sarn Nursery and the opening an Early Years Unit. He added she should be very proud of her legacy as children thrive in the successful school and it continued to be extremely popular.
- Mrs Anne Carhart at Maesteg Comprehensive School took over in 2000 and led the school through the difficulty of relocating from split sites to its current purpose-built location. He stated the transformation in quality of resources had been matched by a step in change in teaching and learning with improved outcomes for pupils at the school. He added there had been such a turnaround in Maesteg that it is one of only a handful of hubs in the central south consortium; and schools from across the region travel there to learn best practice. Maesteg is looking forward to another set of record breaking KS4 results this summer, so Mrs Carhart should be proud of her legacy too.
- Mrs Amanda Stanford was also retiring as head of Mynydd Cynffig Infants ahead of its forthcoming merger with the junior school. Estyn recently praised the school for its excellent learning experiences and invited Amanda to produce a written case study so that other schools across Wales can learn from their example. He added that 'Excellent' judgements from Estyn are rare praise as they identify national best practice.
- Mrs Deborah Hiley also left earlier this year after spending 25 years teaching at Cwmfelin, 11 of those years as the head teacher.
- Catherine Archard of Plasnewydd Primary School who is leaving after spending 13 years at the school, 4 of those as head teacher.

The Deputy Leader congratulated Llangewydd Junior School for achieving the National Quality Award for Healthy Schools. He added it was the first time that a junior school in South Wales had won the prestigious award and marked the culmination of six years hard work by teachers, staff, governors and pupils at the school. He added that for the school to achieve the award, the school had to demonstrate how it delivered excellent standards of pupil health and wellbeing by linking issues such as sport, healthy eating, community links, safety, hygiene and more. The award followed the news the school had also recently been presented with a platinum status Green Flag. This is excellent work and a sure sign of the schools commitment towards encouraging pupils to maximise their potential and play active roles within the community.

Cabinet Member Communities

The Cabinet Member Communities informed Members that there had recently been an unpleasant incident which occurred at a school farm project set up by Abercerdin Primary School. He stated that the police and RSPCA were investigating after one or more individuals entered the farm area which is located close to the school and attacked the children's pet Muscovy Ducks. The culprits left the remains of the animals to be

found at the entrance to the farm. He added that pupils, teachers, governors and staff at the school had been left greatly distressed by the incident and appealed for anyone with information to come forward. The school had been developing the farm project as an educational facility for the children over the last 12 months, and were determined that they will officially open as planned in time for the start of September term, once additional security measures had been introduced. He asked that Members urge the community to come together to share any information they have that may lead to the apprehension of those responsible.

The Cabinet Member Communities stated that between July and October the Council would be consulting over proposals for improving the County Borough's network of walking and cycling routes. The Active Travel Wales Act 2013 places a legal duty on all local authorities in Wales to produce a 15 year vision for an active travel network. He added that BCBC are currently mapping out the existing local routes and related facilities, such as cycle parking and crossing points with a vision for it to be completed by the end of 2015. Work would then begin on identifying the new active travel routes and facilities that would need to be developed in the future so that local residents would be able to rely less on their cars when making short journeys.

He added that the provisions of the Act only applied to certain areas designated by the Welsh Government where it was believed that there is a potential for active travel, and where there are over 2,000 residents. Within BCBC there are nine such areas – Betws, Bridgend, Gilfach Goch, Maesteg, Ogmores Vale, Pencoed, Pontycymmer, Porthcawl and Pyle. He added that BCBC want to encourage as many people as possible to take part in the consultation by visiting the consultation page on the BCBC website.

Cabinet Member, Adult Social Care and Health and Wellbeing

The Cabinet Member for Adult Social Care and Health and Wellbeing asked Members to make their constituents aware that the Authority was finalising plans that would enable children and young people to have access to free holiday play-schemes and activities at a range of locations across the County Borough throughout the summer. He stated that this was being delivered through partnership working with the Town and Community Councils, Communities First, Sport Wales and HALO Leisure, all of which linked in with the Welsh Government's desire for local authorities to locate a range of play opportunities and make them widely available.

He added his thanks to the Disabled Children's Team and Barnardos, and also informed Members there would be specific support for children with disabilities and their families through the Discovery Days Programme. He stated that the programmes would be promoted through social media, the press, BCBC website and community networks.

The Cabinet Member, Adult Social Care and Health and Wellbeing informed Council that BCBC had teamed up with the RNIB Cymru for an impressive new initiative which helps people with visual impairments to get the most out of modern technology. The Digital Inclusion Service works with the Blind and partially sighted residents to make them aware of how modern smart phones, tablets and other devices feature built-in options designed to make them accessible to all. He added that RNIB officers have been working with the Council's sensory service which is based at the Trem Y Mor Integrated Centre in Bettws and they are visiting people at home to provide practical demonstrations and ways in which they can retain independence and avoid becoming socially excluded. He added that this was an excellent and worthwhile initiative and would help blind or partially sighted residents ensure that they did not miss out on all the things that other people benefit from such as online shopping, social media and more.

The Cabinet Member for Adult Social Care and Health and Wellbeing concluded that on behalf of the Cabinet Member- Regeneration and Economic Development that the name of the new not for profit cultural trust would be Awen Cultural Trust Ltd. He stated the name Awen had been chosen by staff as an ancient Welsh word for artistic inspiration and is extremely appropriate. He added that a fantastic response was received for a call for trustees to join the Cultural Trust and an independent Board had been appointed. He advised the trust will officially come into being this Autumn when they would take over the running of Porthcawl's Grand Pavilion, Maesteg Town Hall, Bryngarw House and Country Park, Blaengarw Workmen's Hall, the Library Service, some community centres and two work-based projects for adults with disabilities.

Cabinet Member Children's Social Services and Equalities

The Cabinet Member for Childrens Social Services and Equalities informed Council that BCBC recently became one of just two councils in Wales to feature on a new interactive map which revealed local authorities that can offer support to young adult carers. The online maps are produced by the Carers Trust and help people discover what services and information are available in their area while also highlighting which Councils are actively working towards supporting young adult carers. She explained that research by the Carers Trust had revealed that even though a caring role can have a negative impact on education, health and life chances, many young adult carers were unaware that help was available to them. BCBC's inclusion on the map was a significant achievement and was highly useful in reaching out to young adult carers.

The Cabinet Member for Children's Social Services and Equalities informed Council that the Active Young People department recently held a showcase event to celebrate the talent and commitment that exists within the local schools and communities. She stated that local people have achieved great things at a local, regional, national and international level, and that the confidence, capabilities and abilities of the young people to influence the future were key themes of the event. She added that the event featured Paralympic gold medallist and commonwealth games captain Aled Sion Davies MBE, Karis Thomas who starred in TVs the Voice and the Pencoed tumbling and gymnastics club as well as Funk Force Dance. She added there were special awards for Paralympian wheelchair rugby coach Paul Jenkins and his contribution to the Invictus Games as well as the lifetime achievements of Olympian and Marathon man, Steve Brace. She stated the event also had a special focus on how the local leadership pathway was engaged and inspiring looked after children and young people with disabilities and demonstrated that the Borough has much to be proud of.

The Cabinet Member for Childrens Social Services and Equalities informed Members that Colin Turner, Head of Safeguarding and Family Support would be leaving the Authority at the end of the month to pursue new opportunities, and that the current meeting of Council would be his final meeting. She stated that Colin had been with the Authority for over 6 years and had done sterling work leading and developing the department in providing services in support of children in need, their families and communities, safeguarding children in need of protection and securing the best possible outcomes for looked after children. She added that a serious concern protocol imposed by the Care and Social Services Inspectorate Wales was lifted soon after he joined the Authority. She further added that he had played a major role in developing continuous improvements in the service, delivering year on year in terms of positive outcomes and performance. The Head of Safeguarding and Family Support added that he felt his time with the Authority had been a hugely positive one and assured the Chief Executive that he is leaving in the knowledge that the service is in safe hands. The Cabinet Member for Childrens Social Services thanked Colin for his contributions and wished him the very best for his future endeavours.

Cabinet Member Resources

The Cabinet Member Resources reminded Members that they should submit their completed annual reports using their BCBC email address by the first week of August. He added that the reports would then be checked for formatting prior to publication on the BCBC website.

The Cabinet Member Resources stated that due to the meeting of Extraordinary Council on 7 July 2015 the first child sexual exploitation awareness session had to be cancelled. He added that the second session was scheduled for 16 July 2015 at 2pm and would go ahead as planned. He stated that the session would provide members with information on child sexual exploitation and would cover issues such as risk indicators and the grooming process. He added that it would also explain the process for dealing with concerns regarding a child or young person at risk of sexual exploitation, including the local context and how this links to the All Wales Child Protection Procedure, he added if necessary, further sessions would be arranged for a future date.

The Cabinet Member Resources reminded Members about the email they had received from Member Services about the Canon printers. He informed Members that their new ID cards would now work but asked them to assign their cards before they used them, he asked if they had any problems, to see Kevin or Sian in Member services who would be happy to assist them.

CHIEF EXECUTIVE:

The Chief Executive updated members on the transformation agenda. He stated that a major part of the work was to relocate staff to refurbished office accommodation at the Civic Offices and dispose of surplus council buildings. He added the aim is to use space in such a way that it enables the Authority to work in a more efficient manner while securing significant and ongoing financial savings that would not fundamentally impact on the Authority's frontline services. He advised Members that as part of the ongoing initiative and the refurbishment work in the Civic Offices nearing its completion, the Authority is making plans for the Ravens Court building to be available on the open market so it can be let as prime town centre office space. He added that this would require the majority of staff that are based at Ravens Court to relocate to the Civic Offices and Sunnyside House once an occupier for Ravens Court is found.

The Chief Executive stated that Ravens Court has been under-occupied for some time so letting the building would mark a significant step forward in the Authority's plans for saving money and increasing efficiency by reducing how much office space the Authority uses. He explained that as part of the process, a project team will be established which will feature service area representatives who will work with and support directors, heads of service and managers to ensure that all relevant issues can be addressed. He advised Members that he would keep them updated with information as the situation develops.

The Chief Executive announced that Members may like to advise their constituents that the Council has invited more local residents to come and share their views and help improve the Authority's service by signing up for the Citizens Panel. The panel currently has around 1,700 members; he stated that it is a simple mechanism that greatly helps to inform the Authority's decisions. He added that Panel Members are asked to anonymously complete three to four short surveys per year on a range of subjects from customer service to how informative the Authority's website is. To be eligible to join the Citizens Panel, people must live in Bridgend County Borough and be aged over 16. He added that becoming a member of the panel is a great way of the public to make their

voice heard on local issues and council services, he urged members to encourage more of their constituents to sign up.

The Chief Executive stated that Members had already been made aware of the Head of Safeguarding leaving the Authority. He announced to Council that the Authority had successfully secured Catherine Parry as an interim Head of Safeguarding who will be joining the Authority on 20 July 2015 which will allow for a short overlap and handover with the current Head of Safeguarding. He added that Catherine has a strong background in children's services and operations and was confident she would work well with the Authority. He informed Members that the assessment centre for the permanent head of service appointment was set for 16 July and interviews would take place on 17 July.

510. TO RECEIVE THE REPORT OF THE LEADER

The Leader announced he was proud to have seen how the people of Bridgend County Borough turned out in great numbers for the recent Armed Forces Day parade. He added the town centre streets were packed with people of all ages who sent a clear sign of their support and respect, he stated that this year's celebration was particularly appropriate as 2015 has also marked the 70th anniversary of V.E Day, he extended his sincere gratitude, respect, admiration and appreciation to all past and present members of the armed forces and their families.

The Leader informed Members that nominations had closed for the current years' Bridgend Business Forum Awards which would be held at the Coed Y Mwstwr Hotel on 18 September 2015. He added that this year a record number of nominations had been received across a range of categories that include the all-new tourism business of the year. He added that the annual awards which were fully sponsored by private sector organisations are a great way of showcasing the strength of businesses within the area. They are organised by the Bridgend Business Forum with support from the Authority; he asked that if Members knew of any businesses in their wards that were not involved in the awards to urge them to look into joining. He further added that membership was free and the forum would provide excellent networking opportunities, workshops, business advice and more which is all designed to help strengthen the overall economic heart of the County Borough.

The Leader informed Members that Bridgend town centre had become the only town in Wales to secure a place in a popular UK wide competition intended to inspire a new generation of young entrepreneurs. He stated the Council and Bridgend College has teamed up to host the Welsh heat of Test Town 2015 which was an enterprise challenge which would offer innovative young people the chance to test out their business ideas for real. Aimed at 16 to 30 year olds, the competition would be held over four days in November and would coincide with Global Entrepreneurship Week 2015. He added that the Bridgend competition entailed setting up a pop up youth enterprise market in the town centre so the young entrepreneurs would have an opportunity to sell and showcase their products and services which will be supported by a variety of workshops and support from established retailers and businesses. He further added that securing the event is a coup for the area and a great way for young people to nurture their business talents. He stated that the winner of the Welsh heat would go through to the UK Test Town Grand Final in 2016 with a chance of winning £10,000 towards their new business venture.

511. SOCIAL SERVICES ANNUAL REPORT 2014/15

The Corporate Director – Social Services and Wellbeing submitted the Social Services Annual Report for approval and requested that Members noted the judgements reached locally about Social Care Services in Bridgend. She also provided Council with a comprehensive presentation on the Annual Report for 2014/15.

She explained the Annual Council Reporting Framework procedures which were:

- The Care and Social Services Inspectorate, Wales (CSSIW) had arrangements in place for the inspection, evaluation and review of local authority social services
- The Framework provided the foundations of the Authorities duty to report on the whole circle of care from commissioning, contracting, and assessment care management to service provision and states that:
 - The authorities themselves would report annually on progress and outcomes and their plan for improvement.
 - The Inspectorate would undertake a review and analysis of evidence underpinning the annual report including evidence from other inspectors and regulators
 - The analysis would result in an individual inspection and review plan for each authority
- This was the sixth Annual Report of the Director of Social Services

The Corporate Director – Social Services and Wellbeing explained the Annual Council Reporting process which was:

- Each Group Manager/service lead undertakes a review of their service area – with reference to the key areas of priority from the previous year
- A comprehensive report is written for each service area
- All statements made are supported by evidence
- Individual reports and evidence is submitted to CSSIW by 31 May each year
- Individual reports are used to compile two Heads of Service reports
- The final report, taking into account scrutiny comments, is presented to Council and submitted to CSSIW

The Corporate Director – Social Services and Wellbeing informed Council of the key facts in Social Care in Bridgend. She stated that:

- Social Services in Bridgend aims to provide a range of support and services that are responsive and proportionate to need whilst also ensuring that children and adults are safeguarded and protected from harm.
- The Authorities vision is to actively promote independence, wellbeing and choice that will support individuals in achieving their full potential.
- The Social Services and Wellbeing Directorate are responsible for the planning, commissioning, assessment and, where appropriate, the direct provision of

- Physical and learning disability services
 - Mental Health services
 - Services for older people
 - Services for people with dementia
 - Support to children in need
 - Services for looked after children and children on the child protection register
 - Support to care leavers
- There are 1236 staff (some part time) in the directorate (975 in ASC, 183 in safeguarding, 25 in Sport, Play and Active wellbeing and 53 in business support)
 - The directorate's budget is £62m (£59m for social services)
 - 4718 people were supported (in the community) of these 32% were between 18 and 64 and 68% were over 65.
 - 2299 people received a telecare package
 - Over 2100 referrals were received for Primary Mental Health Services
 - 7058 referrals and re-referrals were received by ASC
 - 4,619 contacts were received, 999 of which were assessed as referrals where a form of safeguarding intervention was required
 - 1333 initial assessments and 594 core assessments were completed throughout the year
 - There were 125 children's names on the Child Protection Register at 31 March 2015
 - There were 390 children looked after as at 31 March 2015
 - 24 children were adopted during the year and 18 new adopters were approved
 - At 31 March 2015, the local authority and its partners provided support to 95 care leavers aged between 16 and 21 years

The Corporate Director – Social Services and Wellbeing explained that the key drivers behind in the report were:

- The Social Services and Wellbeing (Wales) Act 2014
- MTFS
- Western Bay
- Corporate Priorities
- Regulation and Inspection

The Corporate Director Social Services and Wellbeing highlighted to Council their achievements over the last year which were:

- Social Services had steadily increased the number of Telecare installations in the homes of people in need from April 2014, helping them to manage the risks that may be present;

- provided 960 people with an alternative to a hospital admission through our intermediate care Community Resource Team
- We supported 41 people with a learning disability to access day time activities in the community as an alternative to day services
- 16 people with a learning disability moved from residential care into their own tenancies in supported living accommodation
- 98.5% of all contacts made were reviewed within 24 hours
- 99.6% of reviews of children on the Child Protection Register were carried out within statutory timescales compared to 99.0% the previous year

She advised Council that the key actions going forward are:

- To continue to develop the progression model in Learning Disabilities
- Finalise the Prevention and Wellbeing Strategy and develop a delivery plan
- Continue the development of a commissioning plan for the independent sector homecare market and the implementation of that plan (leading to a re-commissioning exercise)
- Continue to safely reduce the LAC numbers
- Establish a Multi-Agency Safeguarding Hub
- Ensure robust mechanisms are in place to identify and provide children at risk from Child Sexual Exploitation

Members thanked the Corporate Director - Social Services and Wellbeing for the comprehensive report and commended the whole team on the excellent figures. Members were impressed at the delivery of the service whilst the new Social Services and Wellbeing Act was creating additional duties for the team with no extra resources. They stated that the transformation ahead, was a change for the better.

A Member asked if BCBC was confident that the external homecare providers were able to provide an adequate service. The Corporate Director – Social Services and Wellbeing stated that they were confident the homecare providers are able to provide an adequate service as BCBC has a quality assurance process which other local authorities are also looking into implementing, she explained that the process is in keeping with the Social Services and Wellbeing Act

The Deputy Leader thanked the team for the report and for earlier submitting the Annual Report to Cabinet for information. He explained that there were plenty of compliments in the report from the public, senior professionals and the District Judge which he felt spoke volumes for the staff and leadership team.

The Chief Executive stated that the report highlights the scale and pace of change that the Authority is working with. He added that the change in legislation and changes in demand within the community and financial climate were creating additional pressures on the Authorities resources. He further added that the support received by the Directorate was a key part of their successes and future support is vital.

512. CAPITAL PROGRAMME 2015-16 TO 2024-25

The Head of Finance and ICT reported an update on the Capital Programme and sought approval for a revised capital programme for 2015-16 to 2024-25.

He reminded Council that in February 2015 it had approved a capital programme for 2014-15 to 2024-25 of £153,014m, and he highlighted changes to the programme to reflect funding changes to some schemes, slippage from 2014-15, additional external funding approvals and changes to expenditure profiles.

He reported that a number of schemes for which funding had been identified, required approval for inclusion in the capital programme on the Shopmobility; Joint Vehicle Maintenance; West Park Primary School and Studio 34 schemes. He informed Cabinet that a revised capital programme allowing for the proposed changes along with anticipated slippage from 2014-15, additional external funding approvals and changes to expenditure profiles.

The Head of Finance and ICT reported that if there was insufficient funding from clawback the £250k for the provision of a temporary classroom at West Park Primary School is funded from the School Modernisation Retention.

Members asked for Cabinet to reconsider the process of clawback of surplus school balances as they felt that schools were suffering as a result of the clawback being on an annual basis. The Deputy Leader agreed that Cabinet would discuss the issue.

RESOLVED: That Council approved the Capital Programme and if there was insufficient funding from clawback the £250k for the provision of a temporary classroom at West Park Primary School be funded from the School Modernisation Retention budget.

513. **URGENT ITEMS**

The Head of Safeguarding thanked BCBC for their dedication and generosity of staff that he had worked closely with. He thanked all officers for their continued dedication to their work. He added that his team are appropriately challenged and he respected the difference of opinion amongst Members and Officers. He further added that he had many positive memories of working for BCBC and added his thanks to the Leader and Deputy Leader.

The meeting closed at 4.55 pm

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

2 SEPTEMBER 2015

REPORT OF THE MONITORING OFFICER

AMENDMENT TO THE CONSTITUTION

1. Purpose of Report.

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

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

- 2.1 The Constitution governs the operation of the Authority and thereby connects to the Corporate Improvement Plan and all Corporate Priorities.

3. Background.

- 3.1 A new Model Constitution has been developed supported by an ICT system to aid its amendment. The new model whilst different in presentation is not significantly different in content with the exception of call-in provisions. Bridgend has enabled a call-in to be referred to Council due to the original advice provided by Welsh Government. Bridgend is now in isolation in enabling this to take place and it is the one area where the new Model Constitution differs significantly from Bridgend's Constitution.

- 3.2 The legal background is set out in the Local Government Act 2000 which gives scrutiny the power to review and scrutinise Executive decisions made but not yet implemented.

4. Current situation / proposal.

- 4.1 The Council's current call-in arrangements are attached as **Appendix 1** as an extract from the Constitution. A significant review of the original Constitution was undertaken some years ago however the call-in provisions have been in place largely unchanged since the Leader and Cabinet arrangements were first introduced by the Local Government Act 2000.

- 4.2 Under the current call-in procedure, Scrutiny can make any one of three decisions regarding a called-in item:

- do nothing and let the decision stand without review;
- refer the matter back to the decision making person or body with a recommendation that the decision be reconsidered;
- refer the matter to Council.

- 4.3 It is proposed that the power of Scrutiny to refer called-in items to Council be removed and the Council Procedure Rules amended accordingly as set out in

Appendix 2. In practice only one referral has been made to Council and the view of the Monitoring Officer is that it is inappropriate for such a referral to take place. Full Council has no power to make decisions in respect of an Executive decision unless it is contrary to the Policy Framework or contrary to or not wholly consistent with the Budget Framework and the Constitution already deals with such events. The Monitoring Officer's view is that effective decision making must be made by those with the responsibility to undertake it and it must be undertaken in a timely environment. It is the role of Scrutiny to support and challenge Cabinet where appropriate, it is not the role of Council to do so and a referral to Council simply delays the decision making process.

- 4.4 The present drafting of the Constitution has also given rise to differences of interpretation particularly in relation to the speed at which a call-in should be dealt with. The proposed changes clarifies that call-in should be dealt with in priority to ensure that the concerns of Scrutiny and the decision making processes of the Authority are dealt with appropriately.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 The Constitution governs the operation of the Authority and thereby has an effect upon the operation of the Policy Framework.
- 5.2 The Scrutiny procedures form part of the Council's Executive arrangements and should be endorsed by the Council in terms of any necessary amendments to the Constitution.

6. Equality Impact Assessment.

- 6.1 Although there are no direct impacts, the Constitution as the key governance framework document for the Authority is critical in demonstrating commitment to the Authority's duties under the Equality Act 2010.

7. Financial Implications.

- 7.1 None.

8. Recommendations.

- 8.1 Council is recommended to approve the amendments to the Constitution as set out in **Appendix 2** of the report.

P A Jolley

Assistant Chief Executive Legal and Regulatory Services & Monitoring Officer

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CF31 4WB

Background documents:
Council's Constitution

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17. Call-in

- (a) When a decision or proposed decision is made by the Cabinet, a Cabinet committee, a Cabinet member or an Officer the decision shall be published by the Proper Officer for Committees, where possible by electronic means, and shall be available at the main offices of the Council as soon as reasonably practicable after being made. Chairpersons of all Overview and Scrutiny Committees will be sent copies of the written records of all such decisions by the Proper Officer for Committees within the same time scale;
- (b) The written record of the decision or proposed decision will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented. A decision may be implemented immediately or in the case of a proposed decision on the expiry of 3 clear working days after the publication, unless an Overview and Scrutiny Committee objects to it and calls it in;
- (c) During that call in-period, the proper officer for scrutiny shall call in a decision for scrutiny by the Committee if so requested by any 3 members of the Committee, and shall notify the Proper Officer for Committees of the call-in. The proper officer for committees shall call a meeting of the Overview and Scrutiny Committee on such date as he/she may determine, where possible after consultation with the Chairperson of the Committee, and in any case within 5 working days of the decision to call in;
- (d) Having considered the proposed decision, the Overview and Scrutiny Committee may refer it back to the Cabinet, Cabinet committee or Cabinet Member for reconsideration, setting out in writing the nature of its concerns, or refer the matter to the full Council. If referred to the Cabinet, Cabinet committee or Cabinet Member they shall then reconsider the decision within a further 5 working days, prior to determining the matter;
- (e) If following an objection to the proposed decision, the Overview and Scrutiny Committee does not meet within the 5 working day period set out above, or does meet but does not refer the matter back to the Cabinet, Cabinet committee or Cabinet Member or refer it to the full Council, the decision may be determined on the date of the Overview and Scrutiny Committee meeting, or the expiry of that period, whichever is the earlier;
- (f) If the matter is referred to the full Council and the Council does not object to the decision which has been made, then no further action will be taken and the decision may be taken as at that date: however, if the Council does object, the Council will refer any decision to which it objects back to the Cabinet, Cabinet committee or Cabinet Member as appropriate, together with the Council's views on the decision. The Cabinet, Cabinet committee or Cabinet Member shall then choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet or a Cabinet committee, a meeting will be convened to consider the Council's views within 5 working days of the Council referring the decision back. Where the decision was made by an individual Cabinet Member, the Cabinet Member will consider the Council's views within 5 working days of the Council referring the decision back;
- (g) If the Council does not meet, or if it does meet but does not refer the decision back to the Cabinet, Cabinet committee or Cabinet Member, the decision may be taken

on the date of the Council meeting or on the expiry of the period within which the Council meeting should have been held, whichever is the earlier;

- (h) In order to ensure that call-in is neither abused, nor causes unreasonable delay, the following limitations shall be placed on its use:
 - (i) An Overview and Scrutiny Committee may only call in a maximum of three decisions in any three month period.

18. Call-in and Urgency

The call-in procedure set out in paragraph 17 above shall not apply where the decision being taken by the Cabinet, Cabinet committee, Cabinet Member or Officer is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state why in the opinion of the Cabinet, Cabinet committee, Cabinet Member or Officer the decision is an urgent one, and therefore not subject to call-in. The Chairperson of the relevant Overview and Scrutiny committee must agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency; in the absence of the Chairperson of the relevant Overview and Scrutiny committee, the matter will be referred to the Chairperson of the Community Safety and Governance Overview and Scrutiny Committee, or in their absence to the Chairperson of the Corporate Resources and Improvement Overview and Scrutiny Committee, or in the absence of both the Mayor's consent shall be required; in the absence of all three, the Deputy Mayor's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

17. Call-in

- (a) Where a decision is made by the Cabinet, an individual Member of the Cabinet, a Committee of the Cabinet, or an Officer the decision shall be published by the Proper Officer for Committees, including where possible by electronic means, and shall be available at the main offices of the Council as soon as reasonably practicable after being made. All Members will be sent copies of the written records of all such decisions by the Proper Officer for Committees within the same time scale.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of 3 clear working days after the publication of the decision (“the call-in period”), unless an Overview and Scrutiny Committee objects and calls it in for review.
- (c) During the period of 3 clear working days from the date of publication of a decision (“the call-in period”) any 3 Members of a scrutiny committee may call-in a decision relating to a function within the remit of the scrutiny committee by giving notice in writing (“the call-in notice”) on the form provided by Democratic Services, to the Proper Officer.
- (d) A “call-in notice” shall specify precisely which aspects of the decision is questioned or challenged, and in particular shall contain the grounds why it is considered that the scrutiny committee will be likely to refer the decision requested to be called in back to the decision making person or body.
- (e) The Proper Officer may rule that a call-in is not valid if:
 - (i) The call-in request has not been made within the 3 clear working days allowed for call-in;
 - (ii) It is not clear which decision is being called-in;
 - (iii) The decision is exempt from call-in on account of the urgency provisions as indicated at paragraph 18 below;
 - (iv) The call-in request provides too little information to enable scrutiny committee members or the decision maker to adequately prepare for the call-in meeting;
 - (v) The decision being called in, or broadly the same decision, has been called in during the last 6 months.
 - (vi) The call-in request is trivial or without substantial merit
- (f) The role of scrutiny committees in calling in a decision is:
 - (i) To test the merits of the decision;
 - (ii) To consider the process by which the decision has been formulated;
 - (iii) To make recommendations (to support the decision, change aspects of the decision, or to invite the decision making person or body to reconsider);
 - (iv) To suggest further steps before a decision is made (but not to try to carry out those steps in place of the decision making person or body);
 - (v) To come to a view in a relatively short time scale, so as not to compromise the speed and efficiency of the decision making process.

- (g) On receipt of a valid call-in notice containing the details specified above, the Proper Officer shall notify the decision taker of the call-in and hold a meeting of the Overview and Scrutiny Committee on such date as he/she may determine, where possible after consultation with the Chairperson of the Committee, and in any case within 5 clear working days of the decision to call-in. Only in exceptional circumstances will the Proper Officer consider extending this time limit.
- (h) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker that decision maker shall then reconsider the decision within a further 7 clear working days, amending the decision or not, before adopting a final decision.
- (i) If following an objection to the decision, the Overview and Scrutiny Committee does not meet within the 5 working day period set out above (or agreed extended period), or does meet but does not refer the matter back to the decision making person or body, the decision may be determined on the date of the Overview and Scrutiny Committee meeting, or the expiry of that further 5 working day period (or agreed extended period), whichever is the earlier.
- (j) In order to ensure that call-in is neither abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - (i) an Overview and Scrutiny Committee may only call-in a total of three decisions per three month period;
 - (ii) three Members of an Overview and Scrutiny Committee are needed for a decision to be called in;
 - (iii) the Proper Officer may veto any request for call-in if it falls outside the remit of this scheme.

18. Call-in and Urgency

The call-in procedure set out in paragraph 17 above shall not apply where the decision being taken by the Cabinet, Cabinet committee, Cabinet Member or Officer is urgent AND not subject to call-in. A decision will be urgent AND not subject to call-in if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state why in the opinion of the Cabinet, Cabinet committee, Cabinet Member or Officer the decision is an urgent one not subject to call-in. The Chairperson of the relevant Overview and Scrutiny committee must agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency and not subject to call-in; in the absence of the Chairperson of the relevant Overview and Scrutiny Committee, the matter will be referred to the Chairperson of the Partnerships and Governance Overview and Scrutiny Committee, or in their absence to the Chairperson of the Corporate Resources and Improvement Overview and Scrutiny Committee, or in the absence of both the Mayor's consent shall be required; in the absence of all three, the Deputy Mayor's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of Council, together with the reasons for urgency.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

2 SEPTEMBER 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES AND MONITORING OFFICER

PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL LETTER

1. Purpose of Report

- 1.1 The purpose of the report is to inform Council of the Public Services Ombudsman's Annual Letter in respect of complaints against this Authority for 2014/15.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The monitoring of the Corporate Complaints Procedure provides an opportunity for improvement in service delivery and therefore has a link to the Corporate Improvement Objectives and Strategic Themes.

3. Background

- 3.1 The Public Ombudsman for Wales sends an Annual Letter to all authorities with an annual breakdown of complaints received. The Ombudsman's Annual Letter is attached at **Appendix 1** and contains a comparison with the previous year and areas are identified which have improved or deteriorated during the year.

4. Current situation / proposal

- 4.1 The Ombudsman's Letter outlines the number of complaints received concerning this Authority and whether there has been an increase or decrease in complaints and breaks the figures down within each department. There has been a decrease in the number of complaints received compared to 2013/14.
- 4.2 Whilst there has been a decrease in the number of complaints relating to Children's Social Services, there has been an increase in complaints relating to Adult Social Services.
- 4.3 The Authority will continue to monitor complaints to ensure that improved responses to the Ombudsman are maintained.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 None.

6. Equality Impact Assessment

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

7. Financial Implications

7.1 None.

8. Recommendation

8.1 Council is recommended to note the content of this report and the Ombudsman's Annual Letter attached as Appendix 1.

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Assistant Chief Executive Legal and Regulatory Services

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Civic Offices,
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Bridgend,
CF31 4WB

Background Documents

None

Our ref: NB/jm

Ask for: James Merrifield

Your ref:

 01656 644 200

Date: 3 August 2015

 James.Merrifield@ombudsman-wales.org.uk

Mr Darren Mepham
Chief Executive
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Dear Mr Mepham

Annual Letter 2014/15

Following the recent publication of my Annual Report, I am pleased to provide you with the Annual Letter (2014/15) for Bridgend County Borough Council.

I have referred to the stark reality of the volume of increases in enquires and complaints in the Annual Report. Comparing the position against 2013/14, there has been a 7% increase in the number of public body complaints received by my office. The Health and Local Authority sectors account for 83% of the complaints received by my office; over the past five years, there has been a 126% and 10% increase in complaints respectively.

Traditionally, county councils have generated the largest number of complaints to this office and the last year has seen a 5% increase. Whilst Housing and Planning are consistently the largest areas of complaint for local authorities, the data for 2014/15 shows notable increases in complaints about Complaint-handling, Environment and Environmental Health, and Finance and Taxation, compared with 2013/14.

In reference to the outcomes of complaints, I am pleased that my office has issued fewer upheld reports against Local Authorities, compared with 2013/14. I have issued one Public Interest report against a body in the Local Authority sector. The report identified numerous failings concerning the way in which the Local Authority investigated concerns about the welfare of the complainant's daughter. The report also identified poor complaint-handling, a common feature amongst complaints across all sectors.

The complaint data shows a small decrease in the number of Quick Fixes and Voluntary Settlements achieved with Local Authorities, compared with 2013/14. I am keen to ensure that, wherever possible and appropriate, my office works with bodies

from all sectors to resolve complaints as quickly and effectively as possible. In this regard, I am concerned that the time taken in responding to requests for information from this office has significantly worsened; 45% of responses across local authorities took more than six weeks in 2014/15.

This figure is noticeable worse than the equivalent figure for the Health sector, despite my office making appreciably more requests for information to Health Boards. Against this background, I take this opportunity to reinforce the content of the letter I sent to you in April 2015 setting out a number of changes in the way that my office will work with your organisation in handling complaints. The changes included amending the time given to bodies to provide complaint files to two weeks, as well as new arrangements in granting additional time to bodies to provide information meaning that requests for extensions which are made with very limited justification will no longer be agreed.

In reference to your Local Authority, there has been a decrease in the number of complaints received, compared to 2013/14. Whilst there has been a decrease in the number of complaints relating to Children's Social Services, there has been an increase in complaints relating to Adult Social Services. My office did not commence any investigations in 2014/15, and, as such, there were no response times recorded in relation to your Local Authority. My office issued one 'upheld' report but there were no Quick Fixes or Voluntary Settlements recorded during the year.

My office is working in a number of ways to address the upward trend in complaints. We will be looking to engage more directly with county councils to promote improvement. We will also be placing greater emphasis on the data which we gather, initially in relation to complaints about the Health sector, to further identify trends and patterns. My office will also be taking a more proactive role in measuring compliance with recommendations and settlements, which may result in requests to visit your offices to discuss and examine changes that you have implemented. In addition to this work, you will be aware that following its inquiry, the Assembly's Finance Committee issued a report in May 2015, making a number of recommendations for revised or additional powers for the Public Services Ombudsman for Wales. I very much hope that those recommendations will come to fruition in the form of a new Act within the next year or so.

This correspondence has been copied to the Leader of the Council. I will also be sending a copy of this correspondence to your contact officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on the PSOW's website.

Yours sincerely



Nick Bennett
Ombudsman

Copy: Leader, Bridgend County Borough Council

Appendix

Explanatory Notes

Section A compares the number of complaints against the Council which were received by my office during 2014/15, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Council which were received by my office during 2014/15. Section C compares the number of complaints against the Council which were received by my office during 2014/15, with the Local Authority average for the same period. The figures are broken down into subject categories.

Section D provides the number of complaints against the Council which were investigated by my office during 2014/15. Section E compares the number of complaints investigated with the Local Authority average (adjusted for population distribution) during the same period.

Section F compares the complaint outcomes for the Council during 2014/15, with the average outcome (adjusted for population distribution) during the same period. Public Interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section G compares the Council's response times during 2014/15 with the average response times for all Local Authorities, and all public bodies in Wales during the same period. This graph measures the time between the date my office issued an 'investigation commencement' letter, and the date my office receives a full response to that letter from the public body.

Section H provides a breakdown of all Code of Conduct complaints received against Councillors during 2014/15. Finally, Section 'I' contains the summaries of all reports issued in relation to the Council during 2014/15.

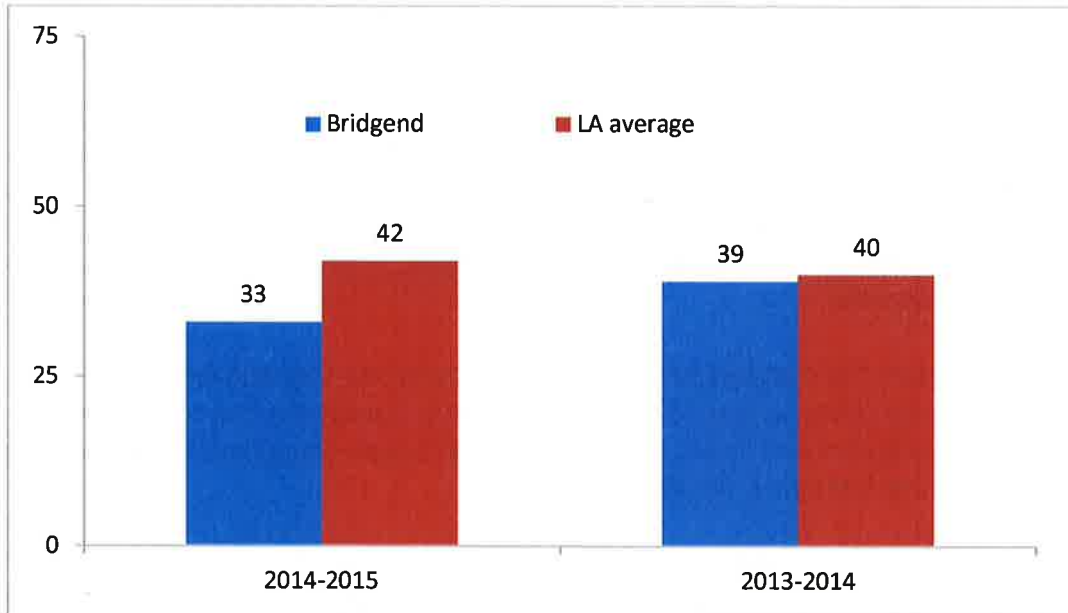
Housing Stock

As with previous exercises, the figures for 2014/15 have not been adjusted to take account of the transfer of housing stock. However, it is noted that there is likely to be a higher proportion of Housing complaints where Local Authorities have retained their housing stock.

Feedback

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent to james.merrifield@ombudsman-wales.org.uk.

A: Comparison of complaints received by my office with average, adjusted for population distribution

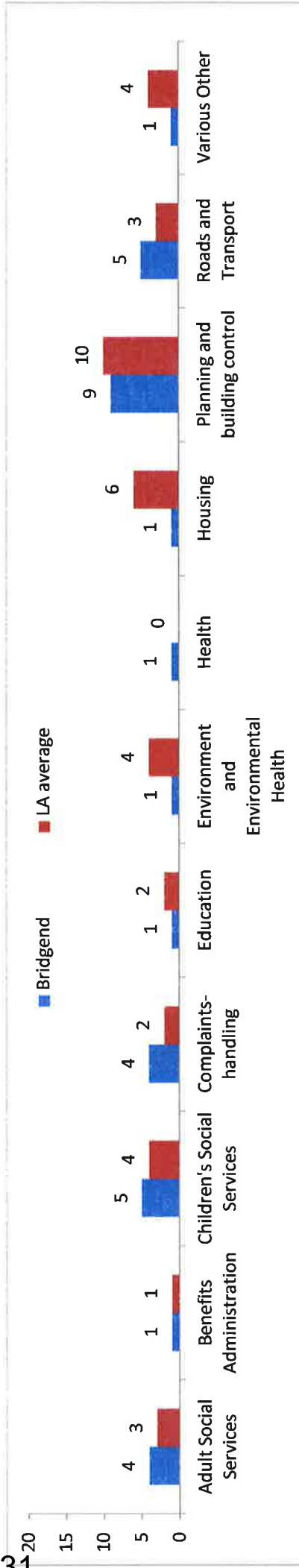


B: Complaints received by my office

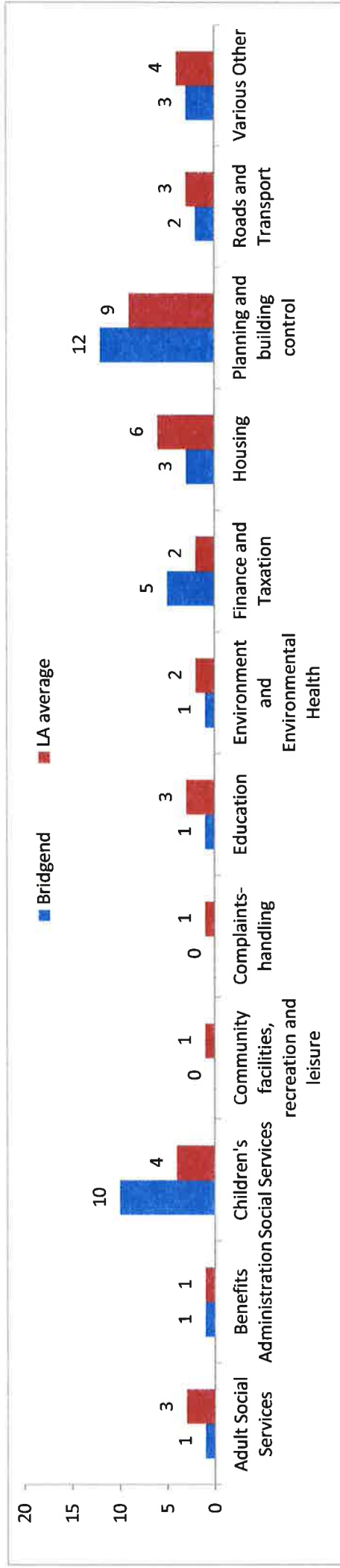
Subject	2014/15	2013/14
Adult Social Services	4	1
Benefits Administration	1	1
Children's Social Services	5	10
Complaints-handling	4	0
Education	1	1
Environment and Environmental Health	1	1
Finance and Taxation	0	5
Health	1	0
Housing	1	3
Planning and building control	9	12
Roads and Transport	5	2
Various Other	1	3
Total	33	39

C: Comparison of complaints by subject category with LA average

2014/15



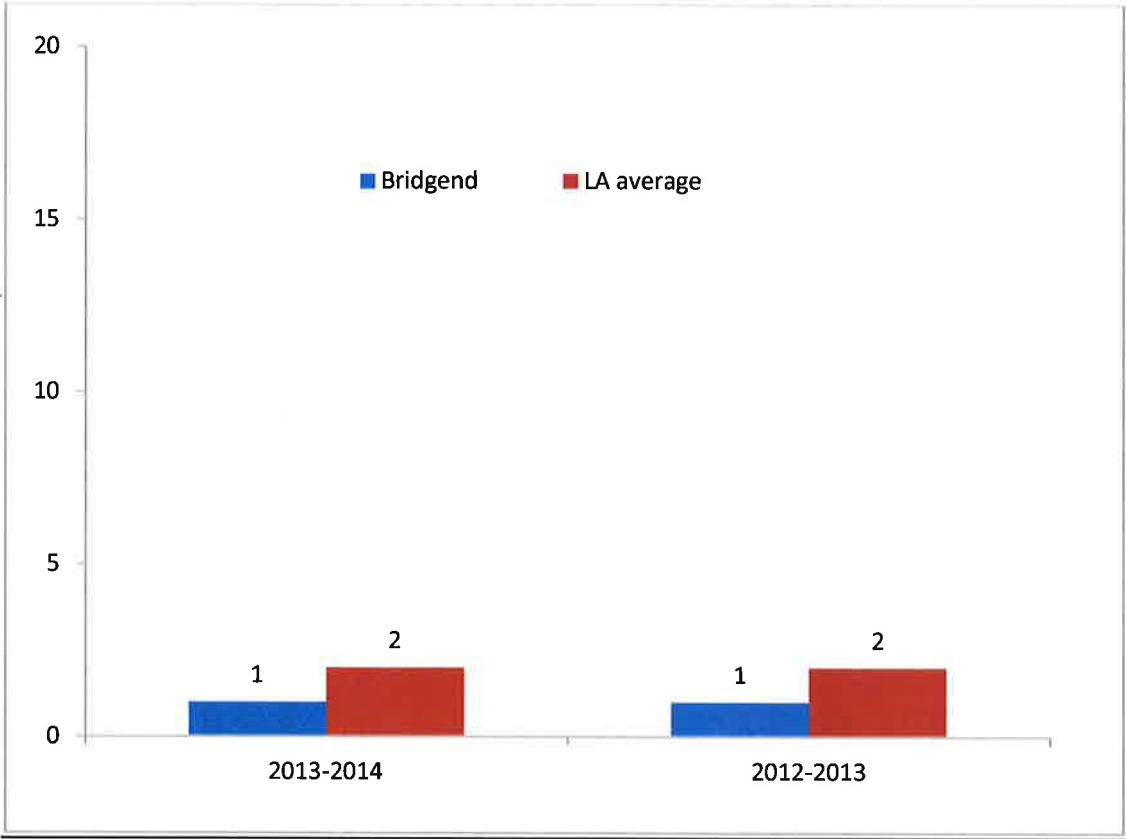
2013/14



D: Complaints taken into investigation by my office

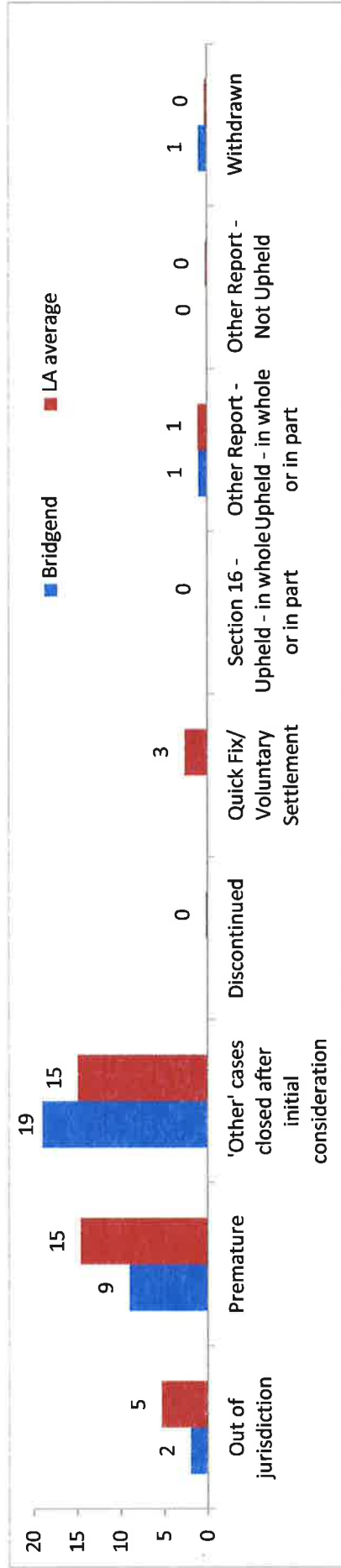
	2014/15	2013/14
Number of complaints taken into investigation	0	1

E: Comparison of complaints taken into investigation by my office with average, adjusted for population distribution

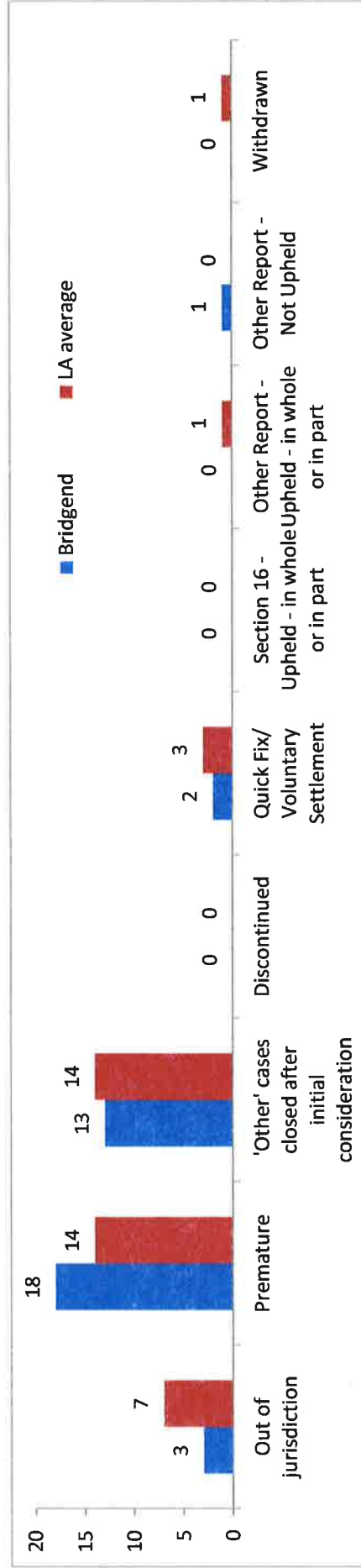


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

2014/15

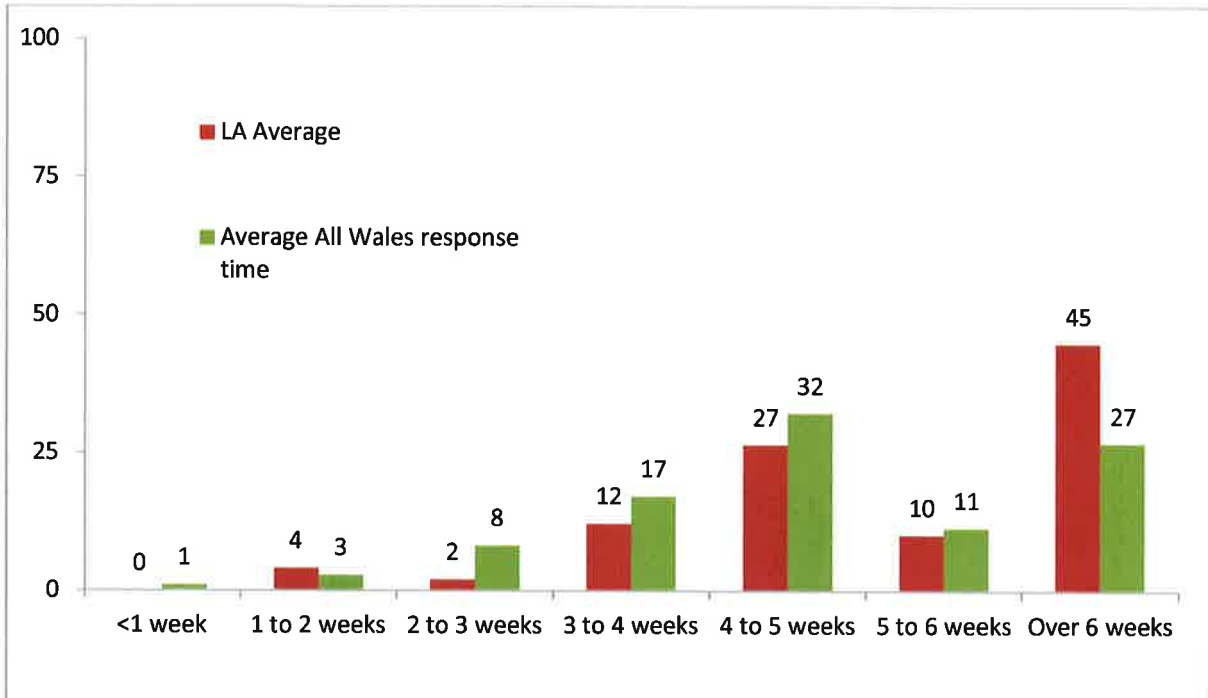


2013/14



G: Comparison of Council times for responding to requests for information with average LA and average All Wales response times, 2014/15 (%)

Graph G relates to those investigations which were commenced during 2014/15. As there were no investigations commenced against Bridgend, there are no response times for Bridgend. However, we have included the average Local Authority response times and the average response times for all bodies in Wales for your information.



H: Code of Conduct complaints

There were no Code of Conduct complaint outcomes recorded against Bridgend County Borough Council during 2014/15

I: Summaries

Social Services - Children

Other reports – Upheld

Bridgend County Borough Council – Children in care/taken into care/’at risk’ register/child abuse/custody of children

Case reference 201304976 – Report issued January 2015

Miss B complained that her children, but in particular her son, X, suffered psychological harm in the care of a foster carer. She said that the Council failed to remove them from the foster carer’s care when it received an expert’s report which she said confirmed this. She also complained about the way in which the Council dealt with her complaint.

The Ombudsman found that the fostering service’s social worker, and X’s social worker, had not visited the foster carer and X respectively as frequently as required by Regulations. He concluded that the foster carer had not been supported appropriately to manage X’s challenging behaviour, and that it was possible that further work with X might have improved his experience in care. The Ombudsman found that the Council had taken little action when it received the psychologist’s report, which had been critical of the foster carer’s care of X and contained an allegation which, if true, would have amounted to a breach of Regulations; the Council should have investigated the allegations made immediately.

The Council was correct to consider the complaint initially under Child Protection procedures. However, there were failings in the way it did so, including a delay in the holding of the required strategy meeting and the failure to invite all prescribed agencies to the meeting. The Council did not undertake a comprehensive consideration of the remainder of the complaint. The Ombudsman upheld the complaint and made the following recommendations:

- apologise to Miss B for the failings identified;
- make a payment to Miss B in the sum of £250 to reflect the time and trouble to which she had been put in pursuing her complain;
- make a payment of £1000 for the benefit of the family, in recognition of the distress suffered by Miss B and X as a result of the failings identified;
- take steps to ensure that in future it complies with the procedures contained in the All Wales Child Protection Procedures for consideration of allegations against professionals;
- take steps to ensure that any allegation against a foster carer is investigated immediately, in accordance with national guidance, and that the Fostering Panel and Care and Social Services Inspectorate Wales are notified of the allegation and the outcome of the investigation;
- ensure that looked after children are visited at least as frequently as the Regulations prescribe, and that children are seen alone at such visits unless this is not appropriate;
- ensure that foster carers receive effective supervision in accordance with Council policy, and that written records of such supervision are maintained on the carer’s file;

- provide training for foster carers and social workers on child development, including attachment, separation and loss, and the management of children's behaviour; and,
- if Miss B wished, arrange for X to receive a comprehensive, multi-agency assessment of his needs; thereafter, the Council should offer services and support to meet those needs.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

02 SEPTEMBER 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE – LEGAL & REGULATORY SERVICES

AMENDMENT TO THE SCHEME OF DELEGATION

1. Purpose of Report

- 1.1 The purpose of the report is to seek Council approval for a series of amendments which have been made to the Schemes of Delegation of Functions relating to its functions within the scheme.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 The amendment of the Scheme of Delegations will support effective decision making and the achievement of all the Corporate Priorities.

3. Background

- 3.1 A number of administrative amendments have been made in the last few months and this report consolidates those updates and advises of the outcomes of the subsequent review of the Scheme of Delegations which was undertaken.

4. Current situation / proposal

4.1 Changes to the titles and responsibilities of Corporate Directors.

- 4.1.1 Earlier this year the titles and responsibilities of the Corporate Directors were revised. The functions allocated to each Corporate Director required some amendments to be made particularly in Scheme B2 to reflect the changes to their responsibilities accordingly.

4.2 Changes to the titles and responsibilities of Cabinet Member Portfolios

- 4.2.1 In May 2015 the Cabinet Member titles and portfolios were revised. The revised portfolio's no longer follow the remits of the Corporate Directors roles and responsibilities. Therefore:

- Scheme A
 - has required the separation of the functions previously undertaken by the Cabinet Member for Children and Young People into those relating to Children's Social Services for the Cabinet Member Children's Social Services and Equalities and those functions which are for the Cabinet Member with the responsibility for education (currently the Deputy Leader).

- Paragraph 6 has been added specifically for the Cabinet Member with the responsibility for education and appropriate functions have been allocated as necessary. (Paragraph 6.1 and 6.2 refers)
- Scheme B1
 - With the Cabinet Portfolios being more cross-cutting the Cabinet consultees have been allocated as “The Cabinet Member with the relevant function”. This will ensure that the appropriate Cabinet Member can be consulted without having a specific list of functions attached within the paragraph in the scheme.

4.3 Desktop Review

- 4.3.1 Once these initial amendments had been made a desktop review was undertaken to ensure that the Scheme was up-to-date and fit for purpose. Some revisions were required and are identified below.
- 4.3.2 Paragraph 2.36 of Scheme B2 was identified as a duplicated entry and removed. The paragraph number was marked as “intentionally blank” to avoid the need for a renumbering of the scheme which may cause significant confusion.
- 4.3.3 Paragraph 6.43 referred to discussions with the Head of Street Scene a post which no longer exists. This post was replaced by the Head of Neighbourhood Services and the delegation amended as follows:

6.43	To appoint, following discussions with the Head of Neighbourhood Services and the Bridgend Local Access Forum Secretary appropriate applicants to be members of the Bridgend Local Access Forum.
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- 4.3.4 The explanation of the Chief Officer roles to which the Scheme of Delegation related to was added for clarity.
- 4.35 As a result of the implementation of the Joint Regulatory Service, the functions within the collaboration agreement that are reserved to the Authority shall remain within the scheme but the Assistant Chief Executive Legal and Regulatory Services will provide appropriate delegations.
- 4.3.6 Following the desktop review the updated scheme was circulated to Corporate Directors for comment.

4.4 Updated legislation

- 4.4.1 Paragraph 1.13 of the General Powers has been updated to reflect the introduction of the Housing (Wales) Act 2014” as follows:

1.13	To determine applications for assistance by homeless persons and persons threatened with homelessness pursuant to Part 2 of the Housing (Wales) Act 2014 and to secure temporary accommodation as appropriate.
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4.5 Operational Requirements

4.5.1 To meet operational requirements it is proposed that:

- a. a new paragraph 6.58 be added to the Council functions of Scheme B2 of the Scheme of Delegations for the Corporate Director - Communities as follows:

6.58	To authorise officers to have power of entry, issue prohibition notices under Section 10 and undertake responsibilities as to implementation and enforcement under paragraphs 10B and 11 of the Safety of Sports Grounds Act 1975.
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4.5.2 Under the current scheme all Chief Officers may authorise in writing any other Officer or Officers of the Council, specified either by name, or by designation and post reference, either generally or specifically for the purpose, to exercise any or all of the powers authorised to be exercised by them, (General Powers, Scheme B1 & B2) provided that:

- (a) officer reports to or is responsible to the delegator;
- (b) the officer is appropriately qualified, trained and experienced;
- (c) the functions to be exercised are within that officer's area of responsibility;
- (d) it is necessary or desirable for the effective performance of the day to day operation of a service, and
- (e) It is lawful to do so.

4.5.3 Assistance can be provided to Chief Officers with the completion of their Register of Delegation as necessary.

4.6 A full version of the Scheme of Delegation has been attached at **Appendix A** of this report.

4.7 Council is requested to note that a similar report will be presented to Cabinet on 01 September 2015 requesting approval of the amendments to the Scheme in relation to its functions. A verbal update will be provided at the Council meeting confirming the decision of Cabinet. Once the approval process and call-in is completed, the scheme will be updated, published and Corporate Directors will be requested to update their Register of Delegations to reflect these changes.

5. Effect upon Policy Framework & Procedure Rules

5.1 There is no effect upon the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

6.1 There are no equality implications arising from this report.

7. Financial Implications.

7.1 There are no financial implications.

8. Recommendation.

8.1 Council is requested to approve the Schemes of Delegation of Functions in relation to its functions as attached at Appendix A.

P. A. Jolley

Assistant Chief Executive Legal & Regulatory Services

24 August 2015

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Background documents: - None

BRIDGEND COUNTY BOROUGH COUNCIL **SCHEME OF DELEGATION OF FUNCTIONS**

Introduction

Section 13 of the Local Government Act 2000 provides for the determination of which functions of a local authority are the responsibility of the Executive under Executive arrangements. All functions of a local authority must be the responsibility of the Executive unless specified otherwise in Regulations or there are express provisions to the contrary in other legislation.

Part 2 of the Constitution sets out the remit of Council, Council Committees and Cabinet, briefly, Council is responsible for:

- Determination of the policy framework and budget and other constitutional and quasi legislative functions.
- Functions which involve determining an application from a person for a licence approval consent permission or registration (including particular planning permissions and consents) or direct regulation of a person (except in cases where there is only limited discretion in the discharge of the function) together with any related enforcement actions (including prosecutions).
- All other functions not being overview and scrutiny functions are to be the responsibility of the Executive.

Within this framework the role of Members is to concentrate upon broad strategy and policy decisions. Managers are to have clear managerial control and authority to implement those decisions.

It is part of the role of Members to raise concerns, particularly those of constituents, and bring to the attention of Chief Officers matters of concern on any element of a service. Chief Officers will consider the concerns and comments of Members whilst recognising their responsibility to manage service delivery in accordance with the Council's policy framework.

Procedure

1. The Chief Officers referred to in this section are those set out in the Constitution:
 - Chief Executive Officer (Head of Paid Service)
 - Corporate Director – Education and Transformation
 - Corporate Director – Communities
 - Corporate Director – Resources
 - Corporate Director – Social Services and Wellbeing
 - Assistant Chief Executive – Legal and Regulatory Services
2. Chief Officers and / or Members making decisions in connection with the discharge of the functions allocated to them in this scheme of delegation:
 - (a) must do so on the basis of the merits of the circumstances involved and the public interest;
 - (b) must have regard to any relevant advice provided by other Council Officers, in particular by:
 - (i) the Council's Chief Finance Officer acting in pursuance of that Officer's duties under Section 114 of the Local Government Finance Act 1988;

- (ii) the Council's Monitoring Officer acting in pursuance of that Officer's duties under Section 5 of the Local Government and Housing Act 1989, who should be consulted when there is any doubt as to the Council's power to act, or as to whether the action proposed lies within the policy framework agreed by the Council; where the legal consequences of action or failure to act by the Council might have important repercussions;
 - (c) must comply with any conditions or restrictions on the exercise of their discretion which have been laid down either by the Council or the Cabinet; and
 - (d) must take account of any previous decision by the Council or the Cabinet relating to any relevant policies or procedures.
3. In discharging the functions allocated to them Chief Officers and / or Members shall comply with the Council's Contracts Procedure Rules and Financial Procedure Rules in Part 4 of the Council's Constitution, and shall not discharge any function if to do so would have the effect of:
- (a) causing revenue expenditure to be incurred, unless it is incurred in accordance with the Council's approved revenue estimates or the provisions relating to virement contained in the Financial Procedure Rules in Part 4 of the Council's Constitution; or
 - (b) causing capital expenditure to be incurred, other than capital expenditure on the acquisition of land or on preliminary or design work or in connection with a scheme which appears in the Council's approved capital estimates.
4. The allocation of a function on the Authority's behalf to a Chief Officer and / or Member shall in each case include the power to utilise on the Council and/or Cabinet's behalf any statutory power available to the Council as a local authority that will facilitate the discharge of the allocated function.
5. Any Chief Officer or Member to whom a function is allocated may decline to make a decision in connection with the discharge of that function in relation to any particular matter and may instead refer the matter to the relevant decision making body. An example of such a situation would be where the matter is considered to be particularly politically contentious or where the result of the decision being taken is likely to have a greater impact.
6. The Council's Chief Finance Officer and/or the Council's Monitoring Officer may require any Chief Officer or Member to cease to discharge all or any of the functions allocated to that Officer pending the submission of a report to the next meeting of the Council and/or Cabinet.
7. Before making a decision in accordance with Scheme A and/or Scheme B1 of the Schemes of Delegation the Chief Officer and/or the Cabinet Member proposing to make the decision shall:
- (a) complete the prescribed form and send a copy to the Council's Proper Officer for Committees to enable him to make the information available for inspection by Council Members generally;
 - (b) not make a final decision in connection with the discharge of the allocated Council and/or Cabinet function until a period of three working days, excluding the day on which it was sent, shall have elapsed from the date on which the prescribed form was sent to the Proper Officer for Committees;

- (c) take into consideration, in addition to the views expressed by the Council Member(s) and/or Council Officer(s) where specified as consultee(s), any views expressed by any Council Member in relation to the proposed decision.
8. Paragraph 7 above shall not apply in respect of a decision made by:
- (a) the Chief Executive or Corporate Director – Communities upon any matter relating to the Council’s emergency planning functions which, for reasons of urgency, cannot await the next meeting of the Cabinet; or
 - (b) an officer in exercise of a function allocated to that officer under this Scheme to authorise the settlement of civil and / or criminal proceedings whether commenced or in anticipation or to withdraw or discontinue civil or criminal proceedings; or
 - (c) a Cabinet Member in exercise of a function falling within the Cabinet Member’s portfolio (other than decisions which are contrary to the Policy Framework or contrary to or not wholly in accordance with the approved Budget) which, if delayed, would seriously prejudice the Council’s or the public’s interests, subject to the requirements of paragraph 17 of the Overview and Scrutiny Procedure Rules; or
 - (d) the Chief Executive or if absent or otherwise unable to act the Assistant Chief Executive Legal & Regulatory Services upon any Council function which, for reasons of urgency, cannot await the next meeting of the Council or of any Committee or other body to which the Council has delegated the function in connection with which a decision is required (other than a decision which must by law be taken by the Council itself), subject to the following consultation:
 - The Chairperson of any committee or other body to which the Council has delegated the function in respect of which the decision is required or, if there is no such committee or other body, the Mayor;
 - The leader(s) of each political group into which the members of the Council are divided;
 - The Chief Officers (s) (if any) responsible for the function in respect of which the decision is required.
9. Every Chief Officer or Cabinet Member on making a decision after following the evidenced procedure set out in 7 above shall ensure that full details of the decision are completed on the prescribed form in respect of the final decision.
10. Every Chief Officer or Cabinet Member on making a decision under Scheme B2 shall ensure that full details of the decision are completed on the prescribed form in respect of the final decision.
11. The prescribed form shall be signed by the Officer and/or Member making the decision.
12. The written record of a proposed and/or actual decision, the prescribed form, shall be retained for a period of six years from the date of the decision.
13. On completion of the prescribed form in relation to both a proposed and/or actual decision a copy of the prescribed form shall be sent by the Chief Officer and/or Cabinet Member who made the decision:
- (a) to the Proper Officer for Committees:

- (b) The Proper Officer for Committees shall supply a copy to the Chairperson of the Overview and Scrutiny Committee responsible for scrutinising decisions made in connection with the discharge of the Cabinet function in respect of which the decision was made.
14. Whilst decisions made in accordance with Scheme A, and Scheme B1 of the Scheme of Delegation, other than those decisions set out in 8 above, are subject to call-in by Overview and Scrutiny Committees, the procedure for which is set out in Part 4 of the Constitution, decisions made in accordance with Scheme B2 of the Scheme of Delegation are not subject to call-in.
 15. In the event of any Council Member or Council Officer who is designated in the attached Schedule as a consultee being absent or for any other reason being unable to act as such the Council Member or Council Officer may nominate in writing another Council member or Officer (as the case may be) to act as consultee in his / her place.

General Powers of Chief Officers

The Chief Executive and all Chief Officers have the general powers set out below, in addition, they are authorised to carry out the specific functions of the Council and of the Executive delegated to them in Schemes B1 and B2.

Only in connection with the functions administered by their Directorate/Office, Chief Officers have the power to:

1. Undertake:-
 - (a) the day-to-day management and control of their Directorate/Office, including: directorate, departmental, other divisional reviews of establishment, and amendments to the existing staffing structure which can be funded within existing budgets and / or with the benefit of any additional funding receivable; the approval of shortlists for and making permanent and temporary appointments to all posts within their respective directorates other than those which are the responsibility of Members in accordance with the Local Authorities (Standing Orders) (Wales) Regulations 2006; the determination of applications by staff for special leave of absence.
 - (b) the functions administered by their Directorate/Office and the services for which they are responsible.
- 1.1 in pursuance of section 222 of the Local Government Act 1972, in the name of the Council, make representations in the interests of the inhabitants at any public inquiry held by or on behalf of any Minister or public body under any enactment.
- 1.2 exercise the Council's statutory powers to enter upon land and premises for the purposes of inspection, survey, carrying out of any works, investigation of any matter, the taking of samples or for any other purpose for which the Council are so authorised, and to give such notices as may be required in relation thereto.
- 1.3 obtain particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.4 make arrangements for the provisions of supplies and services by and for other local authorities and public bodies (as defined) under the Local Authorities (Goods and Services) Act 1970 or other enabling legislation.

- 1.5 exercise virement within the financial limits contained in the Financial Regulations.
- 1.6 sign on behalf of the Council / Cabinet any document to give effect to any decision made by the Council / Cabinet within the functions of the directorate.
- 1.7 accept the lowest tender received where payment is to be made by the Council and the highest tender received where payment is to be received by the Council
- 1.8 determine applications for Housing Benefit (including Discretionary Housing Payments) and Council Tax Reduction.
- 1.9 assess the need of people who may be in need of care services and, if appropriate, the ability of carers to provide care; decide, on the basis of the assessment what, if any, services should be provided to meet those needs; and take all necessary steps to provide those services including the making of contracts for their provision.
- 1.10 To determine the priority accorded to individual applications to the Housing Register and to nominate applicants for accommodation with registered social landlords in accordance with the Council's policies.
- 1.11 To determine applications from owner/occupiers to the Housing Register, in accordance with the Council's policies.
- 1.12 To determine applications for housing which may not fully comply with the requirements of the Council's Housing Register and Allocation Rules, but are considered to be of a particularly urgent or sensitive nature.
- 1.13 To determine applications for assistance by homeless persons and persons threatened with homelessness pursuant to Part 2 of the Housing (Wales) Act 2014 and to secure temporary accommodation as appropriate.
- 1.14 To issue Fixed Penalty Notices in accordance with Section 95A and Schedule 4B of the New Roads and Street Works Act 1991, to offer the opportunity of discharging liability to conviction for an offence by payment of a penalty
2. Nothing contained in paragraph 1 shall affect or detract from the exercise by a Chief Officer of any function conferred directly on the Chief Officer by any provision of this Scheme of Delegation.
3. All Chief Officers may authorise in writing any other Officer or Officers of the Council, specified either by name, or by designation and post reference, either generally or specifically for the purpose, to exercise any or all of the powers authorised to be exercised by them, except for this power, provided that:
 - (a) officer reports to or is responsible to the delegator;
 - (b) the officer is appropriately qualified, trained and experienced;
 - (c) the functions to be exercised are within that officer's area of responsibility;
 - (d) it is necessary or desirable for the effective performance of the day to day operation of a service, and
 - (e) It is lawful to do so.

- 3.1 Chief Officers must prepare in writing a scheme authorising any other officers to exercise such powers. Chief Officers shall remain accountable for any action or decisions taken under such authority and shall provide the Monitoring Officer with a copy of the Scheme.
- 3.2 For the avoidance of doubt, where under this scheme a subordinate officer exercises a power, duty or function delegated to him by another officer, the delegation is hereby authorised as if Council / Cabinet delegated it directly and particularly.
4. In the event of a Chief Officer post being vacant or the Chief Officer being unavailable then subject to any arrangements provided for in any scheme of delegation prepared by a Chief Officer under paragraph 3 above that Chief Officer's delegated powers may be exercised by the relevant Assistant Directors / Heads of Service(s) within that Directorate so far as permitted by law.
5. In the event of the Chief Executive post being vacant or the Chief Executive being unavailable then subject to any arrangements provided for in any scheme of delegation prepared by the Chief Executive under paragraph 3 above the Chief Executive's delegated powers may be exercised by the Assistant Chief Executive of Legal and Regulatory Services following consultation with the Chief Finance Officer.
6. Delegation does not extend to any action which affects another Directorate of the Authority or involves the functions of a Directorate, Department or Individual Officer outside the Directorate of the Chief Officer.

SCHEME A

**CABINET FUNCTIONS DELEGATED TO INDIVIDUAL
CABINET MEMBERS**

Where any delegated power is allocated to an individual Cabinet Member and that Member is absent or otherwise unable to act the power is allocated to the Leader and in the Leader's absence to the Deputy Leader.

Any delegated power includes the authority to undertake any action incidental to the application of the delegated power.

1. FUNCTIONS ALLOCATED TO EACH CABINET MEMBER

	<u>Allocated Functions</u>
1.1	Subject to the requirements of paragraph 18 of the Overview and Scrutiny Procedure Rules, to make decisions on any matters falling within the Cabinet Member's portfolio (other than decisions which are contrary to the Policy Framework or contrary to or not wholly in accordance with the approved Budget) which, if delayed, would seriously prejudice the Council's or the public's interests.
1.2	In respect of any contract having an estimated value exceeding £1,000,000 but not exceeding £5,000,000: (a) To authorise the invitation of tenders; and (b) To accept a tender other than the lowest tender received where payment is to be made by the Council, or other than the highest tender received where payment is to be received by the Council where there are special reasons approved by the Section 151 Officer for not accepting the lowest tender or the highest tender as the case may be. (c) To authorise invitation of tenders, to accept a tender or enter into a contract in accordance with any exemption under the Council's Contract Procedure Rules.
1.3	In connection with services falling within the Cabinet Member's portfolio to authorise the submission of tenders for the supply of goods, works or services to another local authority or a public body in accordance with the powers conferred upon the Council by the Local Authorities (Goods and Services) Act 1970 where the estimated value of the proposed tender exceeds £1,000,000 but does not exceed £5,000,000.
1.4	To authorise the disposal of surplus goods acquired in connection with services falling within the Cabinet Member's portfolio having an estimated total value exceeding £100,000 but not exceeding £200,000.
1.5	To declare land or buildings utilised in connection with services falling within the Cabinet Member's portfolio surplus to requirements.
1.6	To approve, subject to the budget process: (1) Fees and charges for new services in accordance with any relevant charging policy approved by the Cabinet; and (2) Increases in existing fees and charges which are in accordance with any relevant charging policy approved by the Cabinet and which are necessary to reflect either inflation or other increases in costs.
1.7	To authorise the appointment of consultants providing a professional service whose fees are estimated to exceed £100,000.

<u>Allocated Functions</u>	
1.8	To make a formal response on behalf of the County Borough Council to any Government Paper or Circular and any draft European Union Directive.

2. FUNCTION ALLOCATED TO CABINET MEMBER FOR RESOURCES

<u>Allocated Function</u>	
2.1	To authorise the exercise of rights of pre-emption vested in the Council.
2.2	To allocate Capital Programme funds to Town and Community Councils to facilitate community projects, upon the recommendation of the Asset Management and Capital Investment Group.
2.3	To approve levels of maximum funding to voluntary organisations where the amount of the funding exceeds £50,000.

3. FUNCTIONS ALLOCATED TO THE CABINET MEMBER – COMMUNITIES

<u>Allocated Functions</u>	
3.1	<p>(a) To approve the making of applications for orders in pursuance of Section 116 of the Highways Act 1980 and Sections 247, 248 and 249 of the Town and Country Planning Act 1990 and to approve the making, modification or variation of orders in pursuance of any provision contained in the following enactments (or any statutory modification, re-enactment or amendment thereof): Road Traffic Regulation Act 1984; Road Traffic Regulation (Special Events) Act 1994 Town Police Clauses Act 1847;</p> <p>(b) To confirm, where the Council has power to do so, any proposed Order made in accordance with paragraph (a) above to which there are no objections or in respect of which any objections made are withdrawn;</p> <p>(c) Where the Council does not have power to determine any proposed Order to refer the proposed Order to such determining body (i.e. the National Assembly for Wales, the Magistrate’s Court or the County Court) as is appropriate in the circumstances.</p>
3.2	To decide the name and/or numbering of a street, or to change or alter the name and/or numbering of a street, in accordance with the relevant provisions of the Town Improvement Clauses Act 1847 and the Public Health Act 1925, and to authorise any action considered appropriate as a result of making such a decision.
3.3	To determine requests for the use of Council car parks for purposes not authorised by the relevant Off-Street Parking Places Order and to suspend the use of any parking place or part thereof when considered appropriate.

4. FUNCTIONS ALLOCATED TO THE CABINET MEMBER - ADULT SOCIAL CARE AND HEALTH & WELLBEING

<u>Allocated Functions</u>	
4.1	To approve any adjustments in the level of fees paid for placements made in

<u>Allocated Functions</u>	
	Independent Sector Residential and Nursing Care Homes within the County Borough.
4.2	To approve levels of maximum funding to voluntary organizations which are subject to a formal service agreement where the amount of the funding exceeds £50,000.

5. FUNCTIONS ALLOCATED TO THE CABINET MEMBER - CHILDREN'S SOCIAL SERVICES AND EQUALITIES

<u>Allocated Functions</u>	
5.1	To approve any adjustments in the level of grants, fees and allowances for Children and Young People and their carers in respect of: Children's Foster Care; Residential Care; Adoption Services; Aftercare Services; Respite Care Services; Volunteer Drivers.
5.2	To approve levels of maximum funding to voluntary organizations which are subject to a formal service agreement where the amount of the funding exceeds £50,000.
5.3	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or Council where the amount of the grant exceeds £50,000.

6. FUNCTIONS ALLOCATED TO THE DEPUTY LEADER AND CABINET MEMBER - EDUCATION

<u>Allocated Functions</u>	
6.1	In consultation with the Corporate Director – Education & Transformation, to appoint additional LEA school governors to support schools causing concern.
6.2	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or Council where the amount of the grant exceeds £50,000.

SCHEME B1

FUNCTIONS DELEGATED TO CORPORATE DIRECTORS SUBJECT TO CONSULTATION AND CALL IN

1. FUNCTIONS DELEGATED TO EACH CHIEF OFFICER

A. COUNCIL / CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
1.1	To authorise the disposal of surplus goods acquired in connection with services for which the Chief Officer concerned is responsible having an estimated total value exceeding £50,000 but not exceeding £100,000.	<p>(1) <u>COUNCIL FUNCTIONS</u> The Chairperson of any committee or other body to which the Council has also delegated the function which includes the service in connection with which the goods were acquired or, if there is no such committee or other body, the Mayor</p> <p>(2) <u>CABINET FUNCTIONS</u> The Cabinet Member with the relevant function</p>
1.2	To authorise the appointment of consultants providing a professional service whose fees are estimated to exceed £50,000 but not exceeding £100,000	<p>(1) <u>COUNCIL FUNCTIONS</u> The Chairperson of any Committee or other body to which the Council has also delegated the function which includes the service in respect of which the fees or charges will be payable or, if there is no such committee or other body, the Mayor</p> <p>(2) <u>CABINET FUNCTIONS</u> The Cabinet Member with the relevant function</p>

B. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
1.3	To authorise the submission of tenders for the supply of goods, works or services to another local authority or a public body in accordance with the powers conferred upon the Council by the Local Authorities (Goods and Services) Act 1970 where the estimated value of the proposed tender exceeds £100,000 but does not exceed £1,000,000.	The Cabinet Member with the relevant function

2. FUNCTIONS ALLOCATED TO THE CHIEF EXECUTIVE (OR IF ABSENT OR OTHERWISE UNABLE TO ACT TO THE ASSISTANT CHIEF EXECUTIVE LEGAL & REGULATORY SERVICES)

A. COUNCIL FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
2.1	To make a decision upon any matter which, for reasons of urgency, cannot await the next meeting of the Council or of any Committee or other body to which the Council has delegated the function in connection with which a decision is required (other than a decision which must by law be taken by the Council itself).	<p>(1) The Chairperson of any committee or other body to which the Council has delegated the function in respect of which the decision is required or, if there is no such committee or other body, the Mayor;</p> <p>(2) The leader(s) of each political group into which the members of the Council are divided;</p> <p>(3) The Corporate Director(s) (if any) responsible for the function in respect of which the decision is required</p>

3. FUNCTIONS ALLOCATED TO THE ASSISTANT CHIEF EXECUTIVE LEGAL & REGULATORY SERVICES

B. COUNCIL / CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
3.1	To instruct counsel or to engage external solicitors in connection with any legal matter affecting the Council where the estimated cost of doing so is estimated to exceed £100,000.	<p><u>COUNCIL FUNCTIONS</u> The Chairperson of any committee or other body to which the Council has delegated the function in respect of which it is proposed to instruct counsel or, if there is no such committee or other body, the Mayor.</p> <p><u>CABINET FUNCTIONS</u> The Cabinet Member with the relevant function</p>
3.2	To authorise the settlement of civil and / or criminal proceedings whether commenced or in anticipation where the amount payable by or to the Council exceeds £100,000.	<p><u>COUNCIL FUNCTIONS</u> The Chairperson of any committee or other body to which the Council has delegated the function to which the proposed relate or, if there is no such committee or other body, the Mayor.</p> <p><u>CABINET FUNCTIONS</u> The Cabinet Member with the relevant function</p>

C. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
3.3	To provide observations on behalf of the Council to the National Assembly for Wales upon proposals to amend	The Cabinet Member with the relevant

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
	"Planning Guidance Wales" and related Technical Advice Notes.	function
3.4	To provide observations on behalf of the Council to the appropriate Government Department upon proposals to amend national planning and environmental policy.	Cabinet Member with the relevant function
3.5	To exercise the functions set out in the Scrap Metal Dealers Act 2013	Cabinet Member with the relevant function

4. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - RESOURCES

A. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
4.2	To authorise, and agree terms for, the disposal of land and buildings, whether by way of a freehold sale or the grant of a lease, in consideration of the payment of a premium at best consideration having an estimated value not exceeding £500,000 .	(1) Cabinet Member with the relevant function (2) Assistant Chief Executive – Legal & Regulatory (3) Section 151 Officer or in the event of sub delegation to the Section 151 Officer, then the Deputy Section 151 officer.
4.3	To authorise, and approve the terms of, any lease to be granted to or by the Council in consideration of the payment of a rent, including any rent in excess of £100,000 per annum payable: (a) by the Council; or (b) to the Council.	Cabinet Member with the relevant function
4.4	To authorise and agree the release of restrictive covenants in favour of or binding the Council for sums exceeding £50,000.	Cabinet Member with the relevant function
4.5	To authorise and agree the terms of the surrender of leases by or to the Council including the payment or receipt of a premium exceeding £50,000.	Cabinet Member with the relevant function
4.6	To approve levels of maximum funding to voluntary organisations where the amount of the funding does not exceed £50,000.	Cabinet Member with the relevant function

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
4.7	To authorise, and agree terms for, the disposal of land and buildings having an estimated value not exceeding £300,000, at an undervalue where it is considered that: The disposal is in the interests of the economic, social or environmental well being of the whole or any part of the Authority's area, or any or all persons resident or present in the Authority's area; and the disposal is in accordance with the General Disposal Consent (Wales) 2003, the Authority's approved Disposal Strategy and Community Asset Transfer Guidance; and the disposal is at an undervalue of £300,000 or less provided that the disposal is not in breach of any State Aid requirements. .	1) Cabinet Member with the relevant function 2) Assistant Chief Executive – Legal & Regulatory 3) Section 151 Officer or in the event of sub delegation to the Section 151 Officer, then the Deputy Section 151 officer.
4.8	To authorise, and agree terms for, the acquisition of land or buildings in connection with scheme which appears in the Council's approved capital estimates a particular category of scheme which appears in the Council's approved capital estimates, provided that the acquisition will not exceed the aggregate capital estimate for the category of scheme.	Cabinet Member with the relevant function.

5. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR – EDUCATION & TRANSFORMATION

A. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
5.1	To issue and serve public notice of proposals to open and to close schools and to consult the public on such proposals.	Cabinet Member with the relevant function
5.2	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or Council where the amount of the grant does not exceed £50,000.	Cabinet Member with the relevant function
5.3	Intentionally Blank	
5.4	Intentionally Blank	
5.5	To approve levels of maximum funding to voluntary organizations which are subject to a formal service agreement where the amount of the funding exceed £10,000 but does not exceed £50,000.	Cabinet Member with the relevant function

6. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR – SOCIAL SERVICES & WELLBEING

A. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
6.1	To approve levels of maximum funding to voluntary organizations where the amount of the funding exceeds £10,000 but does not exceed £50,000.	Cabinet Member with the relevant function
6.2	To exercise any of the Council's powers in respect of Porthcawl Harbour contained in Part V of the Mid Glamorgan County Council Act 1987.	Cabinet Member with the relevant function
6.3	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or Council where the amount of the grant does not exceed £50,000.	Cabinet Member with the relevant function
6.4	To issue and serve public notice of proposals to open and to close leisure facilities and to consult the public on such proposals.	Cabinet Member with the relevant function
6.5	To exercise the Council's functions under the Fostering Services (Wales) Regulations relating to the appointment from time to time of new members of the Bridgend Fostering Panel (other than the appointment of elected members of the Council) as and when vacancies arise.	Cabinet Member with the relevant function
6.6	To exercise the Council's functions under the Adoption Agencies Regulations 2005 relating to the appointment from time to time of the Chair and Vice-Chair and members of the Bridgend Adoption Panel (other than the appointment of elected members of the Council) as and when vacancies arise.	Cabinet Member with the relevant function
6.7	To approve levels of maximum funding to voluntary organizations which are subject to a formal service agreement where the amount of the funding exceed £10,000 but does not exceed £50,000.	Cabinet Member with the relevant function

7. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - COMMUNITIES

A. COUNCIL FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
7.1	To provide observations upon the request of the National Assembly for Wales in respect of applications for offshore dredging submitted to the Crown Estate under the "Government View" procedure.	Chairperson or in their absence the Vice-Chairperson of the Planning and Development Committee

B. CABINET FUNCTIONS:

	<u>Allocated Functions</u>	<u>Consultee</u>
7.2	To make a decision upon any matter relating to the Council's emergency planning functions which, for reasons of urgency, cannot await the next meeting of the Cabinet.	Leader or in their absence the Deputy Leader
7.3	To authorise the carrying out of civic amenity schemes.	Cabinet Member with the relevant function
7.4	To undertake projects of Sustainable Waste Management within the County Borough.	Cabinet Member with the relevant function
7.5	To make arrangements for publicity for and public consultation on all proposed waste policy documents.	Cabinet Member with the relevant function
7.6	To approve or amend programmes for the preparation of policy documents required by Section 6 of the Planning and Compulsory Purchase Act 2004.	Cabinet Member with the relevant function
7.7	To provide observations on behalf of the Council to the National Assembly for Wales upon proposals to amend "Planning Guidance Wales" and related Technical Advice Notes.	Cabinet Member with the relevant function
7.8	To provide observations on behalf of the Council to the appropriate Government Department upon proposals to amend national planning and environmental policy.	Cabinet Member with the relevant function
7.9	To initiate projects for environmental education improvement and management within the County Borough.	Cabinet Member with the relevant function
7.10	To make arrangements for publicity and public consultation for all Council Policy Documents relating to countryside access and management and building conservation.	Cabinet Member with the relevant function

	<u>Allocated Functions</u>	<u>Consultee</u>
7.11	To make arrangements for publicity and public consultation on projects for environmental education, improvement and management within the County Borough.	Cabinet Member with the relevant function
7.12	To increase or decrease the fees chargeable under the Building Regulations by not more than 10%.	(1) Cabinet Member with the relevant function (2) Chief Finance Officer
7.13	To authorise the carrying out of Land Reclamation, Coastal Protection and Land Drainage schemes not exceeding an estimated value of £100,000.	Cabinet Member with the relevant function
7.14	To review the prescribed limits of financial assistance provided under the grant schemes operated by the Council pursuant to its economic development powers.	Cabinet Member with the relevant function
7.15	To determine the award of Discretionary Disabled Facilities Lifetime Grants, and the award of the residual Disabled Facilities Top-Up Grants, in accordance with the Private Sector Housing Renewal & Disabled Adaptions Policy	Cabinet Member with the relevant function
7.16	To increase or decrease any of the rates payable for any statutory grants administered under the Housing Grants, Construction and Regeneration Act 1996 and any non-statutory grants administered under the Bridgend County Borough Council Private Sector Housing Renewal Policy.	(1) Cabinet Member with the relevant function (2) Chief Finance Officer
7.17	To approve levels of maximum funding to voluntary organisations which are subject to a formal service agreement where the amount of the funding exceeds £10,000 but does not exceed £50,000.	Cabinet Member with the relevant function
7.18	To provide observations on behalf of the Council to the National Assembly for Wales upon proposals to amend Highways and Transportation policy and regulations.	Cabinet Member with the relevant function
7.19	Intentionally Blank	
7.20	To issue and serve public notice of proposals to open and to close community facilities and to consult the public on such proposals.	Cabinet Member with the relevant function

SCHEME B2

FUNCTIONS DELEGATED TO CORPORATE DIRECTORS WITHOUT CONSULTATION AND CALL IN.

1. FUNCTIONS ALLOCATED TO EACH CHIEF OFFICER

A. COUNCIL / CABINET FUNCTIONS:

	<u>Allocated Functions</u>
1.1	To authorise the appointment of consultants providing a professional service whose fees do not exceed £50,000.
1.2	To authorise the application for and acceptance of applications for grant aid to the National Assembly for Wales and other appropriate bodies for purposes connected with matters falling within the Directorate.
1.3	To exercise the powers conferred upon them under the Council's Disciplinary and Grievance Procedures.
1.4	In respect of any contract having an estimated value not exceeding £1,000,000: (a) To authorise the invitation of tenders; and (b) To accept a tender other than the lowest tender received where payment is to be made by the Council, or other than the highest tender received where payment is to be received by the Council where there are special reasons approved by the Corporate Procurement Manager in respect of tenders not in excess of £100,000 and by the Section 151 Officer in respect of tenders in excess of £100,000 for not accepting the lowest tender or the highest tender as the case may be. (c) To authorise invitation of tenders, to accept a tender or enter into a contract in accordance with any exemption under the Council's Contract Procedure Rules. Contract Procedure Rules.

B. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
1.5	To authorise the disposal of surplus goods acquired in connection with services for which the Chief Officer is responsible having an estimated total value not exceeding £50,000.
1.6	To authorise the submission of tenders for the supply of goods, works or services to another local authority or a public body in accordance with the powers conferred upon the Council by the Local Authorities (Goods and Services) Act 1970 where the estimated value of the proposed tender exceeds does not exceed £100,000.
1.7	To take any steps necessary to assist the Council in complying with the obligations imposed under the Data Protection Act 1998 in consultation with the Assistant Chief Executive Legal and Regulatory Services.

2. FUNCTIONS ALLOCATED TO THE ASSISTANT CHIEF EXECUTIVE – LEGAL & REGULATORY SERVICES

A. COUNCIL FUNCTIONS:

	<u>Allocated Functions</u>
2.1	To determine applications for the grant or renewal of approvals of premises for the solemnization of marriages and civil partnerships in pursuance of section 26(1)(bb) of the Marriage Act 1949 and the Civil Partnership Act 2004, and to revoke such approvals.
2.2	To take all steps required to undertake Compulsory Purchase Orders.
2.3	To exercise any powers available to the Council under the provisions of any contract relating to the determination or forfeiture of the contract.
2.4	To confirm unopposed tree preservation orders under Section 199 of the Town and Country Planning Act 1990.
2.5	To exercise the functions of the Council following the service of a Purchase Notice or Blight Notice, including the issue and service of notices or counter notices.
2.6	To appoint authorised officers for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Local Government (Miscellaneous Provisions) Act 1982, the Licensing Act 2003 and the Gambling Act 2005.
2.7	To determine all applications and administrative arrangements in respect of designated grounds and regulated stands under the Safety of Sports Ground Act 1975 and to issue prohibition notices under Section 10 of the Act.
2.8	To authorise officers to have power of entry, issue prohibition notices under Section 10 and undertake responsibilities as to implementation and enforcement under paragraphs 10B and 11 of the Safety of Sports Grounds Act 1975.
2.9	To grant applications for hackney carriage and private hire vehicle licences and private hire operator licences and to revoke existing licences when replacement vehicle licences are granted, in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, as appropriate.
2.10	To suspend licences pertaining to hackney carriage and private hire vehicles in accordance with sections 60 and 68 of the Local Government (Miscellaneous Provisions) Act 1976
2.11	To grant, suspend and/or revoke, and reinstate existing hackney carriage and private hire vehicle drivers' licences in accordance with such guidelines, conditions, limitations or restrictions as may be prescribed by the Licensing Committee and in accordance with the Town Police Clauses Act 1847 and the local Government (Miscellaneous Provisions) Act

<u>Allocated Functions</u>	
	1976 as appropriate.
2.12	<p>To grant or renew the under mentioned applications providing no objections or representations have been received from statutory bodies or the public:</p> <p>(a) Amusements with Prizes Permits (other than those relating to arcades)</p> <p>(b) Street Trading Consents</p> <p>In accordance with the Gaming Act 1968 and Local Government (Miscellaneous Provisions) Act 1982 as appropriate.</p>
2.13	To vary the conditions attached to Premises Licences which involve the giving of written consent for an activity providing no objections or representations have been received from responsible authorities or the public in accordance with the Licensing Act 2003.
2.14	<p>To grant and renew applications for licences, permits and registrations, and to do anything which the Council has a power or duty to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained in the enactments listed below (subject to any policies prescribed by the Licensing Committee):</p> <p style="padding-left: 40px;">House to House Collection Act 1939 Police, Factories, etc (Miscellaneous Provisions) Act 1916</p>
2.15	<p>To determine or make decisions (as appropriate) under the Licensing Act 2003 regarding the following matters:</p> <p>(a) Applications for personal licenses (if no objection made);</p> <p>(b) Applications for premises / club premises certificates (if no relevant representations made);</p> <p>(c) Applications for provisional statements (if no relevant representations made);</p> <p>(d) Applications to vary premises / club premises certificates (if no relevant representations made);</p> <p>(e) Applications to vary designated premises supervisor (if no police objection);</p> <p>(f) Requests to be removed as designated premises supervisor;</p> <p>(g) Applications for transfer of premises licence (if no police objection);</p> <p>(h) Applications for interim authorities (if no police objection);</p> <p>(i) Whether a complaint or representation is irrelevant, frivolous or vexatious etc.</p> <p>(j) To do anything which the Council has a power to do (including the power to serve any notice or counter notice) that is necessary for the enforcement of any of the provisions contained in the Licensing Act 2003.</p> <p>(k) To do anything which the licensing authority has a duty or power to do in respect of Temporary Event Notices.</p> <p>(l) To determine applications received under the Legislative Reform (Minor Variations to Premises Licences and Club Premises) Order 2009 in accordance with Secretary of State Guidance.</p> <p>(m) To determine applications received under the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls & community premises) Order 2009 where there is no objection notice received from the Chief Officer of Police.</p>

<u>Allocated Functions</u>	
2.16	To do anything which the Council has a duty or power to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, and the Local Government (Miscellaneous Provisions) Act 1982.
2.17	To determine applications to amend the register of common land in accordance with the Commons Registration Act 1965 and Commons Act 2006 where no objections have been received following a statutory consultation process.
2.18	To do anything which the Council has a power to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Commons Registration Act 1965 and Commons Act 2006.
2.19	To issue applications to review premises licences in accordance with s. 197 Gambling Act 2005.
2.20	<p>To determine or make decisions (as appropriate) under the Gambling Act 2005 regarding the following matters:</p> <ul style="list-style-type: none"> (a) Applications for premises licence where no representations have been received or where representations have been withdrawn; (b) Applications for a variation to a licence where no representations have been received or where representations have been withdrawn; (c) Applications for a transfer of a licence where no representations have been received from the Gambling Commission; (d) Applications for a provisional statement where no representations have been received or where representations have been withdrawn; (e) Applications for club gaming/club machine permits where no objections have been received or where objections have been withdrawn; (f) Applications for other permits; (g) Cancellation of licensed premises gaming machine permits; (h) Application for occasional use notice; (i) Application for temporary use notice; (j) Determination of whether representations are frivolous, vexatious or certainly will not influence the Authority's determination of an application. (k) Application for the registration as a Small Society Lottery.
2.21	To exercise any power conferred upon the Council to recover expenses incurred by it as a result of the exercise of any of the powers hereby delegated to him by this Scheme of Delegation.
2.22	To issue licences authorising the use of land as a caravan site ("site licences") in accordance with Section 3(3) of the Caravan Sites and Control of Development Act 1960.
2.23	To license the use of moveable dwellings and camping sites in accordance with Section 268(1) of the Public Health Act 1936.
2.24	To license premises for acupuncture, tattooing, ear-piercing and electrolysis in accordance

	<u>Allocated Functions</u>
	with Section 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
2.25	To license dealers in game and the killing and selling of game in accordance with Sections 5,6,17,18 and 21 to 23 of the Game Act 1831.
2.26	To register and approve food business establishments in accordance with Article 31 of EC Regulation 882/2004.
2.27	To license premises for the breeding of dogs in accordance with Section 1 of the Breeding of Dogs Act 1973 and Section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.
2.28	To license dangerous wild animals in accordance with Section 1 of the Dangerous Wild Animals Act 1976.
2.29	To grant consent for the operation of a loudspeaker in accordance with Schedule 2 of the Noise and Statutory Nuisance Act 1993.
2.30	To licence and record the movements of goats, sheep, cattle, pigs and deer in accordance with the provisions of the Disease Control (Wales) Order 2003.
2.31	To approve product specific establishments subject to approval under the provisions of EC Regulation 853/2004.
2.32	All functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Council’s capacity as an employer.
2.33	The functions described in paragraphs (2), (3) and (4) of Regulation 2 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 to the extent that they are exercisable in connection with the discharge of the functions listed.
2.34	To issue applications to review premises licenses in accordance with s.197 Gambling Act 2005.
2.35	To provide observations to other authorities when the Council is consulted on planning applications in neighbouring areas and there is insufficient time to report such proposals to the Council, such observations to be subsequently reported to Council for information.
2.36	Intentionally Blank

<u>Allocated Functions</u>	
2.37	To determine applications and deal with all other issues relating to the administration and enforcement of the Hypnotism Act 1952.
2.38	To institute proceedings for an injunction pursuant to section 187B of the Town and Country Planning Act 1990;

B COUNCIL/CABINET FUNCTIONS:

<u>Allocated Functions</u>	
2.39	To institute and defend all civil and criminal proceedings (including appeals) on behalf of the Council and any other organisation, and to authorise other organisations to do so on behalf of this Authority, as appropriate, where commenced or in anticipation, other than proceedings in respect of which any other Council officer has been allocated a similar function (with the exception of members of staff in the Legal Services Department), and to take any other steps in connection with the conduct of proceedings as he deems appropriate, including their withdrawal or discontinuance.
2.40	To authorise the settlement of civil and / or criminal proceedings whether commenced or in anticipation where the amount payable by or to the Council does not exceed £100,000.
2.41	To instruct Counsel or to engage external solicitors in connection with any legal matter affecting the Council where the estimated cost of so doing does not exceed £100,000.
2.42	To institute and conduct legal proceedings on behalf of any Council employee within the Indemnity Policy.
2.43	To authorise Legal Services staff to appear on behalf of the Council in county court or magistrates' court proceedings in accordance with Section 60 of the County Court Act 1984 and Section 223 of the Local Government Act 1972.
2.44	To take all steps required to protect the Authority and/or to enable the Authority to undertake it's Statutory and Common Law duties and powers.
2.45	To issue and serve statutory notices requisitioning information in respect of interests in and/or the use of land.
2.46	To give any certificate or notice required for the purpose of registering any statutory or other charge at H.M. Land Registry on behalf of the Council.
2.47	To exercise any powers available to the Council under the provisions of any contract relating to the determination or forfeiture of the contract.

C CABINET FUNCTIONS:

<u>Allocated Functions</u>	
2.48	To issue permits for parking places in accordance with Sections 32(1) and 35(1) of the Road Traffic Regulation Act 1984.
2.49	To take appropriate action to enforce any statutory charge over premises existing in the Council's favour.
2.50	To approve requests for consent to the transfer of mortgage interests when satisfied that the transferee has sufficient resources to meet the mortgage repayments and the mortgage account is clear of arrears.
2.51	To issue and serve Advance Payments Code Notices in accordance with the Highways Act 1980.
2.52	To be the person of appropriate seniority designated by the Council to undertake a review upon any decision of the Corporate Director – Communities pursuant to the provisions of the Part VII (Homelessness) of the Housing Act 1996.
2.53	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or the Council where the amount of the grant does not exceed £10,000.
2.54	To exercise any power conferred upon the Council to recover expenses incurred by it as a result of the exercise of any of the powers hereby delegated to him by this Scheme.
2.55	To authorise exhumations subject to any necessary consents being first obtained.
2.56	To do anything which the Council has a power or duty to do under the provisions of the following enactments or any subordinate legislation made thereunder: Control of Horses (Wales) Act 2014 Power to seize and impound stray horses Mid Glamorgan County Council Act 1987 – Power to seize and impound stray animals. Section 15 Mid Glamorgan County Council Act 1987 – Power to serve notice requiring works to Section 19 party or boundary walls. Building Act 1984 – Section 77 Power to execute work to dangerous buildings and recover expenses. Building Act 1984 – Section 78 Emergency measures for dealing with dangerous structures
2.57	The service of Improvement Notices and Emergency Prohibition Notices under the following statutory provisions: (a) Food Safety Act 1990; European Communities Act 1972. (b) Service of Remedial Action Notices, Detention Notices, Hygiene Improvement Notices and Hygiene Emergency Prohibition Notices and making of applications for Hygiene Emergency Prohibition Orders under the Food Hygiene (Wales) Regulations

	<u>Allocated Functions</u>
	2006.
2.58	<p>To do anything which the Council has a power or duty to do that is necessary for the enforcement of any of the provisions contained in the enactments listed below and any Orders, Regulations or other Instrument made thereunder or relating thereto or any modification or re-enactment of the foregoing (other than any of those provisions the enforcement of which is not a Cabinet function) and to recommend to the Assistant Chief Executive Legal & Regulatory Services the institution of criminal proceedings arising from any breach of those provisions:</p> <ul style="list-style-type: none"> Administration of Justice Acts 1970 and 1985 Agriculture Act 1970 Agriculture (Miscellaneous Provisions) Act 1968 Agriculture Produce (Grading and Marketing) Acts 1928 and 1931 Animals Act 1971 Animal Boarding Establishments Act 1963 Animal Health Act 1981 Animal Health and Welfare Act 1984 Animal Welfare Act 2006. Anti-Social Behaviour Act 2003 Breeding of Dogs Act 1973 Breeding of Dogs Act 1989 and 1991 Breeding and Sale of Dogs (Welfare) Act 1999 Building Act 1984 Burial Act 1857 Cancer Act 1939 Caravan Sites Control of Development Act 1960 Caravan Sites Act 1968 Children and Young Persons Act 1933 Children and Young Persons (Protection from Tobacco) Act 1991 Christmas Day (Trading) Act 2004 Clean Air Act 1993 Clean Neighbourhoods & Environment Act 2005 Communications Act 2003 Companies Act 1985 Companies Act 1989 Companies Act 2006 Consumer Credit Act 1974 Consumer Protection Act 1987 Consumer Protection from Unfair Trading Regulations 2008 Control of Horses (Wales) Act 2014 Control of Pollution Act 1974 Control of Pollution (Amendment) Act 1989 Copyright Designs and Patent Act 1988 Criminal Justice Act 1988 – Section 141 Criminal Justice and Police Act 2001 Criminal Justice and Public Order Act 1994 Criminal Law Act 1977 Dangerous Wild Animals Act 1976 Development of Tourism Act 1969 Dangerous Dogs Act 1989 and 1991 Dogs Act 1871 Dogs Act 1906 Dogs (Fouling of Land) Act 1996 <p>Education Reform Act 1988</p> <p>Energy Act 1976</p>

	<u>Allocated Functions</u>
	<p>Energy Conservation Act 1981 Enterprise Act 2002 Environmental Protection Act 1990 Environment Act 1995 Estate Agents Act 1979 European Communities Act 1972 including Trade in Animals and Related Products Regulations 2011 Explosives Act 1875 Explosives (Age of Purchase) Act 1976 Factories Act 1961 Fair Trading Act 1973 Farm & Garden Chemicals Act 1967 Fireworks Acts 1951 and 1964 Fireworks Act 2003 Food and Environment Protection Act 1985 Food Hygiene (Wales) Regulations 2006 Food Hygiene Rating (Wales) Act 2013 Food Safety Act 1990 Fraud Act 2006 Game Act 1831 Guard Dogs Act 1975 Hallmarking Act 1973 Health Act 2006 (Part 1) Health and Safety at Work etc. Act 1974 Health Protection (Local Authority Powers) (Wales) Regulations 2010 Health Protection (Part 2A Orders) (Wales) Regulations 2010, Health Protection (Notification) (Wales) Regulations 2010. Highways Act 1980 Home Energy and Conservation Act 1995 Equine Identification (Wales) Regulations 2009 Housing Act 1985 Housing Act 2004 Housing, Grants, Construction and Regeneration Act 1996 Insurance Brokers (Registration) Act 1971 Intoxicating Substances (Supply) Act 1985 Knives Act 1997 Licensing Act 2003 Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982 Local Government and Housing Act 1989 Medicines Act 1968 Mid Glamorgan County Council Act 1987 Mobile Homes (Wales) Act 2013 Mock Auctions Act 1961 Motor Cycle Noise Act 1987 Motor Vehicles (Safety Equipment for Children) Act 1991 National Assistance Act 1948 National Lotteries Act 1993 Noise and Statutory Nuisance Act 1993 Offices, Shops and Railway Premises Act 1963 Official Feed and Food Controls (Wales) Regulations 2006 Olympic Symbol Etc (Protection) Act 1995 Performing Animals (Regulation) Act 1925 Pet Animals Act 1951</p>
	<p>Petroleum (Consolidation) Act 1928 Petroleum (Transfer of Licences) Act 1936</p>

	<u>Allocated Functions</u>
	Poisons Act 1972 Pollution, Prevention & Control Act 1999 Prevention of Damage by Pests Act 1949 Prices Acts 1974 and 1975 Property Misdemeanors Act 1991 Protection of Animals Act 1911 Protection of Animals (Amendment) Act 1988 Protection of Children (Tobacco) Act 1986 Protection From Eviction Act 1977 Public Health Act 1936 Public Health Act 1961 Public Health (Control of Disease) Act 1984 (as amended) Refuse Disposal (Amenity) Act 1978 Regulation of Investigatory Powers Act 2000 Riding Establishments Acts 1964 and 1970 Road Traffic Acts 1988 and 1991 Road Traffic (Foreign Vehicles) Act 1972 Shops Act 1950 Slaughter of Poultry Act 1967 Sunbeds (Regulation) Act 2010 Sunday Trading Act 1994 Tattooing of Minors Act 1969 Telecommunications Act 1984 Theft Act 1968 and 1978 Timeshare Act 1992 Tobacco Advertising and Promotion Act 2002 Town Police Clauses Act 1847 Trade Descriptions Act 1968 Trade Marks Act 1994 Trading Representation (Disabled Persons) Acts 1958 and 1972 Trading Stamps Act 1964 Transmissible Spongiform Encephalopathies (Wales) Regulations 2006 Unsolicited Goods and Services Acts 1971 and 1975 Vehicles (Crime) Act 2001 Video Recordings Acts 1984 and 1993 Water Industries Act 1991 Weights and Measures Act 1976 Weights and Measures Act 1985
2.59	To conduct age related surveillance under the Local Government Act 2000.
2.60	To approve and execute agreements made pursuant to section 185 of the Water Industries Act 1991
2.61	To authorise Officers of the Council to appear on behalf of the Council in magistrates' court proceedings in accordance with Section 223 of the Local Government Act 1972 to obtain approval of authorisations and notices under the Regulation of Investigatory Powers Act 2000.
2.62	To approve and execute agreements made pursuant to Section 104 of the Water Industry Act 1991
2.63	To apply to the Magistrates' Court for a warrant to enter land under s.196B of the Town and County Planning Act 1990

3. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - RESOURCES

A. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
3.1	To take any steps which the Council is empowered to take to recover National Non-Domestic Rates and Council Tax, including the commencement of proceedings and the taking of any steps in connection with the conduct of proceedings.
3.2	To determine: (a) applications for discretionary rating relief from charities; (b) applications for rating relief on grounds of hardship.
3.3	To recommend to the Assistant Chief Executive Legal and Regulatory Services the commencement of criminal proceedings in respect of fraudulent Housing Benefit and Council Tax Benefit claims.
3.4	To refer cases of financial impropriety by Council staff or elected members to the Police for investigation.
3.5	To take any steps which the Council is empowered to take for the recovery of rents, sums due under Council mortgages and other income due to the Council, including instructing the Assistant Chief Executive Legal and Regulatory Services to commence County Court proceedings.
3.6	To determine mortgage interest rates in accordance with statutory requirements.
3.7	To determine applications from persons or bodies for financial assistance which no other officer has been delegated the power to determine.
3.8	To determine applications by tenants for the Council's consent as landlord for: (a) the assignment of their leasehold interests; (b) the subletting or parting with possession of the whole or part of the premises let; (c) the change of use of the premises let provided the proposed use: (i) falls within the same use class as defined in the Town and Country Planning (Use Classes) Order 1987 as the current use or (ii) is a change of use for which planning permission has been granted either specifically or by the Town and Country Planning (General Permitted Development) Order 1995 subject to any arrears of rent being paid and any other breaches of covenant being remedied; (d) the creation of a mortgage or charge over their leasehold interests;
	(e) the making of internal and external alterations and the erection of additions and extensions subject to the tenant obtaining all necessary statutory consents and complying with such other conditions as may be considered appropriate. (f) the surrender of an underlease

<u>Allocated Functions</u>	
3.9	To authorise the grant of a lease or tenancy in circumstances in which the identity of the proposed tenant has changed since the terms of the transaction were approved by or on behalf of the Council.
3.10	To authorise and agree terms for the letting of all properties by or to the Council (including the rent payable) at a rent not exceeding £100,000 per annum.
3.11	To approve the settlement of statutory compensation claims.
3.12	To appoint Estate Agents to market for sale any Council land or buildings.
3.13	To authorise, and agree terms for, the disposal of land and buildings whether by way of a freehold sale or the grant of a lease in consideration of the payment of a premium at best consideration having an estimated value not exceeding £300,000.
3.14	To authorise, and agree terms for, the disposal of land and buildings having an estimated value not exceeding £150,000, at an undervalue where it is considered that: The disposal is in the interests of the economic, social or environmental well being of the whole or any part of the Authority's area, or any or all persons resident or present in the Authority's area; and the disposal is in accordance with the General Disposal Consent (Wales) 2003, the Authority's approved Disposal Strategy and Community Asset Transfer Guidance; and the disposal is at an undervalue of £50,000 or less provided that the disposal is not in breach of any State Aid requirements.
3.15	Intentionally Blank
3.16	To agree the terms of all rent reviews relating to properties leased by and to the Council.
3.17	To decide that the rent review provisions contained in a lease of property in the Council's ownership should not be implemented when a rent review is deemed inappropriate due to special circumstances.
3.18	To agree terms for the renewal of all leases granted by or to the Council.
3.19	To authorise and agree terms for the grant of easements and wayleaves and of licences to occupy land by or to the Council.
3.21	To make planning applications in respect of land which the Council is proposing to dispose of.
3.22	To arrange for title indemnity insurance to be effected in suitable circumstances.

<u>Allocated Functions</u>	
3.23	To authorise the service of notices terminating leases or tenancies (including Those of business premises covered by Part II of the Landlord and Tenant Act 1954) where the Council does not oppose the grant of a new lease or tenancy.
3.24	To authorise the service of notices terminating leases and tenancies (other than those relating to business premises covered by Part II of the Landlord and Tenant Act 1954 where it is not intended to oppose the grant of a new lease or tenancy) and of notices to remedy breaches of covenant.
3.25	To recommend the commencement of forfeiture or other legal proceedings against lessees / tenants to the Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer.
3.26	To authorise the service of appropriate notices and counter notices and the taking of any other steps required to protect the Council's interests as lessor or lessee.
3.27	To determine and approve applications for the transfer of Council mortgages and applications by mortgagors for the release of a part of a mortgaged property from the mortgage.
3.28	To determine in conjunction with the Corporate Director – Communities applications for the re-mortgage or transfer of mortgage of properties purchased with assistance under the Homefinders Scheme.
3.29	To authorise and agree lodging and settling rating appeals submitted by or on behalf of the Council.
3.30	To authorise and agree the release of restrictive covenants in favour of or binding the Council for sums up to a limit of £100,000 .
3.31	To authorise and agree terms for the surrender of leases by or to the Council, including the payment or receipt of a premium not exceeding £50,000.
3.32	To authorise and agree terms for the resolution of dilapidation claims made by or against the Council.
3.33	To authorise and agree terms for the acquisition of land or buildings having an estimated capital or annual value not exceeding £100,000 .
3.34	To approve the variation of existing lease terms.

<u>Allocated Functions</u>	
3.35	To appoint an expert or arbitrator to determine a rent review or any dispute under the provisions of an existing lease.
3.36	To authorise at the request of the Corporate Director – Communities the creation of permissive paths on any Council owned land, in consultation with any holding department
3.37	To authorise at the request of the Corporate Director – Communities the dedication of a public right of way (namely a public footpath, public bridleway, or restricted byway) on any Council owned land, in consultation with any holding department.
3.38	To approve levels of maximum funding to voluntary organisations where the amount of the funding does not exceed £10,000.
3.39	To purchase equipment on behalf of all directorates using a loan under the Prudential Code, having regard to the Community Strategy.
3.40	To issue and serve statutory notices, in accordance with the Road Traffic Regulation Act 1984, requisitioning information.
3.41	To determine applications by freeholders for the Council's consent : (a) as covenantee where the Council has the benefit of covenants affecting the freeholder's property; (b) as mortgagee where there is a mortgage registered against the freeholder's property in favour of the Council; (c) where the Council's consent is required in accordance with a restriction registered against the freeholder's property in favour of the Council.
3.42	To authorise and agree terms for a deed of covenant on any land or buildings having an estimated capital or annual value not exceeding £100,000.

4. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR – EDUCATION & TRANSFORMATION

A. COUNCIL FUNCTIONS:

	<u>Allocated Functions</u>
4.1	Intentionally Blank

B. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
4.2	To institute proceedings for failures in school attendance pursuant to Section 444 of the Education Act 1996.
4.3	To approve expenditure on minor capital projects having an estimated cost not exceeding £100,000.
4.4	To approve, following appropriate consultation, amendments to the Council's funding formula for schools.
4.5	To approve, following appropriate consultation, amendments to the Council's schools admissions policy.
4.6	To make discretionary awards to students in circumstances falling outside normal guidelines considered by finance and awards.
4.7	To act as the designated officer under the local complaints procedure established under Section 23 of the Education Reform Act 1988.
4.8	To make suitable contractual arrangements for the provision of school transport.
4.9	To terminate school transport contracts in circumstances in which the contractor is in breach of contract.
4.10	To determine and authorise expenditure on projects for which specific approval has been granted by the National Assembly for Wales.
4.11	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or the Council where the amount of the grant does not exceed £10,000.

<u>Allocated Functions</u>	
4.12	Intentionally Blank
4.13	Intentionally Blank
4.14	Intentionally Blank
4.15	Intentionally Blank
4.16	In the absence of the Cabinet Member responsible for the education function to appoint additional LEA school governors to support schools causing concern.

5. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR – SOCIAL SERVICES & WELLBEING

A. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
5.1	To take any steps necessary to ensure that the Council complies with its statutory obligations to children and adults.
5.2	To receive into guardianship persons who are suffering from a mental disorder.
5.3	To approve mental health professionals as having appropriate competence in dealing with persons who are suffering from a mental disorder.
5.4	To exercise powers of a Deputy upon appointment by the Court of Protection.
5.5	To approve levels of maximum funding to voluntary organisations and to individuals where the amount of the funding does not exceed £10,000.
5.6	To authorise temporary closures or variations in the opening hours of recreation centres.
5.7	To perform the functions of a Nearest Relative in accordance with the Mental Health Act 1983 upon appointment by the County Court or on the authority of the person who has been identified as the patient's nearest relative.
5.8	To sign a tenancy agreement pursuant to an order of the Court of Protection on behalf of a named individual or individuals who lack capacity under the Mental Capacity Act 2005.
5.9	To authorise, and agree terms for, deferred payment agreements under the Health and Social Care Act 2001.
5.10	To determine and authorise expenditure on projects for which specific approval has been granted by the National Assembly for Wales.
5.11	To assess the needs of people who may be in need of care services and, if appropriate, the ability of carers to provide care; to decide, on the basis of the assessment what, if any, services should be provided to meet those needs; and to take all necessary steps to provide those services including the making of contracts for their provision.
5.12	After taking into account any recommendations made by the Bridgend Fostering Panel: (a) To approve a person as a foster parent;

	<p>(b) To decide, following a review, that a foster parent and a foster parent's household continue to be suitable and that the terms of a foster parent's approval continue to be appropriate;</p> <p>(c) To decide, following a review, that the fostering service provider is no longer satisfied that a foster parent and a foster parent's household continue to be suitable or that the terms of a foster parent's approval continue to be appropriate, and either to terminate the approval from a specified date or to determine the revised terms of the approval as the case may be.</p>
5.13	<p>After taking into account any recommendations made by the Bridgend Adoption Panel and any other matters the Council may in its capacity as an adoption agency be obliged to take into account:</p> <p>(a) To decide whether adoption is in a child's best interest, and if it is so decided, whether an application should be made to free the child for adoption and whether an allowance should be paid;</p> <p>(b) To decide whether a prospective adopter is suitable to be an adoptive parent and</p> <p>(c) To decide whether a prospective adopter would be a suitable adoptive parent for a particular child.</p>

B. COUNCIL FUNCTIONS:

5.14	To issue applications to review premises licenses in accordance with s. 197 Gambling Act 2005.
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6. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - COMMUNITIES

A. COUNCIL FUNCTIONS:

<u>Allocated Functions</u>																	
6.1	<p>The following provisions together with:</p> <p>(a) The power to determine: Council applications including those submitted by the Corporate Director Communities unless a material planning objection has been received; any application where a local Member has expressed a material planning concern and the delegated decision is in line with that concern or no other objection has been received within the consultation / publicity period and the Chairman of the Development Control Committee does not consider it necessary to report the application to Committee; any application submitted by a Member, a Chief Officer, or any officer reporting directly to the Chief Officer, or any officer in the Development or Highway Services Departments involved in processing/commenting upon applications (or the spouse or partner of any of these) if a material planning objection has not been received.</p> <p>(b) The power to determine all planning applications and applications for reserved matters approval, advertisement consent, listed building consent, conservation area consent, applications for Tree Preservation Order consent and applications under the High Hedges regulations submitted to the Council except applications falling within any of the categories of excepted applications from time to time prescribed by the Council;</p> <p>(c) The power to determine planning applications in accordance with the scheme approved for the time being by the Council;</p>																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>Provision</u></th> <th style="text-align: center;"><u>Summary of Effect</u></th> </tr> </thead> <tbody> <tr> <td>General Development Order Consolidation 1995-Appendix A (Para.5)</td> <td>To deal with minor amendments to planning applications</td> </tr> <tr> <td>Land Compensation Act 1961 – Section 17</td> <td>To determine jointly with the Assistant Chief Executive Legal and Regulatory Services applications for Certificate of Appropriate Alternative Development</td> </tr> <tr> <td>Listed Buildings Act 1990 – Section 38</td> <td>To issue listed building enforcement notice.</td> </tr> <tr> <td>Planning and Compensation Act 1991 – Section 191 (as amended by Section 10 of the Planning and Compensation Act 1991).</td> <td>To determine jointly with the Assistant Chief Executive Legal and Regulatory Services Certificates of Lawfulness.</td> </tr> <tr> <td>Town and Country Planning Act 1990 – Section 324 and Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 88</td> <td>To issue written authorisation to appropriate officers to enable them to exercise powers of entry.</td> </tr> <tr> <td>Town and Country Planning Act 1990 – Section 330</td> <td>To issue notices requiring information as to interests in land.</td> </tr> <tr> <td>Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 6 of Schedule 2 to the Order</td> <td>To determine applications for prior approval in respect of agricultural buildings and operations.</td> </tr> </tbody> </table>	<u>Provision</u>	<u>Summary of Effect</u>	General Development Order Consolidation 1995-Appendix A (Para.5)	To deal with minor amendments to planning applications	Land Compensation Act 1961 – Section 17	To determine jointly with the Assistant Chief Executive Legal and Regulatory Services applications for Certificate of Appropriate Alternative Development	Listed Buildings Act 1990 – Section 38	To issue listed building enforcement notice.	Planning and Compensation Act 1991 – Section 191 (as amended by Section 10 of the Planning and Compensation Act 1991).	To determine jointly with the Assistant Chief Executive Legal and Regulatory Services Certificates of Lawfulness.	Town and Country Planning Act 1990 – Section 324 and Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 88	To issue written authorisation to appropriate officers to enable them to exercise powers of entry.	Town and Country Planning Act 1990 – Section 330	To issue notices requiring information as to interests in land.	Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 6 of Schedule 2 to the Order	To determine applications for prior approval in respect of agricultural buildings and operations.
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Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 6 of Schedule 2 to the Order	To determine applications for prior approval in respect of agricultural buildings and operations.																

	<u>Provision</u>	<u>Summary of Effect</u>
	Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 7 of Schedule 2 to the Order	To determine applications for prior approval in respect of forestry buildings and operations.
	Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 24 of Schedule 2 to the Order	To determine applications for prior approval in respect of development by Telecommunications Code System Operators.
	Town and Country Planning (General Permitted Development) Order 1995 – Class A of Part 31 of Schedule 2 to the Order	To determine applications of prior approval of demolition of buildings.
	Town and Country Planning Act 1990 – Section 207	The service of tree replacement notices.
	Town and Country Planning (General Development Procedure) Order 1995 – Article 21	To authorise works in compliance with conditions imposed on planning permissions.
	Town & Country (Environmental Impact Assessment) (England and Wales) Regulations 1999	To determine whether planning applications should be subject to an environmental assessment.
	Town and Country Planning Act 1990 – Section 171C	The service of planning contravention notice and consideration of any offers or representations made in person in response to such a notice.
	Town and Country Planning Act 1990 – Section 172	The issue of enforcement notices.
	Town and Country Planning Act 1990 – Section 183	The service of stop notices.
	Town and Country Planning Act 1990 – Section 187A	The service of breach of condition notices.
	Town and Country Planning Act 1990 – Sections 199 and 201	The power to make a tree preservation order and to include in the order a direction that it shall take effect immediately without previous confirmation.
	Town and Country Planning Act 1990 – Section 333(7)	The power to vary or revoke Tree Preservation Orders in appropriate cases.
	To make emergency Article 4 Directions under the Town and Country (General Permitted Development) Order 1995 (as amended by The Town and Country (General Permitted Development) Order 2013)	To make an emergency Article 4 (2) Direction in Conservation Areas where there is an imminent threat of harm to the character or appearance of Conservation Areas.
6.2	To provide observations to other authorities when the Council is consulted on planning applications in neighbouring areas and there is insufficient time to report such proposals to the Council, such observations to be subsequently reported to Council for information.	
6.3	In consultation with the Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer, to determine applications for the use of retail units at the Designer Outlet Village, Bridgend, outside the terms of the agreement concluded under section 106 of the Town and Country Planning Act 1990.	

6.4	To exercise any power conferred upon the Council to recover expenses incurred by it as a result of the exercise of any of the powers hereby delegated to him by this Scheme of Delegation.
6.5	To authorise officers to enter land for the purposes set out in section 324 of the Town and Country Planning Act 1990.
6.6	To exercise the powers relating to the protection of important hedgerows conferred upon the Council by the Hedgerows Regulations 1997.
6.7	To authorise officers to enter land for the purposes set out in section 196A of the Town and Country Planning Act 1990.

B. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
6.8	To approve applications for grants to voluntary organisations in accordance with the policy approved by the Cabinet or the Council where the amount of the grant does not exceed £10,000.
6.9	To authorise exhumations subject to any necessary consents being first obtained.
6.10	To do anything which the Council has a power or duty to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained in the enactments listed below (other than any of those provisions the enforcement of which is not a Cabinet function), and to recommend to the Assistant Chief Executive Legal and Regulatory Services the institution of criminal proceedings arising from any breach of those provisions: Anti-Social Behaviour Act 2003 Births and Deaths Registration Act 1926 Burial Act 1857 Clean Neighbourhoods & Environment Act 2005 Controlled Waste Regulations 1992 Cremation Acts 1902 and 1952 Dogs (Fouling of Land) Act 1996 Environmental Protection Act 1990 Health and Safety at Work Act 1974 Local Authorities Cemeteries Order 1977 Local Government Act 1972 Local Government (Miscellaneous Provisions) Act 1982 Mid Glamorgan County Council Act 1987 Refuse Disposal (Amenity) Act 1978
6.11	To exercise the Council's powers under Sections 3, 4, 5 and 6 of the refuse Disposal (Amenity) Act 1978 to remove and dispose of abandoned vehicles and to recover the expenses connected therewith.

6.12	To determine applications for grant assistance under the Inner Urban Areas Act 1978 for improvements to properties in Industrial and Commercial Improvement Areas in accordance with the rules approved by or on behalf of the Council.	
6.13	To discuss and express views on behalf of the Council on the development of strategic waste planning policies at inter-authority meetings.	
6.14	To do anything which the Council has a power or duty to do under the provisions of the following enactments or any subordinate legislation made thereafter:	
	<u>Provision</u>	<u>Summary of Effect</u>
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 2	Power to publish lists of listed buildings
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 3	Power to serve notice of listing on owner and occupier
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Sections 54-60	Power to execute urgent works to preserve a listed building and to recover expenses
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Sections 57-58	Power to determine applications for grant assistance towards repair or maintenance of historic buildings
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 76	Power to execute urgent works and preserve an unoccupied building in a conservation area and to recover expenses
	Planning (Listed Buildings and Conservation Areas) Act 1990 – Sections 79-80	Power to determine applications for grant assistance towards repair or maintenance of historic buildings in a town scheme
6.15	Upon being consulted, to provide formal observations, including, where appropriate, objections to neighbouring planning authorities in respect of documents prepared by them to meet requirements of Section 6 of the Planning and Compulsory Purchase Act 2004.	
6.16	To discuss and express views on behalf of the Council on the development of Strategic Planning Guidance for South East Wales and Waste Planning Policy for South West Wales with other persons and bodies involved in the formulation of national and regional planning policies.	
6.17	To renew contractual arrangements with the appropriate Government and / or the National Assembly for Wales to maintain existing arrangements to provide secretarial support to the South Wales Aggregates Working Party.	
6.18	In consultation with the Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer to approve service level agreements with the Countryside Council for Wales, Glamorgan Gwent Archaeological Trust, Groundwork Bridgend and Coed Cymru.	

6.19	To authorise the service of Building Preservation Notices on the owners and occupiers of buildings pursuant to the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 3 and 4.
6.20	To enter into agreements to enable highways to become maintainable at the public expense in accordance with Part IV of the Highways Act 1980.
6.21	To authorise the making of orders relating to highways (other than Orders under s. 257 of the Town and Country Planning Act 1990) and the confirmation, modification or variation thereof in accordance with the provisions contained in the following enactments: Cycle Tracks Act 1984 Highways Act 1980 Road Traffic Act 1991 Road Traffic Regulation Act 1984 Road Traffic Regulation (Special Events) Act 1994 Town and Country Planning Act 1990 Town Police Clauses Act 1847 Wildlife and Countryside Act 1981
6.22	To take any action as is necessary to declare highways to be maintainable at the public expense including where considered appropriate accepting requests for dedication of highways.
6.23	To undertake and maintain all works (including alteration and removal where necessary) for highway purposes in accordance with Part V of the Highways Act 1980, and to enter into any agreements in respect of any of the works referred to in Part V of the Highways Act 1980.
6.24	To provide services and amenities over a highway and to give consents to other parties as to execution of works and use of objects in accordance with Paragraph VIIA of the Highways Act 1980.
6.25	To take such action as is necessary to prevent or remove the unlawful interference with, annoyance or nuisance upon, or obstruction of highways including the service of relevant notices where appropriate.
6.26	To give consent where required for interference with or obstruction of a highway in accordance with Part IX of the Highways Act 1980.
6.27	To exercise all powers contained in Part XI of the Highways Act 1980 (other than the power contained in Section 205 of that Act) as to making up of Private Streets including powers to enter into agreements and the issuing of notices and determination of payments together with any consents or permissions required.
6.28	To exercise any power conferred upon the Council to recover expenses incurred by it as a result of the exercise of any of the powers hereby allocated to them.

6.29	To take such action as is necessary to stop up private means of access to the highway in accordance with Part VIII of the Highways act 1980.								
6.30	To take such action as is necessary to enforce the provisions of the Coast Protection Act 1949.								
6.31	<p>To do anything which the Council has a power or duty to do that is necessary for the enforcement of any of the provisions contained in the enactments listed below and any Orders, Regulations or other Instrument made thereunder or relating thereto or any modification or re-enactment of the foregoing (other than any of those provisions the enforcement of which is not a Cabinet function) and to recommend to the Assistant Chief Executive Legal and Regulatory Services the institution of criminal proceedings arising from any breach of those provisions:</p> <p>Animals Act 1971 Coast Protection Act 1949 Highways Act 1980 Countryside and Rights of Way Act 2000 Land Drainage Act 1991 Mines, Quarries and Tips Act 1969 National Parks and Access to the Countryside Act 1949 – Section 57 New Roads and Streetworks Act 1991 – Part III Reservoir Act 1975 Road Traffic Act 1991 Road Traffic Regulation Act 1984 Road Traffic Regulation (Special Events) Act 1994 Town and Country Planning Act 1990 Town Police Clauses Act 1847 Transport Act 1985 Transport Act 2000 Wildlife and Countryside Act 1981</p>								
6.32	To authorise the making of emergency Traffic Orders under the Road Traffic Regulation Act 1984.								
6.33	To authorise the making of Orders and the issue of Notices under Section 14 of the Road Traffic Regulation Act 1984.								
6.34	To do anything which the Council has a power or duty to do under the provisions of the following enactments or any subordinate legislation made thereunder:								
	<table border="1"> <thead> <tr> <th><u>Provision</u></th> <th><u>Summary of Effect</u></th> </tr> </thead> <tbody> <tr> <td>Building Act 1984 – Section 77</td> <td>Power to execute work to dangerous buildings and recover expenses.</td> </tr> <tr> <td>Building Act 1984 – Section 78</td> <td>Emergency measures for dealing with dangerous structures</td> </tr> <tr> <td>Highways Act 1980 – Section 37</td> <td>Provision whereby highway created by dedication</td> </tr> </tbody> </table>	<u>Provision</u>	<u>Summary of Effect</u>	Building Act 1984 – Section 77	Power to execute work to dangerous buildings and recover expenses.	Building Act 1984 – Section 78	Emergency measures for dealing with dangerous structures	Highways Act 1980 – Section 37	Provision whereby highway created by dedication
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Building Act 1984 – Section 77	Power to execute work to dangerous buildings and recover expenses.								
Building Act 1984 – Section 78	Emergency measures for dealing with dangerous structures								
Highways Act 1980 – Section 37	Provision whereby highway created by dedication								

		may become maintainable at public expense.
	Highways Act 1980 - Section 38	Power of highway authorities to adopt by agreement.
	Highways Act 1980 – Section 57	Default powers of highway authorities in respect of non-repair of privately maintainable highways.
	Highways Act 1980 – Section 59	Recovery of expenses due to extraordinary traffic.
	Highways Act 1980 – Section 73	Power to prescribe improvement line for widening street
	Highways Act 1980 – Section 74	Power to prescribe Building Line.
	Highways Act 1980 – Section 122	Power to make temporary diversion where highway about to be repaired or widened.
	Highways Act 1980 – Section 146	Duty to maintain stiles etc. on footpaths and bridleways.
	Highways Act 1980 – Section 147	Power to authorise the erection of stiles etc. on footpaths and bridleways.
	Highways Act 1980 – Section 278	Contributions towards highway works by persons deriving special benefit from them.
	Highways Act 1980 – Section 286	Power to require angles of new buildings at corners of street to be rounded off.
	Highways Act 1980 – Section 287	Power to erect barriers in streets in cases of emergency etc.
	Highways Act 1980 – Section 288	Power to require gas and water pipes to be moved
	Highways Act 1980 – Section 289	Powers of entry of Highway Authority for purposes of survey.
	Highways Act 1980 – Section 290	Supplementary provisions as to powers of entry for the purpose of survey.
	Highways Act 1980 – Section 291	Powers of entry of highway authority for purpose of maintaining, etc., certain structures and works.
	Highways Act 1980 – Section 292	Compensation for damage resulting from, and offences connected with, exercise of powers of entry etc. under Section 289 or 291.
	Highways Act 1980 – Section 293	Powers of entry for purposes connected with certain orders relating to footpaths and bridleways.
	Highways Act 1980 – Section 294	Entry etc., of premises by highway authority or council for certain purposes.
	Highways Act 1980 – Section 295	Power of councils to dispose of certain materials.
	Highways Act 1980 – Section 297	Power of highway authority or council to require information as to ownership of land.
	Highways Act 1980 – Section 305	Recovery of expenses by Councils and highway authorities.
	Local Government (Miscellaneous Provisions) Act 1976 – Sections 23 and 24.	Powers to deal with dangerous trees.
	Local Government (Miscellaneous Provisions) Act 1976 – Sections 25 and 26.	Powers to deal with dangerous excavations.
	Mid Glamorgan County Council Act 1987 – Section 10	Power to serve notice to reduce the emission of dust etc. from building operations.
	Mid Glamorgan County Council Act 1987 – Section 11	Power to serve notice to reduce dust from movement of coal.
	Mid Glamorgan County Council Act	Power to weatherproof walls.

	1987 – Section 12	
	Mid Glamorgan County Council Act 1987 – Section 13	Power to approve of plans etc. of retaining walls.
	Mid Glamorgan County Council Act 1987 – Section 14	Power to approve plans etc. of new sewers and to serve notices on persons submitting plans etc.
	Mid Glamorgan County Council Act 1987 – Section 17	Power to make an order prohibiting the use of residential streets for parking by heavy vehicles.
	Mid Glamorgan County Council Act 1987 – Section 19	Power to serve notice requiring works to party or boundary walls.
	Mines, Quarries and Tips Act 1969	Inspections and powers in relation to tips.
	National Parks and Access to the Countryside Act 1949 – Section 57	Penalty for displaying on public paths notices deterring public use.
	New Roads and Street Works Act 1991 – Part III	Control of street works by public utilities undertakers pursuant to a statutory right or street works licence
	Reservoir Act 1975	Inspection and registration of reservoirs.
	Road Traffic Regulation Act 1984 – Section 14(1)	Powers to restrict weight and size of vehicles crossing highway bridges.
	Wildlife and Countryside Act 1981 – Section 61	Ploughing of public rights of way.
6.35	<p>To do anything which the Council has a power or duty to do that is necessary for the enforcement of any of the provisions contained in the enactments listed below and any Orders, Regulations or other Instrument made thereunder or relating thereto or any modification or re-enactment of the foregoing (other than any of those provisions the enforcement of which is not a Cabinet function) and to recommend to the Assistant Chief Executive Legal and Regulatory Services the institution of criminal proceedings arising from any breach of those provisions:</p> <ul style="list-style-type: none"> Building Act 1984 Burial Act 1857 Clean Neighbourhoods & Environment Act 2005 Health and Safety at Work etc. Act 1974 Highways Act 1980 Local Government (Miscellaneous Provisions) Act 1961 Mid Glamorgan County Council Act 1987 Public Health Act 1961 Road Traffic Acts 1988 and 1991 	
6.36	<p>To do anything which the Council has a power or duty to do under the provisions of the Building Regulations and of the Building Act 1994 regarding the passing (with or without conditions) or rejection of deposited plans, the giving of notices that deposited plans are of no effect and the removal or alteration of offending work.</p>	
6.37	<p>To undertake the following functions:</p> <ul style="list-style-type: none"> Notification of Burials under Births and Deaths Registration Act 1926 Memorial Permits under the Local Authorities Cemeteries Order 1977 Notification of Burial under Births and Deaths Registration Act 1926 Memorial Permits under the Local Authorities Cemeteries Order 1977 Notice of Transfer of Duty of Care under Control of Waste Regulations 1992 Notice of Intention to Remove Abandoned Vehicles under the Refuse Disposal (Amenity) Act 1978 	

	Enforcement of provisions of the Refuse Disposal (Amenity) Act 1978; Section 132 of the Highways Act 1980; the Environmental Protection Act 1990; Section 224 of the Town & Country Planning Act 1990; the Dogs (Fouling of Land) Act 1996; the Anti-Social Behaviour Act 2003; and the Clean Neighbourhoods & Environment Act 2005.
6.38	To enter into agreements to create footpaths and bridleways in accordance with section 25 of the Highways Act 1980.
6.39	To approve applications by eligible businesses for financial assistance under the grant schemes operated by the Council pursuant to its economic development powers.
6.40	To authorise expenditure upon marketing and participation in appropriate economic development activities and events.
6.41	To appoint officers from the Communities Directorate to be the Secretary and the Deputy Secretary of the Bridgend Local Access Forum.
6.42	To undertake the process laid down in the Countryside Access (Local Access Forums) (Wales) Regulations 2001 to seek nominations for membership of the Bridgend Local Access Forum;
6.43	To appoint, following discussions with the Head of Neighbourhood Services and the Bridgend Local Access Forum Secretary appropriate applicants to be members of the Bridgend Local Access Forum.
6.44	Intentionally blank
6.45	To Authorize the carrying out of works of adaptation in accordance with Section 2(e) of the Chronically Sick and Disabled Persons Act 1970: (a) Up to the value specified from time to time by the Council; (b) In exceptional circumstances and where an urgent decision is required up to the higher value specified from time to time by the Council.
6.46	To exercise any power conferred upon the Council to recover expenses incurred by it as a result of the exercise of any of the powers hereby delegated to him by this Scheme of Delegation.
6.47	To determine the award of Mandatory Disabled Facilities Grants and all Discretionary Grants and Loans, and to determine the payment of reasonable and appropriate fees in connection therewith, in accordance with the Private Sector Housing Renewal & Disabled Adaptations Policy, with the exception of the award of Discretionary Disabled Facilities Lifetime Grant.
6.48	To authorise, in appropriate circumstances, the waiver of the prior qualifying period for owner-occupiers and tenants specified in the Bridgend County Borough Council Private

	Sector Housing Renewal Policy in relation to applications for the various types of grant contained therein.
6.49	To make discretionary awards to prevent the homelessness of those persons to whom the Authority would otherwise owe a duty to accommodate in accordance with legislation.
6.50	To consider and adjust the professional fees payable to agents engaged by applicants for any grants administered under the Bridgend County Borough Council Private Sector Housing Renewal Policy.
6.51	To adjust grant payments in respect of any statutory grants approved under the Local Government and Housing Act 1989 or the Housing Grants, Construction and Regeneration Act 1996 and any non-statutory grants approved under the Bridgend County Borough Council Private Sector Housing Renewal Policy where: <ul style="list-style-type: none"> (a) Additional works are considered to be necessary which could not have been foreseen at the time of initial approval of the grant; (b) Works which were included in the initial approval have been found to be unnecessary.
6.52	To approve applications for Industrial Estates Improvement Programme grants under £60,000.00.
6.53	To exercise the powers conferred upon the Council under the Commons Act 1899 or any other statutory provision in respect of regulated commons, other than the power to make, revoke or alter any byelaws.
6.54	To exercise any power conferred upon the Council relating to the adoption and management of Open Space Land, Parks (enclosed) and Playing Fields, including equipped children's play areas, sports pavilions and associated recreational buildings.
6.55	To enter into agency agreements with Town and Community Councils under section 43 of the Highways Act 1980 for the maintenance of public rights of way.
6.56	"To determine applications for Definitive Map Modification Orders made under the Wildlife and Countryside Act 1981, to either formally approve applications or to formally reject applications where there is insufficient evidence to support the allegation that the Definitive Map and Statement for Bridgend is incorrect"
6.57	To authorise temporary closures or variations in the opening hours of libraries
6.58	To authorise officers to have power of entry, issue prohibition notices under Section 10 and undertake responsibilities as to implementation and enforcement under paragraphs 10B and 11 of the Safety of Sports Grounds Act 1975.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

02 SEPTEMBER 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE – LEGAL & REGULATORY SERVICES

AMENDMENT TO THE CALENDAR OF MEETINGS

1. Purpose of Report

- 1.1 The purpose of the report is to seek Council approval to make amendments to the calendar of its meetings in order to align them with revised budget schedule.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 The amendment of the calendar of meetings will support effective consideration and decision making in respect of the 2016-17 Medium Term Financial Strategy (MTFS) and the achievement of all the Corporate Priorities.

3. Background

- 3.1 In his budget statement earlier this year, the Chancellor of the Exchequer announced that the Spending Review outcome would not be published until 25 November 2015 and this would be the date when the Welsh Government receives its funding allocation. The Welsh Government will need time to set its draft budget before advising the Authority of its 2016 - 17 settlement. As a result it is anticipated that the Authority will receive the provisional settlement at the end of December rather than October when the draft budget is usually received.

4. Current situation / proposal

- 4.1 There is a legal requirement to set the Council Tax by 11 March 2016 therefore Council must approve the MTFS and Council Tax by this date. Consequently, it is proposed that revisions to the MTFS timetable be made which will affect Council, Overview & Scrutiny and Cabinet meeting dates. The revision of these meetings will ensure the necessary budget consultation can be undertaken.
- 4.2 Attached at **Appendix A** is the complete timetable of meeting changes resulting from the changes to the budget setting process.
- 4.3 The proposed Council meeting changes are as follows:

Meeting	Current date	Proposed Date	Start Time	Topic
Council	17 Feb 16	17 Feb 16	15:00	Ordinary Meeting
Council	16 Mar 16	02 Mar 16	14:00	MTFS 2016-17 to 2019-20 & Council Tax

- 4.4 Council is also recommended to approve the rescheduling of the Overview and Scrutiny Committee (OSC) meetings as shown below:

Meeting	Current date	Proposed Date	Start Time	Topic
CEL OSC	01 Dec 15	18 Jan 16	10:00	Directorate Budget
P & G OSC	03 Feb 16	14 Jan 16	14:00	Directorate Budget
ASC OSC	09 Dec 15	13 Jan 16	14:00	Directorate Budget
CRI OSC	21 Jan 15	19 Jan 16	14:00	Directorate Budget
CYP OSC	03 Dec 15	21 Jan 16	14:00	Directorate Budget
CRI OSC	11 Jan 16	05 Feb 16	10:00	Budget Recommendations

4.5 Rescheduling of other meetings

- 4.5.1 It is proposed that the meeting of the Licensing Sub-Committee scheduled for 15 September 2015 be rescheduled to 18 September to allow all legal officers to attend and facilitate a Consultation workshop for the Authority.

- 4.6 At its meeting on 1 September 2015 Cabinet was requested to approve changes to its schedule of meetings as listed below to meet the requirements of the MTFS process:

Current date	Proposed Date	Start Time	Agenda to include
19 Jan 16	12 Jan 16	14:30	Draft MTFS 2016-17 to 2019-20
16 Feb 16	16 Feb 16	14:30	Ordinary Meeting and receipt of Scrutiny recommendations
02 Feb 16	23 Feb 16	14:30	Final MTFS 2016 - 17 to 2019-20

- 4.7 Cabinet was also requested to approve the inclusion of an additional meeting for the Cabinet Committee Corporate Parenting. The proposed date for this meeting is 10:00 on 12 October 2015.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 There is no effect upon the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

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

7. Financial Implications.

- 7.1 There are no financial implications.

8. Recommendation.

- 8.1 Council is recommended to

- Approve the changes to the Council and Overview and Scrutiny Committee meeting dates and agenda items as stated in paragraph 4.3 - 4.5

- Note the changes to the calendar of meetings relating to Cabinet meetings subject to Cabinet approval on 1 September 2015.

P A Jolley
Assistant Chief Executive Legal & Regulatory Services
24 August 2015

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Background documents: - None

PROPOSED MEETING CHANGES

Meeting	Current date	Proposed Date	Start Time	Topic	Notes
Cabinet Committee – Corporate Parenting		12 Oct 15	10:00	Items may include: <ul style="list-style-type: none"> • IRO – Annual Report 2014/15 • Western Bay Regional Adoption Service Update • Update of the Review and Restructure of Safeguarding and Family Support Services • Child Sexual Exploitation • Development of a National Approach to Statutory Advocacy • Update on the Early Intervention and Prevention Strategy 	
P & G OSC	02 Dec 15	02 Dec 15	14:00	<ul style="list-style-type: none"> • Corporate Procurement Review • CCIS for Wales 	Revised Scrutiny FWP
CRI OSC	10 Dec 15	10 Dec 15	14:00	<ul style="list-style-type: none"> • Making the Best use of Resources • 2015-16 Half Yearly Financial Performance 	Revised Scrutiny FWP
CYP OSC	05 Jan 16	05 Jan 16	14:00	<ul style="list-style-type: none"> • School Performance • Schools Task Group 	Revised Scrutiny FWP
Cabinet	19 Jan 16	12 Jan 16	14:30	<ul style="list-style-type: none"> • Draft MTFs 2016-17 to 2019-20 	Budget Meeting
CEL OSC	01 Dec 15	18 Jan 16	10:00	<ul style="list-style-type: none"> • Directorate Budget 	
P & G OSC	03 Feb 16	14 Jan 16	14:00	<ul style="list-style-type: none"> • Directorate Budget • FWP Item to be confirmed 	
ASC OSC	09 Dec 15	13 Jan 16	14:00	<ul style="list-style-type: none"> • Directorate Budget 	
CRI OSC	21 Jan 15	19 Jan 16	14:00	<ul style="list-style-type: none"> • Directorate Budget • Corporate Plan 	
CYP OSC	03 Dec 15	21 Jan 16	14:00	<ul style="list-style-type: none"> • Directorate Budget 	
CEL OSC	27 Jan 16	27 Jan 16	14:00	<ul style="list-style-type: none"> • Cultural Partnership Project • Vibrant & Viable Places 	Change Scrutiny FWP

Meeting	Current date	Proposed Date	Start Time	Topic	Notes
CRI OSC	11 Jan 16	05 Feb 16	10:00	<ul style="list-style-type: none"> Collate Budget Recommendations and including BREP feedback 	
ASC OSC	11 Feb 16	11 Feb 16	10:00	<ul style="list-style-type: none"> Community Services FWP Item to be confirmed 	Change Scrutiny FWP
Cabinet	16 Feb 16	16 Feb 16	14:30	<ul style="list-style-type: none"> Ordinary Meeting and receipt of CRI Budget proposals 	
Council	17 Feb 16	17 Feb 16	15:00	<ul style="list-style-type: none"> Ordinary Meeting 	Revert start of meeting to 3:00pm
Cabinet	02 Feb 16	23 Feb 16	14:30	<ul style="list-style-type: none"> Final MTFS 2016-17 to 2019-20 	Budget meeting
Council	16 Mar 16	02 Mar 16	14:00	<ul style="list-style-type: none"> MTFS 2016-17 to 2019-20 Council Tax 	Bring Forward to 2:00pm

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

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