

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



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

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

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

Date / Dyddiad: Thursday, 14 January 2016

Dear Councillor,

COUNCIL

A meeting of the Council will be held in the Council Chamber, Civic Offices, Angel Street, Bridgend on **Wednesday, 20 January 2016 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 3 - 16
To receive and confirm the minutes of a meeting of Council dated 16 December 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. Council Tax Reduction Scheme 17 - 24
7. 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.

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

S Aspey
M W Butcher
N Clarke
H J David
G Davies
P A Davies
G W Davies MBE
E Dodd
D K Edwards
L Ellis
N Farr
E P Foley
C A Green
M Gregory
E M Hughes
C J James
P James
R M James

Councillors

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

Councillors

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

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 16 DECEMBER 2015 AT 3.00 PM

Present

Councillor RE Young – Chairperson and Mayor

| | | | |
|-------------|--------------|---------------|--------------|
| S Aspey | HJ David | M Gregory | MEJ Nott OBE |
| PJ White | E Dodd | M Winter | M Butcher |
| N Clarke | G Davies | GW Davies MBE | PA Davies |
| DK Edwards | EP Foley | EM Hughes | CJ James |
| P James | RM James | PN John | CL Jones |
| M Jones | RC Jones | DRW Lewis | JE Lewis |
| JR McCarthy | HE Morgan | AD Owen | G Phillips |
| CE Smith | JC Spanswick | M Thomas | RL Thomas |
| HJ Townsend | KJ Watts | C Westwood | HM Williams |
| R Williams | LC Morgan | CA Green | N Farr |
| D Patel | | | |

Officers:

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

557. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members, for the reasons so given:-

Councillor G Thomas – Jury Service
Councillor D Sage – Hospital appointment
Councillor JH Tildesley – Family wedding
Councillor DBF White – Work commitments
Councillor B Jones – Unwell
Councillor RD Jenkins – Unwell
Councillor E Venables – Family commitment
Councillor M Reeves – Unwell
Councillor C Reeves – Work commitments

558. DECLARATIONS OF INTEREST

Councillor CL Jones declared a personal interest in Agenda Item 6., in that he was a named person on a Small Society Lotteries Licence for Bridgend CLC.

Councillor RM James declared a personal interest in Agenda Item 7., in that his wife was employed by the Wales Audit Office.

559. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Council dated 25 November 2015 be approved as a true and accurate record, subject to the following amendment:-

Page 14 of the pack (and page 12 of the Minutes) insert following sentence in the last paragraph of Minute 555, after the word authorities.

“Members thanked Scrutiny Officers for their excellent work, taking into consideration that there were only 1.6 members of staff in the Section. A Member stated that he hoped that consideration could be given for the Section to be expanded to 2.6 Officers, despite the financial restraints Directorates were facing, aligned to the MTFs”

560. TO RECEIVE ANNOUNCEMENTS FROM:

Mayor

The Mayor stated that as those present would imagine, the weeks leading up to Christmas were particularly busy for his self and his Consort. With the invaluable help of the Deputy Mayor and his Consort, they have begun undertaking the annual Mayoral visits to BCBC's local care facilities, and it had been lovely to meet so many interesting people and to be made to feel so welcome. To ensure that we manage to include all centres in our festive 'hellos', we will be continuing the visits right up until the Christmas break he announced.

The Mayor and his consort had also had the pleasure of attending numerous Carol services and Christmas concerts across the County Borough. It was always a joy to support local organisations and schools, but particularly so at Christmas when it was evident that so much hard work and planning had gone into producing such enjoyable and often spectacular productions. Speaking of Carol concerts, the Mayor confirmed that his Civic Charity would be hosting a Community Carol service at St. Mary's Church Nolton on Wednesday 16th December. He confirmed that he would be delighted if Members could join him for this special evening of song.

At the last meeting of Council, the Mayor stated that he had informed Members that a letter had been sent to David Cameron expressing concerns over the Trade Union Bill and its implications for relations between Local Authorities and Unions. A response had been received from the Minister of State for Skills, and he would place a copy in the Members room so that Councillors could read the Minister's comments.

Finally, the Mayor thanked Members and Officers for their support during the last year, and wished everyone a Happy Christmas and a healthy New Year.

Deputy Leader

The Deputy Leader confirmed that final GCSE results for schools across Bridgend County Borough, Cardiff, Merthyr Tydfil, Rhondda Cynon Taf and the Vale of Glamorgan have revealed that the percentage of pupils achieving five GCSE passes at grades A* - C including English/Welsh and Mathematics has risen to 58.5 per cent. This is a 4.4 percent increase from 2014, and a 10.7 per cent increase from the 2012 result. This was significant, as it meant that the Central South Wales region has moved from being the

lowest performing area to sitting above the national average for the first time. This is of course excellent news he added, and a tribute to the hard work and determination of teachers, head teachers, governors, pupils and local Education departments. The partner areas in the Consortium will now look at how the momentum can be maintained and improved even further.

Good news had also been received, regarding school attendance figures across local primary and secondary schools which he was sure Members would appreciate. In recent years there had been consistent improvements throughout BCBC's local schools, and he was happy to report that at 95.1 per cent for primary and 94.2 percent for secondary, these figures for 2014-15 were now above the Wales average. Not only that, but BCBC figures were also higher than the Central South Consortium averages of 95 per cent and 94 per cent, so this was very good news indeed, as regular attendance was a crucial ingredient for ensuring success at school, and he thought that this was extremely encouraging. The Deputy Leader was looking forward to seeing how the figures develop further, in the future.

The Deputy Leader was pleased to inform those present, that Cefn Glas Infants School had become the first infants school in Wales to achieve the 'Investors in People Gold' accreditation, meaning it was among the very best at supporting, developing and motivating its staff. Earlier this year, assessors spent time interviewing groups of staff to gather their views on working at the school, and their feedback was clear, ie that they are being given the skills and support to help them thrive and develop their careers. The school has worked extremely hard to achieve such high standards, and the leadership of Sue Henderson was very forward thinking, and described as inspirational by staff, so he extended his thanks to Ms. Henderson and the school.

The Deputy Leader also wished to briefly offer congratulations to Ysgol Bryn Castell who had successfully achieved the Quality Mark for Achievement for All and in doing so had become only the second school within Wales to do so. As one of the original Pathfinder schools within the Central South Consortium, the commitment, hard work and dedication of the whole staff and community surrounding the school, had allowed it to work in partnership and attain this significant status.

The Deputy Leader had also been recently informed that the Minister for Education and Skills had approved in principle, the Outline Business Case for Brynmenyn Primary School, and he hope to bring Members further details on this in due course.

Finally, the Deputy Leader announced that the Estyn Inspection report for Coleg Cymunedol Y Dderwen was published yesterday. As a result of the unsatisfactory of judgement of both current performance and prospects for improvement, the school has been placed in special measures. However, the new interim leadership arrangements that have been put in place, had already made a positive and significant impact, and he was confident that improvements will continue to take place, and Cabinet would be kept informed of progress at the school periodically in the future.

Cabinet Member – Communities

The Cabinet Member Communities, confirmed that it was fitting that Members had recently been discussing how the Authority needed to change the way in which recycling and refuse collections were carried out in future, as BCBC were also supporting the national Pledge For Plastics campaign. This urges householders to recycle more plastic, as an astonishing 15 million items are binned every year which could be recycled into new products. From shampoo bottles to yoghurt pots, our homes quickly fill up with plastic containers, so the campaign is asking people to pledge to recycle one extra plastic item every week. Local residents recycled nearly 1,500 tonnes of plastic last year

via the kerbside collection, but there was always room to do more, so he hoped Members would share this with their constituents and encourage them to take part. Full details were available on the website.

The Council had received some excellent news recently with confirmation that the Welsh Government had approved the first phase of its proposals for replacing the asphalt shoreline at Porthcawl's town beach with all-new sea defences. The plans will now move on to the design and development phase and the beach will see a lot of activity over the next few months as engineers test the site to establish what specific works will be necessary. The current asphalt defences were set in place in 1984, and whilst it had done its job well over the last 30 years, further maintenance was required, so the Council had taken the opportunity to look at introducing a fresh new 'terraced' design which was identified following public consultation in 2013, and was capable of standing up to the elements for the next 100 years. He was looking forward to seeing these plans develop further over the coming year.

Finally, announced the Cabinet Member – Communities, the last phase of the £6m Caerau housing renewal scheme would see much-needed repairs carried out on eight homes in Greenfield Terrace. This initiative began in 2006 to help improve the standards of local housing and amenities over a ten year period, and more than 700 properties had benefitted from the scheme to date. This work had really benefitted the area, with an additional upgrade of the Senior Citizens' Centre, improvements to the Bethel and Salem chapels and the demolition of a derelict house which was replaced with a walled garden. He was sure Members would join him in congratulating everyone who had helped deliver these improvements for the local community.

Cabinet Member – Adult Social Care and Wellbeing

The Cabinet Member – Adult Social care and Wellbeing announced, as Members may be aware, that the Council has been seeking feedback on opportunities for older people as part of its Ageing Well Strategy, and a very successful event was held recently at the Bethlehem Life Centre in support of this.

The event was organised by the Sport, Play and Active Wellbeing service and was designed to give older residents a taste of some of the activities and initiatives that are available to help them lead active, healthy lives.

In addition to dancing and socialising, they were able to participate in the likes of Nordic walking and other exercises, before completing a survey.

The Authority he confirmed, would be using the results of this to help shape the Ageing Well Plan, which focuses on issues such as age-friendly communities, falls prevention, supporting people with dementia, loneliness and isolation, and opportunities for learning and employment.

Cabinet Member – Children's Social Services and Equalities

The Cabinet Member – Children's Social Services and Equalities stated that she would like to ask Members help in promoting foster care within local communities. Since 2010, the number of children in care has increased by 21 per cent, and the Authority currently had 374 children and young people who were looked after in Bridgend County Borough. In Wales, 550 foster families are still needed to look after various age ranges, as well as sibling groups, to ensure that they have the best chance of finding a loving foster family who not only meet their needs, but help them to build a positive future. Whether it is through short-term support or long-term care, fostering is one of the best ways of giving vulnerable children and young people a new or better life. As such, the service were

looking for local people who have the time and energy to invest in a child or young person. They must also be flexible, patient and understanding. Carers received a weekly allowance and have the support of Bridgend County Borough Council's professional team 24 hours a day, seven days a week. More information on fostering was available by contacting Bridgend Foster Care on (01656) 642674 or visiting www.bridgendfostercare.wales.

She also reminded Councillors that victims of domestic abuse can now gain access to a wide range of support following the recent launch of the Civic Offices' new Domestic Abuse Support and Information Service. This brings organisations such as the Council, South Wales Police, Probation Service, Victim Support and Calan DVS together as part of a multi-agency hub, to offer confidential advice and support on issues ranging from physical, psychological, sexual, emotional and financial abuse, safety planning for victims and their children, and more. Anyone who wanted to access the service and speak to someone in confidence, could do so by approaching reception and asking for the 'Assia Suite', which has been named in honour of Pencoed resident Assia Newton, who was tragically murdered in her home after decades of domestic abuse. They could also call 01656 815919 or email the team at assia@calandvs.org.uk.

Cabinet Member – Resources

The Cabinet Member - Resources advised Members that there were two pre-Council presentations planned for the New Year. In January, there would be one from the South Wales Fire and Rescue Service, and in February Members would have an update on the Social Services and Wellbeing Act. Details would be placed in Member's calendars when these had been confirmed.

Webcasting training for Officers and Members was planned to be held on the 4th and 25th January in the Council Chamber. There will be a total of four sessions held over the two days with some sessions being targeted towards specific Committees. The sessions would provide refresher training for Members, although they will be open to all Members and Officers. Members were requested to attend at least one of these sessions.

Finally, he announced that Disability Wales was delivering a training programme on behalf of the Welsh Government to support understanding of the requirements of the Equality Act 2010, the Wales Specific Equality Duties and the UN Convention on the Rights of Disabled People and how they can be used to underpin a human-rights-based-approach to service delivery. It has been agreed that Bridgend County Borough will host this event for up to 35 people before the end of March 2016 with representatives from Swansea and Neath Port Talbot being invited to attend. Dates are currently being considered, and Members would be provided with further information in due course.

Cabinet Member – Regeneration and Economic Development

The Cabinet Member – Regeneration and Economic Development confirmed that two fledgling companies from Bridgend County Borough have made it through to the final of Test Town, a national enterprise competition where they will compete for the chance to win £10,000 to develop their business ideas. The winning young entrepreneurs were Simon Allen for his work towards setting up Fy Siop Fferm, an enterprise offering local farm products, and Geraint Robson and Caitlyn Corless, who are developing Ddraig Valley Park Farm as an educational visitor centre with animals. They beat off competition from more than 30 other entrants after Bridgend College and Bridgend County Borough Council submitted a successful joint bid that saw Bridgend town centre selected as one of just ten locations to participate in Test Town UK, and the only

location in Wales to host the regional heats for Test Town 2015, so it was especially good to see that local young people are going forward to the final in Scotland. He was sure that Members would join him in wishing them the very best of luck.

Bridgend town centre was the scene for Wales' biggest gathering of elves once again last weekend for the annual Elf-steddfod. This family event has gone from strength to strength since it was launched a few years ago, and there was plenty of festive fun to be had, including storytelling, games, balloon modelling, Christmas crafts, lessons in how to train reindeer and much more. This popular event supported traders during the run-up to Christmas and the Cabinet Member – Regeneration and Economic Development thanked everyone who had helped to make this a success.

Finally, he announced that Members may want to advise their constituents to be alert for a popular scam that has resurfaced in the County Borough. The authority had received a number of calls from householders who have been contacted by con-artists telling them they are in line for a rebate on their Council Tax. The scammers then ask for personal details that they use to raid bank accounts. The fact of the matter is he added, the Council would never call a constituent randomly and ask for bank details over the telephone. Anyone who felt they may have fallen victim to the scam is advised to contact their banks immediately and report it also to Trading Standards or call 101.

Chief Executive's announcement

The Chief Executive advised Members that he and a number of partners had met to consider Bridgend County Borough's response to the crisis facing Syrian refugees.

He stated that the County Borough of Bridgend would play a proud part in welcoming Syrian refugees and ensuring that they are given all of the support they need to settle in our communities and rebuild their lives.

These he added, were obviously extremely vulnerable people fleeing a war zone, and it was essential that BCBC considered all aspects of how it could best support their complex needs by working with partner organisations to look at issues including housing, health, education and community cohesion.

All of the refugees that were being resettled would come from the camps that have been set up in countries such as Lebanon, Jordan and Turkey, and they will go through a thorough vetting process.

Those who are accepted would be granted refugee status, meaning that they will be able to live, work and contribute to life in the UK and funding was being provided by the UK Government to help BCBC and its partners, and other agencies to support refugee families for up to five years.

The first refugees from the conflict had already started arriving in Wales, with Councils in Torfaen, Ceredigion, Neath Port Talbot and Caerphilly welcoming a total of 50 refugees between them.

Our response was part of a UK Government led national response and, as such, the number of people involved was relatively small. This number was about 1,000 refugees coming to Wales over a five year period, so for each local authority that works out at around 10 people, or two families per year.

He concluded by confirming that BCBC and partners would be ready to welcome them with compassion and kindness, and he advised that he would be bringing Members more information on this situation as it developed further.

561. TO RECEIVE THE REPORT OF THE LEADER

The Leader reported that Members will no doubt have seen coverage about the provisional local government settlement last week. Bridgend County Borough Council is set to receive £187.5 million for 2016-17 which is 1.2 per cent cash reduction on its 2015-16 settlement. This is a more positive outcome than the Authority expected, although it should be noted that it included £2.5 million specifically to support Social Services and to allow Schools' protection to continue for another year. Taking account of the need to meet these pressures, the reduction in BCBC's controllable budget was closer to 2.5%. There was also a reduction to some specific grants, including the Single Environment Grant and Families First, with information on others not yet available. Notwithstanding this, the settlement is still better than anticipated and this was welcome news he added. Work was now underway to prepare a Draft Revenue Budget for 2016-17 which will be presented to the Cabinet for consideration in the New Year.

As the Armed Forces Champion for the authority, the Leader was pleased to confirm that from 21 December, past and serving members of the Armed Forces are to be offered free swimming opportunities at leisure centres across Bridgend County Borough. The Council had teamed up with its leisure partners Halo, to make this available during public sessions at all swimming pools. All that was needed to take advantage of the offer is an MOD Defence Privilege Card. Residents who are aged over 60 can already benefit from free swimming, while children aged under 16 can swim for free at specified times during school holidays, too. The Leader was delighted that the Council and Halo had been able to extend this offer to include former and serving members of the armed forces. Just over two years ago, the Authority established the Bridgend Armed Forces Community Covenant and made a pledge to provide them with appropriate help, support and advice, so this was a further demonstration of the area's pride and appreciation of its Armed Forces, and follows beneficial changes to BCBC's Housing policy, Council Tax Reduction Scheme and school place allocation policy. More information was available on the free swimming initiative at www.haloleisure.org.uk or by calling 0300 012 1223.

Finally, Members were aware that BCBC are actively pursuing a series of community asset transfers in order to deliver savings, while also keeping specific facilities and buildings in public use. It recently completed an asset transfer which will see our former Minerva Street Day Centre taken on as the new base of operations for St John's Ambulance. As Wales' leading first aid charity, the organisation had been seeking suitable premises in the area for some time, and the Minerva Centre met their needs, as soon as it became available. It was formerly used by the Adult Day Services which were transferred to Bridgend Resource Centre, and then by the library service for a temporary period, before becoming surplus to requirements. He understood that St John's would be using the centre for purposes such as first aid training and volunteering opportunities for young people and adults, so he was really pleased at this asset transfer, as it will enable the charity to make an even more valuable contribution towards community life.

562. GAMBLING ACT 2005 STATEMENT OF LICENSING PRINCIPLES 2016 - 2019

The Cabinet Member – Regeneration and Economic Development presented a report, seeking approval of the Council's Statement of Licensing Principles for gambling premises to cover the period 2016-2019, a draft of which was attached at Appendix A to the report.

The report gave some background information, and the Assistant Chief Executive – Legal and Regulatory Services, shared information with Members regarding this, following which, he explained that the Statement of Licensing principles had been re-drafted to reflect changes to the Fifth Edition of the Guidance published by the Gambling

Commission, as well as an update to the Council's proposed corporate priorities. In addition, there were minor updates to the policies relating to motorway service area premises etc, at Section 3.1 of the report, and to provisional applications which were set out in Section 3.9.1 of the report.

In addition, an Officer review of current premises and complaints was undertaken to establish if there were any local or area-based concerns which would merit a change of policy. Seven complaints were received in the three year period preceding the review, the majority of which related to the siting of machines in non-authorised premises, but no trends or area specific concerns had been identified. As a result, no major policy changes were proposed at this time, but the authority may review its Gambling Policy at any time should local circumstances change.

The Assistant Chief Executive – Legal and Regulatory Services, then referred to the sub-paragraph entitled Social Responsibility (ie para 4.3), and the fact that the Gambling Commission was responsible for publishing the general licence conditions and codes of practice, and that certain new conditions had been introduced, the majority of which came into effect in May 2015, with further provisions coming into effect in April 2016. These related to licensees being required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures in place to mitigate those risks. The proposed amendments were primarily set out in Section 3 of Appendix A, and identified the issues which the Council would expect operators to address within appropriate risk assessments undertaken.

In addition, he explained that the responses from the consultation were as detailed in paragraphs 4.4 of the report.

These were from The Campaign for Fairer Gambling (CFG), who had proposed that the maximum stake be reduced to £2 along with other measures to mitigate problem gambling.

A summary of the concerns forwarded to the Council were attached at Appendix B to the report, whilst Appendix C contained a response from Grosschalks Solicitors, who had submitted a response on behalf of the Association of British Bookmakers (ABB).

This response raised a number of points relating to the draft statement which were dealt with both in the report and the Draft Statement of Principles.

A Member referred to page 17 of the report, and was aware that 17 betting shops within BCBC were offering support to greater powers of control to be introduced for fairer betting to be better achieved. She asked if the terms of the Policy accounted for this.

The Assistant Chief Executive – Legal and Regulatory Services, confirmed that this was not a matter for the Policy, as it fell outside the statutory framework of this. He added however, that the Member could express her view to the Licensing Committee, who in turn could give consideration to this, and advise Council of their observations or recommendations in respect of this.

A Member referred to page 32 of the Draft Statement of Principles, and noted half way down this page, that the Licensing Authority would investigate complaints made to it against licensed premises in relation to matters regarding the licensing objectives, for which it has responsibility. He noted from the covering report however, that few such complaints had been made ie a total of 7.

The Assistant Chief Executive – Legal and Regulatory Services confirmed that in all probability there were more complaints than this made, but these were made to the premises in question rather than to the local authority (then possibly referred on to the Licensing Committee), as the majority of complaints were usually minor in their nature and able to be resolved between the complainant and the proprietor of the premises the complaint was made against.

- RESOLVED:**
- (1) That Council approved the publication of the Statement of Licensing Principles for gambling premises as attached at Appendix A to the report.
 - (2) That Council also approved the issuing of the statutory notice of publication, which would be made available on the Council's website, at County Borough libraries and be placed on the Council's public notice board.

563. **WALES AUDIT OFFICE - ANNUAL IMPROVEMENT REPORT (AIR) ON BRIDGEND COUNTY BOROUGH COUNCIL SEPTEMBER 2015**

The Chief Executive presented a report that introduced a report of the Auditor General to Council, shown at Appendix 1 to the report.

He confirmed that for 2014-15, the Auditor General undertook improvement assessment work under three themes: performance, use of resources and governance. Individual projects undertaken by the Wales Audit Office and other regulators were listed on pages 5-6 of the attached Appendix.

The Chief Executive advised that the report also included a summary of the key findings from reports issued by the Care and Social Services Inspectorate for Wales (CSSIW), Her Majesty's Inspectorate for Education and Training in Wales (Estyn) and the Welsh Language Commissioner.

In terms of the outcomes of the report, these were shown in paragraph 4.1 of the covering report, with headline findings under the following themes summarised in paragraph 4.2 of the report:-

- Performance
- Use of Resources
- Governance

He culminated his submission by confirming that the Auditor General did not make any statutory recommendations, but made 13 specific proposals for improvement. A summary of the key findings was included in the Appendix (page 7), as was the summary of the proposals for improvement (page 9).

A Member referred to page 109 ie Appendix 6 of the report, and felt that the data outlined on this particular page was confusing, in that it was unclear what data referred to what periods ie the years, shown therein. He felt that this could be expanded upon in any future report(s).

The Chief Executive replied that this was a report of the Wales Audit Office rather than BCBC, but that he would feed this comment back to them.

A Member, whilst recognising that the data was historic, noted that there had been significant challenges in Social Services. She asked if these had been addressed, and that continual improvement was taking place in this area (page 72 Of report referred).

The Chief Executive confirmed that there were areas that required addressing, as picked up by the CSSIW. However, progress was being made in these areas of Social Services, and the CSSIW were now more positive about the concerns now they were being actioned upon.

The Corporate Director – Social Services and Wellbeing added that Performance Indicators in respect of Children’s Services had been lower than were expected, but improvement had since been secured here. As the Chief Executive had said, CSSIW had recognised improvements that had been made, but she also confirmed that there was scope for further improvement still.

RESOLVED: That Council noted the Annual Improvement Report produced by the Wales Audit Office.

564. RENEWABLES IN THE LANDSCAPE SUPPLEMENTARY PLANNING GUIDANCE (SPG)

The Group Manager Development presented a report, to seek approval to adopt Renewables in the Landscape – SPG 20 as Supplementary Planning Guidance (SPG) to the adopted Local Development Plan (LDP).

The report outlined certain background information, including a period of consultation that had been undertaken in respect of the above referenced SPG

He confirmed that by the end of the consultation period 6 individuals and external organisations had submitted comments. Two additional organisations (NRW and Suncredit) submitted responses after the close of the consultation period. All of the representations received had been considered and responses to each had been prepared. These were included at Appendix1 to the report.

A number of comments received were ‘non-specific’, drawing to the Council’s attention, good practice in properly considering material planning issues, in particular with respect to environmental risk and impact on heritage assets. Such matters were considered to be more appropriately dealt with at any future planning application stage of development.

A large number of comments from one objector related to specific wording and alternative descriptions. These were considered not to be justified he explained, given the evidence, strategic-level nature of the assessment and the fact that the comments were also open to interpretation.

Other representations, questioned the fundamental ‘role’ of the SPG and argued that it should be broadened to include other energy sources and other locational determinants for energy proposals. These objections misinterpret what is the primary purpose of the SPG, which was to focus on the relative landscape sensitivities of the County Borough.

As such it is was considered that the representations received should not result in any amendments to the document, the Group Manager Development added.

On the 15 October 2015, the Development Control Committee considered each of the representations received, endorsed the suggested reasoned responses, approved the decisions and actions (not to amend the document as a result of the consultation) and recommended that Council adopts the document for publication.

RESOLVED: That Council adopted SPG20 – Renewables in the Landscape as Supplementary Planning Guidance to the adopted Bridgend Local Development Plan.

565. AMENDMENT TO THE SCHEME OF DELEGATION OF FUNCTIONS

The Monitoring Officer presented a report, that sought approval of Council to amend the Scheme of Delegations.

He confirmed that it was proposed that the following amendments be made to the Scheme of Delegations:

“Scrap Metal Dealers Act 2013” be inserted into the legislative provisions listed at Scheme B2, paragraph 2.58;

- Scheme B2, paragraph 2.07 and 2.08 be removed as these powers will now be transferred to the Corporate Director of Communities.
- Scheme B2, the following paragraphs are amended and numbered 6.8 and 6.9 which transfer the powers from the Assistant Chief Executive Legal and Regulatory Services to the Corporate Director of Communities:

Examples of the suggested wording of the above paragraphs were detailed in the report.

RESOLVED: That Council noted the content of the report and approved the amendments to the Scheme of Delegation of Functions.

566. REVIEW OF POLITICAL BALANCE - CHANGES TO COMMITTEE MEMBERSHIP

The Monitoring Officer submitted a report, the purpose of which, was to:

- advise Council of the outcome of a review of the political balance of the Authority resulting from the election of Cllr D Patel in the Ogmere Vale ward.
- seek approval of the revised political balance.
- receive nominations and appoint the necessary members to Committees to reflect the changes in the political balance.

He explained that following the review of political balance the membership of committees had been updated to reflect the composition of Council accordingly. The updated political balance figures were shown at Appendix 1 of the report.

The revised political balance did not impact the allocation of Committee Chairpersons, including those of Overview and Scrutiny Committees.

The Monitoring Officer asked Members to note, that the political groups could interchange their representatives appointed to Committees and other bodies, within the limits shown in Appendix 1. A list of the current membership of these was shown at Appendix 2 to the report. Should however, any of the existing Chairpersons be removed from any Committee, Council would be requested to appoint a new Chairperson from the revised Committee membership.

He concluded his report, by confirming that Group Leaders had been informed of the proposals outlined in the, and had not raised any objections or concerns regarding the revised political balance calculations as a result of the election of Councillor Patel.

Group Leaders of political groups were invited to give nominations to the suggested changes on various Committees, as well as the recommendation of the allocation of seats on certain Committees to the Plaid Cymru and Independent Member of the Council who were not aligned to any particular group.

Following debate on this item by Council, it was

RESOLVED: That Council:-

- (1) Noted the change to the political composition of the Council.
- (2) Approved the allocation of seats to political groups in accordance with the political balance rules as set out in Appendix 1 of the report.
- (3) Sought nominations as follows shown in paragraph 4.3 of the report, ie for Members to be removed from or to be appointed to serve on each of the Committees, Panels and other bodies that comprised the Council.
- (4) Appointed the following nominations and other changes on the following Committees:-

Appeals Panel

Cllr Dhanisha Patel to replace Cllr Luke Ellis

Development Control Committee

Cllr Luke Ellis and Cllr Dhanisha Patel to replace Cllr David Owen and Cllr David Sage

Licensing Committee and Licensing Act 2003 Sub-Committee

Cllr Malcolm James to replace Cllr Brian Jones

Town and Community Council Forum

Cllr Cheryl Green to replace Cllr Luke Ellis

Children and Young People O&SC

Cllr Ken Watts to fill vacancy for Independent Alliance

Partnerships and Governance O&SC

Cllr Dhanisha Patel to replace Cllr Luke Ellis

Adult Social Care O&SC

Cllr Elaine Venables to come off with the Labour Group to gain one seat and to advise of a nomination at a later date

567. INFORMATION REPORTS FOR NOTING

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

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RESOLVED: That Council acknowledged the publication of the document listed in the report.

568. URGENT ITEMS

None.

The meeting closed at 4.36 pm

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

20 JANUARY 2016

REPORT OF THE CORPORATE DIRECTOR – RESOURCES

COUNCIL TAX REDUCTION SCHEME

1. Purpose of Report

- 1.1 The purpose of the report is to provide Council with information regarding the implementation of the 2016-17 Council Tax Reduction Scheme (CTR), the requirement to adopt a CTR scheme by 31 January 2016, together with the funding implications.

2. Connection to Corporate Plan / Other Corporate Priorities

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

3. Background

- 3.1 CTR provides assistance for those on low incomes with a liability to pay Council Tax.
- 3.2 The Welfare Reform Bill published in February 2011 detailed the Government's intention to localise the allocation and administration of Council Tax Benefit (CTB) from 2013-14.
- 3.3 The Government devolved to Welsh Government the establishment of localised schemes in Wales, and stated the intention to reduce expenditure on CTB by the equivalent of 10%.
- 3.4 The Welsh Government decided to develop a single nationally defined scheme set out in regulations for the provision of Council Tax support in Wales. The scheme also provided for a small number of discretionary elements which individual councils can choose to adopt; any additional associated costs were to be locally funded.
- 3.5 On 21 January 2015, the Council adopted the Council Tax Reduction Scheme for 2015-16 in accordance with The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013. This scheme will end on 31 March 2016.

3.6 From the latest data, there are currently 14,628 households receiving CTR; 8,733 of these are of working age and 5,895 are of pensionable age. Out of the 14,628 households receiving CTR, 11,092 are entitled to a full CTR reduction.

4. Current Situation

4.1 The Council Tax Reduction Scheme 2016-17

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

4.3 On 27 November 2013, the Assembly laid regulations that implemented the arrangements to support those who will pay council tax. The regulations (Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013) prescribe the main features of the scheme to be adopted by all councils in Wales. Minor amendments to these regulations were made in 2014 and 2015.

4.4 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016 have now been laid. These regulations uprate the financial figures used in the CTR schemes and makes amendments to:

- Reflect the new arrangements in relation to care and support needs which have been introduced in Wales by the Social Services and Wellbeing Act 2014.
- Take into account terminology changes used in legislation as a consequence to the National Insurance Contributions Act 2015 and new arrangements and terminology introduced via the Pension Act 2014.

4.5 The new regulations do not contain any significant changes from the claimants' perspective to the current scheme, and the maximum level of support that eligible claimants can receive remains at 100%. The regulations can be found at:

<http://www.assembly.wales/laid%20documents/sub-ld10462/sub-ld10462-e.pdf>.

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

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they have previously been receiving CTR that is to end as a result of their return to work;

- Discretion to increase the amount of War Disablement Pensions and War Widows Pensions which is to be disregarded when calculating income of the claimant; and
 - The ability to backdate the application of CTR with regard to late claims prior to the new standard period of three months before the claim.
- 4.7 It is required by the Prescribed Requirements Regulations that the Council adopts a CTR Scheme by 31 January 2016, regardless of whether it applies any of the discretionary elements. If the Council fails to make a scheme, then a default scheme shall apply under the provisions of the Default Scheme Regulations. The Council can only apply discretion if it makes its own scheme under the Prescribed Requirements Regulations.
- 4.8 **Consultation**
- 4.9 The 2015 amendment regulations removed the requirement for local authorities to publish a draft scheme and consult interested persons where a billing authority revises a scheme in consequence of amendments made to the Prescribed Requirement Regulations. The effect of this amendment is to remove the requirement for local authorities to consult in relation to changes made by Welsh Ministers (as opposed to the discretionary areas of the scheme), over which local authorities have no discretion.
- 4.10 Consultation on the Prescribed Requirement Regulations was undertaken in 2013 and the results detailed in the Corporate Director – Resources’ Council Tax Reduction report to Council on 8 January 2014. As it is proposed not to change the discretionary elements, a further consultation exercise has not been completed.
- 4.11 It is proposed that the discretionary elements remain as follows:
- The extended payment period is maintained at the minimum standard of 4 weeks.
 - War Disablement Pensions and War Widows Pensions are fully disregarded when calculating entitlement to CTR. The estimated cost of this proposal is £27,000.
 - Backdating is extended beyond the minimum standard of 3 months, to a maximum of 6 months. The majority of backdates are awarded for less than a 3 month period and the estimated additional expenditure to backdate up-to 6 months is relatively small (£8,500). In order to receive backdated benefit, the claimant has to prove ‘good cause’ as to why they did not claim at the appropriate time. An example of ‘good cause’ can be the physical or mental illness of the claimant.

4.12 The total estimated cost to the Council for these proposals is £35,500 for 2016-17.

4.13 **Main Issues**

4.14 The Council must consider whether to replace or revise its CTR scheme and is obliged to make a scheme under the requirements of the Prescribed Requirements Regulations. The obligation is a statutory duty and applies even if the Council chose not to apply any of the discretions available to it.

4.15 The Council's recommended approach to the available discretions is to apply the recommendations in Table 1, paragraph 4.23. It should be noted that there are no additional monies available from the Welsh Government to fund the discretionary elements.

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

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

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

4.19 The Council is required to adopt a scheme by 31 January 2016 under The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, regardless of whether it chooses to apply any of the discretionary elements. If the Council fails to make a scheme, then a default scheme will apply under the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2013.

4.20 It is recommended that the Council adopts:

- a Scheme under The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, which includes all the elements that must be included in the scheme, as set out in the Regulations; and with regard to the discretionary elements, includes the recommendations in Table 1 set out at Paragraph 4.23 below; and
- The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2014; and
- The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015; and
- The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016.

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

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

- The consultation responses received in 2013, in particular those relating to the discretionary elements,
- The current local scheme in relation to the treatment of War Disablement Pensions, War Widows Pensions and War Widowers Pensions for Housing Benefit and 2015-16 CTR scheme, which disregards these payments in full,
- The fixed funding available.

4.23 Table 1 – Discretionary elements

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

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

5. Effect upon Policy Framework and Procedure Rules

5.1 None.

6. Equality Impact Assessment

6.1 An Equality Impact Assessment was completed for the 2013-14 CTR scheme and as the proposed scheme for 2016-17 does not contain any significant changes, a further Equality Impact Assessment has not been conducted.

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

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

7. Financial Implications

7.1 The 2016-17 Provisional Local Government Settlement shows that the sum provided for CTR is at a higher level than 2015-16. Bridgend's 2016-17 provisional settlement from Welsh Government includes £12.695 million to fund the CTR scheme, up from £12.551 million in 2015-16; this amount does not take into account any increase in council tax charges or variations in caseload and is distributed on a fixed rather than a demand-led basis.

7.2 Any shortfall between the amount provided in the final settlement and the amount of CTR awarded, including any discretionary elements, will fall on the Council. Based on the current caseload the estimated cost of the scheme for 2016-17 is around £13.9 million. Recent indications are that there has been a reduction in caseload; however it is not certain that this will continue. Additional funding of £1 million to meet the full cost of the CTR scheme was included in the base budget as part of the Medium Term Financial Strategy 2014-15 to 2017-18 (MTFS). In addition, further funding is also provided as part of the MTFS to meet demographic changes and changes arising as a result of the increase in council tax. This will be kept under review throughout the MTFS period.

8. Recommendation

8.1 It is recommended that Council:

- Note The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, and the 2014, 2015 and 2016 amendment regulations.
- That Council adopts the scheme, the details of which are given in paragraphs 4.18 to 4.23 of this report.

Ness Young
Corporate Director – Resources

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Background Documents

Welfare Reform Act 2012

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

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

<http://www.legislation.gov.uk/wsi/2013/3029/contents/made>

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

<http://www.legislation.gov.uk/wsi/2013/3035/contents/made>

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

<http://www.legislation.gov.uk/wsi/2014/66/contents/made>

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

<http://www.legislation.gov.uk/wsi/2015/44/contents/made>

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2016

<http://www.assembly.wales/laid%20documents/sub-ld10462/sub-ld10462-e.pdf>

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

<http://gov.wales/docs/dsjlg/publications/equality/140603-council-tax-impact-en.pdf>