

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 7 JUNE 2016 AT 2.30 PM

Present

Councillor MEJ Nott OBE – Chairperson

HJ David	CE Smith	HJ Townsend	PJ White
HM Williams	CL Reeves		

Officers:

Randal Hemingway	Head of Finance & Section 151 Officer
Deborah McMillan	Corporate Director Education & Family Support
Mark Shephard	Corporate Director - Communities
Susan Cooper	Corporate Director - Social Services & Wellbeing
Andrew Jolley	Corporate Director Operational & Partnership Services
Andrew Rees	Senior Democratic Services Officer - Committees

914. ANNOUNCEMENTS

The Leader welcomed Councillor Ceri Reeves who was attending her first meeting of Cabinet since being appointed Cabinet Member Communities. He also placed on record his thanks to Councillor Mike Gregory for his services to the Cabinet as Cabinet Member Resources.

The Corporate Director Social Services and Wellbeing announced a change in the membership of the Cabinet Committee Equalities in that Councillor C Reeves would now become a member of that Committee and Councillor M Gregory would now be one of the invitees to attend the Committee.

915. APOLOGIES FOR ABSENCE

Apologies for absence were received from the Chief Executive.

916. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor HJ David declared a prejudicial interest in agenda item 7 – Town and Community Council Fund Allocations 2016/17 as a member of Cefn Cribwr Community Council and withdrew from the meeting during consideration of this item.

Councillor H Townsend declared a prejudicial interest in agenda item 7 – Town and Community Council Fund Allocations 2016/17 as the Vice-Chairperson of Brackla Community Council and withdrew from the meeting during consideration of this item. Councillor Townsend declared a personal interest in agenda item 12 – Local Housing Strategy 2016-2018 as a Board member of Valleys 2 Coast.

Councillor HM Williams declared a personal interest in agenda item 12 – Local Housing Strategy 2016-2018 as a Board member of Valleys 2 Coast.

917. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 10 May 2016 be approved as a true and accurate record.

918. THE BRIDGEND BUSINESS IMPROVEMENT DISTRICT PROPOSAL

The Corporate Director Communities sought approval on how the Council should cast its vote in the proposed BID ballot.

He reported that the BID proposal had been submitted to the Council and in accordance with the power delegated to him by Cabinet at its meeting on 10 May 2016 was satisfied that the BID proposal was submitted in accordance with the requirements of the Business Improvement (Wales) Regulations 2016.

The Corporate Director Communities reported that the Council was now in a position to make a decision on how to cast its vote in the forthcoming BID ballot. He stated that the Council has five separate hereditaments with a total rateable value of £871,500 and an annual levy liability of £10,893.75, which allows the Council five individual votes. He informed Cabinet that a BID for Bridgend will be an important tool in stimulating economic development of the town centre and the investment made by the businesses through the levy will address key issues that currently affect the success of the town and play a role in transforming Bridgend into a better place to do business. He stated it was the view of officers that a BID for Bridgend could prove central to improving the vitality of the Bridgend town centre and recommend that the Council support the principle of a BID for Bridgend.

The Cabinet Member Regeneration and Economic Development in commending the proposals for a proposed BID stated that the proposals had been the subject to a great deal of discussion. He thanked the Town Centre Manager for working tirelessly on the BID proposal and he also congratulated the Chairperson of the Steering Group in getting all the traders together and the consultants for developing the BID which was not a Council policy but a traders' initiative.

The Cabinet Member Adult Social Care and Health and Wellbeing stated that the BID proposal is a positive step forward and he hoped that similar proposals could be developed town centres elsewhere in the County Borough.

RESOLVED: That Cabinet:

1. Noted that the BID proposal and supplementary documentation have been submitted to and approved by the Corporate Director-Communities on behalf of the Council as complying with the requirements of the Regulations;
2. Agreed to vote in favour of the Bridgend Business Improvement District proposals in the BID ballot;

Delegated authority to the Leader of the Council to cast the Council's votes in the BID ballot.

919. BRIDGEND TOWN CENTRE ACCESS

The Corporate Director Communities reported on the finding of the recent Queen Street, Dunraven Place and Market Street Access Study which had been prepared by Capita Glamorgan, on behalf of the Council and sought approval for a wider public consultation to inform the Equalities Impact Assessment.

He reported that Bridgend town centre was pedestrianised in 2002 as part of a sustained programme of investment in physical regeneration measures to address issues related to safety and quality of the environment. The pedestrianisation zone prohibited vehicle access between 10am – 6pm and restrictions that apply outside of these hours to vehicles loading only. He stated that the lack of vehicular access to Queen Street, Dunraven Place and Market Street has been cited by the town centre traders, property agents and developers as a key issue that impacts on trade and lettings. Making changes to access arrangements in these streets will require an understanding of the equalities implications, risks, costs and physical constraints and an independent report has been commissioned to review methods and assess risks of increasing vehicular access, and in particular, to assess the impact of any changes on vulnerable road users.

He reported on the scenarios which had been assessed in the Access Study and that if vehicles were re-introduced to the above-mentioned streets, physical changes would be required. He stated that the study has considered 4 options, ranging from the most basic and least expensive, to the most complex and expensive, assessing the benefits and risks of each option.

He reported that the consultants had found that the risk of collisions would naturally increase if vehicles are allowed back in the town centre and that vehicle speed did not appear to have been a major contributory factor to collisions, either before or after pedestrianisation. He stated that pre and post-pedestrianisation collision data had strongly indicated that collisions will increase if the streets are reopened to vehicles and that the risk of collisions would also be higher as pedestrian and motorists adjust to the changes.

The Corporate Director Communities reported on the assessment of the different options, in that option 1 involved limiting physical changes to signage and road markings, estimated to cost £250,000, which is the most cost effective and shortest to implement. He stated that this option would have the greatest risk in terms of public safety and it was not recommended that this option on its own be implemented. Option 2 involved installing a system of tactile paving to provide warning to the visually impaired; however in some areas, the footways are too narrow to accommodate the recommended width of tactile surface. This was estimated to cost £350,000. Option 3 proposed the use of bollards to demarcate the carriageway and footway, physically preventing motorists from mounting the footway, but without comprising pedestrian movement across the street. This option would reduce footway widths requiring frequent maintenance. He stated there would be a risk of visually impaired people walking into the bollards, or unintentionally walking between them into the carriageway. This option was considered by the consultants to be the most balanced scheme in terms of road safety, implementation cost, impact on existing infrastructure and protecting footways from vehicular damage. Tactile footways in some areas could be considered as a supplementary measure to this option. The estimated cost of option 3 was £552,000. Option 4 provided a kerb upstand of at least 60mm, reverting the street to a standard form of segregation of vehicles and pedestrians. This option would facilitate the installation of speed bumps to achieve low speeds and motorists would be less likely to park on footways. He stated this option would create a trip hazard for the elderly and visually impaired and create a physical barrier for mobility impaired pedestrians. This option would be the most costly, approximately £855,000 and disruptive to implement.

The Corporate Director Communities reported that crossing points would be required for all options and that two puffin crossings are proposed and regardless of the scheme chosen, a speed limit of 20mph was advised and the one way system in Caroline and Wyndham Street would need to be reversed. He outlined the key conclusions of reintroducing vehicles to the town centre in that there would be a risk of an increase in the number of collisions. However, suspending the pedestrianisation of Queen Street, Dunraven Place and Market Street with the introduction of parking spaces would enable the town centre to become more accessible. The Corporate Director Communities also reported that option 3 presented the most balanced scheme in terms of road safety, implementation cost and the impact on highway infrastructure, however there was a need for wider public consultation to reach a conclusion.

The Corporate Director Communities also reported that in the event of a pedestrianisation order being pursued, external funding would have to be sought. He stated that the Business Improvement District Steering Group have indicated that should a BID be established in the town centre, part of the bid levy would contribute to the costs. Equalities Impact Assessment screening had identified the need to undertake a full consultation to enable the EIA to be completed. He stated that upon completion of the consultation and engagement process a further report would be presented to Cabinet outlining the results of the consultation and recommendations of a way forward together with the findings of the full EIA. He stated that the appropriate statutory procedure would need to be undertaken, which would involve a further consultation on the agreed option before implementation of the scheme.

The Cabinet Member Regeneration and Economic Development commented that he was pleased that the findings of the town centre access study had reached this point, which had already been the subject of a great deal of discussion culminating in the consultants' report. He stated that option 3 is the most attractive option offering a balanced solution. He thanked the BID Steering Group for their support of the proposals. The Cabinet Member Resources informed Cabinet that the proposals demonstrate the Council's concerns for the town centre with the safety of pedestrians uppermost and the need for the town centre to be attractive to visitors. The Deputy Leader in supporting the proposals stated there was a need to provide as much as detail as to the proposed costs as part of the consultation and give opportunities for as many citizens as can be involved in the consultation. The Leader commented on the importance of the proposals being explored as the Council did not have the funding to undertake the works.

RESOLVED: That Cabinet:

1. Considered the key findings of the Queen Street, Dunraven Place Market Street Access Study;
2. Noted the recommendations contained therein;
3. Authorised officers to undertake the necessary consultation outlined in the report;
4. Authorised officers to consider external funding options to meet the implementation costs, in the event that the consultation process indicates a positive response to the proposal to change the pedestrianisation order;

Receive a further report upon completion of the consultation exercise together with the findings of the full EIA and any potential external funding options.

The Corporate Director Communities reported on proposed changes to the opening and closing times for public toilets in Porthcawl town centre and Rest Bay which had been deferred by Cabinet at its meeting on 10 May 2016 subject to a meeting being held with local Members. He stated that the meeting had now taken place where in principle agreement to the opening and closing arrangements for John Street and Griffin Park had been reached. The hours at the Rest Bay facility would remain unchanged for the 2016 summer season, but would be reviewed again at the end of year.

The Cabinet Member Resources stated that the facility at Rest Bay is important due to the unique position of Rest Bay and he welcomed the involvement of Porthcawl Town Council and hoped that the Town Council could come up with proposals for the facility at Rest Bay after 2016 due to the budget pressures facing this Council.

RESOLVED: That Cabinet approved the revised Public Convenience opening hours.

921. TOWN AND COMMUNITY CAPITAL FUND ALLOCATIONS 2016/17

The Corporate Director Communities sought approval to allocate funds from the Town and Community Council Capital Fund to Town and Community Councils.

He reported that the Council has an approved annual capital allocation of £100,000 in its capital programme which is intended to support applications from Town and Community Councils for capital projects. Historically the fund has been used to support a range of different projects that have been brought forward by Town and Community Councils. The fund was increased from £50,000 per annum to a total fund of £100,000 for 2016/17, with the intention that Town and Community Councils would be encouraged to link their bids in particular to the Community Asset Transfer process. This change was in recognition that this Council would be less able to deliver services to the level that it has done historically with there being an increasing role for Town and Community Councils in helping to deliver some local services. He stated that it had been recognised that for this first year under the new arrangements, there were likely to be applications to the fund from Town and Community Councils for both more traditional type projects and Community Asset transfer related projects, and therefore there was scope this year to fund appropriate projects of both types.

He reported that seven applications had been received seeking contributions of £112,500 towards total project costs of £301,000, which was in excess of the funding available. He stated that only one application related directly to Community Asset Transfer (CAT) as it had appeared too soon to capture some of the CAT proposals. He informed Cabinet that for this year it was proposed to allocate funding to more traditional type schemes and that there be a more concerted push so that next year's submissions are more closely aligned to support the preference for CAT.

The Cabinet Member Communities in commending the proposals for capital fund allocations stated that the administration of the grant process had now passed from the Finance Department to the Communities Directorate and in line with corporate priorities.

RESOLVED: That Cabinet approved the capital fund allocations from the Town and Community Council Fund as set out in Appendix 2 of the report, and sought more information and would consider further those applications that have currently been deferred, and either receive a report back to Cabinet seeking approval for further allocations or carry forward the balance of £9,500 into the 2017/18 financial year.

922. PROPOSED STATUTORY AND NON-STATUTORY PRE-APPLICATION ADVICE CHARGING REGIME

The Corporate Director Communities reported that the Council has operated a system of charging for pre-application advice since April 2011 and the Planning (Wales) Act 2015 has introduced new pre-application processes that will be key to the delivery of effective frontloading of applications. A new statutory requirement for Local Planning Authority's (LPAs) to provide pre-application services to applicants has been introduced with a national fee structure being set. The charges will vary depending on the size and scale of the proposed development. The regulations require LPAs to provide a written response to all valid pre-application enquiries within 21 days, unless an extension of time is agreed between the authority and applicant. He outlined the type of information which applicants for householder developments should expect to receive within their written response. He stated that for all other development proposals, applicants will receive all the information as with householder developments as well as advice as to whether any Section 106 or Community Infrastructure Levy contributions are likely to be sought and an indication of the scope and amount of these contributions. He informed Cabinet that the Council's Pre-Application Advice Guidance Note will be updated to differentiate between the statutory and non-statutory streams of pre-application advice. This had been the subject to an informal consultation with local planning agents.

The Corporate Director Communities reported on a proposal to update the Council's guidance and charging regime to include the basic (statutory) level of service, as required by the Welsh Government, as well as the Council's own charges for a bespoke / comprehensive (non-statutory) level of service. He stated that under the new regulations, applicants for major developments and for Developments of National Significance must now seek pre-application advice from the LPA. However pre-application advice for minor and householder development was not mandatory. He stated that householder advice was currently provided free of charge, however the Welsh Government has introduced a £25 charge for advice relating to the acceptability or otherwise of a householder development such as an extension or a garage. Developers will have a choice as to which service they wish to receive from the LPA, either the WG statutory scheme or the BCBC scheme.

The Cabinet Member Resources commended the authority for leading the way in having implemented a pre-application advice service in advance of the legislation.

RESOLVED: That Cabinet approved the content of the report and the adoption of a new pre-application charging regime from 13 June 2016.

923. REGIONAL ADOPTION SERVICE INTER AUTHORITY AGREEMENT

The Corporate Director Social Services and Wellbeing reported on the progress of the formulation of the Western Bay Regional Adoption Service Inter-Authority Agreement and sought agreement in principle to the content of the final Inter Authority Agreement for the adoption service that will meet statutory requirements.

She reported that the Inter Authority agreement will provide the legal framework through which the regional collaborative will operate and fulfil its responsibilities in delivering an adoption service. The Inter Authority Agreement will include the Service Specification, the financial model and the model/structure for Service delivery which has been negotiated and agreed by all three local authorities and as such required formal approval by the Cabinets of all three local authorities. Scrutiny arrangements will be in accordance with those agreed for the Western Bay programme as a whole. Annual

reports on the performance of the regional adoption service will be presented to the three Scrutiny Committees within the local authorities.

The Corporate Director Social Services and Wellbeing informed Cabinet that the Inter Authority Agreement represents the formal arrangements between the three authorities that will be legally binding and provide assurance and protection to each individual authority in committing to these arrangements. The Corporate Director Social Services and Wellbeing reported that the contributions for the financial year 2016/17 are split three ways with each local authority contributing an equal share of the proposed pooled budget based on the pro-rata anticipated number of adoption placements by each local authority for the next financial year. She stated that the Council's contribution for 2016/17 will be £949k, funded from within existing resources and a contribution from the Looked After Children earmarked reserve. Consideration would need to be given in future years to realigning budgets as the current budget is £526k.

The Cabinet Member Childrens Social Services and Equalities commented that the Inter Authority agreement formalises the collaboration and also commented on the success of the regional adoption service which had seen the number of adoptions made increasing.

RESOLVED: That Cabinet:

1. Agreed in principle the content of the Inter Authority Agreement for the Western Bay Adoption Service that meets statutory requirements and specifically agreed in principle the content of the appended draft Inter Authority Agreement.
2. Authorised the Corporate Director of Social Services and Wellbeing to make any further necessary amendments to the appended draft Agreement (in consultation with the Corporate Director – Operational and Partnership Services) and to approve its final terms.

Authorised the Corporate Director of Social Services and Wellbeing to arrange for the execution of the final Agreement.

924. SCHOOL MODERNISATION PROGRAMME: OUTCOME OF CONSULTATIONS ON PROPOSAL TO MAKE A REGULATED ALTERATION TO PENCOED PRIMARY SCHOOL

The Corporate Director Education and Family Support reported that Cabinet had previously approved consultation on the proposal to make a regulated alteration to Pencoed Primary School by relocating the school, including the Heol Y Cyw campus, to the site of the school playing fields at Penprysg Road, Pencoed. Consultation was carried out in accordance with the statutory School Organisation Code inviting views and opinions on the proposal.

The Corporate Director Education and Family Support stated that if approved by Cabinet, the next stage of the process would be to publish a statutory notice outlining the proposals which would need to be published for a period of 28 days and any formal written objections would be invited during this time. She stated that if there were no objections during the Public Notice period, Cabinet could consider whether to determine to implement the proposal. The Corporate Director Education and Family Support informed Cabinet that if there are objections at the Public Notice, an 'objections report' would be presented to Cabinet for consideration and subsequently published summarising the objections and the authority's response to those objections. Cabinet could then accept, reject or modify the proposal.

The Corporate Director Education and Family Support summarised the comments made by the school council in relation to the provision of free school transport; the concern expressed by parents and Governing Body and the results of the online survey.

The Deputy Leader in commending the proposal stated that the new campus will have the largest capacity for primary schools in the County Borough of 625 pupils. He stated that significant highway improvements will be made in the vicinity of the new campus including the provision of a drop off facility for parents. The new campus would also feature an all-weather sports pitch and a large outdoor learning outdoor activity area.

RESOLVED: That Cabinet:

1. Considered the outcome of the consultation with all parties as detailed in the draft consultation report and appendices;
2. Approved the draft consultation report for publication;
3. Authorised the publication of a Public Notice on the proposal.

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

The Corporate Director Operational and Partnership Services sought approval to amend the Private Sector Housing Renewal and Disabled Adaptations Policy to reflect the new Corporate Priorities.

He reported that the Council's current Private Sector Housing Renewal and Disabled Adaptations Policy together with the Bridgend Standard for Adaptations and Assistance was approved by Cabinet on 1st September 2015 based on local evidence of need, and aligning with wider local and national strategic objectives. He stated there is a need to update the Private Sector Housing Renewal and Adaptation Policy in recognition of the Authority's need to support the new Corporate Priorities and to meet the obligations under the Housing (Wales) Act 2014 and the Social Services and Wellbeing (Wales) Act 2014.

The Corporate Director Operational and Partnership Services highlighted the main changes that will be brought about by the policy.

The Cabinet Member Childrens Social Services and Equalities stated that the ability to fast track low cost adaptations will enable citizens to remain in their homes.

RESOLVED: That Cabinet approved the Private Sector Renewal and Disabled Adaptation Policy.

926. LOCAL HOUSING STRATEGY 2016-2018

The Corporate Director Operational and Partnership Services reported on the outcome of formal consultation on the draft Local Housing Strategy 2016-18 and recommended the Strategy to Council for approval.

The Corporate Director Operational and Partnership Services informed Cabinet that the Housing (Wales) Act 2014 requires local authorities have a strategic role to play in the functioning of the local housing market. He stated that the principal way this can be

delivered is through a Local Housing Strategy which sets out the locally agreed, long term vision for housing and it provides a statement of local strategic housing-related priorities and outcomes, set against a framework of national legislation, plans and strategies. The current Local Housing Strategy has been in place since 2009 and requires revision in order to take account of new legislation introduced by the Housing (Wales) Act 2014.

The Corporate Director Operational and Partnership Services reported that the draft Local Housing Strategy has been the subject of consultation which ran from December 2015 until the end of March 2016, with both online and written submissions encouraged. At the close of the consultation, 30 responses had been received, 25 via the online consultation process and 5 written responses from stakeholders.

The Cabinet Member Childrens Social Services and Equalities in commending the Strategy was pleased to note that Care Leavers and Looked After Children would now be considered under the priorities within the Strategy.

RESOLVED: That Cabinet:

1. Noted the representations and responses to the formal consultation;

Noted and recommended to Council for approval the amended and updated Local Housing Strategy following the consultation exercise.

927. REVISION TO THE TOWN & COMMUNITY COUNCILS CHARTER

The Corporate Director Operational and Partnership Services sought endorsement of the revised Town and Community Council Charter and approval of the plans for its formal adoption by all Town and Community Councils in the County Borough.

He reported that the Charter supports the Welsh Government's national programme objectives and White Paper Reforming Local Government: Power to Local People. He stated that a Town and Community Council Charter Working Group had been established to review the current Charter and which had met on 2 occasions. The Working Group carried out a research exercise and contacted other local authorities to identify and collate examples of best practice to be incorporated into a revised charter for Bridgend. He stated that the revised draft Charter developed reflected the intention of all partners to embrace the challenges ahead and to work together in order to achieve the required outcomes and demonstrate citizen-focused delivery of services. He informed Cabinet that the Charter Action Plan which had been developed will become a standard agenda item for meetings of the Town and Community Council Forum. He also informed Cabinet that a liaison meeting between representatives of BCBC and the Town and Community Clerks will be held before the end of July as introduced in the revised Charter. The official signing of the Charter will take place in July and following which, electronic copies of the Charter will be sent to all Town and Community Councils.

The Deputy Leader in commending the revised Charter stated that it had been developed as a result of the review undertaken by the Working Group.

RESOLVED: That Cabinet approved:

1. the adoption of the revised Bridgend Town & Community Councils Charter;
2. the proposed plans for the formal signing of the Charter;

3. the improved partnership working arrangements with all Councils in accordance with the Charter;

that the Leader and in his absence the Deputy Leader be authorised to sign the Charter on behalf of the Council.

928. REPRESENTATION ON OUTSIDE BODIES & JOINT COMMITTEES

The Corporate Director Operational and Partnership Services presented a report which sought approval for the appointment of Members to joint Committees and the nomination of Members to outside bodies.

RESOLVED: That Cabinet appointed the requisite number of Members to the joint committees and other outside bodies listed subject to the following amendments:

1. Councillor J E Lewis appointed to the vacancy on the ABM Community Health Council
2. Councillors H J Townsend, J McCarthy and D Patel appointed to the SACRE in place of Councillors R L Thomas, J H Tildesley and P James

The Cabinet Member Adult Social Care and Health and Wellbeing to replace the Cabinet Member Regeneration and Economic development on the Western Bay Partnership Forum.

929. INFORMATION REPORTS FOR NOTING

The Corporate Director Operational and Partnership Services presented a report, the purpose of which was to inform Cabinet of the Information Reports that had been published since the last meeting.

RESOLVED: That Cabinet:

1. Acknowledged the publication of the documents listed in the report:-

<u>Title</u>	<u>Date Published</u>
New Development Management Procedures Introduced by the Welsh Government	1 June 2016
Safeguarding of Children and Young People	1 June 2016

Recommended that the Safeguarding of Children and Young People report be considered by the Cabinet Committee Corporate Parenting.

930. URGENT ITEMS

There were no urgent items.

931. EXCLUSION OF THE PUBLIC

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

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the under-mentioned items in private with the public being excluded from the meeting as they would involve the disclosure of exempt information as stated above.

932. APPROVAL OF EXEMPT MINUTES

933. 'COCA COLA ZERO - PARK LIVES' INITIATIVE AND THE POTENTIAL TO DEVELOP THE PROGRAMME WITHIN BRIDGEND COUNTY BOROUGH

934. SCHOOL MODERNISATION - AMENDMENT TO THE SEWSCAP FRAMEWORK

The meeting closed at 4.15 pm