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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



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

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

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let us know if your language choice is Welsh.*



Gwasanaethau Gweithredol a Phartneriaethol / Operational and Partnership Services

Deialu uniongyrchol / Direct line /: 01656 643148
Gofynnwch am / Ask for: Mr Mark Anthony Galvin

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

Dyddiad/Date: Thursday, 5 January 2017

Dear Councillor,

COUNCIL

A meeting of the Council will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Wednesday, 11 January 2017 at 3.00 pm.**

AGENDA

1. Apologies for absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest from Members/Officers in accordance with the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 12
To receive for approval the minutes of a meeting of Council dated 30 November 2016.
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 13 - 20
7. Appointment of Registered Representative to the Children and Young People
Overview and Scrutiny Committee 21 - 22
8. Amendment to the Scheme of Delegations 23 - 74
9. Review of Political Balance - Changes to Committee Membership 75 - 84
10. Information Reports for Noting 85 - 104

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11. 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

Corporate Director Operational and Partnership Services

Councillors:

S Aspey
M Butcher
N Clarke
HJ David
G Davies
GW Davies MBE
PA Davies
E Dodd
DK Edwards
L Ellis
N Farr
EP Foley
CA Green
M Gregory
EM Hughes
CJ James
P James
RM James

Councillors

RD Jenkins
PN John
B Jones
CL Jones
M Jones
RC Jones
DRW Lewis
JE Lewis
JR McCarthy
HE Morgan
LC Morgan
MEJ Nott OBE
AD Owen
DG Owen
D Patel
G Phillips
DR Pugh
CL Reeves

Councillors

M Reeves
D Sage
CE Smith
JC Spanswick
G Thomas
M Thomas
RL Thomas
JH Tildesley MBE
HJ Townsend
E Venables
KJ Watts
C Westwood
DBF White
PJ White
HM Williams
R Williams
M Winter
RE Young

COUNCIL - WEDNESDAY, 30 NOVEMBER 2016

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 30 NOVEMBER 2016 AT 3.00 PM

Present

Councillor RD Jenkins – Chairperson

S Aspey	N Clarke	HJ David	G Davies
GW Davies MBE	PA Davies	E Dodd	DK Edwards
N Farr	EP Foley	CA Green	EM Hughes
CJ James	P James	RM James	PN John
B Jones	CL Jones	M Jones	RC Jones
DRW Lewis	JE Lewis	JR McCarthy	HE Morgan
LC Morgan	AD Owen	D Patel	CL Reeves
M Reeves	CE Smith	JC Spanswick	G Thomas
M Thomas	RL Thomas	JH Tildesley MBE	HJ Townsend
KJ Watts	C Westwood	DBF White	HM Williams
R Williams	M Winter	RE Young	

Officers:

Susan Cooper	Corporate Director - Social Services & Wellbeing
Nicola Echanis	Head of Education & Family Support
Mark Galvin	Senior Democratic Services Officer - Committees
Randal Hemingway	Head of Finance & Section 151 Officer
Andrew Jolley	Corporate Director Operational & Partnership Services
Gary Jones	Head of Democratic Services
Mark Shephard	Corporate Director - Communities

683. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members/Officer:-

Councillor D Sage
Councillor MEJ Nott OBE
Councillor M Gregory
Councillor E Venables
Councillor G Phillips
Councillor MW Butcher
Councillor D Pugh
Councillor PJ White
D Mepham – Other Council business

684. DECLARATIONS OF INTEREST

None

685. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Council dated 2 November 2016, be approved as a true and accurate record.

686. TO RECEIVE ANNOUNCEMENTS FROM:

Mayor

The Mayor announced that his Consort and himself were nearing the end of their visits to the winners of the Bridgend Business Forum Awards 2016. It had been a pleasure to pay a personal visit to the winners to congratulate them on their success and gain a better understanding of the types of businesses that operate in the county borough. They had met with some excellent, interesting and diverse people over the last few weeks who in different ways bring so much to our communities.

He added that they also had the honour of attending the inaugural Bridge FM Young Achiever Awards. This impressive event celebrated the young people from around the county borough and recognised their achievements in business, training, education, arts, music and voluntary work. It was heartening to meet so many young people who are actively making a positive contribution to our communities confirmed the Mayor.

Staying with the subject of youth achievements, the Mayor confirmed that he was asked to attend the Wildmill Youth Club presentation evening last week which highlighted the importance of giving recognition to the children, young people and families who attend the youth club. This youth club has gone from strength to strength in the past couple of years and he was pleased to be invited to present the certificates and trophies to these well deserving young people in order to give them some recognition for their participation, commitment and hard work.

As the Christmas season was getting near, the Mayor advised that he was delighted to announce that there will be a special performance of Jack and the Beanstalk in the Grand Pavilion Porthcawl with the proceeds going to his Charity Committee. It would be lovely to see Members (and Officers) there with their families he confirmed. Tickets could be purchased as usual via Mari Major he added.

To conclude, The Mayor knew it was early, but as this would be the last Council before the New Year, he took the opportunity to wish all those present a happy Christmas and a healthy New Year.

Deputy Leader

The Deputy Leader reminded members that there would be pre-Council briefings on Dementia Friendly Communities on 11th January and an update from Sustrans on 1st February.

In March 2017 it was hoped to have two pre-Council briefings, one on 1 March which will involve a progress update from the Welsh Community Care Information System, and another on 29 March that will be on the subject of 'Dark Skies'. Both of these would be confirmed at a later date.

Members would also be aware that an internal audit report recommended that all members should complete a corporate parenting induction and relevant safeguarding training, plus annual refresher sessions.

To date, unfortunately only 19 members out of a total of 54 have completed the refresher training, so a third session has been arranged for Tuesday 13 December in the committee rooms. He encouraged those members who have not yet taken part to attend this session.

The Deputy Leader informed Members that there would also be a Member Workshop on 1 April 2017, that would explain to them the Council's new Waste Collection Service.

Members may also be interested to know that four hundred more homes took part in the 2016 garden waste collection scheme than in 2015, and that we have doubled the amount of waste collected since the scheme was launched in 2013.

Just over 2,800 households used the fortnightly service which ran between April and October, and more than 468 tonnes of garden waste was collected and sent to be converted into compost fertiliser instead of being disposed of as landfill.

This is good news and a sure sign that the scheme is making steady progress he concluded.

Cabinet Member – Communities

The Cabinet Member – Communities was sure that members will be aware of the narrow escape that two separate households had in Caerau recently. It seems that a blocked chimney caused carbon dioxide to build up in one household and seep through into the adjoining property.

A tragic ending was avoided after a detector alarm went off, but nine people were still hospitalised, including three children under 12 years of age.

A media issue had been released making people aware of eight simple rules that will help them avoid falling victim to what has been called ‘the silent killer’.

Carbon monoxide can be produced by any fuel-burning appliance, so regular maintenance and proper ventilation is essential.

Symptoms included headaches, dizziness, breathlessness, nausea, tiredness and visual problems.

People might feel chest or stomach pain and act erratically before ultimately losing consciousness and even low-level exposure to carbon monoxide over a long period of time can lead to significant health problems.

Warning signs that carbon monoxide is being released can include seeing yellow or orange flames instead of blue flames, finding soot or staining on or around appliances which is yellow or brown in colour, pilot lights that frequently blow out and increased condensation building up inside windows.

She hoped that members would help spread awareness about this potentially deadly issue, and will advise their constituents that more information is available online at websites such as the Welsh Government’s advice page on carbon monoxide.

The Cabinet Member – Communities also briefly mentioned Storm Angus, which caused widespread flooding up and down the UK and affected communities here in Bridgend County Borough.

The worst of the severe weather hit the county borough at around 2am on the morning of Sunday 20 November.

The council’s frontline staff worked alongside the likes of South Wales Fire and Rescue and South Wales Police to help keep residents safe from the heavy rainfall that overwhelmed local streams, rivers and culverts and caused damage to roads and homes.

The Council's highways team distributed more than 3,500 sandbags during the height of the storm and worked flat-out to keep culverts clear from leaves, wood and debris.

Once it was over, street cleansing staff began clearing up the residue while our social services team supported vulnerable residents affected by the weather.

We also worked in partnership with town and community councils and other organisations as part of our response to Storm Angus so that skips were made available and affected householders could get easy access to civic amenity sites.

Offers of help were also received from groups that ranged from the players of Maesteg Celtic RFC to the Muslim Youth Association of Wales.

Without these efforts, the impact of the extreme weather would have been much, much worse, and I'm sure that members will want to acknowledge the efforts of council staff, the emergency services and everyone else who played a part in trying to limit the impact of the flooding throughout Bridgend County Borough.

A Member from Maesteg East in view of the ongoing financial constraints that local authorities have continually faced, asked for an assurance that this would not compromise front line services, to such a degree that it would impact on the Authority's ability to protect its residents, and particularly to prevent repeat incidents of blocked culverts etc, which contributed to the flooding incidents. He asked the Cabinet Member – Communities if an assurance could be given to constituents, that should repeat incidents of flooding occur, then resources will be found to put in place preventative measures that will protect their homes from the possibility of further flooding.

The Cabinet Member – Communities advised that the Council would investigate the culverts in question which became blocked following bad weather, resulting in flooding having taken place in the location(s) referred to by the Member. If there was deemed to be any particular problems there that could be remedied with a view to alleviating and/or assisting in minimising future cases of flooding in these areas, then these would be pursued.

Cabinet Member – Equalities and Children's Social Services

The Cabinet Member – Equalities and Children's Social Services advised that the annual White Ribbon campaign to highlight domestic violence was underway in the county borough and was launched recently with a flag-raising event in Maesteg.

This global campaign spreads awareness and recognises that while women are disproportionately affected by domestic violence, it is not and has never been simply a 'women's issue'.

Since the Assia Suite opened at the Civic Offices in October 2015, a total of 442 people have received help and support.

Of these, 10 were men and two were trans-gender, and the service helped more than 500 children who were living in situations where domestic violence was commonplace.

Men and boys have a crucial role to play in creating a culture where violence, abuse and harassment against women and girls is seen as unacceptable, and Bridgend County Borough Council remains committed to helping highlight this problem and providing support to our local residents.

The council's Family Information Service has become the first local authority in Wales to receive the revised Families First Quality Award from the Family and Childcare Trust.

The free service offers parents access to a wide range of useful information that ranges from classes and groups for new mums and dads to childcare provision and summer activities.

She was really proud to see that the service had been rated so highly, and congratulated them on their success.

Cabinet Member – Regeneration and Economic Development

The Cabinet Member – Economic Development and Regeneration confirmed that he was happy to announce that ambitious plans are underway for designing and developing a new water sports centre at Rest Bay in Porthcawl.

The project was intended to provide new high-quality facilities for local people and visitors to the award-winning Blue Flag beach. It will also establish an iconic, contemporary attraction capable of supporting and developing sports and leisure activities in the area.

Funding was currently being sought for the project, and the centre forms part of an initiative to create a year-round, family-friendly local hub for water-based sports that will appeal to a broader audience of seasoned enthusiasts and beginners alike.

The proposals aim to make the most of Rest Bay's unique setting and could include enhanced café and kiosk facilities as well as improved changing and public toilet amenities, to cater for sporting and non-sporting visitors.

In fact, the potential and quality of local water sports provision was highlighted recently when Porthcawl Surf School beat off 150 competitors to be named Best Surf School In Britain at the UK Pro Surf Tour Awards 2016. He congratulated Mr H Murray and his team for putting Porthcawl on the map

Visitors, tourists and holidaymakers spent more than £313m in the county borough last year. If funding can be secured, an all-new water sports centre at Rest Bay would also further consolidate Porthcawl's growing visitor appeal and secure its potential as a coastal resort fit for the 21st century.

The Cabinet Member – Regeneration and Economic Development asked members to remind constituents that in the run-up to Christmas, free car parking will be available after 10am at council-run town centre car parks in Porthcawl and Bridgend on Saturdays throughout December.

In response to a members query, the Cabinet Member – Regeneration and Economic Development confirmed that some method of signage would be placed in car parks affected making it clear that free car parking was available at the times/dates in question.

With the all-new Rhiw multi-storey now open in Bridgend town centre and a range of Christmas events taking place in Porthcawl, Maesteg, Pencoed and Bridgend, this was a perfect opportunity to do a bit of festive shopping, support local trade and have a good time.

The Christmas parking and local events were currently being promoted across social media, on local radio and in the press, and more details were available on the council's website he concluded.

Corporate Director - Communities

The Corporate Director - Communities advised Members of an issue on behalf of the Chief Executive.

The first is that on Tuesday 6th December, the Partnerships and Governance Overview and Scrutiny Committee will be receiving a presentation and holding a discussion on the Cardiff Capital City Deal.

Any Members who have an interest in the City Deal are encouraged to attend this event.

Discussions were progressing well between the 10 Leaders and with both the UK and Welsh Government, and it is anticipated that all Councils will be looking to enter into a joint working agreement in the New Year.

This will have the effect of formalising the Joint Cabinet that is currently in shadow form.

In doing so, it would allow Welsh Government to pass the first contribution of £10m from the UK Government along to the City Deal partners.

There was a lot of detail and further information behind this, and the Scrutiny Committee would no doubt ask questions of the Invitees in relation to this and other related issues.

If it looks like we will be ready to ask Council to agree to the joint working required to take the City Deal forward, the Authority were also proposing to hold an all-Member briefing in the New Year.

Further details on this will be forthcoming the Corporate Director Communities concluded.

687. TO RECEIVE THE REPORT OF THE LEADER

The Leader advised that when he took up the role of Leader, he informed members that he intended to look at the structure of the Cabinet portfolios, and that he would come back to them with an update.

This has now been completed, and he was pleased to be able to outline some changes that he wished to introduce with immediate effect.

In the Corporate Plan that members steered, the need to act as one council wherever we can was identified. This was in recognition of the fact that people don't live their lives in discreet areas of service, even if local authorities are organised that way.

He wanted to reflect this, with Cabinet members having a broader range of cross-cutting responsibilities so that they can each work across directorates wherever possible.

With this in mind, the most experienced Cabinet member, Councillor Phil White, will gain responsibility for children and early help and intervention, as well as adult social services as the Cabinet Member for Social Services and Early Help.

This will help strengthen our work to improve the transition from child-to-adult services. Safeguarding our most vulnerable adults and children will be a key priority for Councillor

White, as will ensuring that we help individuals, families, carers and parents as early as we can.

Councillor White will continue to be the champion for mental health across the organisation, and will lead on the ongoing modernisation of services for older people and people with learning disabilities.

Councillor Hailey Townsend will be Cabinet member for Wellbeing and Future Generations, and the authority's new anti-poverty champion.

Her portfolio will align with the new Future Generations Wellbeing Act and our own intervention and prevention agenda. It will encompass Housing, the Youth Offending Service, Trading Standards, Environmental Health and all the shared public protection services, and Sport and Physical Activity which will include our partnership with Halo.

Councillor Townsend will also be the champion for play opportunities for children, and will continue to be our effective lead member for equalities and diversity.

Councillor Charles Smith will become Cabinet Member for Education and Regeneration. He was a teacher by profession, and has taught in many of our schools and has spent his career teaching or lecturing, so he brings that experience to the role.

He will now lead on our exciting 21st Century school modernisation programme, and will also prioritise the continued improvements in standards and outcomes in all our secondary and primary schools, special schools and early years' settings.

Councillor Smith will also continue to be responsible for leading on the regeneration of our towns.

Councillor Ceri Reeves will continue as the Cabinet Member for Communities. She will have responsibility for Transportation, Highways, Parks and Playing Fields, bereavement services, street cleaning, Planning, Libraries and cultural services.

Councillor Reeves will also take the Cabinet lead for tackling domestic violence alongside Councillor Thomas and Councillor White's roles in this important field.

As the Deputy Leader, Councillor Hywel Williams will lead on Finance, Human Resources, Customer Services, ICT, Procurement and Legal. He will also now have responsibility for Property and Health and Safety across the authority. The new Deputy Leader was also keen to retain the overseeing the new Waste Services contract.

As for himself as Leader, because he was newly elected to the role, the Leader advised that he would continue to chair the joint committee of the Central South Consortium School Improvement service.

He would chair the new shadow regional transport authority, and continue to represent all local authorities across Wales as the WLGA spokesperson for Health and Social Services. In addition, he would become a member of the Bridgend Public Services Board.

The Leader confirmed that he intended undertaking regular reviews of the Cabinet structure in future to see if it could be improved further, or if additional changes were required, to ensure that it could best reflect the business needs and priorities of the Authority. In the meantime, the Leader believed that these cross-cutting changes will help the Cabinet better reflect the authority's stated aim of working as one council, and will strengthen our overall leadership role.

In other news, the Leader reported that the council's outline business case for an all-new Pencoed Primary School had been approved by the Cabinet Secretary for Education. This means that BCBC could move to the next stage, so work was already progressing on developing a full business case that will focus on the outcomes, benefits and community benefits of developing a much-needed new school facility in the Pencoed area.

By coincidence, this news arrived as pupils from Brymnenyn Primary were visiting the site of their new school. This will be based next to Coleg Cymunedol Y Dderwen where construction work will shortly begin. Its opening is planned for January 2018 when it would become the latest in a long line of modern, state of the art educational facilities to be introduced in Bridgend County Borough.

Elsewhere, St Robert's RC Primary in Aberkenfig has become the latest local school to achieve a Platinum Eco award. These awards are presented by Keep Wales Tidy to schools who develop a culture of environmental awareness and global citizenship among their pupils. It takes the total number of schools in the county borough who have achieved this status to 24, so the Leader extended his thanks to the pupils, teachers, governors and staff at St Robert's for helping to deliver this.

The council's Childcare team has also played a significant role in helping a local day care nursery achieve a prestigious award. Banana Moon, which is based in Brackla, had been presented with the Gold Standard Plus Healthy Snack Award.

This has been developed by the council in partnership with the City and County of Swansea, Neath Port Talbot County Borough Council, Abertawe Bro Morgannwg University Health Board, Change for Life and Design to Smile. It was designed to teach children from an early age about the importance of eating healthily, so the Leader stated that he was looking forward to seeing other childcare providers signing up to the scheme.

Finally, following the stepping-down of the former Leader Councillor Mel Nott, Councillor David advised that he would be replacing Councillor Nott on the Town and Community Council Forum as Chairperson of that body. The next meeting of the forum would take place on 12 December 2016.

688. 2017-18 COUNCIL TAX BASE

The Section 151 Officer submitted a report, the purpose of which, was to provide Council with details of the council tax base and estimated collection rate for 2017-18

He advised that the estimated council tax base for 2017-18 was 53,835.72, and the estimated collection rate was 98%. The net council tax base was therefore 52,759.01. He added that the estimated collection rate was ½% increase on last year and better than the actual collection rate of the year before, of 97.3% which was the highest collection rate ever achieved in this Authority.

The Section 151 Officer added that the net council tax base was also used by precepting authorities in calculating their precepts, and that Town/Community Councils based their precepts on the tax base for each community area, details of which were shown in Appendix A to the report.

RESOLVED: That Council:

- (1) Approved the council tax base and collection rate for 2017-18, as shown in paragraph 4.1 of the report.
- (2) Further approved the tax bases for the community areas set out in Appendix A to the report.

689. OVERVIEW AND SCRUTINY ANNUAL REPORT 2015-16

The Corporate Director – Operational and Partnership Services presented a report, the purpose of which, was to present Council with a review of work undertaken by the Overview and Scrutiny Unit during the period September 2015 – September 2016.

He reminded Members that the Overview and Scrutiny Committees oversee the decision making of the Cabinet as a whole, and Cabinet Members, as well as supporting their work and Council also. The Scrutiny function allowed citizens to have a greater say in Council matters by holding public meetings into matters of local concern. This process led to reports being compiled and recommendations which advised the Cabinet and the Council on its policies, budget and service delivery.

Paragraph 3.2 of the report confirmed that in 2012/13, BCBC took an active role in a WAO Improvement Study in respect of Scrutiny, and as a result of this, the Authority had been considered 'excellent' in terms of the way it approached scrutiny and was a lead for other neighbouring authorities to follow in this regard.

Paragraph 3.2.2 of the report, then advised that in the Overview and Scrutiny Annual Report 2014-15, it was identified that 3 developments required further work and improvement. These were detailed in this part of the report, and were important in terms of making further progress in these areas, as they were linked to the Corporate Assessment and the Corporate Priorities of the Council.

The Corporate Director – Operational and Partnership Services, then gave a resume for the benefit of Members on the current situation/proposals, and in particular, the within the following areas:-

- Impact Monitoring (of Scrutiny and the scrutiny process)
- Key outcomes and achievements
- Webcasting (of Scrutiny & other Committee meetings)
- A review of Scrutiny, and
- Further development of Scrutiny

He referred Members to the reports Appendices, one of which was as a result of Scrutiny Officers undertaking an assessment of the scrutiny function using the "Characteristics of Good Scrutiny" to determine performance during 2015-16 (Appendix A to the report referred). In addition to this, Members attended a series of workshops to enable Overview and Scrutiny Committees to carry out a review and forward planning exercise in terms of the work and service areas it should scrutinise. Members as part of this exercise, were also provided with an opportunity to look back over the past 12 months and consider what worked in Scrutiny, as well as areas that could be improved. Some of the main key points raised and suggestions for change, were shown in Appendix B of the report.

Council commended the report and supporting information, and recognised that the support of Overview and Scrutiny within the Authority had been in the past and still was strong and proactive. However, it was noted that there were cuts proposed as part of the Medium Term Financial Strategy that would affect staffing levels in the Scrutiny Section. To this end, Members asked for an assurance from the Leader, that if these were

realised, they would not impact in a detrimental way on the excellent progress that had been made in this area of the Authority, since the introduction of the Local Government Act 2000.

The Leader advised that he recognised the importance of Overview and Scrutiny and its role in looking at service and performance areas of the Council, as well as holding decisions made by the Cabinet to account, through the call-in process. He assured Members that whilst all areas of the Authority had to be examined in order to ascertain where savings could, and indeed were required to be made, he would also ensure that its role would continue to be proactive and robust, and maintained as a key part of the Democratic Services function of BCBC.

RESOLVED: That Members noted the content of the report and attached Appendices A and B.

690. INFORMATION REPORTS FOR NOTING

RESOLVED: That the report of the Monitoring Officer advising of the Information Report considered since the last ordinary meeting of Council, as detailed in Paragraph 4.1 of the report, be noted

691. URGENT ITEMS

None.

The meeting closed at 4.10 pm

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE HEAD OF FINANCE AND S151 OFFICER

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 2017-18 Council Tax Reduction Scheme (CTR), the requirement to adopt a CTR scheme by 31 January 2017, 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 20 January 2016, the Council adopted the Council Tax Reduction Scheme for 2016-17 in accordance with The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013. This scheme will end on 31 March 2017.
- 3.6 From the latest data, there are currently 14,251 households receiving CTR; 8,616 of these are of working age and 5,635 are of pensionable age. Out of the 14,251 households receiving CTR, 10,848 are entitled to a full CTR reduction.

4. Current Situation

4.1 The Council Tax Reduction Scheme 2017-18

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, 2015 and 2016.

4.4 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2017 have now been laid. These regulations update the financial figures used in the CTR schemes and makes amendments to:

- Explicate how a local authority should calculate an applicant's weekly income (i.e. to consider income that the person expects to receive as well as income that has been received).
- Ensure consistency with other inter-related social security legislation by taking tax reliefs into account when determining net earnings, and with regards the treatment of the Universal Credit carer's element in determining the applicable amount.
- Correct inconsistencies between the Welsh and English language versions of the 2016 Regulations.

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-ld10857/sub-ld10857-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 2017, 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 the amendment was 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 The last consultation on the three discretionary elements was undertaken in 2013, and therefore a new consultation exercise was undertaken between 31 October 2016 and 18 December 2016 for the 2017-18 scheme.

4.11 The consultation was advertised on Facebook, via twitter, and on the Council website. The consultation questionnaire was available via Customer Services and was promoted by staff when dealing with customers. Respondents were able to submit electronic or paper responses in English or Welsh. The consultation form provided information on the national scheme, the discretionary elements, and an opportunity for comment. Information and an invitation to comment were also sent to councillors, community councillors, the Police Authority and third sector organisations, including Citizens' Advice Bureaux

4.12 Summary of Responses

4.13 A total of 681 responses were received; 610 were completed on line and 71 were written responses.

4.14 The minority (16.6%) of respondents indicated that they are currently in receipt of CTR.

4.15 Responses to the discretionary elements (that would need to be funded by the Council if more generous than the minimum) were as follows:

Table 1

How long do you think the extended payment period should be?		
		Estimated additional cost to BCBC
4 week extended payment (Welsh Government standard)	81%	£0
Other	19%	

Table 2

How far back do you think the council should backdate CTR claims?		
		Estimated additional cost to BCBC
3 months (Welsh Government standard)	48%	£0
6 months	41%	£9,800
Other*	11%	

*59% of those responding 'other' suggested a backdating period of less than 3 months; therefore, overall, 54% of respondents supported lowering the 6 month backdating period.

Table 3

Should the council continue not to take into account War Disablement Pensions and War Widows Pensions when deciding if people are entitled to CTR?		
		Estimated additional cost to BCBC
Yes	62%	£22,000
No	32%	£0
Don't know	6%	

4.16 The total estimated cost to the Council for the most supported options is £22,000 for 2017-18.

4.17 It is proposed that the discretionary elements are 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 £22,000.
- Backdating is reduced to the minimum standard of 3 months.

4.18 The total estimated cost to the Council for these proposals is £22,000 for 2017-18.

4.19 **Main Issues**

4.20 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.

4.21 The Council's recommended approach to the available discretions is to apply the recommendations in Table 4, paragraph 4.29. It should be noted that there are no additional monies available from the Welsh Government to fund the discretionary elements.

- 4.22 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.
- 4.23 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.
- 4.24 **Adoption of the Council Tax Reduction Scheme**
- 4.25 The Council is required to adopt a scheme by 31 January 2017 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.
- 4.26 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 4 set out at Paragraph 4.29 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.
 - The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2017.
- 4.27 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.
- 4.28 The recommendation in relation to the available discretionary elements is contained in Table 4 below: and takes into account the following:
- The consultation responses received, 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 2016-17 CTR scheme, which disregards these payments in full,
 - The fixed funding available.

4.29 Table 4 – 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
<p>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.</p>	<p>4 weeks</p>	<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>
<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 will apply, and</p> <p>Non-pensioners: The period of 3 months specified in paragraph 4, Schedule 13 will apply.</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 2017-18 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 has undertaken a consultation exercise and this consultation assists the Council in satisfying the public sector equality duty in the Equality Act 2010.

7. Financial Implications

- 7.1 The 2017-18 Final Local Government Settlement shows that the sum provided for CTR across Wales is at the same level as 2016-17. Bridgend's 2017-18 final settlement from Welsh Government includes £12.926 million to fund the CTR scheme, up from £12.695 million in 2016-17; this amount does not take into account any increase in council tax charges but is distributed based on expenditure on council tax reduction schemes in previous years.
- 7.2 Any shortfall between the amount provided in the settlement and the amount of CTR awarded, including any discretionary elements, will fall on the Council. Based on the current caseload the estimated total cost of the scheme for 2017-18 is around £13.9 million. Recent indications are that there has been a reduction in caseload and this is reflected in the MTFS Budget Reductions for 2017-18; however it is not certain that this will continue and it will need to be monitored closely. 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 through 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, 2016 and 2017 amendment regulations.
 - Note the outcome of the consultation exercise undertaken by the Council on the discretionary elements of the Council Tax Reduction Scheme.
 - That Council adopts the scheme, the details of which are given in paragraphs 4.24 to 4.29 of this report.

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Chief Executive

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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>

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2017

<http://www.assembly.wales/laid%20documents/sub-ld10857/sub-ld10857-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>

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE CORPORATE DIRECTOR – OPERATIONAL AND PARTNERSHIP SERVICES

APPOINTMENT OF REGISTERED REPRESENTATIVE TO THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

1. Purpose of Report

- 1.1 To seek Council's approval of the appointment of the following Registered Representative to the Children and Young People Overview and Scrutiny Committee, for a maximum term of four years:
- a) Mr Tim Thomas has been nominated for appointment as the Primary School Parent Governor Representative on the Children and Young People Overview and Scrutiny Committee.

2. Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 None.

3. Background

- 3.1 In line with the Parent Governor Representatives and Church Representatives (Wales) Regulations 2001, Part 4 of the Constitution states under the Overview and Scrutiny Procedure Rules that an Overview and Scrutiny Committee, whose functions relate wholly or in part to education functions which are the responsibility of Cabinet, shall include in its membership one Church in Wales Representative, one Roman Catholic Church Representative, and three Parent Governor Representatives (one from a Primary School, one from a Secondary School, and one from a Special School).

4. Current Situation / Proposal

- 4.1 Mr Richard Thomas has resigned from his position as the Primary School Parent Governor Representative. Following a request for nominations from the Primary Sector School Parent Governors, Mr. Tim Thomas has been nominated to serve as the Primary School Parent Governor Representative.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 None.

6. Equalities Impact Assessment

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

7. Financial Implications

7.1 This report has no direct financial consequences.

8. Recommendation

8.1 Council is recommended to note the report and approve the appointment of Mr Tim Thomas as the Primary School Parent Governor Representative to the Children and Young People Overview and Scrutiny Committee, for a term of four years.

Andrew Jolley

Corporate Director – Operational and Partnership Services

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Background documents

Children and Young People Overview and Scrutiny Committee – Reports and Minutes:
15 December 2016

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE MONITORING OFFICER

AMENDMENT TO THE SCHEME OF DELEGATIONS

1. Purpose of Report

- 1.1 The purpose of the report is to seek approval for a series of amendments which have been made to the Scheme of Delegation of Functions.

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 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 Cabinet Members Portfolios.

- 4.1.1 The titles and portfolios of the Cabinet Members have been revised. The functions allocated to each Cabinet Member required some amendments to be made in particular Scheme A to reflect the changes to their responsibilities accordingly.

4.2 Review

- 4.2.1 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.
- 4.2.2 To meet operational requirements it is proposed that a new paragraph be added to Scheme B1 for the Chief Executive as follows:

	<u>Delegated Function</u>	<u>Consultee(s)</u>
	To authorise additional expenditure from within the capital programme for new or existing schemes, subject to a maximum limit of £100,000 and funding availability, which, for reasons of urgency cannot await the next meeting of Council.	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 Section 151 Officer; The Monitoring Officer (only if the delegation is sub-delegated to the Section 151 Officer).

4.2.3 In light of the above insertion, it is proposed that paragraph 4.2 at Scheme B2 as a function allocated to the Corporate Director Education and Family Support be deleted accordingly.

4.2.4 It is proposed that paragraph 3.54 of Scheme B2 for the Corporate Director Operational and Partnership Services be amended as follows:

3.54	Notwithstanding anything contained in this Scheme of Delegations, the Corporate Director Operational and Partnership Services has the power to take any action that he considers necessary to protect the Council's interests in relation to any legislation which provides duties or powers upon the Council.
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4.2.5 Paragraph 3.67 of Scheme B2 is transferred from the Corporate Director Operational Partnership and Services to the Chief Executive as a function under Scheme B2:

	To do anything which the Council has a power or duty to do that is necessary for the enforcement of Section 117 of the Road Traffic Regulation Act 1984 and to recommend to the Corporate Director Operational and Partnership Services the institution of criminal proceedings arising from any breach of those provisions.
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4.2.6 Paragraph 3.49 of Scheme B2 as a function allocated to the Corporate Director Operational and Partnership Services is updated as follows:

3.49	To be the person of appropriate seniority designated by the Council to undertake a review upon any decision pursuant to the provisions of Part VII of the Housing Act 1996 and Part II of the Housing (Wales) Act 2014.
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4.3 Council is requested to note that a similar report was presented to Cabinet on 10 January 2017 requesting approval of the amendments to the Scheme in relation to its functions. 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.

Council is recommended to:

8.1 Approve the Scheme of Delegations in relation to its functions as attached at Appendix A;

8.2 Authorise the Corporate Director Operational and Partnership Services and Monitoring Officer to make minor textual changes and amendments to the Scheme of Delegations to take account of changes in legislation and changes to Officer and Member titles and responsibilities.

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Background documents:

None

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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 Family Support
- Corporate Director – Communities
- Corporate Director – Social Services and Wellbeing
- Corporate Director - Operational and Partnership Services

The Chief Executive, Mr Darren Mephram shall undertake his functions but if absent or otherwise unable to act the Corporate Director identified by the Chief Executive from time to time.

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 Corporate Director identified by the Chief Executive from time to time 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 provided the arrangements comply with procurement regulations.
- 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 Heads of Service(s) within that Directorate so far as permitted by law.
 5. In the event of 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 Corporate Director identified by the Chief Executive from time to time.
 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 THE DEPUTY LEADER AND 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 Corporate Property 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 EARLY HELP 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.
4.3	To approve any adjustments in the levels 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.
4.4	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.

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.

56. FUNCTIONS ALLOCATED TO THE DEPUTY LEADER AND CABINET MEMBER – EDUCATION AND REGENERATION

<u>Allocated Functions</u>	
56.1	In consultation with the Corporate Director - Education and Family Support, to appoint additional LEA school governors to support schools causing concern.
56.2	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
1.4	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

1.5	To approve levels of maximum funding to voluntary organisations where the amount of the funding exceeds £10,000 but does not exceed £50,000.	Cabinet Member with the relevant function
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2. FUNCTIONS ALLOCATED TO THE CHIEF EXECUTIVE (OR IF ABSENT OR OTHERWISE UNABLE TO ACT TO THE CORPORATE DIRECTOR IDENTIFIED BY THE CHIEF EXECUTIVE FROM TIME TO TIME)

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>

FUNCTIONS ALLOCATED TO THE CHIEF EXECUTIVE

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
2.2	To authorise additional expenditure from within the capital programme for new or existing schemes, subject to a maximum limit of £100,000 and funding availability, which, for reasons of urgency, cannot await the next meeting of the Council.	<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 Section 151 Officer;</p> <p>(3) The Monitoring Officer (only if the delegation is sub-delegated to the Section 151 Officer).</p>

3. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - OPERATIONAL AND PARTNERSHIP 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 "Planning Guidance Wales" and related Technical Advice Notes.	The Cabinet Member with the relevant 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
3.6	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
3.7	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-	(1) Cabinet Member with the relevant function

	<u>Delegated Functions</u>	<u>Consultee(s)</u>
	statutory grants administered under the Bridgend County Borough Council Private Sector Housing Renewal Policy.	(2) Chief Finance Officer

4. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

A. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
4.1	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
4.2	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. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR – SOCIAL SERVICES & WELLBEING

A. CABINET FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
5.1	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
5.2	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
5.3	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
5.4	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. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - COMMUNITIES

A. COUNCIL FUNCTIONS:

	<u>Delegated Functions</u>	<u>Consultee</u>
6.1	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>
6.2	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
6.3	To authorise the carrying out of civic amenity schemes.	Cabinet Member with the relevant function
6.4	To undertake projects of Sustainable Waste Management within the County Borough.	Cabinet Member with the relevant function
6.5	To make arrangements for publicity for and public consultation on all proposed waste policy documents.	Cabinet Member with the relevant function
6.6	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
6.7	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
6.8	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
6.9	To initiate projects for environmental education improvement and management within the County Borough.	Cabinet Member with the relevant function
6.10	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
6.11	To make arrangements for publicity and public consultation on projects for environmental education, improvement and	Cabinet Member with the relevant function

	<u>Allocated Functions</u>	<u>Consultee</u>
	management within the County Borough.	
6.12	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
6.13	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
6.14	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
6.15	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
6.16	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
6.17	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) Corporate Director - Operational and Partnership Services (3) Section 151 Officer or in the event of sub delegation to the Section 151 Officer, then the Deputy Section 151 officer.
6.18	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
6.19	To authorise and agree the release of restrictive covenants in	Cabinet Member with

	<u>Allocated Functions</u>	<u>Consultee</u>
	favour of or binding the Council for sums exceeding £50,000.	the relevant function
6.20	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
6.21	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. .	<ol style="list-style-type: none"> 1) Cabinet Member with the relevant function 2) Corporate Director - Operational and Partnership Services 3) Section 151 Officer or in the event of sub delegation to the Section 151 Officer, then the Deputy Section 151 officer.
6.22	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.
6.23	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

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 Corporate Director - Operational and Partnership Services.

2. FUNCTIONS ALLOCATED TO THE CHIEF EXECUTIVE

A. CABINET FUNCTIONS:

2.1	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.
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2.2	To determine:
	(a) applications for discretionary rating relief from charities; (b) applications for rating relief on grounds of hardship.
2.3	To recommend to the Corporate Director - Operational and Partnership Services the commencement of criminal proceedings in respect of The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (Wales) Regulations 2013.
2.4	To refer cases of financial impropriety by Council staff or elected members to the Police for investigation.
2.5	To determine applications from persons or bodies for financial assistance which no other officer has been delegated the power to determine.
2.6	To purchase equipment on behalf of all directorates using a loan under the Prudential Code, having regard to the Single Integrated Partnership Plan.
2.7	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 Corporate Director – Operational and Partnership Services to commence County Court proceedings.
2.8	To determine mortgage interest rates in accordance with statutory requirements.
2.9	To determine and approve applications for the transfer of Council mortgages and applications for mortgagors for the release of a part of a mortgaged property from the mortgage.
2.10	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.
2.11	To do anything which the Council has a power or duty to do that is necessary for the enforcement of Section 117 of the Road Traffic Regulation Act 1984 and to recommend to the Corporate Director Operational and Partnership Services the institution of criminal proceedings arising from any breach of those provisions.

3. FUNCTIONS ALLOCATED TO CORPORATE DIRECTOR - OPERATIONAL AND PARTNERSHIP SERVICES

A. COUNCIL FUNCTIONS:

	<u>Allocated Functions</u>
3.1	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.
3.2	To take all steps required to undertake Compulsory Purchase Orders.
3.3	To exercise any powers available to the Council under the provisions of any contract relating to the determination or forfeiture of the contract.
3.4	To confirm unopposed tree preservation orders under Section 199 of the Town and Country Planning Act 1990.
3.5	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.
3.6	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.
3.7	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.
3.8	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
3.9	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 1976 as appropriate.
3.10	To grant or renew the under mentioned applications providing no objections or representations have been received from statutory bodies or the public: (a) Amusements with Prizes Permits (other than those relating to arcades) (b) Street Trading Consents

<u>Allocated Functions</u>	
	In accordance with the Gaming Act 1968 and Local Government (Miscellaneous Provisions) Act 1982 as appropriate.
3.11	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.
3.12	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): House to House Collection Act 1939 Police, Factories, etc (Miscellaneous Provisions) Act 1916
3.13	To determine or make decisions (as appropriate) under the Licensing Act 2003 regarding the following matters: (a) Applications for personal licenses (if no objection made); (b) Applications for premises / club premises certificates (if no relevant representations made); (c) Applications for provisional statements (if no relevant representations made); (d) Applications to vary premises / club premises certificates (if no relevant representations made); (e) Applications to vary designated premises supervisor (if no police objection); (f) Requests to be removed as designated premises supervisor; (g) Applications for transfer of premises licence (if no police objection); (h) Applications for interim authorities (if no police objection); (i) Whether a complaint or representation is irrelevant, frivolous or vexatious etc. (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. (k) To do anything which the licensing authority has a duty or power to do in respect of Temporary Event Notices. (l) To determine applications received under the Legislative Reform (Minor Variations to Premises Licenses and Club Premises) Order 2009 in accordance with Secretary of State Guidance. (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.
3.14	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.
3.15	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.

<u>Allocated Functions</u>	
3.16	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.
3.17	To issue applications to review premises licences in accordance with s. 197 Gambling Act 2005.
3.18	To determine or make decisions (as appropriate) under the Gambling Act 2005 regarding the following matters: <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.
3.19	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.
3.20	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.
3.21	To license the use of moveable dwellings and camping sites in accordance with Section 268(1) of the Public Health Act 1936.
3.22	To license premises for acupuncture, tattooing, ear-piercing and electrolysis in accordance with Section 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
3.23	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.
3.24	To register and approve food business establishments in accordance with Article 31 of EC Regulation 882/2004.

<u>Allocated Functions</u>	
3.25	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.
3.26	To license dangerous wild animals in accordance with Section 1 of the Dangerous Wild Animals Act 1976.
3.27	To grant consent for the operation of a loudspeaker in accordance with Schedule 2 of the Noise and Statutory Nuisance Act 1993.
3.28	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.
3.29	To approve product specific establishments subject to approval under the provisions of EC Regulation 853/2004.
3.30	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.
3.31	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.
3.32	To issue applications to review premises licenses in accordance with s.197 Gambling Act 2005.
3.33	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.
3.34	To determine applications and deal with all other issues relating to the administration and enforcement of the Hypnotism Act 1952.
3.35	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>	
3.36	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

	<u>Allocated Functions</u>
	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.
3.37	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.
3.38	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.
3.39	To institute and conduct legal proceedings on behalf of any Council employee within the Indemnity Policy.
3.40	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.
3.41	To take all steps required to protect the Authority and/or to enable the Authority to undertake its Statutory and Common Law duties and powers.
3.42	To issue and serve statutory notices requisitioning information in respect of interests in and/or the use of land.
3.43	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.
3.44	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>
3.45	To issue permits for parking places in accordance with Sections 32(1) and 35(1) of the Road Traffic Regulation Act 1984.
3.46	To take appropriate action to enforce any statutory charge over premises existing in the Council's favour.
3.47	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.

<u>Allocated Functions</u>	
3.48	To issue and serve Advance Payments Code Notices in accordance with the Highways Act 1980.
3.49	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 Part VII of the Housing Act 1996 and Part II of the Housing (Wales) Act 2014.
3.50	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.
3.51	To authorise exhumations subject to any necessary consents being first obtained.
3.52	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 – Section 15 Power to seize and impound stray animals. Mid Glamorgan County Council Act 1987 – Section 19 Power to serve notice requiring works to 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
3.53	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 2006.
3.54	Notwithstanding anything contained in this Scheme of Delegations, the Corporate Director Operational and Partnership Services has the power to take any action that he considers necessary to protect the Council's interests in relation to any legislation which provides duties or powers upon the Council. 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 Corporate Director Operational and Partnership Services the institution of criminal proceedings arising from any breach of those provisions: 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

	<u>Allocated Functions</u>
	Animal Health Act 1981 Animal Health and Welfare Act 1984
	Animal Welfare Act 2006. Anti-Social Behaviour Act 2003 Anti-Social Behaviour, Crime and Policing Act 2014 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 Education Reform Act 1988 Energy Act 1976 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

	<u>Allocated Functions</u>
	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 (Wales) Act 2014 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 2009 Olympic Symbol Etc (Protection) Act 1995 Performing Animals (Regulation) Act 1925 Pet Animals Act 1951 Petroleum (Consolidation) Act 1928 Petroleum (Transfer of Licences) Act 1936 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

	<u>Allocated Functions</u>
	<p>Riding Establishments Acts 1964 and 1970 Road Traffic Acts 1988 and 1991</p>
	<p>Road Traffic (Foreign Vehicles) Act 1972 Road Traffic Regulation Act 1984 Scrap Metal Dealers Act 2013 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</p>
3.55	To conduct age related surveillance under the Regulation of Investigatory Powers Act 2000
3.56	To approve and execute agreements made pursuant to section 185 of the Water Industries Act 1991
3.57	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.
3.58	To approve and execute agreements made pursuant to Section 104 of the Water Industry Act 1991
3.59	To apply to the Magistrates' Court for a warrant to enter land under s.196B of the Town and County Planning Act 1990
3.60	To do anything which the Council has the power to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Anti-Social Behaviour, Crime and Policing Act 2014 with the exception of Public Spaces Protection Orders as specified in Part 4, Chapter 2 of the Act.
3.61	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

<u>Allocated Functions</u>	
	Adaptations Policy, with the exception of the award of Discretionary Disabled Facilities Lifetime Grant.
3.62	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.
3.63	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.
3.64	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.
3.65	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.
3.66	To assess an individual's eligibility for a badge defined in sections 21-21C of the Chronically Sick and Disabled Persons Act 1970 and where appropriate to issue the badge or process an appeals procedure.
3.67	To do anything which the Council has a power or duty to do that is necessary for the enforcement of Section 11 7 of the Road Traffic Regulation Act 1984 and to recommend to the Corporate Director Operational and Partnership Services the institution of criminal proceedings arising from any breach of those provisions.

4. FUNCTIONS ALLOCATED TO THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

A. CABINET FUNCTIONS:

	<u>Allocated Functions</u>
4.1	To institute proceedings for failures in school attendance pursuant to Section 444 of the Education Act 1996.
4.2	To approve expenditure on minor capital projects having an estimated cost not exceeding £100,000.
4.22	To approve, following appropriate consultation, amendments to the Council's funding formula for schools.
4.34	To approve, following appropriate consultation, amendments to the Council's schools admissions policy.
4.45	To make discretionary awards to students in circumstances falling outside normal guidelines considered by finance and awards.
4.56	To act as the designated officer under the local complaints procedure established under Section 23 of the Education Reform Act 1988.
4.67	To make suitable contractual arrangements for the provision of school transport.
4.78	To terminate school transport contracts in circumstances in which the contractor is in breach of contract.
4.89	To determine and authorise expenditure on projects for which specific approval has been granted by the National Assembly for Wales.
4.910	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.
4.110	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 receive into guardianship persons who are suffering from a mental disorder.
5.2	To approve mental health professionals as having appropriate competence in dealing with persons who are suffering from a mental disorder.
5.3	To exercise powers of a Deputy upon appointment by the Court of Protection.
5.4	To approve levels of maximum funding to voluntary organisations and to individuals where the amount of the funding does not exceed £10,000.
5.5	To authorise temporary closures or variations in the opening hours of recreation centres.
5.6	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.
5.7	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.
5.8	To authorise, and agree terms for, deferred payment agreements and legal charges under the Social Services and Well-Being (Wales) Act 2014 and authorise the registering of the legal charges at the Land Registry on behalf of the Council.
5.9	To determine and authorise expenditure on projects for which specific approval has been granted by the National Assembly for Wales.
5.10	After taking into account any recommendations made by the Bridgend Fostering Panel: <ul style="list-style-type: none"> (a) To approve a person as a foster parent; (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>(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>
5.11	<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>
5.12	To authorise temporary closures or variations in the opening hours of libraries

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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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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	<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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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 Corporate Director - Operational and Partnership 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	<p>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:</p> <table border="1"> <thead> <tr> <th>Provision</th> <th>Summary of Effect</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>	Provision	Summary of Effect	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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	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 Corporate Director - Operational and Partnership 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	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.
6.45	To approve applications for Industrial Estates Improvement Programme grants under £60,000.00.
6.46	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.
6.47	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.
6.48	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.
6.49	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.
6.50	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.
6.51	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.
6.52	To determine applications by tenants for the Council's consent as landlord for: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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
6.53	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.
6.54	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.
6.55	To approve the settlement of statutory compensation claims.
6.56	To appoint Estate Agents to market for sale any Council land or buildings.
6.57	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.

6.58	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 wellbeing 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.
6.59	To agree terms for the renewal of all leases granted by or to the Council.
6.60	To authorise and agree terms for the grant of easements and wayleaves and of licences to occupy land by or to the Council.
6.61	To make planning applications in respect of land which the Council is proposing to dispose of.
6.62	To arrange for title indemnity insurance to be effected in suitable circumstances.
6.63	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.
6.64	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.
6.65	To recommend the commencement of forfeiture or other legal proceedings against lessees / tenants to the Corporate Director - Operational and Partnership Services and Monitoring Officer.
6.66	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.
6.67	To authorise and agree lodging and settling rating appeals submitted by or on behalf of the Council.
6.68	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.
6.69	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.

6.70	To authorise and agree terms for the resolution of dilapidation claims made by or against the Council.
6.71	To authorise and agree terms for the acquisition of land or buildings having an estimated capital or annual value not exceeding £100,000.
6.72	To approve the variation of existing lease terms.
6.73	To appoint an expert or arbitrator to determine a rent review or any dispute under the provisions of an existing lease.
6.74	To authorise the creation of permissive paths on any Council owned land, in consultation with any holding department
6.75	To authorise 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.
6.76	To approve levels of maximum funding to voluntary organisations where the amount of the funding does not exceed £10,000.
6.77	To issue and serve statutory notices, in accordance with the Road Traffic Regulation Act 1984, requisitioning information.
6.78	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.
6.79	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.
6.80	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.
6.81	To agree the terms of all rent reviews relating to properties leased by and to the Council

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE MONITORING OFFICER

REVIEW OF POLITICAL BALANCE – CHANGES TO COMMITTEE MEMBERSHIP

1. Purpose of Report.

1.1 The purpose of this report is to:

- advise Council of the outcome of a review of the political balance of the Authority resulting from changes to the membership of the Labour Group.
- seek approval of the revised political balance.
- receive nominations and appoint the necessary members to Committees to reflect the changes in the political balance.

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

2.1 This report supports all of the Corporate Priorities:

1. **Supporting a successful economy** – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
2. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
3. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background.

- 3.1 The Council is required by legislation and the provisions of Part 4 of the Rules of Procedure (Council Procedure Rules) of the Constitution, to undertake arrangements which will continue to facilitate and carry out the decision making processes of the Authority. On 18 May 2016 Council approved the political balance and made appointments to Committees to reflect the political make-up of the Authority.
- 3.2 Since October 2016 a number of changes have occurred to the membership of the Labour group requiring the political balance to be reviewed.

4. Current situation / proposal.

4.1 The political composition of Council is now as follows:

Group	No of Cllrs	Percentage
Labour	33	61.11
Independent Alliance	9	16.67
Independent Annibynwr	4	7.41
Plaid Cymru	1	1.85
Independent (LE)	1	1.85
Independent (DKE)	1	1.85
Independent (EMH)	1	1.85
Independent (GWD)	1	1.85
Independent (PJ)	1	1.85
Independent (RT)	1	1.85
Independent (HM)	1	1.85
Totals	54	100

4.2 Following the review of political balance the membership of committees has been updated to reflect the composition of Council accordingly. The updated political balance figures are shown at **Appendix 1** of the report. The variation of the political balance is between -0.3 seats and + 0.33 seats.

4.3 The changes required to committee membership to reflect the revised political balance are as follows:

4.3.1 Labour

The Labour Group are required to relinquish 18 seats as outlined in Appendix 1.

4.3.2 Independent Alliance

No change

4.3.3 Independent Annibynwr

No change

4.3.4 Plaid Cymru

No change

4.3.5 Independent Members

3 committee seats have been allocated to each of the Independent Members to ensure that all members are able to engage in the Council's decision making processes.

4.4 Scrutiny Chairperson Allocation

4.4.1 The current political balance does not change the allocation of Scrutiny Chairpersons.

4.5 It should be noted that the political groups can interchange their representatives appointed to committees within the limits shown in **Appendix 1**. A list of the current membership of the committees is shown at **Appendix 2**. Should any of the

existing Chairpersons be removed from any Committee, Council will be requested to appoint a new Chairperson from the revised Committee membership.

4.6 Group Leaders have been informed of these proposals and have not raised any objections or concerns.

5. Effect upon Policy Framework & Procedure Rules.

5.1 The provisions and recommendations of the report accord with the Council's Constitution.

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. Recommendations.

8.1 Council is recommended to:-

- (1) note the change to the political composition of the Council;
- (2) approve the allocation of seats to political groups in accordance with the political balance rules as set out in **Appendix 1** of the report;
- (3) seek nominations as shown in paragraph 4.3 to be removed from or to be appointed to serve on each of the Committees, Panels and other bodies;
- (4) appoint the nominations identified in Paragraph 8.1 (3) to their respective committees.

P A Jolley

Corporate Director Operational and Partnership Services & Monitoring Officer
22 December 2016

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Head of Democratic Services

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Background documents: None.

COMMITTEE MEMBERSHIP**Appeals Panel**

Labour to relinquish 1 seat (TBC) to be replaced by Cllr EM Hughes

	Member	Group	Role
1.	PA Davies	Labour	
2.	C Westwood	Labour	
3.	N Clarke	Independent Alliance	
4.	CA Green	Independent Alliance	
5.	P James	Labour	
6.	DRW Lewis	Labour	
7.	JE Lewis	Labour	
8.	JR McCarthy	Labour	Chairperson
9.	DBF White	Labour	
10.	RM James	Plaid Cymru	
11.	D Patel	Labour	
12.	RE Young	Labour	

Appointments Committee

Labour to replace Cllr GW Davies MBE

	Member	Group	Role
1.	HJ David	Labour	Chairperson /Leader
2.	HM Williams	Labour	Deputy Leader
3.	Cabinet Member	Labour	Portfolio holder
4.	CA Green	Independent Alliance	
5.	JH Tildesley MBE	Independent Annibynwr	
6.	GW Davies MBE TBC	Labour Labour	

Audit Committee

Labour to relinquish 1 seat to be replaced by Cllr DK Edwards

Labour to replace Cllr GW Davies MBE

	Member	Group	Role
1.	G Davies	Independent Alliance	
2.	GW Davies MBE TBC	Labour Labour	
3.	E Dodd	Independent Annibynwr	
4.	DK Edwards DK Edwards	Labour Independent	
5.	CA Green	Independent Alliance	
6.	M Gregory	Labour	
7.	CL Jones	Labour	
8.	JE Lewis	Labour	
9.	JR McCarthy	Labour	Chairperson
10.	D Sage	Labour	
11.	C Westwood	Labour	

	Member	Group	Role
12.	RE Young	Labour	
	J Williams		Lay-Member

Democratic Services Committee

Labour to replace Cllr DK Edwards

	Member	Group	Role
1.	DK Edwards TBC	Labour Labour	
2.	L Ellis	Independent	
3.	N Farr	Labour	
4.	CA Green	Independent Alliance	
5.	M Gregory	Labour	
6.	P James	Labour	
7.	M Reeves	Labour	
8.	G Thomas	Labour	
9.	JH Tildesley MBE	Independent Annibynwr	Chairperson
10.	RC Jones	Labour	
11.	E Venables	Independent Alliance	

Development Control Committee

Labour to relinquish 2 seats to be replaced by Cllr GW Davies MBE and Cllr HE Morgan

	Member	Group	Role
1.	N Clark	Independent Alliance	
2.	GW Davies MBE GW Davies MBE	Labour Independent	
3.	PA Davies	Labour	
4.	L Ellis	Independent	
5.	CA Green	Independent Alliance	
6.	DRW Lewis	Labour	
7.	JE Lewis	Labour	
8.	HE Morgan HE Morgan	Labour Independent	
9.	LC Morgan	Labour	
10.	D Patel	Labour	
11.	JC Spanswick	Labour	
12.	G Thomas	Labour	
13.	M Thomas	Labour	Chairperson
14.	JH Tildesley MBE	Independent Annibynwr	
15.	C Westwood	Labour	
16.	R Williams	Labour	
17.	M Winter	Independent Alliance	
18.	RE Young	Labour	

Licensing Act 2003 Committee

Labour to relinquish 2 seats to be replaced by Cllr GW Davies MBE and Cllr P John
 Labour to replace Cllr HE Morgan

	Member	Group	Role
1.	GW Davies MBE GW Davies MBE	Labour Independent	
2.	PA Davies	Labour	
3.	E Dodd	Independent Annibynwr	
4.	CJ James	Labour	
5.	P James	Labour	
6.	RM James	Plaid Cymru	
7.	P John P John	Labour Independent	
8.	DRW Lewis	Labour	
9.	JE Lewis	Labour	
10.	HE Morgan TBC	Labour Labour	
11.	DG Owen	Independent Alliance	
12.	D Patel	Labour	
13.	E Venables	Independent Alliance	
14.	R Williams	Labour	Chairperson

Licensing Committee

Labour to relinquish 2 seats to be replaced by Cllr GW Davies MBE and Cllr P John
 Labour to replace Cllr HE Morgan

	Member	Group	Role
1.	GW Davies MBE GW Davies MBE	Labour Independent	
2.	PA Davies	Labour	
3.	E Dodd	Independent Annibynwr	
4.	CJ James	Labour	
5.	P James	Labour	
6.	RM James	Plaid Cymru	
7.	P John P John	Labour Independent	
8.	DRW Lewis	Labour	
9.	JE Lewis	Labour	
10.	HE Morgan TBC	Labour Labour	
11.	DG Owen	Independent Alliance	
12.	D Patel	Labour	
13.	E Venables	Independent Alliance	
14.	R Williams	Labour	Chairperson

Town & Community Council Forum

Labour to relinquish 3 seats to be replaced by Cllr EM Hughes, Cllr R Thomas and Cllr HE Morgan.

	Member	Group	Role
1.	S Aspey	Independent Alliance	
2.	M Butcher	Independent Annibynwr	
3.	HJ David	Labour	Chairperson
4.	CA Green	Independent Alliance	
5.	EM Hughes EM Hughes	Labour Independent	
6.	CL Jones	Labour	
7.	HE Morgan HE Morgan	Labour Independent	
8.	MEJ Nott OBE	Labour	
9.	DG Owen	Independent Alliance	
10.	G Phillips	Labour	
11.	DR Pugh	Labour	
12.	C Reeves	Labour	
13.	M Reeves	Labour	
14.	D Sage	Labour	
15.	CE Smith	Labour	
16.	R Thomas R Thomas	Labour Independent	
17.	H Townsend	Labour	
18.	R Williams	Labour	
19.	RE Young	Labour	

Adult Social Care Overview and Scrutiny Committee

Labour to relinquish 1 seat to be replaced by Cllr EM Hughes

Labour to replace Cllr P John

	Member	Group	Role
1.	M Butcher	Independent Annibynwr	
2.	N Clarke	Independent Alliance	
3.	PA Davies	Labour	
4.	N Farr	Labour	
5.	EM Hughes EM Hughes	Labour Independent	
6.	P John TBC	Labour Labour	
7.	RC Jones	Labour	
8.	JE Lewis	Labour	
9.	LC Morgan	Labour	
10.	D Sage	Labour	Chairperson
11.	M Thomas	Labour	
12.	E Venables	Independent Alliance	

Children & Young People Overview & Scrutiny Committee

Labour to relinquish 2 seats to be replaced by Cllr DK Edwards and Cllr P John
Labour to replace Cllr R Thomas

	Member	Group	Role
1.	PA Davies	Labour	
2.	DK Edwards DK Edwards	Labour Independent	
3.	N Farr	Labour	
4.	EP Foley	Independent Annibynwr	Chairperson
5.	CA Green	Independent Alliance	
6.	P John P John	Labour Independent	
7.	M Jones	Labour	
8.	G Phillips	Labour	
9.	R Thomas TBC	Labour Labour	
10.	C Westwood	Labour	
11.	DBF White	Labour	
12.	K Watts	Independent Alliance	

Community, Environment and Leisure Overview and Scrutiny Committee

Labour to relinquish 1 seat to be replaced by Cllr HE Morgan
Labour to replace Cllr DK Edwards

	Member	Group	Role
1.	DK Edwards TBC	Labour Labour	
2.	L Ellis	Independent	
3.	CA Green	Independent Alliance	
4.	CJ James	Labour	
5.	CL Jones	Labour	
6.	JR McCarthy	Labour	
7.	HE Morgan HE Morgan	Labour Independent	
8.	G Phillips	Labour	
9.	JC Spanswick	Labour	Chairperson
10.	JH Tildesley MBE	Independent Annibynwr	
11.	K Watts	Independent Alliance	
12.	R Williams	Labour	

Corporate Resources & Improvement Overview & Scrutiny Committee

Labour to relinquish 1 seat to be replaced by Cllr R Thomas

Labour to replace Cllr EM Hughes

	Member	Group	Role
1.	G Davies	Independent Alliance	
2.	GW Davies Cllr R Thomas	Labour Independent	
3.	E Dodd	Independent Annibynwr	
4.	CA Green	Independent Alliance	
5.	EM Hughes TBC	Labour Labour	
6.	DRW Lewis	Labour	
7.	JR McCarthy	Labour	
8.	D Patel	Labour	
9.	M Reeves	Labour	Chairperson
10.	JC Spanswick	Labour	
11.	G Thomas	Labour	
12.	RE Young	Labour	

Partnerships and Governance Overview and Scrutiny Committee

Labour to relinquish 2 seats to be replaced by Cllr DK Edwards and Cllr R Thomas

Labour to replace Cllr HE Morgan

	Member	Group	Role
1.	N Clarke	Independent Alliance	Chairperson
2.	E Dodd	Independent Annibynwr	
3.	EM Hughes DK Edwards	Labour Independent	
4.	M Jones	Labour	
5.	JR McCarthy	Labour	
6.	HE Morgan TBC	Labour Labour	
7.	AD Owen	Labour	
8.	D Patel	Labour	
9.	M Thomas	Labour	
10.	R Thomas R Thomas	Labour Independent	
11.	K Watts	Independent Alliance	
12.	C Westwood	Labour	

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE MONITORING OFFICER

INFORMATION REPORTS FOR NOTING

1. Purpose of Report.

- 1.1 The purpose of this report is to inform Council of any information reports for noting since its last ordinary meeting.

2. Connection to Corporate Plan / Other Corporate Priorities.

- 2.1 The report relates to the Corporate Plan through improving the way we communicate and engage with citizens.

3. Background.

- 3.1 Council has previously agreed to receive a report of this content.

4. Current situation / proposal.

4.1 Information Reports

The information report below has been published since the last ordinary meeting of Council:-

<u>Title</u>	<u>Officer</u>	<u>Date published</u>
Urgent Delegated Decisions	Monitoring Officer	5 January 2017

4.2 Availability of Documents

The above report has been circulated electronically and placed on the BCBC website. A hard copy of the report has also been placed in the Members' Room for information and is available on request from Cabinet and Committee Services.

5. Effect upon Policy Framework and Procedure Rules.

- 5.1 This report accords with the relevant Procedure Rules.

6. Equality Impact Assessment.

- 6.1 There are no equality implications attached to this report.

7. Financial Implications.

- 7.1 There are no financial implications regarding this report.

8. Recommendation.

8.1 Council is recommended to note the content of this report.

P A Jolley

Corporate Director Operational and Partnership Services & Monitoring Officer

23 December 2016

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CF31 4WB

Background documents:

None were used in the production of this report

BRIDGEND COUNTY BOROUGH COUNCIL

INFORMATION REPORT TO COUNCIL

11 JANUARY 2017

REPORT OF THE MONITORING OFFICER

URGENT DELEGATED DECISIONS

1. Purpose of Report.

1.1 To report to Council delegated decisions taken as a matter of urgency.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

2.1 The ability of Members and Officers to make decisions directly impacts upon the Authority's ability to implement the Corporate Improvement Objectives and Other Corporate Priorities.

3. Background.

3.1 These decisions are required to be reported to Council under paragraph 18 of the Overview & Scrutiny Procedure Rules which are to be found at Part 4 of the Constitution. The background to the decisions are shown at Appendices A, B, C and D to this report.

4. Current situation / proposal.

4.1 CMM-TE-16-157 - Date of decision 29 November 2016 (Delegated decision form attached at **Appendix A.**)

4.1.1 EFS-FS-16-157 – Date of decision 1 December 2016 (Delegated decision form attached at **Appendix B.**)

4.1.2 CMM-PRU-16-13 – Date of decision 5 December 2016 (Delegated decision form attached at **Appendix C.**)

4.1.3 CMM-HW-16-167 – Date of decision 9 December 2016 (Delegated decision form attached at **Appendix D.**)

4.2 Details of Decisions

The details regarding the decisions are shown in Part 2. of each of the forms comprising the four Appendices.

4.4 Reason for Decisions

The reasons for the decisions having to be taken as a matter of urgency are outlined in Part 3. of each of the forms comprising the four Appendices.

4.5 Details of Consultation

Details of the consultation undertaken prior to the decisions being executed are specified in Part 4. of each of the forms comprising the four Appendices.

5. Effect upon Policy Framework & Procedure Rules.

5.1 The decisions are required to be reported to Council under paragraph 18 of the Overview and Scrutiny Procedure Rules which are to be found under Part 4 of the Constitution.

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 It is recommended that Council note this report and the accompanying Appendices A, B, C and D.

P A Jolley
Corporate Director Operational and Partnership Services & Monitoring Officer
December 2016

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4WB

Background documents

The Overview and Scrutiny Procedure Rules as set out in the Council's Constitution.

SCHEMES OF DELEGATION OF FUNCTIONS
RECORD OF DECISION

1. Scheme Information:

a. Decision Reference Number:	CMM-TE-16-157
b. Decision Type (Proposed or Actual):	Actual
c. Scheme under which decision is to be made	A
d. Paragraph Number:	1.1
e. Does this Decision contain Exempt Information? If so, provide details with reference to paragraph(s) 12 to 18, Part 4 and paragraphs 19 to 21, Part 5 Schedule 12A, Local Government Act 1972.	No
f. Does this Decision contain "Confidential information:	No

2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)

Provision of Welfare Facilities at Waterton after Demolition

Following demolition of many of the buildings at Waterton Highways Depot, Highways staff are being relocated into portable accommodation made available (free of charge) by Bettws Primary School. Please note re-location of the portable accommodation and re-connection to services at Waterton Depot will have to be paid for. This portable accommodation is surplus to requirement at Bettws Primary. However this portable accommodation does not include welfare facilities.

There is a fundamental Health & Safety requirement to provide appropriate welfare facilities to workers and to ensure these requirements are met there is a need to purchase a welfare facility.

It is necessary to incorporate the welfare unit and the accommodation units into one larger integrated unit. This integration is required as it is deemed unacceptable to expect workers to exit one building and access another for welfare facilities and the proposed site lay out plan requires that the facilities are sited together. Integration is considerably more straight forward when the two units are produced by the same manufacturer. Issues such as floor height, floor construction thickness, ceiling height and overall height are important when integrating more than one unit into a larger single unit. If the units are incompatible additional cost or engineering difficulties are likely to be encountered. Quotations

have evidenced that it is better value for money to purchase a portacabin for the 4/5 year period it is anticipated it would be needed on the Waterton site rather than the equivalent costs of renting a building. A decision is needed quickly to allow the relevant ecological work to be completed prior to the demolition of some buildings on the Waterton site.

The portable accommodation from Bettws Primary School (which is of a high specification & quality of finish) was originally constructed, installed and commissioned by Wernicks.

As a result of the above and as outlined in Section 3 Clause 3.6 of the 'Contract Procedure Rules'

3.6 Single tender procedure shall only be permitted when a single firm or contractor or a proprietary item or service of a special character is required and justified. Single tender action shall only be employed following an approval of waiver of contract procedure rules. All single tender action and extension of contracts must be recorded and reported where applicable subject to Council policy.

the proposed welfare unit will be sourced through a "single quotation" from Wernicks who supplied the portable accommodation which will be used from Bettws Primary School due to the special character needed for the welfare unit to fit with the accommodation unit.

3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):

The scheme is fully funded via a Capital allocation in the Council's capital programme.

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

The demolition of Waterton Highways Depot and relocation of staff has been reported to and approved by Cabinet.

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

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

n/a

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

n/a

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

n/a

6. Contact Details:

Case Officer

Decision-Maker

a. Name:

Allen Lloyd

Councillor Ceri Reeves

b. Job Title/Role:

Project Manager

Cabinet Member
Communities

c. Telephone Number:

01656 642564

01656 643225

d. E-mail Address:

James.Lloyd@bridgend.gov
.uk

Cllr.Ceri.Reeves@bridgen
d.gov.uk

e. Date Decision made:

29th November 2016

f. Signature:



Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet_committee)

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

a. Date received

29/11/16

b. Confirmation of Urgency

-

c. Date published

29/11/16

d. End of Call - In period (Scheme A & B1 only)

N/A

e. Decision Called in.

N/A

f. Effective date of Decision.

29/11/16

SCHEMES OF DELEGATION OF FUNCTIONS RECORD OF DECISION

1. Scheme Information:

- | | |
|--|--------------|
| a. Decision Reference Number: | EFS-FS-16-46 |
| b. Decision Type (Proposed or Actual): | Actual |
| c. Scheme under which decision is to be made | Scheme A |
| d. Paragraph Number: | 1.1 |
| e. Does this Decision contain Exempt Information?
If so, provide details with reference to paragraph(s)
12 to 18, Part 4 and paragraphs 19 to 21, Part 5
Schedule 12A, Local Government Act 1972. | No |
| f. Does this Decision contain "Confidential
information: | No |

2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)

To delegate authority to the Head of Education and Family Support to award a contract in relation to the Garw Valley South Scheme, the terms to be finalised in consultation with the Corporate Director – Operational and Partnership Services and Section 151 Officer.

3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):

On 6th September 2016 Cabinet received a report on the Garw Valley South Scheme. Cabinet delegated authority to the Corporate Director – Education and Family Support to award a contract, the terms to be finalised in consultation with the Corporate Director – Operational and Partnership Services and Section 151 Officer.

The Corporate Director is currently not available and therefore in order to progress

the matter it is necessary for authority to be delegated to the Head of Service in her absence.

The decision is required as a matter of urgency due to the risk of losing Welsh Government Funding in 16-17. The anticipated cost of the new Schools will be funded by the Council and Welsh Government under the 21st Century Schools Programme for which the Authority has received 'approval in principle. The project is included within the Council's Capital Programme as approved by Council in May 2016. The total approved budget for the Scheme is £10 million. The financial profile for the scheme has been revised and approved in principle by WG to reflect the construction programme. Approval has been granted to vire the funding from the Heronsbridge Special School allocation, the revised project budget for the two replacement schools will be £11.2 million. The funding envelope for the overall 21st Century Schools Programme would remain unchanged.

The Chairperson of the relevant Overview and Scrutiny Committee has agreed 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.

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

Cllr Peter Foley, Chairperson of Children & Young People OVSC
Corporate Director – Operational & Partnership Services
Section 151 Officer

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

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


N/A

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

N/A

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

N/A

6. Contact Details:	Case Officer	Decision-Maker
a. Name:	Gaynor Thomas	Cllr Huw David
b. Job Title/Role:	Schools Programme Manager	Leader of the Council
c. Telephone Number:	x2626	643616
d. E-mail Address:	Gaynor.thomas@bridgend.gov.uk	Cllr.huw.david@bridgend.gov.uk
e. Date Decision made:		1.12.16
f. Signature:		

Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet_committee)

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

a. Date received	01 Dec 16
b. Confirmation of Urgency	01 Dec 16
c. Date published	1/12/16
d. End of Call - In period (Scheme A & B1 only)	N/A
e. Decision Called in.	N/A
f. Effective date of Decision.	01 Dec 16

SCHEMES OF DELEGATION OF FUNCTIONS
RECORD OF DECISION

1. Scheme Information:

- | | |
|--|--|
| a. Decision Reference Number: | <input type="text" value="CMM-PRU-16-13"/> |
| b. Decision Type (Proposed or Actual): | <input type="text" value="Actual"/> |
| c. Scheme under which decision is to be made | <input type="text" value="A"/> |
| d. Paragraph Number: | <input type="text" value="1.1"/> |
| e. Does this Decision contain Exempt Information?
If so, provide details with reference to paragraph(s)
12 to 18, Part 4 and paragraphs 19 to 21, Part 5
Schedule 12A, Local Government Act 1972. | <input type="text" value="No"/> |
| f. Does this Decision contain "Confidential
information: | <input type="text" value="No"/> |

2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)

To enable the appointment of the Head of Service –Development, Regeneration and Property Services to the board of directors for the Bridgend Business Improvement District (BID).

Bridgend's BID is constituted as a Company Limited by Guarantee, a model widely used for charities, community projects, and other similar bodies where the rules are set out in its Articles of Association.

The BID company's Articles of Association specify the composition of the board, indicating how many directors are drawn from large businesses, small businesses, landowners, strategic agency representatives and so forth. The Articles also specify how directors should be appointed.

The company does not distribute their profits (generally referred to as surplus) to their members but reinvests it in the BID programme in the following financial years.

The board of directors provides the strategic oversight and direction of the company and is responsible for ensuring that the BID levy funds are properly invested in accordance with the agreed BID business plan.

The duties set out for the Directors are in accordance with those set out by The Companies Act 2006. In practical terms directors would agree to the following :

- Attendance at board meetings
- Formation and oversight of BID policies and procedures
- Willingness and ability to direct the affairs of the BID in line within the broad areas set out in the BID proposal
- Ensuring that the activities of the BID are not prejudiced or biased towards the interests of one section of the BID membership over another
- Scrutiny of the organisation's financial position
- Oversight of staff team including the setting of any performance related indicators
- Willingness to join and/or Chair sub-committees or 'theme groups'.
- Assistance in processes such as recruitment of staff and procurement of those services that have a cost over an agreed threshold
- Championing the activities of the BID

The authority to date has been represented By Cllr Smith, Cabinet Member Education and Regeneration on the BID steering group in the development of the BID. The Authority has played a significant role in the establishment of the BID, is a major land owner within the BID area and has an operating agreement with the BID to continue to deliver certain services in relation to the town centre.

3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):

To ensure that the authority is appropriately represented on the BID board of directors. A decision is required now to enable the appropriate appointment to be made in accordance with the time frame and regulations set out by the BID documentation.

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

The Bridgend BID was agreed by ballot on the 5th August 2016, following 24 months of development by the BID steering group and extensive consultations with businesses in the BID area, including the preparation of a proposal document outlining the programme of services the BID will deliver over a 3 year term.

The authority has a number of hereditaments within the BID boundary and a report to Cabinet 10 May 2016 resolved to vote yes in the BID ballot.

The Chairperson of the Community Environment and Leisure Overview and Scrutiny Committee has been consulted and has no objection to the use of the urgency provision or to the appointment of a Director.

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

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

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

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

6. Contact Details:

Case Officer

Decision-Maker

a. Name:

Delyth Webb

Cllr HJ David

b. Job Title/Role:

Regeneration Projects and Approaches Team Leader

Leader

c. Telephone Number:

(01656) 815207

01656 643225

d. E-mail Address:

Delyth.Webb@bridgend.gov.uk

Cllr.Huw.David@bridgend.gov.uk

e. Date Decision made:

5 Dec 2016

f. Signature:



Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet_committee)

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

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

SCHEMES OF DELEGATION OF FUNCTIONS

RECORD OF DECISION

1. Scheme Information:	
a. Decision Reference Number:	CMM-HW-16-167
b. Decision Type (Proposed or Actual):	Actual
c. Scheme under which decision is to be made	A
d. Paragraph Number:	1.1
e. Does this Decision contain Exempt Information? If so, provide details with reference to paragraph(s) 12 to 18, Part 4 and paragraphs 19 to 21, Part 5 Schedule 12A, Local Government Act 1972.	No
f. Does this Decision contain "Confidential information:	No
2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)	
To grant a waiver to the Contract Procurement Rules, in accordance with Clause 3.2.4 of said rules, for the purposes of appointing a suitable contractor to undertake emergency works to the highway bridge at New Inn Road, Merthyr Mawr.	
3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):	
To enable urgent repairs to the Scheduled Ancient Monument bridge (the "Dipping Bridge") that carries the classified road over the River Ogmore at Merthyr Mawr to be carried out. The bridge structure sustained damage during the storm / flood event of 20 th / 21 st November 2016, which presents a significant danger to the public and a significant risk of further damage to this important heritage structure, should remedial works not be undertaken as a matter of urgency. Due to the nature of the works, the necessary urgency and the limited number of suitably qualified and experienced contractors, normal procurement procedures could preclude the appointment of a suitable, available, contractor, in good time. The works are anticipated to cost less than £50,000 and will include repair of undermining to the bridge approach structures and removal / recovery of materials	

associated with the collapse of a retaining element of the structure during the above mentioned storm event. BCBC will act in accordance with Clause 32.2c of the Public Contract Regulations 2015, in appointing a contractor.

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

Category Specialist Officer (Procurement), Group Manager (Legal)

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

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

N/A

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

N/A

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

N/A

6. Contact Details:

Case Officer

Decision-Maker

a. Name:	Stephen Sherwood	Cllr Ceri Reeves
b. Job Title/Role:	Highway Infrastructure & Asset Maintenance Manager	Cabinet Member Communities
c. Telephone Number:	01656 642857	01656 643548
d. E-mail Address:	Stephen.Sherwood@bridgend.gov.uk	Cllr.ceri.reeves@bridgend.gov.uk
e. Date Decision made:		09/12/16
f. Signature:		Cllr Ceri Reeves

Notes:

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

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

a. Date received	<input type="text" value="09/12/16"/>
b. Confirmation of Urgency	<input type="text" value="-"/>
c. Date published	<input type="text" value="09/12/16"/>
d. End of Call - In period (Scheme A & B1 only)	<input type="text" value="14/12/16 5.00PM"/>
e. Decision Called in.	<input type="text" value="-"/>
f. Effective date of Decision.	<input type="text" value="09/12/16"/>