

**CABINET - TUESDAY, 27 JUNE 2017**

**MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 27 JUNE 2017 AT 14:30**

Present

Councillor HJ David – Chairperson

HM Williams

D Patel

RE Young

Apologies for Absence

CE Smith and PJ White

Officers:

Julie Ellams	Democratic Services Officer - Committees
Darren Mepham	Chief Executive
Mark Shephard	Chief Executive
Andrew Jolley	Corporate Director Operational & Partnership Services
Deborah Exton	Interim Deputy Head of Finance
Lindsay Harvey	Corporate Director Education and Family Support

13. DECLARATIONS OF INTEREST

None

14. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 30 May 2017 be approved as a true and accurate record.

15. FINANCIAL PERFORMANCE 2016-17

The Group Manager-Financial Planning and Budget Management presented a report updating Cabinet on the Council's financial performance for the year ended 31<sup>st</sup> March 2017. A revised appendix 1 to the report was tabled at the meeting which showed the complete tables.

She informed Cabinet that on 10<sup>th</sup> March 2016, Council approved a net revenue budget of £254.891 million for 2016-17, along with a capital programme for the year of £43.553 million, which was updated in May 2017 to £18.356 million. She reported that the overall outturn at 31<sup>st</sup> March 2017 was an under spend of £356,000 which had been transferred to the Council Fund, in line with Principle 8 of the MTFS. After including in-year draw down of reserves, directorate budgets provided a net under spend of £2.279 million and council wide budgets a net under spend of £9.612 million. These were offset by the requirement to provide earmarked reserves for a range of new future risks and expenditure commitments.

The Group Manager-Financial Planning and Budget Management reported that the under spend on Directorate net budgets for the year was a result of a number of factors including the maximisation of grant and other income, strict vacancy management and general efficiencies. In addition, directorates drew down £7.751 million in-year from approved earmarked reserves to meet specific one-off pressures identified in previous years, including funding for transformation projects through the Change Fund, funding for capital projects, draw down of school balances, funding for demolition work and service specific one-off pressures.

She explained that the under spend masked underlying budget pressures in some service budgets which were reported during the year and still persisted. The main

financial pressures were in the service areas of Looked After Children and Adult Social Care. These budget areas could be volatile and small changes in demand could result in relatively high costs being incurred. As patterns of provision changed within Directorates, service budgets were reviewed and re-aligned accordingly.

The Group Manager-Financial Planning and Budget Management explained that a report was presented to Cabinet on 5th July 2016 on Financial Performance 2015-16. In the report it was highlighted that, of the £11.225 million budget reduction proposals for 2015-16, £2.692 million were not met in full, with a shortfall in the financial year of £1.909 million. The report stated that these proposals would continue to be monitored alongside current year proposals, with mitigating action to achieve them to be identified. The budget approved for 2016-17 included savings proposals of £7.477 million. £2.385 million of these proposals were not realised in full in 2016-17, but the expenditure associated with them had been offset by vacancy management, and other savings elsewhere within the budget. Appendix 2 of the report identified those budget reductions not achieved in full, and shows that of the £2.385 million of proposals not fully achieved, £540,000 was realised in 2016-17, leaving a shortfall of £1.845 million. As such there was still a recurrent pressure on 2017-18 budgets which would need to be addressed by implementing the proposals in Appendix 2 of the report, or identifying and delivering alternatives.

The Group Manager-Financial Planning and Budget Management explained that a summary of the financial position for each main service area was attached to the report and commented on the most significant variances, along with total draw down on earmarked reserves.

The Council was required to maintain adequate financial reserves to meet the needs of the organisation. The MTFS included the Council's Reserves and Balances Protocol which set out how the Council would determine and review the level of its Council Fund balance and Earmarked Reserves. During 2016-17, Directorates drew down funding from specific earmarked reserves and these were reported to Cabinet through the Monitoring Reports. The draw down was £4.095 million from Corporate Reserves, £2.368 million from Directorate Reserves and £1.288 million in respect of a net movement on school balances.

The Deputy Leader commented that he was pleased that the budget was generally on target and that it had been well explained.

The Leader commended officers on the report and said that an overall underspend had been achieved and this was important with austerity likely to continue. There was no likelihood of the reductions in central government funding to councils coming to an end so stronger reserves were required to prepare for even greater uncertainty in the future.

**RESOLVED:** That Cabinet noted the revenue and capital outturn position for 2016-17.

16. **NON DOMESTIC RATES: DISCRETIONARY RELIEF: HIGH STREET RATES RELIEF SCHEME 2017-18**

The Chief Executive presented a report for Cabinet to adopt the Welsh Government's High Street Rates Relief Scheme for 2017-18.

Welsh Government had announced that a High Street Rates Relief Scheme would be available for 2017-18 to support businesses within the retail sector in Wales. The relief would be in conjunction with Small Business Rates Relief and Transitional Relief. The various categories of retail premises that would benefit from the relief were detailed in the report but broadly included those with a rateable value of £50,000 or less; were

occupied and wholly or mainly used as shops, restaurants, cafes and drinking establishments. In addition premises had to be located in a high street setting or similar and retail properties situated in out of town developments or industrial estates were precluded.

If adopted the scheme would be administered by the Council but Welsh Government would reimburse local authorities for the relief that was provided.

The Welsh Government would provide relief of up to £500 (Tier 1) and £1500 (Tier 2) for qualifying occupied properties with a rateable value of up to £50,000 in the financial year 2017-18. It was estimated that up to 449 ratepayers across the Borough could potentially benefit from reduced rates under this scheme.

If adopted, application forms would be issued to all qualifying business properties and it was proposed that authority be delegated to the Revenues manager to make decisions on valid applications which met the terms of the Scheme.

The Deputy Leader added that this was a good news report and that he was happy to work with Welsh Government to support businesses in the town centre. The Chief Executive confirmed that other towns were included in the scheme but industrial estates were excluded. The scheme did not apply to unoccupied shops.

The Leader commented that he was pleased to see that public houses and a number of other struggling businesses were included and that he was sure the scheme would be welcomed by the business sector.

The Cabinet Member for Communities supported the proposal and added that the scheme could be enough to encourage struggling businesses to continue in business.

**RESOLVED:** That Cabinet:

- 1) Adopted the Non Domestic Rates High Street Rates Relief Scheme as detailed at Appendix A of the report;
- 2) Delegated authority to the Revenues Manager to make decisions on valid applications received which met all the terms of the Scheme.

17. **BRIDGEND PARKING PILOT**

**Bridgend Parking Pilot**

The Corporate Director Communities presented a report seeking approval for a pilot scheme to support town centre parking in Bridgend.

Welsh Government had made available £3 million to support free parking pilots to local authorities in Wales during the financial year 2017-18 with an allocation to Bridgend of £131,000.

The proposal for the limited funding was to allow a concession of the “first two hours free” at the new Rhiw car park with effect from summer 2017 until March 2018. The promotion was proposed to be targeted at the Rhiw car park because of its proximity to town centre traders, a low number of users to date due to the disruption of building work and the “pay on foot” parking system which would lend itself to making the changes necessary for the pilot period.

As part of the pilot, amendments would have to be made to the payment machines and signage within the Rhiw Car Park, the associated cost of these works would be in the order of £700.

The Cabinet Member for Communities reaffirmed that funding was limited to one period from summer 2017 until March 2018. It was anticipated that the scheme would start in August 2017 and cover the Christmas period.

The Cabinet Member for Wellbeing and Future Generations questioned the thinking behind a two hour free period and not one or three hours. The Corporate Director Communities explained that this period had been agreed following consultation with the Bridgend Business Improvement District and took into account the pattern of car parking in the area. The Rhiw car park had modern technology which could be used to monitor the position and allowed data to be assessed and analysed.

The Leader reported that Bridgend was the only town with an improvement district. If this scheme was successful then Bridgend Business Improvement District and Bridgend Town Council could consider if they wanted to extend the scheme beyond the March 2018. It was a positive step and he would like to see the scheme encouraged and promoted elsewhere.

The Deputy Leader asked if £131,000 was enough to cover the costs of the scheme. The Corporate Director Communities explained that there was a degree of estimation and it depended on migration from other car parks but it should be affordable.

**RESOLVED:** That Cabinet approved the use of funding to pilot a concession scheme at the new Rhiw Car Park as outlined in the report.

18. **CIVIL PARKING MOBILE ENFORCEMENT VEHICLE**

The Corporate Director Communities presented a report seeking approval from Cabinet for the procurement of a mobile enforcement vehicle and to recommend to Council a revision to the Capital Programme for 2016-17 to 2026-27 to include a budget of £68,000 for the purchase of the Civil Parking mobile enforcement vehicle.

On 1<sup>st</sup> April 2013 BCBC was given the powers to undertake civil parking enforcement under the legislative powers of the Traffic Management Act 2004, to deliver effective parking enforcement. Certain areas such as outside schools were particularly difficult to enforce by officers on foot because their physical presence deterred motorists from contravening regulations when they were in the area but not when they left. Road safety outside schools was vitally important and concerns had been expressed by schools, parents and local members representing the community.

The report included proposals for the introduction of mobile CCTV enforcement of parking restrictions to compliment the current foot patrols carried out by the Civil Enforcement Officers. The vehicle would not be covert and would be clearly signed as a mobile enforcement unit.

To minimise disruption to the existing enforcement and appeals service, two additional officers would be required to implement the service, one to operate the vehicle and review data and one to deal with the back office side of the system.

Set up costs would be covered by an earmarked reserve created for the Civil Parking Enforcement service arising from underspends. It was estimated that set up costs would be circa £68,000 for the vehicle and enforcement system supply and set up. Ongoing costs would be financed through income generated from the additional PCNs issued as a result of the introduction of the vehicle.

The Deputy Leader added that road safety outside schools was vitally important and concerns had been expressed by schools, parents and local members representing their communities.

The Cabinet Member for Communities explained that there was a serious problem at Brynteg Comprehensive where a number of initiatives to encourage sensible parking had been largely ignored. This proposal was welcomed for the welfare and safety of children.

The Cabinet Member for Wellbeing and Future Generations supported the proposal to improve safety around schools and asked if the vehicle would concentrate on hot spots or a rota system around different schools. She also requested the cost over a three year period. The Corporate Director Communities explained that apart from the one off cost of £68,000 to purchase equipment, the scheme would be self-funding as detailed in the report. There would be no strict rota and the vehicle would be used depending on resources and priority.

The Leader commented that it was intended that mobile enforcement would also have an impact on unauthorised parking in bus stops, inconsiderate parking on yellow lines, abuse of zig-zags and loading bays. However the primary reason for the vehicle was to improve road safety and make the areas around schools safer.

**RESOLVED**

That Cabinet:

- 1) Approved the purchase of a mobile enforcement vehicle and camera, and associated software/hardware to allow the CPE service to enforce parking restrictions.
- 2) Noted the employment of two additional support staff within the CPE team – one additional CEO to operate the vehicle and review the data plus one officer to manage increased appeals that would be generated by the increased PCN levels.
- 3) Agreed that a report be submitted to Council for approval to amend the capital programme to include a budget of £68,000 to fund the purchase of the Civil Parking mobile enforcement vehicle, to be met from earmarked reserves.

**19. CHILDCARE SUFFICIENCY ASSESSMENT**

The Interim Corporate Director - Education and Family Support presented a report seeking Cabinet approval of the Childcare Sufficiency Assessment gap analysis and action plan.

The gap analysis summarised the results of the full CSA and identified where there were gaps in provision across the county borough. This allowed the Child Care Team to form an action plan in response to the identified gaps and supported targeted work in relation to Welsh Government's Childcare Offer.

BCBC was meeting its statutory duty of providing sufficient childcare to working families however some additional gaps had been identified in the gap analysis. An action plan had been developed from the information collated in the CSA.

The Childcare Team had a core budget, a proportion of which was allocated to grants in order to support new developments to meet the gaps identified and to sustain provision already established to meet statutory duties.

The Cabinet Member for Communities referred to the resources/challenges identified in the action plan, "The reluctance of staff to continually train may need to be nurtured and supported for professional development" and asked how this was being tackled. The Interim Corporate Director - Education and Family Support explained that appropriate training would be provided such as accessing continuing professional development opportunities provided by other delivery partners to ensure value for money.

**RESOLVED:** That Cabinet approved the Childcare Sufficiency Assessment gap analysis and action plan for submission to Welsh Government.

20. **REVIEWED CODE OF CORPORATE GOVERNANCE**

The Corporate Director, Operational and Partnership Services, presented to Cabinet the Council's reviewed Code of Corporate Governance and its Governance Framework for approval and adoption.

A working group had been established to review and update the Council's Code of Corporate Governance and to create the Council's Annual Governance Statement for 2016-17 to meet statutory and regulatory requirements. A one –page framework had also been created to be included in the Annual Governance Statement to be included within the Statement of Accounts 2016-17 and reported to Audit Committee by the 30 June 2017.

The Deputy Leader commented that this was an informative document and he encouraged all to read it. The Leader added that the document contained values that we should all share.

**RESOLVED:** Cabinet considered and adopted the reviewed Code of Corporate Governance and the Framework.

21. **PUBLIC SAFETY PROTECTION ORDERS**

The Corporate Director, Operational and Partnership Services, presented a report seeking Cabinet approval to consult with the police, Police and Crime Commissioner and other relevant bodies on the creation of Public Space Protection Order's (PSPO's) and asking Cabinet to note the conversion of the current Designated Places Protections Orders and Gating Orders into PSPO's on the 14<sup>th</sup> October.

The Anti-Social Behaviour, Crime and Policing Act 2014 made provision about anti-social behaviour, crime and disorder and the tools for responsible bodies and authorities. A Cabinet report dated 15<sup>th</sup> March 2016 set out the powers in more detail. The power to make a PSPO remained a Cabinet power and decision.

There were currently five Designated Public Places Orders in Bridgend which established alcohol control areas to deal with nuisance and disorder associated with the consumption of alcohol. There was one Gating Order and a second gating order had recently been revoked. There were no current dog control orders.

On 14<sup>th</sup> October 2017 the current orders would migrate to become PSPO's automatically. They would be valid for 3 years and then if still needed would be renewed every 3 years thereafter. It was proposed to review all current DPPO's and Gating Orders and new areas to establish what appropriate PSPO's could be made to best prevent anti-social behaviour.

Before the council made, extended or varied a PSPO, it had to carry out the necessary consultation. A statutory consultation would commence on 24 July 2017 and continue for 12 weeks.

The Consultation would seek views on the creation of PSPO's to:

- Replace the Designated Public Place Orders in Caerau, Pencoed, Porthcawl and Maesteg as described in 4.5 with identical terms (at the point in time the consultation will conclude these DPPO's will have automatically have converted into PSPO's as explained above at 4.9)
- Extend the area covered by the existing Designated Public Place Order in Bridgend as described in 4.5 to include Coity Road, up to the entrance to the Princess of Wales Hospital (at the point in time the consultation will conclude this DPPO will have automatically have converted into a PSPO as explained above at 4.9)
- Replace the Gating Order outlined in 4.6 above with identical terms (at the point in time the consultation will conclude this Gating Order will have automatically have converted into a PSPO as explained above at 4.9)
- Control access to Elder Lane at the rear of Adare Street and Caroline, Bridgend.

At the conclusion of the consultation a further Cabinet Report would be prepared to outline the conclusions and recommendations for what, if any PSPO's should be made.

The Leader reaffirmed the process that there would be a consultation on the creation of the above PSPO's and a further Cabinet Report including evidence based recommendations. This had been identified as a largely successful way of tackling anti-social behaviour

- RESOLVED:**
- 1) That Cabinet approve the commencement of formal consultation as outlined above to establish whether PSPO's should be created and if so on what terms.
  - 2) That Cabinet note that on the 14<sup>th</sup> October the existing DPPO's and Gating Order will convert under the Act into PSPO's on the existing terms.

## 22. INFORMATION REPORTS FOR NOTING

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

The Leader suggested that action plans be prepared to address any areas not identified as good or excellent, in the Estyn Inspection Outcomes reports.

- RESOLVED:**
- 1) That Cabinet acknowledged the publication of the documents listed in the report:-

<u>Title</u>	<u>Date Published</u>
Estyn Inspection Outcomes for the Bridge Alternative Provision PRU	21 June 2017
Estyn Inspection Outcomes for Nottage Primary School	21 June 2017

That action plans be prepared to address any areas not identified as good or excellent, in the Estyn Inspection Outcomes reports.

23. URGENT ITEMS

There were no urgent items.

24. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contain exempt information as defined in Paragraphs 14, 16 and 18 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Following the application of the public interest test in consideration of this item, it was resolved that pursuant to the Act referred to above, to consider it in private, with the public being excluded from the meeting as it would involve the disclosure of exempt information of the nature as stated above.

25. APPROVAL OF EXEMPT MINUTES

26. SHORT TERM CONTRACTS IN RESPECT OF FIRE ALARM MAINTENANCE, PORTABLE APPLIANCE TESTING AND INTRUDER ALARM MAINTENANCE AND MONITORING

27. CONTRACT AWARD REPORT FOR THE PROCUREMENT OF A LONG TERM REGIONAL FOOD WASTE TREATMENT SOLUTION

The meeting closed at 16:10