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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.*

*We welcome correspondence in Welsh. Please
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: Mrs Julie Ellams

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

Dyddiad/Date: Thursday, 22 June 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, 28 June 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 - 32
To receive the minutes of the Annual Meeting of Council of 17th May 2017 and the minutes of Council of 31st May 2017.
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. Fire Safety Briefing by the Chief Executive and Fire Service
7. Civil Parking Mobile Enforcement Vehicle 33 - 38
8. Pay Policy Statement 2017/18 39 - 64
9. Overview & Scrutiny Committees Revised Terms of Reference 65 - 104
10. To receive the following Questions for the Cabinet Member for Communities
Question from Councillor J Williams to the Cabinet Member for Communities

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“In view of the continuing and overwhelming number of complaints being received by Councillors regarding the poor standard of service currently provided by Kier, what action is the Cabinet Member for Communities taking to address mounting public anger and genuine frustration at this totally unacceptable situation in which we now find ourselves?”

Question from Councillor T Thomas to the Cabinet Member for Communities

“What KPI’s are specially attached to evaluate the overall effectiveness of the Kier recycling and refuse contract?”

11. To receive the following Question for the Cabinet Member for Social Services & Early Help

Question from Councillor C Webster to the Cabinet Member for Social Services & Early Help

“Following publication of the CSSIW report Inspecting Children’s Social Services June 2017, can the Cabinet Member for Social Services tell this Council what he is doing to implement the requirements of the Social Services and Wellbeing Act (Wales) Act 2014?”

12. 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
SE Baldwin
TH Beedle
JPD Blundell
NA Burnett
MC Clarke
N Clarke
RJ Collins
HJ David
P Davies
PA Davies
SK Dendy
DK Edwards
J Gebbie
T Giffard
RM Granville
CA Green
DG Howells

Councillors

A Hussain
RM James
B Jones
M Jones
MJ Kearns
DRW Lewis
JE Lewis
JR McCarthy
DG Owen
D Patel
RL Penhale-Thomas
AA Pucella
JC Radcliffe
KL Rowlands
B Sedgbeer
RMI Shaw
CE Smith
SG Smith

Councillors

JC Spanswick
RME Stirman
G Thomas
T Thomas
JH Tildesley MBE
E Venables
SR Vidal
MC Voisey
LM Walters
KJ Watts
CA Webster
DBF White
PJ White
A Williams
AJ Williams
HM Williams
JE Williams
RE Young

Agenda Item 3

COUNCIL - WEDNESDAY, 17 MAY 2017

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 17 MAY 2017 AT 2.00 PM

Present

Councillor PA Davies – Chairperson

SE Baldwin	TH Beedle	JPD Blundell	NA Burnett
MC Clarke	N Clarke	RJ Collins	HJ David
P Davies		SK Dendy	DK Edwards
J Gebbie	T Giffard	RM Granville	CA Green
DG Howells	RM James	B Jones	M Jones
MJ Kearn	DRW Lewis	JE Lewis	JR McCarthy
DG Owen	D Patel	RL Penhale - Thomas	AA Pucella
JC Radcliffe	KL Rowlands	B Sedgebeer	RMI Shaw
CE Smith	SG Smith	JC Spanswick	RME Stirman
G Thomas	T Thomas	JH Tildesley MBE	E Venables
SR Vidal	MC Voisey	LM Walters	CA Webster
DBF White	PJ White	A Williams	AJ Williams
HM Williams	RE Young		

Apologies for Absence

S Aspey, A Hussain, KJ Watts and JE Williams

Officers:

Susan Cooper	Corporate Director - Social Services & Wellbeing
Lindsay Harvey	Corporate Director Education and Family Support
Randal Hemingway	Head of Finance & Section 151 Officer
Andrew Jolley	Corporate Director Operational & Partnership Services
Darren Mepham	Chief Executive
Julie Ellams	Democratic Services Officer - Committees

1. DECLARATIONS OF INTEREST

None

2. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Council of 29 March 2017 be approved as a true and accurate record subject to the correction to "late wife" in the 9th paragraph of the Mayor's announcements relating to the news that Councillor David Sage had passed away.

3. TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR COUNCILLOR RD JENKINS

The Mayor announced that this time last year he was honoured to be elected Mayor and the year had passed quickly. It was also his last year as an elected member so it was doubly special.

The Mayor announced that he and his Consort had had a wonderful time and were both grateful for the fantastic opportunities to represent the County Borough. The numerous

events that they had attended were both interesting and varied and allowed them to meet some truly inspirational individuals and organisations and hopefully made some lifelong friends.

The Mayor thanked his wife Teresa who had supported him both as Mayor and Deputy Mayor. He was sure that at times he had taxed her patience but without her input and organisation he would have been lost and he could not have done it without her.

The Mayor also thanked his friends, colleagues and community for their encouragement and support, his charity committee members for their hard work and ongoing dedication towards fundraising on behalf of his chosen charities. It had been his pleasure not only to host but to meet all the people who had volunteered and attended these events thereby contributing towards the total which would be announced at a later date.

At his Inauguration he announced that community and youth would be the themes of his Mayoralty and he was pleased to say that he had plenty of opportunity to meet individuals and organisations who did so much good within the County Borough.

The Mayor announced that it had been a privilege and an honour to represent the County Borough as Mayor and one that neither of them would forget for a long time. Once again he thanked everyone for their support.

The Leader of the Labour Group took the opportunity to say thank you to the Mayor for his outstanding public service to the County Borough and the Garw Valley, for nearly 40 years. His role as Mayor was the culmination of that service. The Mayor's burning passion and total commitment to helping people and his humour and warmth had earned him respect and friendship across the Chamber and communities. The Mayor was of course, one half of the incredible Jenkins team so his appreciation also extended to Teresa, his wife who was always with him. The Leader of the Labour Group wished the couple every happiness in retirement as it was very well deserved.

4. TO ELECT THE MAYOR AND THE MAYOR (ELECT) TO ANNOUNCE THEIR CONSORT/ESCORT.

A motion was received which was duly seconded and carried unanimously, that Councillor P Davies be appointed Mayor for 2017/18.

RESOLVED: That Councillor P Davies be elected as Mayor for the Year 2017/18.

Councillor Davies announced that her Consort for the ensuing year would be her husband, Mr Tudor Davies.

Councillor Davies took the Chair in place of Councillor Jenkins.

5. TO APPOINT THE DEPUTY MAYOR AND THE DEPUTY MAYOR (ELECT) TO ANNOUNCE THEIR CONSORT/ESCORT.

A motion was received which was duly seconded and carried unanimously, that Councillor J McCarthy be appointed as Deputy Mayor for 2017/18.

RESOLVED: That Councillor J McCarthy be elected as Deputy Mayor for the Year 2017/18.

Councillor McCarthy announced that his Consort for the ensuing year would be his wife, Mrs Judy McCarthy.

6. TO RECEIVE ANY ANNOUNCEMENTS FROM THE NEWLY ELECTED MAYOR.

The newly elected Mayor announced that she was honoured to have been nominated and elected to the role of County Borough Mayor for the coming year and she was looking forward to a busy but rewarding twelve months ahead. She thanked her husband Tudor for agreeing to be her mayoral consort.

The Mayor was keen to promote and fundraise for a number of local charities which she would confirm at a later date. The Mayor hoped that Councillors would join her at some of the events and help to raise as much money as possible for the worthwhile causes and continued support would be very much appreciated.

On behalf of her fellow members of the Council, the Mayor thanked the retiring Mayor and Mayoress for the dedication and commitment that they had given to the Council and people of Bridgend County Borough. They had been fantastic ambassadors for Bridgend and were wished all the luck in the future.

7. THE MAYOR TO ANNOUNCE THE YOUTH MAYOR AND DEPUTY MAYOR:

The Mayor announced that Niamh Gwilym would be the Youth Mayor for 2017/18.

The Mayor announced that Leigh Williams would be the Deputy Youth Mayor for 2017/18.

8. TO ELECT THE LEADER OF BRIDGEND COUNTY BOROUGH COUNCIL.

A motion was received which was duly seconded and carried unanimously that councillor Huw David be elected as leader of Bridgend County Borough Council 2017/18.

RESOLVED: That Councillor Huw David be elected Leader of Bridgend County Borough Council for the ensuing year.

9. TO AGREE THE NUMBER OF MEMBERS TO BE APPOINTED TO THE CABINET

The Leader announced that Cabinet for the year 2017/18 would comprise of himself and the following 5 members (one previous post on the Executive not allocated):-

Councillor H J David
Councillor H Williams
Councillor D Patel
Councillor R Young
Councillor P White
Councillor C Smith

10. THE LEADER MAY ANNOUNCE THE DEPUTY LEADER OF BRIDGEND COUNTY BOROUGH COUNCIL FROM THOSE MEMBERS APPOINTED TO THE CABINET AND MAY ANNOUNCE THE APPOINTMENT OF CABINET MEMBERS TO PORTFOLIOS.

The Leader announced that the Deputy Leader for the year 2017/18 would be Councillor H Williams and that the appointment of Cabinet Members to the under-mentioned portfolios, would be as follows:-

Councillor H Williams - Deputy Leader.
Councillor D Patel - Cabinet Member for Wellbeing and Future Generations

Councillor R Young - Cabinet Member for Communities.
Councillor P White – Cabinet Member for Social Services and Early Help
Councillor C Smith – Cabinet Member for Education and Regeneration

11. TO RECEIVE THE REPORT OF THE LEADER.

The Leader congratulated the new Mayor and Deputy Mayor, Cllr Davies and Cllr McCarthy and the Youth Mayor and Deputy Youth Mayor and said that they made a first class team.

The Leader thanked colleagues for returning him as Leader of Bridgend County Borough Council. It was of course a huge privilege but also a great responsibility, especially in consideration of the significant ongoing challenges that lay ahead.

He would continue to give this role his full attention and focus to provide leadership which was, to coin a phrase that seemed to be very popular at the moment, 'strong and stable'.

As part of this, it was important to acknowledge changes in the Council's landscape and make-up that the authority had experienced over the last few weeks. Some of those gathered today had served as elected members for a number of years. Others were returning to the role after a period spent out of office, while several were experiencing it for the very first time. This change at a time when the most recent performance indicators from the Welsh Government and the Local Government Data Unit had highlighted that Bridgend County Borough Council had achieved the second highest number of improvements in Wales. Performance improved across 70 per cent of national indicators when set against a national average of 65 per cent, and when measured against other authorities, 24 of 40 comparable indicators were in the top two quarters. The highest ranking indicators included supporting older people to remain independent, ensuring pupil attendance within secondary schools, and reducing delays in the transfer of care. Many of these were maintained at a maximum level of one hundred per cent.

BCBC also performed well in areas such as planning and regulatory services, reducing the number of 15 year olds who had no qualifications, encouraging people to use local sport and leisure centres, ensuring that food establishments were compliant with relevant safety legislation, and many more besides.

This had all been achieved at a time when the Council had been forced to find multi-million pound savings in the face of ongoing austerity. The way in which the authority provided essential frontline services had fundamentally changed. Bridgend County Borough Council was continuing to make significant progress as it developed into a leaner, more efficient organisation, and these figures helped demonstrate this. It had been a far from easy process and one that didn't draw a great deal of recognition.

Rightly or wrongly, people were more likely to react to a reduction in how often grass was cut than they were to a policy on how young people were helped to leave care with improved prospects for finding a home and a career. Nobody entered local politics expecting to have to cut services or close down facilities, but when that became necessary, the brunt of people's anger had to be dealt with.

The Leader said that he believed in many ways weighing people's expectations against the reality of what needed to be done could be a councillor's singularly most frustrating experience. That was usually when the return of popular misconceptions was seen, such as the belief that council tax funded all services instead of accounting for a small portion of overall budget, or that members set their own allowances instead of being subject to

the decisions of the Independent Remuneration Panel for Wales. Such myths only served to obscure the truth during periods when tough decisions needed to be made and the authority should be under no illusions that the next few years would require some very tough decisions indeed.

The Leader asked why councillors did it. He believed it was because no matter what the political differences might be, what united councillors was that they all wanted what they thought was best for the communities and people that they represented. No matter what circumstances they had to work within, they still wanted the best outcome possible for the people who voted for them to act on their behalf.

It was going to be a challenge, the forecast for local government funding continued to look pretty bleak, and no significant influx of fresh money was anticipated in fact year on year cuts, so it would be important to manage unrealistic expectations now more than ever. As elected members, there was a duty to come together as a single authority to find a way through these challenges, and ensure that essential services could continue to be provided.

The Medium Term Financial Strategy, Corporate Plan and Change Programme were all in place to help achieve this, and sound financial and asset management arrangements to help deliver further multi-million pound savings.

He asked all members to be fully engaged in supporting the development of visions and options for change, and to help drive improvement in key service areas. Despite the difficulties that would be faced, it was important to remain ambitious for the county borough, and to continue to work in partnership on the delivery of key improvements and projects.

In his role as Leader, he was of course ably backed by his Cabinet colleagues. He was grateful for their unwavering support, and acknowledged their dedication and commitment.

There will be some changes to the Cabinet structure for the year ahead he added.

The Leader asked Councillor Dhanisha Patel to serve as the Cabinet Member for Wellbeing and Future Generations, while Councillor Richard Young would take on the role of Cabinet Member for Communities.

He was sure that Councillors Patel and Young would both make a very valuable contribution to the Cabinet, and help support the strategic leadership of the authority. With their experience Councillor Phil White would continue to be responsible for Social Services and Early Help, Councillor Charles Smith would continue to lead on Education and Regeneration, and Councillor Hywel Williams would continue to be Deputy Leader.

He was confident that this team would be able to continue the good work that had already taken place, and would help to steer the authority through the challenges that lay before it with a steady hand. By working together for the interests of the people the authority served, protecting the most essential services and having the courage to tackle the difficult decisions head-on, it would be possible to come together as an authority, and ensure that Bridgend County Borough Council was more than capable of meeting the challenges that lay ahead.

12. REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES

The Monitoring Officer reported on the determinations and recommendations contained within the February 2017 Annual Report of the Independent Remuneration Panel for

Wales in respect of the level and range of remuneration the Authority must make available to its Members for the 2017/18 municipal year.

The purpose of the report was to seek :

- The adoption of the relevant determinations of the Independent Remuneration Panel contained within its February 2017 report
- Determination of those posts that would receive a senior/civic salary.
- Council's determination of the level of remuneration for the Senior and Civic Salaries.
- Approval of the revised Members' Schedule of Remuneration at Appendix 2, which would become effective from 17 May 2017 (Annual Meeting of Council).
- Approval that the Members' Schedule of Remuneration be automatically updated with any changes to remuneration subsequently made by Council during the 2017/18 municipal year.

The Local Authorities (Allowances for Members) (Wales) Regulations 2007 provided for the establishment of the Independent Remuneration Panel for Wales.

The Panel had not changed its previous decisions in respect of the senior salaries paid to these Senior Salary Post holders. The Senior Salaries were inclusive of the Basic Salary. The senior salary posts did not receive an increase of salary but the increase in Basic Salary had been reflected in the total senior salary.

The Salary for the Leader and Deputy Leader had been based on the population of the County Borough (100,000 – 200,000). The Leader could receive £48,100 and the Deputy Leader £33,600.

Many Council's operated with a Cabinet of 10, the statutory maximum, others chose to have smaller Cabinets and therefore the range of individual portfolios was much greater. The Panel concluded that this differing range of portfolios should be reflected in the remuneration framework. It was not the role of the Panel to determine the structure of Cabinets of local authorities. Each newly elected council was able to determine the remuneration based on the level of responsibility and workload.

Cabinet members could be paid at either of the two following senior salary levels:

- Level 1 - £29,100
- Level 2 - £26,200

Previously if there were less than 8 Cabinet Members the workload and responsibility would warrant them being paid at the Level 1 salary. Bridgend had historically had 4 or 5 Cabinet Members in addition to the Leader and Deputy Leader

Where chairs of committees were remunerated, there were two levels of remuneration available:

- Level 1 chairs would be paid a salary of £22,100
- Level 2 chairs would be paid a salary of £20,100

The Panel determined that it was a matter for individual authorities to determine which chairs were paid and at what level, to reflect the appropriate responsibility attached to the specific post. In previous years the follow Committee Chairpersons had been remunerated at the levels shown:

- Level 1 Senior Salary

Appeals Panel
Audit Committee
Development Control Committee
Licensing/Act 2003 Committee
Scrutiny Committee

- An Independent Member chaired the Standards Committee and received £256 for a meeting lasting over 4 hours or £128 for meeting under 4 Hours
- The following Committees were chaired by members who were already in receipt of a Senior/Civic salary and therefore did not receive any further remuneration
 - Council
 - Appointments Committee
 - Town & Community Council Forum
 - Right of Way Sub-Committee
 - The Democratic Services Committee Chairperson was not remunerated in the previous administration.

The Panel previously determined that Council make a senior salary available to the leader of the largest opposition group who represented at least 10% (6 Members) of the Council before qualifying for a senior salary.

A senior salary was available to any another group leader who represented at least 10% (6 Members) of the Council.

The Panel had prescribed that Bridgend could not remunerate more than 18 Senior Salaries posts. The Panel determined that senior salary levels in 2017/18 for members of principal councils should be as set out in the report, Determination 2.

The Panel determined that civic salaries could be paid and that the level of remuneration should be decided by Councils after taking into account the anticipated workloads and responsibilities of the roles.

<u>Level</u>	<u>Mayor</u>	<u>Deputy Mayor</u>
Level 1	£24,100	£18,100
Level 2	£21,600	£16,100
Level 3	£19,100	£14,100

The current Mayor and Deputy Mayor received Level 2 Civic Salaries and Council was requested to approve the continuation of this level of remuneration for the 2017-18 municipal year.

Determination 17 made by the Panel enabled all Councillors in the Authority to join the Local Government Pension Scheme if they so wished.

The Panel determined that an Elected Member was entitled to retain a basic salary when taking family absence under The Family Absence for Members of Local Authorities (Wales) Regulations 2013 irrespective of the attendance record immediately preceding the commencement of the family absence. When a senior salary holder was eligible for family absence, he/she would continue to receive the salary for the duration of the absence. It was then a matter for the Authority to decide whether or not to make a substitute appointment. The Elected Member substituting for a senior salary holder

taking family absence would be eligible to be paid a senior salary, if the Authority so decided. The Regulations applied to Elected Members in cases of maternity, new born, adoption and parental absences from official business.

Cabinet would be appointing 2 members to the South Wales FRA. Any Leader or Cabinet Member appointed to the FRA would not receive any additional salary from the FRA. The FRA was responsible for remunerating its representatives and publishing the details of any payments that they made.

The Authority currently had the following Co-optees with voting rights:

- Chair of the Standards Committee
- 3 Independent Members of Standards Committee
- 2 Town and Community Council Co-optees on the Standards Committee
- 5 Registered representatives (Church and School Governors)
- 1 Lay-person appointed to the Audit Committee

All authorities provided for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement would only be made on production of receipts from the carer

The Family Absence for Members of Local Authorities (Wales) Regulations 2013 were very specific relating to entitlement and only available for Elected Members of principal councils. Absence for reasons of ill-health was not included. Instances had been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils were faced with the dilemma of:

- Operating without the individual member but still paying him/her the senior salary.
- Replacing the member who therefore loses the senior salary (but retains the basic salary).

The Panel determined that there would be no change to the mileage rates for which members were entitled to claim.

Although Council was unable to change the prescribed level of remuneration determined by the Panel, individual members were permitted to independently and voluntarily forego all or any element of remuneration to which they were entitled by writing to the Authority's Proper Officer.

The current budget set for 2017/18 for the remuneration of elected members was £1,104,140.

- RESOLVED:**
- (1) That Council noted the determinations and recommendations contained within the February 2017 Report of the Independent Remuneration Panel for Wales in respect of the level and range of remuneration the Authority must pay its Members for 2017/18 municipal year as shown in Appendix1.
 - (2) That Council:
 - approved the adoption of the relevant determinations of the Independent Remuneration Panel contained within its February 2017 report

- accepted those posts (as shown in the revised Members' Schedule of Remuneration at Appendix 2), who will receive a senior/civic salary.
- approved the level of remuneration for the Senior and Civic Salaries (where appropriate).
- approved the revised Members' Schedule of Remuneration at Appendix 2, and for it to become effective from 17 May 2017 (Annual Meeting of Council).
- approved the Members' Schedule of Remuneration be automatically updated with any changes to Senior/Civic Salary positions subsequently made by Council during the 2017/18 municipal year.

13. PROPOSED PROGRAMME OF ORDINARY MEETINGS OF THE COUNCIL AND COUNCIL COMMITTEES

The Monitoring Officer submitted a report, which proposed a programme of ordinary meetings of the Council and Council Committees for the municipal year May 2017- April 2018, for Council approval:-

<u>2017</u>	<u>2018</u>
31-May-17	31-Jan-18
28-Jun-17	28-Feb-18
26-Jul-17	28-Mar-18
6-Sep-17	25-Apr-18
4-Oct-17	
1-Nov-17	
29-Nov-17	
20-Dec-17	

There would be no meeting of Council in August 2017, due to the summer and school holiday periods.

As agreed by Council at its Annual Meeting in 2012, each of the above meetings would be held on a Wednesday commencing at 3.00pm, with the exception of the meeting which will consider the Budget/Medium Term Financial Strategy(MTFS) (28 February 2018) which would start at 2.00pm. Council's Annual Meeting for the next municipal year would be held on 16 May 2018.

The proposed programme of Council Committee meetings at Appendix 1 also required the approval of Council. The draft Calendar had been circulated to the Corporate Management Board, Heads of Service, and lead officers of each of the Committees, Sub-Committees and Panels etc., for comment. Provisional appointments would be placed in the Member meetings and/or Cabinet Committee electronic calendars and expanded as necessary to all Members calendars when the schedule was approved, and as soon as the composition of all Council bodies was known.

Council was asked to note the meeting dates for Cabinet, Cabinet Committees, and the Coychurch Crematorium Joint Committee which were included in Appendix 1 for completeness.

Under the Local Government (Wales) Measure 2011, the Council was required to undertake a survey of the timings of all Committee meetings as soon as possible in the

new term of office. It was proposed that the survey would be carried out before the end of June 2017 and the outcomes reported back to Council in July 2017. The timings of meetings from September 2017 onwards as shown Appendix 1 could be subject to change to reflect the outcome of this survey.

A Councillor proposed that Council commence at 4 pm and not 3 pm. The Leader explained that as in the report, Members would be surveyed before the end of June 2017 and the outcomes reported back to Council. Members commented that for some, 4 pm could still be too early and that it was important for the sake of democracy that all had the opportunity to attend and give their input. Members agreed to continue with the survey and that the outcomes be reported back as soon as possible.

RESOLVED:

That Council:

- (1) Approved the proposed Programme of Council Meetings set out in Paragraph 4.1 of the report.
- (2) Approved the proposed programme of meetings of Council Committees set out in Appendix 1 of the report.
- (3) Noted that a survey of meeting timings would be carried out with the Members of each Committee, Sub-Committee and other body before the end of June. The outcomes would be reported back to Council in July and could result in the timings of meetings contained in the programme of meetings being subject to change.
- (4) Noted the dates of Cabinet, Cabinet Committees and Cabinet's Joint Committee which were also set out in Appendix 1 to the report.

14. APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER COUNCIL BODIES

The Monitoring Officer presented a report which sought approval for the appointment of Overview and Scrutiny Committees and such other Committees, Sub-Committees, Panels and bodies as the Council considered appropriate to deal with matters which were neither reserved to full Council nor were executive functions.

Part 3 of the Council's Constitution entitled Responsibility for Council Functions, set out the Council's Committees, Sub-Committees, Panels and other bodies currently in place. Certain Committees were governed by provisions of the Local Government (Wales) Measure 2011, in terms of their composition and/or appointment of Chairpersons.

The Measure made a number of requirements in relation to the Audit Committee's membership, including Lay Membership and the appointment of the Chairperson. The Chairperson under the Measure, was required to be appointed by the Audit Committee at its first scheduled meeting which was scheduled for 29 June 2017.

In terms of the Lay Membership of this Committee, it was proposed that the current Lay Member Ms J Williams remained as the lay member. Ms. Williams had completed one term of office in this role, and in accordance with the Measure she was allowed to do a maximum of two terms on the Committee in this capacity. Council were asked to note that not more than one Member of the Audit Committee may be a Member of the Executive (and should not be the Leader), whilst the Chairperson of the Committee must also not be a Member of the Executive group.

The Democratic Services Committee must comprise solely of Councillors and could not include more than one member of the Executive, who must not be the Leader of the Council. It was a function of Council to appoint the Chairperson of this Committee, who must not be a Member of any of the political groups represented on the Executive.

It was proposed that Council made certain changes in respect of its appointment to the Standards Committee. The Committee comprised eight members, namely:-

- Four Independent Members (No current vacancies);
- Two County Borough Council Members (Two vacancies);
- Two Town/Community Council Members (Two vacancies);

The Independent Members and the Town and Community Council Members had previously been appointed by Council for a 4 year term of office, and none of these members had yet completed this term other than the representative of Pencoed Town Council, Councillor J Hancock. Councillor AE Davies was also formerly a Member of the Standards Committee as a representative of Porthcawl Town Council. However, following the recent elections she was no longer a Member of the Town Council and therefore she could not remain a Member of the Committee in this capacity. It was therefore recommended that delegated powers be granted to the Monitoring Officer to undertake any necessary processes to facilitate and appoint two Town and Community Council representatives to the Standards Committee as replacements for the above Members.

Council was also requested to nominate two County Borough Councillors to sit on the Standards Committee, having regard to the following requirements in terms of the representation of County Borough Council Members only:-

- The Leader may not be a member of the Standards Committee;
- Not more than one Cabinet Member could be a member of the Standards Committee;
- A County Borough Council Member could only be re-appointed for one further term;
- Membership of the Standards Committee was not subject to political balance requirements.

The Council currently had in place an Appointments Committee in order to interview and appoint JNC level staff, which included designated positions such as the Chief Executive, Directors and Heads of Service. In order to ensure that this Committee was politically balanced in accordance with the composition of political groups that formed the Council, it was recommended that the Committee comprised of the following membership:-

- Leader (Chairperson)
- Deputy Leader
- Cabinet Member (of relevant portfolio to the post)
- 1 x Conservative Member
- 1 x Independent Member
- 1 x Plaid Cymru Member

Due to the revised composition of the Committee as detailed above, Part 3, 2 (a) of the Constitution entitled Responsibility for Council Functions which contained the role, remit and terms of reference of Committees, Sub-Committees, Panels and other bodies, required amending to reflect the proposed political group changes on the Committee as outlined in the report.

The Measure also established procedures whereby Overview and Scrutiny Committee Chairs were nominated and appointed. The Measure required that as a minimum the Chairpersons of these Committees be appointed based on the size and political balance of each of the groups that make up the Council. To that end, with 4 Overview and Scrutiny Committees existing in the Authority, the Chairpersons of these were allocated to the following political groups:

Labour – 1
Conservative – 1 chairperson
Independent Alliance – 1 chairperson

The Chairperson of the Corporate Scrutiny Committee was unallocated and therefore in accordance with the Measure, was to be appointed by the members of the Corporate Scrutiny Committee from one of the Chairpersons of the Scrutiny Subject Committees but it could not be the Chairperson representing the Executive group.

Registered representatives of the Church and School Governors would be included with any of the Subject Committees which were dealing with an Education topic. There was now a Primary school vacancy on the Committee, by virtue of Mr. Tim Thomas who previously occupied this role now being an Elected Member of Bridgend County Borough Council. The recruitment and appointment of this post would be undertaken in due course.

RESOLVED: That Council:-

- (1) Appointed the Overview and Scrutiny Committees and such other Committees as the Council considered appropriate to deal with matters which were neither reserved to the Council nor were executive functions as detailed in Appendix 1 to the report.
- (2) Determined the size and terms of reference for those Committees with the exception that the terms of reference of the Subject and Corporate Overview and Scrutiny Committees would be presented to a subsequent meeting of Council.
- (3) Approved the allocation of seats to political groups in accordance with political balance rules, based on the percentages shown in Appendix 3 of the report.
- (4) Received nominations from the political groups and appointed Councillors to serve on each of the following Committees and other bodies, details of which were shown at Appendix 1 to these minutes.

Appeals Panel
Audit Committee
Licensing Committee
Development Control Committee (noting the provisions of paragraph 4.8.1 of the report)
Town and Community Council Forum
Scrutiny Subject Committee 1(Education)
Scrutiny Subject Committee 2(Social Services)
Scrutiny Subject Committee 3
Democratic Services Committee (noting the provisions of paragraph 4.3.1 of the report)

Appointments Committee (noting the provisions of paragraph 4.5.1 of the report)
Standards Committee (noting the provisions of paragraph 4.4.3 of the report)

(5) Having received nominations which were duly seconded, appointed Chairpersons and Vice-Chairpersons to the following Committees, Panels or other bodies (as indicated) with it being noted that the Audit Committee at its first scheduled meeting would appoint a Chairperson and Vice-Chairperson:-

	<u>Chairperson</u>	<u>Vice Chairperson</u>
Appeals Panel	Councillor John McCarthy	Councillor Janice Lewis
Appointments Committee	Councillor Huw David	N/A
Democratic Services Committee	Councillor Malcolm James (Councillor Sadie Vidal was also nominated and seconded and following an electronic vote Councillor Malcolm James was appointed).	N/A
Development Control Committee	Councillor Gary Thomas	Councillor Rod Shaw
Licensing Act 2003 Committee	Councillor David Lewis	Councillor Mike Kearn
Licensing Committee	Councillor David Lewis	Councillor Mike Kearn
Town & Community Council Forum	Councillor Huw David	N/A

(6) Approved that the current Lay Member on the Audit Committee Ms. J Williams remained as a Member of this Committee for a second term of office, in accordance with a provision of the Local Government (Wales) Measure 2011, and having regard to paragraph 4.2.2 of the report in terms of the composition of the Committee.

(7) Approved that delegated power be granted to the Monitoring Officer to facilitate and appoint two Town/Community Council representatives on the Standards Committee, in accordance with the provisions of paragraph 4.4.2 of the report.

(8) Approved the amendment of Part 3, 2 (a) of the Constitution entitled Responsibility for Council Functions to be amended in order to reflect the revised composition of the Appointments Committee, in accordance with paragraph 4.5.4 of the report and note that an amendment of the Constitution relating to Scrutiny will be provided at the next meeting of Council.

(9) Elected Chairpersons from those Members appointed to the Overview and Scrutiny Committees in accordance with the provisions of paragraph 4.6 of this report and noted that the

Chairperson of the Corporate Scrutiny Committee was unallocated and therefore would be appointed by the members of the Corporate Scrutiny Committee from the existing Chairpersons appointed to the Scrutiny Subject Committees but noting that it could not be the Chairperson representing the Executive group.

	<u>Chairperson</u>	<u>Vice Chairperson</u>
Scrutiny Subject Committee 1	Councillor Alex Williams	N/A
Scrutiny Subject Committee 2	Councillor Cheryl Green	N/A
Scrutiny Subject Committee 3	Councillor John Spanswick	N/A

(10) Noted that recruitment and appointment of a replacement Registered Representative would be undertaken in accordance with the provisions of paragraph 4.7.1 of the report.

(11) Appointed Councillors David Lewis and Councillor Mike Clarke to sit on the Standards Committee. (Councillors Altaf Hussain and Tom Beedle were also nominated and seconded and following two electronic votes Councillor David Lewis and Mike Clarke were appointed).

15. REPRESENTATION ON OUTSIDE BODIES AND OTHER COMMITTEES

The Monitoring Officer submitted a report which sought Council's approval for the appointment of Members to the South Wales Police and Crime Panel and the South East Wales Strategic Planning Group.

RESOLVED: That Council approved the following nominations to the bodies listed below:-

South Wales Police and Crime Panel – Cllr Richard Young

South East Wales Strategic Planning Group – Chair of Development Control

16. URGENT ITEMS

None

The meeting closed at 3.30 pm

COMMITTEE MEMBERSHIP

Appeals Panel

	Member	Group	Role
1.	Pam Davies	Labour	
2.	David Lewis	Labour	
3.	Janice Lewis	Labour	Vice Chairperson
4.	John McCarthy	Labour	Chairperson
5.	Gareth Howells	Labour	
6.	Nicole Burnett	Labour	
7.	Matthew Voisey	Conservative	
8.	Julia Williams	Conservative	
9.	Norah Clarke	Independent Alliance	
10.	Elaine Venables	Independent Alliance	
11.	Keith Edwards	Llynfi Independents	
12.	James Radcliffe	Plaid Cymru	

Appointments Committee

	Member	Group	Role
1.	Huw David	Labour	Chairperson
2.	Hywel Williams	Labour	
3.	Cabinet Member for the portfolio	Labour	
4.	Ken Watts	Conservative	
5.	Norah Clarke	Independent Alliance	
6.	Malcolm James	Plaid Cymru	

Audit Committee

	Member	Group	Chair to be determined at first meeting of Committee
1.	Mike Kearn	Labour	
2.	Bridie Sedgebeer	Labour	
3.	Rod Shaw	Labour	
4.	Janice Lewis	Labour	
5.	John McCarthy	Labour	
6.	Richard Granville	Labour	
7.	Lyn Walters	Conservative	
8.	Carolyn Webster	Conservative	
9.	Alex Williams	Conservative	
10.	Cheryl Green	Independent Alliance	
11.	Amanda Williams	Independent Alliance	
12.	Michael Clarke	Independent Alliance	

Democratic Services Committee

	Member	Group	Role
1.	Gareth Howells	Labour	
2.	Steve Smith	Labour	
3.	Richard Granville	Labour	
4.	Bridie Sedgebeer	Labour	
5.	Gary Thomas	Labour	
6.	Kay Rowlands	Conservative	
7.	Aniel Pucella	Conservative	
8.	Sadie Vidal	Conservative	
9.	Elaine Venables	Independent Alliance	
10.	Sean Aspey	Independent Alliance	
11.	Malcolm James	Plaid Cymru	Chairperson

Development Control Committee

	Member	Group	Role
1.	Jane Gebbie	Labour	
2.	David Lewis	Labour	
3.	Janice Lewis	Labour	
4.	Nicole Burnett	Labour	
5.	Jon-Paul Blundell	Labour	
6.	John Spanswick	Labour	
7.	Gary Thomas	Labour	Chairperson
8.	Richard Collins	Labour	
9.	Rod Shaw	Labour	Vice Chairperson
10.	Carolyn Webster	Conservative	
11.	Matthew Voisey	Conservative	
12.	Ken Watts	Conservative	
13.	Sorell Dendy	Independent Alliance	
14.	Amanda Williams	Independent Alliance	
15.	Roz Stirman	Independent Alliance	
16.	Tom Beedle	Llynfi Independents	
17.	Tim Thomas	Plaid Cymru	
18.	Jefferson Tildesley	JH Tildesley	

Licensing Act 2003/ Licensing Committee

	Member	Group	Role
1.	Pam Davies	Labour	
2.	Gary Thomas	Labour	
3.	Stuart Baldwin	Labour	
4.	David Lewis	Labour	Chairperson
5.	Janice Lewis	Labour	
6.	Richard Collins	Labour	
7.	Mike Kearn	Labour	Vice Chairperson
8.	Tom Giffard	Conservative	
9.	Aniel Pucella	Conservative	
10.	Julia Williams	Conservative	
11.	David Owen	Independent Alliance	
12.	Brian Jones	Independent Alliance	
13.	Keith Edwards	Llynfi Independents	
14.	Malcolm James	Plaid Cymru	

Town & Community Council Forum

	Member	Group	Role
1.	Huw David	Labour	Chairperson
2.	Steve Smith	Labour	
3.	Paul Davies	Labour	
4.	Bridie Sedgebeer	Labour	
5.	Jon-Paul Blundell	Labour	
6.	Charles Smith	Labour	
7.	Richard Granville	Labour	
8.	Stuart Baldwin	Labour	
9.	Matthew Voisey	Conservative	
10.	Tom Giffard	Conservative	
11.	Kay Rowlands	Conservative	
12.	Altaf Hussain	Conservative	
13.	Roz Stirman	Independent Alliance	
14.	Sean Aspey	Independent Alliance	
15.	Brian Jones	Independent Alliance	
16.	Michael Clarke	Independent Alliance	
17.	Ross Penhale-Thomas	Llynfi Independents	
18.	Tim Thomas	Plaid Cymru	
19.	Jefferson Tildesley	Independent	

Scrutiny Subject Committee 1

	Member	Group	Role
1.	Jon-Paul Blundell	Labour	
2.	Nicole Burnett	Labour	
3.	Richard Collins	Labour	
4.	Martyn Jones	Labour	
5.	Bridie Sedgebeer	Labour	
6.	Richard Granville	Labour	
7.	Jane Gebbie	Labour	
8.	Matthew Voisey	Conservative	
9.	Alex Williams	Conservative	Chairperson
10.	Lyn Walters	Conservative	
11.	Sorell Dendy	Independent Alliance	
12.	Amanda Williams	Independent Alliance	
13.	David Owen	Independent Alliance	
14.	Keith Edwards	Llynfi Independents	
15.	James Radcliffe	Plaid Cymru	
16.	Jeferson Tildesley	Independent	

Scrutiny Subject Committee 2

	Member	Group	Role
1.	David White	Labour	
2.	Jane Gebbie	Labour	
3.	Janice Lewis	Labour	
4.	John McCarthy	Labour	
5.	Martyn Jones	Labour	
6.	Mike Kearn	Labour	
7.	Gary Thomas	Labour	
8.	Steve Smith	Labour	
9.	Tom Giffard	Conservative	
10.	Aniel Pucella	Conservative	
11.	Kay Rowlands	Conservative	
12.	Sadie Vidal	Conservative	
13.	Sorell Dendy	Independent Alliance	
14.	Cheryl Green	Independent Alliance	Chairperson
15.	Michael Clarke	Independent Alliance	
16.	Tom Beedle	Llynfi Independents	

Scrutiny Subject Committee 3

	Member	Group	Role
1.	John Spanswick	Labour	Chairperson
2.	Gary Thomas	Labour	
3.	Stuart Baldwin	Labour	
4.	Gareth Howells	Labour	
5.	Richard Granville	Labour	
6.	David Lewis	Labour	
7.	Paul Davies	Labour	
8.	Rod Shaw	Labour	
9.	Altaf Hussain	Conservative	
10.	Ken Watts	Conservative	
11.	Carolyn Webster	Conservative	
12.	Norah Clarke	Independent Alliance	
13.	Roz Stirman	Independent Alliance	
14.	Elaine Venables	Independent Alliance	
15.	David Owen	Independent Alliance	
16.	Ross Penhale-Thomas	Llynfi Independents	

Scrutiny Corporate Committee

	Member	Group	Chair to be determined at first meeting of Committee
1.	John Spanswick	Labour	
2.	Bridie Sedgebeer	Labour	
3.	Martyn Jones	Labour	
4.	Jane Gebbie	Labour	
5.	Rod Shaw	Labour	
6.	Jon-Paul Blundell	Labour	
7.	Ken Watts	Conservative	
8.	Alex Williams	Conservative	
9.	Norah Clarke	Independent Alliance	
10.	Cheryl Green	Independent Alliance	
11.	Ross Penhale-Thomas	Llynfi Independents	
12.	Tim Thomas	Plaid Cymru	

Standards Committee

	Member	Group	Role
1.	DRW Lewis	Labour	
2.	M Clarke	Independent Alliance	

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 31 MAY 2017 AT 3.00 PM

Present

Councillor PA Davies – Chairperson

S Aspey	SE Baldwin	TH Beedle	JPD Blundell
NA Burnett	MC Clarke	N Clarke	RJ Collins
HJ David	P Davies	SK Dendy	DK Edwards
J Gebbie	T Giffard	RM Granville	CA Green
DG Howells	A Hussain	RM James	B Jones
M Jones	MJ Kearns	DRW Lewis	JE Lewis
JR McCarthy	DG Owen	D Patel	AA Pucella
JC Radcliffe	KL Rowlands	B Sedgebeer	RMI Shaw
CE Smith	SG Smith	RME Stirman	G Thomas
T Thomas	JH Tildesley MBE	E Venables	SR Vidal
MC Voisey	LM Walters	KJ Watts	CA Webster
DBF White	PJ White	A Williams	AJ Williams
HM Williams	JE Williams	RE Young	

Apologies for Absence

RL Penhale-Thomas and JC Spanswick

Officers:

Susan Cooper	Corporate Director - Social Services & Wellbeing
Julie Ellams	Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Andrew Jolley	Corporate Director Operational & Partnership Services
Gary Jones	Head of Democratic Services
Darren Mepham	Chief Executive
Mark Shephard	Corporate Director - Communities
Kelly Watson	Group Manager Legal & Democratic Services

17. DECLARATIONS OF INTEREST

None

18. TO RECEIVE ANNOUNCEMENTS FROM:

The Mayor

The Mayor welcomed all those present to the first ordinary meeting of council. She reported that a petition had just been received regarding the waste contract and would be passed onto the relevant officers for consideration.

During the first couple of weeks, the Mayor had been finding her feet and it had been interesting to see the different events going rapidly into her calendar. She was excited to attend her first engagement as Mayor – a fundraising event for a community centre. The Mayor and her consort also had a fantastic time representing the County Borough at the National Eisteddfod.

The Mayor looked forward to a busy and rewarding year and if anyone knew of any organisation that would like a civic visit in order to support their initiative, they should be directed to the Mayoral office for their request to be considered.

On a more sombre note, the terrible events in Manchester last week had shocked and saddened all and the Mayor was honoured to be asked to speak at the Vigil that was held in Bridgend Town Centre last Wednesday. The Mayor joined the hundreds of local people young and old who came together to remember the victims and their families and thanked Councillor David White for his swift organisation of this special and moving event.

The Mayor had written to the Lord Mayor of Manchester expressing her sorrow and offering thoughts and support during this very difficult time. In remembrance of all the people who were affected by the bombing in Manchester the Mayor asked that all observed one minute's silence.

Deputy Leader

The Deputy Leader reminded members about forthcoming training events.

Corporate Parenting training would take place on 12th and 19th June, Rights of Way Sub-Committee training on 14th June, Equalities Committee training on 20th June, and Treasury Management training and Audit Committee training on 26th June.

The next meeting of Council on 28th June would feature a pre-council presentation on the theme of 'Policing in the County Borough'.

Cabinet Member Communities

The Cabinet Member Communities explained that he was sure that members were already very aware that one of the single biggest changes to a service that touched every home in the county borough would commence on Monday 5 June. He was referring to waste and recycling collections, but as members had already received lots of information about the new scheme and there was a motion tabled as part of the agenda, he did not intend to go into the details of 'why' and 'how'. He did draw members' attention to the website, "recycleforBridgend.wales". This had been set up as an easy to use, one-stop-shop of information. It explained the rationale behind the scheme, clarified how people should use the new equipment, and featured a series of frequently asked questions that were regularly updated. It was part of a wider programme of publicity surrounding the new scheme, and as people started to use the new equipment and become accustomed to the new procedures, the website could prove to be extremely useful – both to members, and to constituents.

The Cabinet Member Communities referred to the old South Wales Police headquarters at Waterton. It was originally built as part of the infrastructure for the manufacture of munitions during the second world war and had become a local landmark. Now the building had become even more significant with the addition of a two-storey extension that had been recognised at the regional Building Excellence Awards. Constructors Willmott Dixon picked up the accolade for 'Best Large Commercial Building' after winning in the same category during the Bridgend County Borough heat of the awards. It was a stand-out project, and he was sure that members would join him in wishing it luck as it went forward to a national ceremony which would be held at Cardiff's Millennium Centre later in the year.

Cabinet Member for Social Services and Early Help

With the new waste and recycling procedures set to begin in a few days' time the Cabinet Member for Social Services and Early Help asked members to remind their constituents that they could take advantage of the free absorbent waste collection service.

The service would cater for both adults and children, and would incorporate nappies, wipes, paper tissues, stoma bags, incontinence pads, absorbent bed sheets, plastic gloves and disposable aprons. While the majority of users would be parents of babies and young children, there were a number of people in the county borough who were elderly, ill or vulnerable, and the council appreciated that a smaller number of residents would feel more comfortable with a discreet collection. They would be able to discuss and request this by contacting Kier on the 643 643 number, or by emailing them. Full details were on the website, "recycleforbridgend.wales". He was sure that members would want to let their constituents know about this very useful service.

Cabinet Member for Wellbeing and Future Generations

The Cabinet Member for Wellbeing and Future Generations reported that a new fostering scheme had been launched which aimed to support vulnerable parents and their children and help them stay together as a family. She explained that called the 'Parent and Child' scheme, it helped parents improve their confidence in caring for a child independently while building supportive networks within their local community. The scheme placed the parent and child together within a foster carer's home for up to 12 weeks so they could learn essential parenting skills in an environment where readily available support was at hand. The council was seeking local people who were interested in taking part. Full training would be provided, and no previous experience was necessary. It was hoped that members would help spread word of this very worthwhile scheme among their constituents. For more details, members were advised to contact the council's fostering team.

Finally, congratulations were sent to the Simply Out of School club at Maes Yr Haul Primary and Sadie and Frank's Day Nursery in Nantyllyllon for winning the 'Gold Standard Healthy Snack Award'. The award was a Western Bay initiative designed to raise awareness of healthy eating practices and demonstrate what could be achieved by providing nutritious snacks for children within childcare settings. The council's Childcare Team had been closely involved in the creation and development of this award, and were working with other local childcare settings to help them achieve it, too.

Cabinet Member for Education and Regeneration

The Cabinet Member for Education and Regeneration reminded Members that if they hadn't already had a chance to do so, he hoped that members would make an effort to visit the Urdd Eisteddfod before it closed on Saturday 3 June. As well as forming an important part of our culture, the Urdd brought thousands of visitors into the area and was a huge benefit to the local economy. He also hoped that members were able to enjoy last weekend's Street Roots Festival weekend in Bridgend town centre. This free event was organised by the CF31 group of local traders with support from the council and town council, and saw the town's pedestrianised streets filled with live music, world cuisine, street markets, a street circus, parades, drumming and more. It demonstrated the town centre's potential for hosting further such events and it was hoped that there would be more developments like this in the future.

The Cabinet Member for Education and Regeneration reported that a host of former Ryder Cup captains, Open champions and Champion Golfers of the Year would be lining up to take part in the 2017 Senior Open Championship when it returned to Porthcawl in July. Star names including Bernhard Langer, Ian Woosnam, Colin Montgomery and Tom

Watson were all eligible to play and the event was certain to be a must-see for sports fans, and would be a huge boost for local businesses while also showcasing the county borough on an international stage. Tickets were available from the senior open championship website.

Finally, he mentioned that the county borough's first ever award-winning farm park had opened in the grounds of Bridgend College's Pencoed campus. Ddraig Valley Farm Park was the brainchild of three local college students. It allowed visitors get close to traditional farm animals as well as the likes of iguanas, terrapins and alpacas. The farm also served as a base for students studying related courses at Bridgend College. He had been impressed with Ddraig Valley Farm Park and recommended that members pay it a visit. As well as having already won a wide number of accolades, it was a valuable educational asset and fast becoming a popular visitor attraction.

Chief Executive

The Chief Executive advised that he had two announcements to make:

1. City Deal

The Chief Executive explained that the Cardiff Capital Region City Deal was an agreement between ten local authorities, UK and Welsh Government with an investment fund of £1.2 billion. The City Deal was also contributing to the South Wales Metro scheme. It would unlock significant economic growth across the Cardiff Capital Region (CCR) and the aims of the CCR City Deal were to create jobs and boost economic prosperity by improving productivity, tackle worklessness, build on foundations of innovation, invest in physical and digital infrastructure, provide support for business, and ensure that any economic benefits generated as a result were felt across the region.

The Chief Executive reported that Heads of Terms had been agreed for the completion of a compound semi-conductor supply chain. This was a unique opportunity and a joint venture between Cardiff University, IQE and Welsh Government. It allowed full movement from research to the production stage. A proposal had also been received from the private sector for £39 million, an anchor for further investment. This had been approved by Cabinet on 2nd May 2017. This was the first major investment deal and a specific commitment making it different to other City Deals. The plan would be brought back to Council for approval in due course.

2. Security Position.

The Chief Executive reported that the threat level had recently changed from critical to severe however further incidents were likely. Staff should focus on challenging anyone without an identity badge and be aware of tail-gating at security doors. Visitors should be escorted within the building.

19. TO RECEIVE THE REPORT OF THE LEADER

The Leader reported that the funeral service had taken place that morning in the Senedd for Rhodri Morgan. Rhodri Morgan was the first first Minister and had been remembered with real affection and respect across political parties and across Wales as a leader who shaped the modern nation.

Devolution had a difficult and contested birth in Wales, Rhodri's leadership was essential to building that fragile new institution into the national Assembly for Wales, now at the heart of public life in the Nation.

He was a uniquely gifted politician, genuine, smart, funny and engaging he was able to relate to everyone he met. Whenever he came to Bridgend he had time for everyone and they had time for him. As a proud son of Wales he believed in the great potential of a more, confident can do Wales. This spurred him on through a life of public service. He would be rightly remembered in history as a founding father of devolution to Wales and his legacy would live for a long time.

The Leader reported that he was very pleased that Maesteg would be receiving a new Sunday rail service once the Wales and Borders rail franchise began in October 2018. For ten years, residents of the Llynfi Valley and their elected representatives had been campaigning and lobbying for this service. Last week the Economy and Infrastructure Cabinet Secretary Ken Skates AM confirmed in a meeting with Huw Irranca-Davies AM and himself that it would form part of the Welsh Government's procurement exercise for the rail network element of the South Wales Metro project. In addition, Mr Skates confirmed that work was underway to look at opportunities for enhancing the line infrastructure so that services between Bridgend and Maesteg could be doubled in frequency.

Fast and efficient public links were essential for all local communities. The authority was continuing to lobby for other parts of the county borough that were not connected via the rail network to benefit from the South Wales Metro by having access to improved and rapid bus services, universal ticketing, digital information for passengers and joined-up timetabling that reduce journey times. In the meantime, he was sure that members would agree that this was a significant step forward, and very welcome news for the county borough.

Finally this was a new Council and the Chief Executive had agreed to convene regular meetings with all the Group Leaders to discuss how they would work together to ensure progress was made. The Leader hoped that all members were settling in well and not too overwhelmed by the volume of information.

20. CAPITAL PROGRAMME 2016-17 TO 2026-27

The Head of Finance and Section 151 Officer presented a report to obtain approval from Council for a revised capital programme for 2016-17 to 2025-26. On 1st March 2017 Council approved the Medium Term Financial Strategy (MTFS) for 2017-18 to 2020-21, which included a revised capital programme covering the period 2016-17 to 2026-27.

Since the Medium Term Financial Strategy was approved, Cabinet had received a number of reports which required that Council approved changes to the capital programme, either to add in a new scheme or to remove a scheme. There were also changes required to the highways schemes relating to two 21st Century School schemes.

On 28th March 2017 a report was presented to Cabinet on 'School Modernisation: Outcome of the Evaluation Regarding the Proposed Relocation and Enlargement of Mynydd Cynffig Primary School to a Remodelled School Building and New Provision on the Current Cynffig Comprehensive School Site'. The report outlined the outcome of the re-evaluation of both current junior and comprehensive school sites for primary provision and it was considered that the proposal did not represent value for money. Consequently, a recommendation was made to Cabinet to abandon the scheme. Cabinet accepted this proposal and that Council approve the removal of the school scheme from the capital programme, along with the associated highways works.

The current capital programme, approved by Council on 1 March 2017, included the Mynydd Cynffig Primary School total scheme budget at £7.050 million, comprising

funding from BCBC and Welsh Government. The removal of this scheme from the programme would release £3.238 million of Welsh Government funding and £3.812 million of BCBC funding, comprising capital receipts, general capital funding and earmarked reserves.

The capital programme also included a budget of £700,000 in respect of highways works. This was also proposed to be removed from the capital programme.

For Brynmenyn Primary School, the initial cost estimates for highways improvements associated with the new school were based on desktop feasibility work and transport assessments undertaken by Capita consultancy at the pre planning application stage . At the planning and development control stage, conditions imposed with the planning application included the additional creation of pedestrian and cycle route links to the new school in light of the new active travel legislation, it also subsequently became apparent that more comprehensive works to two junctions leading to the school was required, including the movement of some utilities provision.

More detailed estimates for this work had now been provided following pre tender design work, and this had resulted in a significant increase in the overall estimated cost, leading to a budget shortfall of £620,000. As stated, the increase in cost had occurred in two main areas - the introduction of Active Travel link costs and highway junction improvement cost estimate variance. At the time the initial school scheme was drawn up the Active Travel (Wales) Act 2013 was in its infancy. However, as a school specific transport assessment and travel plan was developed, as part of the planning process, the requirement for an active travel route was identified. This was subsequently included as a condition of the planning application to promote a sustainable means of travel to and from school. This accounted for over £200,000 of the £620,000 shortfall.

The balance of the shortfall related to a difference in early cost estimates initially indicated by Capita consultancy for the highway junction works improvements, and a second later in-depth detailed cost estimate provided by the Council's internal engineering service following initial design work. This increased cost could be met from unallocated capital receipts.

Council agreed funding of £310,000 for the Pencoed Primary School Highways Works in October 2016. Since then the cost of the scheme had increased to £370,000 as a result of the inclusion of planning conditions necessitating improved schemes for traffic calming on Penprysg Road and additional street lighting at Cae Talcen to meet the requirements of creating a ' safe route ' to school. This increase in cost could be met from unallocated capital receipts.

There were also a number of other adjustments required to the capital programme approved in March to reflect further slippage into 2017-18 following the closure of the 2016-17 accounts (£7.670 million), new external funding approvals, reduced spend on externally funded projects and changes to expenditure profiles across financial years.

A Member raised serious concerns regarding Capita and what percentage of the original feasibility work the £200,000 equated to. If the Active Travel (Wales) Act 2013 had been enacted then it should have been taken into account when the original estimate was made. This accounted for £200,000 of the £620,000 shortfall and this was unacceptable because unallocated capital receipts could have been used for other things. The Corporate Director- Communities explained that he was not happy with this piece of work and that this would be pursued at the next Capita board meeting. He explained that there was always a balance to be struck between the amount of early feasibility work that was undertaken which might lead to more accurate estimates but at increased initial

cost, against the risk of abortive costs if that scheme, for whatever reason, then did not go ahead.

A Member asked why the decision had been taken to abandon the scheme to relocate Mynydd Cynffig to the Comprehensive site and if the funding for the scheme would be returned to the 21st Century Schools programme. The Head of Finance and Section 151 Officer explained that there had been match funding and the balance would be returned to the “general funding pot” for future use. The Interim Corporate Director - Education and Family Support explained that negative feedback had been received from the community following a stakeholder consultation and revised budget estimates lead to the conclusion that the proposal did not represent value for money.

A Member asked why the proposal to relocate and enlarge Mynydd Cynffig Primary School had been considered in the first place. The Cabinet Member for Education and Regeneration explained that proposals had been developed to create a school for 3 to 19 year olds. This would also deal with refurbishment and traffic concerns with the existing building and under occupancy at Kenfig. The consultation was unsuccessful and the issues would be reconsidered. Surveys would be reviewed to check if any urgent works were required.

A Member asked how much the scheme had cost prior to it being abandoned. The Interim Corporate Director - Education and Family Support reported that the total cost had been £327,802.

A Member raised a number of concerns in relation to when the shortfall was identified, the lack of adequate provision for dropping off young children and clarification of the future use of Brynmenyn Primary School. The Corporate Director- Communities explained that he would find the date the shortfall was identified and make that information available to the local member. The future use of the current Brynmenyn School site had not been decided but if the property was surplus to requirements of the Council then it would be disposed of. The Corporate Director- Communities agreed to brief the Member at a later date.

A Member asked if the item, “Unadopted Highways” related to a specific scheme. The Corporate Director- Communities explained that no future expenditure was planned for unadopted highways at this time as largely the responsibility for bringing highways up to an adoptable standard lay with the developer and not the Council. It was a matter for Council whether they wanted to prioritise this moving forward and make an allocation to do this work.

A Member asked why the inclusion of improved schemes for traffic calming and additional street lighting had not been included in the Pencoed Primary School highways works beyond those originally identified at the outline stage. The Corporate Director- Communities explained that it was a requirement of a planning condition and he was satisfied that it there would be no other additional requirements.

RESOLVED: That Council approved the revised Capital Programme as set out in Appendix 2 of the report.

21. **NOTICE OF MOTION PROPOSED BY COUNCILLOR ALEX WILLIAMS**

2017/18 Budget to be reviewed by the Budget Research and Evaluation Panel to realign the budget to protect local authority spending on education while ensuring a balanced budget.

Councillor Alex Williams proposed amendments to the motion as detailed below:

- That this Council requests that the 2018/19 budget is reviewed now and in subsequent years by the Budget Research and Evaluation Panel, to realign the budget to protect local authority spending on education, whilst ensuring a balanced budget and the Community Action Fund is considered as part of the review.

The amendment was seconded. Councillor A Williams requested a recorded vote and presented the motion. He explained that the election on May 4th 2017 had resulted in a change to the political dynamic with many new councillors. The 18/19 budget should reflect new council priorities and they should not be bound by previous decisions. In the spirit of collaboration he also welcomed a response from the Leader. He believed that the priorities of the Corporate Plan to support a successful economy and to raise aspirations and drive up educational achievements were laudable. Education was the catalyst and if the authority failed to protect its students, it would be failing generations of young people. There were already significant numbers with no qualifications and Bridgend already had the lowest ratio of spending per pupil. Lack of school improvements, the morale of staff and the loss of teachers in both the primary and secondary sectors were already issues of concern. Recommendations had been made by the scrutiny committees and these should be revisited by the Budget Research & Evaluation Panel as soon as possible, including consideration of the Community Action Fund. It was important to balance the budget but not by penalising children.

A Member welcomed the proposal and said that with the City Deal bringing in thousands of highly skilled, well paid jobs it was important to educate children to the same level.

The Cabinet Member for Education and Regeneration said that he couldn't disagree with some of the comments made and he welcomed the more rational and measured motion. The Budget Research & Evaluation Panel would be involved in future consideration of the budget to balance scarce resources and that he would be disappointed to lose the Community Action Fund because it was a way of empowering councillors.

A Member thanked Cllr Williams for the motion. He had been a former member of the panel and it was a concern that when 98% of the budget went on staffing, any cuts would lead to a loss of jobs, potentially 40 in primary schools. Bridgend was the 21st lowest funder for schools and the schools were already under considerable pressure.

The Leader welcomed the interest in the budget setting process and the problems identifying savings. If the issue could be considered as one council then it would be easier. Cabinet and CMB had already started to look at various proposals. It was important to have context and to be aware that there were those without qualifications but also that Bridgend had just recorded the best GCSE and A level results with schools "punching well above their weight". Efficiency savings had already been made and further efficiencies were planned although when it came to school catering, children needed to have hot meals during the day. Head teachers would be consulted when proposals around support services were considered.

The Deputy Leader welcomed the reinvigorated scrutiny of the budget. It was a complex area and important to have a whole council approach. Pay protection had been introduced and this was the equivalent of more than 1% and budgets had been protected for the last eight years.

A Member reported that even though school budgets were slightly higher than last year, schools had to find increases in salary. This would impact on staff levels resulting in redundancies and bigger class sizes. Imposing four years of cuts would undo all the good achieved.

The Cabinet Member for Social Services and Early Help said that austerity had to be recognised and that many employees had already lost their jobs. Education had been protected for seven years. It was important to look forward with all parties working together.

Members were unable to participate in a recorded vote.

They considered the substantive motion and voted in favour.

RESOLVED That Council agreed that the Budget Research and Evaluation Panel review the 2018/19 budget now and in subsequent years, to realign the budget to protect local authority spending on education, whilst ensuring a balanced budget and that the Community Action Fund be considered as part of the review.

22. **NOTICE OF MOTION PROPOSED BY COUNCILLOR ALEX WILLIAMS**

Overwhelming public concern regarding the new waste management and recycling scheme and the operation of the waste contract to be referred to Scrutiny for consideration.

Councillor Alex Williams put forward the following motion and sought Council's support:

- That this Council: 1) recognises the overwhelming public concern regarding the new waste management and recycling scheme and 2) refers the operation of the waste contract to Scrutiny for consideration and reporting to Cabinet.

Councillor Alex Williams presented the Notice of Motion. A 3000 signature petition had been delivered to Council demonstrating the strength of feeling and Members of the Public were in attendance. He thanked officers for the workshop regarding the new waste contract and accepted that it was unreasonable to reverse the contract. However, a scrutiny committee could be charged with investigating the new system and making recommendations. In order to reach targets it was important to keep up momentum and encourage more socially responsible behaviour rather than penalising residents. A petition had been delivered, concerns had been raised and social media required the authority to act. The vast majority of residents were keen to do their bit.

He raised a number of issues including the bin lorry refusing to collect from certain lanes, the lack of privacy for residents using incontinence bags, 2 bags not being enough for some families and no allowance for pets. Concerns were raised on how it would be policed, poor planning and project management.

The Deputy Leader welcomed the motion and accepted that there was significant rather than overwhelming public concern with many residents just getting on with it.

A member thanked officers for the training and recognised that the contract had been signed so they would need to work within the framework and there could be financial implications. The member requested that exempt minutes from previous scrutiny meetings where this had been considered, be released to inform future discussion regarding the new scheme. The member also suggested that the contract for enforcement should be put on hold until scrutiny had had the opportunity to review arrangements.

The Cabinet Member for Education and Regeneration explained that they could not insist on the contract being put on hold. He thanked the officers who recently visited an

over 50's complex to talk about the new arrangements. The audience congratulated the officers on the way it was explained and were already using colour coded bins and the system was working well. He disputed the term "overwhelming" but accepted that social media was being used to "sound off". A cultural change was needed in Wales to achieve the levels of recycling achieved in other countries such as Germany. A Scrutiny Committee would review the scheme and the meetings would be open to the public.

A Member referred to a discussion with a distressed resident and her concerns regarding the disposal of cat litter. These concerns did need to be addressed and improvements made. The member had researched the information available and claimed there was no correlation between recycling figures and restricting the number of black bags collected. Education and engagement were more successful when encouraging residents to engage in the new scheme.

A member referred to scrutiny in Bridgend and that it was robust, holding Cabinet Members and officers to account. A Scrutiny Committee should look at the scheme when there was something to evaluate and not as a knee jerk reaction. He suggested it should be a priority on the forward work programme.

A member referred to the fact that this would impact on every household in Bridgend. Residents were frustrated because they faced severe disruption during the "bedding in" and their concerns were not being dealt with. By referring to scrutiny at this stage the main thrust of the contract could be controlled. He whole heartedly accepted the need to recycle but change was a problem for residents.

A member welcomed the briefing that morning. Residents were not opposed to recycling but the next few months would be painful. The disruption had started already and calls had been received from distressed residents. More thought was required.

A Member said that he was pleased that scrutiny papers were in the public domain and supported the release of other documents. The contract should be open to discussion if members wanted to consider it.

The Cabinet Member for Education and Regeneration explained that he was reacting to the assumption that individuals were entitled to be involved in discussions relating to the contract rather than the Council acting as a whole.

A member stated that there was a fundamental issue with privacy and basic human rights when it came to the use of purple bags. She was aware of an overwhelming reaction against the use of these bags.

The Cabinet Member for Social Services and Early Help explained that concerns regarding this issue had been noted and dealt with. It was a large contract and there would be hiccups as there had been in other authorities when they had implemented similar schemes. It was important to work together in a professional manner.

The Cabinet Member for Communities stated that to scrutinise at this stage would not be helpful to take the process forward but if a sufficient time period was allowed for the new system to be implemented any scrutiny would then be better informed and more meaningful.

Members considered the motion and voted in favour.

RESOLVED: That this Council: 1) recognised the overwhelming public concern regarding the new waste management and recycling

scheme and 2) referred the operation of the waste contract to Scrutiny for consideration and reporting to Cabinet

23. URGENT ITEMS

None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

28 JUNE 2017

JOINT REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES AND HEAD OF FINANCE

CIVIL PARKING MOBILE ENFORCEMENT VEHICLE

1 Purpose of Report

- 1.1 The purpose of the report is to seek approval from Council to make a change to the capital programme to include a budget of £68,000 for the purchase of a Civil Parking mobile enforcement vehicle.
- 1.2 In their meeting on 27th June 2017 Cabinet have been asked to approve:
 - (a) The purchase of a mobile enforcement vehicle and camera, and associated software/hardware to allow the CPE service to enforce parking restrictions, with associated staffing, operational and administrative.
 - (b) 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.

2 Connection to Corporate improvement Plan/Other Corporate Priority

This proposal will support the Council's commitment; Helping people to be more self-reliant.

3 Background

- 3.1 On the 1st April 2013, Bridgend County Borough Council (BCBC) was given the powers to undertake civil parking enforcement (CPE) under the legislative powers of the Traffic Management Act 2004, to deliver effective parking enforcement.
- 3.2 Three financial years' experience of CPE has highlighted that certain areas, such as outside schools, are particularly difficult to enforce by officers on foot. Their physical presence deters motorists from contravening regulations when they are in the area but not when they leave.
- 3.3 Drivers who park their vehicles in areas such as on school 'keep clear' markings, bus stops and where a loading ban is in place, are a danger to road users and pedestrians, especially children, as well as causing traffic congestion. Road safety outside of schools is vitally important, and concerns

in this regard have been expressed by schools, parents and local members representing the communities.

- 3.4 The Welsh Government legislates for the enforcement of parking contraventions by approved devices under The Civil Enforcement of Parking Restrictions (Approved Devices) (Wales) Order 2013. The approved devices are defined in this Order as a camera and recording equipment which have been certified by the Welsh Ministers as meeting the specified requirements and which are detailed in a schedule to the Order.
- 3.5 Such legislation and technology allows for parking restrictions to be enforced via CCTV. This report sets out proposals for the introduction of mobile CCTV enforcement of parking restrictions throughout the Borough of Bridgend, to compliment the current foot patrols carried out by the Authority's Civil Enforcement Officers (CEO's).

4 Current Situation/Proposal

- 4.1 Bridgend currently employs 12 Civil Enforcement Officers, exclusively operating within the County Borough of Bridgend to provide parking enforcement, both on-street and off-street across the Authority. They currently issue in the region of 10,000 Penalty Charge Notices (PCNs) per annum.
- 4.2 While enforcement resources are appropriate for the majority of parking infringements, it is of concern that it has been suggested that enforcement consistently fails to meet expectations in the areas of schools, bus stops and other locations where short-term parking is prohibited i.e. zig-zags associated with pedestrian crossing facilities, no loading/unloading restrictions, double yellow lines with kerb markings. (Note: these are not areas where blue badge holders would be exempt from penalty charge notices being applied).
- 4.3 Whilst officers are regularly deployed to these areas their physical presence prevents parking only whilst they are there. Once officers leave the area, inappropriate parking reoccurs.
- 4.4 Local authorities have a duty to tackle dangerous parking and the Traffic Management Act 2004 allows councils to enforce parking at problem areas, where motorists are putting the safety of others at risk and causing unnecessary congestion. The Traffic Management Act recommends that approved devices (such as mobile CCTV vehicles) are used only in problem areas where enforcement is difficult or sensitive and enforcement by Civil Parking Enforcement Officers is not practical. Problem areas will be identified through operational intelligence gathered by the Parking Enforcement Officers, general public complaints, parents and schools.
- 4.5 At present the Council does not have the equipment to allow these problem areas to be addressed. Whilst visits are made to schools and bus stops, this is having little or no effect on reducing the number of Traffic Regulation Order contraventions. Mobile CCTV would capture images of those vehicles parking illegally, allowing PCNs to be sent in the post. This method of enforcement

ensures that motorists who contravene parking restrictions understand that there is a likelihood of them receiving a PCN, even if there is no Civil Parking Enforcement Officer patrolling on foot in the area.

- 4.6 Currently as Civil Parking Enforcement Officers approach on foot, areas such as outside schools, Owners of vehicles will often remove them before any action can be taken and return when the officer is no longer in the area. The Mobile vehicle offers the advantage of being able to both quickly capture images whilst moving past an area before vehicles can be removed and also can be parked in unattended mode which will capture images whilst also acting as a visual deterrent.
- 4.7 The vehicle is not covert and is clearly signed as a mobile enforcement unit. It would ensure that Civil Enforcement Officers can enforce a greater geographical area as most on foot officers are dropped off in an area currently and do not have access to a vehicle throughout the majority of the working day. However mobile enforcement would not remove the need to have traditional on-foot enforcement.
- 4.8 Schools across the Authority are likely to experience issues at school opening and closing times associated with school generated parking. It is not possible to enforce each school effectively with foot patrols alone. A foot patrol would only be able to deal with potentially a single school within the arrival and departure times of schools based on their geographical locations.
- 4.9 There are currently 393 bus stop clearway restrictions in operation within the Borough of Bridgend. Unauthorised parking in bus stops is a problem that consistently affects local bus operators, impacting on punctuality, convenience of bus passengers (particularly those with mobility problems who are not able to access the low floor bus directly using the raised kerb) and indeed safety. As the bus stops are not always located alongside other areas of parking restrictions, some locations tend to be treated as a lower priority by Civil Enforcement Officers (CEO) due to the level of 'lost time' travelling on foot between the sites (CEO officers are not supplied with a vehicle and are often dropped off in area to patrol without vehicular transport). With a CCTV vehicle, an officer can patrol a full bus route in a relatively short period of time.
- 4.10 Abuse of zig-zags associated with pedestrian crossing facilities has significant safety implications as it restricts the visibility of any pedestrian crossing. In Town Centres in particular, drivers will quickly evaluate an area and take a chance if they do not observe a CEO on foot patrol as it may offer the most convenient location for the shop they are visiting. Unfortunately the driver is generally oblivious to the safety issues that they are causing. Due to the relative short-term nature of the parking stay, again it is difficult to provide an effective deterrent to this type of abuse with foot patrols alone.
- 4.11 Similar problems apply to loading bays and areas where loading/unloading is prohibited unless foot patrols are clearly visible. There are currently 33 loading bays, 6 Goods Vehicle Only loading bays and 300 no loading/unloading at any time restrictions in operation in the Borough of

Bridgend. Effective enforcement of these facilities cannot be undertaken with the current enforcement resources available.

- 4.12 The purchase of a mobile enforcement vehicle is proposed through an appropriate procurement route.

To minimise disruption to the existing enforcement and appeals service, it is suggested that two additional officers would be required to implement this service - one additional enforcement officer to operate the vehicle and review the data (supplemented by existing enforcement staff, when required), plus one additional officer to deal with the back office side of the system and administration including, review of photographic evidence and submission to the Wales Penalty Processing Partnership along with any increase in appeals that will be generated by the increased PCN levels.

5 Effect Upon Policy Framework and Procedure Rules

- 5.1 There is no effect upon the policy framework or procedure rules.

6 Equalities Impact Assessment

- 6.1 As part of this Cabinet Report an EIA screening report was undertaken. In agreement with the Authority's Equalities Officer, the screening identified that the proposal can be screened out of the process and that a full EIA would not be required.

7. Financial Implications

- 7.1 It is proposed that set up costs will be covered by an earmarked reserve that has been created for the Civil Parking Enforcement service arising from underspends generated by the service since its inception. It is estimated that set up costs will be circa £68,000 for the vehicle and enforcement system supply and set up.
- 7.2 It is anticipated that the ongoing costs will be financed through income generated from the additional PCNs issued as a result of the introduction of the mobile enforcement vehicle. The ongoing annual vehicle and technical system maintenance and personnel costs are anticipated to be £10,000 maintenance plus staff costs in the order of £48,000. Initial projected income is expected to be in the region of £78,000 per annum. Whilst this will decline as the number of infringements decrease and the use of the mobile enforcement changes behaviour it is still expected that the system will be self-funding on an ongoing basis.

8. Recommendations

- 8.1 Council is asked to approve:
- 8.2 That the capital programme be amended to include funding for to the purchase of a Civil Parking mobile enforcement vehicle, at an estimated cost

of circa £68,000. The scheme will be funded from existing earmarked reserves.

MARK SHEPHARD
Corporate Director Communities

RANDAL HEMINGWAY
Head of Finance
June 2017

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Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

28 JUNE 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

PAY POLICY STATEMENT — 2017/18

1. Purpose of Report.

- 1.1.1 This report confirms that the Council is meeting its legal obligation following the Localism Act 2011.

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

- 2.1 None.

3. Background.

- 3.1 The Localism Act 2011 requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement beginning 2012/13 and for each financial year thereafter.
- 3.2 Council has already fulfilled its obligations, as required by Section 39(1) Localism Act 2011, and the first Pay Policy Statement came into effect on 1st April 2012 with the subsequent Pay Policy Statements being published on 1st April 2013, 13th November 2013, 17th September 2014, 1st April 2015, 17th February 2016 and 8th June 2016.

4. Current situation / proposal.

- 4.1 The updated Pay Policy Statement for Council's consideration for the year 2017/18 is attached as Appendix A.
- 4.2 This Pay Policy Statement is fully compliant with the Localism Act 2011.
- 4.3 Agreement was reached previously in respect of a two year pay negotiations for:

Chief Executives who received a 1% rise as of 1st April 2016 and who will receive a further 1% rise as of 1st April 2017

Chief Officers who received a 1% rise as of 1st April 2016 and who will receive a further 1% rise as of 1st April 2017
- 4.6 The Agreement set out above at 4.3 was referred to and approved by the Independent Review Panel.
- 4.7 As included in the Council Report 8th June 2016, the NJC negotiations concluded in May 2016 with agreement from Unison and GMB but not with agreement from

Unite. The offer was a two year deal and to be implemented in two parts. A 1% increase was implemented on 1st April 2016 and a further 1% increase as of 1st April 2017.

- 4.8 Similarly a two year deal was agreed for those employed under Soulbury and JNC Youth & Community terms and conditions. In line with their national terms and conditions the effective date of their pay rise for 2016 was 1st September in that year and the effective date of their 2017 pay rise will be payable as at 1st September 2017.
- 4.9 The current Redundancy and Redeployment policy is attached to the Pay Policy Statement as required.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 None.

6. Equality Impact Assessment

- 6.1 An Initial Screening Equality Impact Assessment has been undertaken which indicates that the proposed Pay Policy Statement will positively assist in the delivery of the Council's equality duties.

7. Financial Implications.

- 7.1 There are no financial implications arising from the recommendations in this report.

8. Recommendation.

- 8.1 Council is requested to approve the updated Pay Policy Statement as attached as Appendix A.

Andrew Jolley
Corporate Director Operational & Partnership Services
13/06/17

Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL

PAY POLICY STATEMENT – 2017/18

1. INTRODUCTION AND PURPOSE

1.1 Under Section 112 of the Local Government Act 1972 the Council has ‘the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit’. This Pay Policy Statement outlines the Council’s approach to pay policy in accordance with the requirements of 38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for 2012/3 and for each financial year after that, detailing:

- a) The Authority’s policies towards all aspects and elements of the remuneration of Chief Officers;
- b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
- c) The Authority’s policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
- d) The relationship between the remuneration of its Chief Officers and other employees.

1.2 Local Authorities are large complex organisations and provide and/or commission a wide range of essential services. The strategic approach to remuneration levels may need to differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The Council will require some flexibility in its Pay Policy Statement to address changing circumstances which may or may not be foreseeable.

1.3 As approved by full Council, as required by Section 39(1) Localism Act 2011, this Pay Policy Statement came into effect on 1st April 2012 and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation above.

2. LEGISLATIVE FRAMEWORK

2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the

- a) Equality Act 2010
- b) Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
- c) Agency Workers Regulations 2010 and where relevant, the
- d) Transfer of Undertakings (Protection of Earnings) Regulations

2.2 In respect of the Equal Pay requirements contained within the Equality Act, the Council must ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified. The introduction of a new pay and grading system in September 2013, following the conclusion of the job evaluation project, an equality impact assessment and a Collective Agreement with the three recognised trade unions enabled the Council to ensure that remuneration is appropriate for the requirements, demands and responsibilities of roles at an individual post level as well as in relative terms across all posts. A further EIA

conducted in September 2016 confirmed that the Council's pay and grading system continues to conform in this regard.

3. SCOPE OF THE PAY POLICY STATEMENT

- 3.1 The Localism Act 2011 requires Local Authorities to develop and make public their Pay Policy Statement on all aspects of Chief Officer remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Authority, explaining their policy in respect of the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach, producing a pay policy which covers all employee groups with the exception of School Teachers. The remuneration for this latter group is set by the Secretary of State and not in the control of Local Authorities.
- 3.2 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, the Council will comply with this Pay Policy Statement in setting remuneration levels for all groups within its scope.

4. BROAD PRINCIPLES OF OUR PAY POLICY

4.1 Transparency, accountability and value for money

- 4.1.1 The Council is committed to an open and transparent approach to its pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-

- a) [Employee Pay Scales](#) (Appendix A)
- b) [Chief Officer Pay Scales](#) (Appendix B)
- c) [Soulbury Pay Scale](#) (Appendix C)
- d) [JNC \(Youth & Community\)](#) (Appendix D)
- e) [Policy on Redundancy and Severance Payments](#) (including additional pension payments) (Appendix E)

4.2 Development of a Pay Policy

- 4.2.1 The primary aim of a reward strategy is to attract, motivate and retain suitably skilled employees to enable the Council to perform at its best. One of the biggest challenges for the Council in the current circumstances is to maximise productivity and efficiency within current resources. The Pay Policy Statement outlines the remuneration levels believed to be effective in facilitating a sufficient supply of appropriately skilled employees which can be objectively justified and provide the local tax payer with an assurance of value for money.
- 4.2.2 At the more senior grades in particular, remuneration levels need to effect sufficient interest to enable the attraction of a suitably wide pool of talent and the Council will often be seeking to recruit in competition with other public and private sector employers.
- 4.2.3 The Council's pay policy will, through its design, development and review, seek to balance these factors appropriately to maximise outcomes while

managing pay costs appropriately and maintaining sufficient flexibility to meet future needs.

- 4.2.4 This Pay Policy Statement will be reviewed on an annual basis and approved annually by full Council.

4.3 Pay Structure

- 4.3.1 The Council uses the nationally negotiated pay spine as the basis for its pay & grading structure. This determines the remuneration of the majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 4.3.2 The Council has extended the national pay spine up to spinal column point 55.
- 4.3.3 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 4.3.4 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.

4.4 Pay and Performance

- 4.4.1 The Council does not employ any performance related pay mechanisms.

4.5 Job Evaluation

- 4.5.1 Job evaluation is a systematic way of determining the value of a job in relation to other jobs within an organisation. It provides a means of systematic comparison of jobs to assess their relative worth for the purpose of establishing an equitable and justifiable pay structure.
- 4.5.2 In 2013 the Council established a Collective Agreement in respect of Single Status for all NJC employees in terms of Pay & Grading and Terms & Conditions. Our Equality Impact Assessment (EIA) process has been used throughout the process and will continue to be used in future with an EIA being conducted every 3 years. The Council, as it is bound to do, engaged an independent assessor to confirm the integrity of our new pay and grading system and this external expertise was provided by NothgateArniso. The last EIA to be undertaken was in September 2016.

4.6 Market Supplements

- 4.6.1 Job evaluation will enable the council to determine remuneration levels, which reward responsibility in a relative way within the council. However, from time to time it may be necessary to take account of the external pay market to attract and retain employees with particular experience, skills and capacity.
- 4.6.2 In due course the Council may draft a Market Supplements Policy to ensure that the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. It is the Council's policy that any such additional payments be kept to a minimum

and be reviewed on an annual basis so that they can be withdrawn where no longer considered necessary. An EIA would also be carried out on any proposal.

4.7 Honoraria

4.7.1 When the Council requires an employee to carry out additional duties to those of their substantive post, for a prolonged period of time, an additional payment commensurate with those duties may be made in accordance with the Council's Acting Rank/Honorarium Protocol, which is attached as Appendix F.

5. CHIEF OFFICER REMUNERATION

5.1 Definitions of Chief Officer & Pay Levels

5.1.1 For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are set out below: (details of the salary of each are included at Appendix B):

- a) Chief Executive
- b) Corporate Directors
- c) Heads of Service

5.1.2 Each JNC Chief Officer grade consists of 4 incremental points.

5.1.3 No bonus or performance related pay mechanism exists in respect of Chief Officers' pay.

5.1.4 Any decision to vary the remuneration of chief officers [or those to be appointed] must be made by full Council, without the opportunity of delegating it to a committee of the Council.

5.2 Recruitment of Chief Officers

5.2.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4. Rules of Procedure of the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

5.2.2 The 2014 Regulations prescribe that where an authority proposes to appoint a chief officer with an annual remuneration package of £100,000 or more the post must be publicly advertised. The only exception to this requirement is where the appointment would be for no longer than 12 months.

5.2.3 Where the Council remains unable to directly recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post the Council may consider engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money. The Council does not currently have any Chief Officers engaged under such

arrangements. The Council is currently sourcing support from the WLGA on an Interim basis to cover the post of Corporate Director Resources.

5.3 Additions to Salary of Chief Officers

- 5.3.1 The Council does not apply any bonuses or performance related pay to its Chief Officers.
- 5.3.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.
- 5.3.3 The cost of membership of one professional body is met by the Authority.
- 5.3.4 The Chief Executive is also appointed as Returning Officer. This is an Office Holding rather than an employment contract. The Chief Executive will receive a fee from the organisation requiring the election to be carried out in accordance with the Fee Order in force at the time. In the case of a local election the Authority's fee structure will be approved at the time.
- 5.3.5 The Deputy Returning Officer's fees are authorised by the Returning Officer in accordance with the Fee Order or, in the case of local elections, the Council's fee structure at the time.
- 5.3.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government..

5.4 Payments on Termination

- 5.4.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Ill Health, Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).

- 5.4.2 Statutory Guidance issued by the Welsh Government states that it

“recommends that full Council should be offered the opportunity to vote before severance packages of £100,000 and above are approved for staff leaving the organization. However, Members must be aware of the statutory or contractual entitlements due to an employee and the consequences of non-approval by Council which may allow an employee to claim damages for breach of contract”.

- 5.4.3 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or Committee of Council in the case of the Chief Executive or; Council or Council

Committee or Officer with delegated powers at the time, in the case of other JNC Officers. The Chief Executive or officer with delegated power from the Chief Executive will determine such payments in respect of all other staff.

6. PUBLICATION

- 6.1 Upon approval by the full Council, this statement will be published on the Council's Website.
- 6.2 In addition, for posts where the full time equivalent salary is at least £60,000 and where the posts have been designated as a head of paid service or a statutory or non-statutory chief officer, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council's Annual Statement of Accounts will provide information in relation to: salary, fees and allowances; expenses; termination payments and pension contributions. It will also publish the number of employees in the year to which the accounts relate whose remuneration is greater than £60,000 in multiples of £5,000 brackets of scale.

7. PAY RELATIVITIES WITHIN THE AUTHORITY

- 7.1 The lowest paid persons employed under a Contract of Employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1st April 2017, this is £15,014 per annum. The Council employs Apprentices [and other Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 7.2 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than twenty times the lowest paid person in the organisation. The report concluded that the relationship to average earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the average salary of the whole of the Authority's workforce.
- 7.3 The current pay levels within the Council define the multiple between:
- 7.3.1 the lowest paid employee (full time equivalent) and the Chief Executive as **1:8.9**
- 7.3.2 the lowest paid employee and average Chief Officer as **1:6.2**
- 7.3.3 the multiple between the average full time equivalent earnings and the Chief Executive as **1:4.2**
- 7.3.4 the multiple between the average full time equivalent earnings and average Chief Officer as **1:2.9**

8. ACCOUNTABILITY AND DECISION MAKING

- 8.1 In accordance with the Constitution of the Council, full Council decide upon the organisational structure, recruitment, pay, terms & conditions and severance arrangements for JNC Chief Officers.
- 8.2 The responsibility for the organisational structure, recruitment, pay, terms & conditions and severance arrangements for NJC, Craft, Youth & Community and Soulbury employees has been delegated to officers.

9. RE-EMPLOYMENT

- 9.1 Whilst having due regard to the Council's duty under Section 7 of the Local Government and Housing Act 1989, no Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council.

10. REVIEWING THE POLICY

- 10.1 This Pay Policy Statement outlines the current position in respect of pay and reward within the Council at the time of writing. It will be reviewed and updated and published annually as a matter of course and in the event of any changes taking place during a financial year.

PAY SCALES FOR NJC EMPLOYEES.

Salary	SCP	Grades	
£15,014	6	Grade 1 (-249)	
£15,115	7		
£15,246	8		Grade 2 (250-294)
£15,375	9		
£15,613	10		
£15,807	11		
£16,123	12	Grade 3 (295-320)	
£16,491	13		
£16,781	14		
£17,072	15		Grade 4 (321-349)
£17,419	16		
£17,772	17	Grade 5 (350-379)	
£18,070	18		
£18,746	19		
£19,430	20		Grade 6 (380-409)
£20,138	21		
£20,661	22	Grade 7 (410-439)	
£21,268	23		
£21,962	24		
£22,658	25		Grade 8 (440-469)
£23,398	26		
£24,174	27		
£24,964	28		
£25,951	29	Grade 9 (470-503)	
£26,822	30		
£27,668	31		
£28,485	32		Grade 10 (504-539)
£29,323	33		
£30,153	34		
£30,785	35		
£31,601	36	Grade 11 (540-569)	
£32,486	37		
£33,437	38		
£34,538	39		Grade 12 (570-599)
£35,444	40		
£36,379	41		
£37,306	42	Grade 13 (600-639)	
£38,237	43		
£39,177	44		
£40,057	45		
£41,025	46		
£41,967	47		Grade 14 (640-669)
£42,899	48		
£43,821	49		
£44,740	50		
£45,658	51	Grade 15 (670-697)	
£46,579	52		
£47,498	53		
£48,417	54		Grade 16 (698+)
£49,336	55		

CHIEF OFFICERS PAY SCALES

CHIEF EXECUTIVE PAY RANGE £124,782 - £133,726			
Point 1	Point 2	Point 3	Point 4
£124,782	£127,763	£130,745	£133,726
DIRECTORS' PAY RANGE £101,381 - £106,160			
Point 1	Point 2	Point 3	Point 4
£101,381	£103,682	£103,904	£106,160
HEADS OF SERVICE PAY RANGE £76,040 - £81,210			
Point 1	Point 2	Point 3	Point 4
£76,040	£77,763	£79,487	£81,210

SOULBURY PAY SCALES

EDUCATIONAL PSYCHOLOGISTS - SCALE A	
SPINE POINT	SALARY FROM 01.09.2016
1.	£35,377
2.	£37,173
3.	£38,969
4.	£40,764
5.	£42,558
6.	£44,353
7.	£46,044
8.	£47,734
9.	£49,317
10.	£50,902
11.	£52,380

NOTES:

1. Salary scales to consist of six consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Extension to scale to accommodate structured professional assessment points.

SENIOR & PRINCIPAL EDUCATIONAL PSYCHOLOGISTS - SCALE B	
SPINE POINT	SALARY FROM 01.09.2016
1.	£44,353
2.	£46,044
3.	£47,734
4.	£49,317
5.	£50,902
6.	£52,380
7.	£52,987
8.	£54,120
9.	£55,243
10.	£56,386
11.	£57,506
12.	£58,649
13.	£59,811
14.	£60,933
15.	£62,110
16.	£63,275
17.	£64,448
18.	£65,620

Notes:

1. Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Normal minimum point for the Principal Educational Psychologist undertaking the full range of duties at this level.
3. Extension to range to accommodate discretionary scale points and structured professional assessments
4. Principals are paid on a 4 point scale 8-14 [this also includes 3 spa points]

EDUCATIONAL IMPROVEMENT PROFESSIONALS	
SPINE POINT	SALARY FROM 01.09.2016
1.	£33,730
2.	£34,938
3.	£36,078
4.	£37,234
5.	£38,383
6.	£39,533
7.	£40,741
8.	£41,902
9.	£43,256
10.	£44,463
11.	£45,655
12.	£46,809
13.	£48,116
14.	£49,280
15.	£50,567
16.	£51,731
17.	£52,897
18.	£54,042
19.	£55,223
20.	£55,833
21.	£57,005
22.	£58,027
23.	£59,152
24.	£60,160
25.	£61,239
26.	£62,291
27.	£63,367
28.	£64,457
29.	£65,551
30.	£66,643
31.	£67,725
32.	£68,824
33.	£69,924
34.	£71,050

35.	£72,173
36.	£73,329
37.	£74,465
38.	£75,615
39.	£76,748
40.	£77,880
41.	£79,019
42.	£80,156
43.	£81,293
44.	£82,435
45.	£83,574
46.	£84,715
47.	£85,860
48.	£86,995
49.	£88,135
50.	£89,275

Notes:

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

APPENDIX D

YOUTH & COMMUNITY SUPPORT WORKER

JESC 172

Pay Points	w.e.f 1.09.16
2	15,507
3	16,117
4	16,681
5	17,241
6	17,828
7	18,450
8	19,069
9	19,856
10	20,472
11	21,467
12	22,441
13	23,445
14	24,485
15	25,194
16	25,935
17	26,662

Professional Range

Pay Points	w.e.f 1.09.16
13	23,445
14	24,485
15	25,194
16	25,935
17	26,662
18	27,396
19	28,123
20	28,852
21	29,672
22	30,601
23	31,505
24	32,413
25	33,329
26	34,243
27	35,159
28	36,085
29	37,005
30	37,924

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REDUNDANCY AND REDEPLOYMENT POLICY

Date of Issue: March 2010

1. Introduction

- 1.1 This policy is designed to assist with the management of redundancy and redeployment situations within the Authority. It should be read in conjunction with: the Authority's Early Retirement, Ill Health Retirement and Redundancy Policy and the Managers' Guidelines attaching to this policy.
- 1.2 Whilst the Authority's policy is to avoid redundancies wherever possible, the needs of the business may from time to time require a reduction in the overall number of staff employed or organisational changes that result in some employees being made redundant.
- 1.3 The Authority, in consultation with the Trade Unions, will seek to avoid or minimise redundancies by exploring alternative options, such as
 - "Natural wastage"
 - Redeployment
 - Retraining
 - Restrictions on recruitment [inc use of agency staff]
 - Early retirement
 - Voluntary redundancy, including "bumped redundancy" where someone other than the postholder's post is made redundant
 - Reduction or elimination of overtime
- 1.4 Where redundancy is inevitable the Authority will handle the matter in the most fair, consistent and sympathetic manner possible in order to minimise any hardship that may be suffered by the employee(s) concerned. The Authority will ensure that:
 - the total number of redundancies made is kept to a minimum;
 - employees and their representatives are fully consulted on any proposals and their implementation;
 - selection for redundancy is based on clear criteria that will be determined objectively and fairly applied;
 - every effort is made to redeploy or find alternative work for employees selected for redundancy; and
 - support and advice is provided to employees selected for redundancy to help them find suitable alternative work.

2. Consultation

- 2.1 When a potential redundancy situation has been identified it will be necessary to write to the recognised trade unions and issue notice of formal consultation.

2.2 Selection criteria will be identified, where necessary, and where possible agreed with the employees/Trade Unions in advance.

2.3 Consultations will be carried out with affected employees and with the recognised Trade Unions over the proposals and the process to be followed. The consultation should start as soon as practicable and at least:-

Number of affected employees	Period of consultation
• Less than 20 employees	30 days
• 20 to 99 employees	30 days
• 100 or more employees	45 days

2.4 At the start of the consultation, written details of the following will be provided to employees and recognised Trade Unions:-

- the reasons for the proposals
- the numbers of employees affected by the consultation and descriptions of employees that could potentially be dismissed as redundant
- the total number of employees of any such description employed at the service unit in question
- the criteria to be applied for selection for redundancy
- how the redundancies are to be carried out, including the period over which the redundancies are to take effect.

2.5 Formal consultation meetings with employee(s) will be held with those potentially affected by the proposed redundancy.

2.6 Where an agreed position has not been reached by the end of the consultation period a further notice of formal consultation will be issued. The length of the second consultation period will be the same as the original. It is necessary for all parties to have undertaken genuine consultation with a view to avoiding redundancy and reaching agreement. Consultation should continue until all issues have been aired and parties have had a reasonable amount of time to comment on information provided and proposals made.

2.7 Following the completion of the consultation process, if no satisfactory resolution has been agreed to avoid a redundancy, the selection criteria will be applied to determine which employees will be issued with notice of redundancy.

3. Voluntary Redundancy

3.1 In order to minimise the need for compulsory redundancies, the Authority may consider inviting expressions of interests from employees for voluntary redundancies. However, the Authority reserves the right at its discretion to decline all or some of such expressions of interests.

4. Redundancy Selection

4.1 Where the need for redundancies arises, selection will be made on the basis of objective criteria, which will be reasonably, fairly and consistently applied. The Authority will ensure that the selection criteria are applied to the affected employees.

4.2 The criteria to be used will normally include but is not limited to:

- Absence record
- Disciplinary record
- Qualifications
- Skills
- Standard of work performance

4.3 Where an employee in the pool for selection has declared themselves as being disabled, the Authority will ensure that full consideration is given to the Disability Discrimination Act 1995 and that he/she is not put at any disadvantage on account of the selection criteria and will make reasonable adjustments as appropriate.

5. Redeployment

- 5.1 The Authority will make every effort to provide suitable alternative work to any employee who is selected for redundancy. Suitable alternative work will be considered both during the consultation period and after the conclusion of the consultation period. All current vacancies suitable for redeployment will be considered in respect of the selected employees, including where possible, consideration of retraining. If more than one employee is interested in a suitable, alternative post it may be necessary to apply selection criteria and/or conduct competitive interviews. This process will be ring-fenced to the affected employees in the first instance.
- 5.2 Prior consideration will apply where employee(s) have expressed an interest in a vacancy and meet the criteria for the post which is at a grade commensurate with their existing salary range.
- 5.3 Where interest is expressed for a post of a higher salary, the normal selection procedures will apply and consideration will be in competition with any other applicants.
- 5.4 Any offer of redeployment will be made in writing. This will include notification of the trial period which will apply to a redeployment appointment. Whilst this will be for a 4 week period, it can be extended or curtailed depending upon the individual circumstances.
- 5.5 During the trial period there will be performance review(s) at appropriate intervals. This will provide opportunity for the manager and employee to assess suitability. Should the redeployment be successful this will be confirmed and the written statement of particulars issued. If the redeployment is not successful this too will be confirmed in writing.
- 5.6 An employee may undertake more than one trial period during their period of notice.
- 5.7 Should an employee embark on a trial period and the four week period exceeds the date of termination, the trial period will continue for the 4 weeks. At the end of this period should it be unsuccessful redundancy will be confirmed.
- 5.8 Where the redeployment involves an employee changing their normal place of work they will be paid excess travelling expenses, in accordance with the authority's allowances and expenses policy.

- 5.9 Should the employee decline the offer of suitable alternative employment, further redeployment opportunities will be explored during the period of the consultation and notice.
- 5.10 Should an employee refuse an offer of suitable alternative employment or resigns during the trial period the right to a redundancy payment will be lost.
- 5.11 In certain circumstances to avoid a redundancy situation, employee(s) who are in comparable positions but not directly affected by the proposed redundancy can be invited to express an interest in redundancy. This is a bumped redundancy and will only be considered where its approval will save another employee facing redundancy.
- 5.12 If after carrying out these steps there appears to be no possibility of redeployment, the employee(s) will be terminated in accordance with their notice period.

6. Dismissal by reason of Redundancy

- 6.1 In all cases where a dismissal is being considered the three step process will be followed:
- Step 1 - Employee to be advised in writing of the circumstances of the meeting.
 - Step 2 - Meeting takes place with the employee to determine the options.
 - Step 3 - Employee to be advised in writing of the outcome of the meeting.
- 6.2 Where an employee has been selected after the selection criteria has been applied, the employee will have the opportunity during the step 2 meeting to make any representations in support of or against their selection. Management will then consider these representations and, if necessary, extend the consultation period. A further meeting, if necessary, may be scheduled to inform the employee of the decision.
- 6.3 Whilst under notice of termination due to redundancy an employee is entitled to a reasonable amount of paid time off to look for alternative work, attend interviews etc. Employee(s) wishing to take advantage of this provision should seek prior approval for their absence with their manager in the normal manner.
- 6.4 Where an offer of employment is made by an associated employer i.e. any other local authority or other relevant public authority and employment commences within four weeks of the date of termination, this disqualifies the employee from a redundancy payment.

7. Redundancy Notification

- 7.1 At least 90 days written notification must be given to the Department for Business, Enterprise and Regulatory Reform (BERR/BISS) if 100 or more employees are to be made redundant, and at least 30 days for 20 to 99 employees. For less than 20 employees, no notification to BERR/BISS is required.

8. Right of Appeal

- 8.1 Any employee who has been selected for redundancy and who is dissatisfied with the way in which the Authority has applied its redundancy selection criteria [including

DDA issues], or who believes that the procedure has not been applied correctly will have a right to appeal.

- 8.2 The employee has a right of appeal against the decision of the Authority.
- 8.3 The appeal will be heard by Elected Members.
- 8.4 The employee has 7 calendar days in which to exercise their right of Appeal from the date of receipt of the written notification of termination.
- 8.5 The Appeal must be made in writing stating the grounds of Appeal as outlined in 8.1 above.
- 8.6 The bundles for the Appeal must be exchanged no later than 7 calendar days before the date of the appeal hearing.
- 8.7 Members of the Sub-Committee will hear representations from the employee and his/her representative and from the Corporate Director (or nominated officer) before making its decision.
- 8.8 The decision of the Sub-Committee will be conveyed in writing to the employee and a copy provided to Human Resources.
- 8.9 The process to be adopted at the Appeal hearing is set out in Appendix 1.

Procedure to be adopted at Appeal

1. The hearing will be held by the Grievance and Disciplinary Appeals Committee, who will be supported by one of the Council's Solicitors in the role of Clerk, a Human Resources Advisor and a minute taker.
2. The parties and their representatives shall be called in simultaneously before the Committee. At the start of the hearing the Chairman will introduce those present and will explain the procedure.
3. The Chief Officer or his/her representative will present the management's case calling, if appropriate, any witnesses to assist in substantiating or clarifying the facts.
4. The appellant or his/her representative will be entitled to question the Chief Officer or his/her representative and any witnesses.
5. The appellant or his/her representative will present the appellant's case calling, if appropriate, any witnesses.
6. The Chief Officer or his/her representative will be entitled to question the appellant and any witnesses.
7. The Members, Clerk of the Committee and the Human Resources Advisor will be entitled at any time during the hearing, with the consent of the Chairman, to ask questions.
8. Where new evidence arises during an appeal it may be appropriate to adjourn in order to investigate or consider such points.
9. The Chief Officer or his/her representative will be given an opportunity to sum up but will not be able to introduce any new evidence at this stage.
10. The appellant or his/her representative will be given an opportunity to sum up. He/she will not be able to introduce any new evidence at this stage.
11. All parties other than the Members of the Committee, the Human Resources Advisor and the Legal Clerk will withdraw from the meeting. The Human Resources Advisor and Legal Clerk will remain in the meeting whilst the Committee require advice.
12. Once the Committee has received advice from the Human Resources Advisor and Legal Clerk the Human Resources Advisor and Legal Clerk will withdraw, while the Committee considered the appeal.
13. The Committee may recall the Human Resources Advisor, Legal Clerk and minute-taker to clarify any points. Should the Committee require advice from the Human Resources Advisor or Legal Clerk both officers should be recalled together.
14. The Committee may recall the parties to clarify any points but, if so, must recall both parties and their representatives and allow them to comment if they so wish.
15. After the Committee has reached a decision on the appeal the parties and their representatives will be recalled and the decision announced to them together with the

reasons for it. The decision will be confirmed in writing by the Human Resources Advisor as soon as possible after the hearing.

NOTE:

- The term 'Chief Officer' means Chief Executive, Assistant Chief Executive, Corporate Director or Head of Service of the Council.

The appellant may be represented by either his / her Trade Union representative or by a work colleague.

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ACTING RANK/HONORARIA PAYMENTS PROTOCOL

PURPOSE

It will be necessary for the Authority to make arrangements to cover the absence of officers other than for annual leave purposes.

The payment of honoraria is designed to cover relatively short-term and usually unplanned absences to ensure that there is no reduction in provision of service.

PAYMENT (Acting Rank)

1. Employees who are requested to undertake the full range of duties and responsibilities of a higher graded post are entitled to additional remuneration commensurate with those duties, for the period during which they are undertaken.
2. An employee will only receive an additional payment after the additional duties and responsibilities have been undertaken for a continuous period of 4 weeks.
3. Once the qualifying period of 4 weeks has elapsed, the additional payment will be paid with effect from the first day on which the employee undertook the additional duties and responsibilities.

HONORARIUM

1. Where employees who are requested to undertake less than the full duties and responsibilities of a higher graded post an honorarium may be paid on a pro rata basis.
2. Where the duties and responsibilities are shared between two or more employees then any amount paid will be calculated pro rata dependent upon the circumstances of each case.
3. Employees who are requested to perform additional duties and responsibilities outside the scope of their substantive post e.g. undertaking project work will receive an honorarium based upon the value of the duties and responsibilities (evaluated by HR/OD & JE).

SELECTION

(Acting up and honorarium payment)

1. An honorarium will be paid to an individual who is a recognised and agreed [by management] as deputy or assistant clearly identified within a section or division.
2. Where no obvious deputy exists the consideration should be given to sharing the honorarium between the direct line management reports of the [temporarily] vacant post.
3. Where no deputy or assistant exists but it is felt that just one person is required to undertake the full range of duties and responsibilities of the higher graded post, then competitive interviews should be undertaken.
4. The selection process will mirror the Authority's policy on Recruitment & Selection.
5. Where cover is anticipated to be required for between 1-3 months, the temporary vacancy will be ring-fenced to the Service Unit or Section in which it occurs.
6. Where cover is anticipated to be required for in excess of 3 months, it will be regarded as a temporary vacancy and will be dealt with under the Protocol for Secondments.

EXCEPTIONAL CIRCUMSTANCES

(Acting up and honorarium payments)

1. There may be occasions where the Corporate Director Resources [or nominated Officer] and the Head of HR/OD [or nominated officer] will determine that exceptional circumstances occur. In these cases there may be a requirement to deviate from the normal procedures, e.g., where a senior officer is absented, without notice, from his/her duties and responsibilities.
2. Each case will be determined on its merits and any deviation to the protocol will be authorised by a second Corporate Director and the Head of HR/OD.

AUTHORISATION

1. All honorarium payments must be agreed with the Human Resources/Organisational Development Service Unit and only the Human Resources/Organisational Development Service Unit may authorise payment.

REVIEW PERIOD

1. All honorarium payments will be subject to a review period of no less frequently than 3 months.

Issue Date: October 2013

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

REPORT OF THE CORPORATE DIRECTOR – OPERATIONAL AND PARTNERSHIP SERVICES

28 JUNE 2017

OVERVIEW AND SCRUTINY COMMITTEES REVISED TERMS OF REFERENCE

1. Purpose of Report.

- 1.1 The purpose of this report is to provide details of the new Scrutiny Committee Structure, Terms of Reference and its processes.

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

- 2.1 The establishment of the Committees and other bodies will fulfil the requirements of the Constitution and enable the Council to work towards the successful achievement of all the following 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 Overview and Scrutiny Structure was last reviewed in April 2015 which responded to changes in legislation as well as reflecting the available scrutiny resources.
- 3.2 These changes, which included improvements to the forward work programme planning process, have resulted in more effective ways of working and achieved more valuable outcomes. It was still apparent however, that the structure did not facilitate cross-cutting scrutiny or reflect the cross cutting portfolios of Cabinet Members. It was also identified that there were areas of duplication within each Committee which prevented effective Scrutiny.
- 3.3 To ensure the continuing development of the Overview and Scrutiny process in Bridgend, further proposals have been researched and developed to address the issues raised above.

4. Current situation / proposals.

- 4.1 The new Overview and Scrutiny Committee structure consists of a Centralised Committee Structure with a Corporate Overview and Scrutiny Committee (COSC) and three Subject Overview and Scrutiny Committees (SOSC) as set out in **Appendix A**.
- 4.2 The COSC would consider up to two main items at each meeting such as the Corporate Plan, Business Plans, Quarterly Budget and Performance Reports, partnership working and contract management. In addition to this the Committee would have responsibility for setting and prioritising the overall forward work programme for the SOSCs.
- 4.3 SOSCs would then be allocated items one at a time from the overall Forward Work Programme undertaking Scrutiny investigation of the subject. It is anticipated that any investigation will last no longer than two meetings. SOSCs can consider up to eight topics per year.
- 4.4 SOSC 1 will be the first forum on Education items to enable the statutory Educational Registered Representatives to attend. SOSC 2 will take a lead on Social Services items in order to respond to issues relating to the Care and Social Services Inspectorate Wales and those regarding the Social Services and Well-being (Wales) Act 2014. These themes are not exclusive to each Committee and should, for example, more than one Education item be prioritised by the COSC at the same time, they will be allocated to separate SOSCs for consideration simultaneously. SOSC 3 will consider the service provision, planning, management and performance relating to the relevant subject area prioritised and allocated by the COSC.
- 4.5 Even with the themes, the new structure reduces silo working for Members and Officers as each Committee will likely receive items from more than one Directorate, providing Members with a greater knowledge of the Authority's overall services and their status. It also reduces the risk of duplication of work between the Committees where previously there have been items that have crossed over two or more of the Committee's remits.
- 4.6 The revised Terms of Reference, General Functions and Committee Remits of Scrutiny under the new structure are presented in **Appendix B**.
- 4.7 The new Overview and Scrutiny Structure will be kept under review and any issues and outcomes will be identified in the Scrutiny Annual report 2018.
- 4.8 Membership
- 4.9 The membership of the COSC Committee would consist of the Chairs of each SOSC and 9 other Members that reflect the political balance of the Authority.
- 4.9.1 The SOSCs will each consist of 16 politically balanced Members from across the local authority excluding Executive Members.

4.9.2 In addition to this, as per legislation, Overview and Scrutiny Committees whose functions relate wholly or in part to education functions which are the responsibility of the Cabinet shall appoint at least two but not more than five parent governor representatives to each relevant committee of the Authority. In accordance with the Council's Constitution these representatives shall include:

1. One Church in Wales representative
2. One Roman Catholic Church representative
3. Three parent governor representatives (one from a Primary School, one from a Secondary School and one from a Special School).

4.9.3 These representatives will primarily sit on the SOSC 1 which has been allocated the theme of Education as a priority. They will also be able to attend as a voting Member any SOSC that considers an item pertaining to education.

4.10 Number of meetings

4.10.1 Each Scrutiny Committee will hold eight meetings a year, the calendar for which shall be published at the start of the municipal year. The updated calendar of meeting for 2017/2018 can be found at **Appendix C**.

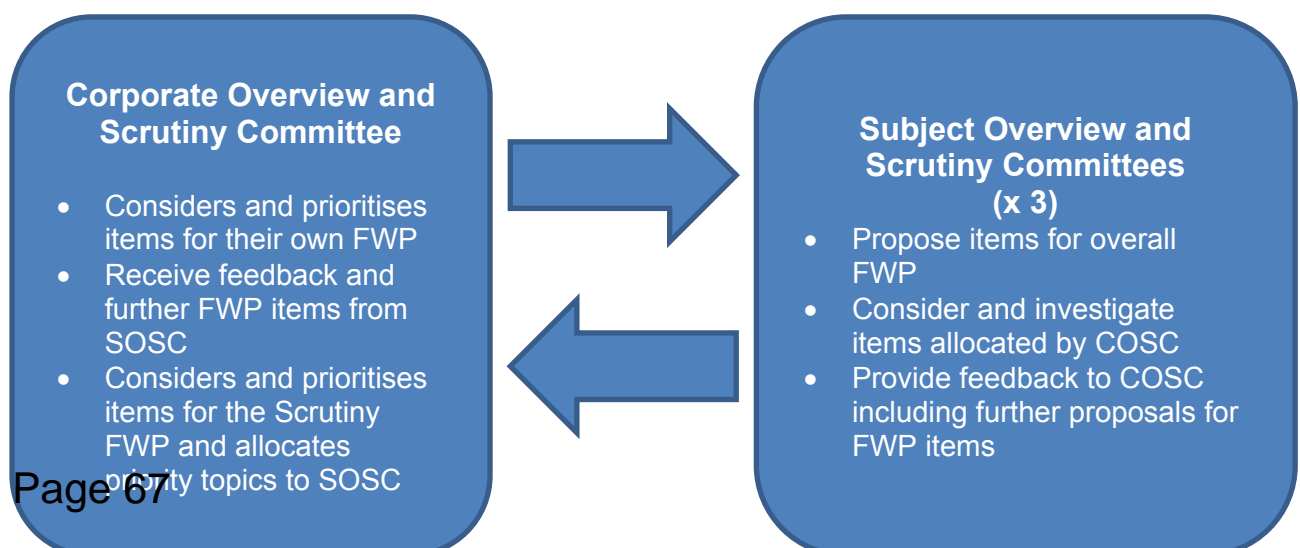
4.11 Forward Work Programme (FWP) Planning

4.11.1 The COSC will determine its own Forward work Programme considering items within its remit as detailed in **Appendix A**.

4.11.2 In addition to this, at the beginning of the municipal year each Overview and Scrutiny Committee will be asked to identify issues for consideration during the year, using pre-determined criteria (**Appendix D**) which emphasises the need to consider issues such as impact, risk, performance, budget and community perception when identifying topics for investigation. The purpose of **Appendix D** is to ensure a strategic responsibility for Scrutiny and that its work benefits the organisation.

4.11.3 These items will be presented to the COSC for prioritisation and designation to each SOSC.

4.11.4 There is an understanding that the Forward Work Programmes will remain flexible and be revisited at each COSC meeting to consider all potential items and reprioritise with input from the SOSCs as illustrated below:



4.11.5 The new Scrutiny structure encourages a much stronger focus on priority items where information reports can be dealt with through Member briefings sessions or briefing notes outside of the Committee.

4.11.6 Concentrating on one item at a time also enables greater focus on a smaller number of items. This allows Scrutiny Officers to undertake more detailed research on behalf of the Committee and for Members to drill down further into areas in meetings, and overall achieve more effective outcomes.

4.12 Forward Work Planning Meetings

4.12.1 Officer Planning Meetings will take place every two months between the Scrutiny Officers and each Corporate Director to deliberate the items on the overall forward work programme. Details for approximately the next six items on the prioritised list will be discussed focusing on the report purpose in each case in order for Officers to have an idea of the information likely to be requested. It is also an opportunity for Corporate Directors to propose any further items for the FWP that they believe will require Scrutiny's input and a chance for both Scrutiny Officers and Corporate Directors to consider the approximate timing of each item. Any comments and proposals can then be fed back to Scrutiny Chairs and the COSC for further deliberation, amendment or reprioritisation as appropriate.

4.12.2 Forward Work Programme Development Meetings will take place between Cabinet Members and Scrutiny Chairs every three month for Cabinet and Scrutiny to discuss and coordinate their FWPs. As above, information can be fed back to the COSC as part of their FWP item for consideration and approval.

4.13 Budget Consultation Process

4.13.1 The COSC along with the SOSCs will consider the draft budget proposals for each of the Directorates with the COSC considering any proposals relating to portfolio of the Chief Executive including Finance and the Operational and Partnerships Directorate. The findings report will be presented at a meeting of the COSC along with the consolidated responses from the SOSCs on the draft budget proposals prior to submission to Cabinet.

4.13 Public Service Board Overview and Scrutiny Panel

4.13.1 From 1 April 2016, the Well-being of Future Generations (Wales) Act 2015 introduced statutory Public Services Boards (PSB) across each local authority area in Wales. PSBs work together to improve the social, economic, cultural and environmental well-being of the board's area. The Act specified that one Committee take an overview of the overall effectiveness of the Board which this Authority previously determined to carry out via a PSB Overview and Scrutiny Panel under the remit of an individual Overview and Scrutiny Committee.

4.13.2 As illustrated in **Appendix B**, the PSB Overview and Scrutiny Panel is now proposed to sit under the COSC with the membership of the Panel determined as before; on an annual basis incorporating 3 Members from the COSC and 1 member from each of the SOSCs along with counterpart representatives from organisations that sit on the PSB.

4.13.3 The purpose of the Panel is review and scrutinise the efficiency and effectiveness of the PSB and its decisions as well as the governance arrangements surrounding it. The Panel will hold up to two meetings a year and will make reports or recommendations to the Board regarding its functions with the aim of enhancing its impact.

4.14 Member and School Engagement Research and Evaluation Panel (MSEP)

4.14.1 In February 2013, the MSEP was established as an ongoing Research and Evaluation Panel in order to engage with Head Teachers and Chairs of Governors. The purpose of the Panel is to explore school performance and improve levels of understanding in support of the Scrutiny accountability function.

4.14.2 The membership of the Panel will be 4-6 Members primarily taken from the SOSC 1 who have been allocated the theme of education as a priority. Membership is determined on a rota basis, to allow all Members of the Committee an opportunity to be involved and to minimise the potential for conflicts of interest, given that a significant number of Members are also school governors.

4.14.3 Using a set criteria which primarily focuses on schools that are a cause for concern or in contrast, schools that have experienced significant improvement, the Panel meet with the Head teacher and Chair of Governors and discuss the school's performance in detail. Latest school performance data, a recent Estyn report, the school's own Improvement Plan and any reports from the Consortium are some of the information that is scrutinised and discussed to consider how secure a position the school is in to achieve improvement.

4.14.4 Up to four Panel meetings are held each year and an annual summary report is produced to ensure the SOSC 1 and the COSC are kept informed of the work of the Panel.

4.15 Chairs of Scrutiny

4.15.1 Should the Chair of a SOSC be unable to attend a meeting, it is for the Committee to appoint a Chair at the meeting. Members must ensure that the nomination is from the same political party as the existing Chair to ensure political balance rules are maintained.

4.16 Recommendations to Cabinet

4.16.1 Recommendations can be made directly to Cabinet from any Scrutiny Committee, following the rules and procedures as laid out in the constitution.

4.16.2 Where the recommendations relate to a report already on the Cabinet forward work programme, it is for the relevant Corporate Director to include their response to the recommendations in their report to Cabinet. Where there is not a report scheduled

for Cabinet, the Scrutiny Committee will send their own report directly to Cabinet containing their recommendations.

4.17 Pre Decision Scrutiny

4.17.1 The formal Forward Work Programme will enable effective planning and reprioritisation of the Scrutiny Forward Work Programme where necessary to accommodate pre-decision scrutiny items. Should there be an ad hoc item that requires Scrutiny's attention, then the subject would simply be scheduled for the next available SOSC meeting, postponing their original intended item.

4.18 Call-In

As detailed in **Appendix B** it is proposed that the call-in procedure will be as follows:

- Any 3 members of an Overview and Scrutiny Committee and a scrutiny chair may call-in a decision
- Overview and Scrutiny may only call-in a total of six decisions per year;
- The Chairpersons will collectively determine which Overview and Scrutiny Committee will be allocated the meeting.

Members are requested to note that within the last 3 administrations (2004-2017) there have been an average of 1.23 call-ins per year.

4.19 Call-In and Urgency

4.19.1 As detailed in **Appendix B** it is proposed that the call-in and Urgency procedure process will be as follows:

- All three Chairpersons of Overview and Scrutiny will be consulted to agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency and not subject to call-in. In the absence of a Chairperson(s) the matter will proceed on the decision of one Chairperson. In the absence of all three Chairpersons, the Mayor or Deputy Mayor's consent shall be required.

4.20 Amendments to the Constitution to reflect the Scrutiny restructure are proposed and attached at **Appendix B** (set out in italics and bold).

5. **Effect upon Policy Framework & Procedure Rules.**

5.1 The work of the Overview & Scrutiny Committees relates to the review and development of plans, policy or strategy that form part of the Council's Policy Framework and consideration of plans, policy or strategy relating to the power to promote or improve economic, social or environmental wellbeing in the County Borough of Bridgend. Any changes to the structure of the Scrutiny Committees and the procedures relating to them would require the Bridgend County Borough Council constitution to be updated.

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 attached to this report.

8. Recommendations.

8.1 Council is recommended to:-

- a) Note the revised Overview and Scrutiny Structure and processes;
- b) Approve the amendments to the Constitution as set out in **Appendix B** which includes the Terms of Reference, associated functions and remits of the new Scrutiny Committees;
- c) Approve the updated calendar of Scrutiny meetings for 2017/2018 attached at **Appendix C**.

PA Jolley
Corporate Director - Operational and Partnership Services
22 June 2017

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Head of Democratic Services

Telephone: (01656) 643385

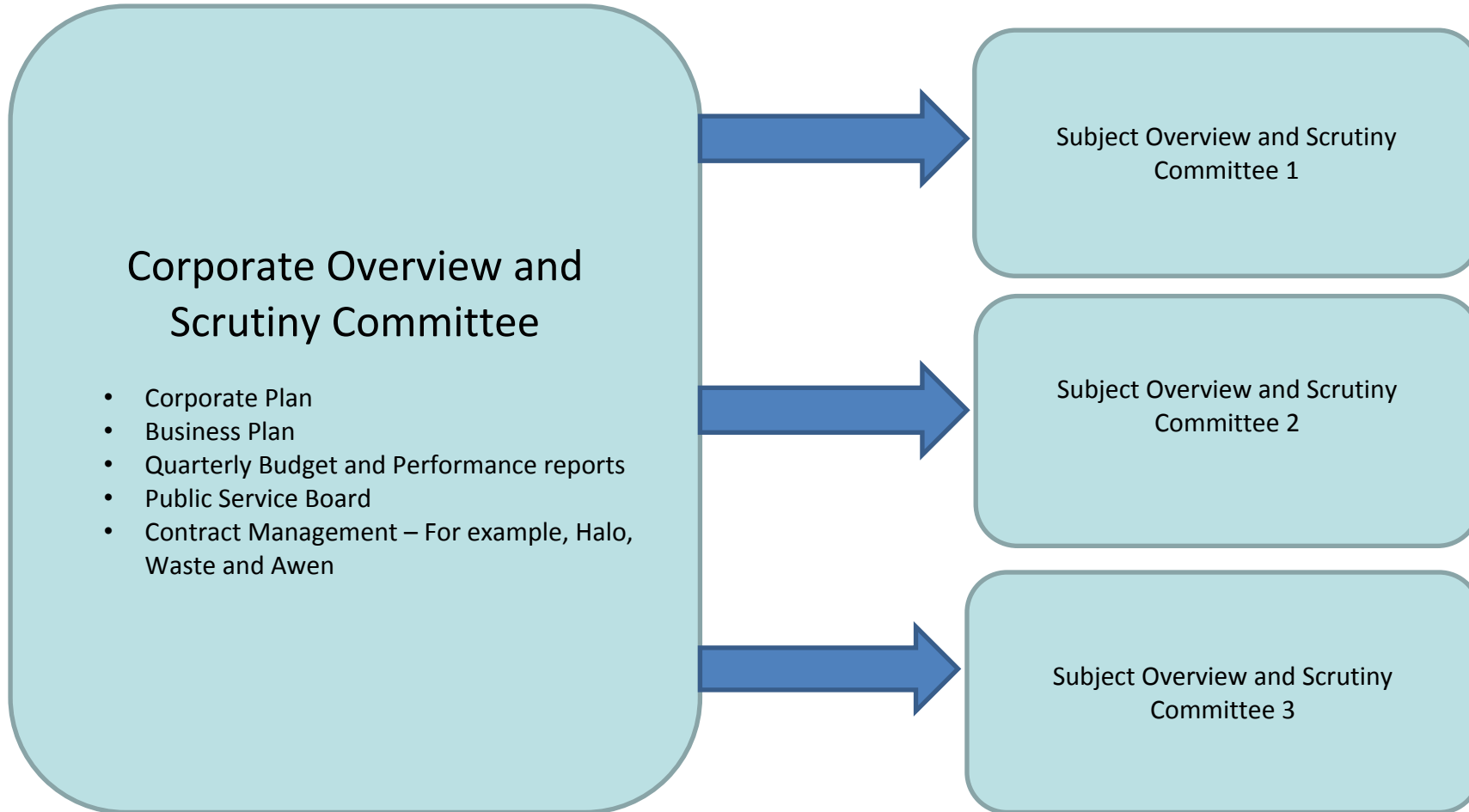
E-mail: gary.jones@bridgend.gov.uk

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Civic Offices,
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CF31 4WB

Background documents

None.

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How the Council operates

The Council is composed of 54 councillors elected every four years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Standards Committee advises them on the Code of Conduct.

All County Borough Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors determine the main strategic policies and set the budget each year.

After extensive public consultation the Council opted for a Leader and Cabinet style of executive. Every year the Council appoints a Leader and appoints the members of the Cabinet. It also approves policies of major significance, which are known collectively as the Policy Framework, together with the annual Budget, and it must authorise any proposal by the Cabinet or anyone on the Cabinet's behalf which would be contrary to the either Policy Framework or the Budget.

The public, as well as Councillors, are given an opportunity to ask questions of the Leader and Cabinet Members at Council meetings and every quarter there is a debate on a topic of the Members choosing.

How Decisions are Made

The Cabinet is the part of the Council which is responsible for most day-to-day decisions. It is made up of the Leader, the Deputy Leader and 4 Cabinet Members each with responsibility for covering a specific subject area or portfolio. The Leader appoints, from those Members appointed to the Cabinet, the Deputy Leader.

When major decisions are to be discussed or made, these are published in the Cabinet's forward work programme in so far as they can be anticipated. If these major decisions are to be discussed with Council officers at a meeting of the Cabinet, this will generally be open for the public to attend except where exempt or confidential matters are being discussed.

The Cabinet must make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the Budget or Policy Framework, this must be referred to the Council as a whole to decide.

Overview and Scrutiny

There are 5 4 Overview and Scrutiny Committees which oversee the decision making of the Cabinet Members and which support the work of the Cabinet and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public meetings into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery.

In discharging its crime and disorder functions the ~~Partnerships and Governance~~ **Corporate** Overview and Scrutiny Committee has the additional function of overseeing the decision making of the Community Safety Partnership and its constituent bodies (in respect of their community safety roles).

The Corporate Overview and Scrutiny Committee also has the additional functions of overseeing the work of the Public Service Board (PSB).

Overview and Scrutiny Committees can 'call-in' a decision which has been made by the Cabinet or an Officer but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

~~An Overview and Scrutiny Strategy Group, comprising the Chairpersons of each Overview and Scrutiny Committee and five other Overview and Scrutiny Committee Members, approves an overview and scrutiny forward work programme which will ensure that there is no duplication within the work programmes of each of the Overview and Scrutiny Committees.~~

Other Committees

Although the Cabinet system is intended to replace most of the traditional committee structure some Committees are still needed in addition to the Overview and Scrutiny Committees.

Some of these remaining Committees are required to make impartial assessments of all relevant factors before making their decisions, such as the Development Control Committee which is responsible for determining planning applications and considering other planning matters. Others perform important corporate functions, such as the Standards Committee already referred to and the Audit Committee, which is responsible for ensuring that the Council's financial affairs are conducted properly.

The Council's Staff

The Council has employees (called `officers`) to give advice, implement decisions and manage the day-to-day delivery of its services. The Council itself must confirm the appointment of the Head of Paid Service, who is the most senior Council officer. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. Relationships between members of the Council and officers are governed by a Member/Officer Protocol.

Citizens' Rights

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' rights.

Article 2 - Members of the Council

2.01 Composition.

The Council will comprise 54 members, otherwise called Councillors. One or more Councillors will be elected by the voters of each electoral division in accordance with a scheme drawn up by the Local Government Boundary Commission for Wales and approved by the National Assembly for Wales.

2.02 Election and terms of office of Councillors

The regular election of Councillors will be held on the first Thursday in May every four years beginning in 2004. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.03 Roles and functions of all Councillors

(a) Key roles. All Councillors will:

- (i) collectively be the ultimate policy-makers;
- (ii) represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their communities;
- (iii) where appropriate, refer a local crime and disorder matter (as defined by Section 19 of the Police and Justice Act 2006) to the ~~Partnerships Governance~~ **Corporate Overview and Scrutiny Committee** as an agenda item for discussion at a meeting of the Committee; **where it could then be allocated to a Subject Overview and Scrutiny Committee; or where appropriate, to the Public Service Board Overview and Scrutiny Panel;** where it is exercising its functions in relation to crime and disorder;
- (iv) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (v) balance different interests identified within the ward or electoral division and represent the ward or electoral division as a whole;
- (vi) contribute to the continual improvement of Council services;
- (vii) be involved in decision-making;
- (viii) be available to represent the Council on other bodies; and
- (viiii) maintain the highest standards of conduct and ethics.

(b) Rights and duties

- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it.

The Mayor and, in his/her absence, the Deputy Mayor will discharge the responsibilities described in Article 5.01 in accordance with the Mayoral Protocol approved from time to time by the Council.

Article 6 - Overview and Scrutiny Committees

6.01 Terms of reference

The Council will appoint the Overview and Scrutiny Committees set out in the table below to discharge the functions conferred by section 21 of the Local Government Act 2000. ~~The Partnerships and Governance Overview and Scrutiny Committee has additional functions conferred by the Police and Justice Act 2006.~~ For full details of each Overview and Scrutiny Committee's terms of reference, please refer to the Responsibility for Council Functions Section, in Part 3 of this Constitution.

Committee
Partnerships and Governance Corporate Overview and Scrutiny Committee
Corporate Resources and Improvement Subject Overview And Scrutiny Committee 1 (Education themed but not exclusive to)
Adult Social Care Subject Overview And Scrutiny Committee 2 (Social Services themed but not exclusive to)
Children and Young People Subject Overview And Scrutiny Committee 3 (Communities themed but not exclusive to)
Community, Environment and Leisure

6.02 General Role (except in the case of the ~~Partnerships and Governance Overview and Scrutiny Committee when exercising powers in relation to crime and disorder~~)

Within their terms of reference, Overview and Scrutiny Committees will:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (b) make reports and/or recommendations to the Council and/or the Cabinet and/or any joint committee in connection with the discharge of any functions;
- (c) consider any matter affecting the County Borough or its inhabitants; and
- (d) exercise the right to call-in, for reconsideration, decisions made by or on behalf of the Cabinet but not yet implemented.

6.03 Specific functions (~~except in the case of the Partnerships and Governance Overview and Scrutiny Committee when exercising powers in relation to crime and disorder~~)

- (a) **Policy review.** Overview and Scrutiny Committees will review the policies of the Authority and make recommendations.
- (b) **Scrutiny.** Overview and Scrutiny Committees may:
- ~~i) review and scrutinise the decisions made by and performance of the Cabinet and/or committees and Council officers both in relation to individual decisions and over time;~~
 - ~~ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;~~
 - i) review and scrutinise the decisions made or actions taken:**
 - **by the Cabinet and/or committees and Council officers both in relation to individual decisions;**
 - **in connection with the discharge by the responsible authorities of their crime and disorder functions;**
 - ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;**
 - iii) question members of the Cabinet and/or committees and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - iv) make recommendations to the Cabinet and/or appropriate committees and/or the Council arising from the outcome of the scrutiny process
 - v) review and scrutinise the performance of other public bodies in the County Borough which impact upon the duties and functions of the Authority and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; ~~and~~
 - vi) question and gather evidence from any person (with their consent).
 - vii) **consider at its meeting any local government matter (as defined by Section 21A of the Local Government Act 2000) referred to the committee by a member of this authority, to include any local crime and disorder matter referred to the committee;**
 - viii) **where appropriate refer a matter relating to the work of the Public Service Board to the PSB Overview and Scrutiny Panel via the Corporate Overview and Scrutiny Committee;**

- ~~(c) **Finance.** Overview and Scrutiny Committees may exercise overall responsibility for the finances made available to them.~~
- (d) **Annual report.** Overview and Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

6.04 Specific functions of the Corporate Overview and Scrutiny Committee when exercising powers in relation to the Public Service Board

- i) Consider matters relating to the Public Service Board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly;*
- ii) Review and scrutinise the decisions made or actions taken by the Public Service Board;*
- iii) Review and scrutinise the Public Service Board's governance arrangements;*
- iv) Carry out other functions in relation to the Board that are imposed on it by the Act.*
- v) Make reports or recommendations to the Public Service Board regarding its functions or governance arrangements;*
- vi) A copy of any report or recommendation made to the Public Service Board must be sent to the Welsh Ministers, the Commissioner and the Auditor General for Wales.*
- i) To determine the scrutiny arrangements for the Public Services Board whilst maintaining overall responsibility for monitoring the effectiveness of the Board.*
- Viii) Any recommendations made by any Overview and Scrutiny Committee or Public Service Board Overview and Scrutiny Panel in relation to the Public Service Board are to be presented to the Corporate Overview and Scrutiny Committee for approval prior to submission to the Board.*

6.05 Specific functions of the Partnerships and Governance Corporate Overview and Scrutiny Committee when exercising powers in relation to crime and disorder

- i) to scrutinise the decisions made or actions taken in connection with the discharge by the responsible authorities of their crime and disorder functions;

- ii) to make reports or recommendations to Council or Cabinet, as appropriate, with respect to the discharge of crime and disorder functions by the responsible authorities;
- iii) to consider at its meeting any local crime and disorder matter referred to the committee by a member of this authority;
- iv) to decide whether or not to make a report or recommendations to Council or Cabinet, as appropriate, in respect of a local crime and disorder matter, having regard to any representations made by the member as to why the committee should do so;
- v) to notify the member concerned of its decision and the reasons for its decision in any case where the committee decides not to make a report or recommendation in respect of a local crime and disorder matter
- vi) where the committee makes a report or recommendations, to provide a copy of any committee report or recommendations to the member concerned and to such responsible authority and co-operating person or bodies, as it thinks appropriate
- vii) to review responses to committee reports and recommendations, and to monitor action taken by responsible authorities and co-operating persons or bodies.
- viii) ***To decide the appropriate method for scrutiny and consideration of a crime and disorder matter to include the referral to the Public Service Board Overview and Scrutiny Panel or allocation to a Subject Overview and Scrutiny Committee. Where a crime and disorder matter is referred to the Public Service Board Overview and Scrutiny Panel or to a Subject Overview and Scrutiny Committee, any comments or recommendations will be presented to the Corporate Overview and Scrutiny Committee for approval prior to onward progression.***

6.06 Proceedings of Overview and Scrutiny Committees

Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

Article 7 - The Cabinet (the Executive)

7.01 Role

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p>County Borough Council's Whistleblowing Policy;</p> <p>1. To grant dispensations from the prohibitions contained in the Code of Conduct from Town and Community Councillors and County Borough Councillors or co-opted members participating in that Council's business, in accordance with the Regulations from time to time made by the National Assembly for Wales.</p>	None.
Town and Community Council Forum	Nineteen County Borough Councillors and one Town / Community Councillor representing each Town / Community Council.	To consult with representatives of Town and Community Councils within the County Borough on matters of mutual interest.	None.
Partnerships and Governance Overview and Scrutiny Committee Corporate Overview and Scrutiny Committee	Twelve County Borough Councillors. (For consideration of education matters to include 5 Education Representatives)	<p>1. To consider the service provision, planning, management and performance relating to corporate performance and governance Partnerships and Governance;</p> <p>2. To consider policies, protocols and plans relating to corporate performance and governance Partnerships and Governance;</p> <p>3. To co-ordinate and contribute to the annual budget consultation process on behalf of the other Overview & Scrutiny Committees and provide a strategic overview of Cabinet's draft budget proposals; To contribute to the annual consultation process in relation to Partnerships and Governance;</p> <p>4. To take an overview of the financial performance of all Directorates in the</p>	None

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p><i>achievement of Corporate priorities;</i></p> <p>5. To consider the performance of Bridgend's Public Local Service Board in accordance with guidance;</p> <p>6. To consider the Council's policies and strategies in relation to collaborative and partnership working arrangements;</p> <p>7. To consider the content of the Local Service Board's Single Integrated Partnership Plan, and refer to other Overview and Scrutiny Committees any items within that plan which fall within their terms of reference, and which the CSG Committee are of the view should be considered in more detail.</p> <p>6. To oversee the decision making of the Community Safety Partnership and its constituent bodies in respect of their community safety roles in accordance with the Crime and Disorder guidance;</p> <p>7. <i>To consider the Council's Business Planning Process and the content of the Corporate Plan and all Directorate Business Plans in line with the Wales Programme for Improvement guidance;</i></p> <p>8. <i>To consider the Council's Improvement Objectives;</i></p> <p>9. To develop and implement a Forward Work Programme for the Committee and for each Subject Scrutiny Committee having regard to the Council's</p>	

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p>Corporate Priorities and Risk Management Framework;</p> <p>10. To support collaborative Scrutiny Committees where topics relating to this and other committees are identified and prioritised as part of the Scrutiny FWP.</p>	
<p>Corporate Resources and Improvement Overview and Scrutiny Committee Subject Overview and Scrutiny Committee 1 (Education themed but not exclusive to)</p>	<p>Twelve County Borough Councillors. Sixteen County Borough Councillors;</p> <p>(For consideration of education matters to include 5 Education Representatives)</p>	<p>1. To consider the service provision, planning, management and performance relating to Corporate Performance and Resources;<i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>2. To consider policies, protocols and plans relating to Corporate Performance and Resources; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>3. <i>To contribute to the annual budget consultation process in relation to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>4. <i>To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management framework for the Corporate Overview and Scrutiny Committee to then prioritise and schedule.</i></p> <p>To co-ordinate and contribute to the annual budget consultation process on behalf of the other Overview & Scrutiny Committees and provide a strategic overview of Cabinet's draft</p>	<p>None.</p>

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p>budget proposals;</p> <ol style="list-style-type: none"> 1. To take an overview of the financial performance of all Directorates in the achievement of Corporate priorities; 2. To consider the Council's Business Planning Process and the content of the Corporate Plan and all Directorate Business Plans in line with the Wales Programme for Improvement guidance; 3. To consider the Council's Improvement Objectives; 4. To develop and implement a Forward work Programme having regard to the Council's Corporate Priorities and Risk Management framework; 5. To support collaborative Scrutiny Committees where topics relating to this and other committees are identified and prioritised as part of the Scrutiny FWP. 	
<p>Adult Social Care Overview and Scrutiny Committee Subject Scrutiny Committee 2 (Social Services and Wellbeing themed but not exclusive to)</p>	<p>Twelve County Borough Councillors Sixteen County Borough Councillors</p> <p><i>((For consideration of education matters to include 5 Education Representatives))</i></p>	<ol style="list-style-type: none"> 1. To consider the service provision, planning, management and performance relating to Adult Social Care; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i> 2. To consider policies, protocols and plans relating to Adult Social Care; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i> 3. To contribute to the annual consultation process in relation to Adult Social Care; <i>the relevant subject area</i> 	<p>None.</p>

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p><i>prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>4. To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management framework for the Corporate Overview and Scrutiny Committee to then prioritise and schedule.</p> <p>2. To develop and implement a Forward work Programme having regard for the Council's Corporate Priorities and Risk Management framework;</p> <p>3. To support collaborative Scrutiny Committees where topics relating to this and other committees are identified and prioritised as part of the Scrutiny FWP.</p>	
<p>Children and Young People Overview and Scrutiny Committee Subject Scrutiny Committee 3</p>	<p>Twelve County Borough Councillors; one Church in Wales representative; one Roman Catholic Church representative; and three parent governor representatives Sixteen County Borough Councillors</p> <p><i>(For consideration of education matters to include 5 Education Representatives)</i></p>	<p>1. To consider the service provision, planning, management and performance relating to Education as well as Safeguarding and Family Support; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>2. To consider policies, protocols and plans relating to Education as well as Safeguarding and Family Support; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p>3. To contribute to the annual</p>	<p>None.</p>

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
		<p>consultation process in relation to Education as well as Safeguarding and Family Support; <i>the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee;</i></p> <p><i>4. To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management framework for the Corporate Overview and Scrutiny Committee to then prioritise and schedule.</i></p> <p>5. To develop and implement a Forward work Programme having regard for the Council's Corporate Priorities and Risk Management framework;</p> <p>6. To support collaborative Scrutiny Committees where topics relating to this and other committees are identified and prioritised as part of the Scrutiny FWP.</p>	

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
Community, Environment and Leisure Overview and Scrutiny Committee	Twelve County Borough Councillors.	<ol style="list-style-type: none"> 1. To consider the service provision, planning, management and performance relating to Community, Environment and Leisure; 2. To consider policies, protocols and plans relating to Community, Environment and Leisure; 3. To contribute to the annual consultation process in relation to Community, Environment and Leisure; 4. To develop and implement a Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management framework; 5. To support collaborative Scrutiny Committees where topics relating to this and other committees are identified and prioritised as part of the Scrutiny FWP. 	None.

(b) Delegation to Council Officers

Details of the Council functions which the Council has delegated to Council Officers, and the terms upon which they have been so delegated, are contained within the Schemes of Delegation of Functions.

18C) The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.

11. Exclusion of Access by the Public to Reports

If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

12. The Forward Work Programme

12.1 Period of forward work programme

The forward work programme will be prepared by the Corporate Director – Operational and Partnership Services to cover a period of four months except when ordinary elections of councillors occur, in which case the forward work programme will cover the period up to the date of the elections. The forward work programme will be updated quarterly.

12.2 Contents of forward work programme

The forward work programme will contain matters which the Cabinet, Overview and Scrutiny Committees and full Council are likely to consider. It will contain information on:

- (a) the timetable for considering the Budget and any plans, policies or strategies forming part of the Policy Framework and requiring Council approval, and which body is to consider them;
- (b) the timetable for considering any plans, policies or strategies which are the responsibility of the Cabinet;
- (c) any individual matters on which the Cabinet intends to consult in advance of taking a decision, and the timetable for consultation and decision;
- (d) the work programme of the Overview and Scrutiny Committees, to the extent that it is known.

The forward work programme will be published at least 14 days before the start of the period covered. The Chief Executive Officer will publish once a year a notice in at least one newspaper circulating in the area, stating that a forward work programme will be published and giving the publication dates for that year.

13. Consultation on Proposals to be considered by the Cabinet

~~At least 2 weeks should be permitted in the forward work programme timetable for consultation with relevant Overview and Scrutiny Committees and ward members where a matter is to be considered by the Cabinet and is not urgent (as defined below) or confidential or exempt (as defined in Rule 10 above).~~

~~A matter may be considered urgent where the events to which it is addressed were unforeseen at the time that the last forward work programme was produced and a decision is required within two weeks.~~

~~A decision can only be treated as urgent if the decision taker (if an individual) or the Chairperson of the body making the decision obtains the agreement of the Chairperson of a relevant (themed) Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chairperson of a relevant Overview and Scrutiny Committee, or if the Chairperson of each relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor, or in his/her absence the Deputy Mayor will suffice. Any decisions taken under this urgency procedure will be recorded as having been taken in the absence of consultation in the decision record.~~

14. Record of Decisions of the Executive

14.1 The decision record

- (a) A written record will be made of every executive decision made by the Cabinet and its committees (if any) and individual Cabinet members, and by joint committees and joint sub-committees whose members are all members of a local authority executive, and officers.
- (b) This decision record will include a statement, for each decision, of:
 - (i) the decision made;
 - (ii) the date the decision was made;
 - (iii) the reasons for that decision;
 - (iv) any personal interest disclosed;
 - (v) any dispensation granted by the Council's Standards Committee;
 - (vi) the consultation undertaken prior to the decision and, if such consultation has not taken place, the reason why.
 - (vii) any reasons for urgency which led to the implementation of the decision before the preparation of the decision.

14.2 Preparing the decision record

- (a) The Corporate Director – Operational and Partnership Services or his or her representative shall attend any meeting of the Cabinet, a committee of the Cabinet or a joint committee or joint sub-committee where all its members are members of a local authority executive, and shall as soon as reasonably practicable after the meeting produce a decision record.
- (b) Where an individual member has made any executive decision,
 - (i) that member shall as soon as reasonably practicable instruct the Corporate Director – Operational and Partnership Services to produce a decision record; and
 - (ii) the decision shall not be implemented until that decision record has been produced, subject to (c) below.
- (c) Where the date by which an executive decision made by an individual member must be implemented makes compliance with (b)(ii) above impracticable, the decision may be implemented if the decision maker has the agreement of:

Overview and Scrutiny Procedure Rules

1. The Number and Arrangements for Overview and Scrutiny Committees?

The Council will have the Overview and Scrutiny Committees set out in Article 6 and will appoint Members to them. Such Committees may appoint sub-committees.

2. Who may sit on Overview and Scrutiny Committees?

All Councillors except Cabinet Members may be members of an Overview and Scrutiny Committee, but no member may participate in scrutinising a decision which he/she has been directly involved in making.

3. Co-optees

Each Overview and Scrutiny Committee or sub-committee shall be entitled to recommend to the Council the appointment of a number of people as non-voting co-optees, subject to the following:

- The number of co-opted members on an Overview and Scrutiny Committee should not exceed one third of the total membership of the Committee;
- No limit is placed on the number of co-opted members that may participate in a sub-committee except that co-opted members should not comprise the whole membership of a sub-committee which should include at least three voting members.

Co-optees' membership of any Committee or Sub-Committee may be for:

- The life of the Committee,
- Until such time as it is terminated by Council, upon the recommendation of the Committee, or
- For the purpose of a particular review or performance monitoring exercise.

In discharging its crime and disorder functions, ~~the Partnerships and Governance~~ Overview and Scrutiny Committees may co-opt any person except a member of the Cabinet. Co-optees' membership of the Committee may be limited to the exercise of the Committee's powers in relation to a particular matter or type of matter. Co-optees shall not be entitled to vote on any particular matter, unless the Committee so determines. Co-optees' membership of the Committee may be withdrawn at any time by the Committee.

4. Education Representatives

- (a) An Overview and Scrutiny Committee or sub-committee whose functions relate wholly or in part to education functions which are the responsibility of the Cabinet shall include in its membership the following voting representatives:
- (i) One Church in Wales representative;
 - (ii) One Roman Catholic Church representative;
 - (iii) Three parent governor representatives (one from a Primary School, one from a Secondary School and one from a Special School);
- (b) A member of an Overview and Scrutiny Committee or sub-committee appointed by virtue of sub-paragraph (a) above will be entitled to vote at a meeting of the Committee or sub-committee on any matter:
- (i) which relates to any education functions which are the responsibility of the Cabinet; and
 - (ii) which falls to be decided at the meeting; but will not otherwise be entitled to vote.

5. Overview and Scrutiny Meetings

Meetings of Overview and Scrutiny Committees and sub-committees shall be called by the Proper Officer for Committees and may be required to do so by the Chairperson of the relevant Overview and Scrutiny Committee, by any 5 members of the Committee or 3 members of a sub-committee.

The ~~Partnerships and Governance~~ **Corporate** Overview and Scrutiny Committee shall meet to exercise its crime and disorder functions at least once each year.

6. Quorum

The quorum for an Overview and Scrutiny Committee is a quarter of all Members of the committee or 3 whichever is greater.

7. Who Chairs Overview and Scrutiny Committee Meetings?

The Subject Overview and Scrutiny Committee Chairpersons will be appointed at the Annual Meeting of Council.

The Chairperson of the Corporate Scrutiny Committee is to be appointed by the members of the Corporate Scrutiny Committee from one of the Chairpersons of the Scrutiny Subject Committees but it must be in accordance with the political balance rules.

8. Work Programme

~~Overview and Scrutiny Committees/sub-committees will be responsible for setting their own work programmes.~~

At the beginning of the municipal year each Subject Overview and Scrutiny Committee will be asked to identify issues for consideration during the year, using pre-determined criteria which emphasises the need to consider issues such as impact, risk, performance, budget and community perception when identifying topics for investigation.

These items will be presented to the Corporate Overview and Scrutiny Committee for prioritisation and designation to each Subject Overview and Scrutiny Committee.

There is an understanding that the Forward Work Programme will remain flexible and be revisited at each Corporate Overview and Scrutiny Committee meeting to consider all potential items and reprioritise with input from the Subject Overview and Scrutiny Committees.

~~To ensure that the work programmes of each of the Overview and Scrutiny Committees are co-ordinated with one another and with the Cabinet's forward work programme an overview and scrutiny forward work programme will be agreed from time to time by an Overview and Scrutiny Strategy Group comprising the Chairpersons of and one other person nominated by each Overview and Scrutiny Committee.~~

Forward Work Programme Development Meetings will take place between Cabinet

Members and Scrutiny Chairs every three months in order for both Cabinet and Scrutiny to discuss and coordinate their Forward Work Programmes. Information will be fed back to the Corporate Overview and Scrutiny Committee as part of their Forward Work Programme item for consideration and approval.

9. Agenda Items

- (a) Any Member may refer a local government matter (~~as defined by Section 21A of the Local Government Act 2000~~) to the relevant **Corporate** Overview and Scrutiny Committee ***in accordance with Section 21A of the Local Government Act 2000.*** ~~for inclusion on the agenda and discussion of the Committee;~~
- (b) Overview and Scrutiny Committees shall respond, as soon as their work programme permits, to requests from the Council and if it considers it appropriate the Cabinet, to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Council and/or the Cabinet as appropriate;
- (c) Any Member may refer a local crime and disorder matter (~~as defined by Section 19 of the Police and Justice Act 2006~~) to the Partnerships and Governance **Corporate** Overview and Scrutiny Committee ***in accordance with Section 19 of the Police and Justice Act 2006.*** ~~and discussion at a meeting of the Committee where the Committee is exercising its crime and disorder functions.~~

10. Policy Review and Development

- (a) The roles of Overview and Scrutiny Committees in relation to the development of the Council's Budget and its Policy Framework are set out in detail in the Budget and Policy Framework Procedure Rules in Part 4 of this Constitution;
- (b) In relation to the development of the Council's approach to other matters not forming part of its Budget or Policy Framework, Overview and Scrutiny Committee or sub-committees may make proposals to the Cabinet for the review and development of policy in so far as they relate to matters within their terms of reference;

- (c) Overview and Scrutiny Committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses reasonable expenses for doing so.

11. Reports from Overview and Scrutiny Committees and Sub-Committees

- (a) Once an Overview and Scrutiny Committee or sub-committee has formed recommendations on proposals for development, the Committee/sub-committee will prepare a formal report and submit it to the proper officer for committees for consideration by the Cabinet (if the proposals are consistent with the existing Budget and Policy Framework), or to the Council as appropriate;
- (b) If an Overview and Scrutiny Committee/sub-committee cannot agree on one single final report to the Council or the Cabinet as appropriate, then a majority report may be prepared which also records the minority view and submitted for consideration by the Council or the Cabinet.

12. Reports to Cabinet and Council

- (a) The reports of Overview and Scrutiny Committee for Cabinet and Council shall be provided to the proper officer for inclusion in the appropriate agenda within 4 weeks of receipt.
- (b) A maximum of six reports may be submitted by each Overview and Scrutiny Committee/sub-committee to the Cabinet in any 12 month period, this calculation does not include any report requested by the Cabinet;
- (c) Overview and Scrutiny Committees will have access to the Cabinet's forward work programme. ~~Overview and Scrutiny Committee/ sub-committee may provide a report Cabinet on any issue included in the forward work programme of Cabinet.~~

13. ~~Partnerships and Governance~~ Overview and Scrutiny Committees exercising powers in relation to Crime and Disorder Functions

- (a) Paragraphs 10, 11 and 12 above do not apply to the ~~Partnerships and Governance~~ **Corporate or Subject** Overview and Scrutiny Committee in exercising its crime and disorder functions.
- (b) This Committee or Subject Committee may review and scrutinise decisions made or other actions taken in connection with the discharge of crime and disorder functions by responsible authorities (as defined by Sections 5 of the Crime and Disorder Act 1998). The **Corporate Overview and Scrutiny** Committee may make reports or recommendations to Council or Cabinet, as appropriate, with respect to the discharge of crime and disorder functions. Where the Committee makes such reports or recommendations it must provide a copy to each of the responsible authorities and to each of the persons with whom, and bodies with which, the responsible authorities have a duty to co-operate under section 5(2) of the Crime and Disorder Act 1998.

- (c) In addition, the Committee must consider any local crime and disorder matter (as defined by Section 19 of the Police and Justice Act 2006) included on the agenda for the meeting where the matter has been referred to the Committee by a Member of the Authority. It must consider whether to make a report or recommendations to Council or Cabinet with respect to that local crime and disorder matter, having regard to any representations made by the Member concerned. If the Committee decides not to make a report or recommendations it must notify the Member concerned of its decision and the reasons for it. If the Committee does make a report or recommendations to Council or Cabinet then it must provide a copy of the report or recommendations to the Member concerned and to such of the responsible authorities and co-operating persons or bodies, as it thinks appropriate.
- (d) Whenever the Committee provides a copy of a report or recommendations to a responsible authority or a co-operating person or body, it must remind that authority / body of its statutory duty to have regard to the report or recommendations in exercising its functions, to consider the report or recommendations and to respond to the Committee indicating what (if any) actions that person or body proposes to take.

14. Consideration of Member Referrals

Any Overview and Scrutiny Committee receiving a referral from a Member, who is not a Member of the Committee, may choose to conduct some work on the issue, including reviewing and scrutinising decisions and actions and making reports and recommendations. In deciding whether to do any of these things the Committee may have regard to anything that the Member may have already done in relation to the matter and any representations made by the Member concerned. If the Committee decides not to make a report or recommendations it must notify the Member concerned of its decision and the reasons for it. If the Committee does make a report or recommendations to Council or Cabinet then it must provide a copy of the report or recommendations to the Member concerned.

14. Rights of Overview and Scrutiny Committee Members to Documents

- (a) In addition to their rights as councillors, members of Overview and Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.
- (b) When exercising its functions in relation to crime and disorder, ~~the Partnerships and Governance~~ Overview and Scrutiny *Committees* have a right to request and receive information from the responsible authorities and co-operating persons or bodies (as defined by Section 5 of the Crime and Disorder Act 1998) on written request. Information provided will normally be de-personalised and will exclude information likely to prejudice legal proceedings or current or future operations.

15. Members and Officers giving Account

- (a) Any Overview and Scrutiny Committee or sub-committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role it may require (subject to the operation of the Member and Officer Codes of Conduct) the Leader and any (other) member of the Cabinet, the Head of Paid Service and/or any senior officer to attend before it to explain in relation to matters within their remit:
 - (i) any particular decision or series of decisions; and/or
 - (ii) the extent to which the actions taken implement Council policy; and/or
 - (iii) the performance of their respective department / directorate portfolio;;and those persons shall attend if so required;
- (b) Where any member or officer is required to attend an Overview and Scrutiny Committee/sub-committee under this provision, the Chairperson of that Committee/sub-committee will inform the ~~Senior~~**relevant** Scrutiny Officer. The officer for scrutiny shall inform the member or officer giving at least 5 clear working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee/sub-committee. Where the account to be given to the Committee/sub-committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation;
- (c) Where the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee/sub-committee shall in consultation with the member or officer arrange an alternative date for attendance.
- (d) When exercising its functions in relation to crime and disorder, the ~~Partnerships and Governance~~ Overview and Scrutiny **Committees** may require attendance of an officer or employee of a responsible authority or co-operating person or body to answer questions, on reasonable notice being given.

16. Attendance by Others

An Overview and Scrutiny Committee/sub-committee may invite members of the public and other stakeholders to address it and assist it in its deliberations.

17. Call-in

- (a) Where a decision is made by the Cabinet, an individual Member of the Cabinet, a Committee of the Cabinet, or an Officer the decision shall be published by the Proper Officer for Committees, including where possible by electronic means, and shall be available at the main offices of the Council as soon as reasonably practicable after being made. All Members will be sent copies of the written records of all such decisions by the Proper Officer for Committees within the same time scale.

- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of 3 clear working days after the publication of the decision (“the call-in period”), unless an Overview and Scrutiny Committee objects and calls it in for review.
- (c) During the period of 3 clear working days from the date of publication of a decision (“the call-in period”) **any 3 Members of an Overview and Scrutiny committee and a Scrutiny Chair may call-in a decision** ~~relating to a function within the remit of the scrutiny committee~~ by giving notice in writing (“the call-in notice”) on the form provided by Democratic Services, to the Proper Officer.
- (d) A “call-in notice” shall specify precisely which aspects of the decision is questioned or challenged, and in particular shall contain the grounds why it is considered that the scrutiny committee will be likely to refer the decision requested to be called in back to the decision making person or body.
- (e) The Proper Officer may rule that a call-in is not valid if:
- (i) The call-in request has not been made within the 3 clear working days allowed for call-in;
 - (ii) It is not clear which decision is being called-in;
 - (iii) The decision is exempt from call-in on account of the urgency provisions as indicated at paragraph 18 below;
 - (iv) The call-in request provides too little information to enable scrutiny committee members or the decision maker to adequately prepare for the call-in meeting;
 - (v) The decision being called in, or broadly the same decision, has been called in during the last 6 months.
 - (vi) The call-in request is trivial or without substantial merit
- (f) The role of scrutiny committees in calling in a decision is:
- (i) To test the merits of the decision;
 - (ii) To consider the process by which the decision has been formulated;
 - (iii) To make recommendations (to support the decision, change aspects of the decision, or to invite the decision making person or body to reconsider);
 - (iv) To suggest further steps before a decision is made (but not to try to carry out those steps in place of the decision making person or body);
 - (v) To come to a view in a relatively short time scale, so as not to compromise the speed and efficiency of the decision making process.
- (g) On receipt of a valid call-in notice containing the details specified above, the Proper Officer shall notify the decision taker of the call-in and **hold a meeting of an Overview and Scrutiny Committee on such date as he/she may determine, where possible after consultation with all Overview and Scrutiny Chairpersons** and in any case within 5 clear working days of the decision to call-in. **The**

Chairpersons will collectively determine which Overview and Scrutiny Committee will be allocated the meeting.

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

18. Call-in and Urgency

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

19. The Party Whip

At each meeting of an overview and scrutiny committee, each member of the committee must declare any prohibited party whip which the member has been given in relation to the meeting.

The minutes of each meeting of an overview and scrutiny committee will record all such declarations of prohibited party whips made at the meeting.

It is for the person chairing a meeting of an overview and scrutiny committee to determine whether a member of the committee has been given a prohibited party whip in relation to the meeting.

20. Procedure at Overview and Scrutiny Meetings

- (a) Overview and Scrutiny Committees and sub-committees shall consider the following business:
 - (i) Minutes of the last meeting;
 - (ii) Declarations of interest (including whipping declarations);
 - (iii) Consideration of any matter referred to the Committee/sub-committee for a decision in relation to call in of a decision;
 - (iv) Responses of the Cabinet to reports of the Overview and Scrutiny Committee; and
 - (v) The business otherwise set out on the agenda for the meeting;
- (b) Where the Overview and Scrutiny Committee/sub-committee conducts investigations, the Committee may ask people to attend to give evidence at Committee meetings, and such investigations shall be conducted in accordance with the following principles:
 - (i) the investigation shall be conducted fairly and all members of the Committee/sub-committee given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) those assisting the Committee/sub-committee by giving evidence shall be treated with respect and courtesy; and
 - (iii) the investigation shall be conducted so as to maximise the efficiency of the investigation or analysis;
- (c) Following any investigation or review, the Committee/sub-committee shall prepare a report, for submission to the Cabinet and/or the Council as appropriate and shall make its report and findings public.

~~21. Matters within the Remit of more than one Overview and Scrutiny Committee/Sub-Committee~~

~~Where an Overview and Scrutiny Committee/sub-committee conducts a review or scrutinises a matter which also falls (whether in whole or in part) within the remit of another Overview and Scrutiny Committee/sub-committee, then the Committee/sub-committee conducting the review shall invite the Chairperson of the other Committee/sub-committee (or his/her nominee) to attend its meetings when the matter is being reviewed.~~

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Scrutiny Calendar of Meetings

Corporate Overview and Scrutiny Committee	Scrutiny Subject Committee 1 (Education themed)	Scrutiny Subject Committee 2 (Social Services & Wellbeing themed)	Scrutiny Subject Committee 3
Committee Meeting 31 July 2017 2.000pm	Committee Meeting 4 July 2017 3.30pm	Committee Meeting 20 July 2017 3.30pm	Committee Meeting 17 July 3.30pm
Committee Meeting 5 October 2017	Committee Meeting 14 September 2017	Committee Meeting 12 September 2017	Committee Meeting 13 September 2017
Committee Meeting 15 November 2017	Committee Meeting 6 November 2017	Committee Meeting 10 October 2017	Committee Meeting 25 October 2017
Committee Meeting (Budget) 14 December 2017	Committee meeting (Budget) 4 December 2017	Committee Meeting (Budget) 5 December 2017	Committee Meeting (Budget) 6 December 2017
Committee Meeting 25 January 2018	Committee Meeting 9 January 2018	Committee Meeting 8 January 2018	Committee Meeting 17 January 2018
Committee Meeting 21 February 2018	Committee Meeting 8 February 2018	Committee Meeting 7 February 2018	Committee Meeting 12 February 2018
Committee Meeting 29 March 2018	Committee Meeting 12 March 2018	Committee Meeting 6 March 2018	Committee Meeting 21 March 2018
Committee Meeting 30 April 2018	Committee Meeting 16 April 2018	Committee Meeting 17 April 2018	Committee Meeting 19 April 2018

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Potential items proposed for the Forward Work Programme - questions to consider	
Proposed Item	
Is this item within the remit of the Committee?	
Is it a Corporate Priority?	
Is it a public interest item?	
What are the questions that need answering?	
Then:	
What is the expected outcome from receiving the item?	
What can be achieved?	
What impact can Members have on this area?	
What information should be reported to the Committee? I.e. data, case studies, examples of outcomes, challenges etc.	
How should information be presented at the meeting? I.e. PowerPoint/Prezi presentation, audio/visual formats, photos, graphics, charts, maps etc.	
Who should be invited to contribute to achieve a representative picture? I.e. front line staff, users, carers, young people, representatives from partner organisations, business representatives etc.	
Is the item particularly suitable for webcasting?	

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