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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

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dewis iaith.*

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Annwyl Cyngorydd,

#### **CABINET**

Cynhelir Cyfarfod Cabinet yn Siambr y Cyngor - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr CF31 4WB ar **Dydd Mawrth, 18 Rhagfyr 2018 am 14:30.**

#### **AGENDA**

1. Ymddiheuriadau am absenoldeb  
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant  
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 16  
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 20/11/18
4. Canlyniad yr Ymgynghoriad 'Llunio Dyfodol Pen-y-bont ar Ogwr' 17 - 64
5. Rhaglen Cyfalaf 2018-19 i 2027-28 65 - 72
6. Rheolaeth Gwarchodfa Natur Genedlaethol Cynffig 73 - 78
7. Gorchymyn Rheoleiddio Traffig / Proses Tawelu Traffig a Cherddwyr 79 - 84
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9. Grant Cyfalaf Cyfrwng Cymraeg 97 - 106
10. Penodi Llywodraethwyr yr Awdurdod Lleol 107 - 120
11. Eiriolaeth - Gwasanaethau Plant 121 - 124

Ffôn/Tel: 01656 643643

Facs/Fax: 01656 668126

Ebost/Email: [talktous@bridgend.gov.uk](mailto:talktous@bridgend.gov.uk)

Negeseuon SMS/ SMS Messaging: 07581 157014

[Twitter@bridgendCBC](https://twitter.com/bridgendCBC)

Gwefan/Website: [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

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12. Deddf Llywodraeth Leol (Darpariaethau Amrywiol) Adran 65 Pwer i Osod Prisiau ar Gyfer Cerbydau Hacni – Ceisiadau i Amrywio'r Tariff Prisiau ar Gyfer Cerbydau Hacni 125 - 232
13. Deddf Gamblo 2005 Datganiad o Egwyddorion 233 - 280
14. Materion Brys  
I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â pharagraff 2.4 (e) o'r Rheolau Trefn y Cabinet yn y Cyfansoddiad.
15. Gwahardd y Cyhoedd  
Nid oedd yr eitem canlynol yn cael eu cyhoeddi, gan fod eu bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 14 o Ran 4 a Pharagraff 21 o Ran 5, Atodlen 12A, Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Cymru) 2007 (Mynediad at Wybodaeth) (Amrywio).  
  
Os, yn dilyn cymhwyso'r prawf budd y cyhoedd yn y Cabinet yn penderfynu yn unol â'r Ddeddf i ystyried yr eitem hyn yn breifat, bydd y cyhoedd yn cael eu gwahardd o'r cyfarfod yn ystod ystyriaeth o'r fath.
16. Cymeradwyaeth Cofnodion wedi'u Eithrio 281 - 282  
I dderbyn am gymeradwyaeth y Cofnodion gwahardd cyfarfod y 20/11/18

Yn ddiffuant

**K Watson**

Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol

**Dosbarthiad:**

Cynghowrwy

HJ David

CE Smith

Cynghorwyr

PJ White

HM Williams

Cynghorwyr

D Patel

RE Young

## CABINET - DYDD MAWRTH, 20 TACHWEDD 2018

COFNODION CYFARFOD Y CABINET A GYNHALIWYD YN YSTAFELLOEDD PWYLLGOR 1/2/3 - SWYDDFEYDD DINESIG, STRYD YR ANGEL, PEN-Y-BONT AR OGWR CF31 4WB DYDD MAWRTH, 20 TACHWEDD 2018, AM 14:30

### Presennol

Y Cyngorydd HJ David – Cadeirydd

CE Smith  
RE Young

PJ White

HM Williams

D Patel

### Ymddiheuriadau am Absenoldeb

#### Swyddogion:

Gill Lewis	Pennaeth Cyllid a Swyddog 151 Dros Dro
Kelly Watson	Rheolwr Grŵp Gwasanaethau Cyfreithiol a Democraidd
Darren Mepham	Prif Weithredwr
Mark Shephard	Cyfarwyddwr Corfforaethol - Cymunedau
Mark Galvin	Uwch Swyddog Gwasanaethau Democraidd - Pwyllgorau
Lindsay Harvey	Cyfarwyddwr Corfforaethol – Addysg a Chymorth i Deuluoedd
Jackie Davies	Pennaeth Gofal Cymdeithasol Oedolion
John Fabes	Swyddog Arbenigol: Addysg Ôl-16 a Hyfforddiant

#### 265. DATGANIADAU O FUDDIANT

Ni wnaed dim datganiadau o fuddiant.

#### 266. CYMERADWYO'R COFNODION

PENDERFYNWYD: Bod Cofnodion cyfarfod y Cabinet, dyddiedig 23 Hydref 2018, yn cael eu cymeradwyo fel cofnod gwir a chywir.

#### 267. STRATEGAETH ARIANNOL Y TYMOR CANOL 2019-20 I 2022-23

Cyflwynodd Swyddog Adran 151 Dros Dro adroddiad, a phwrpas hwn oedd cyflwyno i'r Cabinet Strategaeth Ariannol y Tymor Canol 2019-20 i 2022-23 (SATC), sy'n egluro blaenoriaethau gwario'r Cyngor, amcanion buddsoddi allweddol a meysydd cyllido a dargedwyd ar gyfer arbedion angenrheidiol. Roedd y Strategaeth hefyd yn cynnwys rhagolygon ariannol am 2019-2023, a Chyllideb Refeniw Ddrafft fanwl ar gyfer 2019-20.

Cychwynnodd ei chyflwyniad, drwy ddweud bod y SATC wedi cael ei harwain gan dair blaenoriaeth y Cyngor, fel y cawsant eu cynnwys yn ei Gynllun Corfforaethol.

Roedd adrannau nesaf yr adroddiad yn cynnwys cyllideb naratif, oedd yn anelu at gyfleu'r buddsoddiad parhaus a sylweddol y bydd y Cyngor yn ei wneud yn y gwasanaethau cyhoeddus. Roedd hefyd yn egluro sut roedd y Cyngor yn bwriadu newid rhai meysydd darparu gwasanaethau arbennig a beth fyddai canlyniadau ariannol hyn.

Wedyn, rhoddai'r adroddiad drosolwg ariannol, ac yn dilyn hyn rhoddodd y Swyddog Adran 151 Dros Dro esboniad o faint o'r gyllideb oedd yn cael ei ddyrannu i bob un o'r meysydd gwasanaeth allweddol fel a ganlyn:-

- Addysg

- Gofal Cymdeithasol a Chymorth Buan
- Tir Cyhoeddus
- Cefnogi'r Economi
- Gwasanaethau Eraill

Cadarnhaodd y Swyddog Adran 151 Dros Dro fod Strategaeth Ariannol Tymor Canol (SATC) y Cyngor wedi ei gosod yng nghyd-destun cynlluniau economaidd a gwariant cyhoeddus y DU, blaenoriaethau Llywodraeth Cymru a'i rhaglen ddeddfwriaethol.

Rhoddodd esboniad ynglŷn â chyllideb ddrafft Llywodraeth Cymru a gyhoeddwyd gan yr Ysgrifennydd Cyllid ar 2 Hydref 2018, a sut yr oedd hon yn effeithio ar awdurdodau lleol yng Nghymru gan gynnwys Cyngor Bwrdeistref Pen-y-bont ar Ogwr. Ers hynny cafwyd cyllideb hydref y Llywodraeth Ganolog ar 29 Hydref, oedd yn cadarnhau y byddai Llywodraeth Cymru yn derbyn £550 miliwn dros y blynyddoedd 2018-19 i 2020-21.

Roedd adran nesaf yr adroddiad yn egluro beth yr oedd y setliadau uchod yn ei olygu i'r Awdurdod hwn, oedd yn adlewyrchu ar gyfer 2019-20 ostyngiad o £1.616 miliwn neu - 0.84%. Dywedodd Llywodraeth Cymru hefyd fod y setliad yn cynnwys £20 miliwn ychwanegol i liniaru'r pwysau ar y Gwasanaethau Cymdeithasol. Pe cymerid hyn hefyd i ystyriaeth, y wir sefyllfa i Ben-y-bont ar Ogwr oedd gostyngiad o -1.3% neu £2.5 miliwn. Roedd y setliad hefyd yn cynnwys £2.5 miliwn o gyllid gwaelodol i sicrhau nad oes rhaid i'r un Awdurdod ymdopi â gostyngiad o fwy nag 1% yn ei Grant Cynnal Refeniw y flwyddyn nesaf.

Ar y cyfan roedd y setliad amodol yn cyd-fynd â'r rhagdybiaeth "fwyaf tebygol" o -1.5% sydd wedi ei gynnwys yn SATC 2019-20 gwreiddiol y Cyngor, ond nid oedd yn cydnabod nifer o bwysau newydd y byddai'n rhaid i'r Cyngor eu hwynebu.

Roedd adran nesaf yr adroddiad yn amlinellu'r rhesymau pam yr oedd angen mynd i'r afael â'r pwysau ariannol, y byddai'n rhaid i'r Cyngor eu hwynebu yn y flwyddyn sydd i ddod, drwy ystyried cynnydd o 5.4% yn y Dreth Gyngor.

Wedyn, dangosai paragraff 4.11 yr adroddiad, yn Nhabl 1, gymhariaeth rhwng y gyllideb a'r canlyniad a ddisgwyliid ar 30 Medi 2019, oedd yn adlewyrchu tanwariant net o 2,551 miliwn.

Dangosai Tabl 2, ym mharagraff 4.17 yr adroddiad, fanylion cynnig SATC oedd yn cael ei gefnogi gan Gronfa Wrth Gefn Toriadau Cyllideb yn 2018-19, oedd yn swm o £200 mil ar gyfer MREC.

Rhoddai'r adroddiad wedyn amlinellid o ragolygon SATC am y 4 mlynedd nesaf, yn dangos y byddai'r Cyngor yn dal yn debygol o gyflawni gostyngiad cyffredinol yn y gyllideb ym mhob un o'r blynyddoedd hyn o oddeutu -1.5%. Mewn termau real, golygai hyn y byddai'n rhaid iddo, dros y cyfnod hwn, ddod o hyd i gyfanswm o £33,645 miliwn yn y sefyllfa orau neu £44,648 yn y sefyllfa waethaf.

Roedd Tabl 5 yr adroddiad yn adlewyrchu'r sefyllfa bresennol wrth fynd i'r afael â'r gofyniad lleihau cyllideb mwyaf tebygol o £36,439 miliwn. Dangosai hyn, er gwaethaf yr arbedion a wnaed hyd yma, fod angen i'r Cyngor o hyd ddatblygu cynigion er mwyn sicrhau gostyngiadau o £21.3 miliwn (na roddwyd cyfrif amdanynt eto).

Wedyn cyfeiriodd y Swyddog Adran 151 Dros Dro at y Cynigion i Leihau'r Gyllideb a nodwyd yn y SATC presennol (Tabl 6 yn yr adroddiad) a'r Gyllideb Refeniw ddrafft fel y safai ar y pryd (Tabl 7).

Dangoswyd dadansoddiad llawn o'r pwysau ar y gyllideb yn Atodiad A i'r adroddiad.

Cadarnhaodd fod cynigion lleihau'r gyllideb o £8,836 miliwn wedi cael eu nodi o gyllidebau gwasanaethau a chorfforaethol er mwyn cyflawni cyllideb fantoledig. Amlinellwyd y rhain yn Atodiad B i'r adroddiad.

Rhodddai Tabl 9, ym mharagraff 4.39 yr adroddiad, grynodedb o Gronfeydd Wrth Gefn wedi eu Clustnodi y gellid eu defnyddio, tra roedd Tabl 10 yn dangos Dyraniadau Cyllid Cyfalaf Blynyddol.

Daeth y Swyddog Adran 151 Dros Dro â'i chyflwyniad i ben drwy gyfeirio at Asesiad Deddf Cenedlaethau'r Dyfodol (Cymru) 2015 oedd yn Atodiad C yr adroddiad.

Dywedodd y Dirprwy Arweinydd fod y gyllideb ddrafft yn cyfeirio at £115 miliwn ar gyfer Addysg a Chymorth i Deuluoedd, ynghyd â buddsoddiad cyfalaf o £21.5 miliwn ar gyfer Band A a £23 miliwn ar gyfer Band B ei raglen o foderneiddio ysgolion.

Disgwyliai wariant o £67 miliwn ar Ofal Cymdeithasol a gwasanaethau Lles, a £23.5m ar wasanaethau Tir y Cyhoedd yn cynnwys £9 miliwn ar gasglu a chael gwared â gwastraff.

Roedd y cynigion yn cynnwys awgrym o gynnydd yn y Dreth Gyngor o 5.4%, sy'n cyfateb i £1.45 ychwanegol yr wythnos ar gyfer eiddo Band D ar gyfartaledd.

Ychwanegodd y Dirprwy Arweinydd nad oedd gosod cyllideb werth miliynau o bunnau byth yn hawdd, ond bod hynny'n arbennig o wir yn yr hinsawdd ariannol bresennol, lle roedd y Cyngor wedi cael ei orfodi i wneud i fyny am ddiffygion enfawr mewn cyllid.

Aeth ymlaen i gadarnhau bod y cynnydd a awgrymir yn y Dreth Gyngor yn adlewyrchu'r angen i liniaru pwysau sydd heb gyllid ar eu cyfer ac sy'n anochel, ond na fyddai'r cynnydd mewn unrhyw ffordd yn ddigon i dalu'r gost lawn am hyn.

Yn ogystal â gostyngiadau yn swm y cyllid yr oedd yr Awdurdod yn ei dderbyn, roedd yn wynebu pwysau ychwanegol megis rheoliadau newydd a newidiadau deddfwriaethol, niferoedd mwy o ddisgyblion, mwy yn dibynnu ar wasanaethau'r Cyngor oherwydd poblogaeth oedd yn heneiddio, a mwy.

Ychwanegodd, tra roedd yr awdurdodau lleol yn disgwyl am ganlyniadau'r ymgynghoriad cyhoeddus, fod y Cyngor yn rhannu'r cynigion drafft er mwyn i'r broses graffu gael cychwyn.

Dywedodd y Dirprwy Arweinydd ei fod yn edrych ymlaen at dderbyn adborth yr ymgynghoriad cyhoeddus yng nghyfarfod nesaf y Cabinet, fel y gallai'r Aelodau ystyried y cynigion yn eu cyd-destun, cyn symud ymlaen i gam nesaf y gwaith.

Terfynodd ei gyflwyniad drwy gadarnhau y byddai'r blynyddoedd i ddod yn heriol iawn pan fyddai angen arbedion o rhwng £30 a £40 miliwn. Dangosai'r adroddiad, er mwyn amddiffyn gwasanaethau hanfodol y mae'n rhaid i'r Cyngor eu darparu ar gyfer ei 140,000 o drigolion, y byddai'n rhaid i'r Dreth Gyngor mewn blynyddoedd i ddod gynyddu i 10% i lenwi'r gwactod ariannol y mae'r Cyngor eto i'w wynebu.

Fe wnaeth Aelodau o'r Cabinet yn eu tro adleisio teimladau'r Dirprwy Arweinydd.

Daeth yr Arweinydd â'r drafodaeth i ben ar yr eitem hon, gan atgoffa'r cyhoedd bod yna amser o hyd iddynt ysgrifennu i mewn gyda'u cynigion ar y SATC. Ychwanegodd fod y Cabinet yn gweithio'n agos gyda'r Pwyllgor Trosolwg a Chraffu, er mwyn gwneud y gorau o'r setliad. Gobeithiai y byddai yna gyllid ychwanegol gan Lywodraeth Cymru

drwy'r Llywodraeth Ganolog, er mwyn i'r Awdurdod gael ategiad ariannol, gan fod pob mymryn yn help yn hyn o beth.

PENDERFYNWYD: Bod y Cabinet yn cyflwyno cyllideb flynyddol 2019-20 a datblygiad y Strategaeth Ariannol y Tymor Canol 2019-20 i 2022-23 ar gyfer ymgynghori.

268. PARC AFON EWENNI

Cyflwynodd y Cyfarwyddwr Corfforaethol - Cymunedau adroddiad, a bwriad hwn oedd datblygu Depo Priffyrdd modern yn Waterton ar ôl troed llai i ganiatáu i gynnig safle adfywio Parc Afon Ewenni (PAE) fynd yn ei flaen a sicrhau gofynion y depo i'r dyfodol ar gyfer y Cyngor fel rhan o'r broses gyffredinol o resymoli'r depo. Gofynnai'r adroddiad am gymeradwyaeth bellach i gyflwyno adroddiad i'r Cyngor yn cynnig diwygiad i'r Rhaglen Gyfalaf i swm cyfalaf pellach o £4,944,000 gael ei gynnwys yn y Rhaglen Gyfalaf er mwyn llwyr ailddodrefnu a datblygu'r depo.

Rhoddai'r adroddiad beth gwybodaeth gefndir oedd yn cadarnhau bod cymeradwyaeth wedi ei roi gan y Cabinet ym mis Tachwedd 2016, fel mesur dros dro, i barhau i weithredu Depo ar ôl troed llai yn Waterton am y 4-5 mlynedd nesaf ac amlinellai'r adroddiad rai dewisiadau y gellid eu dilyn er mwyn cyflawni hyn.

Tynnodd sylw'r Aelodau at baragraff 3.5 yr adroddiad, lle roedd yn sôn yr ystyrid ei fod yn debygol y byddai unrhyw ffurfwedd ar ad-drefnu llywodraeth leol yn y dyfodol yn dal i fod angen Depo Priffyrdd ym Mhen-y-bont ar Ogwr i wasanaethu'r Fwrdeistref Sirol. Roedd y gost o ddarparu Depo Priffyrdd newydd mewn lleoliad newydd yn debygol o gostio swm sylweddol fwy na'r £6.5 - £7.5 miliwn a amcangyfrifid yn ôl yn 2016. Amcangyfrifid yn awr y byddai cost Depo newydd mewn lleoliad newydd o gwmpas £9 - £12 miliwn, o ganlyniad i ofynion newidiol (tebygol) a thrymach Cyfoeth Naturiol Cymru. Gan gydnabod hyn, roedd y dewis o redeg depo oedd heb ei newid ers 4/5 mlynedd fel mesur dros dro ac wedyn adeiladu depo newydd mewn lleoliad gwahanol yn edrych yn fwyfwy anfforddiadwy.

Wedyn, rhoddai paragraff 3.6 yr adroddiad wybodaeth ynghylch ymchwiliad a gynhaliwyd i nodi'r gwahaniaethau rhwng parhau i redeg y depo ar ôl troed llai am 4-5 mlynedd, gyda depo newydd yn cael ei adeiladu mewn lleoliad newydd wedi hynny a'r dewis arall o ddatblygu depo gweithredol parhaol ar ôl troed llai yn Waterton.

Wedyn cyfeiriodd y Cyfarwyddwr Corfforaethol - Cymunedau at adrannau dilynol yr adroddiad ar y dewisiadau a awgrymwyd, gan gynnwys yr hyn yr oedd Bwrdd PAE wedi ei gytuno, a bod cyfanswm y gyllideb gyfalaf bresennol ar gyfer y cynllun yn £4.376 miliwn. Fodd bynnag, roedd peth o'r gyllideb hon wedi ei rwympo eisoes i waith yn Nepo Bryncethin, o ganlyniad i symud rhai o weithrediadau'r parciau a'r amgylchedd adeiledig i'r lleoliad hwn, gan adael balans o £3.2 miliwn.

A throi at y sefyllfa bresennol, cadarnhaodd Cyfarwyddwr Corfforaethol - Cymunedau yr amcangyfrifid mai cost cynllun yr hyn oedd y dewis gorau ar hyn o bryd, oedd oddeutu £8.144 miliwn. Fodd bynnag, oherwydd costau ychwanegol eraill, roedd yna bellach ddiffyg rhwng cost gyffredinol y gwaith cynnal a chadw/cydymffurfio a'r cyfanswm net yr amcangyfrifid a geid am y tir a'r gyllideb gyfalaf bresennol. Er mwyn symud ymlaen gyda'r dewis hwn, roedd angen buddsoddiad cyfalaf pellach o oddeutu £4.944 miliwn yn ychwanegol at y cyfalaf yr amcangyfrifid oedd yn weddill o £3.2 miliwn, fyddai'n dod o'r cyfanswm o £3.5 miliwn a dderbynnid am y tir ynghyd ag £1.444 miliwn ychwanegol o gyllid cyfalaf cyffredinol.

Roedd gosodiad y depo arfaethedig yn darparu ar gyfer:

- Yr ôl troed lleiaf oedd yn weithredol dderbyniol;
- Depo modern parhaol, oedd yn cydymffurfio â'r safonau priodol
- Yr uchafswm o dir ar gael i'w werthu

Dywedai rhan nesaf yr adroddiad, er bod y depo presennol yn cydymffurfio â'r ddeddfwriaeth iechyd a diogelwch berthnasol, ac yn y blaen, fod y depo erbyn hyn mewn cyflwr di-raen.

Terfynodd Cyfarwyddwr Corfforaethol - Cymunedau ei gyflwyniad drwy amlinellu goblygiadau ariannol yr adroddiad.

Dywedodd Aelod Cabinet - Cymunedau fod y cynnig presennol yn cymryd i ystyriaeth y ffordd fwyaf effeithiol o ddefnyddio'r tir ar gyfer gosod cyfleuster mor newydd yn y lleoliad hwn, ac roedd yn falch i nodi, er y byddai'r depo newydd yn llai na'r un a gynigiwyd yn wreiddiol, y byddai'n costio 40% yn llai ar ôl troed llai o faint.

Dywedodd yr Arweinydd y gallai partneriaid posibl hefyd ddefnyddio cyfleuster o'r fath, fyddai'n lleihau'r costau cysylltiedig â hwn, yn ogystal ag ychwanegu y byddai'r cynnig yn destun proses gaffael drylwyr, h.y. gyda'r gwaith yn cael ei osod allan i dendr er mwyn sicrhau'r 'gwerth gorau' (ar gyfer y prosiect).

Ehangodd Cyfarwyddwr Corfforaethol - Cymunedau ar hyn er mwyn yr Aelodau, gan ychwanegu y gallai peth o'r gwaith gael ei wneud yn fewnol gan adran y Landlord Corfforaethol.

**PENDERFYNWYD:** Bod y Cabinet:

- (1) Yn nodi mai'r dewis gorau a gynigid ar gyfer datblygu'r Depo Priffyrdd yn awr oedd darparu depo modern, parhaol addas i'r pwrpas, ar ôl troed llai o faint ar safle Waterton. Byddai hyn yn sicrhau cydymffurfio â'r holl safonau / deddfwriaeth bresennol angenrheidiol tra'n cynyddu i'r eithaf faint o dir oedd ar gael i'w werthu i gynhyrchu cyfalaf a chaniatáu datblygu tai yn unol â'r Cynllun Datblygu Lleol a gymeradwywyd.
- (2) Yn rhoi awdurdod i gyflwyno adroddiad i'r Cyngor yn argymhell bod y cyfalaf a dderbynnid o werthiant tir y Cyngor yn Waterton yn cael ei ailfuddsoddi i gynorthwyo i ddatblygu'r depo, gan na fyddai modd, heb y depo newydd arfaethedig uchod, rhyddhau'r tir i gyd i gael ei werthu.
- (3) Yn rhoi awdurdod i gyflwyno adroddiad i'r Cyngor yn gofyn am gymeradwyaeth bod swm pellach o £4,944,000 o gyfalaf yn cael ei gynnwys yn y Rhaglen Gyfalaf i ailddodrefnu ac ailddatblygu'r depo'n llawn fel y cynigiwyd, gan gynnwys ailddodrefnu'r adeiladau priodol.

**269. EIN MANNAU GWYRDD - GRANT GALLUOGI ADNODDAU NATURIOL A LLES**

Cyflwynodd Cyfarwyddwr Corfforaethol - Cymunedau adroddiad, a phwrpas hwn oedd gofyn am gymeradwyaeth y Cabinet ar gyfer cyflwyno cais llawn i'r Grant Galluogi Adnoddau Naturiol a Lles (ENRaW) ac, os byddai'n llwyddiannus, derbyn y cynnig o gyllid a fyddai'n dilyn a gwneud unrhyw gytundebau cyfreithiol a rheolaethol fyddai'n ofynnol i weithredu'r prosiectau a ariennid gan y grant.

Dywedodd fod y Grant Galluogi Adnoddau Naturiol a Lles (ENRaW) yn cael ei weinyddu gan Lywodraeth Cymru (LIC) ac yn cefnogi prosiectau sy'n gwneud gwelliannau mewn ardaloedd preswyl drwy ddod â buddion i bobl, busnesau a chymunedau.

Ychwanegodd fod y cynnig uchod wedi cael ei rannu gyda'r Bwrdd Gwasanaethau Cyhoeddus (BGC), ac yna aeth ymlaen i esbonio mai prosiect oedd Ein Mannau Gwyrdd ar gyfer rheoli seilwaith gwyrdd Bwrdeistref Sirol Pen-y-bont ar Ogwr er lles y bobl, busnesau a chymunedau. Rhannwyd y prosiect yn bedair thema oedd yn cydreddeg gyda Chynllun Lles y BGC, ac wrth gael ei gyflawni, byddai'n nodi cyfleoedd i gynyddu buddion ar draws ystod o safleoedd, megis:-

- Galluogi'r cychwyn gorau mewn bywyd
- Galluogi cymunedau diogel a chydlynol
- Galluogi cydraddoldeb
- Galluogi dewisiadau iach mewn amgylchedd iach.

Gyda golwg ar oblygiadau ariannol yr adroddiad, dywedodd Cyfarwyddwr Corfforaethol - Cymunedau y bwriedid i'r cyfnod o amser dan sylw gychwyn yng ngwanwyn 2019 a dod i ben yng ngwanwyn 2022, yn amodol ar brosesau penderfynu LIC. Cyfrifid ar hyn o bryd mai £734,579 fyddai cost y prosiect. Roedd dadansoddiad o'r pecyn cyllido fel y'i drafftwyd ar y pryd yn cael ei ddangos ym mharagraff 8.2 yr adroddiad. Roedd hyn, fodd bynnag, yn amodol ar drafodaeth derfynol gyda LIC ac efallai y câi ei newid.

Dywedodd Aelod y Cabinet - Addysg ac Adfywio fod yr adroddiad yn cynnwys swm sylweddol o gyllid i gefnogi mathau amrywiol o raglenni manau agored, gan gynnwys cysylltu ag ysgolion hefyd, iddynt annog disgyblion i wneud y gorau o'r manau hyn er mwyn hybu iechyd a lles. Roedd yna raglenni eraill, er enghraifft y Cynllun Rheoli Cynaliadwy a'r Rhaglen Refeniw Sengl 18-19 oedd i gyd yn cyfrannu i fuddsoddiad gwerth £1.1 miliwn (i fannau agored).

Daeth yr Arweinydd â'r drafodaeth i ben, drwy ailadrodd bod y rhan fwyaf o'r adnodd yn dod o gyllid grant, ac y byddai hefyd yn lles i fywyd gwyllt ac ecoleg yn ogystal â'r unigolion eu hunain.

**PENDERFYNWYD**      Bod y Cabinet:

- (1) Yn cymeradwyo cyflwyno cynnig Ein Mannau Gwyrdd fel yr amlinellwyd am y Grant Galluogi Adnoddau Naturiol a Lles;
- (2) Yn dirprwyo awdurdod i'r Cyfarwyddwr Corfforaethol - Cymunedau gwblhau a chyflwyno'r cais llawn, mewn ymgynghoriad â Swyddog Adran 151, a derbyn unrhyw gyllid a gynigid o ganlyniad.
- (3) Yn dirprwyo awdurdod i'r Cyfarwyddwr Corfforaethol - Cymunedau, ar ôl iddo dderbyn unrhyw gynnig o gyllid a ddeuai o ganlyniad, i osod yn eu lle y cytundeb cyfreithiol a'r cytundeb rheoli mewn ymgynghoriad â Phennaeth y Gwasanaethau Cyfreithiol a Rheoleiddiol a Swyddog Adran 151.

**270. DIWEDDARIAD AR GYNLLUN ADFYWIO PORTHCAWL**

Cyflwynodd y Cyfarwyddwr Corfforaethol - Cymunedau adroddiad, a phwrpas hwn oedd rhoi diweddariad i'r Cabinet am Gynllun Adfywio Porthcawl, a gofyn am gymeradwyaeth i gyflwyno adroddiad i'r Cyngor yn cynnig adolygu'r rhaglen gyfalaf er mwyn buddsoddi'r cyfalaf y disgwyliid ei dderbyn drwy werthu tir o gwmpas Maes Parcio Salt Lake.

Gofynnai'r adroddiad hefyd am gymeradwyaeth i gyflwyno adroddiad i'r Cyngor er mwyn sicrhau ariannu cyfatebol ar gyfer gwelliannau i amddiffynfeydd arfordirol fyddai'n datgloi cyfnodau datblygu yn y dyfodol.



Amlinellai'r adroddiad beth gwybodaeth gefndir, ac wedyn cadarnhâi'r amrywiol gyfnodau o waith oedd ynglŷn â'r cynllun.

Dywedodd y Cyfarwyddwr Corfforaethol - Cymunedau fod angen prosesu'r cynllun yn y ffordd hon, gan fod yn rhaid cymryd materion eraill i ystyriaeth yn gyntaf, er enghraifft, dadansoddi'r farchnad, cyfyngiadau seilwaith allweddol, yn ogystal â llif arian. Roedd cynllun oedd yn gysylltiedig â'r adroddiad yn egluro'r strategaeth o gyflawni'r cynllun fesul cyfnod.

Wedyn disgrifiodd er budd y Cabinet, Gyfnodau 1-7 y cynllun, fel y'u hamlinellwyd ym mharagraffau 4.2 i 4.10 yr adroddiad.

Roedd adran nesaf yr adroddiad yn cynnwys crynodeb o'r gwahanol gyfnodau, oedd yn ymdrin â'r meysydd canlynol. Ychwanegodd y byddai'r cynllun yn ymestyn dros 4 i 5 mlynedd:-

- Cyfnod 1 - Safle'r Siop Fwyd
- Cyfnod 2 - Tai
- Cyfnod 3 - Maes Parcio Hillsboro Place
- Cyfnod 4 - Y Promenâd Dwyreiniol a gwaith ehangach o amddiffyn yr arfordir rhag llifogydd
- Cyfnodau 5 a 6 - Safleoedd Tai
- Cyfnod 7 - Safle Hamdden

Wedyn ehangodd y Cyfarwyddwr Corfforaethol - Cymunedau ar fuddsoddi'r Cyfalaf a dderbynnid a rhoddodd grynodedd o'r Derbyniadau Cyfalaf oedd wedi dod i law a'r ffyrdd y cynigid ailfuddsoddi'r rhain.

Byddai hyn yn arwain at barcio ceir yn fwy effeithlon ym Maes Parcio Hillsboro Place; gwelliannau i Salt Lake er mwyn iddo gael ei redeg fel maes parcio cyhoeddus yn y cyfamser, cyn i'r ardal hon gael ei datblygu (sef Cyfnodau 5 a 6 y Cynllun). Ychwanegodd fod yna welliannau arfaethedig hefyd i wneud Portway yn fwy hygyrch, gan gynnwys manau croesi a'r posibilrwydd o barcio ar y stryd i'w gwneud yn haws cyrraedd canol y dref.

Aeth ymlaen i ddweud ei fod yn fwriad hefyd gwneud gwaith ffisegol i'r safle hamdden er mwyn ei gwneud yn bosibl defnyddio'r fan hon dros dro fel rhan o'r Strategaeth Hamdden interim, ac yn olaf, cyfres o welliannau ffisegol mewn manau allweddol eraill, megis y giât i'r safle (o bosibl mewn partneriaeth â Chyngor y Dref), y promenâd a'r cysylltiadau â chanol y dref i gerddwyr.

Wedyn cadarnhaodd y Cyfarwyddwr Corfforaethol - Cymunedau fod y cynigion yn yr adroddiad wedi cael eu hasesu yn erbyn Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015, a bod crynodeb o'r asesiad i'w weld ym mharagraff 7 yr adroddiad.

Wedyn daeth â'i gyflwyniad i ben drwy sôn am oblygiadau ariannol yr adroddiad a gofynnodd am i £2.64 miliwn o gostau'r prosiect oedd yn gysylltiedig â Chynllun Adfywio Strategol Porthcawl gael eu cynnwys yn y rhaglen gyfalaf.

Dywedodd yr Aelod o'r Cabinet - Addysg ac Adfywio fod y Cyngor yn wastad wedi bod eisiau i ansawdd yn hytrach na maint fod yn ffactor bwysicaf y cynllun wrth symud ymlaen, a theimlai y byddai'n fuddiol pe câi'r Portway ei gadw ar agor fel rhan o'r cynllun, gan fod yr ardal hon yn gyfleus i gerddwyr ac yn rhoi llinellau safle syth i mewn i dref Porthcawl. Ychwanegodd y byddai rhagor o le parcio hefyd yn lliniaru'r pwysau parcio oedd i'w gweld ar hyn o bryd ym Mhorthcawl.

Daeth yr Arweinydd â'r drafodaeth i ben drwy ddweud bod Swyddogion a'r Cabinet wedi gweithio'n galed ac yn agos gydag aelodau lleol Porthcawl ynghylch cynigion y cynllun yn ogystal â gyda Chyngor Tref Porthcawl ac y byddai rhagor o waith o'r fath yn parhau i'r dyfodol.

Roedd y cynigion diweddaraf yn cario ymlaen o'r gwaith ardderchog a wnaed hyd yn hyn drwy ailagor Adeilad Jennings ac ailddatblygu'r harbwr fel Marina. Ychwanegodd ymhellach ei bod yn bwysig bod adfywiad Porthcawl hefyd yn cynnwys amddiffynfeydd môr digonol a thai fforddiadwy ar safleoedd tir llwyd (yn hytrach na thir glas). Byddai'r holl waith arfaethedig yma, gobeithio, yn cyfrannu at wneud Porthcawl y dref lan y môr flaenaf yn Ne Cymru.

**PENDERFYNWYD:** Argymhellodd y Cabinet gyflwyno adroddiad i'r Cyngor yn gofyn am awdurdod i wneud y canlynol:

- (1) Adolygu'r rhaglen gyfalaf i gynnwys cyllideb o £2.64 miliwn o fuddsoddiad yn Adfywiad Porthcawl, yn cael ei ariannu o gyfuniad o dderbyniadau cyfalaf, wedi eu cynhyrchu drwy werthu tir o fewn Salt Lake, a benthyca'n ddoeth;
- (2) Rhoi 25% o arian cyfatebol (oddeutu £1 filiwn) tuag at waith creu amddiffynfeydd arfordirol ym Mhorthcawl ac awdurdod i sicrhau 75% o gyllid drwy Fenter Benthyca Llywodraeth Leol (LGBI) tuag at y gwaith hwn. Ni fyddai'r cynllun yn cael ei ymgorffori yn y rhaglen gyfalaf nes y byddai'r 75% o gyllid LGBI wedi cael ei gymeradwyo; a

(Sylwer: câi'r symiau eu cadarnhau cyn cyflwyno'r achos busnes manwl i Lywodraeth Cymru y disgwyliad iddo ddigwydd o gwmpas haf 2019).

- (3) Dirprwyo awdurdod i'r Cyfarwyddwr Corfforaethol - Cymunedau a Swyddog Adran 151 i gytuno ar unrhyw amrywiadau costau cysylltiedig â Chynllun Datblygu Porthcawl.

#### **271. RHEOLI ANSAWDD AER LLEOL - ARDAL RHEOLI ANSAWDD AER ARFAETHEDIG**

Rhoddodd Pennaeth y Gwasanaethau Cyfreithiol a Rheoleiddiol adroddiad ar y mater uchod a chyflwynodd Reolwr Gweithredol y Cydwasanaethau Rheoleiddio (SRS), y Rheolwr Gweithredol - Menter a Gwasanaethau Arbenigol a Swyddog y Gwasanaethau Arbenigol i esbonio materion technegol yr adroddiad.

Pwrpas yr adroddiad, oedd yn cael ei ategu gan y dystiolaeth a amlinellwyd yn y Nodyn Technegol atodedig yn Atodiad 1, oedd gofyn i'r Cabinet gymeradwyo gorchymyn yn dynodi Stryd y Parc, Pen-y-bont ar Ogwr, yn Ardal Rheoli Ansawdd Aer (AQMA). Roedd yn ofynnol i'r Cabinet gymeradwyo dynodi'r gorchymyn AQMA cyn cyflwyno fersiwn derfynol i Lywodraeth Cymru, ac i'r gorchymyn fod ar gael yn gyhoeddus.

Gofynnai'r adroddiad hefyd am gymeradwyaeth ar gyfer ymarferiad ymgysylltu â'r cyhoedd gyda'r trigolion a'r busnesau y byddai'r gorchymyn yn effeithio arnynt, cyn y dyddiad gweithredu sef y 1af o Ionawr, 2019.

Rhoddai'r adroddiad beth gwybodaeth gefndir, ac yn dilyn hynny cadarnhaodd fod y Cabinet, yn ei gyfarfod ar 18 Medi 2018, wedi cymeradwyo Adroddiad Cynnydd Blynyddol ar Reoli Ansawdd Aer Lleol 2018 (APR) ar gyfer Pen-y-bont ar Ogwr, fel y'i cynhyrchwyd gan SRS ar ran BCBC. Roedd yr adroddiad hwn wedi archwilio setiau data a gasglwyd yn ystod 2017 ac wedi nodi bod Stryd y Parc, Pen-y-bont ar Ogwr, yn ardal o bryder neilltuol ac o ganlyniad bod angen AQMA.

Nodwyd wedi hynny, fod dau leoliad monitro nitrogen deuocsid (NO<sub>2</sub>) oedd ar ffasâd tai ar Stryd y Parc, fel y dangosid yn yr adroddiad, wedi cofnodi lefelau uwch o NO<sub>2</sub>, oedd yn fwy na'r lefelau cyfartalog blynyddol o gymharu â'r lefelau normal.

O dan Adran 83 o Ddeddf yr Amgylchedd 1995, roedd yn ofynnol i BCBC ddatgan AQMA yn gyfreithiol ar gyfer Stryd y Parc, Pen-y-bont ar Ogwr, a thrwy wneud hynny, codi gorchymyn AQMA oedd yn diffinio manylion a lleoliad yr AQMA.

Dywedodd y swyddogion fod gorchymyn AQMA drafft ynghlwm yn Atodiad 2 yr adroddiad, a chynigiwyd bod y gorchymyn yn dod i rym ar 1 Ionawr 2019.

Fel rhan o ddatblygu Cynllun Gweithredu Ansawdd Aer (AQAP), byddai SRS/BCBC yn ffurfio gweithgor trawsadrannol, fyddai'n archwilio ac asesu nifer o fesurau lliniaru, oedd wedi eu bwriadu i wella/lleihau lefelau NO<sub>2</sub> mor rhesymol ag oedd yn ymarferol.

Yn olaf, dywedwyd wrth y Cabinet fel rhan o'r drefn AQAP, y cynhelid ymgynghoriad cyhoeddus, fyddai'n caniatáu i drigolion wneud sylwadau ar y mesurau lliniaru oedd mewn golwg yn ogystal â gwneud eu hawgrymiadau lliniaru eu hunain hefyd.

Cymeradwyodd y Cabinet yr adroddiad, a disgwyliai am adroddiad pellach ar ganlyniad y cynigion uchod.

PENDERFYNWYD: Bod y Cabinet:

- (1) Yn cymeradwyo'r penderfyniad i weithredu Ardal Rheoli Ansawdd Aer (AQMA) ar Stryd y Parc ar sail y dystiolaeth a roddwyd.
- (2) Yn cymeradwyo manylion y Gorchymyn AQMA arfaethedig, fel y'i rhoddwyd yn Atodiad 2, i'w gyflwyno i Lywodraeth Cymru a'i roi ar gael i'r cyhoedd.
- (3) Yn cymeradwyo'r penderfyniad i gynnal ymarferiad ymgysylltu cyhoeddus gyda'r trigolion a'r busnesau y byddai'r gorchymyn yn effeithio arnynt, cyn gweithredu'r Gorchymyn AQMA.
- (4) Y disgwyliad adroddiad pellach ar y mater hwn maes o law.

## 272. RHAGLEN WAITH I'R DYFODOL

Cyflwynodd Pennaeth y Gwasanaethau Cyfreithiol a Rheoleiddiol adroddiad, er mwyn gofyn i'r Cabinet gymeradwyo eitemau i'w cynnwys ar y Rhaglen Waith i'r Dyfodol (FWP) am y cyfnod o 1 Ionawr i 30 Ebrill 2019.

Ynghlwm wrth yr adroddiad roedd Rhaglenni Gwaith i'r Dyfodol ar gyfer y Cabinet (Atodiad 1 i'r Adroddiad), y Cyngor (Atodiad 2) a Phwyllgor Trosolwg a Chraffu (Atodiad 3).

PENDERFYNWYD: Bod y Cabinet:

1. Yn cymeradwyo Rhaglen Waith i'r Dyfodol y Cabinet am y cyfnod o 1 Ionawr i 30 Ebrill 2019, fel y dangoswyd yn Atodiad 1 yr adroddiad.
2. Yn nodi Rhaglenni Gwaith i'r Dyfodol y Cyngor a'r Pwyllgor Craffu, fel y dangoswyd yn Atodiad 2 a 3 yr adroddiad, yn y drefn honno.

**273. ENWEBIADAU I GYRFF ALLANOL**

Cyflwynodd Pennaeth y Gwasanaethau Cyfreithiol a Rheoleiddiol adroddiad, a phwrpas hwn oedd gofyn i'r Cabinet gymeradwyo penodi'r Cynghorydd C A Green i Gyngor CLILC i gymryd lle'r Cynghorydd N Clarke.

Amlinellai'r adroddiad beth gwybodaeth gefndir ac yn dilyn hynny dywedodd Pennaeth y Gwasanaethau Cyfreithiol a Rheoleiddiol, pe bai'r Cabinet yn cymeradwyo argymhelliad yr adroddiad, y cynigid bod penodiad y Cynghorydd Green yn aros mewn grym tan Fehefin 2019, ac y gofynnid i'r Cabinet bryd hynny benodi neu ailbenodi i nifer o gyrff allanol a chydbwyllgorau yn ôl yr arfer.

Cynigwyd y penodiad ar y sail fod y sawl a benodid yn cynrychioli Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr a phe bai hi'n peidio â bod yn Aelod o'r Awdurdod, y byddai ei phenodiad yn cael ei ollwng fel y byddai'n addas.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo penodi'r Cynghorydd C A Green i Gyngor CLILC, i gymryd lle'r Cynghorydd N Clarke.

**274. ADRODDIADAU GWYBODAETH I'W NODI**

Cyflwynodd Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol adroddiad, er mwyn hysbysu'r Cyngor am yr Adroddiadau Gwybodaeth i'w Nodi, oedd wedi cael eu cyhoeddi ers y cyfarfod diwethaf a drefnwyd.

Amlinellwyd y rhain ym mharagraff 4.1 yr adroddiad.

Nododd yr Arweinydd, gyda golwg ar yr adroddiad ynghylch Arolygiad Estyn ar Ysgol Gynradd Tanyrheol, ei fod yn fwriad gan Estyn fonitro cynnydd fesul tymor oherwydd canfyddiadau'r Arolygiad.

I'r diben hwn, gofynnodd am i adroddiad pellach gael ei gyflwyno i'r Cabinet maes o law yn amlinellu'r cynnydd, gyda golwg ar y Cynllun Gweithredu a luniwyd gan Estyn i fynd i'r afael â'r argymhellion yr oeddent wedi eu gwneud er mwyn gwella perfformiad yr Ysgol.

Dymunai hefyd longyfarch Ysgol Maes yr Haul am yr adroddiad ardderchog yr oedd wedi ei dderbyn yn dilyn arolygiad tebyg a gynhaliwyd gan Estyn.

**PENDERFYNWYD:** Bod y Cyngor yn cydnabod cyhoeddi'r dogfennau a restrwyd yn yr adroddiad.

**275. RHAGLEN MODERNEIDDIO YSGOLION - BAND B**

Cyflwynodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd a'r Pennaeth Cyllid Dros Dro a Swyddog Adran 151 adroddiad ar y cyd, a phwrpas hwn oedd rhoi diweddariad i'r Cabinet gyda golwg ar ganlyniad adolygiad Llywodraeth Cymru o fecanwaith ariannu Band B y Model Buddsoddi Cilyddol (MIM), a hefyd i ofyn am gymeradwyaeth y cabinet i ddilyn Dewis 3, ar gyfer ariannu Band B y Rhaglen Moderneiddio Ysgolion, cyn ei gyflwyno i'r Cyngor.

Fel cefndir i brif ddarpariaethau'r adroddiad, dywedodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd fod y Rhaglen Moderneiddio Ysgolion wedi cael ei sefydlu er mwyn cyflawni nifer o amcanion gan gynnwys:-

- datblygu amgylcheddau dysgu o'r radd flaenaf;

- lleoli'r nifer gywir o ysgolion, o faint hyfyw, yn y lleoedd gorau i wasanaethu eu cymunedau;
- gwneud ysgolion yn rhan annatod o fywyd ac addysg yn eu cymunedau;
- lleihau nifer y lleoedd dros ben a chyflawni gwerth gorau am arian; a
- gwneud ysgolion yn fwy effeithlon a chynaliadwy.

Aeth ymlaen i gadarnhau bod y Cyngor, yn ei gyfarfod ar 31 Rhagfyr 2018, wedi cymeradwyo mewn egwyddor yr ymrwymiad ariannol oedd yn ofynnol ar gyfer Band B y Rhaglen Moderneiddio Ysgolion. Byddai'r gymeradwyaeth yn amodol ar y gallu i ganfod digon o adnoddau a'u dyrannu i ateb yr ymrwymiad o ariannu cyfatebol. Amcangyfrifid bod y rhaglen yn gyffredinol o gwmpas £68.2 miliwn ac o hyn disgwyliid y byddai oddeutu £43.2 miliwn yn derbyn cyllid cyfalaf (oddeutu £23 miliwn gan Gyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr), a chynigid bod y balans yn cael ei gyllido drwy Fodel Buddsoddi Cilyddol Llywodraeth Cymru.

Ers i'r Bwrdd Adolygu Strategol Trosfwaol gael ei gymeradwyo ac wedyn ei gyflwyno ym mis Mai 2016, roedd Llywodraeth Cymru wedi adolygu'r cynlluniau oedd wedi eu cynnig ar gyfer ei Model Buddsoddi Cilyddol (MIM), ac asesodd yr adolygiad hwn:-

1. Dichonolrwydd cyflawni'r ysgolion unigol fel prosiectau MIM;
2. Yr agweddau ymarferol cysylltiedig â grwpio ysgolion ynghyd fesul rhanbarth a gwerth cyfalaf; a
3. Y llwybr caffael gorau.

Wedyn cyfeiriodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd at baragraff 4.6 yr adroddiad, oedd yn nodi rhai adeiladau newydd fel cyfleusterau delfrydol ar gyfer eu cyflawni drwy MIM.

Aeth ymlaen i ddweud bod Llywodraeth Cymru wedi datgan nad oedd cynnwys cynlluniau bychain neu gynlluniau cymhleth iawn drwy MIM yn rhoi gwerth am arian. O ganlyniad, roedd Ysgol Arbennig Pen-y-bont ar Ogwr yn awr yn cael ei hystyried yn anaddas i'w chyflawni dan y model cyllido hwn. Penderfyniad Llywodraeth Cymru yn unig oedd hwn ar sail adolygiad diweddar. Yng ngoleuni'r penderfyniad hwn, mae angen ailystyried dull BCBC o gyllido cynlluniau Band B er mwyn dod i benderfyniad ynglŷn â'r ffordd ymlaen.

Roedd prosiectau oedd yn cael eu symud ymlaen drwy MIM yn destun nifer o wahaniaethau o'u cymharu â chynlluniau yr ymgymerid â hwy drwy lwybr grant cyfalaf, gan gynnwys y broses gaffael a'r cyfraddau ymyrryd. Darparwyd cymhariaeth uniongyrchol rhwng pob llwybr yn Nhabl 1 yr adroddiad.

Wedyn rhoddai'r adroddiad rai goblygiadau ariannol, ac ar ôl hynny dywedodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd fod Swyddogion wedi siarad â Swyddogion Llywodraeth Cymru am y dewisiadau posibl oedd ar gael, yn dilyn tynnu adeiladau ysgolion arbennig allan o lwybr caffael MIM. Roedd yna gyfanswm o bedwar dewis, ac ymhelaethwyd ar y rhain yn adrannau nesaf yr adroddiad, a rhoddodd ddisgrifiad o bob un o'r rhain er mwyn yr aelodau.

Cadarnhaodd Aelod y Cabinet - Addysg ac Adfywio fod y Cabinet wedi edrych ar yr holl ddewisiadau oedd wedi eu cynnwys yn yr adroddiad ac ar fanteision ac anfanteision y rhain, ac argymhellwyd dilyn Dewis 3 gan yr ystyrid mai hwn oedd y dewis mwyaf cytbwys a'i fod yn caniatáu mwy o hyblygrwydd o ran materion megis dyluniad yr adeilad ac yn y blaen.

Ychwanegodd yr Arweinydd y byddai'r Dewis a gâi ei ddethol felly hefyd yn gymorth i gwrdd â chyfraddau uwch o ymyriadau disgyblion, yn enwedig gan fod awdurdodau lleol wedi cael trafferth i ganfod cyfraniadau cyfalaf i gyfateb i gyfraniadau ariannol Cymru ar gyfer adeiladu cyfleusterau ysgol newydd ym Mand A ac y byddent yn cael mwy o anhawster ym Mand B.

Yn olaf gofynnodd am i'r Cabinet gael derbyn adroddiad pellach ar y mater hwn maes o law.

**PENDERFYNWYD:** Bod y Cabinet:

- (1) Yn nodi canlyniad adolygiad Llywodraeth Cymru o fecanwaith cyllido Band B y Model Buddsoddi Cilyddol (MIM).
- (2) Yn rhoi heibio'r dull gwreiddiol o gyllido Band B y Rhaglen Moderneiddio Ysgolion.
- (3) Yn cymeradwyo dilyn Dewis 3 ar gyfer cyflawni Band B yn ariannol, yn amodol ar ganfod a dyrannu digon o adnoddau i gwrdd â'r ymrwymiad o arian cyferbyniol.
- (4) Yn cymeradwyo cyflwyno adroddiad i'r Cyngor i ddiwygio'r rhaglen gyfalaf i adlewyrchu'r uchod.

276. **GWASANAETH CEFNOGI TEULUOEDD INTEGREDIG (GCTI) Y BAE GORLLEWINOL**

Cyflwynodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd adroddiad a phwrpas hwn oedd gofyn am gymeradwyaeth i lunio cytundeb cydweithredu diwygiedig gyda Chyngor Bwrdeistref Sirol Castell-nedd Port Talbot a Chyngor Dinas a Sir Abertawe, mewn perthynas â Gwasanaeth Cymorth i Deuluoedd Integredig (IFSS) y Bae Gorllewinol.

Fel gwybodaeth gefndir, cadarnhâi'r adroddiad fod yr IFSS yn canolbwyntio ar deuluoedd lle roedd gan y rhieni broblemau camddefnyddio sylweddau oedd yn effeithio ar les y plant, ac mai rhaglen Llywodraeth Cymru ydoedd, oedd yn unigryw i Gymru.

Aeth ymlaen i gadarnhau bod Bwrdd y Prosiect a'r partïon cysylltiedig, bellach wedi cytuno ar delerau cytundeb cydweithio diwygiedig ar gyfer y cyfnod o Ebrill 2017 i fis Mawrth 2019.

Amlinellai paragraff 3.6 yr adroddiad bwrpas y cytundeb diwygiedig, oedd yn cynnwys darpariaeth fyddai'n ei gwneud yn ddyletswydd ar y partïon i gydweithio i geisio sicrhau bod unrhyw aelodau perthnasol o staff yn cael eu trosglwyddo i'w hawdurdod mewn ffordd drefnus.

Dywedodd yr Aelod o'r Cabinet - Gwasanaethau Cymdeithasol a Chymorth Cynnar fod y gwasanaeth yn un pwysig iawn ac nad oedd BCBC yn troi cefn arno a'i fod yn un oedd yn gymorth i'r Awdurdod o ran trefniadau gofal.

Ychwanegodd ymhellach, oherwydd y newid yn y ffiniau oedd i ddigwydd, y disgwyliad i ran y BCBC yng nghydweithrediad rhanbarthol y Bae Gorllewinol ddod i ben ym mis Ebrill 2019, ac felly y byddai darpariaethau'r TUPE newydd yn amddiffyn BCBC rhag cyllido rhan anghymesur, neu'r cyfan, o unrhyw gostau diswyddo posibl.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo llunio cytundeb cydweithredu diwygiedig gyda Chyngor Bwrdeistref Sirol Castell-nedd Port Talbot a Chyngor Dinas a Sir Abertawe, mewn perthynas â Gwasanaeth Cymorth i Deuluoedd Integredig (IFSS) y Bae Gorllewinol.

277. YMGYNGHORIAD CYHOEDDUS AR GYSYNIADAU POSIBL AR GYFER DARPARIAETH ÔL-16 AR DRAWS BWRDEISTREF SIROL PEN-Y-BONT AR OGWR.

Dyweddodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd fod y Cabinet wedi cymeradwyo ymgynghoriad cyhoeddus ar ddatblygiad addysg ôl-16 yn y dyfodol ar draws Bwrdeistref Sirol Pen-y-bont ar Ogwr ("Y Sir"). Roedd yr adroddiad diweddaraf hwn oedd gerbron yr Aelodau, yn rhoi'r Papur Ymgynghori Ôl-16 i'r Cabinet ac yn egluro'r dulliau a gynigid ar gyfer ymgynghori, ynghyd ag Asesiad Effaith Cychwynnol ar Gydraddoldeb ac Asesiad o ran Llesiant Cenedlaethau'r Dyfodol.

Dyweddodd fod y Cabinet ar 24 Ebrill 2018 wedi cymeradwyo ymgynghoriad cyhoeddus ar chwe chysyniad o ddarpariaeth addysgol ôl-16, fel y'u hamlinellwyd ym mharagraff 3.2 yr adroddiad.

Cadarnhaodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd fod y papur ymgynghori, ar gysyniadau ar gyfer darpariaeth ôl-16 ar draws y Sir, erbyn hyn wedi cael ei baratoi a'i fod ynghlwm yn atodiad A yr adroddiad. Hefyd wedi eu cynnwys fel atodiadau i'r adroddiad roedd Asesiad Effaith cychwynnol ar Gydraddoldeb ac Asesiad o ran Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru). O'r cysyniadau a restrwyd ym mharagraff 3.2 o'r adroddiad, Cysyniadau 4 a 5 oedd y dewisiadau oedd orau gan y Cabinet ar ôl adroddiad y Cabinet ym mis Ebrill 2018.

Amlinellwyd mwy o wybodaeth am y ddau Gysyniad hwn yn adrannau nesaf yr adroddiad.

Cyfeiriodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd wedyn at baragraff 4.5 yr adroddiad, oedd yn rhestru amrywiaeth o wybodaeth am gyd-destun yn ymwneud â darpariaeth ôl-16 fel yr oedd wedi ei gynnwys yn y papur ymgynghori. Byddai'r ymgynghoriad yn rhedeg o 26 Tachwedd 2018 hyd 22 Chwefror 2019.

O ran prif oblygiadau ariannol yr adroddiad, dywedodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd fod cyllid ar gyfer darpariaeth chweched dosbarth yn BCBC yn cael ei ddarparu gan Lywodraeth Cymru fel un dyraniad grant ôl-16 bob blwyddyn. Roedd yna ddyraniad craidd, oedd yn seiliedig yn bennaf ar nifer y dysgwyr, gyda dyraniadau ychwanegol i gymryd amddifadedd dysgwyr ac addysg gyfrwng Cymraeg i ystyriaeth. Cyfanswm y cyllid ar gyfer 2018-19 oedd £5,829,430, ac o'r swm hwn roedd dros 97% yn cael ei ddosrannu i ysgolion uwchradd. Yn y tair blynedd ddiwethaf roedd y grant craidd wedi ei ostwng o £672,427 o ganlyniad i effeithiau cyfunol niferoedd llai o ddysgwyr a gostyngiadau gan Lywodraeth Cymru i'r grant ôl-16 canolog ar gyfer ysgolion.

Dyweddodd yr Aelod o'r Cabinet - Addysg ac Adfywio nad oedd penderfyniadau pendant wedi eu gwneud hyd yma o ran cysyniadau posibl yn y dyfodol ar gyfer darpariaeth ôl-16.

Gobeithiai'r Aelod o'r Cabinet - Llesiant a Chenedlaethau'r Dyfodol fod yr ymgynghoriad yn cael ei ledaenu ar hyd ac ar led, ar draws ystod eang o sefydliadau, yn enwedig y rheiny oedd yn gysylltiedig â phobl ifanc, megis y Coleg Paratoi Milwrol.

Cadarnhaodd y Cyfarwyddwr Corfforaethol - Addysg a Chymorth i Deuluoedd y byddai'r ymgynghoriad yn ymwneud ag ystod eang o sefydliadau a sectorau ac yn y blaen, yn enwedig busnesau lleol, gan gynnwys yr holl ddarparwyr hyfforddiant 16-18 mlwydd oed.

Ychwanegodd yr Arweinydd, ei fod ef yn gobeithio y byddai'r ymgynghoriad yn ffurf cyfweiliadau wyneb yn wyneb yn ogystal ag ar-lein, gan gynnwys myfyrwyr a darparwyr addysg uwch hefyd, yn cynnwys colegau a phrifysgolion lleol. Meddyliai hefyd y byddai o fudd sylweddol pe bai'r ymgynghoriad yn cael ei ymestyn i gynnwys y Cyngor Ieuenctid.

Dywedodd y Swyddog Arbenigol, Addysg a Hyfforddiant Ôl-16 fod y dyddiad cau ar gyfer y broses ymgynghori wedi ei symud ymlaen i 3 Rhagfyr, gan fod angen cyfieithu'r ddogfen ymgynghori hefyd.

Câi adroddiad pellach ar ganlyniad yr ymgynghoriad ei gyflwyno i'r Cabinet yn ei gyfarfod ym mis Ebrill.

Daeth yr Arweinydd â'r drafodaeth ar yr eitem hon i ben, drwy ddweud y byddai'n werth cael sesiwn frifio ar gyfer yr holl Aelodau ar addysg Ôl-16 yn y dyfodol ar ddyddiad addas.

PENDERFYNWYD: Bod y Cabinet yn cymeradwyo'r papur ymgynghori ar y chwe Chysyniad ar gyfer dyfodol addysg ôl-16 ar draws Bwrdeistref Sirol Pen-y-bont ar Ogwr.

278. EITEMAU BRYS

Dim

279. GWAHARDD Y CYHOEDD

PENDERFYNWYD: Dan adran 100A(4) Deddf Llywodraeth Leol 1972 fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth)(Amrywio) (Cymru) 2007, dylid eithrio'r cyhoedd o'r cyfarfod yn ystod ystyried yr eitem fusnes canlynol oherwydd ei bod yn cynnwys gwybodaeth eithriedig fel y'i diffiniwyd ym Mharagraffau 14 o Rhan 4 a Pharagraff 21 Rhan 5 Atodlen 12A Deddf Llywodraeth Leol 1972, fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywiad) (Cymru) 2007.

Yn dilyn y cais am brawf buddiant y cyhoedd wrth ystyried yr eitem hon, datryswyd, yn unol â'r Ddeddf y cyfeiriwyd ati uchod, ei bod yn cael ei hystyried mewn preifat, gyda'r cyhoedd yn cael ei wahardd o'r cyfarfod gan y byddai'n cynnwys gwybodaeth eithriedig o'r natur a nodir uchod.

280. Y STRATEGAETH DDIWYDIANNOL YN YMLAEN O'R CHWYLDRO YNNI

Daeth y cyfarfod i ben am 16:40



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### REPORT OF THE INTERIM HEAD OF FINANCE AND SECTION 151 OFFICER

#### OUTCOME OF THE CONSULTATION 'SHAPING BRIDGEND'S FUTURE'

##### 1.0 Purpose of this report

- 1.1 The purpose of this report is to inform Cabinet of the outcome of the 'Shaping Bridgend's Future' 2018 consultation which asked citizens to share their views on a number of key budget proposals being considered over the Medium Term Financial Strategy (MTFS) period.
- 1.2 This report provides an overview of the budget consultation activities, analysis and key findings.

##### 2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 This report assists in the achievement of 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.
- 2.2 The 'Shaping Bridgend's Future' 2018 consultation sought to obtain views on specific budget reduction proposals across Council directorates. The allocation of financial resources determines the Council's ability to meet its corporate objectives. As such the report links to all corporate priorities.

##### 3.0 Background

- 3.1 Following further reductions in funding from central government, all Councils across the country are continuing to change the way they work and the services they provide so that they can manage with less. Bridgend County Borough Council has made reductions from its budget of £30.7 million over

the last four years, with an expectation of significant further reductions required.

- 3.2 Respondents were asked to share their views on a range of budget proposals being considered between 2019-20 and 2022-23, including: proposed increases to council tax, considering which services to protect and/or cut over others, post 16 transport, nursery education, school budgets, leisure and cultural services (our partnerships with Awen and Halo Leisure), recycling and waste, social services, bus services and nursery education.
- 3.3 Budget consultation exercises have been undertaken annually since 2013-14. This 'Shaping Bridgend's Future' 2018 consultation exercise has built on the knowledge gained from the previous consultations and further developed the consultation to include new ways for people to participate and engage with the Council. A wide variety of methods of communication were used including surveys, social media and drop in sessions with clicker pads.
- 3.4 In addition, In order to gather the views of young people the consultation team attended an all-Bridgend head-teacher's event to promote the survey as well to ask individual schools to take part in interactive sessions in order to gather feedback. As a result, all nine comprehensive schools across the county borough took part in clicker-pad sessions with an average of 87 young people taking part in each school (Coleg Cymunedol y Dderwen were the exception to this. Due to ICT issues a group of 70 young people completed paper surveys instead).
- 3.5 Interactive sessions also took place in 15 primary schools and a total of 832 pupils in years five and six took part in these pupil-led sessions. A separate report has been produced for primary schools but the highlight report is detailed in section nine of the attached Budget Consultation report.
- 3.5 The budget consultation overview, document and different surveys were made available between 24 September and 18 November 2018. The surveys were available on the council's website while paper copies were available to complete at local libraries and other venues.
- 3.6 The consultation aimed to reach the following key stakeholders: citizens of Bridgend County Borough, schools, BCBC cabinet members/councillors, local businesses, the third sector, council staff, town and community councils, partner organisations, community and equality groups, youth services/council and local media.
- 3.7 Methods of engagement included a survey (available online and paper copies at all local libraries), community meetings/events/stands (open to the public to attend), elected member workshops, other meetings/networking events, social media debates and comments, and a dedicated Citizens' Panel survey (available online and paper copies). A bespoke survey was also designed for youth engagement and an accessible version of the survey was also available. Survey completions and/or comments were collated as part of the

different events and meetings. Feedback to the consultation was also welcome via letter, email or telephone.

3.8 The consultation was supported by a full communications and promotional plan. The main activities included: a Wales Online digital package, various press release/editorials in the media, a social media/web campaign, poster/sign campaign, direct marketing to key target audiences e.g. businesses, schools, youth council and internal communications for staff and elected members.

#### 4.0 Current Situation / proposal

4.1 The attached consultation report (Appendix 1) sets out in detail the views expressed by those who participated.

4.2 Overall, the council has received 5,288 responses via the various consultation mechanisms identified in paragraph 3.8. The 5,288 interactions total 3.69% of the Bridgend County Borough population and represents a significant increase on last year's figure of 2619.

4.3 The response rate, by method of interaction is set out below:

Interactions	Number
Survey completions	2,677
Events/meetings/workshops	2,148
Emails	9
Letters	1
Telephone calls	6
Social media comments	165
Social media Q&A	282
<b>Total interactions</b>	<b>5,288</b>

- 2,677 responses to the surveys were received in total. This represents a 44% increase on last year's total of 1,858.
- Overall 2,148 people attended the various events, workshops and meetings – these figures include schools. This represents a significant increase on last year's total of 152.
- A total of 447 interactions were received via social media. This includes 282 interactions from the live question and answer (Q&A) session. This represents a 25% decrease for overall interactions compared to last year's figure of 593 but a 25% increase compared to last year's figure of 226 for the Q&A.
- 16 comments were received by email, telephone and letter.

#### 4.4 Headline figures and themes include:

##### **Council increase/decrease and protecting/cutting services**

<b>Headlines from the Public Consultation</b>
<b>Council Tax</b>
48% of respondents stated that they would not be willing to pay more council tax in order to protect services (than the proposed 4.9% increase).
<b>Services to Protect</b>
Most popular services to <b>protect</b> (through council tax or by comparing all proposals) were schools, care of older people, services for disabled people and leisure services.
53% of respondents disagreed with the proposal to ask schools to make budget savings of 1% per year over the next four years.
66% of respondents disagreed with the proposal to make savings through reducing day centres or services.
<b>Increasing Revenue</b>
79% of respondents stated that Blue Badge holders should pay for parking, 48% stated Blue Badge holders should pay the same amount as non-Blue Badge holders. A further 31% stated that Blue Badge holders should pay a reduced rate.
60% of respondents stated that they would be willing to pay more to access sports facilities, pavilions and parks (10% stated significantly more and 50% stated a small amount more).
48% of respondents stated that the council should explore the option of charging for shopmobility.
When asked about increased revenue within recycling and waste 53% of respondents were willing to pay an increased charge to £20 for three bulky item collection.
<b>Services to Cut</b>
Services most frequently selected to make <b>cuts</b> were libraries, arts centres and theatres, sports and recreation services, weed spraying, funding for post-16 transport and separate collection for absorbent hygiene products.
48% of respondents agreed that nursery provision should be reduced to 15 hours per week in order to make budget savings.
47% of respondents agreed that funding for post-16 transport should be removed in order to make budget savings.
46% of respondents agreed that the bus station should be closed in order to make budget savings.

#### **5.0 Effect upon Policy Framework and Procedure Rules**

5.1 There are no proposed changes to the policy framework and procedure rules.

#### **6.0 Equality Impact Assessment**

6.1 Budget reduction proposals pursued will be subject to the appropriate equality impact assessment prior to implementation.

## **7.0 Well-being of Future Generations (Wales) Act 2015 Implications**

- 7.1 The well-being goals identified in the Act were considered in the preparation of the Budget Consultation. Officers have considered the importance of balancing short-term needs in terms of meeting savings targets, while safeguarding the ability to meet longer-term objectives and maintain sustainable services, when proposals were devised. A full Well-being of Future Generations (Wales) Act 2015 assessment will be completed for the final MTFS presented to Council in February 2019.

## **8.0 Financial Implications**

- 8.1 The consultation report seeks to inform and aid cabinet members' decisions on the future direction of the Council and how to meet the challenging budget constraints in the years ahead.

## **9.0 Recommendation**

- 9.1 Cabinet is recommended to note the outcome of the consultation with interested parties as detailed in the attached consultation report.

**Gill Lewis**  
**Interim Head of Finance and Section 151 Officer**  
**December 2018**

**Appendix 1: Shaping Bridgend's Future Consultation Report**  
**Background Documents - None**

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# Shaping Bridgend's Future

## Consultation report

Date of issue: November 2018

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## 1. Overview

A public consultation reviewing Bridgend County Borough Council's proposed budget reductions to 2020/21 was undertaken over an eight week period from 24 September to 18 November 2018. The consultation received 5,288 interactions from a combination of survey completions, engagement at stands held across the county borough, workshops held with comprehensive and primary pupils, engagement at various meetings with different local groups, social media engagement and via the authority's Citizens' Panel. This paper details the analysis associated with the consultation.

## 2. Introduction

The public survey was available to complete online through a link on the consultation page of the council's website or by visiting [www.bridgend.gov.uk/future](http://www.bridgend.gov.uk/future). Paper copies of the consultation were also made available at local libraries, community groups or engagement events or alternatively, they could be sent directly to residents upon request. Surveys were available in several formats, including easy-read, large print, standard and a youth version. All were available in English and Welsh. The content of the page remains available online.

In total, there were 23 questions (within all survey formats) that required a reply from respondents. These were made up of questions about budget reduction proposals as well as ways in which revenue could be increased. All survey responses offered the option of anonymity. Two of the questions were summary questions, enabling respondents to select their favoured proposals in order to make savings and which were their least preferred options. The council's standard set of equalities monitoring questions were also included with the survey in line with recommended good practice for all public-facing surveys carried out by the council.

A programme of engagement events/sessions were held across the county borough and took the form of engagement stands in libraries, presenting to different groups, attending other group's events, meetings and workshops and holding sessions in comprehensive and primary schools.

Comments regarding the consultation were also invited via social media (including a dedicated social media Q&A), letter, email and phone call.

## 3. Promotional tools and engagement methods

Details of the consultation were promoted to/shared with the following stakeholders: general public/residents, Citizens' Panel members, elected members, BCBC employees, Bridgend businesses, town and community councils, school governors, Bridgend Community Cohesion and Equality Forum (BCCEF) members, local interest/community groups, BAVO, Bridgend College, partners, primary and secondary schools (including head teachers) and media outlets. We also contacted residents who have previously engaged with us over other consultations and have asked to be kept up-to-date with future consultations.

### 3.1 Promotional tools

This section details the methods used to raise the profile of the consultation and encourage participation.

### 3.1.1 Free prize draw

To encourage participation, respondents (aged over 13) were able to opt-in to a free prize draw for a one year Halo Leisure membership, a family of four pantomime ticket for The Grand Pavilion, Porthcawl, or a family of four pantomime ticket for Maesteg Town Hall. Respondents were asked to select their prize of choice and provide their email address in order to opt-in.

### 3.1.2 Social media

In December 2017 the council committed to managing its social media accounts bilingually. In addition to introducing Welsh language corporate Twitter and Facebook accounts at that time, it started posting bilingually across the remainder of its social media channels. Information was posted to the council's corporate Facebook, Twitter, Instagram and LinkedIn channels throughout the consultation period to raise awareness of the consultation and to encourage citizens to share their views on the proposals.

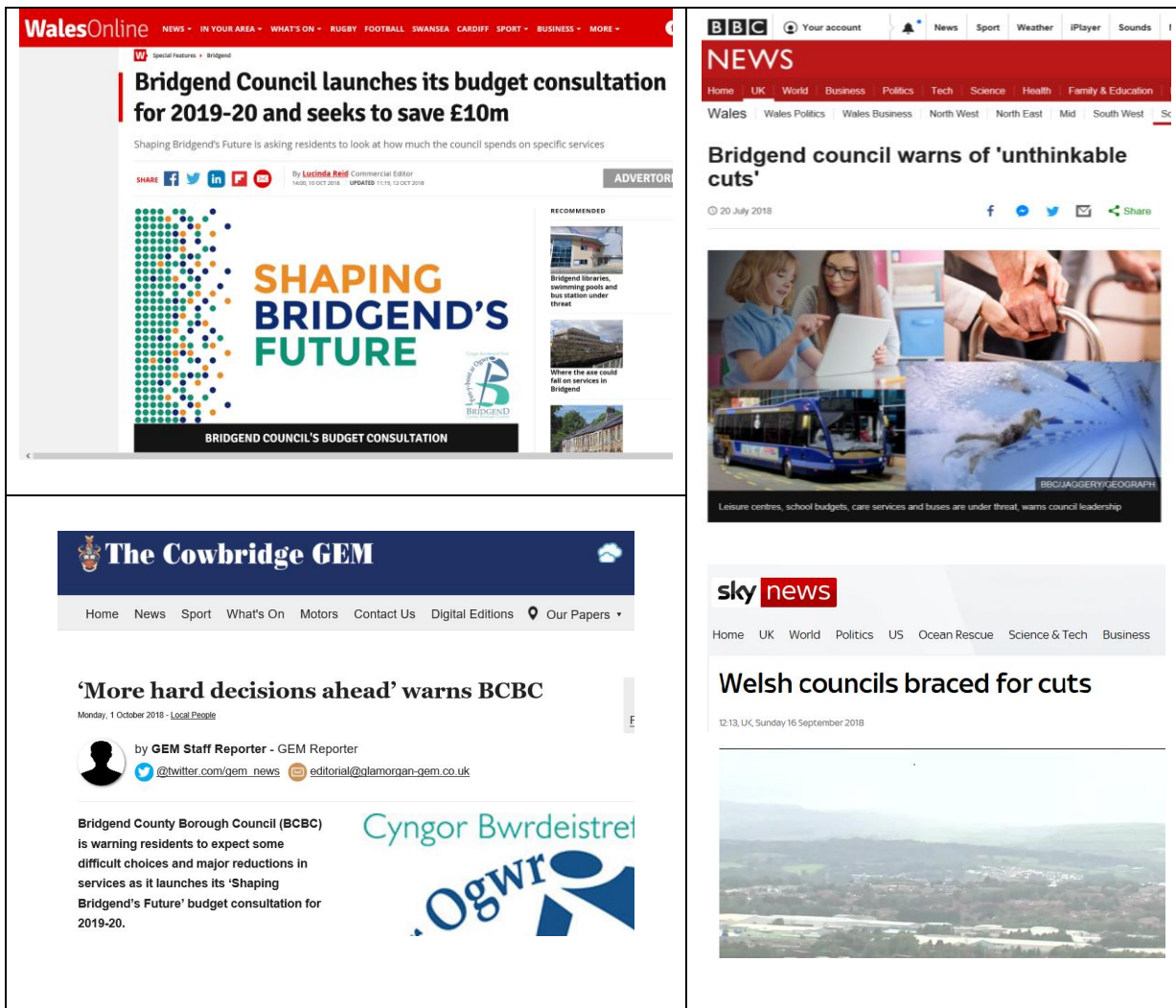
The council currently has 10,908 followers on its corporate Twitter accounts, 10,950 'fans' on its Facebook pages, 1,024 Instagram followers and 2,486 followers on LinkedIn. While content is most likely to be seen by these users, it is also displayed to users who are not connected to the accounts.

In addition to general social media content, a collection of five GIFs were introduced this year to help promote the consultation and its key issues, and to improve citizens' understanding of the current situation and what the consultation exercise is designed to achieve.

During the period, the authority 'tweeted' 96 times (48 English, 48 Welsh), posted to Facebook 22 times (11 English, 11 Welsh), made nine LinkedIn updates (4 English, 4 Welsh, 1 bilingual), and one Instagram post about the consultation. This content was seen 59,364, 76,273, 5,448 and 439 times respectively.

Paid Facebook and Instagram advertising was used to reach a wider audience within the county borough between 1 and 8 October 2018, and again between 16 and 18 November 2018. The adverts were seen 88,607 times by 34,344 users, generating 117 comments and 1,837 clicks through to the website.

### 3.1.3 Press and media



A total of three media releases were issued to coincide with the start, middle and end of the consultation to raise awareness and encourage participation. These were issued on 24 September, 15 October and 12 November.

The first was featured as a front page lead and double-page inner spread in the Glamorgan Gazette dated 26 September. It was also prominently featured in the Glamorgan Gem dated 19 September, and at Wales Online on 25 September.

Prior media work was carried out to prepare residents and the media for the scale of the budget challenges and encourage their participation. This work ranged from media statements to interviews with the Leader and Deputy Leader.

It resulted in related coverage in the Glamorgan Gem on 11 June and 20 July, at the BBC News website on 20 July, at Wales Online on 14 August and on Sky News on 14 September.

Further coverage took place in the Glamorgan Gazette on 4 October and 25 October, in the Glamorgan Gem on 1 October, 18 October and 21 November, at Wales Online on 10 October and 15 October, and in the South Wales Echo on 14 November.

The media releases were included at the media centre of the council's website where they were hyperlinked with associated social media posts, and a print advert ran in the Glamorgan Gazette dated 7 November.

Information was also included in Cabinet member announcements for meetings of full Council dated 19 September, 24 October and 21 November, and Seaside News columns on 1 October and 1 November.

### **3.1.4 Wales Online digital package**

An article on the budget consultation along with a short video was posted on Wales Online in both English and Welsh. The article was pushed out in line with Wales Online breaking news. A Facebook post through Wales Online partners was issued and boosted to Facebook followers across Bridgend County Borough and a sponsored tweet was issued on the Wales Online Twitter feed to drive traffic to the article.

The budget article was clicked on and fully read 139 times with 37,681 ad \*impressions. The article saw 365 page views and 342 people reached. The social media element saw 6,006 impressions and 26 engagements through the Twitter post and 11,118 impressions and 126 clicks on the Facebook post.

The campaign was successful as it offered a total of 55,000 \*impressions, and the engagement/click-through rate was considerably higher than average. Average engagement for native articles is 0.07%, and the budget article achieved five times this, which means it was well placed to reach the target audience and was very relevant to them.

### **3.1.5 Internal communications**

The consultation was promoted internally with a feature at the staff intranet homepage.

The autumn edition of the Bridgend staff magazine incorporated a feature encouraging staff who are residents of Bridgend County Borough to participate with the consultation.

It was also promoted with all-staff emails issued on 25 September, 27 September and on 12 October.

Information was included in Cabinet member announcements for meetings of full Council dated 19 September, 24 October and 21 November.

### **3.1.6 Promotional materials**

Posters, business cards and flyers promoting the consultation and engagement events were circulated to the library service for use in their 12 branches, to town and community councils and schools. Organisations including Bridgend carers' café, the Stroke Association, Bridgend College, Evergreen Hall and Caerau Men's Sheds also received promotional materials. When attending schools all pupils were given promotional materials to take home to their parents and carers, including pencils which stated 'I helped shape Bridgend's future'.

A digital screen within Civic Offices reception displayed messages about the consultation throughout the live period.

Pop-up banners were used at events and a window display was developed for Civic Offices. Posters were also displayed in council offices.

### 3.1.7 Other promotional activities

The council's website was updated to promote the consultation with a link through to the survey.

All internal and external emails sent from council staff promoted the consultation with a link to the survey via a footer graphic.

Content was secured within the Bridgend Business Forum e-newsletters in the October and November editions as well as in BAVO's newsletter and e-newsletter sent to members during September.

Targeted letters and emails were sent to school governing bodies, town and community councils and BCCEF members.

Awen and Halo helped to raise the profile through their own channels such as social media and by emailing their database of customers.

## 3.2 Engagement methods

This section details the mechanisms available for stakeholders to engage with the council and share their views.

### 3.2.1 The budget survey

The survey was made available in a variety of formats to ensure inclusion across community groups. A standard survey, easy-read, large print and youth version of the survey were all made available in Welsh and English. All were available in paper format and online. The same survey was replicated for Citizens' Panel members and sent to them in the format of their choice.

### 3.2.2 Community meetings/events

An email about the consultation proposals and how to share views was sent to local community, equality and diversity groups. As part of this email, we offered to attend their meetings to encourage and aid participation.

The consultation and engagement team attended 13 community group's meetings to inform people about the consultation and assist attendees to complete paper surveys (where requested) or to share their views via the clicker-pad version of the survey.

Event	Equality group	Number of attendees
Whist Group	Over 50s	12
Bridgend Carers Community Café	Carers	39

OAP Association	Over 60s	25
Stroke Association	Stroke recovery	29
Bridge Vision	Blind/visually impaired	35
Bridgend Coalition for Disabled People (BCDP)	Disabilities	10
Bridgend Shout	Over 50s	13
Caerau Men's Shed	Over 50s	58
Community Hub Bridgend	Learning disabilities	32
Creative Wednesdays	Over 60s	4
Headway	Mental health	18
Hearing Impair	Deaf/deaf/hearing impaired	14
Bridgend Deaf Club	Deaf/deaf	24
<b>Total</b>		<b>313</b>

### 3.2.3 Community engagement stands

11 public engagement stands were held in libraries throughout the county borough. Event dates and times were published online at the beginning of the consultation and shared through promotional activities.

Event	Attendees
Sarn Library	14
Pencoed Library	18
Betws Library	45
Pyle Library	35
Bridgend Library	15
Maesteg Library	23
Aberkenfig Library	11
Y Llynfi Library	15
Pontycymmer Library	7
Porthcawl Library	12
Ogmore Vale Life Centre	16
<b>Total</b>	<b>211</b>

### 3.2.4 School engagement sessions

In order to gather the views of young people the consultation team attended an all-Bridgend head-teachers' event to promote the survey as well to ask individual schools to take part in interactive sessions in order to gather feedback.

As a result, all nine comprehensive schools across the county borough took part in clicker-pad sessions with an average of 87 young people taking part in each school (CCYD were the exception to this - due to ICT issues a group of 70 young people completed paper surveys).

Interactive sessions took place in 15 primary schools and a total of 832 pupils in years five and six took part in these pupil-led sessions. A separate report has been produced for primary schools but the highlight report is detailed in section nine.

Event	Number of attendees
Head teachers all-Bridgend meeting	67
Cynffig Comprehensive	70
Brynmenyn Primary	48
Afon Y Felin Primary	52
Croesty Primary	46
Pencoed Primary	30
YGG Llangynwyd	55
Blaengarw Primary	30
Caerau Primary	35
Maesteg Comprehensive	63
CCYD Comprehensive	70
St Roberts Catholic Primary	44
Pencoed Comprehensive	69
Ogmore Vale Primary	79
Bryncethin Primary	69
Cwmfelin Primary	49
Brynteg Comprehensive	84
Bryntirion Comprehensive	89
Litchard Primary	70
Archbishop McGrath High School	77
Coychurch Primary	26
Porthcawl Primary	46
Porthcawl Comprehensive	86
Tremains Primary	104
Mynydd Cynffig Primary	104
<b>Total</b>	<b>1562</b>

### 3.2.5 Elected Member's workshop

Two interactive workshops took place for elected members on 24 October 2018. A total of 31 members attended across the two sessions. Members were given the opportunity to complete the survey using clicker-pads. The sessions were led by the chief executive, the head of finance and the Deputy Leader also attended to feedback on any questions or comments. Comments are added to the themes in section 7.2.23.

### 3.2.6 Bridgend Community Cohesion and Equality Forum (BCCEF)

The quarterly meeting of BCCEF took place during the live period of the budget consultation on 4 October 2018. Members of the meeting were invited to take part in an interactive clicker-pad session. The meeting consisted of members representing community

based organisations including the police, Bridgend College, BCDP, faith organisations, EYST and the British Deaf Association. All organisations were provided with promotional materials to promote the consultation within their individual community groups.

### 3.2.7 Bridgend Association of Voluntary Organisations (BAVO)

BAVO organised an event for their members to share their views on the MTFs proposals. This was advertised on their website and on social media. The event was held in the St. Johns' Centre on Minerva Street on Wednesday 14 November. The event was attended by the Leader and Deputy Leader of the council, who answered questions and queries raised by attendees. 21 people attended the event. All attendees completed the survey via an interactive clicker-pad presentation delivered by the consultation and engagement team. Comments made during the event were recorded and are themed in section 7.2.23.

## 4. Response rate

In total, there were 5,288 interactions during the consultation. The response rate has been segregated into several areas: consultation survey responses, engagement event attendees and social media interactions.

Interactions	Number
Survey completions	2677
Events/meetings/workshops	2148
Emails	9
Letters	1
Telephone calls	6
Social media comments	165
Social media Q&A	282
Total interactions	5288

We received 2677 survey responses in total (1,491 online submissions, 679 clicker-pad submissions and 507 paper versions).

Survey type	Online English	Online Welsh	Paper English	Paper Welsh	Clicker-pad	Total
Standard	947	1	61	0	86	1095
Easy read	68	2	167	0	0	237
Large print	14	0	16	0	0	30
Citizens' Panel	369	2	150	3	0	524
Youth	88	0	110	0	593	791
<b>Total</b>	<b>1486</b>	<b>5</b>	<b>504</b>	<b>3</b>	<b>679</b>	<b>2677</b>

There were 2148 attendees at the various events, meetings and workshops.

During the consultation period, there were 447 interactions on our social media channels. This includes the social media Q&A session, where 282 interactions were recorded on Twitter and Facebook.

Comments that were received by letter, email or telephone call have been themed and are included in section 7.2.23.



## 5. How effective was the consultation?

The budget consultation was conducted over an eight week period in which a range of marketing methods were used to create awareness of the consultation as well as reach and encourage stakeholders to engage with the council.

The data collection methods, which include the online survey, a paper survey, the Citizens' Panel and a youth survey (aimed at 11-24 year olds) were all developed using plain English to maximise understanding. The easy read survey was developed with the support of Bridgend People First. These response methods were designed to give a consistency to the survey across multiple platforms.

The youth version of the budget consultation was designed for young people aged 11-24. This was available in paper and online formats (Welsh and English). The youth survey was developed with the support of pupils from Porthcawl Comprehensive School

## 6. Headline figures

- 6.1 48% of respondents stated that they would not be willing to pay more council tax in order to protect services (than the proposed 4.9% increase).
- 6.2 50% of respondents felt that leisure services should be protected.
- 6.3 50% of respondents felt that in order to make budget savings cultural services could be reduced.
- 6.4 60% of respondents stated that they would be willing to pay more to access sports facilities, pavilions and parks (10% stated significantly more and 50% stated a small amount more).
- 6.5 53% of respondents disagreed with the proposal to ask schools to make budget savings of 1% per year over the next four years.
- 6.6 48% of respondents agreed that nursery provision should be reduced to 15 hours per week in order to make budget savings.
- 6.7 47% of respondents agreed that funding for post-16 transport should be removed in order to make budget savings.
- 6.8 66% of respondents disagreed with the proposal to make savings through reducing day centres or services.
- 6.9 79% of respondents stated that Blue Badge holders should pay for parking, 48% stated Blue Badge holders should pay the same amount as non-Blue Badge holders. 31% stated that Blue Badge holders should pay a reduced rate.
- 6.10 48% of respondents stated that the council should explore the option of charging for shopmobility.

- 6.11 42% of respondents disagreed with the proposal to remove subsidies from bus services.
- 6.12 46% of respondents agreed that the bus station should be closed in order to make budget savings.
- 6.13 When asked about increased revenue within recycling and waste 53% of respondents were willing to pay an increased charge to £20 for three bulky item collection.
- 6.14 Most popular services to **protect** (through council tax or by comparing all proposals) were schools, care of older people, services for disabled people and leisure services.
- 6.15 Services most frequently selected to make **cuts** were libraries, arts centres and theatres, sports and recreation services, weed spraying, funding for post-16 transport and separate collection for absorbent hygiene products.

## 7. Question and analysis - consultation survey

The consultation contained 23 questions related to current proposals to make savings across a range of services as well as opportunities to increase revenue in areas such as recycling and waste services. All questions were optional, so participants could choose to answer all or some of the questions.

Respondents were also asked, taking all proposals into consideration to select three proposals that they agreed (where cuts should be made) with and three proposals that they disagreed with (services that they felt should be protected).

Within sections respondents were either asked to select the response that best represented their opinion, or select from a scale of strongly agree to strongly disagree dependent on the question type.

Respondents were also able to give qualitative responses to some of the questions and these are themed within the report.

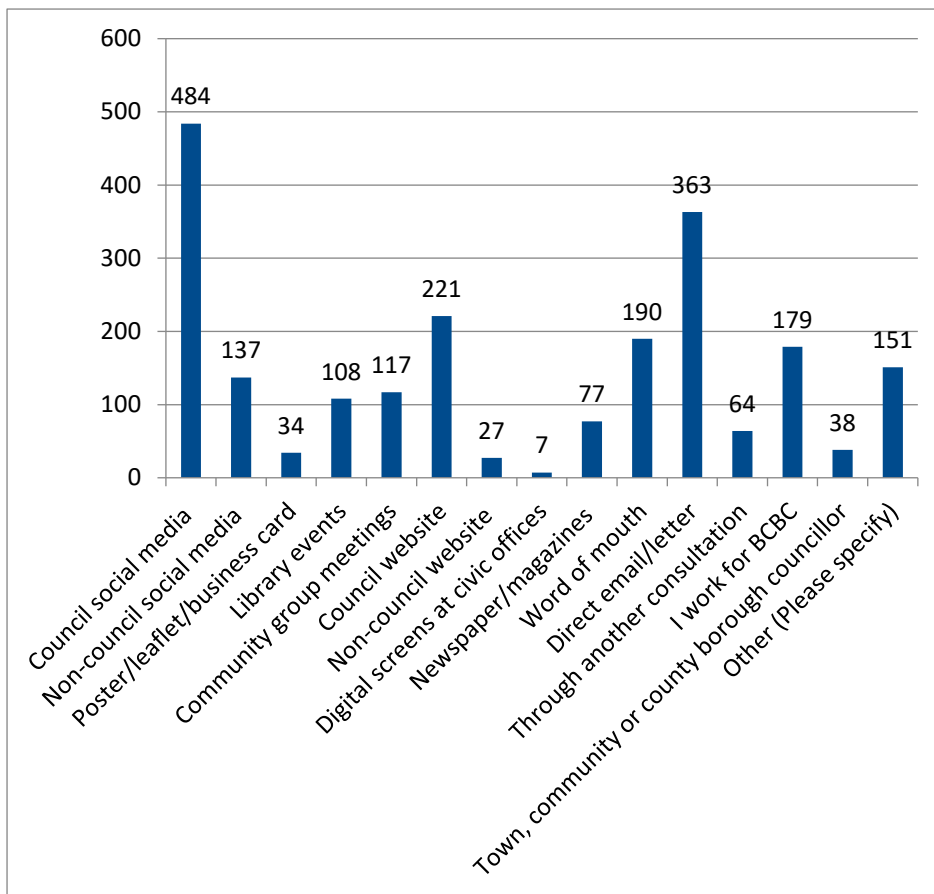
Where responses provided were not relevant to the question they have been themed in the final qualitative section.

In the final question respondents could make any other comments about the consultation or make recommendations about the budget for the next four years.

### 7.1 About you

The questions in this section were not available in the clicker-pad version of the survey. The easy read survey did not include the question about employment status.

Respondents were asked how they **heard about the consultation**.

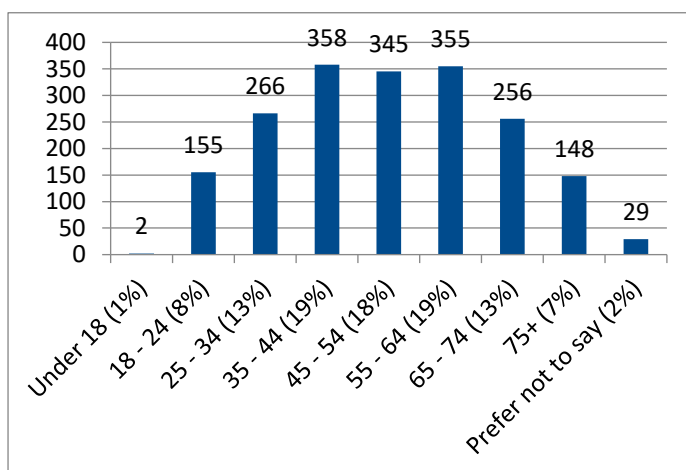


**2598** respondents provided this information.

The most popular responses were:

- council social media
- direct email or letter
- council website

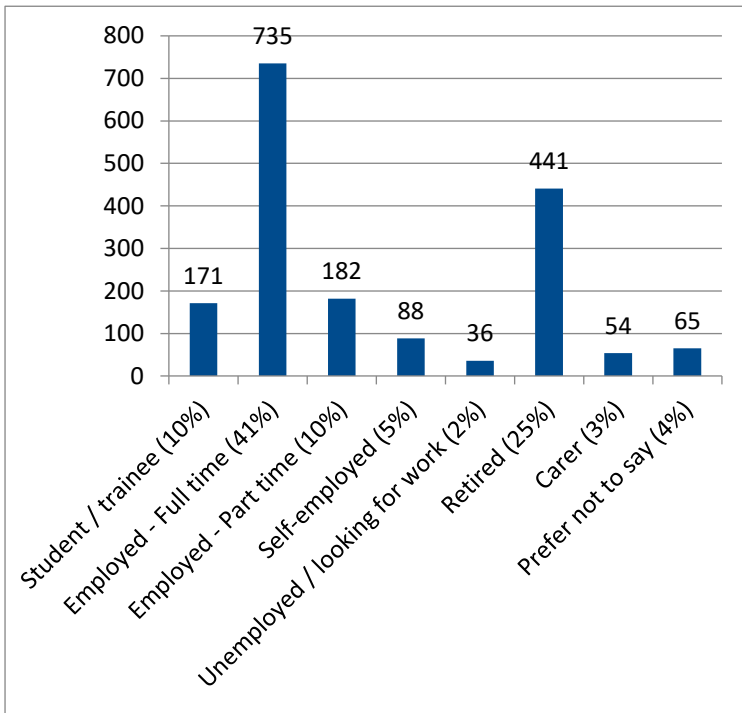
Respondents were then asked for their **age**.



**1914** respondents provided their age group:

- 19% of respondents were aged 35-44;
- 19% of respondents were aged 55-64;
- 18% of respondents were aged 45-54.

Respondents were then asked for their **employment status**.



1772 respondents provided their employment status.

41% of respondents informed us that they were in full time employment;

25% of respondents informed us that they were retired;

10% of respondents informed us that they were students or trainees.

## 7.2 Survey questions

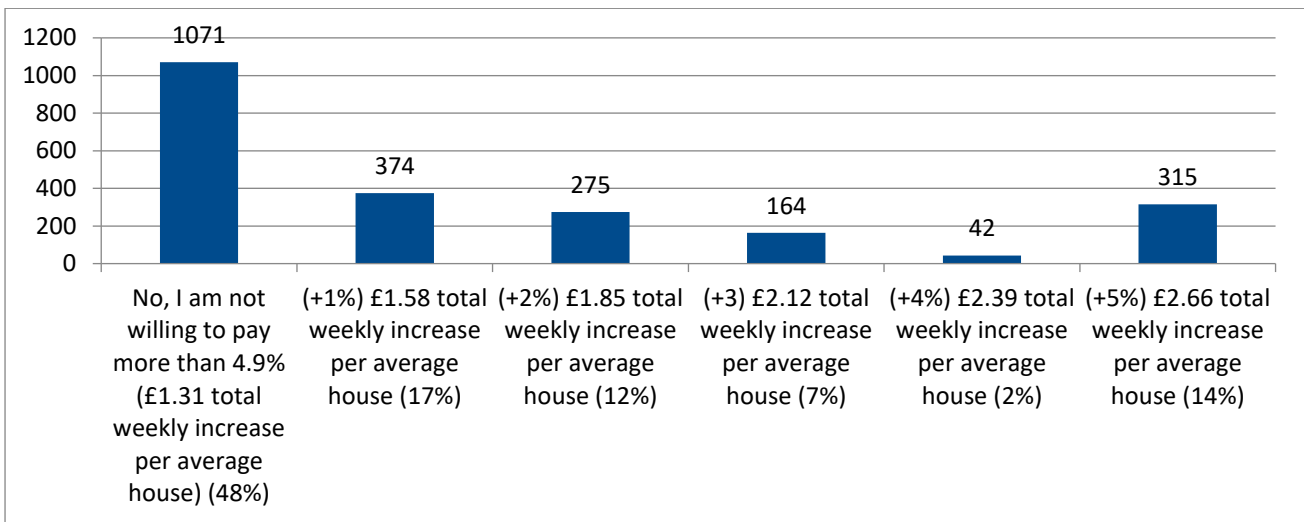
### 7.2.1 Council tax increase

Respondents were informed that council tax is, based on current figures, projected to rise by 4.9% in 2019. Respondents were asked that if it could protect more services would they be willing to pay more council tax.

Respondents were asked to select from options which represented a further increase of 1% up to a total of 9.9% increase.

A total of 2241 people responded to this question.

48% of respondents did not agree, that in order to protect services, they would be willing to pay more council tax. This was followed by 17% of respondents who would be willing to pay only an additional 1%. 14% of respondents were willing to pay up to 9.9% additional council tax in order to protect services.

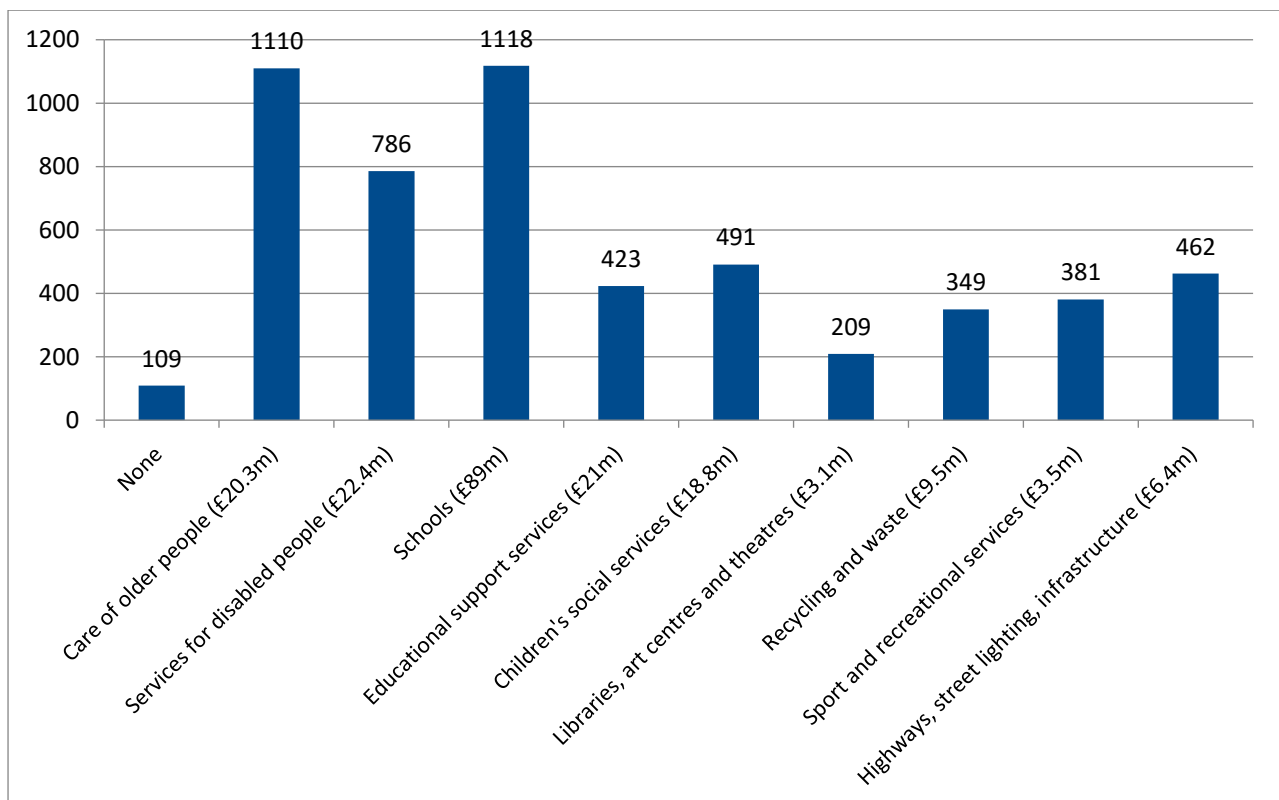


## 7.2.2 Services to protect

Respondents were asked to select, in order of preference (1-3) the three services they felt should be protected by council tax increases. This question also gave an option of not protecting any services.

The three most popular services to be protected through council tax increases were:

- Schools
- Care of older people
- Services for disabled people



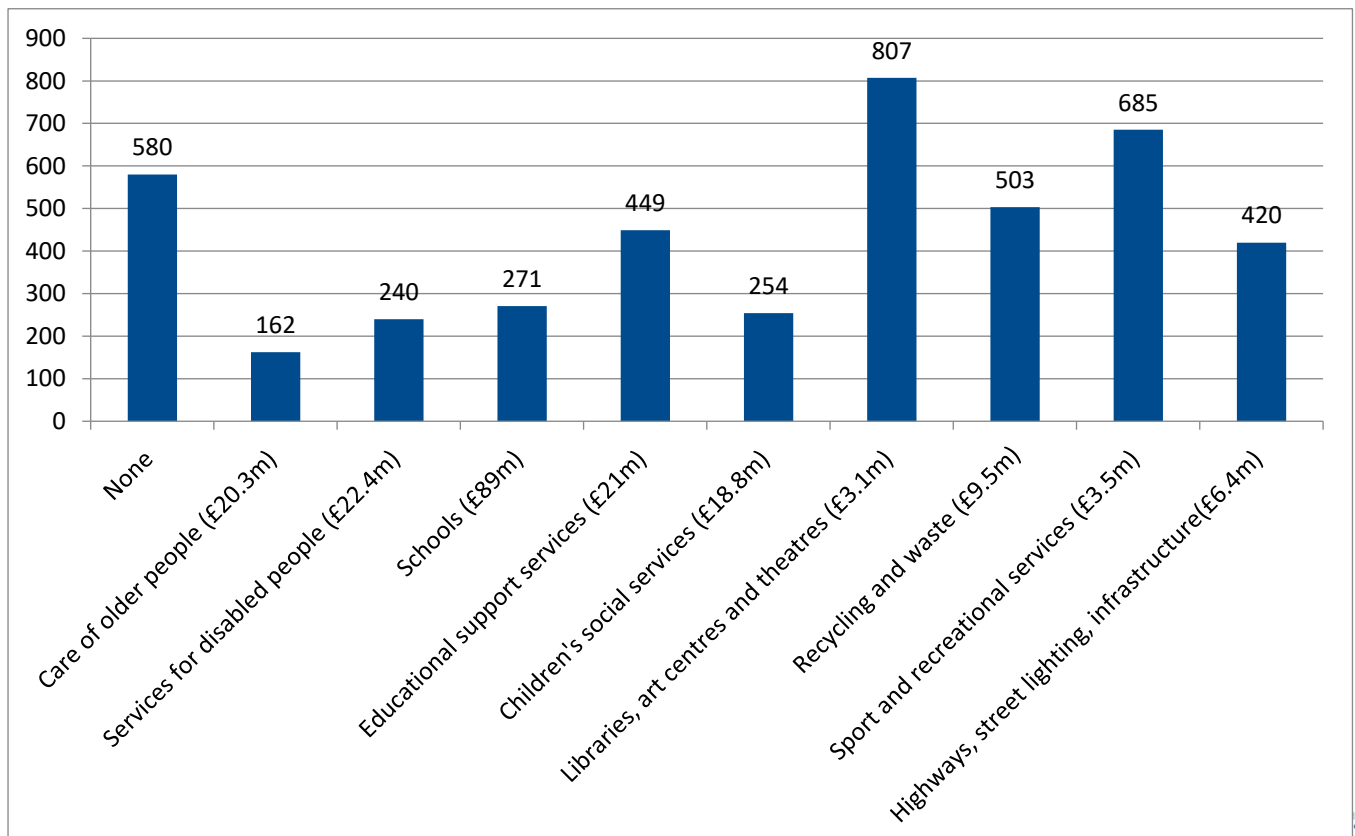
Service	Total times chosen	1	2	3
None	109	97	2	10
Care of older people (£20.3m)	1110	495	346	269
Services for disabled people (£22.4m)	786	215	317	254
Schools (£89m)	1118	606	312	200
Educational support services (£21m)	423	74	189	160
Children's social services (£18.8m)	491	111	168	212
Libraries, art centres and theatres (£3.1m)	209	43	68	98
Recycling and waste (£9.5m)	349	67	118	164
Sport and recreational services (£3.5m)	381	78	126	177
Highways, street lighting, infrastructure (£6.4m)	462	100	145	217

### 7.2.3 Services to make cuts

Respondents were asked to select, in order of preference (1-3) the three services they felt should not be protected by council tax increases. Again this question included an option to protect none of the services.

The three most popular services to not be protected through council tax increases were:

- Libraries, arts centres and theatres
- Sport and recreation services
- None, don't protect any services through council tax



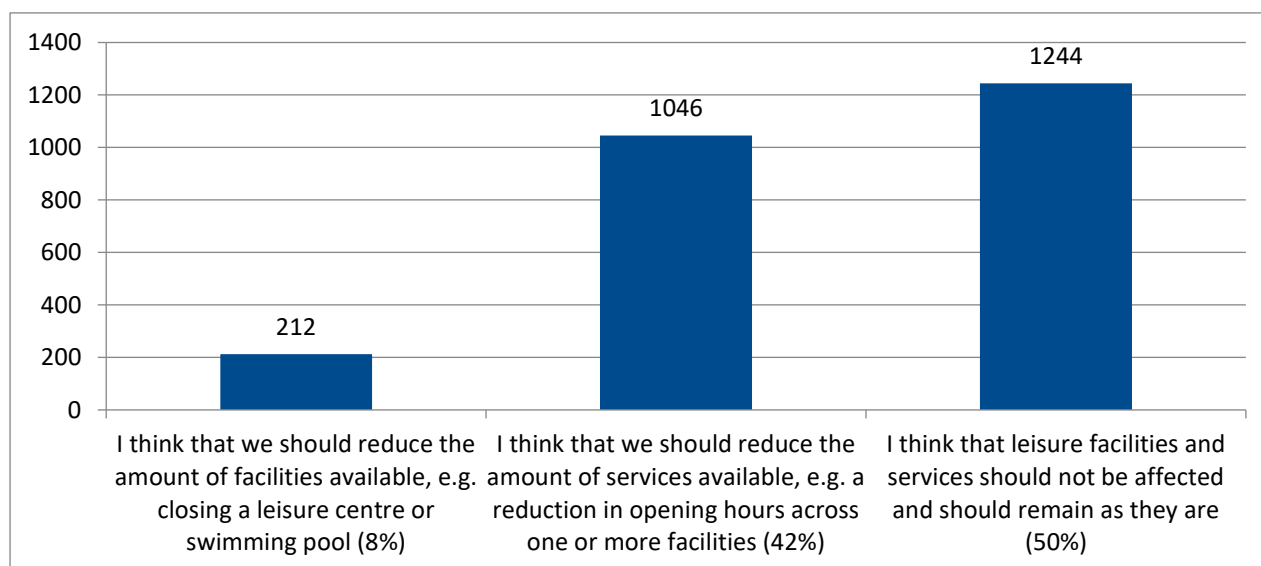
	Total times chosen	1	2	3
None	580	544	13	23
Care of older people (£20.3m)	162	67	49	46
Services for disabled people (£22.4m)	240	82	81	77
Schools (£89m)	271	130	70	71
Educational support services (£21m)	449	124	164	161
Children's social services (£18.8m)	254	58	95	101
Libraries, art centres and theatres (£3.1m)	807	421	229	157
Recycling and waste (£9.5m)	503	155	168	180
Sport and recreational services (£3.5m)	685	200	304	181
Highways, street lighting, infrastructure (£6.4m)	420	112	132	176

## 7.2.4 Halo Leisure

Respondents were informed of the current partnership arrangements in place with Halo Leisure, and the savings already delivered through this partnership arrangement (over £1 million). Respondents were asked which statement best represented their opinion in relation to further savings that could be made.

2502 people responded to this question.

50% of respondents stated that they did not think further savings should be made within leisure services. This was followed by 42% of respondents stating that services should reduce opening hours across one or more facilities. Only 8% of respondents said that they believed savings should be made through the closure of facilities.



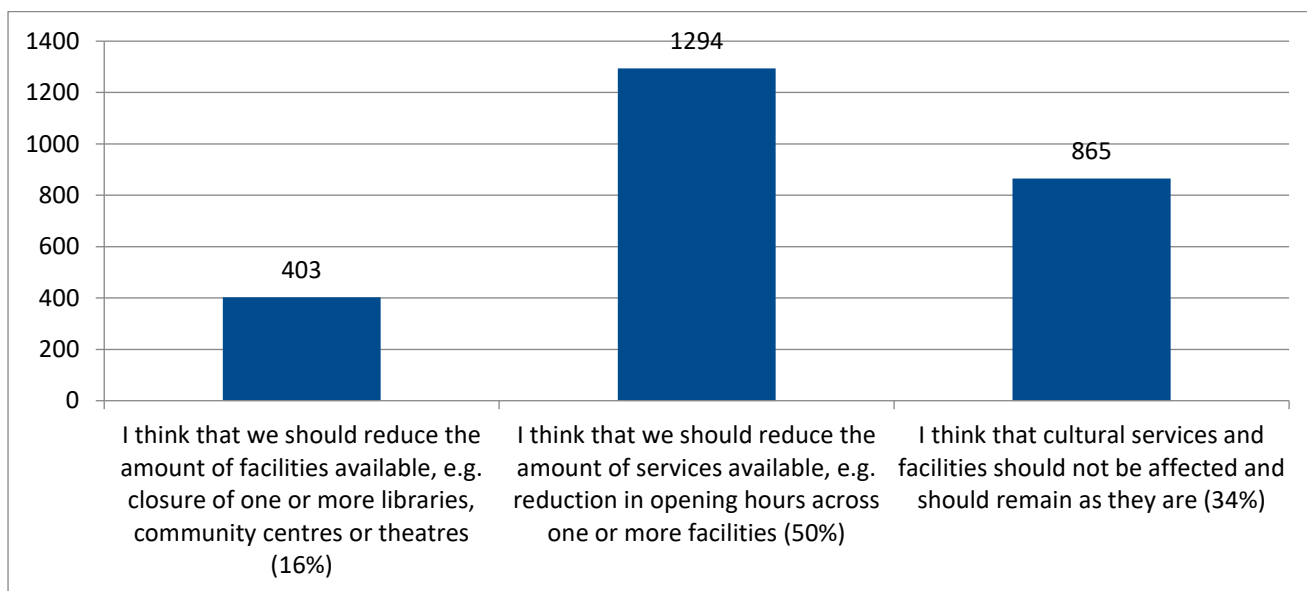
## 7.2.5 Awen Cultural Trust

Respondents were informed of the current partnership arrangements in place with Awen Cultural Trust, and the savings already delivered through this partnership arrangement

(£625,000). Respondents were asked which statement best represented their opinion in relation to further savings that could be made.

A total of 2562 people responded to this question.

50% of respondents agreed with the statement that services should be reduced, 34% felt that cultural services should remain as they are and 16% selected the statement that the amount of facilities should reduce.



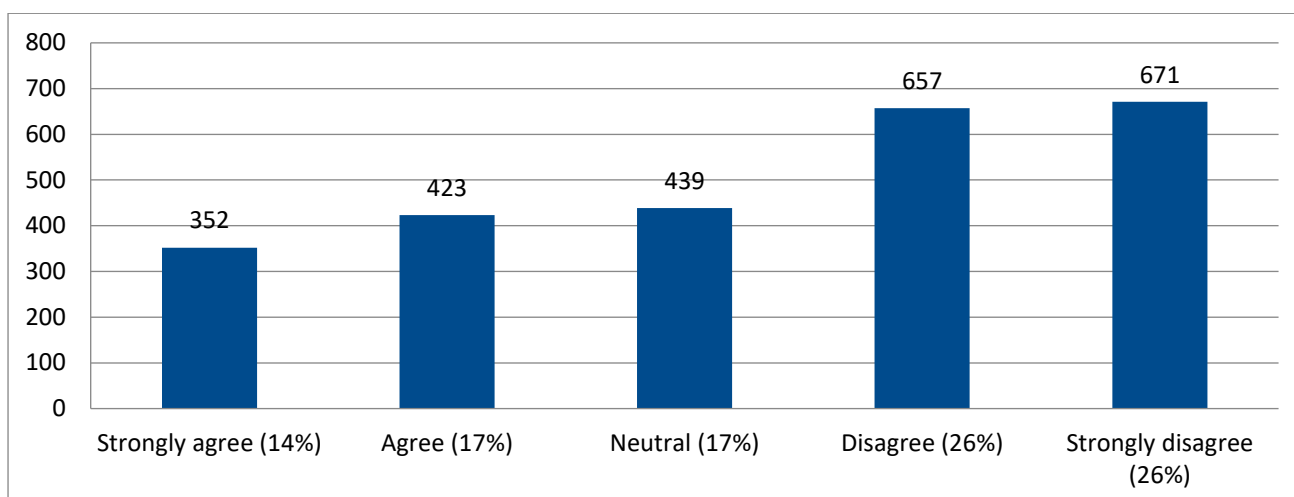
## 7.2.6 Youth clubs

Respondents were informed of the current availability of youth clubs across the county borough, and the current attendance figures at these youth clubs. Respondents were asked if they agreed that in order to save £26,000 the three remaining youth clubs should be closed.

2542 people responded to this question.

The majority of respondents 52% either disagreed (26%) or strongly disagreed (26%) with this proposal. 17% of respondents provided a neutral response and a total of 31% either agreed (17%) or strongly agreed (14%) with this proposal.





In this question respondents were asked if they had any further comments on this proposal. 501 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Unhappy with proposal	134
Youth clubs mean reduction in anti-social behaviour/saves money in long run	126
Cut the youth clubs	50
Other youth clubs to take over, e.g. scouts	32
Youth clubs do not take up as much of the budget as other services	26
Keep one youth club open	20
* Comment not relevant to question	20
Need more volunteering	16
Merge services (with Halo etc.)	15
Charge membership fees	14
Not a great number of attendees	14
More work to be done to make youth clubs better	11
General comment / query about budget and costs	5
Youth provision doesn't cover all areas of the borough	5
Don't understand enough to be able to make a decision	4
Reduce opening times	4
Survey feedback including comments about the question wording	3
Query on the cost to run the clubs	2

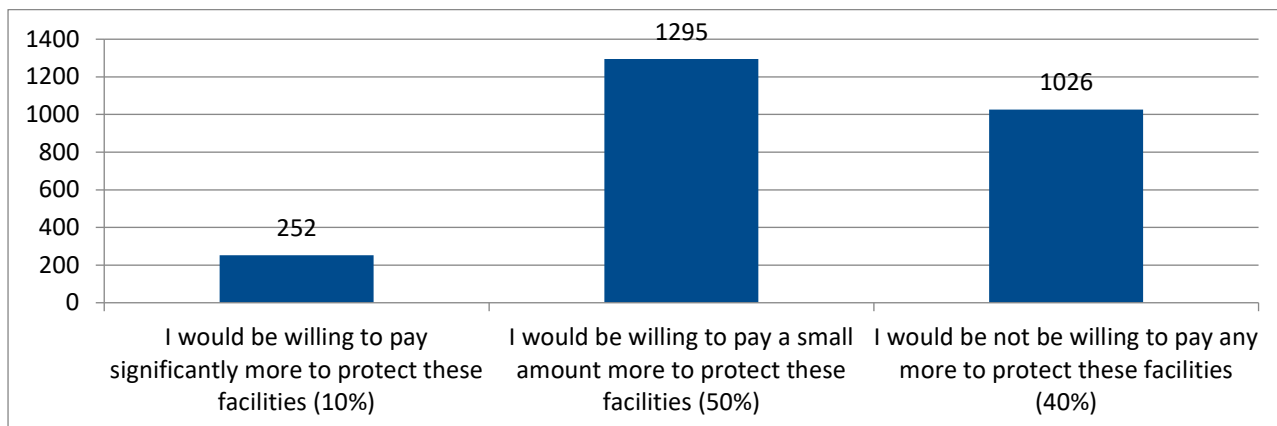
\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

## 7.2.7 Outdoor sports facilities, pavilions and parks

Respondents were informed of the current subsidy provided to sports facilities pavilions and parks. In order to recover some of the costs for these facilities respondents were asked which statement best represented their opinion.

A total of 2573 people responded to this question.

- 10% said they would be willing to pay significantly more to protect facilities;
- 50% said they would be willing to pay a small amount more to protect facilities;
- 40% said they would not be willing to pay any more to protect facilities.

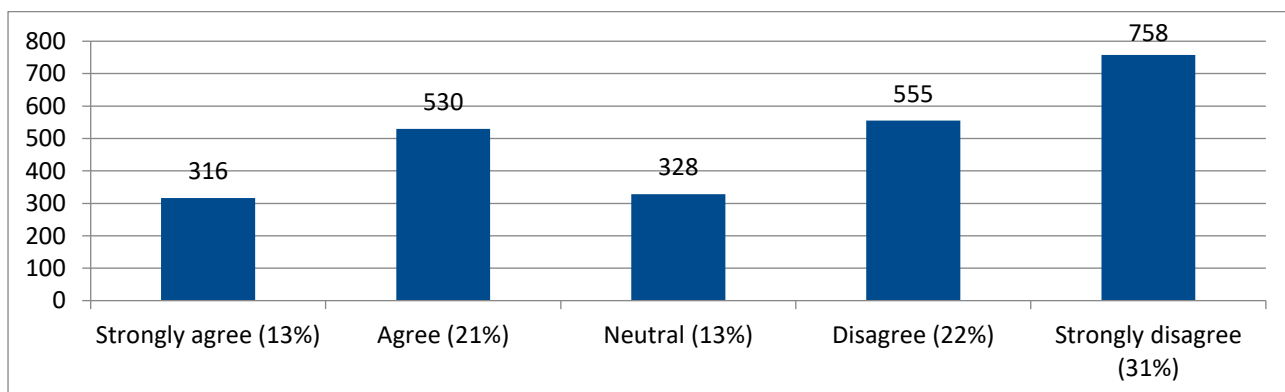


### 7.2.8 Schools budget

Respondents were asked whether they felt that in order to make a saving of £3.5 million per year, schools should be asked to make a 1% budget saving per year over the next four years. Respondents were asked to say whether they agreed with this proposal.

2487 people provided a response to this question.

The majority of respondents did not agree with this proposal, with a total of 53% either disagreed (22%) or strongly disagreed (31%). 13% of respondents provided a neutral response and 34% of respondents agreed with the proposal by either selecting strongly agree (13%) or agree (21%).



In this question respondents were asked if they had any further comments on this proposal. 446 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
No cuts to school budget/staff	266

Agree with proposal	58
* Comment not relevant to question	21
Too much money spent on special schools	20
Parents to help out more with costs and volunteering	15
Look at admin costs	12
Remove unnecessary equipment/extra courses/school trips etc.	10
Close/merge schools	9
General comment / query about budget and costs	7
Don't understand enough to be able to make a decision	6
Take cuts from schools with more funding	5
School transport should be reduced	4
Council should challenge central government funding cuts	3
Change school holiday dates or times to save money	3
Schools to make money by renting out sports halls/fields	3
Schools should become more business like	2
Survey feedback including comments about the question wording	2

*\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.*

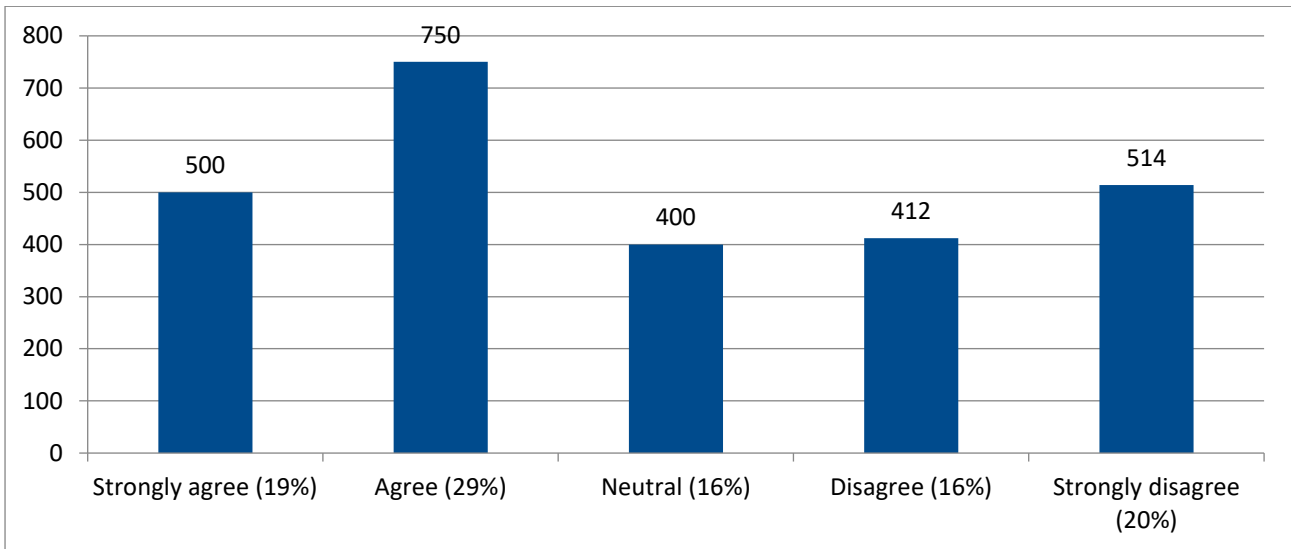
## 7.2.9 Nursery provision

Respondents were informed that in Bridgend County Borough, nursery school children were provided with additional nursery provision above the statutory minimum (30 hours provided against the 15 hour statutory provision). Respondents were informed that if the provision were to be reduced back to 15 hours this would save £1.9 million per year over the next four years.

Respondents were asked to select whether they agreed with this proposal.

2576 people provided a response to this question.

Overall there were more respondents (48%) who selected agree (29%) or strongly agree (19%) for this proposal. 16% of respondents provided a neutral response and overall 36% of respondents selected either disagree (16%) or strongly disagree (20%).



In this question respondents were asked if they had any further comments on this proposal. 337 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Agree with proposal	87
Will prevent parents from working	79
Early education is important	51
Should be means-tested based on whether the parents work or not	37
Unhappy with proposal	27
Parents could contribute	18
Partly reduced	18
* Comment not relevant to question	12
General comment / query about budget and costs	7
Survey feedback including comments about the question wording	1

\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

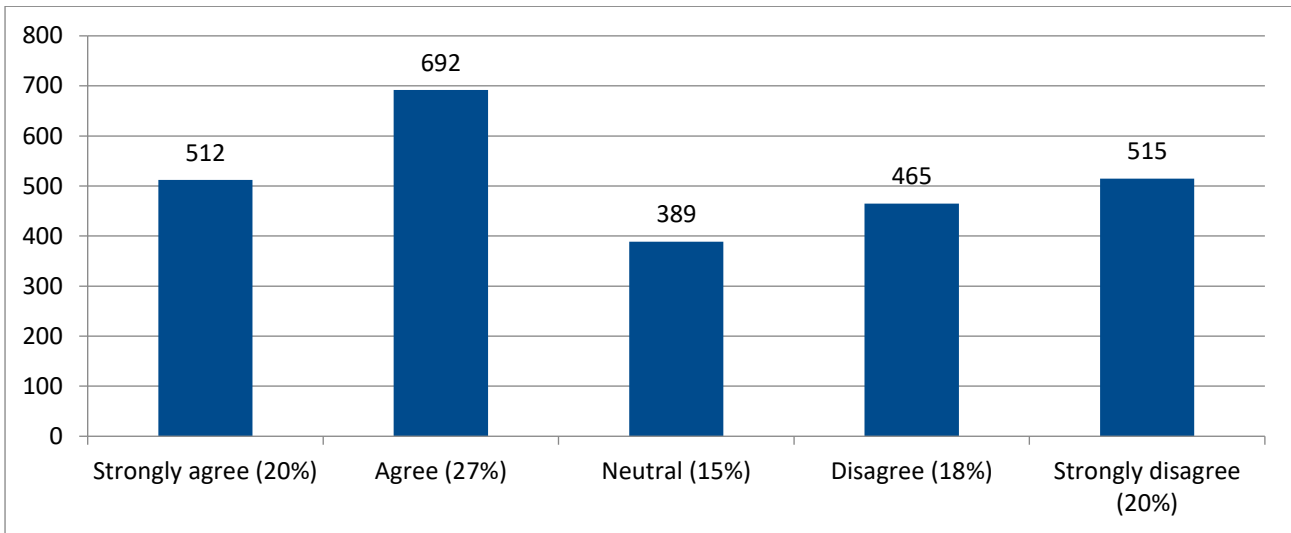
### 7.2.10 Post-16 transport

In Bridgend County Borough free school transport is provided to post-16 learners if they live more than three miles from school (sixth form) or attend Bridgend College.

Respondents were asked to select whether they agreed with the proposal to remove this funding which would save £400,000 over the next four years.

A total of 2573 people provided a response to this question.

20% of respondents strongly agreed with this proposal and a further 27% agreed with the proposal to end funding for post-16 transport. 15% of respondents provided a neutral response. 18% of respondents disagreed with the proposal and a further 20% strongly disagreed with the proposal.



In this question respondents were asked if they had any further comments on this proposal. 359 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Disagree with proposal	106
Agree with proposal	76
Should be means tested	72
Could prevent children attending school	52
Reduced fees	44
* Comment not relevant to question	7
Merge school buses	2

\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

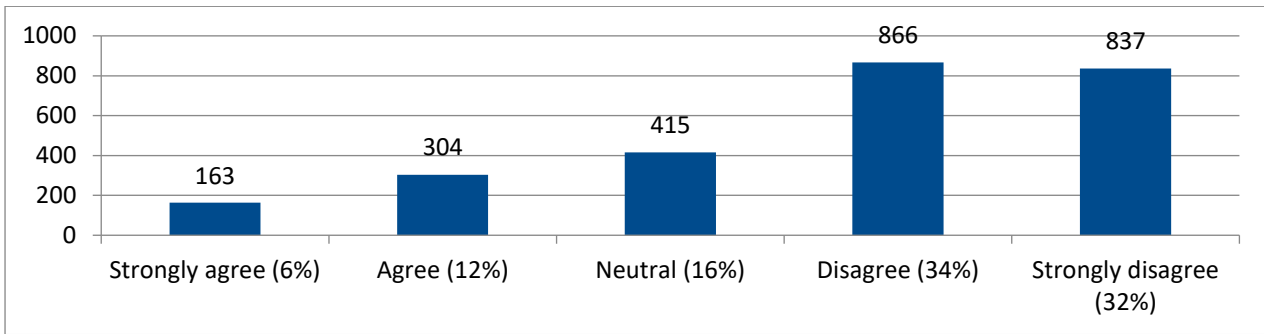
### 7.2.11 Day centres

Respondents were asked whether day services provided to older people and people with learning disabilities should be reduced in order to make savings of £280,000.

Respondents were asked to select whether they agreed with this proposal.

A total of 2585 people responded to this question.

Overall the majority of responses did not support the proposal to save money by reducing day centre services. 66% of respondents either disagreed (34%) or strongly disagreed (32%) with this proposal. 16% of respondents provided a neutral response and only 18% of respondents agreed or strongly agreed with this proposal.



In this question respondents were asked if they had any further comments on this proposal. 328 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Disagree with proposal	141
Will result in loneliness/isolation	42
Reduce the hours/merge centres	32
Closing day centres will create further costs later on	29
Don't understand enough to be able to make a decision	16
Charge a small fee/means tested	16
Users should have access and transport to alternative facilities	16
Merge with third-sector partners	15
Cut the day centres	10
* Comment not relevant to question	7
General comment / query about budget and costs	4

\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

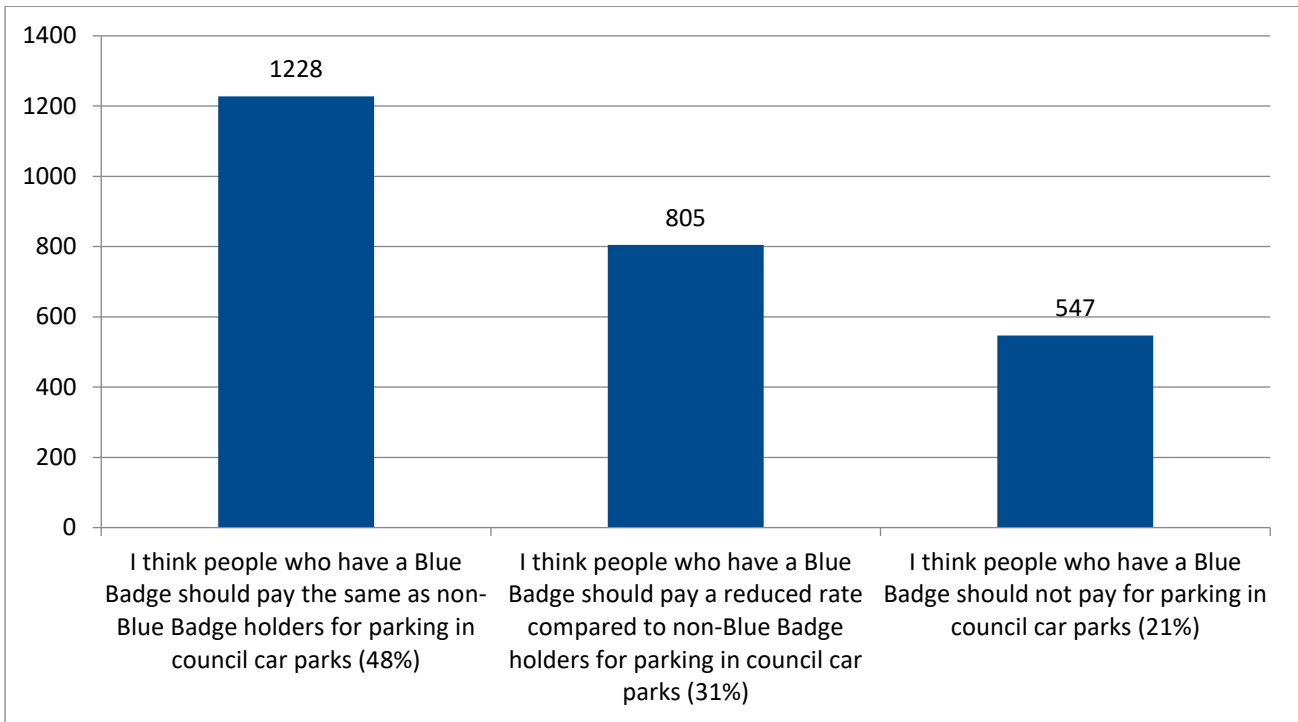
## 7.2.12 Blue Badge parking

Respondents were informed that in Bridgend County Borough parking in council car parks for people who have a Blue Badge is currently free of charge. It is proposed that in order to create revenue people with a Blue Badge should be charged for parking.

Respondents were asked to select which statement best represented their opinion.

A total of 2580 people responded to this question.

- 48% of respondents stated that Blue Badge holders should pay the same as non-Blue Badge holders to park in council car parks;
- 31% of respondents stated that Blue Badge holders should pay a reduced rate compared to non-Blue Badge holders to park in council car parks;
- 21% stated that Blue Badge holders should not pay to park in council car parks.



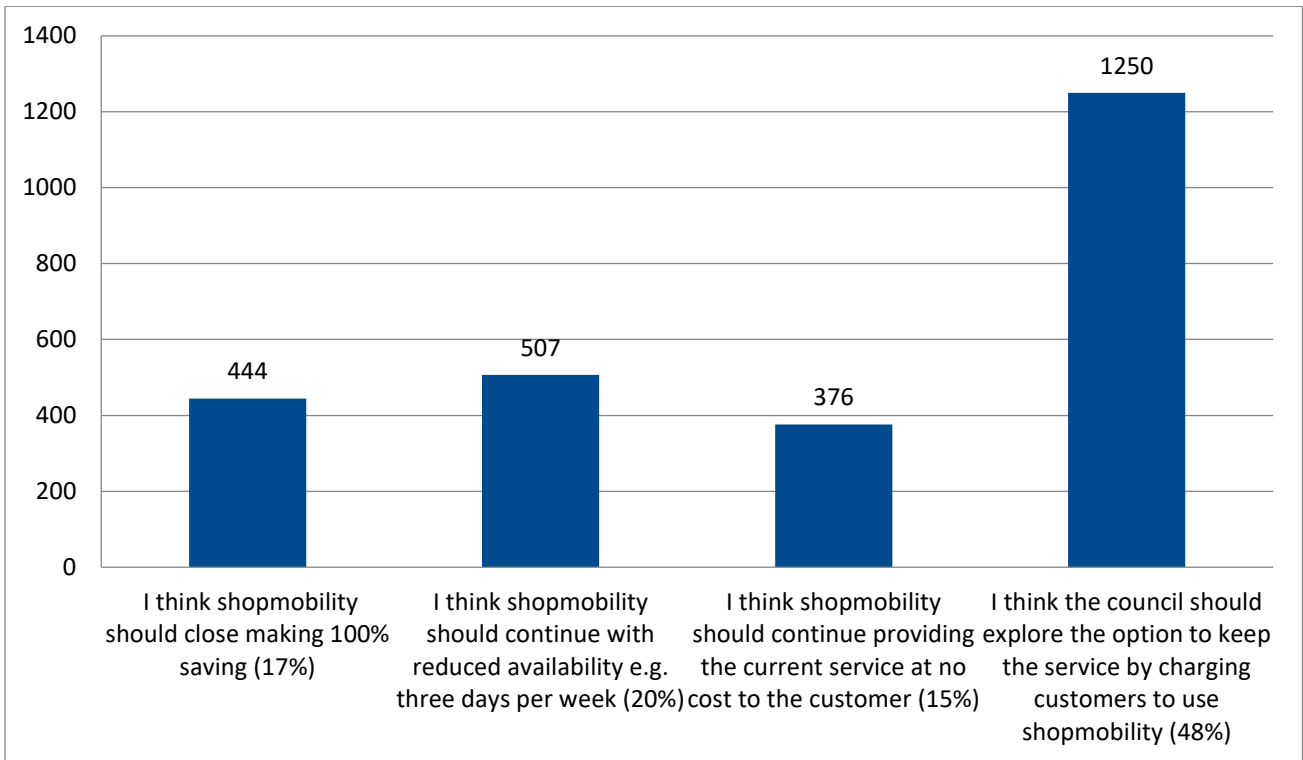
### 7.2.13 Shopmobility

In Bridgend, Shopmobility is provided within the town centre for a refundable deposit of £2. The service is fully funded by Bridgend County Borough Council and costs £20,000 per year.

Respondents were asked to select which statement best represented their opinion.

A total of 2577 people provided a response to this question.

- 17% of respondents stated that they thought Shopmobility should close;
- 20% of respondents think Shopmobility should continue with reduced availability;
- 15% of respondents think Shopmobility should continue providing the current service at no cost to the customer;
- 48% of respondents think the council should explore the option to keep the service by charging customers to use Shopmobility.



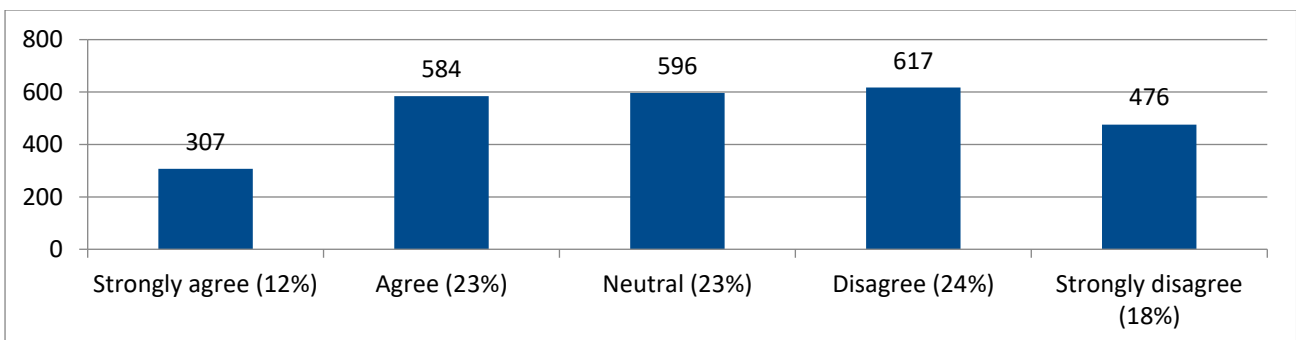
### 7.2.14 Subsidised buses

Respondents were asked if they agreed with the proposal to make further savings (in addition to the £188,000 savings that were identified following a consultation in 17/18) by removing the remaining subsidies for buses across the county borough. This would make a further saving of £183,000 annually.

Respondents were asked to select whether they agreed with this proposal.

A total of 2580 people responded to this question.

42% of respondents disagreed with the proposal (24% disagreed and a further 18% strongly disagreed). 35% of respondents agreed with the proposal and 23% gave a neutral response.



In this question respondents were asked if they had any further comments on this proposal. 467 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:



Theme	No.
The bus station is essential	82
** Comments about the bus station	82
Disagree with proposal	54
Results in isolation	47
Agree with proposal	42
Reduce buses/merge routes	39
Charge reduced fee instead of free bus pass	27
Don't understand enough to be able to make a decision	23
Encourage more to use public transport	14
Could affect town centre shopping	13
Smaller buses/taxis	11
* Comment not relevant to question	10
More cars on the road/not environmentally friendly	9
Certain routes should be removed	6
Hand over to private bus companies	2
General comment / query about budget and costs	6

\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

\*\* comments about the bus station were more relevant to the next question so have been added to the themes in Bridgend Bus Station question below.

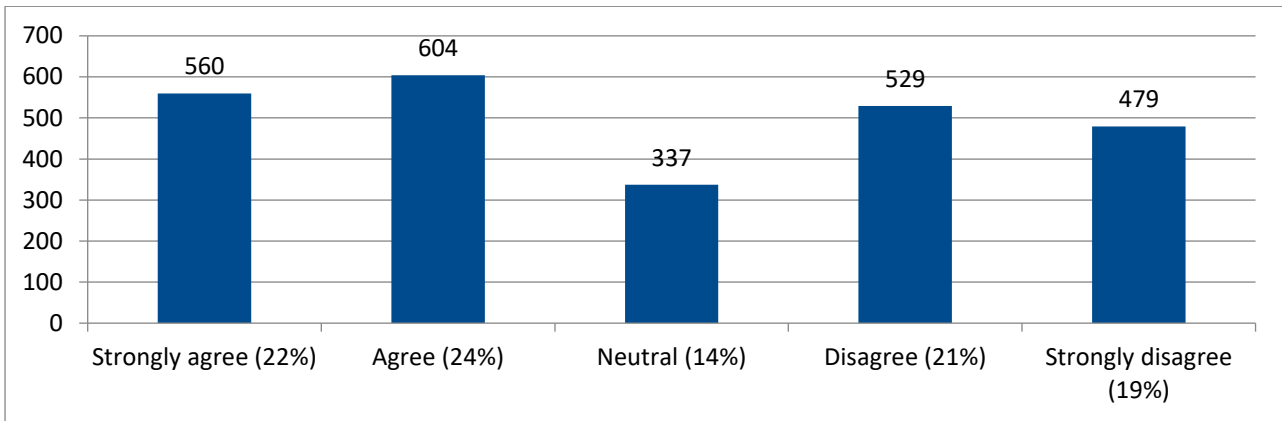
## 7.2.15 Bridgend Bus Station

Respondents were informed that a saving of £89,000 per year could be made if the bus station in Bridgend town centre was to close. Bays outside the station would still be accessible.

Respondents were asked to select whether they agreed with this proposal.

2509 people provided a response to this question.

46% of respondents agreed that the closure of the bus station should be considered in order to make budget savings, with 22% stating strongly agree and a further 24% stating agree. 14% of respondents provided a neutral response and overall 40% disagreed with this proposal.



In this question respondents were asked if they had any further comments on this proposal. 420 comments were received. 82 comments have also been included from the previous question. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Disagree with proposal	114
Bus station has public toilets	78
Need outside shelter/seats/toilets	61
Agree with proposal	58
Weather will be a problem	41
Anti-social behaviour in the bus station	27
Could affect town centre	26
Ask newsagents/cafes etc. to set up inside bus station	20
General comment / query about budget and costs	18
Issues with bus station becoming an empty building	17
Don't understand enough to be able to make a decision	12
Accessibility	7
Only open during peak hours	7
Safety issues	6
* Comment not relevant to question	4
Could cause further costs later on	3
Open in the winter, closed in the summer	3

\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.

## 7.2.16 Recycling and waste

Respondents were provided with four proposals which could create savings or increase revenue over the next four years. Respondents were asked to rank the proposals in their order of preference.

The proposals were:

- Change household food waste bags from biodegradable to single use plastic, potentially creating savings of £35k (74%) over the next four years;
- Cease the provision of providing 'blue bags' to households. The two bag restriction will still apply, however householders will be able to use their own black bags, potentially creating savings of £50k (38%) over the next four years;
- Cease the separate collection and recycling of absorbent hygiene products, e.g. nappies, stoma bags and adult incontinence pads. An allowance would be made for those who need this service for this to be treated as refuse. This would potentially creating savings of £200k (36%) over the next four years;
- Reduce the opening hours of community recycling centres by one hour, potentially saving £34k (36%) over the next four years.

When analysed the overall ranking for the proposals were:

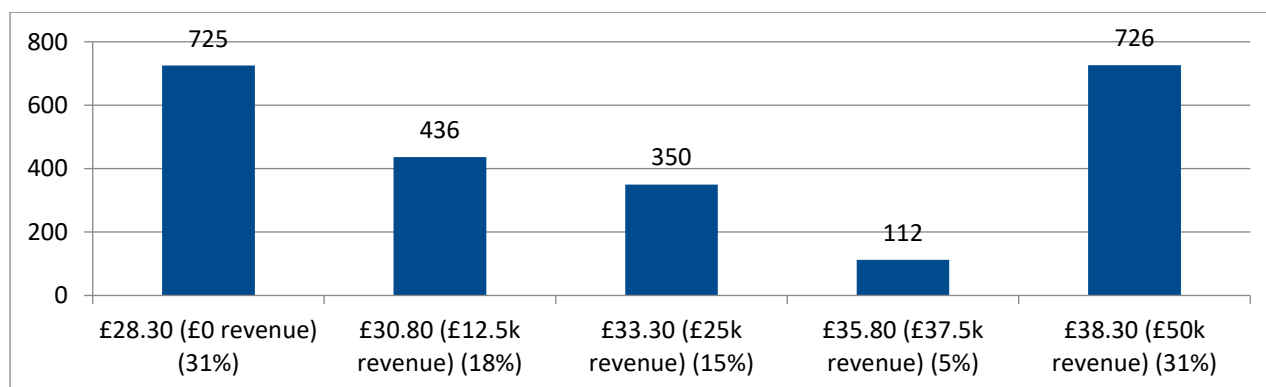
1. Cease the provision of providing 'blue bags' to households;
2. Cease the separate collection and recycling of absorbent hygiene products;
3. Reduce the opening hours of community recycling centres by one hour;
4. Change household food waste bags from biodegradable to single use plastic.

## 7.2.17 Garden waste

Respondents were asked whether they agreed with a proposal to increase the charge for collection of garden waste in order to increase revenue.

A total of 2349 people responded to this question.

- 31% of respondents stated that they would not be willing to pay more than the current charge of £28.30;
- 18% of respondents stated that they would be willing to pay £30.80, creating an additional £12,500 in revenue annually;
- 15% of respondents stated that they would be willing to pay £33.30, creating an additional £25,000 in revenue annually;
- 5% of respondents stated that they would be willing to pay £35.80, creating an additional £37,500 in revenue annually;
- 31% of respondents stated that they would be willing to pay £38.30, creating an additional £50,000 in revenue annually.

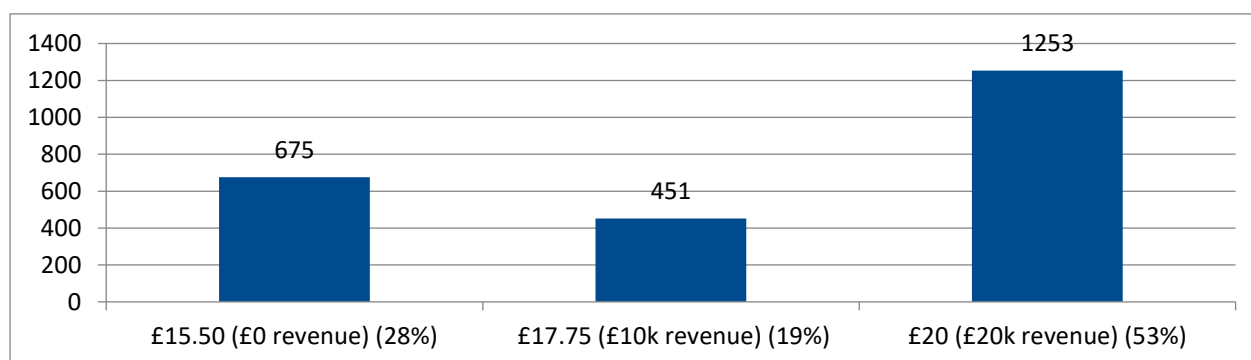


## 7.2.18 Three bulky items

Respondents were asked whether they agreed with a proposal to increase the charge for collection of bulky items in order to increase revenue.

2379 people provided a response to this question.

- 28% of respondents stated that they would not be willing to pay more than the current charge of £15.50;
- 19% of respondents stated that they would be willing to pay £17.75, creating an additional £10,000 in revenue annually;
- 53% of respondents stated that they would be willing to pay £20, creating an additional £20,000 in revenue annually.



At the end of this section, respondents were asked if they had any further comments about recycling and waste. 257 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Fly tipping will be a bigger problem if costs are increased	93
Bad service	25
Issues with single-use plastic	18
Promote recycling more	13
Charge more for bulky waste/garden waste	10
Too many bags	10
Residents to buy blue bags/food bags	9
General comment / query about budget and costs	9
Expensive already	7
Bulky waste items shouldn't be limited to three items	6
Encourage donations of bulky waste items to charities etc.	6
Don't cut recycling and waste budget	6
Be more environmentally friendly (should be able to recycle more etc.)	5
Bulky waste/garden waste should be free	5
Charge per bulky waste item rather than for three	5
Happy with service	5
Less frequent collections	5

Should be means tested	5
Consider private companies	4
Public to help out more	4
Reduce hours/days recycling centres are open	3
Concerns around absorbent hygiene collection	2
Fine those who don't recycle	2

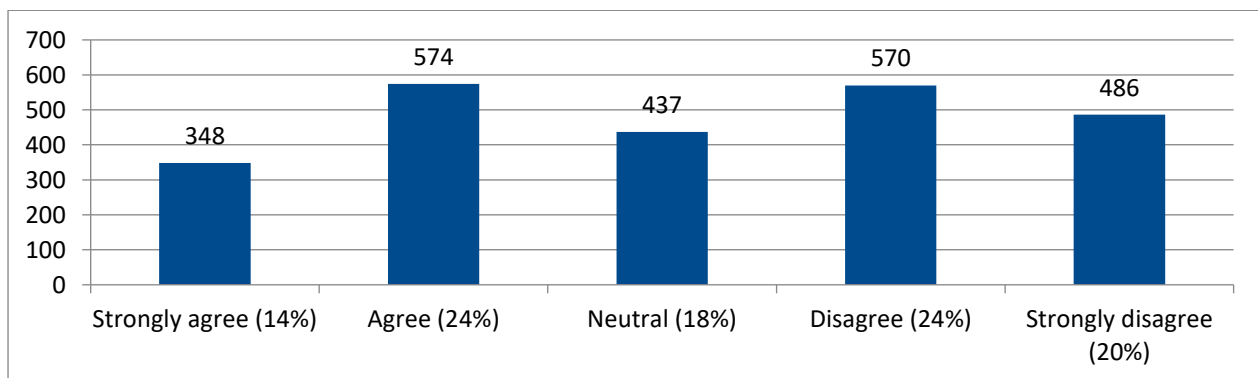
### 7.2.19 Weed spraying

Respondents were informed that one of the current proposals is to reduce the amount of times the council sprays weeds along the highways per year. In order to save £20,000 per year it is proposed that weed spraying is reduced from twice per year to once per year.

Respondents were asked to select whether they agreed with this proposal.

A total of 2415 people responded to this question.

44% of respondents did not agree with the proposal to reduce weed spraying to once per year (24% disagreed and 20% strongly disagreed). 18% of respondents provided a neutral response and 38% of respondents agreed with this proposal.



In this question respondents were asked if they had any further comments on this proposal. 373 comments were received. All comments were themed (comments could contain more than one theme) and these are detailed in the table below:

Theme	No.
Will make the area look untidy/affect tourism	68
Will affect road infrastructure	42
Don't see any spraying being done	40
Supports proposal - better for the environment	38
Danger to motorists - reduced visibility	25
Increase spraying	22
Supports proposal - saves money	21
Need to spray paths/pavements for access	20
Residents to do more	20
Japanese knotweed concerns	15
Transfer to town and community councils/work with partners	13

Community service/unemployed to do it	9
Prioritise areas	8
Maintain two sprays per year	7
Not cost effective	7
Use stronger weed killer	5
Stop planting flowers etc.	3
Health issues - asthma etc.	2
Negatively impacts jobs	2
* Comment not relevant to question	2
Supports proposal - better health	2
Unsure about this proposal	2

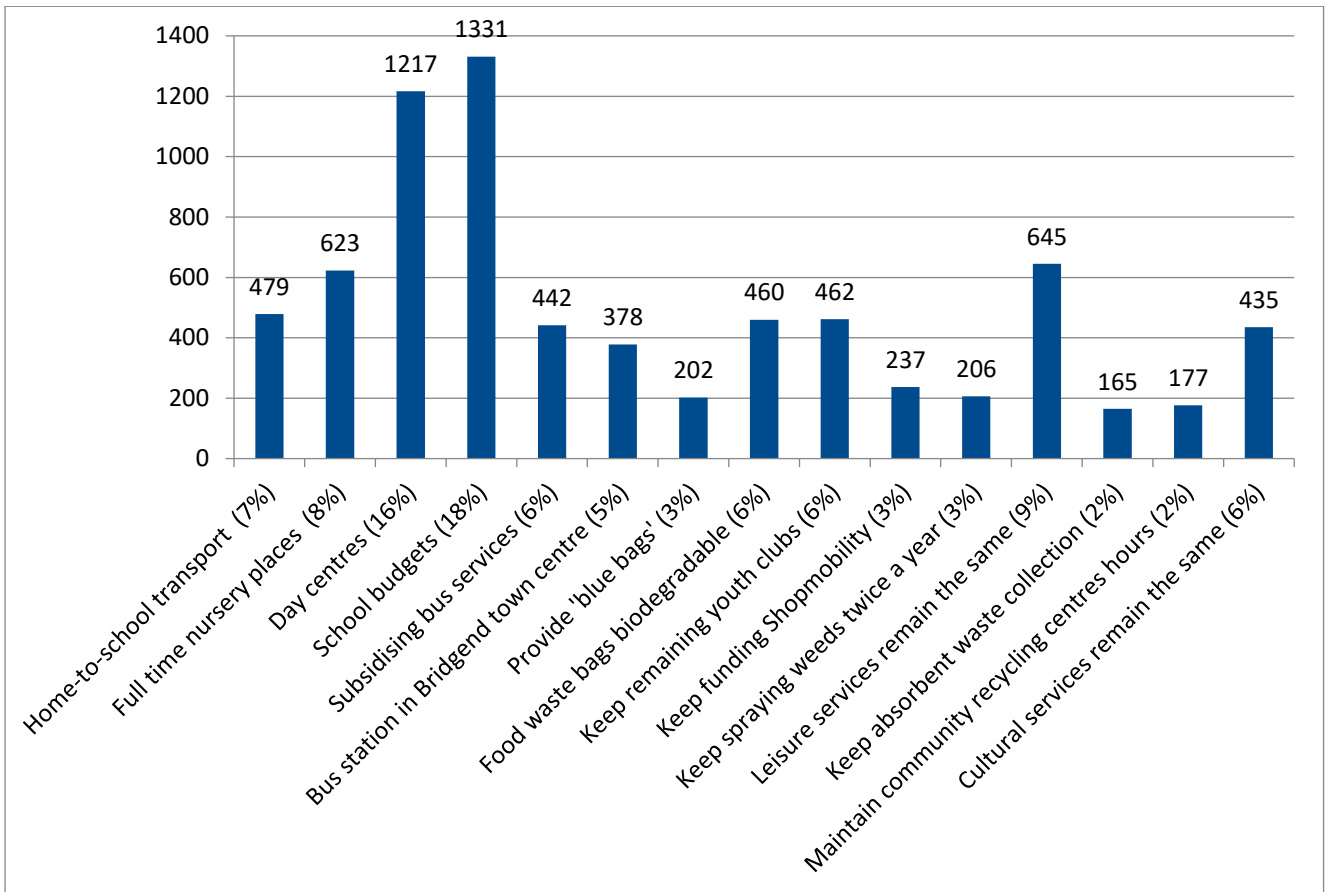
*\*Where responses provided were not relevant to the question they have been themed in section 7.2.23.*

## 7.2.20 Summary – services to protect

As a summary question respondents were asked to select three of the proposals outlined within this consultation that should be protected.

The three most frequently selected services to **protect** were:

1. School budgets;
2. Day centres;
3. Leisure services.

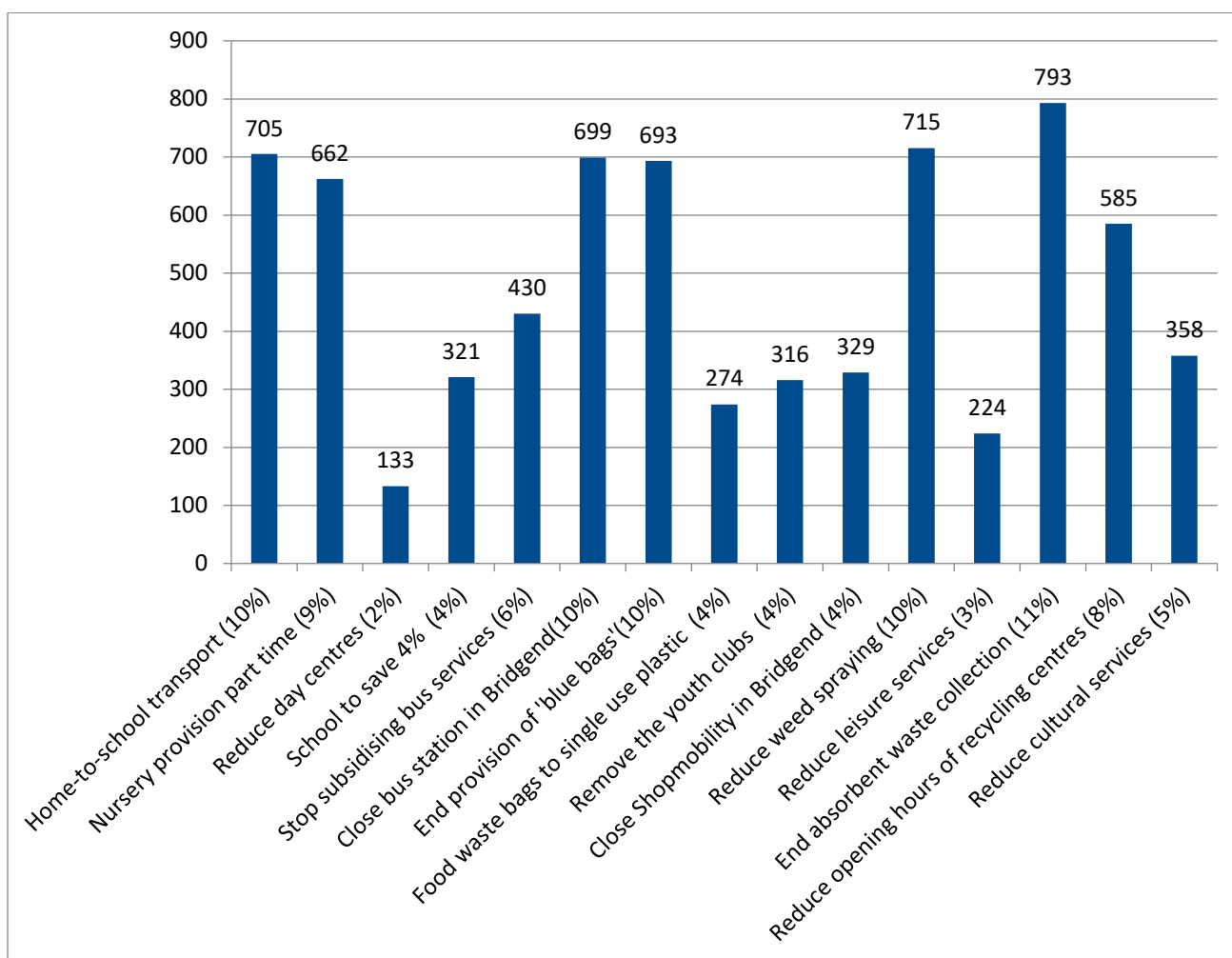


## 7.2.21 Summary – services to cut

As a summary question respondents were asked to select three of the proposals outlined within this consultation that should be cut.

The three most frequently selected services to **cut** were:

1. End separate absorbent waste collection;
2. Reduce weed spraying;
3. End funding for post-16 home to school transport.



## 7.2.22 Increasing revenue

As a summary question respondents were asked to rank the four revenue-generating proposals outlined within this consultation in their order of preference.

When analysed the overall ranking for the proposals were:

1. Blue Badge holders to pay for parking;
2. Increase charges for garden waste;
3. Increase charges for three bulky items;
4. Consider increased charges for sports pitches and pavilions.

## 7.2.23 Do you have any further comments that you would like to make on the budget proposals for 2019/20?

Finally, respondents to the survey were asked if they would like to make any further comments on the budget proposals for 2019/20.

In addition any final comments made following the completion of the clicker-pad interactive sessions were recorded.



These comments, along with comments that were not relevant to individual proposal questions, were themed and are presented in the table below:

Theme	No.
No more cuts to services	178
Cut council staff/wages/expenses	82
Ideas to generate money	80
Cut councillors/wages/expenses	77
Protect the most vulnerable	63
Issues with recycling and waste/environmental issues	47
Work more with third-sector/engage with community	42
Council tax isn't good value for money	34
Agree with proposals to save money	33
Look at internal costs to save money (admin, electricity etc.)	33
Difficult decision to be made/no further comments	31
Highways comments	28
Explore the effects of the cuts first	22
General comment / query about budget and costs	21
Positive survey/ question style feedback	21
Savings could cause further problems/costs in the future	20
Schools should save money	19
Neutral survey/question style feedback	19
Comments specific to political parties	18
Negative survey/question style feedback	18
Merge councils/departments within the council	17
Increase council tax	16
Need public toilets	16
Reduce hours/days of services instead of cutting them	15
Close non-essential services	13
Accessibility/equality issues	8
Cut down people claiming benefits/abusing Blue Badge	8
Unhappy with Cardiff City Deal	8
Remove costs associated with Welsh language	6
Comment not related to budget consultation	3

The majority of the responses related to no more cuts to services followed by cuts to council staff wages.

## 8. Social media responses

During the consultation period there were 447 interactions on our social media channels, 282 of which were in response to the social media Q&A. The comments have been themed and are detailed in the table below (comments could contain more than one theme):

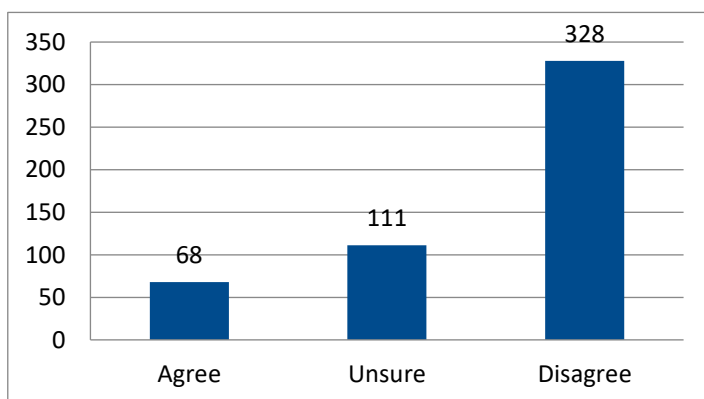
Theme	No.
Highways comments	52

Not relevant – general council queries	46
Unhappy with proposals	37
Issues with recycling and waste	34
Cut council staff/wages/expenses	31
Ideas to generate money	26
Cut councillors/wages/expenses	22
Council tax revenue/new housing deals	19
More council tax, less services	18
Unhappy with Cardiff City Deal	18
Keep essential services	16
Survey/question style feedback	17
Unhappy with closure of public toilets	15
Council should challenge central government funding cuts	13
General comment/query about budget and costs	14
Business rate comments	11
Repairs to council building	11
Look after schools	10
Budget consultation events	7
Cost of sports/playing fields	7
Savings could cause future problems	6
Need to understand reasons for cuts	5
Merging of councils	5
General comment about the Q&A session	4
Cost of Welsh Language Standards	3

## 9. Primary schools workshops

Primary school workshops took place in 15 schools and included 832 Year 5 and Year 6 young people. The sessions were interactive and pupils were asked to comment on some of the proposals within the consultation. The figures in this section are not included in the figures within the main report. Young people were asked about a range of services in each session however sessions were bespoke, pupil-led workshops and as a result not all services were discussed in each session.

507 young people were asked the question about the **reduction of day services**.

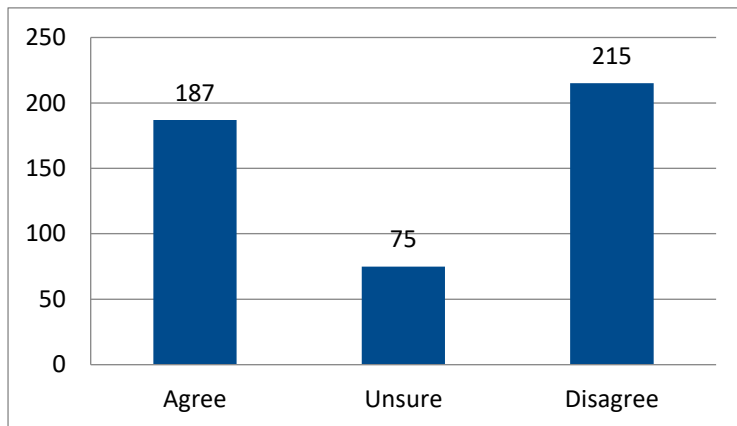


65% did not agree with this proposal.

22% of young people asked this question were unsure.

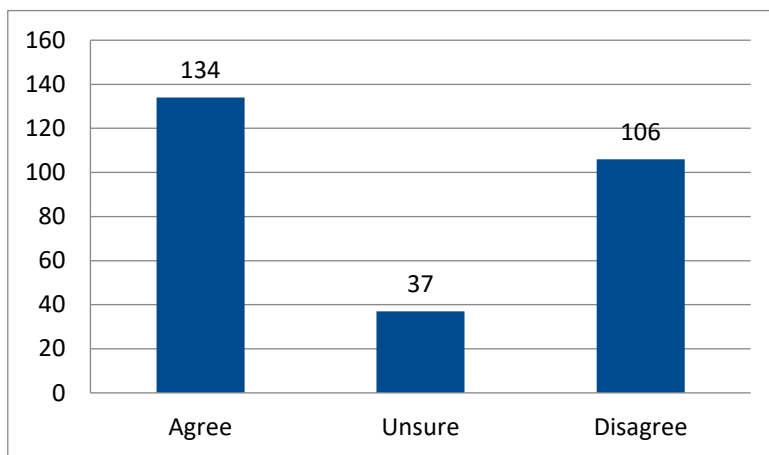
13% of those asked this question agreed with the proposal to reduce day services.

315 young people were asked the question about removal of funding for **post-16 transport**.



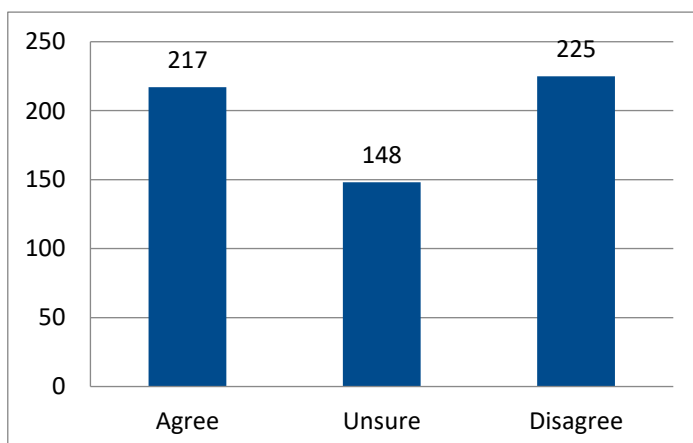
55% did not agree with this proposal.  
23% did agree with this proposal to make budget savings.  
22% young people gave a neutral response.

277 young people were asked whether the council should continue to fund the **three remaining youth clubs**.



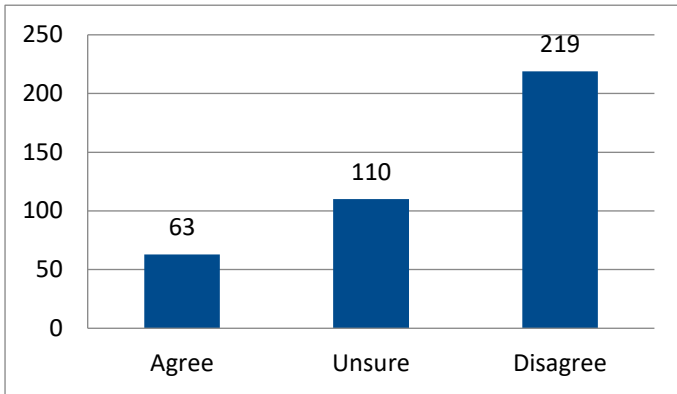
49% of young people asked this question felt that the youth clubs should be closed.  
13% gave a neutral response.  
38% of young people who were asked this question felt that the youth clubs should remain open.

590 young people were asked whether **schools should be asked to make savings in their budgets** over the next four years.



38% of young people asked this question did not think schools should be asked to make savings.  
37% however agreed that this saving should be made.  
25% of those asked gave a neutral response to this question.

392 young people were asked if they would be willing to pay more for **sports pitches**.

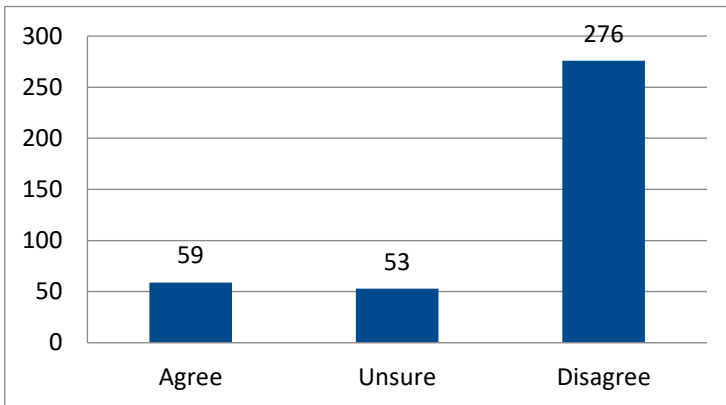


16% agreed that they would be willing to pay more for sports pitches.

28% were unsure about this proposal.

56% did not agree with this proposal. They felt the council should continue to fund sports

388 young people had a discussed whether savings should be made by closing or reducing **Halo leisure services**.

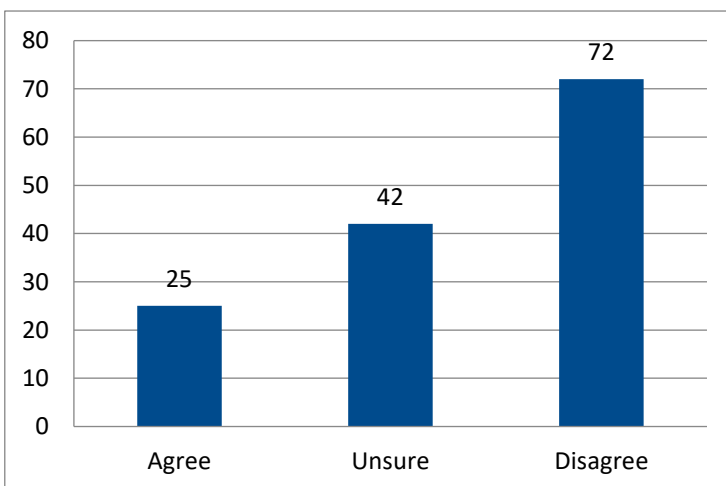


15% of young people asked this question felt that some services could be closed or reduced in order to save money.

14% gave a neutral response.

71% of young people felt that leisure services were too important and that savings shouldn't be made through reductions or closures.

139 young people were asked if savings should be made by closing or reducing **Awen cultural services**.

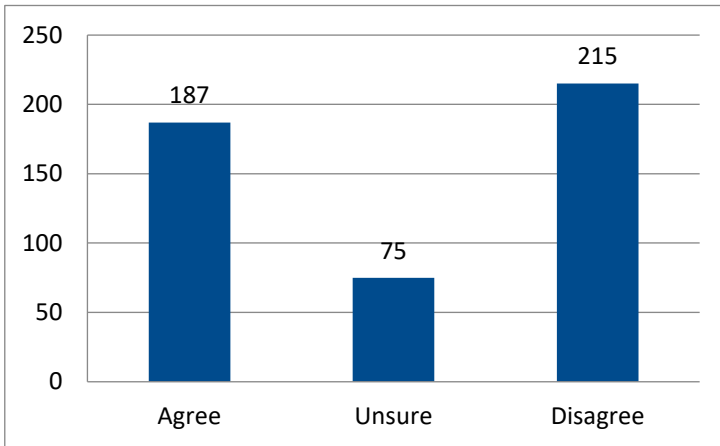


18% of young people agreed that in order to save money services should be reduced or close.

30% gave a neutral response.

52% of young people asked this question felt that services should remain as they are.

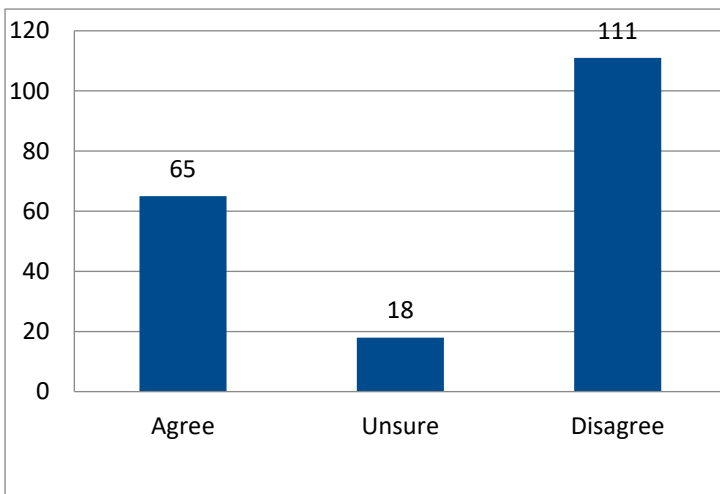
477 young people were asked about **nursery provision**.



45% of young people asked did not agree that in order to make savings nursery places should be reduced to 15 hours per week.

40% of young people did agree with this proposal and a further 15% gave a neutral response.

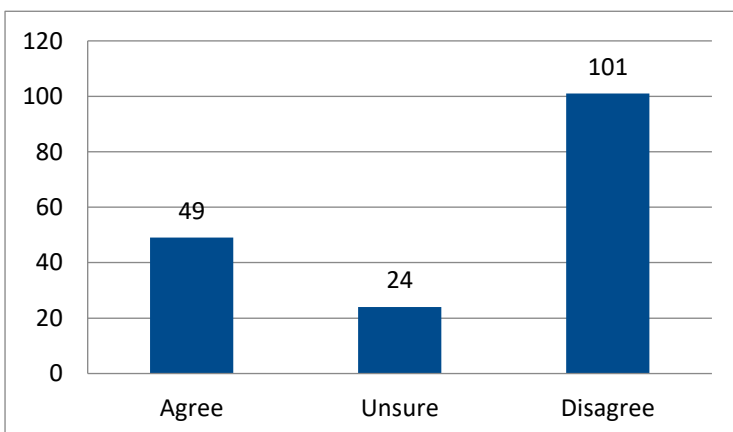
The proposal in relation to the potential **closure of the bus station** in Bridgend town centre was discussed with 194 young people.



57% of young people asked this question did not agree that the bus station should be closed.

34% of young people agreed with this proposal in order to make budget savings.

174 young people were asked if people with a **Blue Badge** should pay to park in council car parks.



58% of young people did not agree with this proposal and felt that someone with a blue badge should park for free.

28% of young people asked this question said that they did think that someone with a Blue Badge should pay the same as someone without a Blue Badge.

14% of those asked were unsure.

Young people were asked what was important to them in their communities. Young people in Years 5 and 6 told us that the most important services to them are school, followed by their houses and shops followed by parks, bridges, traffic lights and sports pitches.

Young people were asked to make any further comments on services that they would like to protect:

- local food places free for homeless
- public toilets
- social services for everyone
- movie theatres
- schools for autism
- hospitals
- house services
- parks
- electricity
- provide food for food banks
- sports equipment
- defibrillators
- healthcare
- Mental health
- Mental health of prisoners

## 10. Conclusion

### 10.1 Prioritising particular services

When asked the question about services to be protected through council tax increases, the three most popular services to be protected were:

- Schools
- Care of older people
- Services for disabled people

The least popular services to be protected through council tax increases were:

- Libraries, arts centres and theatres
- Sport and recreation services
- None, don't protect any services through council tax

When presented with all proposals as a summary question, respondents selected the following areas to **protect**:

- School budgets;
- Day centres;
- Leisure services.

In the same summary question the most frequently selected services to **cut** were:

- End separate absorbent waste collection;
- Reduce weed spraying;
- End funding for post-16 home to school transport.

## 10.2 Budget proposals – savings

The proposals to make savings that were **supported** by respondents were:

- Reduce services provided by Awen Cultural Trust (50%)
- Reduce nursery provision to 15 hours per week (48%)
- Remove funding for post-16 transport (47%)
- Close Bridgend Bus Station (46%)
- Blue Badge holders to pay for parking in council car parks (79%)
- The council should explore the option of charging for shopmobility (48%)
- Charge more for collection of three bulky items (53%)

The proposals that were **not supported** by respondents were:

- Closure of Halo Leisure facilities (50%)
- Closure of youth clubs (52%)
- Reduction in schools budgets (53%)
- Reduction in day centres/services (66%)
- Removal of bus subsidies (42%)
- Reduce weed spraying (44%)

## 10.3 Increasing revenue

When asked about increasing revenue and protecting services through increased council tax payments the majority of respondents did not want to pay more than the predicted 4.9% rise in council tax.

60% of respondents were willing to pay more to access sports pitches, pavilions and parks.

79% of respondents stated that Blue Badge holders should pay for parking in council car parks.

## 10.4 Summary

A sample of 2,677 survey completions is robust and is subject to a maximum standard error of +1.96% at the 95% confidence level. Therefore, we can be 95% confident that responses are representative of those that would be given by the total adult population, to within  $\pm 1.88\%$  of the percentages reported.

This means that if the total adult population of Bridgend had taken part in the survey and a statistic of 50% was observed, we can be 95% confident that the actual figure lies between 48.04% and 51.96%.

The response to the consultation demonstrated a significant increase on previous years, with engagement across a range of community groups, schools and organisations.

The consultation document was available in a variety of formats: standard; easy-read; large print and youth in Welsh and English. Respondents were able to select online or paper surveys in all formats.

A total of 2677 survey responses were received. 1491 online surveys were received. 507 paper surveys and 679 surveys were completed during interactive sessions. This demonstrates a 44% increase on last year's survey completions. A particular increase can be noted in youth survey completions, where there is a 553% increase compared to last year.

Survey type	2017	2018	+/-
Standard	1181	1095	-7.3%
* Easy read /large print (accessible surveys)	51	267	+423.6%
** Citizens' Panel	505	524	+3.8%
Youth	121	791	+553%
<b>Total</b>	<b>1858</b>	<b>2677</b>	<b>+44.1%</b>

\* For the first time an easy read version of the survey was available, easy read and large print surveys have therefore been analysed together as accessible surveys in the table above.

\*\* In 2017 the survey was sent to 1609 Citizens Panel members. The 2017 response rate therefore represented a 31% response rate from Citizens' Panel members. In 2018 the Citizens' Panel members had reduced to 1096. The 2018 response rate of 524 therefore represents a 48% response rate from Citizens' Panel members.

The consultation and engagement team attended 53 events, meetings and workshops during the live period resulting in 2148 face to face interactions with people in events. In 2017, face to face engagement totalled 152 so 2018's figure represents an increase of 1313%. This is due in large-part to attending schools across the county borough.

All response types have been analysed and are included in the main report. 832 young people in years 5 and 6 also had the opportunity to engage in the consultation however their responses are reported separately.

880 people told us that they wanted to be kept up to date with the consultation outcome.

393 provided their details to sign up for the Citizens' Panel.

894 people provided their details to enter the prize draw.

This report is to be shared with Cabinet in order to inform the MTFs for 2019/20 and further into 2020-2023.



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

### REPORT OF THE INTERIM HEAD OF FINANCE

#### CAPITAL PROGRAMME 2018-19 TO 2027-28

#### 1. Purpose of Report

- 1.1 The purpose of this report is to seek agreement from Cabinet to present a report to Council for approval for a revised capital programme for 2018-19 to 2027-28.

#### 2. Connection to Corporate Plan / Other Corporate Priorities

- 2.1 This report assists in the achievement of 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.
- 2.2 Capital investment in our assets is a key factor in meeting the Council's Priorities as set out in the Council's Corporate Plan.

#### 3. Background

- 3.1 On 28th February 2018 Council approved a capital programme covering the period 2018-19 to 2027-28 as part of the Medium Term Financial Strategy. Since then, additional schemes have been approved by Council including the Enterprise Hub Development Programme, new classrooms at Cwmfelin Primary School, Porthcawl Regeneration and Waterton Depot, along with a number of externally funded schemes.

#### 4. Current situation / proposal.

- 4.1 Since the programme was last approved, a number of new schemes have been progressed which require that Council approve changes to the capital programme. These are outlined below.

#### 4.2 **21st Century Schools Band A Programme – Pencoed Primary School**

Despite site investigation works being undertaken in advance of letting the Pencoed Primary School construction contract, the site required significant cut and fill activities which were not originally anticipated. This had a detrimental impact on the overall cost of the scheme, resulting in the project costs increasing by £200,000. In order to meet this additional cost, projected under spends for other Band A schemes will be used to offset the additional spend and re-balance the remaining programme. Therefore, £150,000 and £50,000 will be vired from the Brynmenyn Primary School and Garw Valley South schemes respectively, to the Pencoed Primary School scheme. Also, an additional £20,000 will be transferred from the school modernisation retention budget to offset increased costs relating to the highways works.

#### 4.3 **Cwmfelin Primary School – Accommodation**

On 20th June 2018 Council approved the inclusion of a budget of £165,000 in the capital programme for the provision of additional accommodation at Cwmfelin Primary School. However, following design development, the original project estimate was deemed insufficient and, despite a value engineering exercise being undertaken, a revised project cost has been received of £235,000 which equates to an additional £70,000 funding over and above the approved budget. The additional funding will be vired from the school modernisation retention budget.

#### 4.4 **Multi Agency Safeguarding Hub (MASH)**

In October 2017 Council approved a total scheme budget of £205,000 to meet the capital investment required to establish the MASH in the preferred premises. This was to cover:

- £155,000 for the procurement of furniture.
- £50,000 to install the required ICT infrastructure to support collaborative working.

Costs were to be split between the Council and the MASH partners, with Bridgend funding 40%.

However, the MASH has now moved into one wing of Raven's Court, so the costs are considerably less than anticipated due to the existing ICT infrastructure being in place along with an element of furniture. The total scheme cost has been finalised at £86,409 with contributions from partners of £49,525, leaving Bridgend to pay £36,884. As the scheme is complete the budget can be reduced within the capital programme to reflect actual spend. Bridgend's contribution is being funded from a contribution from the Change Fund so this will release funding of £45,116 for other schemes.

#### 4.5 **Agile Working**

A report was presented to Council in October 2015 seeking approval for capital funding of £1.217 million to deliver agile working, including physical works at Sunnyside House, a scanner, and investment in laptops, plus replacement, and "follow me" phone capability. The investment in ICT was dependent on securing a tenant for Raven's Court.

As members will be aware, following work undertaken under the Rationalising the Estate programme, and following decisions on where to place the MASH, a decision has been taken to no longer pursue the active marketing of Raven's Court. Consequently the investment initially identified is no longer required at this time. A small amount of funding has been spent to date on undertaking DDA works, leaving a balance of £1.201 million to be de-committed and used to fund other schemes.

#### 4.6 **Cemetery Extensions**

Funding of £360,000 was approved by Council in the MTFs 2018-19 to 2021-22 towards extensions to Porthcawl and North Cornelly cemeteries. However, following further investigation and feasibility works, it is estimated that the total cost to complete these works will be £530,000, which will require an additional £170,000. There is land available at both of these sites to extend the plots and infrastructure. However the costs to evaluate and mitigate environmental and ecological impacts from the extensions is now expected to be significantly higher than originally anticipated. The cost of the extensions will be met from prudential borrowing, the annual cost of which will be funded from the income from internments, as the service operates on a full cost recovery basis.

#### 4.7 **Fleet**

The Council has an ageing Highways fleet of vehicles with some registrations dating from 2009 with vehicles at or beyond their economic life, leading to increasing maintenance costs. A capital budget of £1.64 million is required for the purchase of replacement highway maintenance vehicles including gritters, gulley cleansing, elevated platforms, schools mini bus and tipping lorries. The vehicles are to be funded from within clients' existing revenue budgets, through revenue contributions to capital or prudential borrowing. Large commercial vehicles ordered in 2018 would have a delivery time of between 9 and 12 months due to build times for specialist body types i.e. elevated platforms, gulley cleansing and winter gritting vehicles. In the interim any vehicles currently in use within the Borough Council including lease expiry vehicles would have to be extended until replacement vehicles are available.

#### 4.8 **ICT Rolling Programme**

Following a review of the ICT estate within the Council, it was identified that five hundred desktop PCs were more than five years old and had no warranty support. A procurement exercise was carried out for replacement PCs which resulted in a total cost to replace of £346,375. There is a capital budget of £120,000 already available within the capital programme, funded from an earmarked reserve, so this will be increased by £226,375 and funded from a revenue contribution from the existing ICT rolling programme budget.

#### 4.9 **Porthcawl Resort Investment Focus (PRIF)**

A report was presented on 31st January 2017 to update Cabinet on progress in relation to the development of the EU funded, Porthcawl Resort Investment Focus (PRIF) Programme. The total value of Bridgend Council's activity for the PRIF scheme was £2.555 million, which included funding from European Regional Development Fund (ERDF) grant of £1,565,940 and match funding of £989,060. The

report to Cabinet explained that costs were still subject to final confirmation, which in part included determination of final costs following procurement processes.

Now that the major procurement exercises have been completed, the PRIF scheme has increased to a total value of £2,924,000. The ERDF grant value is currently fixed at £1,565,940 with a revised match funding requirement of £1,358,060. The Council's match funding is currently made up of a range of external resources and Council funds, including £881,000 of Strategic Regeneration capital and revenue funding, an earmarked reserve £100,000 and £277,000 of Coastal Communities Funding. This re-profile has been completed, agreed by the Porthcawl Programme Board and submitted to the funder. If opportunities arise to access further external funds, either through ERDF or other sources then these will be targeted in an effort to further reduce the requirement for Council resources.

#### 4.10 **Registrars**

There is current significant commercial interest in the land and building (Ty'r Ardd) that the BCBC Registrar's Office and Awen's Reference Library operate from. This has coincided with an increase in wedding cancellations at the Ty'r Ardd site due to the works that are taking place on the adjacent land. This work will increase over the coming year and is likely to cause a further increase in wedding cancellations, risking the financial viability of the service.

Feasibility work has been undertaken on relocating the Registrar's Office to a core BCBC building and the service can be accommodated on the ground floor of Civic Offices. This would benefit the authority by providing a one-off capital receipt from the sale of the land as well as ongoing revenue savings from the closure of a building. It would also benefit the service through helping to safeguard its budget position and providing a less isolated and more centrally based building for the service to operate from. The indicative capital budget that will be needed to remodel the area of the Civic Offices that will be affected is £275,000 and this includes creating a patio area for wedding photos. The anticipated capital receipt, as indicated in the draft valuation report, is expected to be significantly more than the cost of the works.

#### 4.11 **Welsh-Medium Capital Grant**

Welsh Government (WG) has made £30 million available across Wales for projects dedicated to supporting and growing the use of the Welsh language in education, and to assist the delivery of WG's ongoing commitment to achieve a million Welsh speakers by 2050. Bridgend was awarded £2.6 million in order to create Welsh-medium childcare provision in Bettws, Ogmere Valley, Bridgend Town and Porthcawl. The four projects are allocated £650,000 each.

- 4.12 A report is due to be presented to Council to update the funding package for the 21<sup>st</sup> Century Band B Programme following discussions with, and announcements from, Welsh Government with regard to proposed funding options and intervention rates. Should this report be approved, then any changes will be built into the final capital programme presented to Council as part of the Medium Term Financial Strategy in February 2019.

4.13 A revised capital programme is attached as Appendix 1 to this report, which also includes a number of other adjustments required to the capital programme to reflect new external funding approvals and changes to expenditure profiles across financial years. This shows a total revised programme of £211.185 million, of which £138.408 million is met from BCBC resources, including General Capital Funding from Welsh Government, and £72.777 million met from external resources.

## **5. Effect upon Policy Framework and Procedure Rules**

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

## **6. Equality Impact Assessment**

6.1 Projects within the capital programme will be subject to the preparation of Equality Impact Assessments before proceeding.

## **7. Well-being of Future Generations (Wales) Act 2015 Implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for information it is considered that there will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of this report. Specifically the development of a 10 year capital programme, which reflects the Council's affordability in terms of capital receipts and borrowing, supports the principle of sustainability over the long term.

## **8. Financial Implications**

8.1 The financial implications are outlined in the body of the report. Any capital receipts released as a result of schemes being removed from the capital programme will be re-allocated to other schemes already included within the programme, but funded from external borrowing, to reduce potential borrowing costs and therefore reduce the pressure on the revenue budget.

## **9. Recommendations**

9.1 It is recommended that Cabinet agrees that the revised Capital Programme be submitted to Council for approval.

**Gill Lewis**  
**Interim Head of Finance and Section 151 Officer**  
**December 2018**

**Contact Officer:** Deborah Exton  
Group Manager – Financial Planning and Budget Management

**Telephone:** 01656 643604

**Email:** [deborah.exton@bridgend.gov.uk](mailto:deborah.exton@bridgend.gov.uk)

**Postal Address :** Raven's Court  
Brewery Lane  
Bridgend  
CF31 4AP

**Background documents:**

MTFS Report to Council – 28 February 2018

Report to Council: Enterprise Hubs Development Programme – 25 April 2018

Report to Council: Cwmfelin Primary School Capital Project – 20 June 2018

Report to Council - 21 November 2018



	Improvement Priority	Total 2018-2028			2018-2019															CUMULATIVE	
		Total Cost £'000	BCBC Funding £'000	External Funding £'000	Total Costs to 31-3-18 £'000	Feb 2018 £'000	Council Approvals since Feb 2018 £'000	New Approvals £'000	Vire £'000	Slippage £'000	Revised 2018-19 £'000	2019-2020 £'000	2020-2021 £'000	2021-2022 £'000	2022-2023 £'000	2023-2024 £'000	2024-2025 £'000	2025-2026 £'000	2026-2027 £'000	2027-2028 £'000	Total 2018 - 2028 £'000
Smart System and Heat Programme	IP1	250	250	-	-	100	-	-	-	100	100	50	-	-	-	-	-	-	-	250	
Nantymoel Community Facilities (former Berwyn Centre)	NONPTY	200	200	-	-	200	-	-	-	200	-	-	-	-	-	-	-	-	-	200	
<b>Property</b>																					
Corporate Landlord - Energy Savings Strategy	IP3	1,300	1,300	-	-	1,300	-	-	-1,300	-	635	665	-	-	-	-	-	-	-	1,300	
Enterprise Hub - Innovation Centre	IP3	3,522	1,174	2,348	-	170	285	-	-130	325	658	2,452	42	45	-	-	-	-	-	3,522	
Minor Works	IP3	12,268	12,268	-	-	1,540	-	-	-262	120	1,398	1,830	1,130	1,130	1,130	1,130	1,130	1,130	1,130	12,268	
Civic Offices External Envelope	IP3	54	54	-	2,496	-	-	-	54	54	-	-	-	-	-	-	-	-	-	54	
Agile Working (Rationalisation of Admin. Estate)	IP3	-	-	-	16	621	-	-621	-	-	-	-	-	-	-	-	-	-	-	-	
Relocation of Depot Facilities	IP3	951	951	-	225	3,816	-	-	-3,200	335	951	-	-	-	-	-	-	-	-	951	
Waterton Upgrade	IP3	8,144	8,144	-	-	-	-	-	3,200	-	3,200	4,944	-	-	-	-	-	-	-	8,144	
Relocation of Registrars	IP3	275	275	-	-	-	-	30	-	-	30	245	-	-	-	-	-	-	-	275	
Non-Operational Assets	IP3	480	480	-	520	480	-	-	-	-	480	-	-	-	-	-	-	-	-	480	
Community Projects	IP3	728	728	-	480	264	-	-	14	278	50	50	50	50	50	50	50	50	50	728	
<b>Total Communities</b>		<b>115,063</b>	<b>67,011</b>	<b>48,052</b>	<b>10,838</b>	<b>23,927</b>	<b>225</b>	<b>2,594</b>	<b>30</b>	<b>-6,414</b>	<b>20,362</b>	<b>25,201</b>	<b>16,764</b>	<b>7,770</b>	<b>6,412</b>	<b>8,857</b>	<b>8,870</b>	<b>8,884</b>	<b>8,899</b>	<b>3,044</b>	<b>115,063</b>
<b>Chief Executive's</b>																					
<b>ICT</b>																					
Investment in ICT	IP3	300	300	-	-	300	-	-	-	-	300	-	-	-	-	-	-	-	-	300	
Digital Transformation	IP3	520	520	-	480	520	-	-	-	520	-	-	-	-	-	-	-	-	-	520	
ICT Laptop Replacement (Life Expired)	IP3	327	327	-	223	300	-	-	27	327	-	-	-	-	-	-	-	-	-	327	
Civic Desktop PC's	IP3	346	346	-	-	-	-	226	-	120	346	-	-	-	-	-	-	-	-	346	
Digital Meeting Spaces	IP3	129	129	-	21	-	-	-	-	129	129	-	-	-	-	-	-	-	-	129	
<b>Housing / Homelessness</b>																					
Housing Renewal / Empty Properties	IP1	1,000	1,000	-	544	100	-	-	-	100	100	100	100	100	100	100	100	100	100	1,000	
Housing Renewal/Disabled Facilities Grants	IP2	22,209	22,209	-	7,343	2,650	-	-	-291	2,359	2,650	2,150	2,150	2,150	2,150	2,150	2,150	2,150	2,150	22,209	
Enable Grant	IP2	180	-	180	-	-	-	180	-	180	-	-	-	-	-	-	-	-	-	180	
Brynmenyn Homelessness Unit	IP2	119	119	-	1	-	-	-	119	119	-	-	-	-	-	-	-	-	-	119	
<b>Total Chief Executive's</b>		<b>25,130</b>	<b>24,950</b>	<b>180</b>	<b>8,612</b>	<b>3,870</b>	<b>-</b>	<b>406</b>	<b>-</b>	<b>104</b>	<b>4,380</b>	<b>2,750</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>25,130</b>	
Unallocated		8,799	8,799	-	-	-	-	-	-	-	-	-	-	586	565	1,483	2,055	2,055	2,055	8,799	
<b>Total Expenditure</b>		<b>211,185</b>	<b>138,408</b>	<b>72,777</b>	<b>102,056</b>	<b>33,693</b>	<b>382</b>	<b>2,979</b>	<b>-</b>	<b>3,641</b>	<b>40,695</b>	<b>29,807</b>	<b>23,077</b>	<b>27,647</b>	<b>26,823</b>	<b>16,219</b>	<b>13,175</b>	<b>13,189</b>	<b>13,204</b>	<b>7,349</b>	<b>211,185</b>
<b>Expected Capital Resources</b>																					
<b>General Capital Funding</b>																					
General Capital Funding - General Capital Grant		23,967	23,967	-	-	2,394	-	-	-	-	2,394	2,397	2,397	2,397	2,397	2,397	2,397	2,397	2,397	23,967	
General Capital Funding - Supported Borrowing		39,377	39,377	-	-	3,935	-	-	-	-	3,935	3,938	3,938	3,938	3,938	3,938	3,938	3,938	3,938	39,377	
Capital Receipts - Schools		7,897	7,897	-	-	-	-	-	7,897	7,897	-	-	-	-	-	-	-	-	-	7,897	
Capital Receipts - General		19,167	19,167	-	-	9,180	-	-495	-	-489	8,196	6,902	4,069	-	-	-	-	-	-	19,167	
Earmarked Reserves		22,179	22,179	-	-	7,031	150	55	-	1,970	9,206	3,692	2,811	762	764	1,236	1,236	1,236	1,236	22,179	
Revenue Contribution		323	323	-	-	458	7	226	-	-458	233	41	49	-	-	-	-	-	-	323	
Prudential Borrowing (unsupported)		22,998	22,998	-	-	3,550	-	170	-	-1,568	2,152	7,950	4,387	6,938	7,685	3,056	3,055	3,055	3,056	-18,336	22,998
SALIX Interest Free Loan - WG		2,500	2,500	-	-	300	-	-	-	-	300	1,100	1,100	-	-	-	-	-	-	2,500	
<b>Sub-Total General Capital Funding</b>		<b>138,408</b>	<b>138,408</b>	<b>-</b>	<b>26,848</b>	<b>157</b>	<b>-44</b>	<b>-</b>	<b>7,352</b>	<b>34,313</b>	<b>26,020</b>	<b>18,751</b>	<b>14,035</b>	<b>14,784</b>	<b>10,627</b>	<b>10,626</b>	<b>10,626</b>	<b>10,627</b>	<b>-12,001</b>	<b>138,408</b>	
<b>External Funding Approvals</b>																					
WG - 21st Century Schools		21,051	-	21,051	-	623	-	-	-	-	623	-	-	8,898	8,499	3,031	-	-	-	21,051	
WG - Enable Grant		180	-	180	-	-	-	180	-	180	-	-	-	-	-	-	-	-	-	180	
WG - Safe Routes in Communities		950	-	950	-	-	-	950	-	950	-	-	-	-	-	-	-	-	-	950	
WG - Porthcawl Revetment		1,681	-	1,681	-	1,852	-	75	-	-246	1,681	-	-	-	-	-	-	-	-	1,681	
WG - Eastern Promenade		287	-	287	-	-	-	287	-	287	-	-	-	-	-	-	-	-	-	287	
WG - Intermediate Care Fund (ICF)		300	-	300	-	300	-	-	-	300	-	-	-	-	-	-	-	-	-	300	
WG - Welsh Medium Capital Grant		2,600	-	2,600	-	-	-	-	-	-	180	320	1,094	980	26	-	-	-	-	2,600	
Loan - WG		2,400	-	2,400	-	2,400	-	-	-	-2,400	-	2,400	-	-	-	-	-	-	-	2,400	
Westminster		34,477	-	34,477	-	1,430	-	-	-	-1,430	-	-	114	2,266	2,523	2,535	2,549	2,563	2,577	19,350	34,477
S106		444	-	444	-	-	-	97	-	347	444	-	-	-	-	-	-	-	-	444	
Transport Grant		440	-	440	-	-	-	440	-	440	-	-	-	-	-	-	-	-	-	440	
Heritage Lottery Fund (HLF)		748	-	748	-	35	-	100	-	135	105	300	208	-	-	-	-	-	-	748	
EU		6,569	-	6,569	-	-	225	967	-	-	1,192	1,102	3,342	896	37	-	-	-	-	6,569	
Other		650	-	650	-	205	-	-73	-	18	150	-	250	250	-	-	-	-	-	650	
<b>Sub-Total External Funding Approvals</b>		<b>72,777</b>	<b>-</b>	<b>72,777</b>	<b>-</b>	<b>6,845</b>	<b>225</b>	<b>3,023</b>	<b>-</b>	<b>-3,711</b>	<b>6,382</b>	<b>3,787</b>	<b>4,326</b>	<b>13,612</b>	<b>12,039</b>	<b>5,592</b>	<b>2,549</b>	<b>2,563</b>	<b>2,577</b>	<b>19,350</b>	<b>72,777</b>
<b>Total Funding Available</b>		<b>211,185</b>	<b>138,408</b>	<b>72,777</b>	<b>102,056</b>	<b>33,693</b>	<b>382</b>	<b>2,979</b>	<b>-</b>	<b>3,641</b>	<b>40,695</b>	<b>29,807</b>	<b>23,077</b>	<b>27,647</b>	<b>26,823</b>	<b>16,219</b>	<b>13,175</b>	<b>13,189</b>	<b>13,204</b>	<b>7,349</b>	<b>211,185</b>

**Glossary of terms**

WG - Welsh Government

EU - European Union

S106 - Section 106 of the Town and Country Planning Act 1990

**IMPROVEMENT PRIORITY****IP1** - Supporting a Successful Economy**IP2** - Helping People to be Self-Reliant**IP3** - Smarter Use of Resources**NONPTY** - Core Services & Statutory Functions



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### KENFIG NATIONAL NATURE RESERVE MANAGEMENT

##### 1. Purpose of report

1.1 The purpose of this report is to seek Cabinet authorisation that Bridgend County Borough Council (the Council) will not be renewing its Lease dated 25<sup>th</sup> January 2001 of Kenfig National Nature Reserve when it expires on 31<sup>st</sup> December 2019 and to serve the appropriate notice on Kenfig Corporation Trust. The Management Agreement dated 25<sup>th</sup> January 2001 entered into with the Countryside Council for Wales will also come to an end on 31<sup>st</sup> December 2019 and this report is to seek Cabinet authorisation to contact Natural Resources Wales (as successor to the Countryside Council for Wales) to inform them that the Council will be vacating Kenfig National Nature Reserve on 31<sup>st</sup> December 2019.

##### 2. Connection to corporate improvement objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate priority/priorities:

- 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.
- 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.
- 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 Kenfig National Nature Reserve (KNNR) comprises approximately 1300 acres of managed coastal sand dunes and wetlands on coastline between Porthcawl and Port Talbot and is regarded as one of the finest examples of a sand dune habitat in Europe.
- 3.2 Kenfig Pool and Dunes was designated a Site of Special Scientific Interest in 1953, a Local Nature Reserve in 1978 and a National Nature Reserve in 1989. Furthermore, in 2006 Kenfig was designated a Special Area of Conservation, under the EC Habitats Directive (Directive 92/43/EEC on the Conservation of Natural

Habitats and of Wild Flora and Fauna), giving the site both national and international protection.

- 3.3 Cabinet at its meeting of the 14 December 2010 authorised officers to work with Kenfig Corporation Trust (KCT) to develop alternative options for the management of KNNR. This was in order to provide sufficient flexibility to develop alternative management arrangements. The purpose of this was to enhance the quality of the visitor experience, and to secure the KNNR's future sustainability, in both financial and environmental terms.
- 3.4 Cabinet at its meeting of 16 October 2012 agreed changes to the way in which the reserve was being managed due to a lack of response from the KCT to the Council's requests to grant permission to allow a suitably experienced and qualified organisation to manage the reserve and maximise its potential as a visitor attraction.
- 3.5 Between the Cabinet meeting of 14 December 2010 and the Cabinet meeting of 11 November 2014 officers carried out a range of actions, as laid out in the November report, to support the KCT to identify a new management agent well in advance of the Council leaving the site. Unfortunately no decision from the KCT was forthcoming.
- 3.6 Cabinet at its meeting of the 11 November 2014 authorised the Head of Regeneration and Development to cease the process of investigating alternative options for the management of KNNR and to operate the KNNR in line with current agreements, prioritising the Council's statutory obligations to protect KNNR's ecological features.
- 3.7 A 5 year Management Plan was developed and submitted to the KCT in January 2015. It is based on widely researched and accepted best practice in nature conservation. It is a plan that provides detail of where human and financial resources will be deployed over the 5 year period. Throughout the term of delivering the current Management Plan and during its occupation of the site, the Council has provided 6 monthly reports on activity to the Kenfig Consultative Committee and annual reports to KCT through the Annual Liaison Meetings.
- 3.8 Since February 2015 officers from the Communities Directorate have developed and delivered a number of externally funded projects to add value to the prioritised activities within the Management Plan. At the beginning of 2015 the Council was successful in securing funding from the competitive grant of Natural Resources Wales (NRW) for a 3 year project at KNNR. Following approval of the Bridgend Local Development Strategy, the Bridgend Local Action Group also agreed that Rural Development Programme (RDP) resources could be used as match funding for the NRW grant. KNNR was included in a successful bid for funding to the Sustainable Management Scheme (SMS) which was approved in August 2018.

#### **4. Current situation/proposal**

- 4.1 The Lease dated 25<sup>th</sup> January 2001 for the management of KNNR is for a term of 21 years from 1 January 1999 and expires on 31st December 2019. It was made between (1) The Official Custodian for Charities, (2) The Trustees of Kenfig

Corporation Trust and (3) Bridgend County Borough Council and is a protected lease under the Landlord and Tenant Act 1954.

- 4.2 The Council must comply with all the lease terms and tenant covenants set out in the Lease and the Management Agreement until the date of expiry of the Lease. Therefore, the Council will have to manage and be responsible for the site until the KCT agree the handover of the keys before or on 31<sup>st</sup> December 2019.
- 4.3 Upon expiry of the Lease the Council must ensure that the site is in the state of repair and condition required by the Lease and that the Council properly vacates the site by removing all its equipment, machinery and any signage.
- 4.4 If the KCT decides there have been breaches to the repair covenants in the Lease, then they are entitled to prepare and serve on the Council, either before or after the expiry of the Lease term, a schedule of dilapidations which will set out the repairs required on the site. The Council will be obliged to carry out these repairs and pay KCT's costs in preparing and serving the schedule of dilapidations during or after the expiry of the Lease term. If a schedule of dilapidations is received from KCT, then a further report to Cabinet may be required.
- 4.5 The Lease states the Council is to remove any additional buildings, additions, alterations or improvements made to the site at the expiration of the term if so requested by the KCT and to make good any damage caused by such removal. The KCT could therefore require the Council to demolish the visitor centre building prior to the expiry of the Lease. However, the Council has had several meetings with KCT's agent and this has not been raised. Normal practice is for a landlord to give a tenant at least 6 months notice to remove any additions or alterations before the termination date. If a request is made, then an assessment of the cost will be undertaken and a further report to Cabinet if required.
- 4.6 Prior to exiting the site, agreement will be reached with the KCT as to whether they wish all service contracts, such as electricity, water, waste collection, to be passed over or cancelled. If the service contracts are not passed over they will be cancelled and all services will cease.
- 4.7 An asset register will be completed of all machinery, equipment, fixtures and fittings. Where evidence exists that items were purchased exclusively for KNNR and such conditions still apply these will be passed to KCT. Where no such evidence exists or items were purchased with Council resources consideration will be given to all machinery, equipment, fixtures and fittings being redeployed to other Council departments.
- 4.8 The Council holds monies received from public donations and it is intended that this sum will be spent at KNNR during the remainder of the Lease term. If any monies remain, a further report to Cabinet may be required.
- 4.9 Cornelly Community Council currently contributes financially towards the Council's cleaning costs of the visitor toilets at KNNR. When the Council exits the site it will no longer retain any responsibility or provide any service in relation to the visitor toilets. Any future function in this regard will be for the KCT and/or their appointed representatives or management agent to negotiate and deliver as they consider appropriate.

- 4.10 With regard to Public Rights of Way and public access generally, the Council's current Rights of Way Improvement Plan (ROWIP) (adopted 2008) promotes and supports public access at KNNR. There are a number of existing public footpaths and public bridleways at KNNR, including a section of the Wales Coast Path, as well as some routes which pedestrians and equestrians are requested to use and could be classed as permissive paths. Expiry of the Lease of KNNR will not affect the public's use of the existing public footpaths and bridleways but may mean that the permissive rights of way across KNNR may be closed and stopped up by the KCT on the termination date of the Lease even though these routes have been provided and managed by the Council.
- 4.11 Provided the Council ceases to occupy the property by the expiry date, then the Lease will terminate at the end of the contractual term. Therefore, the Council is not required to notify the KCT that it is vacating the property.
- 4.12 The Council can, however, serve a section 27(1) notice under the Landlord and Tenant Act 1954 on the KCT at least 3 months prior to the end of the contractual term to confirm that the Council will be vacating the property on the expiry date. Due to the nature of the property, it is proposed that the Council serves this notice on the KCT approximately 6 months prior to the end of the contractual term to ensure any statutory rights under the Landlord and Tenant Act 1954 come to an end.
- 4.13 The Council entered into a Management Agreement dated 25<sup>th</sup> January 2001 with the Countryside Council for Wales for a term of 21 years from 1<sup>st</sup> January 1999. This will therefore terminate on 31<sup>st</sup> December 2019, however, the Council will contact NRW (as successor) to inform them that the Management Agreement will come to an end.
- 4.14 In exiting the site the Council will contact NRW relating to the possible requirement to de-designate the Local Nature Reserve status.
- 4.15 The Council's Human Resources Department have written to KCT and informed them that the Council employs two employees who are based at KNNR, a Centre Manager and a Cleaner. Both employees spend their full working hours in relation to tasks in support of KNNR. It is therefore the view of the Human Resources Department at this time that these two employees would be entitled to continued employment with the new management services provider under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). However, if the TUPE process does not proceed, it is likely that the Council will have to undertake a redundancy consultation and incur redundancy costs.
- 4.16 When the Council no longer occupies the site or has responsibility for it then the Council will have no further responsibility under the Occupiers Liability Act and all associated insurances will cease. At the point where the Council no longer employs staff for the site then Employers' Liability will also cease. The Council will therefore retain no responsibility or liability for the site or any use of it by any commercial undertaking, group, organisation or member of the public, except in relation to designated rights of way.

## **5. Effect upon policy framework and procedure rules**

None

## **6. Equality Impact Assessment**

- 6.1 The decision to seek alternative management agents and to exit the site was previously considered in the Cabinet report of the 14 December 2010. The Council's Equalities Impact Assessment Toolkit was used to identify that the delivery of these proposals will have no impact on equalities.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed. A summary of the implications from the assessment relating to the five ways of working is below:

- o Long-term: As outlined in previous reports to Cabinet, the opportunity to identify a new management agent to take forward the site and access resources not available to the Council was first agreed in 2010 as part of a long term transition proposal. Any action to now appoint such an agent and/or manage the site for the long term will be the responsibility of the KCT.
- o Prevention: The decision of the KCT selecting and appointing any new management agent offers the opportunity to manage the ecology of the site and to diversify its appeal to a wider range of visitor target markets and thereby support the economic resilience of the visitor economy of the area. The pressures placed on Council budgets are such that limited resources exist to manage the site in any other way than that which currently occurs.
- o Integration: A new management agent offers the opportunity to support economic, social, environmental and cultural outcomes through boosting the local economy, raising the profile of the area through media coverage, increasing tourism, support to local groups, fundraising, volunteering opportunities and overall event conservation management experience.
- o Collaboration: The process of exiting the site will be undertaken in close collaboration with the KCT, their appointed representatives and NRW.
- o Involvement: Updates on progress will be provided to the Kenfig Consultative Committee and stakeholders involved through the SMS project steering group. Updates will also be provided to local elected members as considered appropriate.

## **8. Financial implications**

- 8.1 The decision to not renew the Lease will result in a saving of £40,400 per annum. This has been included in the draft Medium Term Financial Strategy (MTFS) as £10,000 in 2019/20 and £30,000 in 2020/21.
- 8.2 If Cabinet decides not to renew the Lease, then the Council may incur repairing costs under a schedule of dilapidations and KCT's costs 'in contemplation of or in connection with the preparation and service of a schedule of dilapidations during or

after the expiry of the term.’ At this time, no communication has been received in relation to this, however, KCT could serve a schedule of dilapidations upon the Council after the expiry of the Lease. Any consideration of financial implications can only take place in response to any communication received in relation to this matter. The Council may also be required to demolish the Visitor Centre building and be responsible for the costs of making good any damage caused to the site as a result of the removal.

8.3 If there are any resulting redundancy costs, an application will be made for these to be covered corporately as this proposal links to a MTFS proposal.

## **9. Recommendation**

9.1 That Cabinet decide Bridgend County Borough Council will not be renewing its Lease dated 25<sup>th</sup> January 2001 of Kenfig National Nature Reserve when it expires on 31<sup>st</sup> December 2019 and that the Council will serve a Section 27(1) Notice under the Landlord and Tenant Act 1954 on Kenfig Corporation Trust.

9.2 That Cabinet note the Management Agreement dated 25<sup>th</sup> January 2001 will expire on 31<sup>st</sup> December 2019 and authorise the Council to inform Natural Resources Wales that it will be vacating Kenfig National Nature Reserve on this date.

**Mark Shephard**  
**Corporate Director Communities**  
**30<sup>th</sup> November 2018**

**Contact Officer:** Ieuan Sherwood  
Manager, Economy and Natural Resources

**Telephone:** (01656) 815333

**E-mail:** [ieuan.Shrewood@bridgend.gov.uk](mailto:ieuan.Shrewood@bridgend.gov.uk)

### **Background documents:**

- Cabinet report, Kenfig National Nature Reserve, 14th December 2010
- Cabinet report, Kenfig National Nature Reserve, 16th October 2012
- Cabinet report, Kenfig National Nature Reserve, 11th November 2014

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES

18 DECEMBER 2018

#### REPORT TO CABINET

#### TRAFFIC REGULATION ORDER/ TRAFFIC CALMING AND PEDESTRIAN CROSSING PROCESS

##### 1. Purpose of Report.

- 1.1 To propose changes to the determination of sustained objections made in respect of proposals to introduce Traffic Regulation Orders and Traffic Calming and Pedestrian Crossings.

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

- 2.1 This report assists in the achievement of the following corporate priorities:-

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.

Traffic Regulation Orders

- 3.1 The process for the making of Traffic Regulation Orders (TROs) is prescribed by the Road Traffic Regulation Act 1984 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations). The Chief Officer of Police must be consulted and that the Order Making Authority (OMA) must follow the consultation requirements prescribed by the Regulations.
- 3.2 Under the Regulations an OMA must, before making an Order, consult those persons/organisations specified in the Regulations. In addition to these specified consultees it is however for the OMA to decide on the extent of any additional consultation. Extensive informal engagement with potentially affected parties can resolve any issues prior to formal consultation on a proposal and may involve engagement with local member(s), community councils, police and individual residents.
- 3.3 Having undertaken pre-consultation engagement a scheme may, depending on the responses received, proceed to the formal notice stage during which objections may be submitted to the OMA. All responses are considered further by Traffic Management Officers and there is the potential to engage with an objector with the aim of seeking the withdrawal of an objection at that stage.

- 3.4 A notice setting out the proposed scheme must be placed in the local press and displayed on those streets affected by the proposals. Additionally notices are delivered to premises likely to be affected by the provisions of the proposed order.
- 3.5 A minimum period of 21 days must be allowed for the submission of representations/objections. During the 21 day notice period the Order must be placed on deposit for inspection by the public at all reasonable times. Any objections received must then be duly considered by the OMA.
- 3.6 In certain circumstances a Public Inquiry must be held where in respect of a proposed Order:
- (a) its effect is to prohibit the loading or unloading of vehicles or vehicles on any day of the week (i) at all times; (ii) before 07.00 hours; (iii) between 10.00 and 16:00 hours; or (iv) after 19.00 hours, and an objection has been made to the order (other than one which the order making authority is satisfied is frivolous or irrelevant) and not withdrawn; or
  - (b) its effect is to prohibit or restrict the passage of public service vehicles along a road and an objection has been made to the order by the operator of a local service the route of which includes that road.
- 3.7 Additionally, it is important to note that the Regulations provide that an OMA may hold a Public Inquiry before making any other Order to which the Regulations apply.
- 3.8 All objections that are duly made and not withdrawn must be considered by the OMA. If after consideration of the objections an authority decides to proceed with the scheme as advertised, the objectors must be informed of the reasons in writing and the appropriate notice is then published. It should be noted however that certain restrictions are placed on an OMA if a decision is made to modify a proposed Order following advertisement referred to at paragraph 3.5 above.
- 3.9 The validity of any Order may be questioned during the six weeks after it is made on the grounds either that it is not within the powers conferred by the legislation or that there has been a failure to follow the procedure set out in the legislation.

#### Introduction of Traffic Calming/Pedestrian Crossings.

- 3.10 Traffic proposals that are introduced in accordance with the Highways Act 1980, the Highways (Traffic Calming) Regulations 1999, the Highways (Road Humps) Regulations 1999 and under the provisions of section 23 of the Road Traffic Regulation Act 1984 are not subject to the Regulations. Any sustained objections to these matters however are currently determined in BCBC in the same manner as TROs. It should be noted that in respect of these provisions no Order is made.

#### **4. Current situation / proposal**

- 4.1 In BCBC sustained objections to TROS and Traffic Calming and Pedestrian Crossings are determined by the Appeal Panel process which involves:



- A panel of 3 local members being formed and scheduled to meet which due to calendar commitments can take several weeks to arrange as the panel needs to be supported by legal and democratic services officers.
  - Objectors are invited to attend to present their case.
  - Panels may request more information and then a panel reconvened.
- 4.2 This means that the introduction of new traffic proposals may be delayed for several months whilst the arrangements for setting up and supporting the process are resource intensive when compared to that adopted by other OMAs.
- 4.3 In view of the concern identified in paragraph 4.2 above, the County Surveyors Society (CSS) for Wales Traffic Services Group has been approached to provide information on the process adopted by other OMAs in Wales. Ten responses were received, and the information provided was considered together with relevant legislation/circulars. This information has been used to evaluate the different means by which local authorities approach the TRO/ Traffic Calming and Pedestrian Crossing process in comparison to the current practice of BCBC.
- 4.4 It was apparent that the process for consideration of objections differs between OMAs but two specific types appeared to be the most prevalent for those authorities who responded to the CSS Wales enquiry. Of the OMAs that were approached the findings were that of the 10 local authorities that responded two referred the decision via a report to their Planning Committee and eight responded that the decision was a delegated function either to a Cabinet Member or Senior Officer.
- 4.5 Both of the above require reports to be presented which evaluate any objections received. Following consideration by member(s)/ officers a decision is made and the objector notified.
- 4.6 A further difference was identified in that it is often the case that only written objections are considered with no personal attendance by the objector due to the potentially high level of objections that can be received. Other than the circumstances specified in paragraph 3.6 above, the legislation does not prescribe how the objections need to be determined, only that any sustained objections should be duly considered.
- 4.7 In considering an alternative process, whilst there is an established Planning Committee within Bridgend, this is scheduled on a 6 weekly basis and should a query be raised that requires additional information the decision could be delayed for a further 6 weeks.
- 4.8 In the case of a delegated function to a Cabinet Member(s) the determination could be made during a weekly briefing between the Corporate Director and/or Head of Service, and any queries raised resolved within a shorter timeframe.
- 4.9 It should be noted that within this process is the ability for the decision to be selected by the Overview and Scrutiny Committee for consideration of the decision/report is available as part of its function.

4.10 Accordingly, it is proposed that the process for determining objections to TROs/Traffic Calming and Pedestrian Crossings would be improved by amendment of the process from the Appeals Panel process to a delegated function of the Cabinet Member –Communities.

Amendment to Scheme of Delegations

4.11 It is proposed that new paragraphs 3.5 and 3.6 be added to Scheme A of the Scheme of Delegation of Functions as functions allocated to the Cabinet Member - Communities:

3.5	To determine whether or not proposed orders in pursuance of any provision contained in the enactments listed below (or any statutory modification, re-enactment or amendment thereof) in respect of which objections and/or representations have been received should be made as proposed; to refer (where necessary) any proposed order to a local public inquiry; to amend or modify any proposed order; or to uphold the objections and withdraw any proposed order: (i) Road Traffic Regulation Act 1984; (ii)Traffic Management Act 2004
3.6	To determine whether or not any proposed traffic provision to be implemented in pursuance the Highways Act 1980 / Road Traffic Regulation Act 1984 Section 23 (or any statutory modifications, re-enactment or amendment thereof) in respect of which objections and/or representations have been received should be implemented as proposed; to refer (where necessary) any proposed traffic provision to a local public inquiry; to amend or modify any proposed traffic provision; or to uphold the objections and withdraw any proposed traffic provision.

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

5.1 The Scheme of Delegation of Functions will be amended accordingly.

**6. Equalities Impact Assessment**

6.1 There are no equality implications arising from the report.

**7. Well-being of Future Generations (Wales) Act 2015 Assessment**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

**8. Financial Implications**

8.1 There would be a saving of officer time in the determination of sustained objections to TROs and Traffic Calming/Pedestrian Crossings.

**9. Recommendation.**

It is recommended that Cabinet:

- 9.1 Approve the adoption of the process outlined at paragraph 4.10;
- 9.2 Approve the amendment to the Scheme of Delegation of Functions as outlined at paragraph 4.11;
- 9.3 Note that the decision made in respect of a sustained objection will be published by the Democratic Services Section and subject to Call-in;
- 9.4 Note that the Council's Constitution will be amended at Part 3 to remove the TRO functions from the responsibility of the Appeals Panel.

**MARK SHEPHARD  
CORPORATE DIRECTOR – COMMUNITIES  
20<sup>th</sup> NOVEMBER 2018**

**Contact Officer: Kevin Mulcahy, Group Manager Highways Services**

**Telephone: (01656) 642535**

**E-mail: [kevin.mulcahy@bridgend.gov.uk](mailto:kevin.mulcahy@bridgend.gov.uk)**

**Background Documents**

None

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### JOINT REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT AND THE INTERIM HEAD OF FINANCE AND SECTION 151 OFFICER

#### SCHOOL MODERNISATION PROGRAMME – BAND B

##### 1. Purpose of report

1.1 The purpose of this report is to:

- seek approval to discontinue with the Cabinet decision made on 21 November 2018 in respect of pursuing Option 3 for the financial delivery of Band B of the School Modernisation Programme;
- apprise Cabinet of the change to the Band B capital grant intervention rate; and
- seek Cabinet approval to pursue Option 2 for the financial delivery of Band B of the School Modernisation Programme, prior to submission to Council.

##### 2. Connection to corporate improvement objectives/other corporate priorities

2.1 This report relates to the following Corporate Improvement Plan priorities:

- Supporting a successful economy
- Smarter use of resources

2.2 On 3 March 2015, Cabinet approval was received for the Council to adopt revised principles as a framework for school organisation in Bridgend. Five key principles were set out to inform the organisation and modernisation of our schools. These are:

- commitment to high standards and excellence in provision;
- equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend;
- inclusive schools, which cater for the learning needs of all their pupils;
- community-focused schools, where the school actively engages with its local community; and
- value for money.

2.3 The Policy and Planning Framework sets out 17 areas where these principles should be applied in practice.

2.4 The principles which are particularly relevant in the context of Band B are:

- the size of primary schools (to ensure that “all Bridgend’s primary schools are large enough to make the full range of necessary provision”); and

- value for money, efficiency and effectiveness (“narrowing the gap between the most and the least expensive provision currently”).

### **3. Background**

- 3.1 In September 2006, the Council approved a vision for the county borough’s schools in which they would be fit for purpose in the 21<sup>st</sup> century and achieve the best use of resources. It was recognised that we need to modernise our schools and get a closer match between our aspiration for schools, the quality of their accommodation and the projected number of pupils.
- 3.2 Since then, school modernisation has been established as one of the Council’s main strategic programmes. The programme has been planned and implemented in accordance with the agreed policy and planning framework and has been matched to capital resources identified within the capital programme.
- 3.3 In November 2010, Cabinet was informed of the work which had been undertaken in determining the strategic priorities for school modernisation to enable the aims of the programme to be met.
- 3.4 The School Modernisation Programme was established to deliver on several objectives including:
- developing first-class learning environments;
  - locating the right number of schools, of a viable size, in the best places to serve their communities;
  - making schools an integral part of the life and learning of their communities;
  - reducing surplus places and achieving best value for money; and
  - make schools more efficient and sustainable.
- 3.5 In November 2010, Cabinet approved the recommended schemes included in each of the four bands (A-D) which were subsequently detailed in Bridgend’s 21<sup>st</sup> Century Schools Strategic Outline Programme (SOP). The SOP was submitted to Welsh Government in 2011 and ministerial ‘approval in principle’ was received, subject to the completion of the Welsh Government business case process.
- 3.6 Band A schemes, which are funded on a 50/50 basis with Welsh Government, are due for completion in 2018-2019 and are at various stages. The special educational needs (SEN) provision at Bryncethin Campus, Coety Primary School, two additional teaching spaces at Heronsbridge Special School, Betws Primary School, Brynmenyn Primary School and Pencoed Primary School schemes have been completed. Work is nearing completion on the remaining scheme within Band A, Ysgol Gynradd Gymraeg Calon Y Cymoedd.
- 3.7 In 2014, a Schools Task Group was established to ensure the Council planned for a high-quality education system. What was evident was that the work of the individual workstreams established under the Schools Task Group could not be undertaken in isolation, as there were dependencies relating to each workstream and that there needed to be a coherent strategy for Bridgend.
- 3.8 Cabinet approval was sought in September 2015 to build on the work of the Schools Task Group and approval was given for officers to undertake a strategic review into

the development and rationalisation of the curriculum and estate provision of primary, secondary and post-16 education.

- 3.9 In May 2016, a Strategic Review Overarching Board was established, and four operational boards were identified, one of which was specifically related to consideration of Band B investment priorities. It was considered that Band B priorities identified within the 2010 SOP may no longer be of primary importance and the issues facing the Council and schools need to be reviewed to establish a strategic approach for investment, establishing a priority list of schemes for delivery within the Band B timescale (ie 2019-2024).
- 3.10 The school modernisation workstream considered relevant data to assist in prioritising the future investment in schools, including suitability, condition, maintenance backlog, population growth, projections of pupil population, housing developments identified within the Local Development Plan (LDP) and pupil places.
- 3.11 In 2017, Welsh Government requested that local authorities submit a new SOP, updated to reflect revised priorities. The revision was submitted on 31 July 2017, with the proviso that no political support and financial commitment had been received.
- 3.12 In October 2017, Cabinet was presented with a report detailing the outcome of the work of the school modernisation workstream and the revised SOP submission and gave approval to discontinue the original Band B schemes identified in the November 2010 Cabinet report. Cabinet considered the proposed Band B schemes, and determined to approve the following, based on the increasing demand for places, the requirement to promote the Welsh language and building condition:
- Bridgend North East (2 form entry (FE)) - capital grant
  - Bridgend South East (2.5FE) - capital grant
  - Bridgend Special School (270 places) – Mutual Investment Model
  - Bridgend West – Welsh-medium (2FE) - capital grant
  - Bridgend West – English-medium (2FE) - capital grant

Cabinet also gave approval to undertake options appraisal work during the Band B period in order to prepare for Band C.

- 3.13 In addition, in order to promote the Welsh language and support their Cymraeg 2050 commitment, Welsh Government made available £30m capital grant across Wales which Councils were asked to bid against. Officers identified the need for the creation of Welsh-medium child care facilities which would deliver Welsh language opportunities to areas of the county borough where there is currently insufficient provision (ie Ogmere and Garw Valleys, Bridgend and Porthcawl). Welsh Government approval in principle has now been received for Bridgend's £2.6m bid.
- 3.14 On 6 December 2017, Welsh Government's Department for Education gave 'approval in principle' for Bridgend's second wave of investment, which at this stage has an estimated programme envelope cost of £68.2m. Further costs, which are yet to be determined, may be required and these would be associated with additional infrastructure capacity.

- 3.15 At its meeting on 31 January 2018, Council approved in principle the financial commitment required for Band B of the School Modernisation Programme. The approval would be subject to sufficient resources being identified and allocated to meet the match funding commitment. The overall programme was estimated to be in the region of £68.2m, of which approximately £43.2m was anticipated to be capital funded (circa £23m funded by Bridgend County Borough Council (BCBC)), the balance proposed to be funded through the Welsh Government Mutual Investment Model (MIM).
- 3.16 Welsh Government had advised local authorities that MIM was a new approach to investment in public infrastructure in Wales, whereby private partners will build and maintain schools, in return for a fee, will cover the cost of construction, maintenance and financing the project.
- 3.17 The Welsh Government intervention rate is 75%, which will be paid to the local authority in the form of a revenue grant. The remaining 25% is to be met from the local authority revenue budgets over a 25-year contract period. The local authority is also required to meet 50% of the up-front capital costs for furniture, equipment and IT. At the end of a specified period of time, the asset will be transferred to the local authority. Welsh Government had advised that it will present packages of schemes to the market as design and build projects made up of a number of schemes within a geographical area (including across local authority areas) and be of sufficient monetary size overall in order to attract large companies (eg £100m).
- 3.18 In November 2018, Cabinet was advised of Welsh Government's review of the MIM strategy, schools would now be procured via a single Private Sector Delivery Partner (PSDP). The PSDP will become the majority shareholder in a Welsh Education Partnership (WEP), with local authorities and further education institutions (together the participants) and Welsh Government holding the remaining shares. The WEP would be capable of delivering capital schemes, with the exception of Band B projects.
- 3.19 Cabinet was also advised that the Welsh Government review had identified that special schools were now considered unsuitable for delivery under the MIM. Consequently Cabinet reconsidered the funding options for the programme, determining that, having compared the likely cost to the local authority over a 30-year period, delivering Band B via a combined capital and MIM route would make best use of Council's financial resources.

#### **4. Current situation**

- 4.1 On 21 November, prior to the capital report in relation to Band B being considered by Council, Welsh Government announced a change to the capital grant intervention rate. Welsh Government contributions for Band B increased to 75% for special school and pupil referral unit schemes, and 65% for all other schemes; the MIM intervention rate would remain set at 75%.
- 4.2 As the change in intervention rate would have a positive impact for the Council on the cost of delivering Band B, it was determined to defer the Council report, as the detail was no longer factually correct and the change in intervention rate could impact the proposed delivery method; this would allow Cabinet an opportunity to review their decision in this regard.



4.3 Officers have now had an opportunity to work through the financial implications in terms of the options, which are detailed within the finance section of this report.

## **5. Effect upon policy framework and procedure rules**

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

## **6. Equality Impact Assessment**

6.1 Although an Equality Impact Assessment (EIA) has been carried out for the overall programme, it has been considered timely to review and refresh the EIA. An initial screening has therefore been undertaken for Band B. Once schemes have been sufficiently developed, they will be subject to a separate EIA, as the detail will vary between projects. Equality reports on all proposals will be referred to as part of the individual Cabinet reports on each individual scheme.

## **7. Wellbeing and Future Generations Act (2015)**

The Well-being of Future Generations (Wales) Act 2015 Assessment provides a comprehensive summary of the outcomes expected from the implementation of the service.

Long-term	Supports the statutory duty to provide sufficient pupil places and promote the Welsh language.
Prevention	Councils have a statutory duty to ensure there are a sufficient supply of school places, and these schemes will safeguard the Council's position in terms of any potential legal challenge in this regard.
Integration	Providing sufficient places ensures that the curriculum can be delivered and meets social, environmental and cultural objectives.
Collaboration	The local authority works effectively with schools, Estyn and with the Central South Consortium (CSC), health, community councils and many internal and external partners to ensure that the building meets the short-term and future needs of the users and the community which it will serve.
Involvement	This area of work involves the engagement of all potential stakeholders including Cabinet, members, governors, staff, pupils, community, internal and external partners which will include third sector organisations.

## **8. Financial implications**

8.1 Capital match funding requested was around £23m to meet the four primary school schemes identified at that time to be funded from capital grant. It was proposed that this be met from general capital funding in the first instance (subject to local government settlements from Welsh Government), with the balance to be met from

section 106 (s106) funding, receipts from the sale of school and other sites, earmarked reserves and unsupported borrowing. The figures cannot be firmed up at this point in time, but unsupported borrowing will not be drawn upon until such time as general capital funding, s106 funding and available capital receipts and earmarked capital reserves have been exhausted, as this will require a recurrent revenue budget to meet the borrowing costs. Additional costs have not been included in terms of provision for highways works, which are to be met in full by the Council. Based on current funding availability in terms of general capital funding and capital receipts, it is estimated that the Council would need to borrow around £15m to meet the full match funding requirement, which would cost around £730k per annum over a 30-year borrowing period.

- 8.2 Bridgend Special School scheme, which was going to be progressed via the MIM and would require revenue match funding from the local authority of around £750k per annum over a 25-year period, is not currently built into the Medium-Term Financial Strategy (MTFS). However, since Welsh Government has notified the Council that the special school is not now a suitable scheme for funding via the MIM route, due to the complexity and uniqueness of scheme design and build, officers have considered alternative funding combinations of MIM and capital grant, and costed the financial implications of each one. It is useful to outline the differences between the two funding options before a decision is made. This is set out in detail in the following table.

**Table 1 Comparison of MIM and capital grant schemes**

<b>MIM Funded</b>	<b>Capital Grant</b>
<b>Funding</b>	
WG Intervention Rate 75%	WG Intervention Rate 75% special school and 65% all other projects
BCBC recurrent contribution must be funded from revenue.	BCBC contribution can be funded from capital receipts, borrowing (revenue implications) or revenue contribution to capital.
Furniture and equipment funded on 75:25 – specials and 65:35 all other schemes from capital.	Furniture and equipment funded on 75:25 – specials and 65:35 all other schemes from capital.
BCBC responsible for 100% of any “abnormals” or additional design features	BCBC responsible for 100% of any “abnormals” or additional design features.
<b>Design</b>	
The private sector need to take design risk and to respond to an output specification therefore we cannot present a fully designed scheme to the strategic partner.	The Council can design the school in whichever manner it wishes, using whichever architects it wishes, either stand alone or through a design and build.
The approach to design is a standardised one in terms of standard room sizes. We will be able to choose the number and type of spaces you need to deliver a school provided that we adhere to the maximum size and funding criteria.	
We can request a particular architect but the strategic partner does not have to use them.	
<b>Contract</b>	
BCBC tied into a contract for 25 years - business needs change over time so there is the risk that the contract may become unsuitable for these changing needs during the contract life.	Contract period ends when building complete.
Scheme would be delivered via strategic partner procurement. Welsh Government would run a process to procure the private sector delivery partners and local authorities would enter into a project agreement with the ‘Special Purpose Vehicle’.	Scheme either designed by the Major Projects Team in Corporate Landlord and a construction contractor appointed via the South and Mid Wales Collaborative Construction Framework (SEWSCAP), or procured as a ‘design and build’ scheme via the same framework.
A long-term contract encourages the contractor and the Council to consider costs over the whole life of the contract, rather than considering the construction and operational periods separately This can lead to efficiencies through synergies between design and construction and its later operation and maintenance. The contractor takes the risk of getting the design and construction wrong.	The Council bears the risk of getting the design wrong, which could create additional costs further down the road. The Council will also bear additional lifecycle costs following construction which are not built into the original cost.
The contract includes provision of Hard	These costs will all be the responsibility of the

<b>MIM Funded</b>	<b>Capital Grant</b>
Facilities Management services including building maintenance, including all systems (eg mechanical and electrical and statutory testing, in addition to energy and utilities supply and management service including energy and water efficiency	Council/governing body.
Variations may be needed as the public sector body's business needs change. Management of these may require renegotiation of contract terms and prices	Any variations to the build once constructed will also come at a cost.
<b>Payment</b>	
The unitary payment will include charges for the contractor's acceptance of risks, such as construction and service delivery risks, which may not materialise. This is a hidden overhead.	Any on-going charges required for borrowing to meet capital grant match funding will only include interest charges.
The unitary payment will not start until the building is operational, so the contractor has incentives to encourage timely delivery of quality service.	BCBC will start paying for the building as soon as the works commence – design through to construction.
The contract provides greater incentives to manage risks over the life of the contract than under traditional procurement. A reduced level or quality of service would lead to compensation paid to the public sector body.	Once the building is handed over, the Council does not have the same opportunities for compensation for poor performance of the facility.
The unitary charge is payable over the life of the contract (25 years).  There is no opportunity to repay this early.  This creates a revenue budget pressure on the Council which is committed for a 25-year period.	If the capital contribution is funded from capital, there is no ongoing pressure on the revenue budget.  If it is funded from borrowing, there will be an on-going revenue pressure, but the Council has more flexibility to repay any loans early, borrow at reduced rates, as the opportunity arises.
<b>Impact on capital and revenue programme</b>	
The MIM does not impact upon the capital programme in any great way, other than the funding required for furniture and equipment. This could be met from either capital funding or revenue contributions.  In contrast, the MIM places a fixed commitment on the revenue budget for a period of 25 years.	If funded via capital grant, the Council can choose to meet its match funding in the capital programme from capital receipts / S106 / revenue contributions or borrowing, so there is much more flexibility in both capital and revenue. If Council wants to fund other capital then there is always the option to borrow or use earmarked reserves to fund.

8.3 Officers have spoken to Welsh Government officials about potential options available following the removal of special school builds from the MIM procurement route. Welsh Government has indicated that capital funding would be available as an alternative to fund these schemes, but that local authorities should consider

other schemes, currently to be funded from capital grant, which could alternatively be funded from MIM.

8.4 Officers have considered the following funding options:

Option	Consideration	Capital Grant	MIM
Option 1	Original funding scenario	4 primary schools	Special school
Option 2	All funded from capital grant	4 primary schools plus special school	No MIM schemes
Option 3	Swap 2 primary schools with 1 special school	2 primary schools plus special school	2 primary schools
Option 4	Swap 4 primary schools with 1 special school	Special school	4 primary schools

8.5 Option 1 is the original funding scenario which is no longer available to the Council, but is included for comparative purposes.

8.6 Based upon the current funding availability identified in paragraph 8.1 the following table summarises the revised full revenue and capital implications of each of the funding options (note: Option 1 is based on the original funding options).

	Option 1 £	Option 2 £	Option 3 £	Option 4 £
<b>Capital:</b>				
Welsh Government grant	20,427,995	44,784,000	30,648,000	18,000,000
Total BCBC capital contribution	26,122,005	26,516,000	18,938,242	12,133,110
<b>Total capital cost</b>	<b>46,550,000</b>	<b>71,300,000</b>	<b>49,586,242</b>	<b>30,133,110</b>
<b>Revenue:</b>				
BCBC revenue for borrowing	762,100	781,800	402,912	62,656
BCBC revenue for MIM	650,000	0	523,088	1,015,566
<b>Annual revenue funding required</b>	<b>1,412,100</b>	<b>781,800</b>	<b>926,000</b>	<b>1,078,222</b>

*It is important to note these costs are estimates based on information available at the current time, and MIM information received from Welsh Government, and will change in line with inflationary and interest rates rises*

8.7 Option 2, where all schemes are funded by capital grant, draws down the greatest amount of Welsh Government match funding, but also requires the greatest amount of Council capital contribution. The annual revenue implications of borrowing for this option is higher than the annual revenue implications of mixed capital/MIM options, but this is more than offset by the annual revenue requirements for the MIM schemes.

8.8 The annual revenue implications of all options could reduce if additional capital funding were secured from s106 contributions, additional capital receipts, capital

earmarked reserves. Revenue commitments for MIM schemes, however, cannot be reduced and are fixed over the life of the contract, so there would be less flexibility with Option 4 and, to a lesser extent, Option 3, compared to Option 2. Option 4 would also present less flexibility in terms of future adaptations to buildings which are located within the areas of growth ie north east and south east of Bridgend.

8.9 Therefore further analysis of Option 2 and Option 3 has been undertaken. The following table sets out the direct advantages and disadvantages between both options.

	<b>Option 2</b>	<b>Option 3</b>
	All capital grant – no MIM, four primary and one special capital grant	Two primary MIMs, two primary and one special capital grant
<b>Advantages</b>	<ul style="list-style-type: none"> <li>• Greater flexibility in terms of funding sources and repayment</li> <li>• Total flexibility relating to configuration and use of buildings</li> <li>• Can be completed within our own timeframes</li> <li>• Full control over design</li> </ul>	<ul style="list-style-type: none"> <li>• Two buildings which are fully maintained for the 25-year term</li> <li>• Slightly higher intervention rate (75% compared to 65%) for the two MIM builds</li> <li>• Lesser ongoing facilities management commitment (marginal)</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>• Reliant on individual school to maintain the building</li> <li>• Commitment on Council budgets for any capital works during the lifecycle of the building</li> <li>• Lower intervention rate (65%) for the primary builds</li> </ul>	<ul style="list-style-type: none"> <li>• Still requires capital contribution for furniture and equipment (which is still only funded at 65%)</li> <li>• Fixed revenue commitment over the 25-year period (ie no opportunity for early repayment)</li> <li>• Less control over design of school</li> </ul>

8.10 It is important to note that both options currently require borrowing to meet the capital commitment.

### **Option 2**

Annual revenue cost for Option 2 = £781,800 (based on borrowing over 30 years)

Plus additional annual revenue funding commitment for buildings maintenance (which we estimate around £250k per annum for the five new schools)

### **Option 3**

Annual revenue cost for Option 3 = £926,000 (borrowing over 30 years, MIM over 25)

Plus additional annual revenue funding commitment for buildings maintenance (which we estimate around £150k per annum for the three non-MIM schools plus

£100k per annum for the two MIM schools for 5 years once the buildings are handed back).

	<b>Annual revenue cost</b>	<b>Buildings maintenance</b>	<b>Total cost over 30-year period</b>
<b>Option 2</b>	£781,800	£250,000	£30,954,000
<b>Option 3</b>	£926,000	£150,000	£30,164,563

Therefore, the difference over a 30-year period is estimated at £789,437 with Option 3 being potentially slightly less expensive. However, pursuing Option 2 presents the Council with more flexibility and greater control as detailed in paragraph 8.9.

8.11 Whichever option is pursued will create significant pressures on the Council's capital and revenue budgets. The Council currently has very few uncommitted capital receipts, with any potential new receipts not likely to be significant enough to meet the capital funding required for these schemes, resulting in a need to borrow. In addition, the council is facing revenue budget cuts of around £36m over the next four years, so any additional revenue pressures from either borrowing, or following the MIM route, will only add to the level of savings required to be made.

## **9. Recommendations**

Cabinet is recommended to:

- discontinue with the Cabinet decision made on 21 November 2018 in respect of pursuing Option 3 for the financial delivery of Band B of the School Modernisation Programme;
- note the change to the Band B capital grant intervention rate;
- give approval to pursue Option 2 for the financial delivery of Band B, subject to sufficient resources being identified and allocated to meet the match-funding commitment; and
- give approval for a report to be submitted to Council to amend the capital programme to reflect the above.

**Lindsay Harvey**  
**Corporate Director - Education and Family Support**

**Gill Lewis**  
**Interim Head of Finance and Section 151 Officer**

**Contact Officer:** Nicola Echanis  
Head of Education and Early Help

**Telephone:** (01656) 642611

**E-mail:** nicola.echanis@bridgend.gov.uk

**Contact Officer:** Deborah Exton  
Group Manager – Financial Planning and Budget Management

**Telephone:** (01656) 643604

**E-mail:** deborah.exton@bridgend.gov.uk

### **Background documents**

Council Report (13 September 2006): “LEARNING COMMUNITIES – SCHOOLS OF THE FUTURE – STRATEGY, PRINCIPLES, POLICY AND PLANNING FRAMEWORK”

Cabinet Report (2 November 2010): “THE SCHOOL MODERNISATION PROGRAMME OVERVIEW AND BRIDGEND’S 21<sup>ST</sup> CENTURY SCHOOLS’ STRATEGIC OUTLINE PROGRAMME SUBMISSION TO WELSH ASSEMBLY “

Cabinet Report (1 September 2015): “STRATEGIC REVIEW INTO THE DEVELOPMENT AND RATIONALISATION OF THE CURRICULUM AND ESTATE PROVISION OF PRIMARY, SECONDARY AND POST-16 EDUCATION”

Cabinet Report (3 October 2017): “SCHOOL MODERNISATION PROGRAMME – BAND B (2019-2024)”

Cabinet Report (30 January 2018): “SCHOOL MODERNISATION PROGRAMME – BAND B”

Council Report (31 January 2018): “SCHOOL MODERNISATION PROGRAMME – BAND B”

Cabinet Report (20 November 2018): “SCHOOL MODERNISATION PROGRAMME – BAND B”



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT

#### WELSH-MEDIUM CAPITAL GRANT

#### 1. Purpose of report

1.1 The purpose of this report is to:

- update Cabinet with regards to the outcome of the bid submitted to Welsh Government in respect of the Welsh-medium capital grant; and
- advise on the way forward in respect of the scheme development.

#### 2. Connection to corporate improvement objectives/other corporate priorities

2.1 This report relates to the following Corporate Improvement Plan priorities:

- **Supporting a successful economy** - we will take 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.
- **Helping people to be more self-reliant** – we will take early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
- **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 In March 2018, the Cabinet Secretary for Finance made available £30m across Wales for projects dedicated to supporting and growing the use of the Welsh language in education. This funding would assist the delivery of Welsh Government's ongoing commitment to achieve a million Welsh speakers by 2050.
- 3.2 Welsh Government advised that this funding was in addition to the existing allocation announced for Band B of the 21<sup>st</sup> Century Schools and Education Programme. With this in mind, consideration was given to how best increase the number of Welsh speakers within the borough.
- 3.3 A childcare sufficiency audit of settings within Bridgend had identified gaps in this vital provision. These gaps, together with a lack of Welsh-medium childcare,

resulted in a decision being taken to centre Bridgend's proposals on Welsh-medium sessional, child and wraparound care.

- 3.4 In determining the locations that would benefit from such provision, consideration was given to developing centres to support transition from Welsh-medium childcare provision to Welsh-medium primary education, thereby encouraging transition, and in turn, promoting and supporting Welsh-medium schools in key areas of the county borough.
- 3.5 The Garw Valley South scheme, which is being delivered through Band A of the School Modernisation Programme, will culminate with the opening of Ysgol Gynradd Gymraeg Calon Y Cymoedd at Bettws, in January 2019. Bettws and Ogmores Valley areas were identified as key locations that would benefit from Welsh-medium childcare provision which would help support transition into the school at its new location.
- 3.6 In addition, the geographical areas of Bridgend Town and Porthcawl were also identified as requiring Welsh-medium childcare settings, which in turn would support transition into Ysgol Gymraeg Bro Ogwr and Ysgol Y Ferch o'r Sgêr respectively.
- 3.7 Therefore, a £2.6m bid was submitted to create Welsh-medium childcare provision in Bettws, Ogmores Valley, Bridgend Town and Porthcawl.

#### **4. Current situation**

- 4.1 In September, the Minister for Welsh Language and Lifelong Learning announced the outcome of the bidding process, and Bridgend County Borough Council was awarded a £2.6m capital grant.
- 4.2 Preliminary work has started on developing each of the projects. Two teams have been established (ie a project team and a steering group). The projects will be managed by project managers within the School Modernisation Team. The School Modernisation Programme Board will support the projects offering advice and guidance.
- 4.3 The project team will deliver the construction element of the scheme and work has commenced on the initial stages of the project focusing on options appraisal in respect of developable land.
- 4.4 The Welsh Language Steering Group includes key stakeholders including officer representation, headteachers from Welsh-medium schools within the county borough and representation from Mudiad Meithrin, Bridgend College, Menter Bro Ogwr, Bridgend Association of Voluntary Organisations, Urdd and the National Day Nurseries Association.
- 4.5 The purpose of this steering group will be to support the development and delivery of the Welsh-medium capital programme. The group will, through consultation and collaboration, offer a cohesive approach to the provision of effective community buildings, with a focus on increasing opportunities for children and the wider community. As there is no revenue element to the grant, this group will work together to support the programme, contributing to ensure that the end product is sustainable from a financial perspective.

4.6 The steering group's work has commenced, terms of reference have been agreed and meetings have been scheduled. The group will actively contribute information to help inform the work of the project team.

## **5. Effect upon policy framework and procedure rules**

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

## **6. Equality Impact Assessment**

6.1 Although an Equality Impact Assessment (EIA) initial screening has been carried out for the programme, once schemes have been sufficiently developed, they will be subject to separate EIAs, as the detail may vary between projects.

## **7. Wellbeing and Future Generations Act (2015)**

The Well-being of Future Generations (Wales) Act 2015 Assessment (appendix A) provides a comprehensive summary of the outcomes expected from the implementation of the service.

Long-term This project will meet both short and long-term planning with regard to both the number of childcare places available in the borough, alongside increasing Welsh-medium provision and focussed Welsh language benefits for the communities identified.

Prevention It will reduce the impact of long term demands on the level of childcare in relation to information on the Bridgend local authority Childcare Sufficiency Assessment (CSA).

The project also has at its aim the ability to increase Welsh speakers and the number of children entering Welsh language education.

Integration The areas have been considered in the application for the funding and found to meet expectations set. The project will deliver social, economic and cultural outcomes as it will be a community asset.

Collaboration The project development and planning phase is being supported by a steering group where stakeholders with vested interests both internal to Bridgend County Borough Council and external, form the group are members.

Involvement The stakeholders involved in the steering group reflect both childcare and Welsh language organisations. The schemes will deliver beyond the key focus of childcare and education with other services planned, focused on sustainability, community benefit and wellbeing of citizens.

## **8. Financial implications**

8.1 The £2.6m capital allocation equates to £650k per project which covers costs associated with the design and construction of the building. No capital

contribution is required from the Council as the build cost is 100% funded by Welsh Government.

8.2 Welsh Government has not made revenue funding available for the ongoing running cost of the buildings, as such, all associated costs (eg energy and cleaning) for the settings will have to be borne by the end user. It is therefore critical for the steering group to work together to ensure the future sustainability of the building.

8.3 Loose furniture, equipment and IT will have to be provided by the end user.

## **9. Recommendations**

Cabinet is recommended to:

- note the outcome of the bid submitted to Welsh Government in respect of the Welsh-medium capital grant; and
- approve the approach to the scheme development.

**Lindsay Harvey**  
**Corporate Director - Education and Family Support**

**Contact Officer:** Nicola Echanis  
Head of Education and Early Help

**Telephone:** (01656) 642611

**E-mail:** nicola.echanis@bridgend.gov.uk

## **Background documents**

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT  
Appendix A

Approve Equalities Impact Assessment

## Appendix A

## WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT

<b>Project Description (key aims):</b>	
<b>Section 1</b>	<b>Complete the table below to assess how well you have applied the 5 ways of working.</b>
<b>Long-term</b>	<b>1. How does your project / activity balance short-term need with the long-term and planning for the future?</b>
(The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)	This project will meet both short and long-term planning with regard to both the number of childcare places available in the borough, alongside increasing Welsh-medium provision and focussed Welsh language benefits for the communities identified.
<b>Prevention</b>	<b>2. How does your project / activity put resources into preventing problems occurring or getting worse?</b>
(How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)	The development of this project will reduce the impact of long term demands on the level of childcare in relation to information on the Bridgend local authority Childcare Sufficiency Assessment (CSA).  The project also has at its aim the ability to increase Welsh speakers and the number of children entering Welsh language education.
<b>Integration</b>	<b>3. How does your project / activity deliver economic, social, environmental &amp; cultural outcomes together?</b>
(Considering how the public body's well-being objectives may	With the funding sourced from both the Welsh Government (WG) childcare and Welsh language Capital funding grants, these areas have been considered in the application for the funding and found to meet expectations set. The project will deliver social, economic and cultural outcomes as it will be a community asset.

<p>impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)</p>	<p>The programme buildings will be project managed by the School Modernisation Team, with environmental standards and approaches a strong focus.</p>
<p><b>Collaboration</b>  (Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)</p>	<p><b>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</b></p> <p>The project development and planning phase is being supported by a steering group where stakeholders with vested interests both internal to Bridgend County Borough Council (BCBC) and external, form the group are members.</p>
<p><b>Involvement</b>  (The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)</p>	<p><b>5. How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</b></p> <p>The stakeholders involved in the steering group reflect both childcare and Welsh language organisations.</p> <p>Wellbeing of the target audience/users is a strong focus.</p> <p>The proposed accommodation will be able to deliver beyond the key focus of childcare and education with other services planned, focused on sustainability, community benefit and wellbeing of citizens.</p>

Section 2		
Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).		
Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p><b>A prosperous Wales</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>Each of the communities involved will benefit from a range of community services.</p> <p>These include further childcare, increased, workforce opportunities and learning and development opportunities. It is intended the venues will offer a wide range of community services such as wellbeing (eg yoga) and adult education alongside the prime focus of childcare and in increasing opportunities to return to work.</p>	<p>The accommodation and services planned will need to be sustainable and will offer each community a range of wellbeing benefits.</p>
<p><b>A resilient Wales</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>The building will be environmentally and economically focused on effective global approaches. The local authority is a key player in diligence around these factors when developing new services and accommodation.</p>	
<p><b>A healthier Wales</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that</p>	<p>It is intended the venue will offer a wide range of community services. This will include services with a strong focus on wellbeing of citizens children, young</p>	

benefit future health are understood.	people and adults.	
<p><b>A more equal Wales</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>	As with many community services, a focus on fair opportunities will be clear in the development and operational approaches used to develop this proposed community facility.	
<p><b>A Wales of cohesive communities</b> Attractive, viable, safe and well-connected communities.</p>	The multi-use buildings proposed will be community hubs with opportunities for wide ranging uses.	
<p><b>A Wales of vibrant culture and thriving Welsh language</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>	The primary focus of the planned project is the goal of increasing the number of Welsh speakers by 2050.	
<p><b>A globally responsible Wales</b> A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	The building will be environmentally and economically focused on effective global approaches.	



<b>Section 3</b>		<b>Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts</b>		
Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?	
Age:	Yes	Yes		
Gender reassignment:	Not known	No		
Marriage or civil partnership:	Yes	No		
Pregnancy or maternity:	Yes	No		
Race:	Yes	No		
Religion or Belief:	Not known	No		
Race:	Yes	No		
Sex:	Yes	No		
Welsh Language:	Yes	No	The main focus of the proposed accommodation is to increase the number of Welsh-medium childcare places in the identified areas of the borough.	

<b>Section 4</b>	<b>Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers</b>
Cabinet	
<b>Compiling Officers Name:</b>	Tina Haddon
<b>Compiling Officers Job Title:</b>	Early Years and Childcare Team Manager
<b>Date completed:</b>	20/11/18

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

### REPORT BY THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

#### APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1.

#### 2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate priority/priorities:

- 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.

#### 3. Background

- 3.1 In accordance with the Council's '*Guidance on the appointment of local education authority governors*' approved by Cabinet on 14 October 2008, officers have considered applications received for current and forthcoming vacancies for local authority governor positions on school governing bodies (see paragraph 4.1 and Appendix A).

#### 4. Current situation/proposal

- 4.1 For the five schools below, all five applicants met the approved criteria for appointment as local authority governors and there was no competition for any of the vacancies. Therefore, the recommended appointments are:

Mr Kevin Pascoe	Archbishop McGrath Catholic High School
Miss Laura Sampson	Caerau Primary School
Mrs Michele Harding	Cynffig Comprehensive School
Mr Gerald Jarvis	Ffaldau Primary School
Mrs Karen Jones	Llangewydd Junior School

- 4.2 Subject to the above appointments being approved, there are still 22 vacancies that need to be filled in 18 schools (see Appendix A).

#### 5. Effect upon policy framework and procedure rules

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

## **6. Equality Impact Assessment**

- 6.1 An assessment of the appointment of local authority governors identifies that there are no equalities issues related to this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The Well-being of Future Generations (Wales) Act 2015 assessment has been completed and is detailed at Appendix B. A summary of the implications from the assessment relating to the five ways of working is as follows:

### **Long term**

While it is desirable for local authority governors to have previous or relevant experience of the role, in the short-term, the local authority may support any person for such an appointment who is interested in supporting schools, is not disqualified from being a school governor and is willing and able to dedicate the necessary time to the role.

### **Prevention**

The local authority assesses the suitability of applicants for the local authority governor vacancy/vacancies applied for. The local authority, in conjunction with Central South Consortium, supports governors with a comprehensive programme of both mandatory and voluntary training and access to resources, to enable them to develop and maintain their knowledge and skills, and be successful in fulfilling the role.

### **Integration**

School governing bodies have a strategic role in running schools and ensuring that all pupils are supported to learn and achieve so that they can access opportunities for further learning and employment, know how to maintain their wellbeing, can play active roles in their communities and can contribute positively to society as a whole.

### **Collaboration**

School governing bodies have a strategic role in ensuring that schools safeguard the health and wellbeing of pupils and staff. The local authority, in conjunction with the Central South Consortium, provides training to governors to enable them to develop and maintain their relevant knowledge, skills and effectiveness in this respect.

### **Involvement**

The local authority treats all applications for local authority governor vacancies fairly, to ensure equality of opportunity. School governing bodies have a strategic role in ensuring that schools safeguard the health and wellbeing of pupils and staff. The local authority, in conjunction with Central South Consortium, provides training to governors to enable them to develop and maintain their relevant knowledge, skills and effectiveness in this respect.

## **8. Financial implications**

8.1 There are no financial implications regarding this report.

## **9. Recommendation**

9.1 Cabinet is recommended to approve the appointments listed at paragraph 4.1.

**Mr Lindsay Harvey**  
**Corporate Director, Education and Family Support**

**Contact Officer:** Mandy Jones  
Learner Support Officer

**Telephone:** (01656) 642629

**E-mail:** Amanda.Jones@bridgend.gov.uk

**Postal Address:** Education and Family Support Directorate  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

### **Background documents**

- Bridgend County Borough Council's 'Guidance on the appointment of local education authority governors', approved by Cabinet on 14 October 2008
- The Government of Maintained Schools (Wales) Regulations 2005

## Appendix A

Local authority governor vacancies, current and forthcoming, up to the end of January 2019

Name of school	Number of current and forthcoming vacancies
Bryntirion Comprehensive School	1
Ysgol Gyfun Gymraeg Llangynwyd	1
Abercerdin Primary School	1
Afon y Felin Primary School	1
Archdeacon John Lewis Church in Wales Primary School	1
Betws Primary School	1
Cefn Glas Infants School	1
Llangewydd Junior School	1
Llangynwyd Primary School	2
Newton Primary School	1
Nottage Primary School	1
Ogmore Vale Primary School	1
Porthcawl Primary School	1
Plasnewydd Primary School	1
St Mary's Catholic Primary School	1
St Robert's Catholic Primary School	2
Tynyrheol Primary School	2
Ysgol Gymraeg Bro Ogwr	2
<b>TOTAL VACANCIES</b>	<b>22</b>

## Appendix B

## WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT

## Project Description (key aims):

Appointment of local authority governors to the governing bodies of maintained schools in Bridgend

## Section 1

Complete the table below to assess how well you have applied the 5 ways of working.

## Long-term

(The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)

**1. How does your project / activity balance short-term need with the long-term and planning for the future?**

The governing body of a maintained school is responsible for the conduct of a school. It takes a strategic role in the running of the school, meaning that it must decide what it wants the school to achieve and must set out a framework for getting there. That framework will include a number of short, medium and long-term aims, objectives and targets.

Each governing body of a maintained school must be constituted in accordance with the Education Act 2002. All governing bodies have a combination of appointed or elected governors of various types. The four compulsory, common stakeholder groups are parents, teacher, staff and local authority representatives. (Others groups vary according to the category of school and may include foundation, community, representative and partnerships governors). Local authority governors are appointed by the local authority. All school governors are volunteers.

Optimal performance in discharging the governance functions occurs when all roles on the governing body are filled by individuals who have previous experience working as a governor and/or working with schools or in educational settings and/or any experience, at home, at work or elsewhere, that may be relevant to the school governor role. However, the local authority approach to recruitment of local authority governors has to take account of the fact that local authority representatives are one of the compulsory stakeholder groups and, in the short term, the local authority may support any person for such an appointment who is interested in supporting schools, is not disqualified from being a school governor and is willing and able to dedicate the necessary time to the role. The local authority, in conjunction with the Central South Consortium, supports new governor appointments with a comprehensive programme of both mandatory and voluntary training and access to resources, to enable them to develop their knowledge and skills and be successful in fulfilling the role.

<p><b>Prevention</b></p> <p>(How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)</p>	<p><b>2. How does your project / activity put resources into preventing problems occurring or getting worse?</b></p> <p>The local authority acts to fill governor vacancies as soon as possible. Vacancies are advertised to elected members and all existing members of governing bodies. Information about the role of governors and how to become a local authority governor is published on the local authority's website.</p> <p>The local authority seeks information from each applicant for a local authority governor appointment relating to relevant past and present experience and skills, the reasons why the applicant wishes to become a governor and the areas in which the applicant feels able to contribute to the function and work of the governing body. The local authority also seeks information on the reasons for the choice/s of school including the applicant's knowledge of the school and any past or present associations with the school. The local authority uses this information as part of considering the suitability of the applicant for the vacancy/vacancies applied for.</p> <p>The local authority, in conjunction with Central South Consortium, supports both new governor appointments and existing governors with a comprehensive programme of both mandatory and voluntary training and access to resources, to enable them to develop and maintain their knowledge and skills, and be successful in fulfilling the role.</p>
<p><b>Integration</b></p> <p>(Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)</p>	<p><b>3. How does your project / activity deliver economic, social, environmental &amp; cultural outcomes together?</b></p> <p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools ensuring that all pupils are supported to learn and achieve such that they are able to access opportunities for further learning and employment, know how to maintain their wellbeing, can play active roles in their communities and contribute positively to society as a whole.</p>
<p><b>Collaboration</b></p>	<p><b>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</b></p>



(Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)	The governing body of a school oversees the achievement of aims, objectives and targets for ensuring that the school safeguards the health and wellbeing of its pupils and staff. The local authority, in conjunction with Central South Consortium, provides a training programme for both new governor appointments and existing governors to enable them to develop and maintain their relevant knowledge, skills and effectiveness in this respect.
<b>Involvement</b>  (The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)	<p><b>5. How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</b></p> <p>The governing body of a school oversees the achievement of aims, objectives and targets for ensuring that the school safeguards the health and wellbeing of its pupils and staff. The local authority, in conjunction with Central South Consortium, provides a training programme for both new governor appointments and existing governors to enable them to develop and maintain their relevant knowledge, skills and effectiveness in this respect.</p> <p>The local authority treats all applications for local authority governor vacancies fairly to ensure equality of opportunity.</p>

<b>Section 2</b>		
<b>Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).</b>		
<b>Description of the Well-being goals</b>	<b>How will your project / activity deliver benefits to our communities under the national well-being goals?</b>	<b>Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?</b>
<p><b>A prosperous Wales</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools ensuring that all pupils are supported to learn and achieve such that they are able to access opportunities for further learning and employment.</p> <p>In particular, school governing bodies take a strategic role in both ensuring the school acts to improve learner outcomes for vulnerable groups of children and ensuring that strategies are progressed to assist more-able young people reach their full potential.</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in discharging their responsibilities.</p>
<p><b>A resilient Wales</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools, ensuring delivery of the national curriculum.</p> <p>The national curriculum includes personal and social education with the specific aims</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in delivering the national curriculum.</p>

	<p>being to:</p> <ul style="list-style-type: none"> <li>• develop learners' self-esteem and a sense of personal responsibility;</li> <li>• promote self-respect, respect for others and celebrate diversity;</li> <li>• equip learners to live safe, healthy lives;</li> <li>• prepare learners for the choices and opportunities of lifelong learning;</li> <li>• empower learners to participate in their schools and communities as active responsible citizens locally, nationally and globally;</li> <li>• foster positive attitudes and behaviour towards the principles of sustainable development and global citizenship; and</li> <li>• prepare learners for the challenges, choices and responsibilities of work.</li> </ul>	
<p><b>A healthier Wales</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools, ensuring delivery of the national curriculum.</p> <p>The national curriculum includes personal and social education with the specific aims being to:</p> <ul style="list-style-type: none"> <li>• develop learners' self-esteem and a sense of personal responsibility;</li> <li>• promote self-respect, respect for others and celebrate diversity;</li> <li>• equip learners to live safe, healthy lives;</li> <li>• prepare learners for the choices and</li> </ul>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in delivering the national curriculum and discharging all responsibilities.</p>

	<p>opportunities of lifelong learning;</p> <ul style="list-style-type: none"> <li>• empower learners to participate in their schools and communities as active responsible citizens locally, nationally and globally;</li> <li>• foster positive attitudes and behaviour towards the principles of sustainable development and global citizenship; and</li> <li>• prepare learners for the challenges, choices and responsibilities of work.</li> </ul>	
<p><b>A more equal Wales</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>	<p>School governing bodies take a strategic role in ensuring the school acts to improve learner outcomes for vulnerable groups of children and ensure equality of opportunity.</p> <p>The local authority treats all applications for local authority governor vacancies fairly to ensure equality of opportunity.</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in discharging their responsibilities.</p>
<p><b>A Wales of cohesive communities</b> Attractive, viable, safe and well-connected communities.</p>	<p>Schools/governing bodies play a pivotal role in the community and contributing to community cohesion, not only through education provision but also through a focus on relationship between pupils and the school, their community and wider society. They provide opportunities for people to interact, work together, develop positive relationships and make a contribution to their community. Further, they emphasise the importance of a</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, evaluates how schools/governing bodies support and enable children and young people to contribute to their communities. Also how well decisions are made and priorities are set for improvement that balance immediate, short-term needs with the long-term needs of learners, the local community and Wales.</p>

	common vision, shared values based on democracy, equality, diversity, tolerance, fairness and justice and creating a sense of belonging.	
<p><b>A Wales of vibrant culture and thriving Welsh language</b></p> <p>A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>	<p>The Welsh language, art and design, design and technology, music, history and physical education all forms part of the national curriculum in Wales.</p> <p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools, ensuring delivery of the national curriculum.</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in delivering the national curriculum.</p>
<p><b>A globally responsible Wales</b></p> <p>A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>Local authority governors are a key stakeholder group on school governing bodies. School governing bodies take a strategic role in running schools ensuring that all pupils are supported to learn and achieve such that they are able to access opportunities for further learning and employment, know how to maintain their wellbeing, can play active roles in their communities and contribute positively to society as a whole.</p>	<p>The local authority, in conjunction with Central South Consortium and partners such as Estyn, closely monitors the performance of schools/governing bodies in discharging their responsibilities.</p>

<b>Section 3</b>		<b>Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts</b>		
Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?	
Age:	Yes	No	Performance monitoring and evaluation.	
Gender reassignment:	Yes	No	Performance monitoring and evaluation.	
Marriage or civil partnership:	Yes	No	Performance monitoring and evaluation.	
Pregnancy or maternity:	Yes	No	Performance monitoring and evaluation.	
Race:	Yes	No	Performance monitoring and evaluation.	
Religion or Belief:	Yes	No	Performance monitoring and evaluation.	
Race:	Yes	No	Performance monitoring and evaluation.	
Sex:	Yes	No	Performance monitoring and evaluation.	
Welsh Language:	Yes	No	Performance monitoring and evaluation.	

<b>Section 4</b>	<b>Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers</b>
Cabinet	
<b>Compiling Officers Name:</b>	Dawn Davies
<b>Compiling Officers Job Title:</b>	Principal Officer, Knowledge and Learner Support
<b>Date completed:</b>	05/12/18

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### REPORT OF THE CORPORATE DIRECTOR – SOCIAL SERVICES & WELLBEING

##### ADVOCACY – CHILDREN’S SERVICES

###### 1.0 Purpose of Report

1.1 Approval is sought to enter into an Inter-Authority Agreement (IAA) with Rhondda Cynon Taff County Borough Council (RCT) and Merthyr Tydfil County Borough Council (Merthyr) to manage and oversee the commission of a Cwm Taf regional service for an Independent Professional Advocacy (IPA) and Independent Visiting (IV) service for eligible Children and Young People (CYP).

###### 2.0 Connection to Corporate Plan

2.1 This report assists in the achievement of the following corporate priorities:-

- **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.
- **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.

###### 3.0 Background

3.1 BCBC holds a statutory duty to provide an IPA service for eligible CYP, notably Looked After Children, Children in Need and those in Child Protection. The Welsh Government has established a ‘National Approach’ to Children’s Advocacy based on regional commissioning, the provision of an Active Offer of advocacy for eligible CYP, and an option to include a complimentary IV service.

3.2 The ‘National Approach’ for advocacy for CYP is prescribed by Welsh Government, including a contributory grant towards its delivery in each region. The current Bridgend service was commissioned as a Western Bay regional service from 1<sup>st</sup> August 2017 with the procurement being led by Swansea Council, who remain the lead contracting Authority. The existing provider in Bridgend (Tros Gynnal Plant) secured the Western Bay contract which has been extended to 31<sup>st</sup> March 2019.

3.3 The Western Bay contract was supported by an IAA between BCBC, Neath Port Talbot and Swansea Councils.

###### 4.0 Current Situation

4.1 To remain compliant with the Welsh Government’s National Approach, the CYP Advocacy service requires regional commissioning.

- 4.2 On 14<sup>th</sup> June 2018 the Welsh Government announced that the health board boundary for Bridgend would change from Abertawe Bro Morgannwg University Health Board to Cwm Taf University Health Board. As a result of this Bridgend will be required to position itself within the Cwm Taf region from April 2019.
- 4.3 Cwm Taf, as a region that includes RCT and Merthyr councils, is currently receiving a service from National Youth Advocacy Service (NYAS) as their provider. They are re-tendering for this service to start from April 2019.
- 4.4 Discussions are underway with commissioning colleagues in both Western Bay and Cwm Taf regions to manage the current service and to ensure that Bridgend continues to receive an effective advocacy service for young people.
- 4.5 The change to regional partnership working from Western Bay to Cwm Taf requires a change of the regional areas prescribed by Welsh Government within the guidance for the National Approach. The Welsh Government has confirmed that this will take place and that the current grant provision for Bridgend will be available via Cwm Taf from April 2019.
- 4.6 The proposal is for a regional IAA and joint procurement of services starting from 1st April 2019. RCT will act as Lead Authority for the regional procurement exercise, with BCBC officers participating in the tender process and evaluation panel. A two year contract is proposed, with an option to extend for up to two more years.
- 4.7 BCBC Legal and Procurement Officers have advised on the need for an IAA which outlines the roles and responsibilities of all three commissioning Authorities entering into a regional contract. BCBC Legal Officers have contributed to the drafting of the proposed IAA.

## **5.0 Effect upon Policy Framework and Procedure Rules**

- 5.1 There is no impact on the policy framework and procedure rules.

## **6.0 Equality Impact Assessment**

- 6.1 The Children and Young People Advocacy service is prescribed by Welsh Government through a National Approach targeted at specific client groups.

## **7.0 Well-being of Future Generations (Wales) Act 2015 Implications**

- 7.1 The commissioned advocacy service aims to assist eligible children and young people to have greater voice, choice and control in their lives. The wellbeing goals of a healthier Wales, a more equal Wales, and a Wales of cohesive communities are therefore supported through these services.
- 7.2 The commissioning of the advocacy service supports the five ways of working under the Wellbeing of Future Generations (Wales) Act 2015, as follows:

**Long Term** – statutory IPA ensures that young people are better supported to have voice, choice and control in maintaining their independence and wellbeing in the longer-term.

**Prevention** – the IPA service aims for early-intervention to prevent unnecessary escalation of needs. By identifying and addressing issues via advocacy, earlier resolution can be achieved.

**Integration** – the service works across sectors taking in referrals from statutory services, health and social care agencies, and the advocacy itself is delivered by third sector providers within the advocacy sector in Bridgend.

**Collaboration** – The National Approach service model is predicated on close collaboration between the service provider and with social services teams in each of the three commissioning Authorities.

**Involvement** – Young People (via Voices from Care) are proposed to be involved in the procurement exercise. The IPA service itself responds directly to the issues and concerns of the young people who use the service.

## **8.0 Financial Implications**

- 8.1 The budget for this service is calculated based on the National Approach guidance from Welsh Government and on service data submitted over the past 18 months, and indicatively will be in the order of £75,000 per annum for Bridgend which is in line with current and historic costs. The contributory funding of £24,984 from Welsh Government has been confirmed to continue, delivered via RCT CBC as the lead contracting authority for this service in Cwm Taf.

## **9.0 Recommendation**

- 9.1 Cabinet is asked to approve the proposal to enter into an Inter-Authority Agreement with RCT and Merthyr, and to note that approval to award the regional Independent Professional Advocacy and Independent Visiting service contract will be sought via Delegated Powers (under BCBC's Scheme of Delegation) once the procurement and evaluation process has been undertaken.

**Susan Cooper**

Corporate Director – Social Services and Wellbeing  
December 2018

## **10. Contact Officer**

Laura Kinsey, Head of Service, Children and Young People  
01656 642314  
[Laura.Kinsey@bridgend.gov.uk](mailto:Laura.Kinsey@bridgend.gov.uk)

## **11. Background documents**

None

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

#### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT SECTION 65 POWER TO FIX FARES FOR HACKNEY CARRIAGES

#### OBJECTIONS TO THE PROPOSAL TO AMEND THE HACKNEY CARRIAGE FARES TARIFF

#### 1. Purpose of report

- 1.1 To consider objections to the proposal approved by Cabinet on 23 October 2018 to vary the current Bridgend County Borough Council's rate of hackney carriage fares.

#### 2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate priority/priorities:

- 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.

#### 3. Background

- 3.1 Bridgend County Borough Council regulates the maximum fares that can be charged to passengers in hackney carriages within the county borough. This is in accordance with Section 65(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Section requires that any variation of the fare must be advertised in a local paper and that a period of notice of at least 14 days be given to enable any person to make objections.
- 3.2 The current Bridgend County Borough Council table of fares includes a pickup rate (commonly referred to as the flag) when the journey commences, this includes the first half mile of the journey. After this distance, the fare increases by a set amount (commonly referred to as the click) every eighth of a mile.
- 3.3 At the Cabinet meeting of the 5 September 2017, The Head of Shared Regulatory Services reported on three proposals, to vary the current hackney carriage table of fares, received from:
1. Mr James Boland and Mr Richard Parrot
  2. Mr Tom Burke
  3. Mr Dario Nelson

Cabinet decided to reject the three proposals and recommended the legality and practicalities of consulting on hackney carriage fees with the taxi trade and public be explored.

- 3.4 In light of Cabinet’s decision, officers asked each of the applicants to consider the other proposals with a view to presenting a further single application with support from all parties. However, no consensus could be reached between the applicants. During this period an additional application was received from Mr Peter Renwick of Premier Cars (Cardiff) Ltd.
- 3.5 A letter and response questionnaire was sent out to each of the licensed hackney carriage/private hire vehicle drivers in Bridgend, seeking their views and whether they have a preferred option on the 3 proposals previously considered by Cabinet, and the subsequent proposal received from Mr Peter Renwick of Premier Cars (Cardiff) Ltd.
- 3.6 Letters were sent out to hackney carriage/private hire vehicle drivers in Bridgend, of which the Licensing Department received 67 responses. The responses showed that Proposal 1 was the preferred option, chosen by 34.3% of respondents. 85.1% of respondents indicated that they are in support of at least one of the proposed increases. The table below details the preferred proposal from the responses:

<b>Proposal</b>	<b>No. of Respondents – chosen preferred option</b>	<b>Percentage of Respondents</b>
Proposal 1	23	34.3%
Proposal 2	7	10.4%
Proposal 3	18	26.9%
Proposal 4	9	13.4%
No Change	10	14.9%

- 3.7 A subsequent report was taken to Cabinet on 23 October 2018 which gave details of the proposals and the results of the consultation. Cabinet approved Proposal 1, submitted by Mr James Borland and Richard Parrott, subject to the issuing of a public notice in a local newspaper inviting objections. A copy of the report and relevant considerations are referenced in Appendix A.
- 3.8 In accordance with the Local Government (Miscellaneous Provisions) Act 1976, a public notice was published in a local newspaper on 1 November 2018, inviting objections to proposed fare increase until midday on 16 November 2018. A copy of the notice was also available at the Bridgend Civic Offices during office hours.

#### **4. Current situation/proposal**

- 4.1 The tables set out in paragraph 4.15 of the report to Cabinet on 23 October 2018 contained incorrect figures for the cost of a 5 mile and 15 mile journeys for Proposal 1. Cabinet therefore made their decision when selecting Option 1 on incorrect figures produced in the report.
- 4.2 The table below contains the information as previously provided to Members, with the figures as they should have been in bold. The information contained within the Appendix to the October report and the information that was provided to licensed drivers during the consultation, for which they were asked to provide a preferred option, was correct and as such the results of the consultation are based on the correct figures.

<b>5 mile fare cost</b>	<b>Tariff 1</b> (1-4 passengers)	<b>Tariff 2</b> (1-4 passengers)	<b>Tariff 3</b> (5+ passengers)	<b>Tariff 4</b> (5+ passengers)
Current Bridgend Tariff	£9.70	£12.30	£13.50	£16.30
Mr Borland / Mr Parrott Proposed Tariff (Proposal 1)	£10.80 (Correct: <b>£11.80</b> )	£13.40 (Correct: <b>£13.50</b> )	£14.50 (Correct: <b>£15.60</b> )	£17.40 (Correct: <b>£18.40</b> )
Mr Burke Proposed Tariff (Proposal 2)	£11.50	£14.55	£15.75	£19.00
Mr Renwick Proposed Tariff (Proposal 3)	£11.10	£13.70	£16.40	£18.30
Mr Nelson Tariff (Proposal 4)	£12.20	£14.90* 10pm – 3am £17.40* 3am – 6am	£14.20**	£17.30** 10pm – 3am £19.80** 3am – 6am

<b>15 mile fare cost</b>	<b>Tariff 1</b> (1-4 passengers)	<b>Tariff 2</b> (1-4 passengers)	<b>Tariff 3</b> (5+ passengers)	<b>Tariff 4</b> (5+ passengers)
Current Bridgend Tariff	£25.70	£32.30	£33.50	£40.30
Mr Borland / Mr Parrott Proposed Tariff (Proposal 1)	£32.80 (Correct: <b>£31.80</b> )	£35.50	£39.60	£46.40
Mr Burke Proposed Tariff (Proposal 2)	£31.50	£39.55	£40.75	£49.00
Mr Renwick Proposed Tariff (Proposal 3)	£29.10	£35.70	£41.40	£45.30
Mr Nelson Tariff (Proposal 4)	£32.20	£39.90* 10pm – 3am £47.40* 3am – 6am	£34.20**	£42.30** 10pm – 3am £49.80** 3am – 6am

\*Mr Nelson's proposal includes an additional tariff that operates from 3am – 6am.

\*\*Due to the additional proposed tariffs, the current tariff 3 and 4 would be the equivalent of Mr Nelson's proposed tariff's 4 and 5/6.

- 4.3 Three objections were received to the public notice, detailed in redacted form in Appendix B.
- 4.4 Response 1 is from a member of the trade and objects to the proposed increase on the grounds that the table contained within the report to Cabinet on 23 October 2018 contained incorrect figures for the 5 mile fare cost for Mr Borland and Mr Parrott's' Proposal (Proposal 1).
- 4.5 Response 1 also objects to the proposed increase on the grounds that the chosen proposal includes a varying amount per 'click' depending on the tariff in operation, but there is a set waiting time of 20 pence per minute. Due to the way that pulse taximeters operate, they must be calibrated so that the amounts charged for the waiting time and the click match. In order to calibrate a pulse taximeter to accommodate different amounts for the click and the waiting time, the waiting time must be adjusted accordingly.

For example, Tariff 2 of the proposed variation has a click of 22 pence for every tenth of a mile travelled, but the waiting time is 20 pence per minute. Therefore, to accommodate this tariff the waiting time must be set to increase at intervals of 22 pence every 66 seconds (to maintain the waiting time of 20 pence per minute).

The current Bridgend County Borough Council table of fares includes differing rates for the click, depending on the tariff in operation, but a flat rate waiting time. As a result, pulse taximeters are currently calibrated using the above method and if the proposed tariff were to be implemented, this is the calibration method that would be used for the waiting time.

- 4.6 Response 2 to the public notice is from a member of the trade and contains an email objecting to the proposed increase for hackney carriage fares. A follow up email was sent to the responder asking if they wish to expand on their objection; however, no further email was received.
- 4.7 Response 3 to the public notice is from a member of the trade and objects to the proposed increase. The responder states that the proposed increase will result in customers having to walk or face further hardship to afford a taxi at a time when people are losing their jobs and taxi drivers want extra money when they earn more than the living wage. The responder also states that an increase in the fares would result in the public taking fewer journeys by taxi.
- 4.8 On 23 October 2018, Cabinet resolved that Proposal 1 go forward based on the information contained within that report which was incorrect. Cabinet is now required to consider the objections and determine whether they remain content with the decision to ratify Proposal 1 as the preferred option based on the correct figures, or having reviewed the information regarding the updated figures, to now select a different proposal.

## **5. Effect upon policy framework and procedure rules**

- 5.1 None

## **6. Equality Impact Assessment**



6.1 The proposal has been screened for the potential impact on protected groups within the community and human rights. We do not consider on the basis of the above that a detailed Equality Impact Assessment is required for this proposal at this stage, but the position will be reviewed at the end of the consultation process.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 A summary of the implications from the assessment:

- Integration – Taxis form part of the public transport network with environmental and economic benefits for the wellbeing goal of A Prosperous Wales
- Collaboration - Stakeholders within the taxi trade as well as the general public will have the opportunity to consider the application and respond to the consultation
- Involvement - Applications to increase taxi fares involve consultation with the public and any representations will be reported back to Cabinet before a final decision is taken.

## **8. Financial implications**

8.1 This report does not result directly in any additional financial implications.

## **9. Recommendation**

9.1 Members are recommended to:

- a. Note the representations received in Appendix B in consideration of the decision taken by Cabinet on the 23 October 2018 to amend the tariff of fares.
- b. Determine whether to continue with Proposal 1 and introduce a new hackney carriage tariff based on the amended figures set out in this report with an implementation date no later than 2 February 2019.
- c. Select an alternative proposal to go to public notice (and set a date for implementation).
- d. Retain the existing fare regime.

**Kelly Watson**  
**Head of Legal and Regulatory Services**

**Contact officer:** Daniel Cook  
Licensing Policy Officer

**Telephone:** (01656) 643105

**Email:** [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

**Postal address:** Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street

**Background documents:**

Consultation responses

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO CABINET**

**23 OCTOBER 2018**

**REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT SECTION 65  
POWER TO FIX FARES FOR HACKNEY CARRIAGES**

**APPLICATIONS TO VARY THE HACKNEY CARRIAGE FARES TARIFF**

**1. Purpose of report**

- 1.1 To report back on the trade consultation carried out in respect of the Bridgend County Borough hackney carriage table of fares. This was following proposals received by the Licensing Department to amend the table of fares.
- 1.2 To consider the proposals and the consultation responses, and to determine whether one of the proposals should go forward to the public notice process.

**2. Connection to corporate improvement objectives/other corporate priorities**

- 2.1 This report assists in the achievement of the following corporate priority/priorities:
  - 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.

**3. Background**

- 3.1 Bridgend County Borough Council regulates the maximum fares that can be charged to passengers in hackney carriages within the county borough. This is in accordance with Section 65(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Section requires that any variation of the fare must be advertised in a local paper and that a period of notice of at least 14 days be given to enable any person to make objections.
- 3.2 The Bridgend County Borough Council table of fares includes a pickup rate (commonly referred to as the flag) when the journey commences, this currently includes the first half mile of the journey. After this distance, the fare increases by a set amount (commonly referred to as the click) every eighth of a mile.
- 3.3 At the Cabinet meeting of the 5 September 2017, The Head of Shared Regulatory Services reported on three proposals, to vary the current hackney carriage table of fares, received from:
  1. Mr James Boland and Mr Richard Parrot
  2. Mr Tom Burke
  3. Mr Dario Nelson

Cabinet decided to reject the three proposals and recommended the legality and practicalities of consulting on hackney carriage fees with the taxi trade and public be explored.

- 3.4 In light of Cabinet's decision, officers asked each of the applicants to consider the other proposals with a view to presenting a further single application with support from all parties. During this period, an additional application was received from Mr Peter Renwick of Premier Cars (Cardiff) Ltd.
- 3.5 The current table of fares has been in place in Bridgend County Borough since 15th August 2011. A copy of the current table of fares is attached at Appendix A.
- 3.6 The cost of renewing a 1 year hackney carriage/private hire driver's licence has increased from £44 in 2011 to £63 in 2018 (an increase of 43.2%). However, it should be noted that a year 3 year licence was introduced in 2015, following changes in legislation. The cost of a 3 year licence in 2018 is £122, therefore if drivers choose a 3 year licence, the annual cost is £40.67 (a decrease of 7.6%). The annual cost of a hackney carriage vehicle licence (including 2 vehicle tests) has increased from £247 in 2011 to £267 in 2018 (an increase of 8.1%). A list of the current taxi licensing fees and the fees that were charged when the table of fares were last amended is attached at Appendix B.
- 3.7 The table below shows the year on year percentage change of the Consumer Price Index (CPI) in the UK from 2011 to 2017. During this period, inflation as measured by the CPI has increased by 14.8%.

<b>Year</b>	<b>CPI Percentage Change</b>
2011	4.5%
2012	2.8%
2013	2.6%
2014	1.5%
2015	0%
2016	0.7%
2017	2.7%

- 3.8 The Licensing Section is a regulatory body and therefore does not hold data on taxi usage within the county borough.

#### **4. Current situation/proposal**

- 4.1 Following the comments made at the previous Cabinet meeting, the applicants were asked to review the other proposals received to date by the Licensing Department. However, no consensus could be reached. Comments received regarding the other proposals included:
- "Tariff 2 should kick in later around 10pm"
  - "In general the tariffs are too expensive and would potentially put off the public using taxis"
  - "No different rate for Sunday's, also there should be no £1 premium added either"

- “There is a proposal for waiting time to be increased for tariff 2 to 6. We feel that the waiting time should remain at 20p per minute and part thereof”
- “If the general feeling is that there is a need for the waiting time to be increased, we feel the maximum it should be increased to is 25p per minute or part thereof”
- “Rate per click should match the tariff amount, as it currently does not match the way the meter works”
- “Sticking to the current Bridgend style of tariffs would be simpler for the public to understand”

4.2 As no consensus could be reached between the applicants, a letter and response questionnaire was sent out to each of the currently licensed hackney carriage/private hire vehicle drivers in Bridgend, seeking their views and whether they have a preferred option on the 3 proposals previously considered by Cabinet, and the subsequent proposal received from Mr Peter Renwick of Premier Cars (Cardiff) Ltd. A copy of the proposals and questionnaire are detailed in Appendix C.

4.3 There were 653 letters sent out, of which the Licensing Department received 67 responses. The responses showed that Proposal 1 was the preferred option, chosen by 34.3% of respondents. 85.1% of respondents indicated that they are in support of at least one of the proposed increases. The table below details the breakdown of the responses:

<b>Proposal</b>	<b>No. of Respondents – chosen preferred option</b>	<b>Percentage of Respondents</b>
Proposal 1	23	34.3%
Proposal 2	7	10.4%
Proposal 3	18	26.9%
Proposal 4	9	13.4%
No Change	10	14.9%

4.4 Respondents were also given an opportunity to provide comments on the proposals. Below is a cross-section of the comments received, the full list of redacted responses are detailed at Appendix D for email submissions and Appendix E for paper submissions:

- Proposal 2 is too complicated over Christmas Proposal 3 will kill the trade on a Sunday Proposal 4 will cause problems for drivers working overnight where tariffs change at 3am.
- A modest increase is well overdue, especially as running costs and council fees are never reduced or frozen to help owners.
- Proposal 3 equates roughly to an increase in distance of about 13% which is only minimal so won't effect trade. The other proposals want an increase in distance on tariff 1 of 25% which is too much of an increase in one go and will effect trade in a negative way.
- We in Bridgend are 329th of 366 currently in the county tariff ratings of the whole of the UK. Tariff proposals 1, 2 & 3 would mean that we would be in the region of 200th at best for the 2 mile fare comparison. Quite a few in that price region haven't had a price increase for some time and so may well be probably due.

- Increasing tariffs for hackney carriage sooner will exert more pressure to the families with low income who are mostly depended on using our service. You may be aware that about more than 60% of our custom is from low and middle income groups.
- Since last rate increase over 7 years ago fuel, insurance, maintenance, medicals and council fees have increased significantly being fair to customers have chosen cheapest increase but had one had increase every couple of years we would be charging more
- The licensed taxi trade have shown restraint during these past few years of austerity imposed on the country by government in not applying to increase the tariffs, but now is the time for an increase to avoid the trade becoming insolvent and putting a risk to public safety by cost cutting on maintenance and servicing.
- Having viewed the retail price index and consumer price index I can interpret an average cost of living increase of between 23% to 27% for the essential living whilst certain luxuries and house prices and rent have gone up in excess of this.
- When the fuel cost reaches an average of £1.45 per litre, only then tariff review may be considered. Increasing Tariffs at this point or near future will not benefit any.
- This should 100% increase, especially as fuel prices are going up. Also tariff 2 should be all day Saturday/Sunday as weekend (high demand).
- If we look at Cardiff who had a tariff rate rise just a little over half a year ago and compare the industry standard of the 2 mile trip on tariff 1 we can see that they are very similar to the proposal number 4 recommendation. This is also the case for the Vale of Glamorgan who has had a tariff change also in 2018.
- Due to the already high number of hackney/private hire cars in the borough, work has significantly dropped over the last few years. A price increase would further discourage people from using taxis, therefore decreasing income further.
- I do not agree to higher tariffs on non bank holidays or Sundays as per proposal 2
- Bridgend cab drivers are well overdue a tariff increase as costs are always rising as well as competition from more drivers and the ongoing death of the town centre.
- Cardiff Caerphilly Vale of Glamorgan have had an increase of 7% and 13% I think it is time for a Bridgend to follow
- It's important to realise that taxi fares have not increased since 08/2011. This new tariff is a reasonable, but required, option.
- Considering everyone else has had a cost of living rise in the last few years. Taxi drivers haven't
- I like the idea that a different price from 3am to 6am and I think fair that the day time finish at 22.00
- If you just apply basic economics to the current fare tariff that was created in 2011 and apply only 3% year on year then you will get a figure that is very close (only 3p out on a 2 mile journey) to option 4.

- 4.5 The application made by Mr James Borland and Mr Richard Parrot (Proposal 1), to increase the rate of fares is detailed in Appendix F. It states that drivers are facing increasing costs and the current Bridgend tariff is below the Welsh and national averages. The application proposes to change the click from an eighth to a tenth of a mile but does not amend the structure of the current tariffs or the times at which they operate.
- 4.6 The application made by Mr Tom Burke (Proposal 2) to increase the rate of fares is detailed in Appendix G. Mr Burke states that this proposal is fairer for drivers and will bring driver's incomes closer to the minimum wage. Mr Burke's application also seeks to change the times at which the different tariffs are applicable and to revise the Christmas and New Year Tariff. The application proposes to amend the time at which tariff's 2 and 4 commence from 8.00pm to 10.00pm, to amend the dates, times and rate charged over the Christmas period, and to change the click on the taximeter from an eighth to a tenth of a mile.
- 4.7 The application made by Mr Peter Renwick of Premier Cars (Proposal 3) to increase the rate of fares is detailed in Appendix H. Mr Renwick states that the proposal is based on research from drivers and information relating to the UK Retail Price Index, as the last rate rise took place in 2011, this has left Bridgend way behind in regards the true cost of operating and earning a living from a Hackney Carriage Vehicle. Mr Renwick's application amends Tariff 2 so that it is in operation all day on a Sunday. The application proposes changes to the flag and the click, dependent on the tariff in operation. It also proposes changes to extend the timings that Tariff 2 and Tariff 4 are in effect to also include Sunday. Mr Renwick states that this is to encourage drivers to offer an exceptional service at a rate that is workable.
- 4.8 The application made by Mr Dario Nelson (Proposal 4) to increase the rate of fares is detailed in Appendix I. Mr Nelson's proposal amends the hours that the tariffs will be in operation and also includes additional tariffs for the hours between 3.00am – 6.00am. Mr Nelson states that due to the large amount of dead mileage (returning from a job without paying passengers) experienced in a rural area such as Bridgend, fares should generally be higher than in urban areas.
- 4.9 Consideration should be given to obtaining a balance between increasing the fares payable by the travelling public and the costs incurred by taxi owners/drivers in running costs. There is no statutory set of factors to be considered when approving a table of fares within a local authority area, but typical running costs and comparison of fares is the usual method used to assess applications.
- 4.10 The AA Fuel Price Report shows that the cost of diesel has decreased from a Wales average of 139.9p per litre in August 2011 to 132.1p per litre in August 2018, a decrease of 5.6%. Unleaded 95 Octane petrol has also decreased in the same period from 135.6p to 129.1p per litre, a decrease of 4.8%.
- 4.11 The AA Motoring Costs report shows that for a vehicle costing £17,000 when new, the running costs per mile (based on 30,000 miles per year) has decreased from 31.8p per mile in 2011 to 30.7p per mile in 2014 (the latest figures available). It should be noted that this reduction is largely due to fuel costs which may rise going forward.

- 4.12 The AA British Insurance Premium Index shows that the average annual car insurance premium has risen from £612.19 in 2011 to £660.64 in 2018, an increase of 8%. The table below contains data from each year since the previous tariff increase.

Period	Average Annual Premium	Percentage Increase/Decrease
2011 Q1	£612.19	
2012 Q1	£627.56	3%
2013 Q1	£586.03	-7%
2014 Q1	£490.81	-16%
2015 Q1	£457.78	-7%
2016 Q1	£552.45	21%
2017 Q1	£640.82	16%
2018 Q1	£660.64	3%

It should be noted that this table contains data using risks representative of the insurance buying public for private vehicles, as it was not possible to find definitive information specific to vehicles used for hire and reward. The prices listed are not representative of the cost of insuring a hackney carriage or private hire vehicle but provide an indication of the price variation of car insurance over this period. Anecdotally, drivers have informed the Licensing Department that their annual insurance premiums range between £1,000 and £4,000.

- 4.13 For information the following table provides details of the daytime rate of the 2 mile fare currently authorised by the Council together with a comparison with the proposed fares and the fares authorised by a sample of other licensing authorities. Also included is the position of the proposed tariffs within the 2 mile fare league table out of 370 local authorities, as printed in the September 2018 edition of Private Hire & Taxi Monthly.

Authority	Cost per 2 mile journey
Watford	£8.40
London	£7.80
Bath	£6.80
Swindon	£6.70
Exeter	£6.60
Hereford	£6.30
<b>Mr Nelson Proposed Tariff (Proposal 4)</b>	<b>£6.20 (123<sup>rd</sup>)</b>
Cardiff	£6.10
Vale of Glamorgan	£6.00
Tewkesbury	£5.85
<b>Mr Borland and Mr Parrott Proposed Tariff (Proposal 1)</b>	<b>£5.80 (198<sup>th</sup>)</b>
Newcastle upon Tyne	£5.80
Swansea	£5.70
<b>Mr Renwick Proposed Tariff (Proposal 3)</b>	<b>£5.70 (215<sup>th</sup>)</b>



Newport	£5.60
Gwynydd	£5.50
<b>Mr Burke Proposed Tariff (Proposal 2)</b>	<b>£5.50 (262<sup>nd</sup>)</b>
Powys	£5.40
Rhondda Cynon Taf	£5.20
Blaenau Gwent	£5.20
<b>Current Bridgend Tariff</b>	<b>£4.90 (331<sup>st</sup>)</b>
Caerphilly	£4.80
Merthyr Tydfil	£4.50

- 4.14 Bridgend is currently 331<sup>st</sup> in the 2 mile fare league table out of 370 local authorities, as printed in the September 2018 edition of Private Hire & Taxi Monthly. These statistics are recognised as a reliable indicator, although a local authority's place within a table will fluctuate as soon as a new application to vary taxi fares is received in the UK.
- 4.15 For information the following tables provide details of the current maximum fares for journeys of 5, 10 and 15 miles in Bridgend County Borough with a comparison to the proposed tariffs.

<b>5 mile fare cost</b>	<b>Tariff 1</b> (1-4 passengers)	<b>Tariff 2</b> (1-4 passengers)	<b>Tariff 3</b> (5+ passengers)	<b>Tariff 4</b> (5+ passengers)
Current Bridgend Tariff	£9.70	£12.30	£13.50	16.30
Mr Borland / Mr Parrott Proposed Tariff (Proposal 1)	£10.80	£13.40	£14.50	£17.40
Mr Burke Proposed Tariff (Proposal 2)	£11.50	£14.55	£15.75	£19.00
Mr Renwick Proposed Tariff (Proposal 3)	£11.10	£13.70	£16.40	£18.30
Mr Nelson Tariff (Proposal 4)	£12.20	£14.90* 10pm – 3am £17.40* 3am – 6am	£14.20**	£17.30** 10pm – 3am £19.80** 3am – 6am

<b>10 mile fare cost</b>	<b>Tariff 1</b> (1-4 passengers)	<b>Tariff 2</b> (1-4 passengers)	<b>Tariff 3</b> (5+ passengers)	<b>Tariff 4</b> (5+ passengers)
Current Bridgend Tariff	£17.70	£22.30	£23.50	£28.30
Mr Borland / Mr Parrott Proposed Tariff (Proposal 1)	£21.80	£24.50	£27.60	£32.40

Mr Burke Proposed Tariff (Proposal 2)	£21.50	£27.05	£28.25	£34.00
Mr Renwick Proposed Tariff (Proposal 3)	£20.10	£24.70	£28.90	£31.80
Mr Nelson Tariff (Proposal 4)	£22.20	£27.40* 10pm – 3am £32.40* 3am – 6am	£24.20**	£29.80** 10pm – 3am £34.80** 3am – 6am

<b>15 mile fare cost</b>	<b>Tariff 1</b> (1-4 passengers)	<b>Tariff 2</b> (1-4 passengers)	<b>Tariff 3</b> (5+ passengers)	<b>Tariff 4</b> (5+ passengers)
Current Bridgend Tariff	£25.70	£32.30	£33.50	£40.30
Mr Borland / Mr Parrott Proposed Tariff (Proposal 1)	£32.80	£35.50	£39.60	£46.40
Mr Burke Proposed Tariff (Proposal 2)	£31.50	£39.55	£40.75	£49.00
Mr Renwick Proposed Tariff (Proposal 3)	£29.10	£35.70	£41.40	£45.30
Mr Nelson Tariff (Proposal 4)	£32.20	£39.90* 10pm – 3am £47.40* 3am – 6am	£34.20**	£42.30** 10pm – 3am £49.80** 3am – 6am

\*Mr Nelson's proposal includes an additional tariff that operates from 3am – 6am.

\*\*Due to the additional proposed tariffs, the current tariff 3 and 4 would be the equivalent of Mr Nelson's proposed tariff's 4 and 5/6.

- 4.16 This process sets the maximum fare that may be charged for journeys that start and end within the county borough. Drivers are permitted to charge less than the meter fare, such as for regular customers.
- 4.17 Should Cabinet agree to vary the tariff, the variation would need to be advertised for a period of at least 14 days to permit persons to make an objection. Should there be no objections; the variation would then come into effect on the date of the expiry of the period of notice. However, should an objection be received, the objection would need to be re-considered by Cabinet before the variation is implemented.
- 4.18 Members are advised that there is no known formally constituted trade organisation within the Borough at present and therefore consultation will follow the statutory format laid down in the Local Government (Miscellaneous Provisions) Act 1976 by statutory notice in a locally circulated newspaper.

## **5. Effect upon policy framework and procedure rules**

5.1 None

## **6. Equality Impact Assessment**

6.1 The proposal has been screened for the potential impact on protected groups within the community and human rights. We do not consider on the basis of the above that a detailed Equality Impact Assessment is required for this proposal at this stage, but the position will be reviewed at the end of the consultation process.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 A summary of the implications from the assessment:

- Integration – Taxis form part of the public transport network with environmental and economic benefits for the wellbeing goal of A Prosperous Wales
- Collaboration - Stakeholders within the taxi trade as well as the general public will have the opportunity to consider the application and respond to the consultation
- Involvement - Applications to increase taxi fares involve consultation with the public and any representations will be reported back to Cabinet before a final decision is taken.

## **8. Financial implications**

8.1 The cost of public notices and consultation will be met from existing budget.

## **9. Recommendation**

9.1 Members are recommended to either:

- a. Retain the existing fare regime
- b. Select one of the proposals to go forward to the public notice process with an implementation date of 3 December 2018 (provided that there are no objections).

**Kelly Watson**  
**Head of Legal and Regulatory Services**

**Contact officer:** Daniel Cook  
Licensing Policy Officer

**Telephone:** (01656) 643105

**Email:** [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

**Postal address:** Licensing  
Bridgend County Borough Council

Civic Offices  
Angel Street  
Bridgend. CF31 4WB

**Background documents:**

Private Hire and Taxi Monthly National Fares Tables

AA British Insurance Premium Index

AA Fuel Price Report

Office for National Statistics - Inflation and price indices

## Appendix B

### Response 1

**From:** [REDACTED]  
**Sent:** 05 November 2018 14:52  
**To:** Cook, Daniel <Daniel.Cook2@cardiff.gov.uk>  
**Subject:** RE: Hackney Carriage Fares

Daniel

First problem I see is waiting time, the council want to use pulse meters so the clicks must be the same for waiting time and the charge per click rate.

If you have a £0.22p / £0.24p / £0.28p per mile click then how can you have waiting time @ £0.20p / minute

The time will have to increase or decrease so its not whats agreed in proposal. In my proposal the waiting is increased to match the rate per click of the tariff

**From:** [REDACTED]  
**Sent:** 05 November 2018 15:03  
**To:** Cook, Daniel <Daniel.Cook2@cardiff.gov.uk>  
**Subject:** RE: Hackney Carriage Fares

Daniel

There is also a mistake in the 5 mile price for tariff 1 , you have jum Borland in at £10.80 and its £11.80 in fact based on his proposal you have all his fares for 5 miles wrong and showing lower in the minutes you have from the council meeting

So I think I have to appeal and reject this decision

**From:** [REDACTED]  
**Sent:** 05 November 2018 15:31  
**To:** Cook, Daniel <Daniel.Cook2@cardiff.gov.uk>  
**Subject:** RE: Hackney Carriage Fares

Daniel

Really concerned that the mistakes are all in Mr Borlands advantage and are not a true reflection on his proposal and makes the other proposals very expensive especially Tarriff 1

Can this please be recitifed and another meeting arranged to discuss this proposal again.

Please find enclosed my comparison, Tarriff 1 is probably the most important part of the industry

## Response 2

From: [REDACTED]  
Sent: 07 November 2018 09:33  
To: licensing  
Subject: Fares for Hackney Carriages

I would like to register my objection against the proposed increase of fares for hackney carriages.



## Response 3

From: [REDACTED]  
Sent: 12 November 2018 19:28  
To: Cook, Daniel <Daniel.Cook2@cardiff.gov.uk>  
Subject: Re: Fares Increase

We as an owner of a Taxi firm in Bridgend [REDACTED] want to put a refusal in against the rise of the taxi fares please see some of our points and this will have a major effect on us and also the town

1.brexit is coming and coming fast people loosing there jobs, if you set your self a budget of example £50.00 a week for a £10.00 journey 5 days a week, taxi fares rise this will be rise to approx £13.00 each day so then this is causing customers to either walk to work or struggle more, if customers choose to work there more vulnerable, than before as some customers especially girls/ woman would have to walk early hours in the mornings etc..

2.there's more than enough people whose lost there jobs , living on the streets and also unable to provide or even feed there children , this is very sad to see also I wouldn't want any adult or child going without food just for the fact that certain taxi drivers want extra money when they earn more than the living wage as we are, this will take a real big impact on how people live and how they eat as most would go without just to keep a roof over there head etc..

3.with the way Bridgend town is and public transport being cut this would increase customers to use taxis by upping the fares this would decrease this and people would stay in to save money, Bridgend town is a ghost town as it is shops shutting people loosing jobs and this will make another large impact as customers would choose to shop online..

4.by rising the fares this would make drivers able to finish early and then leave customers stranded in areas they are not known due to the fact that they would hit the money they would want sooner than now...

5. This would take effect to the police force due to the fact that you wouldn't have enough money especially from the valleys to Bridgend as it would cost approx £60 return just to get there and back so this would allow them to stay local but if there's problems in 2 sides of the valley plus Bridgend the police wouldn't be able to deal with everything atleast at the moment everyone uses Bridgend and if anything does kick off then they are in one place not 2 or 4 different valleys

Ps there's loads of different opinions we have but we don't want to waste your time, I think instead of greedy taxi drivers worrying about cab fares the council should fetch a dress code in as we have taxi drivers dressed up as COWBOYS it's awful don't waste time putting cab fares up worry and spend time on getting the COWBOYS off

Thanks

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**BRIDGEND COUNTY BOROUGH COUNCIL**  
 Local Government (Miscellaneous Provisions) Act 1976 Section 65  
 Authorised Maximum fare Tariff from 15 August 2011

<b>TARIFF 1</b> 6.00am to 8.00pm	£2.50 If distance does not exceed 1/2 mile. £1.60 for each subsequent mile. £0.20 Per 1/8th of a mile.
<b>TARIFF 2</b> 8.00pm to 6.00am Bank Holidays & Boxing Day (Except Christmas Day)	£3.30 If distance does not exceed 1/2 mile. £2.00 for each subsequent mile. £0.25 Per 1/8th of a mile.
<b>TARIFF 3</b> 6.00am to 8.00pm 5 or more passengers	£4.50 If distance does not exceed 1/2 mile. £2.00 for each subsequent mile. £0.25 Per 1/8th of a mile.
<b>TARIFF 4</b> 8.00pm to 6.00am 5 or more passengers	£5.50 If distance does not exceed 1/2 mile. £2.40 for each subsequent mile. £0.30 Per 1/8th of a mile.
<b>EXTRA CHARGES</b>	
Waiting Time	£0.25 per minute or part thereof
Christmas Day	Tariff 1 x 2 (over 5 persons - tariff 3 x 2)
Christmas Eve (from 6pm to midnight)	Tariff 2 (over 5 persons - tariff 4)
New Years Eve (from 6pm to 6am Jan 2)	Tariff 2 (over 5 persons - tariff 4)
Contamination Fee	£100.00
For each article of luggage conveyed outside the passenger compartment	£0.25
Payment by Credit / Debit Card	£1.00 per transaction

**Passengers and drivers should note that the meter must be switched on at the start of each journey and operate for the entire journey**

D.S Mae'r tariff hwn ar gael yn Gymraeg.

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## Appendix B

### 2018 – 2019 Taxi Licensing Fees

Driver	Fee
Grant of Driver Licence (inc Driver awareness Course with online DBS updating Service)	£102 - 1 Year £171 - 3 years
Grant of Driver Licence (inc Driver Awareness Course and Cost of DBS check)	£146.00 – 1 Year £215.00 – 3 Years
Renewal of Driver Licence	£63.00 – 1 Year £122.00 – 3 Years
Driver Awareness Course referral	£35.00
Disclosure and Barring Service Check (Criminal Records Check) - cost to be met by applicant	Currently £44 (As set by DBS)
DVLA check – cost to be met by applicant	As advised by DVLA

Vehicles	Fee
Deposit on Vehicle Licence Plate	£31.00 *£25 if older plate
Vehicles Grant (includes £31.00 deposit on plate)	£298.00
Vehicles Renewal	£267.00
Vehicles Renewal (If vehicle over 5 years)  (inclusive of additional test fee £51.00)	£313.00
Fleet Services Test Fee	£46.00
Re-test	£20.00
Plus Plate	£31.00
Additional Test	£46.00
Cancellation of Vehicle 'MOT' test within one working day or non-attendance at test	£46.00

## Appendix B

### 2011 – 2012 Taxi Licensing Fees

<b>Driver</b>	<b>Fee</b>
Grant of Driver Licence (inc Driver Awareness Course and Cost of CRB check)	£114.00 – 1 Year
Renewal of Driver Licence	£44.00 – 1 Year
Driver Awareness Course referral	£30.00
Disclosure and Barring Service Check (Criminal Records Check) - cost to be met by applicant	£36 (As set by DBS)
DVLA check – cost to be met by applicant	£5 (external fee)

<b>Vehicles</b>	<b>Fee</b>
Deposit on Vehicle Licence Plate	£28
Hackney Carriage or Private Hire Vehicle (including 2 Vehicle tests at basic rate)	£247
Hackney Carriage or Private Hire additional Vehicle tests	£51
Re-test	£20
Cancellation of Vehicle 'MOT' test within one working day or non-attendance at test	£51

## Hackney Carriage Tariff - Proposal 1

<b>TARIFF 1</b>				<b>Current BCBC £4.90</b>			<b>Current BCBC £9.70</b>					<b>Current BCBC £17.70</b>
1 - 4 Passengers 06.00 - 20.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£2.80 up to 5/10ths mile	£0.20	£2.00	£3.80	£5.80	£7.80	£9.80	£11.80	£13.80	£15.80	£17.80	£19.80	£21.80

<b>TARIFF 2</b>				<b>Current BCBC £6.30</b>			<b>Current BCBC £12.30</b>					<b>Current BCBC £22.30</b>
1 - 4 Passengers 20.00 - 06.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£3.60 up to 5/10ths mile	£0.22	£2.20	£4.70	£6.90	£9.10	£11.30	£13.50	£15.70	£17.90	£20.10	£22.30	£24.50

<b>TARIFF 3</b>				<b>Current BCBC £7.50</b>			<b>Current BCBC £13.50</b>					<b>Current BCBC £23.50</b>
5+ Passengers 06.00 - 20.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£4.80 up to 5/10ths mile	£0.24	£2.40	£6.00	£8.40	£10.80	£13.20	£15.60	£18.00	£20.40	£22.80	£25.20	£27.60

<b>TARIFF 4</b>				<b>Current BCBC £9.10</b>			<b>Current BCBC £16.30</b>					<b>Current BCBC £28.30</b>
5+ Passengers 20.00 - 06.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£5.80 up to 5/10ths mile	£0.28	£2.80	£7.20	£10.00	£12.80	£15.60	£18.40	£21.20	£24.00	£26.80	£29.60	£32.40

**Additional changes to the current BCBC hackney carriage tariff**

Soiling charge to increase to £125

## Hackney Carriage Tariff - Proposal 2

<b>TARIFF 1</b>				<b>Current BCBC</b>					<b>Current BCBC</b>					<b>Current BCBC</b>
1 - 4 Passengers 06.00 - 22.00				<b>£4.90</b>					<b>£9.70</b>					<b>£17.70</b>
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles		
£2.50 up to 5/10ths mile	£0.20	£2.00	£3.50	<b>£5.50</b>	<b>£7.50</b>	<b>£9.50</b>	<b>£11.50</b>	<b>£13.50</b>	<b>£15.50</b>	<b>£17.50</b>	<b>£19.50</b>	<b>£21.50</b>		
<b>TARIFF 2</b>				<b>Current BCBC</b>					<b>Current BCBC</b>					<b>Current BCBC</b>
1 - 4 Passengers 22.00 - 06.00				<b>£6.30</b>					<b>£12.30</b>					<b>£22.30</b>
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles		
£3.30 up to 5/10ths mile	£0.25	£2.50	£4.55	<b>£7.05</b>	<b>£9.55</b>	<b>£12.05</b>	<b>£14.55</b>	<b>£17.05</b>	<b>£19.55</b>	<b>£22.05</b>	<b>£24.55</b>	<b>£27.05</b>		
<b>TARIFF 3</b>				<b>Current BCBC</b>					<b>Current BCBC</b>					<b>Current BCBC</b>
5+ Passengers 06.00 - 22.00				<b>£7.50</b>					<b>£13.50</b>					<b>£23.50</b>
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles		
£4.50 up to 5/10ths mile	£0.25	£2.50	£5.75	<b>£8.25</b>	<b>£10.75</b>	<b>£13.25</b>	<b>£15.75</b>	<b>£18.25</b>	<b>£20.75</b>	<b>£23.25</b>	<b>£25.75</b>	<b>£28.25</b>		
<b>TARIFF 4</b>				<b>Current BCBC</b>					<b>Current BCBC</b>					<b>Current BCBC</b>
5+ Passengers 22.00 - 06.00				<b>£9.10</b>					<b>£16.30</b>					<b>£28.30</b>
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles		
£5.50 up to 5/10ths mile	£0.30	£3.00	£7.00	<b>£10.00</b>	<b>£13.00</b>	<b>£16.00</b>	<b>£19.00</b>	<b>£22.00</b>	<b>£25.00</b>	<b>£28.00</b>	<b>£31.00</b>	<b>£34.00</b>		

## Hackney Carriage Tariff - Proposal 2

### TARIFF 5

(1-4 Passengers. Christmas period, see dates below)

Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£4.50 up to 5/10ths mile	£0.35	£3.50	£6.25	£9.75	£13.25	£16.75	£20.25	£23.75	£27.25	£30.75	£34.25	£37.75

### TARIFF 6

(5+ Passengers. Christmas period, see dates below)

Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£7.00 up to 5/10ths mile	£0.40	£4.00	£9.00	£13.00	£17.00	£21.00	£25.00	£29.00	£33.00	£37.00	£41.00	£45.00

### Additional changes to the current BCBC hackney carriage tariff

Tariff 5 (1-4 passengers) and Tariff 6 (5+ passengers) to be introduced on the following dates:

December 24 <sup>th</sup>	18:00 - midnight (6 hours)
December 25 <sup>th</sup>	00:00 - midnight (24 hours)
December 26 <sup>th</sup>	00:00 - 06:00 & 18:00 - midnight (12 hours)
December 27 <sup>th</sup>	00:00 - 06:00 (6 hours)
December 31 <sup>st</sup>	18:00 - midnight (6 hours)
January 1 <sup>st</sup>	00:00 - 06:00 (6 hours)

The daytime tariff ends at 10pm instead of 8pm

## Hackney Carriage Tariff - Proposal 3

<b>TARIFF 1</b>				<b>Current BCBC £4.90</b>		<b>Current BCBC £9.70</b>				<b>Current BCBC £17.70</b>		
1 - 4 Passengers 06.00 - 20.00												
Flag	Click (1/9 n Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles	
£2.50 up to 388 yards	£0.20	£1.80	£3.90	£5.70	£7.50	£9.30	£11.10	£12.90	£14.70	£16.50	£18.30	£20.10

<b>TARIFF 2</b>				<b>Current BCBC £6.30</b>		<b>Current BCBC £12.30</b>				<b>Current BCBC £22.30</b>		
1 - 4 Passengers 20.00 - 06.00 (all day Sunday)												
Flag	Click (1/11 Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles	
£3.30 up to 480 yards	£0.20	£2.20	£4.90	£7.10	£9.30	£11.50	£13.70	£15.90	£18.10	£20.30	£22.50	£24.70

<b>TARIFF 3</b>				<b>Current BCBC £7.50</b>		<b>Current BCBC £13.50</b>				<b>Current BCBC £23.50</b>		
5+ Passengers 06.00 - 20.00												
Flag	Click (2/11 y Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles	
£4.50 (up to 424 yards)	£0.30	£2.50	£6.40	£8.90	£11.40	£13.90	£16.40	£18.90	£21.40	£23.90	£26.40	£28.90

<b>TARIFF 4</b>				<b>Current BCBC £9.10</b>		<b>Current BCBC £16.30</b>				<b>Current BCBC £28.30</b>		
5+ Passengers 20.00 - 06.00 (all day Sunday)												
Flag	Click (1/9 r Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles	
£5.50 (up to 457 yards)	£0.30	£2.70	£7.50	£10.20	£12.90	£15.60	£18.30	£21.00	£23.70	£26.40	£29.10	£31.80

### Additional changes to the current BCBC hackney carriage tariff

Tariffs 2 & 4 in operation all day Sunday

Waiting time: Tariffs 1 & 2 = 25p minute. Tariffs 3 and 4 = 30p per minute



## Hackney Carriage Tariff - Proposal 4

<b>TARIFF 1</b>				<b>Current BCBC</b>						<b>Current BCBC</b>	<b>Current BCBC</b>	
1 - 4 Passengers 06.00 - 22.00				<b>£4.90</b>						<b>£9.70</b>	<b>£17.70</b>	
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£2.20	£0.20	£2.00	£4.20	£6.20	£8.20	£10.20	£12.20	£14.20	£16.20	£18.20	£20.20	£22.20
<b>TARIFF 2</b>				<b>Current BCBC</b>						<b>Current BCBC</b>	<b>Current BCBC</b>	
1 - 4 Passengers 22.00 - 03.00				<b>£6.30</b>						<b>£12.30</b>	<b>£22.30</b>	
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£2.40	£0.25	£2.50	£4.90	£7.40	£9.90	£12.40	£14.90	£17.40	£19.90	£22.40	£24.90	£27.40
<b>TARIFF 3</b>				<b>Current BCBC</b>						<b>Current BCBC</b>	<b>Current BCBC</b>	
1 - 4 Passengers 03.00 - 06.00				<b>£6.30</b>						<b>£12.30</b>	<b>£22.30</b>	
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£2.40	£0.30	£3.00	£5.40	£8.40	£11.40	£14.40	£17.40	£20.40	£23.40	£26.40	£29.40	£32.40

## Hackney Carriage Tariff - Proposal 4

<b>TARIFF 4</b>				<b>Current BCBC £7.50</b>				<b>Current BCBC £13.50</b>				<b>Current BCBC £23.50</b>
5+ Passengers 06.00 - 22.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£4.20	£0.20	£2.00	£6.20	£8.20	£10.20	£12.20	£14.20	£16.20	£18.20	£20.20	£22.20	£24.20

<b>TARIFF 5</b>				<b>Current BCBC £9.10</b>				<b>Current BCBC £16.30</b>				<b>Current BCBC £28.30</b>
5+ Passengers 22.00 - 03.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£4.80	£0.25	£2.50	£7.30	£9.80	£12.30	£14.80	£17.30	£19.80	£22.30	£24.80	£27.30	£29.80

<b>TARIFF 6</b>				<b>Current BCBC £9.10</b>				<b>Current BCBC £16.30</b>				<b>Current BCBC £28.30</b>
5+ Passengers 03.00 - 06.00												
Flag	Click (1/10 mile)	Running Mile	1 mile	2 miles	3 miles	4 miles	5 miles	6 miles	7 miles	8 miles	9 miles	10 miles
£4.80	£0.30	£3.00	£7.80	£10.80	£13.80	£16.80	£19.80	£22.80	£25.80	£28.80	£31.80	£34.80

### Additional changes to the current BCBC hackney carriage tariff

The flag does not include an initial distance

The daytime tariff ends at 10pm instead of 8pm

This proposal introduces additional tariffs, in operation between 3am - 6am

## Consultation questionnaire on the proposals to amend the hackney carriage tariff

Considering the 4 enclosed proposals to amend the hackney carriage tariff, please indicate your preferred option.

- Proposal 1
- Proposal 2
- Proposal 3
- Proposal 4
- No change/keep current tariff

(Please tick one box only)

Please provide any additional comments:

.....

.....

.....

.....

.....

Please return this form to:

Licensing and Registration Section,  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

Closing date for responses is 7 September 2018

**Mae'r ffurflen hon hefyd ar gael yn Gymraeg / This form is also available in Welsh**

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## Appendix D

**From:** [REDACTED]  
**Sent:** 29 August 2018 12:32  
**To:** Cook, Daniel <Daniel.Cook2@cardiff.gov.uk>  
**Subject:** Re: FW: Maesteg Taxi Fares

Yer as we don't use meters anyway so no change for me

Sent from my Samsung device

---

**From:** [REDACTED]  
**Sent:** 22 August 2018 11:30  
**To:** licensing  
**Subject:** Proposed Tariff Increase

Good Morning Yvonne  
I would like to vote for proposal 1 for obvious reasons.  
Proposal 2 is to complicated over Christmas Proposal 3 will kill the trade on a Sunday Proposal 4 will cause problems for drivers working overnight where tariffs change at 3am.

Kind Regards

[REDACTED]  
Sent from my iPhone

---

**From:** [REDACTED]  
**Sent:** 24 August 2018 08:20  
**To:** licensing  
**Subject:** Tariff Proposal

Good Morning  
Having read the proposed changes to the tariff charges i would be happy with proposal 3 to be used.

Best Regards

[REDACTED] ( Badge No [REDACTED] )

.....  
**From:** [REDACTED] [mailto:[REDACTED]]

**Sent:** 26 August 2018 16:49

**To:** licensing

**Subject:** Re: Requests to increase the current hackney Carriage tariff (My Ref: [REDACTED] /Your Ref: YW

Dear Sir/Madam,

I acknowledge receipt of your letter dated as Postmark in regard to the above subject. However I have concerns for objecting such request for the benefit of both hackney carriage operators and service users during these economic upheavals. My objection is based on the following reasons => Increasing tariffs for hackney carriage sooner will exert more pressure to the families with low income who are mostly depended on using our service. You may be aware that about more than 60% of our custom is from low and middle income groups.

=> Increasing tariffs will directly have a negative impact on our business as it will now create an opportunity to our competitors and thus forcing our service users to use more affordable means of transport as some have already started to use family, friends, uber and other means of transport after night outs or even traveling to airports.

=> It is clear that requesting for such increases during this times has a motive to kill the hackney carriage business in order to boost private hire operators, who can keep their prices down until the economy picks up, and by then the Hackney carriage operators would have lost business, which will be hard to get back.

My views pertaining to tariff increase should be based on the current economy and other factors such as drastic increases on operating cost such as car parts and fuel cost. For example when the fuel cost reaches an average of £1.45 per litre, only then tariff review may be considered.

Increasing Tariffs at this point or near future will not benefit any.

Thank you for your communication and to be allowed to express my views and I hope my opinion will be taken to consideration.

Yours sincerely,

[REDACTED]  
Badge Number [REDACTED]  
[REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]]

**Sent:** 30 August 2018 17:52

**To:** licensing

**Subject:** Hackney carriage tariff

I propose  
Hackney carriage proposal 1

Thank you.

.....  
**From:** [REDACTED] [mailto:[REDACTED]@hotmail.co.uk]  
**Sent:** 30 August 2018 17:55  
**To:** licensing  
**Subject:** Hackney carriage tariff

I propose the Hackney carriage proposal 1  
Thankyou.

.....  
**From:** [REDACTED] [mailto:[REDACTED]@gmail.com]  
**Sent:** 01 September 2018 14:58  
**To:** licensing  
**Subject:** Proposed tariff rate changes - my vote

Hello.

Firstly I would like to thank the council (specifically licensing) for being proactive and thinking of drivers in Bridgend with the current state of play for making the change to make gaining a liveable wage more possible.

I have taken the option to vote by email for the proposals for the taxi fare rise.

**I would like to vote for proposal 4.**

I base this opinion on both my current perspective of what is fair and through research, having spent time viewing the current fares throughout the UK and what appears to be working well for drivers and public alike.

### **County Position.**

According to PHTM we in Bridgend are 329th of 366 currently in the county tariff ratings of the whole of the UK. Tarriff proposals 1, 2 & 3 would mean that we would be in the region of 200th at best for the 2 mile fare comparison. Quite a few in that price region haven't had a price increase for some time and so may well be probably due. Those in line with proposal 4 appear to have had a recent tariff change and also list currently a high amount of 21 other counties in that group. Charging this rate when compared to the rest of the UK would place us around the 100 position currently. (August 2018 PHTM website) (more recent edition edited today 01/09/18 there are 24 other counties in that group and 93 counties or 25.5% of all the counties are within a 2% price radius of this pricing showing it is currently the most popular price throughout the UK.

### **Fuel Price.**

Whilst the price of fuel has dropped since its peaks of April 2012 and March 2013 when the average price of diesel was £1.45 a litre (something which could not have been foreseen in 2011 when the latest tariff fare was introduced). The fuel is now considerably higher at £1.33 a litre for diesel compared to £119.5 as an average taken for the 12 months preceeding the tariff increase for 2011.

That is 11.3% higher and I understand that the fuel forecast is set to continue to increase. If we look at the price of fuel at its peak when diesel was nearly £1.50 a litre it was 25% higher than the average price of diesel for the 12 months preceeding the last tariff rate rise and that was less than a year after the rise.

Figures above quoted from the RAC fuel history price website:

<https://www.racfoundation.org/data/uk-pump-prices-over-time>

### **Vehicle price.**

Having looked at the Skoda pricing for the Octavia which is a car that has been consistently a taxi driver's favourite since 2011 due to its durability and solid build and will allow for a like for like comparison. In 2011 it was available at a retail price of £16,800 for the 2L model. In todays terms the same model that has the same power but with a 1.6L engine is available for £25,000 and if you wanted the 2L version to keep exactly the same it would cost another £2000. This means that a car is roughly 50% more to purchase outright and the financing deals available according to cabs direct and the taxi centre are roughly the same increase.

### **Insurance.**

I have spoken to Swinton, Fensure and Insure taxi agents and brokers. They have all reported significany increases for new taxi drivers over the last decade and more so since 2011. They have also reported a rise in general for insurance on the taxi trade so those with fleet insurance and those that have a very long no claims bonus have been affected in some cases to a 100% increase since 2011.

### **Cost of living.**

Having viewed the retail price index and consumer price index I can interpret an average cost of living increase of between 23% to 27% for the essential living whilst certain luxuries and house prices and rent have gone up in excess of this.

### **Other wage increases and changes.**

When I look at private companies who have a predetermined salary rise structure it can be seen that there is a minimum rise increase of 3% per year or in line with inflation... whichever is the greatest. Over the last 7 years on a compound scale of just normal inflationary rise of a maximum of 3% that is a 22.9% increase. I can see that some public sector pay scales have had a pay freeze and even a pay cut during this time and so those on the lower rungs of the ladder that have been frozen must also be feeling the pinch also.

### **In conclusion.**

Since 2011 the amount of taxi drivers on the road has increased meaning an average downturn of work for each driver. The cost of living has increase by roughly 25% for the essentials. The cost of insurance has in some cases doubled (100% increase) for those who have been in it a long time. The



cost of running the car from a fuel perspective has at its peak gone up 25% and it is set to continue to rise ahead of inflation according to the FT projections. The cost of buying a car like for like has gone up 50%. In real terms a taxi driver's costs have risen above the rate of inflation whilst the amount of work per driver available has dropped. This has meant a significant drop in wages if we look at it on an hourly basis or the equivalent pay cut in the region of 30% over that time period.

With the above in mind, if we looked to increase the current tariff so that is in line with at least the compound inflationary rates whilst also considered the effect on the price of transport in terms of fuel and the price of owning and running a vehicle. With the above minimum being in the region of 25% we need a taxi fare rate increase that is also in line with this. If we look at the prices on the proposals the only one that comes close is the proposal number 4 at 26% for a 2 mile trip on tariff 1 and 25% for a 10 mile trip on the same tariff. On tariff 2 the increases are 17.4% and 22.9% respectively.

All other proposals are significantly further away from this proposed rise.

Further to this, if we look at Cardiff who had a tariff rate rise just a little over half a year ago and compare the industry standard of the 2 mile trip on tariff 1 we can see that they are very similar to the proposal number 4 recommendation. This is also the case for the Vale of Glamorgan who have had a tariff change also in 2018. (And since the first draft of this email I have just realised that Swansea had an increase in the last couple of days that is again in line with the proposal 4 so please ignore the information below which states Swansea's name!) In numerical terms the difference between these councils and ours a 2% difference and 3% respectively for the proposed tariff 4 rate as opposed to the current difference of 20% and 18.5% again respectively. I haven't shown the new tariff vs the other local councils which include Swansea, RCT and NPT because their latest tariff rate changes were around the time of our current tariff change and were in line with our current one. I dare say as ripples in a pond they will soon follow suit and raise in line as other councils listed here have. (Again for Swansea the numbers are a current difference of 15% and a proposed difference of only 7%).

I look forwards to hearing back from licensing and sincerely hope that the above is taken into consideration and is of help when trying to decide a way forwards following the voting period and any period or time of reflection or consultation.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bridgend.

[REDACTED]

Mobile [REDACTED]

[REDACTED]@gmail.com

.....  
**From:** [REDACTED] [mailto:[REDACTED]@hotmail.co.uk]

**Sent:** 03 September 2018 20:26

**To:** licensing

**Subject:** Consultation questionnaire on the proposals to ammend the hackney carriage tariff

Dear Sir/Madam,

I would like to choose proposal 4 for the taxi fare rates/ hackney carriage tariff in Bridgend.

Thank you.

.....  
**From:** [REDACTED] [mailto:[REDACTED]@gmail.com]

**Sent:** 04 September 2018 10:51

**To:** licensing

**Subject:** Tariff

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bridgend,

[REDACTED]

[REDACTED]

[REDACTED]

Tel [REDACTED].

[REDACTED]@gmail.com

Driver No. [REDACTED]

I'd like too see proposal 3 in operation.

Thank you

[REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]]

**Sent:** 04 September 2018 12:43

**To:** licensing

**Subject:** Proposals to amend the hackney carriage tariff

Considering the 4 enclosed proposals to amend the hackney carriage tariff, I prefer PROPOSAL 4 option.

Thank you,

[REDACTED]

Red: [REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 06 September 2018 22:54  
**To:** licensing  
**Subject:** Proposal

Hi,as a response to the letter that we received regarding the increase of the hackney carriage tariff I personally vote for the proposal 3,considering that is the most appropriate.

Thank you,  
[REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]hotmail.com]  
**Sent:** 07 September 2018 05:08 **To:**  
licensing  
**Subject:** Consultation Proposal

Hello I would like to explain my views on the proposed tariff.Proposal 3 equates roughly to an increase in distance of about 13% which is only minimal so wont effect trade.The other proposals want an increase in distance on tariff 1 of 25% which is too much of an increase in one go and will effect trade in a negative way.Also Proposal 1 wants an increase in distance of 25% tariff 1 but only a 10% increase in tariff 2. I don't think it's fair for a driver who works unsociable hours on tariff 2,picking up drunk and sometimes abusive people to be on roughly the same as a driver who works tariff 1 picking up shoppers and the elderly.So the 40p a mile difference should stay the same for the headache.I think it would be a good idea to keep the tariff times and start off price the same so it will cause less disruption for the public.

Also the Xmas tariff needs to be changed as shown in Proposal 2.The public are expecting it to be tariff 5 on Xmas eve 6pm until the 27th December 6am.They are also expecting it on New Year's Eve 6pm- 6am New Year's Day.So why isn't it?? Any driver who gives up that time of year to work should be getting tariff 5 not normal rate,come on guys!!

Sent from my iPhone

.....  
**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 07 September 2018 12:51  
**To:** licensing  
**Subject:** Hackney Carriage Tariff Proposal

Proposal 3.

Ref: [REDACTED]  
Regards  
[REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 07 September 2018 13:33  
**To:** licensing  
**Subject:** Taxi Tariff option 4 submission

Good afternoon

It's sunny here in these here parts.

[REDACTED] was sent a letter recently and asked to choose from 4 tariffs

Bridgend taxi driver [REDACTED] chooses number 4

Comments as to why:

1. It is a tariff already used in Wales and Carmarthenshire for up to 4 passengers.
2. It moves the tariff 2 to 22:00 a later time more in keeping with the rest of the trade.
5. Between 20:00 and 22:00 passengers will see the half mile distance cheaper
4. If you just apply basic economics to the current fare tariff that was created in 2011 and apply only 3% year on year then you will get a figure that is very close (only 3p out on a 2 mile journey) to option 4. Also it would bring us to within a 2% difference to over 25% of the rest of the uk with another 10% being charged more and over 70% of the uk would have less than a 10% deviation. If you compare it to the minimum wage then the increase is exactly the same. I'm sorry but I don't think it is fare for taxi drivers to have less pay compared to nearly 8 years ago and those on minimum wage to have much more. Even if the wage of a driver went up so have fuel and cost of car and insurance. Other options are not as good.  
Option 4 is the right choice for Bridgend as a maximum fare.
5. We have stated previously that the calculations to run a cab fall at option 4 as the bare minimum.

Please confirm you would add this vote for number 4 as requested in your recent letter.

An email of acknowledged will I have?

Yours sincerely

[REDACTED]

[REDACTED]

.....  
**From:** [REDACTED] [mailto:[REDACTED]@hotmail.com]  
**Sent:** 07 September 2018 13:24  
**To:** licensing  
**Subject:** Questionnaire

No change/keep current tsriff

.....  
**From:** [REDACTED] [mailto:[REDACTED]@hotmail.com]  
**Sent:** 07 September 2018 16:25  
**To:** licensing  
**Subject:** Proposal for tariffs.

[REDACTED]  
Badge number [REDACTED]  
HC [REDACTED]

As the expenses increased sharply in last few years I think it's time to increase the tarriff I would like to go ahead with proposal 4.  
Thank you.

Sent from my Samsung Galaxy smartphone.

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# Bridgend County Borough Council



## Consultation questionnaire on the proposals to amend the hackney carriage tariff

Considering the 4 enclosed proposals to amend the hackney carriage tariff, please indicate your preferred option.

- Proposal 1
- Proposal 2
- Proposal 3
- Proposal 4
- No change/keep current tariff

(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

IF TAXI FEES INCREASE, THEN SO DO COUNCIL BADGE  
AND TEST FEES,  
PLEASE - NO INCREASES.

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend, CF31 4WB

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

Closing date for responses is 7 September 2018

Mae'r ffurflen hon hefyd ar gael yn Gymraeg / This form is also available in Welsh

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

I DO NOT AGREE TO HIGHER TARIFFS ON NON BANK HOLIDAYS  
OF SUNDAYS AS PER PROPOSAL 2

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

I like the idea that a different price from 3am to 6am and I think it's fair that the day time finish at 22-00

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

Proposal 4

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# Bridgend County Borough Council



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- No change/keep current tariff

22 AUG 2018

(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

The Tariffs must be increased as the Band rate of Tax has gone up by 0.25%, Fuel and food prices have increased. Also with cost of rent, Bridge + Parking have all gone up. Also too many taxi drivers - who are not of a good standard. poor English, slow driving - I'll mention shall not of been given a licence.

Please return this form to:  
 Licensing  
 Bridgend County Borough Council  
 Civic Offices  
 Angel Street  
 Bridgend. CF31 4WB

Too many taxis licensed!  
 Council is a mess!!! No body cares that  
 Now! To stop or even  
 so out!!!

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

Closing date for responses is 7 September 2018

The Business has gone long ago! Just like the town! The taxi business has been killed by this!!!  
 Mae'r ffurflen hon hefyd ar gael yn Gymraeg / This form is also available in Welsh

They struggle to pay for their cars on HP! Taxi drivers are struggling to make any profit and to pay their bills!! And it is setting waste!!! FT0.

A note you need to!

Make the town a more attractive place to

come to, Perth! (Better facilities)

Good pubs + clubs - free parking - good shops)

HS businesses are closing up in Perth and B. and

people are going elsewhere to shop and for their

entertainment!!!

The town is dead!!!

And has a bad name for trouble!

Also there is too much drugs (and violence)

Especially towards taxi drivers by the public!

Too much drunken behavior by young people  
and creating serious problems for police and

takeaway owners as well as taxi drivers

This matter needs urgent!!! Attention

I know probably as put out of

business by violent crimes

on 27th March 2017 in Perth and

and attacked many times seriously

Over the 11 years! I have been a taxi driver  
and chauffeur. I'm sure!

[Redacted] + taxi driver



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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

My ONLY COMMENT IS THAT TO MAKE THIS  
BASIS ON CUSTOMERS YOU & WE SHOULD VISIT  
THIS ANNUALLY OR MORE OFTEN THAN EVERY 7 yrs.

Please return this form to:

Licensing  
Bridgend County Borough Council  
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Bridgend. CF31 4WB

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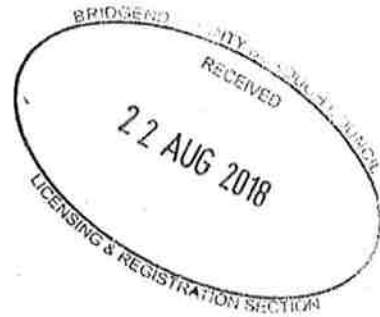
**Mae'r ffurflen hon hefyd ar gael yn Gymraeg / This form is also available in Welsh**



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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

FUEL PRICES HAVE BEEN (ON AVERAGE) THE SAME FOR THE LAST 10 YRS. WAGES FOR MOST WORKERS ARE STAGNANT. INTEREST RATES FOR SAVERS ARE ZILCH. THE COUNCIL IS HAVING TO COPE WITH CUTS TO ITS BUDGET ETC. ETC. WE ARE ALL

Please return this form to: FEELING THE EFFECTS OF TORY AUSTERITY.

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

THERE IS NO JUSTIFICATION FOR ANY INCREASE IN TAXI FARES!!

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

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22 AUG 2018

(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

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Bridgend. CF31 4WB

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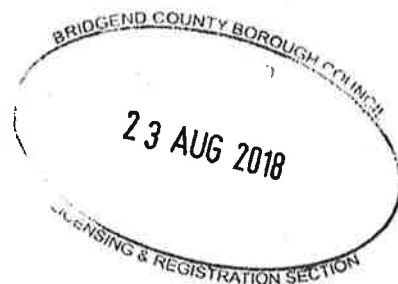
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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

This should 100% increase, especially as the fuel prices are going up. Also Tariff 2 should be all day Saturday / Sunday as Weekend. (High demand)

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

BRIDGEND CAB DRIVERS ARE WELL OVERLOVE  
A TARIFF INCREASE AS COSTS ARE ALWAYS  
RISING AS WELL AS COMPETITION FROM MORE DRIVERS  
AND THE ONGOING DEATH OF THE TOWN CENTRE.

Please return this form to:

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Angel Street  
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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

THE ABOVE IS BETTER FOR ME I THINK  
AS I ONLY USE THE TAXI ON A FRIDAY  
+ SATURDAY BETWEEN 22.00 - 04.00

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

THIS TARIFF I BELIEVE TO BE THE MOST FAIR  
FOR BOTH PUBLIC & DRIVERS IN LINE WITH OTHER  
COUNTRIES. FULL COMMENTS TO BE SENT FROM MY  
EMAIL.

Please return this form to:

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

DUE TO THE ALREADY HIGH NUMBER OF HACKNEY/PRIVATE  
HIRE CARS IN THE BOROUGH, WORK HAS SIGNIFICANTLY  
DROPPED OVER THE LAST FEW YEARS. A PRICE INCREASE  
WOULD FURTHER DISCOURAGE PEOPLE FROM USING  
TAXIS, THEREFORE DECREASING INCOME FURTHER.

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

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If you wish to provide a comment on the reason for your preferred option, please include this below.

*Considering Every one else has had  
a cost of living raise in the last  
few years Taxi drivers havent.*

Please return this form to:

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Angel Street  
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Bridgend County Borough Council  
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(Please tick one box only)

Please provide any additional comments:

.....

.....

.....

.....

.....

Please return this form to:

Licensing and Registration Section,  
 Bridgend County Borough Council  
 Civic Offices  
 Angel Street  
 Bridgend, CF31 4WB

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

Cardiff Caerphilly Vale of Glamorgan  
Have had an increase of 7% and 13% I think  
it is time for Bridgend to follow

Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

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Cardiff propose 7.45, Caerphilly 13% The Vale 7%  
with increase in fuel, badge, maintenance, insurance.  
increase is overdue. Bridgend is currently 329 cheapest  
licence authority out of 370

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**Mae'r ffurflen hon hefyd ar gael yn Gymraeg / This form is also available in Welsh**



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Considering the 4 enclosed proposals to amend the hackney carriage tariff, please indicate your preferred option.

- Proposal 1
- Proposal 2
- Proposal 3
- Proposal 4
- No change/keep current tariff



(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

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.....

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Please return this form to:

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend. CF31 4WB

Alternatively, please email your views to [licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

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See attached letter

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

*I don't think the change of time for tariff two should be changed, it would only penalise all the night drivers.*

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(Please tick one box only)

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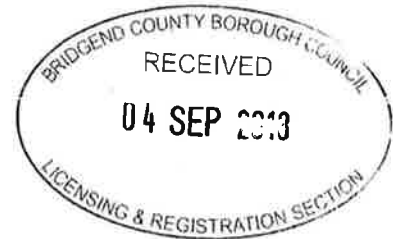




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- Proposal 1 X
- Proposal 2 X
- Proposal 3 ✓
- Proposal 4 X
- No change/keep current tariff



(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

*I believe this to be the best proposal for drivers & passengers. It goes some way to recognising the ever increasing costs of operating. However, BCBC should also review its own charges for licensing for opportunities to reduce. The increase in the sailing charges is welcome though it is impossible to collect from passengers & no support is offered by BCBC even though they set the charge & the expectation for payment. This should be reviewed so as to support those BCBC licenses!*

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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

*A modest increase is well overdue,  
especially as running costs and council  
fees are never reduced or frozen to help owners.*

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- Proposal 1
- ~~Proposal 2~~
- ~~Proposal 3~~
- ~~Proposal 4~~
- ~~No change/keep current tariff~~



(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

Soiling charge increase is pointless as no one pays it anyway! Be nice to have Tariff 2 all day Sunday included on Proposal 1. Proposals 2+4 not an option as Tariff 2 starts too late.

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- Proposal 1
- Proposal 2
- Proposal 3
- Proposal 4
- No change/keep current tariff

(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

Proposal 3 is only a slight increase so is fair for both driver and customer. Also the xmas tariff needs to be changed as in proposal 2.

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- Proposal 1
- Proposal 2
- Proposal 3
- Proposal 4
- No change/keep current tariff



(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

SINCE LAST RATE INCREASE OVER 7 YEARS AGO FUEL, INSURANCE,  
MAINTENANCE, MEDICALS AND COUNCIL FEES HAVE INCREASED SIGNIFICANTLY  
BEING FAIR TO CUSTOMERS HAVE CHOSEN CHEAPEST INCREASE BUT HAD WE HAD  
INCREASE EVERY COUPLE OF YEARS WE WOULD BE CHARGING MORE

Please return this form to:

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- Proposal 2
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(Please tick one box only)

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# Bridgend County Borough Council



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(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

It's important to realize that taxi fares have not increased since 08/2011. This new tariff is a reasonable, but required, option.

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# Bridgend County Borough Council



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RECEIVED 06 SEP 2018



(Please tick one box only)

If you wish to provide a comment on the reason for your preferred option, please include this below.

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Bridgend County Borough Council  
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RECEIVED 06 SEP 2018

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*Best for drivers + customers*

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(Please tick one box only)

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The taxi trade has had only one tariff increase in 13 yrs, this in my opinion reflects the best option for us.

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[REDACTED]  
[REDACTED]  
[REDACTED]  
Bridgend  
[REDACTED]  
[REDACTED]

03/09/2018

I am a licensed Hackney Carriage Vehicle owner and driver in Bridgend and have been now for nearly 30 years. I am writing in response to the consultation being carried out by the licensing department in conjunction with the report for the council on the applications to increase the maximum tariff set by council in accordance with the local government (Miscellaneous Provisions) act 1976 section 65.

I support a rise in the maximum tariffs set and I support option 3 of the given options in this consultation, as an owner of a licensed Hackney Carriage I have the financial responsibility and commitment of purchasing and maintaining this vehicle to the high standards set by the council.

The last increase of these tariffs was back on 15th August 2011. The licensed taxi trade in the county borough of Bridgend have shown restraint during these past years of austerity imposed on the country by government in not applying to increase the tariffs, but now is the time for an increase to avoid the trade becoming insolvent and putting a risk to public safety by cost cutting on maintenance and servicing.

I have a few issues and concerns with this consultation conducted by the licensing department and with the level of support from this department and the council being offered to the licensed taxi trade.

The first application submitted to the council was back at the beginning of 2016, why has it taken until now late 2018 for a report to be prepared for council? Had that application been processed at the time of receipt, the financial burden on the trade would have been eased and at this time council may have been considering a smaller increase for the financial year 2018-19. This shows the poor support for the licensed taxi trade from this department.

I have issues with the covering letter from the licensing department and concerns with the level of information this consultation may provide to the council members and how misleading this may be.

The licensing department in their covering letter indicate that a significant increase in the fares might impact on the use of taxis as means of public transport, have the licensing department any evidence to support this statement? I as someone who has been in the licensed taxi trade for nearly 30yrs I can state that, I have witnessed many increases in the maximum tariffs set by the council and I have never experienced any long term impact to the trade from an increase. The first weeks of an increase may attract a few moans and groans as an increase in any costs would, but never an "impact on the use of taxis as a means of public transport" are the licensing department trying to influence this consultation?

The information provided by this consultation for the council members will not tell them who has voted in this consultation.

Are they owners of a licensed vehicle

Do they lease a vehicle

Are they a driver of a vehicle

Are they a full-time driver of a vehicle

Are they a part-time driver of a vehicle and have separate income from another source.

This consultation falls short in providing accurate information to the members about the opinions of the licensed taxi trade on an increase to the tariffs.

I would like to state that the council set the maximum tariff that a Hackney Carriage Vehicle may charge and keeping the maximum tariff low will only stifle competition in the taxi trade as it forces all patrons to be on these tariffs and will not allow a financial leeway to offer discounts and other incentives to the public.

Yours sincerely

A large black rectangular redaction box covers the signature area, obscuring the name of the sender.

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **TARIFF REVIEW AUGUST 2017**

# PROPOSED TARIFF INCREASE

- LAST INCREASE IMPLEMENTED ON AUGUST 15<sup>TH</sup> 2011
- B.C.B.C. TARIFFS ARE BELOW BOTH THE NATIONAL AND WELSH AVERAGE TARIFFS.
- BRIDGEND IS POSITIONED 322 IN A TABLE OF 366 COUNCILS.
- WITH THE PRESENT EXCEPTION OF FUEL COSTS, DRIVERS ARE EXPERIENCING RISING COSTS IN ALL OTHER AREAS, ROAD TAX, INSURANCE, TAXI LICENCES, PLATING CHARGES, MEDICALS ETC.
- DRIVERS HAVE A HUGE OUTLAY BEFORE THEY CAN START TO EARN A LIVING.

### **TARIFF 1**

- RAISE THE FLAG FROM £2.50 TO £2.80
- FLAG TO REMAIN WITH THE FIRST ½ MILE INCLUDED
- DISTANCE CALCULATED IN 10ths OF A MILE i.e. 20p PER 10th

### **TARIFF 2**

- RAISE FLAG FROM £3.30 TO £3.60
- FLAG TO REMAIN WITH THE FIRST ½ MILE INCLUDED
- DISTANCE CALCULATED IN 10ths OF A MILE i.e. 22p PER 10th

### **TARIFF 3**

- RAISE FLAG FROM £4.40 TO £4.80
- FLAG TO REMAIN WITH THE FIRST ½ MILE INCLUDED
- DISTANCE CALCULATED IN 10ths OF A MILE i.e. 24p PER 10th

### **TARIFF 4**

- RAISE FLAG FROM £5.50 TO £5.80
- FLAG TO REMAIN WITH THE FIRST ½ MILE INCLUDED
- DISTANCE CALCULATED IN 10ths OF A MILE i.e. 28p PER 10th

## PROPOSED TARIFF INCREASE.

Page 224

TARIFF	FLAG	1 <sup>ST</sup> MILE	5 MILES	RUNNING MILE
1	£2.80	£3.80	£11.80	£2.00
2	£3.60	£4.70	£13.50	£2.20
3	£4.80	£6.00	£15.60	£2.40
4	£5.80	£7.20	£18.40	£2.80



# SUMMARY

Page 225  
OVER FOUR YEARS SINCE LAST INCREASE.

■ A RISE IS NEEDED TO COMPENSATE FOR INCREASED COSTS.

■ NEED TO INCREASE B.C.B.C. TARIFFS IN LINE WITH THE INDUSTRY AVERAGES.

■ WAITING TIMES TO REMAIN THE SAME @.20p PER MINUTE OR PART THEREOF.

■ CHRISTMAS AND BANK HOLIDAYS TO REMAIN THE SAME.

■ BANK HOLIDAYS RATE 2.

■ THE 24 HOURS OF CHRISTMAS DAY DOUBLE RATE 1.

■ SOILING CHARGE TO INCREASE TO £125

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My proposal is based on changing the current number of clicks/mile from 8 clicks to 10 clicks. My Pick up rates remain the same but the rate/mile is increased, depending on the Tarriff. I also propose to change the Rates and Time Period over the Christmas and New Year Period. We currently charge Double Tarriff1 / Tarriff 3 for a 24 hour period on December 25<sup>th</sup> and a change in Tarriff for 2 hours on Dec 24<sup>th</sup> and Dec 31<sup>st</sup>. My proposal is to introduce New Tarriffs over an agreed Date and Time between December 24<sup>th</sup> and January 1<sup>st</sup>. This will have no effect on standard UK Bank Holidays and the current system. Waiting Time is same rate as the Tarriff used / click. I would also like to change the Time that Tarriff 2 and 4 are introduced from 8pm to 10pm .

My Proposal is as follows

Tarriff Rates	T1	T1	T2	T3	T4	T5	T6
Pick up (5/10 of a Mile)	£2.50	£3.30	£4.50	£5.50	£4.50	£7.00	
Charge/Click	£0.20	£0.25	£0.25	£0.30	£0.35	£0.40	
Running Mile	£2.00	£2.50	£2.50	£3.00	£3.50	£4.00	

T5 and T6 charges are used on the following dates

December 24 <sup>th</sup>	18:00 upto Midnight	6 Hours
December 25 <sup>th</sup>	00:00 upto Midnight	24 Hours
December 26 <sup>th</sup>	00.00 upto 06:00 & 18:00 upto Midnight	12 Hours
December 27 <sup>th</sup>	00:00 upto 06:00	6 Hours
December 31 <sup>st</sup>	18:00 upto Midnight	6 Hours
January 1 <sup>st</sup>	00:00 upto 06:00	6 Hours

I feel the above Proposals will offer a new clear system for our customers and also bring us as self employed Taxi Drivers closer to the Minimum Wage. It will also provide a fair sytem over the Christmas and New Year Period for Taxi Drivers working the night period, they currently get little increase unlike the day drivers on Bank Holidays

The National avearge and Welsh Rates are outlined below along with our current Rates and my Proposed Rates I have also included where we (B.C.B.C.) are positioned in the UK Taxi league and also a comparison of some other Councils

Tarriff 1 Averages

	Flag	1 Mile	2 Miles	5 Miles	10 Miles	Running Mile
Bridgend	£2.50	£3.30	£4.90	£9.70	£17.70	£1.60
Wales	£2.82	£3.32	£5.16	£10.65	£19.79	£1.83
UK	£2.76	£3.82	£5.68	£11.27	£20.71	£1.87
2016TB	£2.50	£3.50	£5.50	£11.50	£21.50	£2.00

Tarriff 2 Averages

	Flag	1 Mile	2 Miles	5 Miles	10 Miles	Running Mile
Bridgend	£3.30	£4.30	£6.30	£12.30	£22.30	£2.00
Wales	£3.57	£4.20	£6.58	£13.66	£25.46	£2.36
UK	£3.63	£5.02	£7.45	£14.73	£27.06	£2.45
2016TB	£3.30	£4.55	£7.05	£14.55	£27.05	£2.50

League Position with 365 councils based on Tarriff 1 for 2 miles, also shows Year of Last change

	Position	Amount	Year
Vale of Glamorgan	180	£5.65	2011
Cardiff	204	£5.59	2016
Newport	208	£5.51	2015
Rhondda Cynon Taff	279	£5.20	2012
Swansea	297	£5.05	2008
Neath Port Talbot	305	£5.00	2011
Bridgend	313	£4.90	2011
Welsh Average		£5.16	
UK Average		£5.68	
2016TB		£5.50	

All of the above is correct based on March 2016 UK Private Hire Monthly Trade Magazine

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## Appendix H

Premier Cars (Cardiff) Ltd

Bridgend Meter Review November 2017

Our proposal is based on research for both driver and information relating to the UK Retail Price Index.

The last rate rise took place in 2011, this has left Bridgend way behind in regards the true cost of operating and earning a living from a Hackney Carriage Vehicle.

The Structure of the current tariff that is in place should be used for a guideline, as in many ways when it was produced it catered for Saloon and MPV type vehicles. We feel the tariff would be improved with changes to Sunday operating prices – this should be tariff 2 all day to encourage drivers to offer an exceptional service at a rate that is workable.

The increases in RPI over the last 5 years are:

2012 3.1%

2013 2.7%

2014 1.6%

2015 1.2%

2016 2.5%

Total over 5 years 11.1%

The proposed tariff shown below takes the above additional costs into account.

Tariff 1 (Saloon type vehicles)

Flag £2.50 for 388 yards

1<sup>st</sup> Mile £3.90

Per Mile £1.80

Waiting time £15.00 per hour (25p minute)

Increments of 20p for mileage and waiting

Tariff 2 (Saloon type vehicles)

Flag £3.30 for 480 yards

1<sup>st</sup> Mile £4.90

Per Mile £2.20

Waiting time £15.00 per hour (25p minute)

Increments of 20p for mileage and waiting

Tariff 3 (MPV type vehicles)

Flag £4.50 for 424 yards

1<sup>st</sup> Mile £6.40

Per Mile £2.50

Waiting time £18.00 per hour (30p minute)

Increments of 30p for mileage and waiting

## Appendix H

Tariff 4 (MPV type vehicles)

Flag £5.50 for 457 yards

1<sup>st</sup> Mile £7.50

Per Mile £2.70

Waiting time £18.00 per hour (30p minute)

Increments of 30p for mileage and waiting

Tariff 1 (saloon type vehicle) = 06.00hrs to 20.00hrs Monday to Saturday

Tariff 2 (saloon type vehicle) = 20.00hrs to 06.00hrs Monday to Saturday and all day Sunday

Tariff 3 (MPV type vehicle) = 06.00hrs to 20.00hrs Monday to Saturday

Tariff 4 (MPV type vehicle) = 20.00hrs to 06.00hrs Monday to Saturday and all day Sunday

Bank Holidays (except Christmas day) = Tariff 2 Saloon, Tariff 4 MPV

Christmas Day = Tariff 1 x 2 (Saloon) Tariff 3x2 (MPV)

Contamination Charge £100.00

Regards

Peter Renwick

Director

Premier Cars (Cardiff) Ltd

Appendix I

Mr Dario Nelson - Bridgend CBC Tariff Proposal

age 23

Tariff 1 Dario Nelson

1 - 4 Passengers  
06.00 - 22.00

				<b>Current BCBC £4.90</b>			<b>Current BCBC £9.70</b>					<b>Current BCBC £17.70</b>
Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£2.20	£0.20	£2.00	£4.20	<b>£6.20</b>	£8.20	£10.20	<b>£12.20</b>	£14.20	£16.20	£18.20	£20.20	<b>£22.20</b>
(2.20 + 2.00)												

Tariff 2 Dario Nelson

1 - 4 Passengers  
22.00 - 03.00

				<b>Current BCBC £6.30</b>			<b>Current BCBC £12.30</b>					<b>Current BCBC £22.30</b>
Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£2.40	£0.25	£2.50	£4.90	<b>£7.40</b>	£9.90	£12.40	<b>£14.90</b>	£17.40	£19.90	£22.40	£24.90	<b>£27.40</b>
(2.40 + 2.50)												

Tariff 3 Dario Nelson

1 - 4 Passengers  
03.00 - 06.00

				<b>Current BCBC £6.30</b>			<b>Current BCBC £12.30</b>					<b>Current BCBC £22.30</b>
Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£2.40	£0.30	£3.00	£5.40	<b>£8.40</b>	£11.40	£14.40	<b>£17.40</b>	£20.40	£23.40	£26.40	£29.40	<b>£32.40</b>
(2.40 + 3.00)												

**Tariff 4 Dario Nelson**

5+ Passengers

06.00 - 22.00

Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£4.20	£0.20	£2.00	£6.20	<b>£8.20</b>	£10.20	£12.20	<b>£14.20</b>	£16.20	£18.20	£20.20	£22.20	<b>£24.20</b>

(4.20 + 2.00)

**Current  
BCBC  
£7.50**

**Current  
BCBC  
£13.50**

**Current  
BCBC  
£23.50**

**Tariff 5 Dario Nelson**

5+ Passengers

22.00 - 03.00

Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£4.80	£0.25	£2.50	£7.30	<b>£9.80</b>	£12.30	£14.80	<b>£17.30</b>	£19.80	£22.30	£24.80	£27.30	<b>£29.80</b>

(4.80 + 2.50)

**Current  
BCBC  
£9.10**

**Current  
BCBC  
£16.30**

**Current  
BCBC  
£28.30**

**Tariff 6 Dario Nelson**

5+ Passengers

03.00 - 06.00

Flag	Click (1/10 mile)	Running Mile	Up to 1 mile	<b>2 miles</b>	3 miles	4 miles	<b>5 miles</b>	6 miles	7 miles	8 miles	9 miles	<b>10 miles</b>
£4.80	£0.30	£3.00	£7.80	<b>£10.80</b>	£13.80	£16.80	<b>£19.80</b>	£22.80	£25.80	£28.80	£31.80	<b>£34.80</b>

(4.80 + 3.00)

**Current  
BCBC  
£9.10**

**Current  
BCBC  
£16.30**

**Current  
BCBC  
£28.30**

**Extra Charges**

No change to the current Bridgend County Borough Tariff



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

18 DECEMBER 2018

#### REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

##### GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

###### 1. Purpose of report

- 1.1 The purpose of this report is to report the outcome of the three year review of the Gambling Statement of Principles, the framework which governs the way this authority undertakes its duties as the licensing authority for gambling. Approval of the Statement of Principles for the next three year period from 2019 is a Council function.

###### 2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

###### 3. Background

- 3.1 The Gambling Act 2005 provides for a regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting. The Gambling Commission was set up under the Gambling Act 2005 to regulate commercial gambling in Great Britain in partnership with licensing authorities as local regulators. The Act places a legal duty on both the Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the licensing objectives, and the full regulatory framework is set out at paragraph 4.2 below.

- 3.2 This licensing authority is responsible for:

- Issuing premises licences;
- Issuing permits which allow low stakes gambling in venues which are not primarily for gambling, for example, pubs;
- enabling societies to hold small lotteries;
- ensuring compliance and enforcement of the Gambling Act 2005 locally.

- 3.3 The Council, as licensing authority, is not responsible for the authorisation or enforcement of remote gambling e.g. online gambling.

- 3.4 The Council is required to publish a policy statement, known as the Statement of Principles every three years. The current document has been reviewed and a draft consultation undertaken. A copy of the draft Statement of Principles is attached at Appendix A. The reviewed elements are highlighted in red.

#### **4. Current situation/proposal**

4.1 The Act places a duty on the Council to develop a Statement of Principles that promotes the three licensing objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.2 The Council's Statement of Principles forms part of the framework outlined in Section 153 of the Gambling Act 2005 for how the licensing authority exercises its functions. Section 153 of the Act provides that a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice under s.24 (A Gambling Commission function).
- in accordance with any relevant guidance issued by the Commission under s.25 (The statutory guidance issued to the authority by the Gambling Commission).
- reasonably consistent with the licensing objectives (subject to a and b above), which are prescribed in the Gambling Act 2005 (applicable to both bodies)
- in accordance with the licensing authority's statement of licensing policy (subject to a to c above) the Statement of Principles now under consideration in this report.

4.3 Analysis of complaints and intelligence received by the Council, since the last revision of the Statement suggested that no new trends or concerns had emerged during the last three years, either by sector or location. One of the enforcement concerns which had arisen is the siting of machines in takeaways and other shops, which is illegal and this resulted in a prosecution and cannot therefore be dealt with as a policy issue.

4.4 Therefore, no significant changes were made to the Statement of Principles. However, it follows the approach set out in the 5th Edition of the statutory Guidance issued by the Gambling Commission to licensing authorities referred to in paragraph 4.2.

4.4.1 This means that in the absence of any local factor or risk, this authority will follow the Gambling Commission's approach to regulating gambling as set out in the Guidance. It is important to recognise that whilst the authority must have regard to the Guidance in its decision making, the Guidance does not seek to fetter the discretion of the authority in dealing with applications or compliance.

4.4.2 Information relating to The Wellbeing and Future Generations (Wales) Act 2015 was included in the update as well as reference to the Chief Medical Officer for Wales whose annual reports highlight areas of emerging or underestimated public health importance. The latest report highlighted the relationship between gambling

and health. Whilst there is no specific policy impact at present, there may be developments which need to be addressed during the next three year period.

4.5 The consultation process is prescribed by regulations and includes the Chief Officer of Police, the Gambling Commission, one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses and one or more persons who are likely to be affected by the exercise of the authority's functions under the Act. This comprises elected Members, Town and Community Councils, Trade representatives, machine suppliers, safeguarding organisations (including problem gambling), the Public Service Board and Community Safety Partnership.

4.6 The consultation process involved placing the draft Statement of Principles on the Council's website and issuing notices of consultation on the statutory consultees and other parties referred to above. Consultation took place between 31 August 2018 and 9 November 2018.

4.7 The responses to the consultation are set out in Appendix B. The table comprises the body or person responding, the nature of the response and officer comments on the response.

4.8 There were three valid responses to the consultation which are set out at Appendix B to this report. The officer response at Appendix B explains where:

- issues have already been included in the draft Statement of Principles
- where the licensing authority does not have the power to address the issue raised
- where a proposed amendment is being put forward for consideration

4.8.1 Gamcare is the provider of information, advice, support and free counselling for the prevention and treatment of problem gambling. The response did not relate specifically to the Bridgend Statement of Principles and the reasons for not amending the document are included in Appendix B. However, there was a relevant issue which was not included in the original draft Statement of Principles:

4.8.2 Proposed amendment 1

Add the following to the risk assessment guidelines at paragraph 3.1

**The risk assessment should include an assessment of the impact of any promotional material likely to encourage the use of the premises by children who are not allowed to access the premises.**

Reason: to protect children and vulnerable persons from harm or being exploited by gambling

4.9 The Gambling Commission is the overall regulator of gambling in the UK. The response received relates to how the premises risk assessment is kept, and to the role of the local authority in issuing gaming machine permits in licensed premises.

4.9.1 The Gambling Commission has asked the licensing authority to consider recommending that best practice will be to retain a copy of the local risk

assessment on the premises. The local risk assessment is a document prepared by a premises licence holder which addresses how local risk factors will be mitigated. For example, how the location of the premises impacts on the licensing objectives, particular if it is near a school or other premises where young people attend. This is accepted as a valid amendment:

Proposed amendment 2

Paragraph 3.1 to include that **the licensing authority considers it best practice for a copy of the local risk assessment to be retained on the premises.**

Reason: to comply with the licensing objectives by enabling officers to inspect the document during compliance visits and to ensure local staff are aware of the document.

- 4.9.2 Paragraph 5.2 of the Statement of Principles outlines the approach to gaming machines on alcohol licensed premises. The current statement does not make it clear that the provisions set out at paragraphs 5.2.1 to 5.2.6 are the standards set out in the Gambling Commission statutory guidance.

Proposed amendment 3

At paragraphs 5.2.add the following:

**The licensing authority will adopt the Gambling Commission statutory guidance in relation to notifications and permits in alcohol licensed premises.**

Reason: to provide applicants and the existing trade with clear guidelines on the authorities approach to licensing.

- 4.9.3 Whilst not impacting on this policy review, Cabinet is advised that, the Government has announced a changed to the stakes involved in gaming machines known as “Fixed Odds Betting Terminals” (FOBTs). FOBTs are electronic machines, sited in betting shops, which contain a variety of games, including roulette. The maximum stake on a single bet is £100, the maximum prize is £500. These machines have proved controversial, with concerns being raised that the machines have a causal link to problem gambling because of the large amount of money that can be lost in a short time. From April 2019, the maximum stake will be reduced to £2.00. (Source: UK Parliament Library Briefing paper 16 November 2018).

## **5. Effect upon policy framework and procedure rules**

- 5.1 None.

## **6. Equality Impact Assessment**

- 6.1 A full Equality Impact Assessment has not been undertaken as there are no implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation since the last revision of this document.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

8.1 The cost of consultation and publication is met from existing budget.

## **9. Recommendation**

9.1 Cabinet is recommended to endorse that the Statement of Gambling Principles, incorporating with the proposed amendments 1-3 referred to in paragraphs 4.8.1, to 4.9.2 above, is forwarded to Council for approval and publication in accordance with the regulations.

Kelly Watson  
Head of Legal and Regulatory Services  
11 December 2018

**Contact officer:** **Yvonne Witchell**  
Team Manager Licensing

**Telephone:** (01656) 643643

**Email:** [Yvonne.Witchell@bridgend.gov.uk](mailto:Yvonne.Witchell@bridgend.gov.uk)

**Postal address:** **Civic Offices, Angel St, Bridgend, CF31 4WB**

**Background documents:** Consultation responses

Gambling Commission Guidance to local authorities available  
at:<https://www.gamblingcommission.gov.uk/PDF/GLA5.pdf>

Chief Medical Officer for Wales report  
<https://gov.wales/docs/phhs/publications/cmo-report2017en.pdf>

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**GAMBLING ACT 2005:  
BRIDGEND COUNTY BOROUGH COUNCIL**

Cyngor Bwrdeistref Sirol



**STATEMENT OF PRINCIPLES**

DRAFT

This document is also available in Welsh  
Other formats available on request.

Version 4.0  
Date comes into effect:

## **PREFACE**

Gambling and betting are regulated by the Gambling Commission, whose duties include the licensing of operators and individuals involved in providing gambling and betting facilities. Bridgend County Borough Council, in its role as a licensing authority has a duty under the Act, to licence premises where gambling takes place and to licence certain other activities, including the registration of small society lotteries.

This document sets out how the licensing authority intends to approach this task. It should be noted that this policy statement will not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence. Every matter will be considered on its merits and according to the statutory requirements of the Gambling Act 2005.

### **CONTACT DETAILS**

Licensing  
Bridgend County Borough Council  
Civic Offices  
Angel Street, Bridgend, CF31 4WB

[licensing@bridgend.gov.uk](mailto:licensing@bridgend.gov.uk)

Telephone: 01656 643643

Website: [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

The licensing authority has made every effort to ensure accuracy of this document and any typographic errors should be drawn to our attention. Any information contained within is not intended to be a substitute for independent legal advice. Should you have any comments or feedback once this Statement is published please send them to the above address.

Other websites of interest:

[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

[www.gamcare.org.uk](http://www.gamcare.org.uk)



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## 1.0 INTRODUCTORY SECTION

### 1.1 The Licensing Objectives

A fundamental principle of this Statement is that in carrying out its functions the Bridgend County Borough Council licensing authority (“the licensing authority”) will perform its functions in accordance with the three licensing objectives set out in the Gambling Act 2005 (“the Act”).

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

This licensing authority will aim to permit the use of premises for gambling so far as it is satisfied that the application is:

- a. in accordance with any relevant code of practice issued by the Gambling Commission under Section 24 of the Act;
- b. in accordance with any relevant Guidance issued by the Gambling Commission under Section 25 of the Act (referred to within this document as “the Guidance”);
- c. reasonably consistent with the licensing objectives subject to a. and b. above ; and
- d. in accordance with the authority’s Statement of Licensing Policy published under Section 349 of the Act subject to a. to c. above.

- 1.2 This Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

#### Summary of matters dealt with in this Statement

The regulatory functions for which the licensing authority is responsible are:

- Licensing of premises for gambling activities
- Consideration of notices given for the temporary use of premises for gambling
- Granting of permits for gaming and gaming machines in clubs and miners’ welfare institutes
- Granting of permits to family entertainment centres (FEC) for the use of certain lower stake gaming machines
- Granting of permits for prize gaming
- Consideration of occasional use notices for betting at tracks

- Registration of small societies' lotteries.
- Premises Licence Reviews
- Information provision to the Gambling Commission
- Maintenance of statutory registers

1.3 This Statement relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, which include:-

- Casinos;
- Bingo Premises;
- Betting Premises;
- Tracks;
- Adult Gaming Centres;
- Family Entertainment Centres (FEC's);
- Unlicensed FEC gaming machine permits
- Club Gaming and Club Machine Permits;
- Prize Gaming and Prize Gaming Permits;
- Temporary and Occasional Use Notices;
- Registration of small society lotteries;
- Notifications from alcohol licensed premises for the use of two or less gaming machines;
- Provisional Statements.

It should be noted that local licensing authorities are not involved in licensing remote gambling, and this activity is regulated by the Gambling Commission through Operator Licences.

1.4 **Geographical area under which the Bridgend County Borough Council licensing authority will exercise functions under the Gambling Act 2005**

With its Bristol Channel coastline and mix of urban and rural communities, the County Borough lies at the geographical heart of South Wales and has a population of about 139,178\*. Its land area of 28,500 hectares stretches 20km from east to west and occupies the Llynfi, Garw and Ogmore valleys. The largest town is Bridgend (pop: 58380\*\*\*\*), followed by Maesteg (pop: 20,612 \*\* ) and the seaside resort of Porthcawl (pop: 15672\*\*\*).

\*<https://statswales.gov.wales>

\*\*<http://www.maestegcouncil.org/about-maesteg/>

\*\*\*<http://citypopulation.info>

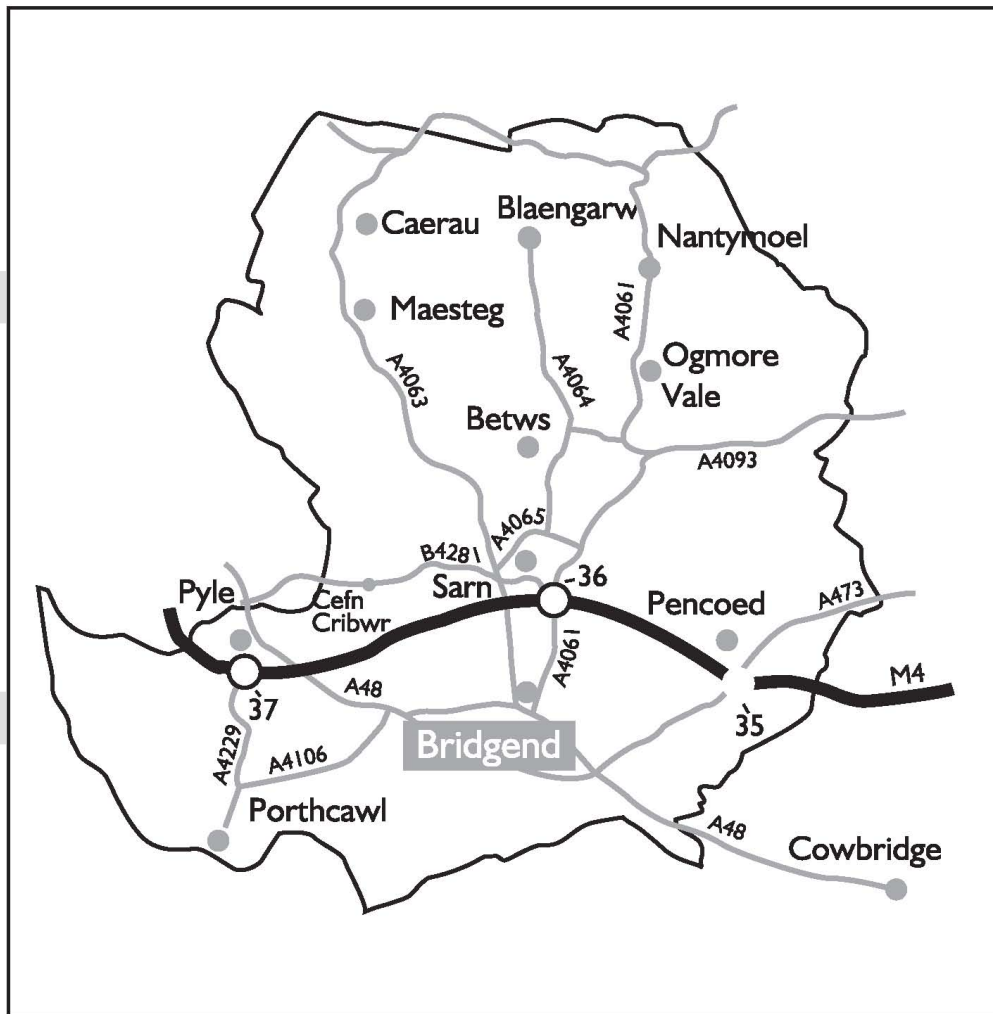
\*\*\*\*<http://citypopulation.info>

The Council's corporate and strategic themes will vary during the course of the validity of this Statement. Details of the current corporate themes and strategies can be accessed here:

<https://www.bridgend.gov.uk/my-council/council-priorities-and-performance/>

The geographical area to which this policy applies is:

### BRIDGEND COUNTY BOROUGH



BRIDGEND COUNTY BOROUGH COUNCIL  
CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB.  
TEL: 01656 643643 FAX: 01656 668126

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BRID/BRZ

The authority has undertaken a local analysis of the gambling profile of Bridgend County Borough Council.

Premises/Permit Type	2016	Number of premises 2018	Comments
Betting	18	17	18+
Bingo	2	2	18+
Adult Gaming Centre	6	6	18+
Family Entertainment Centre	4	4	Mixed access with 18+ segregated area
Registered Members Club	27	26	
Licensed Premises	8	9	Licensed premises with more than 2 machines
Licensed Premises	82	83	Automatic entitlement for two machines
Family Entertainment centre (permit)	10	12	Typically Seaside venues –all age access  Porthcawl is a seaside location and a number of the arcades referred to are located in this area. All ages can access these venues
Total Number of premises where gambling available	157	159	

There were 153 local groups and societies registered to conduct lotteries for fundraising purposes, which has decreased to @120.

The authority does not maintain statistics on the impact of gambling on the locality. Attention is drawn however, to the Annual Report of the Chief Medical Officer for Wales which has highlighted the call for further research on the impact of gambling on health. Whilst there is no specific detail or policy impact on the 2018 consultation, stakeholders should be aware of this local development in Wales. The report is available at:

<http://gov.wales/docs/phhs/publications/cmo-report2017en.pdf>

Subject to the statutory consultation which will follow the 2018 review of this Statement of Gambling Policy there are no significant trends emerging to warrant any significant policy changes for the period 2019-2022.

1.6 Designation of the body competent to advise on protecting children and other vulnerable persons from being harmed or exploited by gambling (Section 157)

The licensing authority will consider the following principles when designating the body competent to advise on protecting children and other vulnerable persons from being harmed or exploited by gambling:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area,
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

Having regard to the Commission's Guidance, the authority designates the Bridgend Children's Directorate, Safeguarding and Family Support as the most appropriate body to carry out this function.

1.7 How the Council will determine who qualifies as an Interested Party

Interested Parties can make representations to the licensing authority about licensing applications, or apply for a review of an existing licence. An interested party is someone who:

- Lives sufficiently close to the premises and is likely to be affected by the authorised activities or
- Has business interests that might be affected by the authorised activities or
- Represents persons in either category above

When exercising the powers under section 158 of the Act to determine whether a person is an interested party in relation to a premises licence, or an application for a premises licence, the licensing authority will follow the Guidance to Licensing Authorities issued by the Gambling Commission (hereafter referred to in this document as "the Guidance" and comprising all subsequent amendments). It will consider whether a person is an

interested party with regard to a particular premises on a case by case basis, judging each on its merits and no rigid rule will be applied in the decision making process.

The principles which may be applied in each case are:

- The size and nature of the premises
- The distance of the premises from the person making the representations
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment)
- The circumstances of the person(s) making the representations. (These are not the personal circumstances of the complainant but the interests of the complainant which may be relevant to the distance from the premises).

In determining whether a person has a business interest that could be affected, the licensing authority may take into account, amongst other things,

- The size of the premises
- The “catchment area” of the premises (how far people travel to visit the premises)
- Whether the person making the representation has business interests in this “catchment area” that might be affected

The authority considers that the following groups come within the category of those who could represent persons living close to the premises, or have business interests that may be affected by it as:

- Trade associations
- Residents’ and Tenants’ associations
- Charities
- Faith Groups
- Medical Practices
- School Head or Governor
- Community Group

The licensing authority will consider persons who are democratically elected as interested parties for example Councillors, AM’s and MP’s or Town, Community or Parish Councillors.

Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities.

If individuals wish to approach Councillors to ask them to represent their views, care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then the party should contact Licensing and Registration Section for information.

All parties are reminded that representations must relate to the licensing objectives. If an interested party has difficulty in making representations, they should contact the Licensing Section for advice.

Due consideration will be given to all relevant representations unless they are considered to be frivolous, vexatious or repetitious. The principles which will be applied in the decision making process are likely to be:

- Who is making the representation and whether there is a history of making representations that are not relevant
- Whether the representation relates to the licensing objectives
- Whether the representation is specific to the premises that are subject to the application

Any such decision will be made objectively and not on the basis of any political judgement. Where a representation is rejected a written statement of reasons will be issued.

In the absence of any regulations or statutory provision representations should ideally:

- Indicate the name and address of the person or organisation making the representation
- Indicate the premises to which the representation relates
- Indicate the proximity of the premise to the person making the representation
- Set out the reasons for making the representation
- Advise the licensing authority if any special assistance is required in submitting or making the representation in writing or orally
- Electronic submission of representations is deemed to be equal to written submission

## 1.8 Representations

Persons making representations should be aware that full disclosure of representations will be made available to applicants and published as part of Council reports to allow for transparency and negotiation between parties. In the event of a hearing, all representations will form part of a public report unless the person making the representations can satisfy the Council that there is a compelling reason not to do so.

Interested parties and responsible authorities are reminded that the Act does not include the prevention of public nuisance as a licensing objective. This is dealt with under separate legislation. The only representations that are likely to be relevant are those that relate to the licensing objectives, or which raise



issues set out in this policy, the Guidance or Gambling Commission Codes of practice.

### 1.9 Responsible Authorities

The responsible authorities for this licensing authority are:

<p>Licensing Department Community Safety Partnership Bridgend Police Station Brackla Street Bridgend CF31 1BZ</p> <p>Phone: 01656 679507</p> <p>Adran Twydded Partneriaeth Diogelwch yn y Gymuned Gorsdaf Heddlu Pen-y-bont Stryd Bracla Pen-y-bont CF31 1BZ</p> <p>Ffôn: 01656 679507</p>	
<p>Licensing Bridgend County Borough Council Civic Offices Angel Street Bridgend CF31 4WB</p> <p>Phone: 01656 643643</p> <p>Trwyddedu Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr Y Swyddfeydd Dinesig Stryd yr Angel Pen-y-bont ar Ogwr. CF31 4WB</p> <p>Ffôn: 01656 643643</p> <p><a href="mailto:licensing@bridgend.gov.uk">licensing@bridgend.gov.uk</a></p>	<p>Development Group Communities Directorate Bridgend County Borough Council Civic Offices, Angel Street Bridgend CF31 4WB</p> <p>Phone: 01656 643643</p> <p>Y Grwp Datblygu Y Gyfarwyddiaeth Gymunedau Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr Y Swyddfeydd Dinesig, Stryd yr Angel Pen-y-bont ar Ogwr CF31 4WB</p> <p>Ffôn: 01656 643643</p> <p><a href="mailto:planning@bridgend.gov.uk">planning@bridgend.gov.uk</a></p>

<p>Bridgend County Borough Council  Children's Directorate  Safeguarding and Family Support  Civic Offices, Angel Street, Bridgend CF31  4WB</p>	<p>Health and Safety Executive  Government Buildings  Phase 1  Ty Glas  Llanishen  Cardiff,  CF14 5SH</p> <p>Health and Safety Executive  Government Buildings  Rhan 1,  Adeiladau'r Llywodraeth,  Tŷ Glas,  Llanishen,  Caerdydd  CF14 5SH</p>
<p>South Wales Fire &amp; Rescue Service  Forest View Business Park  Llantrisant  CF72 8LX</p> <p>Phone:01443 232000</p> <p>Gwasanaeth Tân ac Achub De Cymru  Parc Busnes Fforest View  Llantrisant  CF72 8LX</p> <p>Ffôn: 01443 232000</p>	<p>The Gambling Commission  Victoria Square House  Victoria Square  BIRMINGHAM  B2 4BP</p>
<p>H. M. Revenue &amp; Customs  Ty Nant  180 High Street  SWANSEA</p>	

<p>SA1 5AP</p> <p>Her Majesty's Commissioners of Customs and Excise, Government Buildings Ty Glas Llanishen Cardiff. CF14 5FP 029 2032 5003</p>	
<p>Shared Regulatory Services Bridgend County Borough Council Civic Offices Angel Street Bridgend CF31 4WB</p> <p>Phone: 01656 643260 Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr Y Swyddfeydd Dinesig Stryd yr Angel Pen-y-bont ar Ogwr. CF31 4WB</p> <p>Ffôn: 01656 643260 <a href="mailto:publicprotection@bridgend.gov.uk">publicprotection@bridgend.gov.uk</a></p>	

Please note that the addresses of these bodies may change from time to time and you are advised to contact the Licensing Section before submitting an application.

#### 1.10 Information Exchange and Responsible Authorities

In fulfilling its functions and obligations under the Act the Council will exchange relevant information with other regulatory bodies or responsible authorities and will establish separate protocols with these bodies where applicable. In exchanging such information, the Council will comply with the requirements of data protection, freedom of information, existing Council policies and any Guidance issued by the Gambling Commission. Section 29 of the Act places an obligation on the authority to comply with the Gambling Commission's information requests and the Gambling Commission's website sets out the information exchange protocols in place.

#### 1.11 Regulation and Instituting Criminal Proceedings

In exercising the functions under Part 15 of the Act with respect to the inspection of premises and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified in that section, the licensing authority will ensure compliance with the terms of premises licences and other permissions which it authorises.

The main enforcement and compliance role for this authority will be in respect of premises and other permissions for which it has responsibility. The Gambling Commission will be the enforcement body for operating and personal licences and concerns about manufacture, supply or repair of gaming machines will be notified to the Gambling Commission.

The principles for regulation will be informed by the Gambling Commission's Guidance and will endeavour to be in accordance with the principles of better regulation.

The principles to be followed are that regulators and regulation should be:

- Proportionate, appropriate to the risk posed, accountable, consistent and transparent.

This licensing authority will adopt a risk-based inspection programme of premises; the following criteria are to be used in determining the level of risk in respect of premises.

Use of licensed premises for the sale and distribution of drugs and the laundering of the proceeds of drugs crimes;

Use of licensed premises for the sale and distribution of illegal firearms;

Use of licensed premises for prostitution or the sale of unlawful pornography;

Use of licensed premises as a base for organised criminal activity;

Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;

Use of licensed premises for the sale of smuggled tobacco or goods;

The use of licensed premises for the sale of stolen goods.

Where children and/or vulnerable persons are put at risk.

The licensing authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.

Where any party has made valid representations about licensed premises, or a valid application for a licence to be reviewed, the licensing authority is minded to support conciliation meetings to address and clarify the issues of concern. This process will not override the right of any party to ask that the licensing authority consider their valid objections, or for any licence holder or applicant to decline to participate in a conciliation meeting.

The authority recognises that certain operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest opportunity, the authority requests that operators provide a single named point of contact who should be a senior individual within the organisation, and whom the authority will endeavour to contact first should any compliance issues arise.

The Council will take account of the guidance issued by the Gambling Commission and any subsequent amendments, in respect of making test purchases at gambling premises and will also have regard to its own policies and procedures regarding the use of underage test purchasers.

#### .12 Integration with existing legislation and local and national strategies

The licensing authority will follow the Guidance issued by the Gambling Commission when determining applications and will not take into account irrelevant matters, i.e. those not related to gambling objectives. In the unlikely event that the licensing authority perceives a conflict between a provision of a Gambling Commission code of practice or the statutory guidance issued by the Commission, and the authority's policy statement, the Gambling Commission's codes and Guidance will take precedence.

The licensing authority will have regard to the Guidance in respect of the relationship between planning permission, building regulations and the granting of premises licences

1.13 The Statement of Licensing Principles will be reviewed in accordance with the provisions of the Act and will serve as a basis for determining licence applications.

1.14 Following consideration of the consultation responses, the Statement was approved at a meeting of Council held on 19 December 2018 and comes into effect on **22 January 2019**. A copy is available at [www.bridgend.gov.uk](http://www.bridgend.gov.uk).

A copy is also available free of charge from the Licensing Section and in other formats on request.

1.15 A list of persons whom the authority has consulted in preparing the statement.

The Council consulted with the following bodies before adopting the Statement:

The Chief Constable: South Wales Police

The Chief Fire Officer: South Wales Fire & Rescue Service

Council Safeguarding and Partnership leads  
Town and Community Councils  
Local Health Board  
Community Safety Partnership members  
H. M. Revenue & Customs  
Association of British Bookmakers (ABB)  
BACTA  
British Assoc. of Leisure Parks, Piers & Attractions Ltd.  
GAMCARE  
The Gambling Commission  
Sample of existing licensees  
Licensee representatives who have previously expressed a wish to be notified of consultations  
Public consultation also took place via the authority's website between 31 August 2018 and 9 November 2018

#### 1.16 Casinos

This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the full Council. Should the Council pass such a resolution, this licensing authority will consider applications in line with the guidance issued by the Gambling Commission.

#### 1.17 Declaration

In producing the final Statement, the licensing authority has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and responses from those consulted on the Statement. The authority has also had regard to its responsibilities under Section 17 of the Crime and Disorder Act 1998 and the Human Rights Act 1998 (Articles 1, 6, 8 and 10), and legislation to eliminate unlawful discrimination and inequality.

The Council recognizes its diverse responsibilities under equality legislation and will monitor impact of these statutory duties through its various corporate equality schemes and impact assessments. The Statement of Licensing Principles is not intended to duplicate existing legislation and regulatory regimes which already place obligations on employees and operators of gambling establishments.

When discharging its functions, the licensing authority will have regard to the different considerations between the objectives set out in the Licensing Act 2003 and the Gambling Act 2005. When deciding whether or not to grant a licence, the licensing authority will not have regard to the expected demand or need for gambling premises that are the subject of the application.

The Guidance to Local Authorities issued by the Gambling Commission may be revised from time to time and references to criteria etc. set out in this

statement are to be construed as referring to the current edition of the Guidance.

## 2.0 CONSIDERATION OF APPLICATIONS

### 2.1 Nothing in this Statement will:

Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits, or

Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act, or

Preclude each case being decided on its merits taking into account the measures proposed by an applicant to address the gambling licensing objectives.

### 2.2 The licensing authority's primary obligation under section 153(1) of the Act is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with relevant codes of practice issued by the Commission
- b. in accordance with guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to (a) and (b) above),

and

- d. in accordance with the Licensing Authority Statement of Policy published by the authority (subject to (a) to (c) above).

### 2.3 Primary Gambling Activity and Definition of Premises

2.3.1 In considering applications and undertaking its regulatory role the licensing authority will apply the principles and tests set out in the Guidance in respect of the following matters:

- The primary gambling activity of the premises
- The definition of a "premises"
- Multi-purpose sites and multiple licences for a building
- Division of premises and access between premises

Full details are contained in the current Guidance and the licensing authority will have regard to any future revisions of these definitions. The authority will

therefore consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

2.3.2 This authority will have regard to the Commission's Guidance in respect of the relationship between planning permission, building regulations and granting of a premises licence.

2.3.3 The licensing authority will be mindful that operators can apply for a premises licence in respect of premises which have still to be constructed or altered and will determine any such application on its merits. The authority will adopt the process of assessment advocated by the Commission in its Guidance. It will also consider imposing an effective date of commencement of the licence or a condition stating when a licence will come into effect, as the case may be, to ensure that premises are constructed in accordance with plans. The authority will consider a physical inspection as an appropriate means of ensuring compliance with any condition imposed.

## 2.4 Location of premises

2.4.1 This licensing authority will follow the Commission's guidance that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling as well as issues of crime and disorder.

2.4.2 When determining applications or reviews the authority will determine each application on its merits and if an applicant can show how risks to the licensing objectives can be mitigated, the licensing authority will take this into account in its decision making.

2.4.3 The licensing authority will give sympathetic consideration to the re-siting of premises within the same locality subject to any representations which highlight a likely negative impact on the licensing objectives.

2.4.4 The licensing authority recommends applicants to consider adopting the British Amusement Catering Trade Association's (BACTA) voluntary codes of practice relating to social responsibility, good practice, training initiatives and age of entry control policies.

2.4.5 The licensing authority recommends that applicants consider BACTA and GamCare codes of policy regarding site self-exclusion to support those persons who have difficulty controlling their gambling.

## 2.5 Vessels and vehicles

2.5.1 The Act permits premises licences to be granted for passenger vessels. Separate application forms are prescribed for vessels under the Premises Licences and Provisional Statements Regulations. This authority adopts the definition of vessels and vehicles set out in the Act and the criteria set out in the Guidance when considering structures which are an extension of the land,



including a pier or a bridge which are to be considered as premises under the Act and all other matters relating to vessels and the waters over which it has jurisdiction to act.

2.5.2 The Act allows pleasure boats to apply for premises licences and the Guidance set out by the Gambling Commission in this and all other matters relating to vessels.

## 2.6 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime

2.6.1 The licensing authority will pay due regard to the proposed location of gambling premises in terms of this licensing objective and to the distinctions between serious crime, disorder and nuisance. The licensing authority will only grant a licence application if it is satisfied that crime prevention has been adequately addressed.

2.6.2 Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be appropriate such as the provision of door supervisors. The licensing authority will not address issues of nuisance which can be addressed by other relevant legislation or general nuisance issues e.g. parking or anti-social behaviour.

2.6.3 Applicants are encouraged to discuss the crime prevention procedures in their premises with the South Wales Police before making a formal application.

2.6.4 In considering licence applications, the licensing authority will particularly take into account the following:

- The design and layout of the premises;
- The training given to staff in crime prevention measures appropriate to those premises;
- Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- The likelihood of any violence, public order or policing problem if the licence is granted.

This list is not exhaustive and applicants may propose other measures which will address this licensing objective. Applicants for a premises licence will first need to obtain an operating licence issued by the Gambling Commission. As a result the licensing authority will not be primarily concerned with the suitability of an applicant, but where those concerns do arise, the licensing authority will bring these to the attention of the Gambling Commission.

## 2.7 Ensuring that gambling is conducted in a fair and open way

2.7.1 The Gambling Commission does not generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way; this will be addressed via operating and personal licences save with regard to tracks, which is explained in more detail below. The authority will, as required, advise the Commission if there is evidence that this objective is not being met.

## 2.8 Protecting children and other vulnerable persons from being harmed or exploited by gambling

2.8.1 This authority will have regard to the intention of the Gambling Act that, with limited exceptions, children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments. The objective refers to children from being harmed or exploited by gambling. This means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, (excepting Category D gaming machines).

The LCCP Codes prescribe how operators must prevent children from using age restricted gaming or gambling activities particularly where gaming machines are licensed. The authority will take all conditions and codes into account when considering applications or undertaking compliance and enforcement activities

2.8.2 Having due regard to the measures set out in the application, and to any relevant representations, the licensing authority may therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas, training, and siting of ATM's (cash machines).

2.8.4 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seeking to offer a definition but sets out for regulatory purposes a number of vulnerable groups to may not be able to make informed or balanced decisions about gambling. This licensing authority will consider whether any special considerations apply to this licensing objective on a case by case basis balanced against the objective to aim to permit the use of premises for gambling.

## 2.9 Considerations relating conditions to be attached to Premises Licences

2.9.1 The licensing authority acknowledges that mandatory conditions are set by the Secretary of State with the intention that no further regulation in relation to that matter is required. Therefore it is considered extremely unlikely that the authority will need to impose individual conditions imposing a more restrictive regime in relation to matters that have already been dealt with by mandatory conditions. The licensing authority will only consider imposing conditions where

there is evidence of regulatory concerns of an exceptional nature and any additional licence conditions will be evidence based and relate to the licensing objectives.

2.9.2 In addition to any default conditions that may be prescribed by regulation, any conditions attached to licences by the licensing authority will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and,
- reasonable in all other respects.

2.9.3 This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

2.9.4 This licensing authority take particular care in assessing applications for multiple premises licences for a building in accordance with the Gambling Commission's Guidance.

## 2.10 Door Supervisors

2.10.1 Where the authority exercises its discretion to impose a premises licence condition to require entrances to the premises to be controlled by a door supervisor, that person is required to be licensed under the Private Security Industries Act 2001 (PSIA). Each case will be judged on its merits within the overarching Guidance relating to imposing conditions above any Mandatory Conditions.

## 3.0 PRINCIPLES GOVERNING THE CONSIDERATION OF SPECIFIC CLASSES OF PREMISES OR PERMIT

3.1 In addition to the general principles to be applied when considering applications, the following issues may be considered in appropriate circumstances in respect of the following specific classes of permit or premises.

The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission places further onus on premises to complete a risk assessment based on the Social Responsibility code. The authority will have regard to this code when considering applications. Operators may access this information via the Gambling Commission website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Risk Assessments

The Gambling Commission and social responsibility code within the LCCP requires gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. These local risk assessments are specific to the potential harm that gambling may have on one or more of the licensing objectives. They should be specific to the premises, the local area and the community and the licensing authority therefore expects the applicant to have a good understanding of the area in which they either operate, or intend to operate.

It is a mandatory requirement that risk assessments are carried out:

- When there are significant changes in local circumstances
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks
- When applying for the grant or variation of a premises licence

This is not an exhaustive or prescriptive list, but matters that risk assessment may include are:

- The area in which the premises is located/to be located
- Staff training in intervention when a customer shows signs of excessive gambling
- Location and coverage of CCTV cameras and how the system is operated and monitored
- The layout of the premises to allow staff to have an unobstructed view of persons using the premises
- Staff numbers including the supervisory and monitoring arrangements when staff are absent from the licensed area by reason of dealing with customers
- Arrangements for monitoring and dealing with underage persons and vulnerable persons, which may include dedicated trained personnel, leaflets, posters etc.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling
- Arrangements for localized exchange of information regarding self-exclusions and gaming trends
- Setting, including proximity to schools, youth centres, leisure centres, other gambling outlets, refreshment and entertainment type facilities, parks and playgrounds
- Known problems in the area involving young persons such as problems arising from anti-social behavior
- The risk assessment should include an assessment of the impact of any promotional material likely to encourage the use of the premises by children who are not allowed to access the premises.
- The licensing authority considers it best practice for a copy of the local risk assessment to be retained on the premises.

Appropriate Licence Environment

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises e.g. at motorway service areas and shopping malls, the authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

### 3.2 Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- The display of sources of help for persons with a gambling problem in prominent areas, and in more discreet areas to afford anonymity.
- Self-barring and self-exclusion schemes
- Gaming odds to be clearly displayed on machines
- ATM or other cash machines to be separate from gaming machines

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### 3.3 (Licensed) Family Entertainment Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority will expect applicants to offer their own measures to comply with the licensing objectives and mandatory conditions; however appropriate measures may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-barring and self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Measures / training for staff on how to deal with suspected truant school children on the premises.
- Gaming odds to be clearly displayed on machines
- ATM or other cash machines to be separate from gaming machines

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### 3.4 Bingo premises

Bingo is not given a statutory definition in the Act and the licensing authority will have regard to the commonly understood terms of cash bingo and prize bingo laid down in the Guidance.

This licensing authority will have regard to the Gambling Commission's Guidance and Mandatory Conditions relating to the admission of children to premises licensed for bingo.

### 3.5 Betting premises

Children and young persons will not be able to enter premises with a betting premises licence although special rules will apply to tracks. The licensing authority intends to follow the Commission's Guidance in respect of off course betting and premises licences.

### 3.6 Tracks

3.6.1 This licensing authority adopts the Guidance set out by the Gambling Commission in terms of definitions of tracks and the grant of premises licences. It will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling).

3.6.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

3.6.3 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage

- Specific opening hours
- Self-barring and self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Gaming odds to be clearly displayed on machines
- ATM or other cash machines to be separate from gaming machines

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.6.4 Plans should make clear what is being sought for authorization under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence. Plans need not be to a particular scale but should be sufficiently detailed to comply with regulations and enable the licensing authority to make an informed judgement about whether the premises are fit for gambling. The authority will have regard to the specific Guidance issued in respect tracks including defining the outer perimeter of a track and the location of betting areas

### 3.7 Travelling Fairs

3.7.1 The licensing authority adopts the Commission's Guidance on this matter.

### 3.8 Conditions and avoiding duplication with other legislation

3.8.1 A range of general legislation governing health and safety, disability and race discrimination, employment law and fire safety is already imposed on the owners of gambling premises. The licensing authority will strive not to duplicate existing regulatory regimes.

### 3.9 Consideration of Provisional Statements

3.9.1 Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy.

The Guidance states that a licence to use premises for gambling should only be issued in relation to a premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future. If the construction of the premises is not yet complete or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be submitted.

The authority will follow the Gambling Commission guidance in respect of the two stage process for determining an application.

3.9.2 Applicants for premises licences must fulfil certain criteria. They must hold or have applied for an operating licence from the Commission (except in the case of a track), and they must have the right to occupy the premises in respect of which their premises licence application is made. However, these restrictions do not apply in relation to an application for a provisional statement. The licensing authority will not speculate on or otherwise take into account the likelihood of an operating licence being granted in its consideration of the application for a provisional statement.

3.9.3 The authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by way of representations at the provisional licence stage,
- which, in the authority's opinion, reflect a change in the operator's circumstances,
- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application.

3.9.4 This must be a substantial change to the plan and licensing authorities will discuss any concerns they have with the applicant before making a decision.

3.9.5 The licensing authority will not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

3.9.6 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties will be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances

#### 4.0 Reviews

4.1 A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application for a review. Reviews will be normally be delegated to a Licensing Sub-Committee for determination.

4.2 Consideration of applications for review will be made on the basis of whether the request for the review is relevant to the matters listed below (subject to proviso that each case will be dealt with on merit). Due regard will be given as to whether the request is frivolous, vexatious or repetitious. Representations which may trigger the review process will involve serious crime and may therefore include:

- Use of licensed premises for the sale and distribution of drugs and the laundering of the proceeds of drugs crimes;
- Use of licensed premises for the sale and distribution of illegal firearms;
- Use of licensed premises for prostitution or the sale of unlawful pornography;



- Use of licensed premises as a base for organised criminal activity;
- Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- Use of licensed premises for the sale of smuggled tobacco or goods;
- The use of licensed premises for the sale of stolen goods;
- Children and/or vulnerable persons are being put at risk.

4.3 In addition, due consideration will be given to the following;

- the grounds are irrelevant;
- the grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the Premises Licence;
- the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

## 5.0 PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

### 5.1 Unlicensed Family Entertainment Centre gaming machine permits

5.1.1 The licensing authority does not intend to publish a separate statement of principles for considering applicant suitability for applications for FEC permits under paragraph 7 of Schedule 10 to the Act and, for ease of reference, includes this as part of this policy document.

5.1.2 Application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an unlicensed FEC and, if the applicant is an individual, he or she must be aged 18 or over. Applications for a permit cannot be made if a premises licence is in effect for the same premises.

5.1.3 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the Gambling Act 2005).

5.1.4 The licensing authority adopts the Gambling Commission's Guidance for local authorities in respect of these permits, giving particular weight to child protection issues.

5.1.5 An application for a permit is likely to be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC and the applicant can demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that he or she has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes;

5.1.6 The licensing authority will have regard to membership of any trade association which has included training and guidance to operators.

5.1.7 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- staff training as regards suspected truant school children on the premises;
- measures and or training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- It should be noted that a licensing authority cannot attach conditions to this type of permit.

## 5.2 (Alcohol) Licensed premises gaming machine permits

**The licensing authority will adopt the Gambling Commission statutory guidance in relation to notifications and permits in alcohol licensed premises.**

5.2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to an automatic entitlement to have 2 gaming machines, of categories C and/or D. The premises merely needs to notify the licensing authority of their intention to make gaming machines available for use.

The licensing authority will consider making an Order under Section 284 of the Act if it is satisfied that:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act.

- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

5.2.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the licensing authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission, and such matters as they think relevant. This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to:

- the need to protect children and vulnerable persons from harm or being exploited by gambling
- whether the applicant can satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy the authority that there will be no access may include:

- the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18
- Appropriate notices and signage

5.2.3 As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

5.2.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

5.2.5 It should be noted that the licensing authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for.

5.2.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### 5.3 Prize Gaming Permits

5.3.1 The licensing authority does not intend to publish a separate statement of principles for considering applicant suitability for applications for prize gaming permits under paragraph 8 of Schedule 14 to the Act and, for ease of reference, includes this as part of this policy document.

5.3.2 This licensing authority will expect that, when making an application for a prize gaming permit, the applicant should set out the types of gaming that he or she is intending to offer and be able to demonstrate:

- that they understand the limits of stakes and prizes that are set out in Regulations and
- that the gaming offered is within the law.
- Clear policies are available which outline the steps to be taken to protect children from harm

5.3.3 In making its decision on an application for this permit the licensing authority may have regard to the licensing objectives, the Gambling Commission guidance and relevant representations from the South Wales Police. This will include representations about the suitability of an applicant in terms of relevant convictions, the location of the premises in relation to disorder and child protection issues.

5.3.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

#### 5.4 Club Gaming and Club Machines Permits

5.4.1 The licensing authority will have regard to and follow the Commission's Guidance in respect of the grant of Club Gaming and Club Machines Permits

5.4.2 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The licensing authority will follow the Gambling Commission's Guidance that the grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

## 5.5 Temporary Use Notices

5.5.1 Part 9 of the Act sets out the position in relation to temporary use notices. These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.

5.5.2 The licensing authority will have regard to the Guidance regarding the examples of premises that might be suitable for a temporary use notice which include hotels, conference centres and sporting venues.

5.5.3 The meaning of 'premises' in Part 8 of the Act will be a question of fact in the particular circumstances of each notice that is given. The licensing authority will examine, amongst other things, the ownership/occupation and control of the premises and will follow the criteria set out in the Guidance when assessing applications where it appears that the effect of notices would be to permit regular gambling in a place that could be described as one set of premises.

5.5.4 When considering whether to give notice of objection, the licensing authority will have regard to the licensing objectives and if they consider that the gambling should not take place, or only with modifications, they will give a notice of objection to the person who gave the temporary use notice.

5.5.5 The principles that the authority will apply in issuing a counter-notice will be the same as those in determining premises licence applications. In particular, the licensing authority is aware of the Guidance that it should aim to permit the provision of facilities for gambling under a temporary use notice subject to its view as to whether to do so accords with a Commission code, the Guidance, or its Statement of Policy and is reasonably consistent with the licensing objectives.

5.5.6 The licensing authority will have particular regard to whether the effect of Temporary Use Notices is to permit regular gambling in a place that could be described as one set of premises. Factors such as ownership, occupation and control of the premises will be considered when deciding whether to object to a Temporary Use Notice.

## 5.6 Occasional Use Notices

5.6.1 Section 39 of the Act provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. The licensing authority is mindful that the meaning of 'track' in the Act covers not just horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place, or is intended to take place (section 353(1)). This means that land which has a number of uses, one of which fulfils the definition of track, can qualify for the occasional use notice provisions (for example agricultural land upon which a point-to-point meeting takes place). Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

5.6.2 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## 5.7 Small Society Lotteries

5.7.1 Applicants for registration are reminded that it is inherent in the definitions that a society must have been established for one of the permitted purposes, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries – it must have some other purpose. The authority will apply the following tests:

- society status – the society in question must be 'non-commercial'
- lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

5.7.2 The authority recommends applicants and prospective applicants obtain the Commission's advisory documents relating to lotteries which are available on the Commission's website.

5.7.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the licensing authority to assess the application accordingly.

5.7.4 The authority may ask new applicants for a copy of their terms and conditions or their constitution to establish that they are a non-commercial society. It may also require applicants to provide a declaration, stating that they represent a bona-fide non-commercial society.

5.7.5 The authority will delegate the registration of small societies to licensing officers, subject to its specific process of delegations.

5.7.6 The authority proposes to set out the following grounds for licensing for refusing a small society lottery registration application:

- An operating licence held by the applicant for registration has been revoked or
- an application for an operating licence made by the applicant for registration has been refused, within the past five years, or
- The society in question cannot be deemed non-commercial. Each case will be determined on its merits but an applicant may be required applicants to provide a statement with their application form declaring that they represented a bona-fide non-commercial society, and identifying how the purpose of the society could be established. In some circumstances further supporting information will be sought.
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence. The licensing authority may require an applicant to provide an additional statement declaring that they have no relevant convictions that would prevent them from running lotteries.
- Information provided in or with the application for registration is found to be false or misleading.

5.7.7 The licensing authority will only refuse an application for registration after the society has had the opportunity to make representations. These will normally be considered at a formal hearing. The licensing authority will inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion in order to enable representations to be made. Representations and objections that may result after such a decision will be handled in the same way that the authority would handle representations relating to other licensing matters. A copy of these procedures will be provided with the initial correspondence.

5.7.8 The licensing authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time.

5.7.9 Revocations will not take place unless the society has been given an opportunity to make representations at a hearing or via correspondence. In preparation for this, the authority will inform the society of the reasons why it is minded to revoke the registration and provide them with the terms of the evidence on which it has reached that preliminary conclusion.

## 6.0 DECISION MAKING AND DELEGATION OF FUNCTIONS

6.1 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Licensing Committee may delegate certain decisions and functions and has established Sub-Committees to deal with them. Functions which are purely

administrative in nature and non-contentious applications will be delegated to Council Officers.

- 6.2 A Licensing Sub-Committee of three Councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a panel involving an application within their ward.
- 6.3 Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process.
- 6.4 The Licensing Committee will also sit to determine general licensing matters that have been delegated to it by the full Council that are not associated with the Gambling Act 2005.
- 6.5 The Licensing Sub-Committee will also refer to the Licensing Committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.
- 6.6 The Licensing Committee will refer to the full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.
- 6.7 Every determination of a licensing decision by the Licensing Committee or Sub-Committee shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable.
- 6.8 Nothing in this Statement will override the right of an applicant, responsible authority or interested party to appeal against the decision of a Licensing Sub-Committee.
- 6.9 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Sub-Committee. Where representations are rejected, the person making that representation will be given written reasons as to why that is the case.
- 6.10 This form of delegation is without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Committee, or Committee to Council, if considered appropriate in the circumstances of any particular case.

Matter	Council	Sub-Committee	OFFICERS
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Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X

Determination as whether a representation is frivolous, vexatious or repetitive			X
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The above delegations relate to the overarching principles of delegation for policy issues and applications for premises licences. Other delegations may be added from time to time and will be available at [www.bridgend.gov.uk](http://www.bridgend.gov.uk) in accordance with the Council’s constitution and Scheme of Delegation to officers and the Commission’s Guidance.

## 7.0 RIGHTS OF APPEAL AND JUDICIAL REVIEW

- 7.1 The avenues of appeal against decisions by a licensing authority are set out in sections 206 to 209 of the Gambling Act 2005.
- 7.2 The licensing authority will give clear and comprehensive reasons for a rejection of an application. The reasons will address the extent to which the decision has been made with regard to the Licensing Authority’s Statement of Policy and the Commission’s Guidance.
- 7.3 An appeal has to be commenced by the giving of a notice of appeal by the appellant to the Cardiff and the Vale Magistrates Court within a period of 21 days, beginning with the day on which the appellant is notified by the licensing authority of the decision being appealed.
- 7.4 Any party to a decision may apply for judicial review if they believe that the decision taken by the licensing authority is:
- illegal – that is beyond the powers available to the licensing authority
  - subject to procedural impropriety or unfairness – which is a failure in the process of reaching the decision, such as not observing the ‘rules of natural justice’
  - irrational – where a decision is so unreasonable that no sensible person could have reached it (in effect ‘perverse’ or ‘Wednesbury’ unreasonable).

Sources used to prepare the Statement of Principles included:

The Gambling Commission Guidance available at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Census data from [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

ORGANISATION	RESPONSE	ACTION OR AMENDMENT TO THE POLICY
<p>GAMCARE</p> <p>While we do not have the resources available to allow us to personally respond to each Local Authority which contacts us regarding their refreshed Statement of Principles, we have compiled a list of the issues or factors which we think it would be helpful to consider below, more information is available via the Gambling Commission.</p>	<p>A helpful first step is to develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm. For more information please see <a href="http://www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/">www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/</a></p>	<p>The risk based mapping methodology will be assessed during the next three year policy review. As indicated within the draft policy, the Chief Medical Officer for Wales has also called for further research into the impact of gambling on health.</p>
	<p>Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities.</p>	<p>The location of premises is considered within paragraphs 2.4 and 2.6 of the policy document and follows the statutory guidance on this point.</p> <p>The issues for operators to consider within their risk assessments are considered in paragraph 3.1 of the policy document.</p> <p>This links the risk assessment to the specific premises, the local area and the community. Each case must be determined on its merits and not be pre-determined.</p>

	<p>A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place.</p>	<p>Local risk assessments are covered in paragraph 3.1 of the policy document and are specific to the premises, the local area and the community .</p> <p>It is a mandatory requirement that risk assessments are carried out and include the proximity of the premises to schools, youth centres, entertainment venues and parks and playgrounds.</p>
	<p>Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?</p>	<p>The authority has specified that staff training is a matter for consideration as part of the local risk assessment at paragraph 3.1 of the policy.</p>
	<p>Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.</p>	<p>The authority has already specified that staff numbers is a matter for consideration within the local risk assessment.</p>
	<p>Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.</p>	<p>The authority has already specified that layout and provision of CCTV are matters for consideration within the local risk assessment.</p>

	<p>Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.</p>	<p>Proposed amendment 1</p> <p>Add the following to the risk assessment guidelines at paragraph 3.1</p> <p><b>The risk assessment should include an assessment of the impact of any promotional material likely to encourage the use of the premises by children who are not allowed to access the premises.</b></p> <p>Reason: to protect children and vulnerable persons from harm or being exploited by gambling</p>
	<p>We would suggest that the Local Licensing Authority primarily consider applications from GamCare Certified operators. GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice.</p>	<p>The licensing authority must consider each application on its merits and cannot prescribe membership of any particular organisation.</p>
GAMBLING COMMISSION	<p>Local Risk Assessments</p> <p>Consider making it explicit that the risk assessment should be kept on the premises</p>	<p>Proposed amendment 2</p> <p>Paragraph 3.1 to have an added requirement that a <b>copy of the risk assessment is retained on the premises.</b></p> <p>Reason: to comply with the licensing objectives by enabling officers to inspect the document during compliance visits and to ensure local staff</p>

		are aware of the document.
	<p>(Alcohol) Licensing premises gaming machine permits and notifications</p> <p>Make more explicit reference to the statutory guidance in relation to this type of permit and notification</p>	<p>Proposed amendment:3</p> <p>At paragraphs 5.2.1 and 5.2.2 add the following header:</p> <p><b>The licensing authority will adopt the Gambling Commission statutory guidance in relation to notifications and permits in alcohol licensed premises.</b></p> <p>Reason: to provide applicants and the existing trade with clear guidelines on the authorities approach to licensing.</p>
ELECTED MEMBER	I feel the Council should lobby Welsh Government to limit the number of TV adverts for gambling in view of addiction and debt.	<p>Response:</p> <p>This is not a devolved function, but the impact of gambling on public health is being considered by the Chief Medical Officer for Wales. Advertising forms part of the specific recommendations made by the CMO as follows:</p> <p>“Welsh Government should continue to urge UK Government for stronger action on placing restrictions on gambling advertising (especially online); improving consumer protection, and minimisation of gambling-related harm.”</p> <p>This comment will be fed back to the Chief Medical Officer for Wales.</p> <p>For information, the Gambling</p>

		Commission requires the advertising of gambling products and services to be undertaken in a socially responsible manner and operators must comply with the UK Advertising Codes issued by the Committees of Advertising Practice (CAP) and administered by the Advertising Standards Authority (ASA).
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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

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