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Bridgend County Borough Council



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Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

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Gofynnwch am / Ask for: Michael Pitman

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 12 June 2019

Dear Councillor,

CABINET

A meeting of the Cabinet will be held in the Committee Rooms 1/2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 18 June 2019 at 14:30.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 12
To receive for approval the Minutes of 21/05/2019
4. Financial Performance 2018-19 13 - 50
5. Public Space Protection Orders 51 - 146
6. Section 123 (2a) Local Government Act 1972 : Disposal Of Land At The Green / Salt Lake Car Park, Porthcawl 147 - 174
7. Welsh Government Community Cohesion Grant Regional Partnership 175 - 178
8. Targeted Regeneration Investment (TRI) Programme Implementation 179 - 194
9. Commissioning and Award of Contracts in respect of the Families First Programme 195 - 202
10. Suspension Of Contract Procedure Rules For Home-To-School Bus Service Contracts 203 - 210
11. Appointment of Local Authority Governors 211 - 216

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12. Urgent Items

To consider any items of business that by reason of special circumstances the chairperson is of the opinion should be considered at the meeting as a matter of urgency in accordance with paragraph 2.4 (e) of the Cabinet Procedure Rules within the Constitution.

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

HJ David

CE Smith

Councillors

PJ White

HM Williams

Councillors

D Patel

RE Young

CABINET - TUESDAY, 21 MAY 2019

MINUTES OF A MEETING OF THE CABINET HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 21 MAY 2019 AT 14:30

Present

Councillor HJ David – Chairperson

PJ White

HM Williams

D Patel

RE Young

Apologies for Absence

Councillor CE Smith, Sue Cooper Corporate Director, Social Services and Wellbeing

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Kelly Watson	Head of Legal & Regulatory Services
Mark Shephard	Chief Executive
Mark Galvin	Senior Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Andrew Thomas	Group Manager Sports & Physical Activity

361. DECLARATIONS OF INTEREST

Councillor HM Williams declared a personal interest in Agenda item 7. As his grandchildren were pupils at the School subject of the report.

362. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Cabinet dated 16 April 2019, be approved as a true and accurate record.

363. LOCAL TOILET STRATEGY

The Chief Executive presented a report, in order to seek Cabinet approval to publish a Local Toilet Strategy in line with Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets.

He advised that Council maintained public conveniences have undergone substantial budgetary cuts in the past few years.

In order to accommodate these savings, facilities have been closed or transferred to allow them to be retained in some format. In order to achieve financial savings however, the Council carried out public consultations in 2007, 2015 and 2018, which assessed the public's views on toilet provision.

The Council's 'Comfort Scheme' was re-introduced in 2015 to counteract the effects of public convenience closures but has not been widely utilised by local businesses.

He proceeded, by confirming, that in 2018, Welsh Government published The Provision of Toilets in Wales: Local Toilets Strategies, which placed a duty on Local Authorities to publish a local toilets strategy for its area by 31st May 2019. The duty did not in itself require a local authority to provide and maintain public toilets themselves, but they are required to take a strategic view across their area on how these facilities can be

provided and accessed by their local population. This is intended to help address the current challenges regarding the provision of public toilet facilities within communities, which have often relied upon traditional stand-alone facilities that have been in decline in recent years, due to Local Authority financial pressures.

The Chief Executive added that a draft document was circulated to all partners and businesses who currently make their toilets available for public use and their facility details were provided to Welsh Government in March 2019.

Attached to the report at Appendix A, was the final Local Toilet Strategy, that included information on collaborating partners and facilities. A map also attached to the report, indicated the distribution of these public toilets and the information in table format showed what amenities are available and the opening hours of these.

The Cabinet Member – Communities advised that some public toilets were being supported by BCB's Town/Community Councils and/or through other related partnership or collaboration methods and that the Strategy was more about informing the public what arrangements were in place throughout the County Borough in terms of public toilet facilities, as opposed to advising what facilities are provided by BCBC. He was pleased to note the support with regard to toilet facilities being provided and made available in places visited frequently by the public by partner organisations, for example at Bryngarw House (by Arwen), the Bridgend Life Centre (Halo), Bridgend Railway Station (Network Rail), amongst others.

The Leader echoed these views and wished to place on record his thanks to the four principal Town Councils of Bridgend, Pencoed, Porthcawl and Maesteg in particular, giving independent support to the keeping open of public toilet facilities, where that provided in Pencoed was an award winning facility

RESOLVED: That Cabinet approved:

- (1) The Local Toilet Strategy in line with the Public Health (Wales) Act 2017: Provision of Toilets.
- (2) Regular reviews as detailed within the report.

364. **PENCOED RECREATION GROUND PAVILION**

The Chief Executive presented a report, the purpose of which, was to seek Cabinet approval to allocate funds from the £1 million capital fund established to support community asset transfers, so that essential repairs can be undertaken upon the Pavilion at the Pencoed Recreation Ground prior to a lease being granted to Pencoed Town Council.

The report gave the history of the building and the Chief Executive confirmed that it was well used by service users, with regular hirers of this facility being Pencoed Rugby Football Club, Pencoed Athletic Football Club, the Pavilion Playgroup, Mid Glamorgan Dolls House and Miniaturist Group and Halo Leisure.

The Chief Executive then referred to paragraphs 3.3 and 3.4 of the report, where it confirmed that the Pavilion had initially badly damaged due to a storm when the changing rooms then had to be closed to sports users, with the remaining rooms at the facility remaining in use. Subsequently however, upon further inspection, the whole of the building was closed, on health and safety grounds.

A Condition Survey was then carried out on the Pavilion and this identified, that over the next 10 years £260k needed to be spent on the building, of which £196k needed to be

spent in the first 5 years, of which 115k needed to be spent in the first 2 years. Appendix B illustrated the type of works that needed to be carried out to this structure.

The Chief Executive confirmed that the Council had previously set aside capital funding of around £1m some 5 years ago for works to Parks and Pavilions for the purpose of Community Asset Transfer (CAT), and he explained that since then the scope for this funding had been expanded under the Council's MTFS, including to a wider range of community facilities. However, only 2 projects to date had been allocated funding from this source.

The next section of the report confirmed that Pencoed Town Council has submitted an expression for the Community Asset Transfer of the Pavilion, in order for the building to be re-opened under a lease arrangement with the ability to extend this lease. Information regarding the works required to the building and other terms, including those of both a financial and maintenance nature were outlined in paragraphs 4.3 and 4.4 of the report.

The Chief Executive concluded his submission, by giving Members a resume of the report's financial implications.

The Cabinet Member – Communities confirmed this was a good news story.

BCBC due to savings it was required to find under its Medium Term Financial Strategy, could not continue to provide the level of services it used to including for the maintenance of Sports Pavilions and Community Centres, etc. He added that it was important to keep this facility open for a number of very justifiable reasons, including the fact that Pencoed RFC had a number of teams playing on the fields the Pavilion served, ranging from age 7 up to senior level. The continued use of the Pavilion would support the well-being of future generations, he added.

The above comments were echoed in turn by the Leader and Deputy Leader, with the Leader adding his thanks to Pencoed Town Council for their support in the re-opening of the Pavilion.

RESOLVED: That Cabinet approved that the Council will be responsible for all essential repairs required upon the Pencoed Recreation Ground Pavilion to ensure that the building can be handed over to Pencoed Town Council in a compliant condition to enable a lease to be granted under the community asset transfer programme. It is proposed that building works will be funded as follows:-

<i>Funding Source</i>	<i>Amount</i>
Town & Community Council Capital Grant Scheme 2019/20 (approved by Cabinet on 16 April 2019)	£20k
Financial contribution from Pencoed Town Council	£20k
Balance of funding CAT Fund	£75k

365. RATIONALISATION OF SUPPORTED BUS SERVICES 2019/20

The Chief Executive submitted a report, that advised Cabinet of the outcome of a public consultation exercise with regard to a proposal to reduce the amount of Council subsidy for bus services by a sum of £148,000 as agreed in the Medium Term Financial Strategy (MTFS).

Bridgend County Borough Council (BCBC) and Welsh Government support the provision of regional and local bus services by subsidising routes that are not commercially viable. These services serve routes that enable residents who live along them to access employment, education, healthcare and social activities.

He advised that BCBC's core budget for supported bus services was £202,600 in 2018/19. This included a one-off subsidy agreed as part of the 2018/19 public consultation on subsidised buses where it was agreed three popular local bus routes would be supported throughout 2018/19.

The allocation provided to BCBC by the Welsh Government, through the Bus Services Support Grant (BSSG) was £386,825 in 2018/19, out of which £84,394 was awarded to Bridgend Community Transport with the remainder, £302,431, to be spent on the region's core strategic bus network and associated services.

Reduction in base funding and continued financial austerity has meant the Council has had to review the services it delivers against its declared priorities. The Council's subsidy for bus services makes a significant contribution to ensuring some bus services that are not commercially viable can run. Nevertheless, this area of expenditure has been identified as one that is not a statutory function to deliver and a savings target of £148,000 was identified in the MTFS for the 2019/20 financial year. This would leave no Council budget for subsidising local bus services in 2019/20.

A report was submitted to Cabinet on 18th September 2018 setting out proposals for the rationalisation for supporting bus services across the county borough to meet the proposed removal of the budget. Cabinet approved that a public consultation should be carried out together with a full Equality Impact Assessment before a further report be made to Cabinet outlining the results of the consultation and before the proposals outlined in the report were considered and a final decision made on the proposals..

In the past, when subsidy cuts had been implemented, some operators had used it as an opportunity to revise the financial profile of the routes and operated previously subsidised services on a commercial basis. For example, as a result of the 2018/19 MTFS saving, five of the six previously subsidised routes were commercially retained with modifications or reductions in frequencies. As in the past, until the proposed subsidy withdrawal has been implemented, it is unclear whether operators will respond in a similar manner this year.

Paragraph 3.8 of the report, identified the bus routes which formed part of the consultation.

The Chief Executive proceeded, by advising that a consultation on the proposed service removal was implemented to gather views and opinions on the potential impact of the reductions in order to meet a proposed budget removal of £148,000 in 2019/20, as part of the Council's Medium Term Financial Strategy.

The full details of the consultation was appended to the report, with some of the key points of the feedback contained in paragraph 4.3 of the covering report.

He stressed that Community transport services offer an alternative form of transport for the elderly and disabled residents in areas where bus services have been withdrawn. The local community transport operator (Bridgend Community Transport) provides a range of services to suit varied circumstances but it is currently operating at capacity

and therefore its ability to respond in the short term to the subsidy withdrawal has to be recognised.

The Cabinet Member – Communities explained that no Councillor wished to have to make this kind of decision, though this was the reality after 10 years of national austerity and huge cuts affecting Council's funding.

Far from removing buses or bus routes, he wished to make it clear that this was about ceasing funding that the Council has been paying to private, profit-making companies, so they will run services that might otherwise not be possible due to low passenger numbers using such services.

He added that of the six services that have already had their subsidy removed, five are continuing to be operated entirely by the bus company providers, so there was strong evidence to suggest that not all services would cease to operate as soon as the Council stopped subsidising these.

The Cabinet Member – Communities confirmed that this was something that will be discussed with bus operators further, as part of a monitoring exercise going forward.

He encouraged residents of the County Borough to continue using bus services, as the income generated from this would greatly assist in services remaining in place, as opposed to them being cut.

The Deputy Leader advised that the rationalising of bus services was part of budget reduction proposals aligned to the Council's MTFS. He added that only 10 paying passengers were required on a service to keep this viable.

The Leader concluded debate on this item by stating that a considerable amount of savings required by the Council for the next financial year were as yet unaccounted for. He hoped that whilst the Metro proposals aligned to a project of the Cardiff Capital Region City Deal that was presently concentrating in its current phase on train links, would be expanded in future phases to include increased bus link operations.

The Interim Head of Finance confirmed that the savings referred to above, were in the region of £10m for 2020/21 and £8m for 2021/22, which was a considerable sum and which would inevitably have some effect on services presently provided to the public.

RESOLVED: That Cabinet:-

- (1) Considered the content of the consultation report and Equality Impact Assessment.
- (2) Determined that the budget for supported local bus services is removed to the routes identified in the table in paragraph 3.8 of the report.
- (3) That Supported Bus Services be monitored going forward.

366. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) ESTABLISHING A LEARNING RESOURCE CENTRE (LRC) FOR PUPILS WITH AUTISTIC SPECTRUM DISORDERS (ASD) AT YSGOL GYNRADD GYMRAEG CALON Y CYMOEDD (FORMALLY KNOWN AS YSGOL GYNRADD GYMRAEG CWM GARW) OUTCOME OF THE PUBLIC NOTICE

The Corporate Director – Education and Family Support submitted a report, the purpose of which, was to inform Cabinet of the outcome of the public notice on the proposal to establish a LRC for pupils with ASD at Ysgol Gynradd Gymraeg Calon Y Cymoedd (formally known as Ysgol Gynradd Gymraeg Cwm Garw).

He confirmed that in December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with additional learning needs (ALN). The review identified a need for Welsh-medium support.

In conjunction with this proposal, an ASD LRC was opened at Ysgol Gyfun Gymraeg Llangynwyd in March 2018.

The Corporate Director – Education and Family Support, added that the Council supports the principles that, when possible, children should be educated in a mainstream school environment and as near to their home as possible. The proposal to open a further ASD LRC, at Ysgol Gynradd Gymraeg Calon Y Cymoedd would afford those children with ASD who are currently taught through the medium of Welsh to continue their education in their local area.

The statutory public notice was issued on 15 March 2019 and the closing date for objections was 11 April 2019. There were no objections received during the statutory notice period. Cabinet was, therefore, now able to determine the implementation of the proposal.

The Corporate Director – Education and Family Support then concluded his submission, by outlining the report's financial implications, as contained in paragraphs 8.1, 8.2 and 8.3 of the report.

The Cabinet Member – Wellbeing and Future Generations, advised that the facility subject of the report, was the first LRC in the County Borough supporting the education of young pupils with autism in the medium of Welsh and she was happy to see this forming part of the Council's School Modernisation proposals.

The Leader echoed this, adding that this facility would also support pupils in their transition from primary into secondary education in Llangynwyd. He added that the proposal also had the utmost support from all stakeholders that had been consulted as part of the consultation process

RESOLVED: That Cabinet:-

- (1) Noted that no objections were received during the public notice period, and as a consequence,
- (2) Approved the implementation of the proposal contained in the report.

367. PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN): CHANGES TO BETWS PRIMARY SCHOOL

The Corporate Director – Education and Family Support presented a report, the purpose of which, was to inform Cabinet of the outcome of the public notice on the proposal to cease the local authority nurture provision at Betws Primary School.

He advised that in December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with additional learning needs (ALN). All learning resource centres (LRCs) were reviewed. At this stage, the particular focus was upon the LRCs with pupils with moderate learning difficulties.

As a result of a further subsequent review of nurture provision, a recommendation was made to close this provision at Betws Primary School, and to introduce a foundation phase provision at The Bridge Alternative Provision (The Bridge), with nurturing principles continuing to be developed within every primary school. Welsh Government subsequently approved the introduction of foundation phase provision at The Bridge.

The next section of the report confirmed that, the statutory public notice was issued on 15 March 2019 and the closing date for objections was 11 April 2019. The public notice sets out the details of a proposal to allow the public to provide any comments or objections they may have. The statutory notice is open for a period of 28 days. Any objections made within this period must be submitted in writing to the Council. The Council must then publish an objections report summarising the statutory objections together with the Council's response to those objections.

There were no objections received during the statutory notice period and Cabinet was, therefore, now able to determine the implementation of the proposal.

In terms of the report's financial implications, the Corporate Director – Education and Family Support advised that from the schools' delegated budget, full-year savings of £51,378 have been identified from the closure of the local authority nurture provision at Betws Primary School. The pro rata element for the 2019-20 financial year has been re-allocated within the schools' Individual Schools Budget (ISB).

From the Education and Family Support Directorate budget, and as a further consequence of the proposed closure, the funding for the Senior Support Officer at Betws Primary School Nurture Provision can be utilised to support the introduction of foundation phase at The Bridge. There were no redundancy costs associated with this proposal, he added.

The Cabinet Member – Social Services and Early Help advised that the Bridge was a perfect alternative (to Betws Primary) within which to continue this provision, adding further, that he supported the continued principal of nurturing provision across all Primary schools.

The Leader wished to point out, that the proposals of the report would allow a saving that would remain in the schools budget and be committed elsewhere (ie towards improvement at other schools in the BCB area).

RESOLVED: That Cabinet:-

1. Noted that no objections were received during the public notice period, and as a consequence,

2. Approved the implementation of the proposal contained in the report.

368. WELSH PUBLIC LIBRARY STANDARDS 2017-18

The Group Manager – Prevention and Wellbeing presented a report, the purpose of which, was to present to Cabinet the Council's performance against the Welsh Public Library Standards (WPLS) sixth framework for the period 2017-18.

He advised that, the provision of public library services in the United Kingdom was made a statutory service for local government as a result of the Public Libraries and Museums Act 1964. The legislation requires local authorities to provide a "comprehensive and efficient library service for persons desiring to make use thereof".

In order to assist in discharging this responsibility, in 2002 the Welsh Government established a framework of standards for the management of local authority library services, by local authorities, the WLGA and other relevant bodies. As part of this framework, new targets relating to library provision and performance are reviewed and set every three years. One of the overall objectives of the standards is that libraries offer all the services and facilities listed as core entitlements within the framework with quality also being measured via a range of performance indicators and impact measures.

On an annual basis, Bridgend Council, as the public library authority is required to submit an annual Welsh Public Library Standards (WPLS) return for consideration by assessors. A report is issued in turn by the Museums, Archives and Libraries Division (MALD) of the Welsh government, who have responsibility for administering the framework. The report produced represents the considered view of the assessors on the Council's performance for the given year.

Attached at Appendix 1 to the report, was the 2017-18 report from MALD in response to the library self-assessment return against the sixth framework of Welsh Public Library Standards (2017-20).

The 2017-18 report highlighted that the service has continued to perform well noting the effectiveness of service points and the contribution of the service to wellbeing, an increase in formal and informal training, growth in attendance at events and also increases in membership and active borrowers.

The MALD report explains that the library service in Bridgend now meets 11 of the 12 core citizen entitlements in full and one in part. During 2017-18 the public accountability measures for libraries in Wales had changed from estimated library visits to levels of achievement in relation to 10 quality indicators with quantifiable targets.

The evaluation by MALD identifies that Bridgend has achieved 7 quality indicators in full, 1 in part and failed to achieve 2 of the indicators. A comparison as to how Bridgend has compared to other local authorities was provided at Appendix 2 to the report.

The quality indicators not met relate to acquisitions per capita or materials spend per capita (QI9) and also the amount of material budget or spend on Welsh language resources per capita (QI10).

Although Welsh Government utilises data to formulate its assessment the case studies that Awen have provided are of equal importance and include the summer reading challenge to maintain children's literacy during school holidays, supporting employability, dementia supportive activities in leisure facilities and "live and loud" cultural events in library settings funded by Arts Council Wales.

The Group Manager – Prevention and Wellbeing concluded his submission, by advising of the Well-being of Future Generations (Wales) Act 2015 implications on the report and the financial implications, which confirmed that there were additional savings of £150k required (impacting upon Library Services) between 2019 and 2021, which may impact upon the overall service.

The Cabinet Member – Future Generations and Wellbeing advised that to counteract any shortfall of books in library facilities, people were accessing books more on-line and a lot of this was out of personal choice in any event.

The Deputy Leader added that Bridgend had an effective model in place in the support of its library provision, notwithstanding the recent dip in the spend on books. He was aware that there was a public demand for books written in Welsh in libraries, however this was not the trend in Bridgend.

The Leader concluded debate on this item by stating that he was pleased to note that BCBC was meeting more standards than most other neighbouring authorities were and that the few we weren't meeting, had largely been due to budget cuts the Authority have had to make.

He was also pleased to see that our main libraries were now more akin to Community Centres, in that they provided other services over and above the provision of books, for example IT facilities to allow young people to have the opportunity to continue their learning, within school holidays; assisting individuals by having access to employment opportunities, and dementia supporting activities.

RESOLVED: That Cabinet considered and noted the content of the report and Appendices, recognising a positive year of progress against the Welsh Public Library Standards.

369. REPRESENTATION ON OUTSIDE BODIES AND OTHER COMMITTEES

The Monitoring Officer submitted a report, that sought Cabinet approval for the appointment of Members to Joint Committees and Outside Bodies.

A list of these was attached to the report at Appendix 1.

The Monitoring Officer confirmed that it was proposed that Members appointments are for a term of one year, except where earlier revocation of appointment is appropriate.

RESOLVED: That Cabinet appointed the requisite number of Members to the Joint Committees and other Outside Bodies as listed in Appendix 1 to the report, with it further being noted, that representation on the organisation of Business in Focus will be in the form of an Officer of BCBC (as opposed to political representation), due to this not being a Strategic Decision Making body.

370. CABINET FORWARD WORK PROGRAMME

The Head of Legal and Regulatory Services presented a report, the purpose of which, was to seek Cabinet approval for items to be included on the Forward Work Programme (FWP) for the period 1 July 2019 to 31 October 2019.

CABINET - TUESDAY, 21 MAY 2019

In accordance with a provision of the Council's Constitution, the FWP will cover a period of four months, and contain matters which the Cabinet, Overview and Scrutiny Committees and Council are likely to consider, in the way of plans, policies or strategies that form part of the Authority's Policy Framework.

Paragraph 4.1 of the report, outlined the FWP for Cabinet (Appendix 1 of the report), the FWP for Council for the same period (Appendix 2 of the report), and finally the Overview and Scrutiny FWP (shown at Appendix 3 to the report).

The Leader pointed out that the Overview and Scrutiny FWP was carefully constructed by its Committees and led on by the Chairpersons in consultation with Cabinet and CMB, with the view of ensuring that topical and meaningful items find their way onto the agendas of future Overview and Scrutiny Committee meetings. He reminded those present, that the Scrutiny process also made both Cabinet and Council accountable in terms of its decision making.

- RESOLVED:**
- (1) That Cabinet approved the Cabinet Forward Work Programme for the period 1 July 2019 to 31 October 2019, as shown at Appendix 1 to the report, and
 - (2) Noted the Council and Scrutiny Forward Work Programmes as shown at Appendix 2 and 3 to the report, respectively.

371. **URGENT ITEMS**

None.

The meeting closed at 15:40

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 JUNE 2019

REPORT OF THE INTERIM HEAD OF FINANCE

FINANCIAL PERFORMANCE 2018-19

1. Purpose of this report

- 1.1 The purpose of this report is to provide Cabinet with an update on the Council's financial performance for the year ended 31st March 2019.

2. Connections 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 allocation of budget determines the extent to which the Council's corporate improvement priorities can be delivered.

3. Background

- 3.1 On 28th February 2018, Council approved a net revenue budget of £265.984 million for 2018-19, along with a capital programme for the year of £33.693 million, which has since been updated to take into account new approvals and slippage between financial years. As part of the Performance Management Framework, budget projections are reviewed regularly and reported to Cabinet on a quarterly basis. The delivery of agreed budget reductions is also kept under review and reported to Cabinet as part of this process.

4. Current Situation / Proposal

4.1 Summary financial position at 31st March 2019.

4.1.1 The Council's net revenue budget and final outturn for 2018-19 is shown in Table 1 below.

Table 1- Comparison of budget against actual outturn at 31st March 2019

Directorate/Budget Area	Original Budget 2018-19 £'000	Current Budget 2018-19 £'000	Final Outturn Q4 2018-19 £'000	Final Over / (Under) Spend 2018-19 £'000	Projected Over / (Under) Spend Qtr 3 2018-19 £'000
Directorate					
Education and Family Support	108,315	110,144	110,545	401	542
Social Services and Wellbeing	67,730	70,088	69,136	(952)	(6)
Communities	26,729	26,937	27,822	885	251
Chief Executive's	3,803	19,539	18,063	(1,476)	(1,379)
Operational and Partnership Services	14,658	0	0	0	0
Total Directorate Budgets	221,235	226,708	225,566	(1,142)	(592)
Council Wide Budgets					
Capital Financing	9,514	9,304	6,459	(2,845)	(2,412)
Levies	7,046	7,046	7,070	24	24
Apprenticeship Levy	700	700	617	(83)	(75)
Council Tax Reduction Scheme	14,354	14,354	14,085	(269)	(241)
Insurance Premiums	1,588	1,588	1,167	(421)	(428)
Building Maintenance	900	621	423	(198)	0
Pension Related Costs	430	430	432	2	5
Other Council Wide Budgets	10,217	5,233	2,312	(2,921)	(3,515)
Total Council Wide Budgets	44,749	39,276	32,565	(6,711)	(6,642)
Accrued Council Tax Income			(670)	(670)	0
Appropriations to / from Earmarked to Reserves			8,094	8,094	1,922
Transfer to Council Fund			429	429	0
Total	265,984	265,984	265,984	0	(5,312)

4.1.2 The overall outturn at 31st March 2019 is an under spend of £429,000 which has been transferred to the Council Fund, bringing the total Fund balance to £8.776 million in line with Principle 8 of the Medium Term Financial Strategy (MTFS). Directorate budgets provided a net under spend of £1.142 million, after draw down from reserves of £7.7 million, and Council Wide budgets a net under spend of £6.711 million, after draw down from reserves of £2.3 million. These are offset by the requirement to provide new earmarked reserves for a range of new future risks and expenditure commitments. The net position also takes into account accrued council tax income of £670,000 during the financial year.

4.1.3 As mentioned in the report to Cabinet at quarter 3, the Council has received a number of one-off grants from Welsh Government, including £620,528 for social services and £718,701 towards teachers' pay, and more recently a number of other school specific grants, totalling almost £1 million, which have eased the pressure on these budgets for 2018-19 only. This is in addition to any other opportunities taken to maximise

existing grant funding streams. Without these the net under spend on Directorate and Council Wide budgets would have been much lower. Given the significant funding required to meet pay, prices and pensions costs in 2019-20 any uncommitted funding in 2018-19 will be required to meet those pressures in the new financial year.

- 4.1.4 The under spend on Directorate net budgets for the year is a result of a number of factors including the late notification of additional grants, the maximisation of existing grants and other income, strict vacancy management and general efficiencies. Directorates drew down £7.7 million in-year from approved earmarked reserves to meet specific one-off pressures identified in previous years, including funding for transformation projects through the Change Fund, funding for capital projects, draw down of school balances, funding for demolition work and service specific one-off pressures. A detailed analysis of the more significant under and over spends is set out in section 4.3.
- 4.1.5 There have been no budget virements since the quarter 3 forecast was reported to Cabinet in January 2019. However, as part of the closing of accounts process, there have been a number of technical adjustments in respect of outstanding pay and price inflation and allocations of corporately held funding for feasibility work and revenue minor works in line with spend, along with transfer of funding for prudential borrowing from corporate capital financing budgets to specific schemes in line with the capital programme.
- 4.1.6 The under spend masks underlying budget pressures in some service budgets which were reported during the year and still persist. The main financial pressures are in the service areas of Looked After Children (LAC), Adult Social Care, and Home to School Transport, where a number of historical budget reductions remain unrealised. It should be noted that these budget areas can be volatile and small changes in demand can result in relatively high costs being incurred. As patterns of provision change within Directorates, service budgets are reviewed and re-aligned accordingly.
- 4.1.7 The under spend on Council Wide budgets has slightly increased from quarter 3 as a result of lower than anticipated demand for price inflationary increases, delays in progressing minor capital works and lower funding required than anticipated during the last quarter for the implementation of Welsh Language Standards, although it is anticipated that this budget will still be required in 2019-20. In addition, funding for a number of budget pressures was adjusted down following receipt of more accurate information.
- 4.1.8 The net budget for the financial year was set assuming full implementation of the current year budget reduction requirements across the Council's budget, which amount to £6.123 million. Where proposals to meet this requirement have been delayed or were not achievable directorates were tasked with identifying alternative proposals to meet their requirements such as vacancy management, or bringing forward alternative budget reduction proposals.

4.2 Monitoring of Budget Reduction Proposals

Prior Year Budget Reductions

- 4.2.1 As outlined in previous monitoring reports during the year, at the end of the 2017-18 financial year, there were still £2.604 million of outstanding budget reduction

proposals that had not been met in full, relating to the 2016-17 and 2017-18 financial years, £1.917 million of which related to the Social Services and Wellbeing Directorate. Directors have been working to realise these savings during the 2018-19 financial year. A summary of the latest position is attached as Appendix 1 with a summary per directorate provided in Table 2. Of the £2.604 million of prior year budget proposals outstanding, £1.593 million has been realised, leaving a balance of £1.011 million.

Table 2 – Outstanding Prior Year Budget Reductions

	Total Budget Reductions Required	Total Budget Reductions Achieved	Shortfall
DIRECTORATE /BUDGET REDUCTION AREA	£'000	£'000	£'000
Education and Family Support	166	106	60
Social Services and Wellbeing	1,917	1,266	651
Communities	371	71	300
Chief Executive's	150	150	0
TOTAL	2,604	1,593	1,011

4.2.2 Proposals still not achieved include:

- Learner Transport (£60,000) due to delays in assessments of safe routes;
- Review of Car Parking Charges (£50,000) due to delay in reporting options and therefore achieving full year savings;
- Permitting Scheme for Road Works (£100,000) due to delays in approval process with Welsh Government.
- Reductions to the Materials Recovery and Energy Centre (MREC) (£200,000).

The balance mainly relates to proposals set out in the Social Services and Wellbeing Service Delivery Plan, which outlines the Directorate's response to the financial challenge facing them, and sets out the planned actions to be undertaken in order to meet the shortfall. A number of the proposals were planned to be achieved over 2018-19 and 2019-20 and these will continue to be monitored. The actual shortfall against proposals to be achieved in 2018-19 was only £34,000. All outstanding proposals will continue to be monitored during 2019-20.

- 4.2.3 As outlined in the MTFs reports to Cabinet and Council, MTFs Principle 12 states that *“Resources are allocated to deliver the Bridgend Change Programme based on clear strategic plans that are kept under review by Corporate Directors to maintain alignment with the MTFs and a MTFs Budget Reduction Contingency will be maintained”*. A Budget Reduction Contingency was established in 2016-17 and used to partly mitigate shortfalls on a number of budget reduction proposals. This reserve has been used to meet specific budget reduction proposals on a one-off basis pending alternative measures. In 2018-19 it has been used to mitigate the on-going shortfall on the following 2017-18 budget reduction proposal:

COM 18	MREC	£200,000
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Budget Reductions 2018-19

4.2.4 The budget approved for 2018-19 included budget reduction proposals totalling £6.123 million, which is broken down in Appendix 2 and summarised in Table 3 below. The end of year position is a shortfall on the savings target of £508,000, or 8.3% of the overall reduction target. This figure is slightly worse than reported at quarter 3.

Table 3 – Monitoring of Budget Reductions 2018-19

	Total Budget Reductions Required	Total Budget Reductions Achieved	Shortfall
DIRECTORATE /BUDGET REDUCTION AREA	£'000	£'000	£'000
Education and Family Support	630	478	152
Schools	0	0	0
Social Services and Wellbeing	350	350	0
Communities	1,454	1,098	356
Chief Executive's	1079	1079	0
Council Wide Budgets	2,610	2,610	0
TOTAL	6,123	5,615	508

4.2.5 The most significant budget reduction proposals not achieved, and the action required to achieve them in 2019-20 are outlined in Table 4 below. In the 2019-20 financial year these proposals must be realised or must be met through alternative budget reduction proposals in order to deliver a balanced budget position.

Table 4 – Outstanding Budget Reductions 2018-19

MTFS Ref	Budget Reduction Proposal	Shortfall £'000	Mitigating Action 2019-20
EFS1	Phased Implementation of Learner Transport Policy	67	An external review of BCBC's transport arrangements has been commissioned. This will report in Summer term 2019. It is hoped this will support changes to the current arrangements with a view to making the identified efficiency savings.
COM11	Reductions to the budget for Public Conveniences	100	Following formal consultation, full savings should be achieved in 2019-20.

MTFS Ref	Budget Reduction Proposal	Shortfall £'000	Mitigating Action 2019-20
COM27	Removal of Subsidised Bus Services	188	Following formal consultation, full savings should be achieved in 2019-20.
COM40	Introduction of Corporate Landlord Model	200	Will continue to work with implementation programme and monitor closely during 2019-20.

4.2.6 As mentioned in previous monitoring reports, the final council tax increase agreed for 2018-19 was 4.5%, higher than the original proposed 4.2%, to provide flexibility to enable members to mitigate some of the proposed budget reductions. Following a report to Cabinet on 15th May on the outcome of the public consultation exercise in respect of the rationalisation of supported bus services (COM27), Cabinet resolved to retain the subsidy for three routes for a period of one year to allow additional time in dialogue with bus operators and with other potential partners to try and find ways of keeping existing routes running. Consequently, £51,500 of this funding was transferred to the Communities directorate for one year only to offset this shortfall. With regard to Public Conveniences, a report was presented to Cabinet in June 2018. A number of proposals were made but, given time to implement some, the full budget saving has not been realised during 2018-19. These should both be achieved in full during 2019-20.

4.2.7 Overall there are £2.342 million of budget reductions from 2016-17 to 2018-19 that are yet to be achieved in full, broken down as follows:

Prior Year Outstanding Reductions:	Total Saving Proposal £'000	Balance of Proposal Outstanding £'000
Education and Family Support	222	212
Social Services and Wellbeing	918	651
Communities	1,202	656
Total	2,342	1,519

These will continue to be monitored during 2019-20, alongside new budget reductions for 2019-20, and will be reported in the quarterly monitoring reports.

4.3 Commentary on the financial position as at 31st March 2019

A summary of the financial position for each main service area is attached as Appendix 3 to this report and comments on the most significant variances are provided below.

4.3.1 Education and Family Support Directorate

The net budget for the Directorate for 2018-19 was £110.144 million and the actual outturn was £10.545 million, following draw down of £2.081 million from earmarked

reserves, resulting in an over spend of £401,000. The most significant variances are:

EDUCATION & FAMILY SUPPORT DIRECTORATE	Net Budget	Actual Outturn	Actual Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Inclusion	2,840	3,004	164	5.8%
Home to School Transport	4,779	5,880	1,101	23.0%
Pupil Support	345	209	(136)	-39.4%
Catering Services	811	753	(58)	-7.2%
Integrated Working	1,457	997	(460)	-31.6%
Youth Justice	384	287	(97)	-25.3%
Health and Safety	228	171	(57)	-25.0%

Schools' Delegated Budgets

Total funding delegated to schools in 2018-19 was £89.922 million.

The schools' delegated budget is reported as balanced in any one year as any under or over spend is automatically carried forward, in line with legislation, into the new financial year before being considered by the Director of Education and Family Support in line with the '*Guidance and Procedures on Managing School Surplus Balances*'.

The year-end position for 2018-19 was:

- Net overall school balances totalled £360,000 at the start of the financial year. During 2018-19 school balances increased by £254,000 to £614,000 at the end of the financial year, representing 0.65% of the funding available.
- Out of a total of 59 schools there are 22 schools (18 primary and 4 secondary) with deficit budgets and 12 schools (9 primary, 2 secondary, 1 special) with balances in excess of the statutory limits (£50,000 primary, £100,000 secondary and special schools) in line with the School Funding (Wales) Regulations 2010. These balances will be analysed by the Corporate Director - Education and Family Support, in line with the agreed '*Guidance and Procedures on Managing School Surplus Balances*'.
- A summary of the position for each sector and overall is provided below.

	Balance brought forward	Funding allocated in 2018-19	Total Funding available	Actual Spend	Balance at year end
	£'000	£'000	£'000	£'000	£'000
Primary	260	45,386	45,646	45,295	351
Secondary	-436	42,560	42,124	42,322	(198)
Special	536	8,404	8,940	8,479	461
Total	360	96,350	96,710	96,096	614

It must be noted that there has been a significant improvement from the projected deficit position for schools of £1.101 million at quarter 3 due to the following reasons:-

- Additional funding from Welsh Government towards additional costs incurred in funding free school meals during 2018-19 as a result of the rollout of Universal Credit - £231,000.
- Additional funding for schools from the Central South Consortium (CSC) for Professional Learning - £453,708 - and Schools as Learning Organisations & Cluster Funding – £279,000.
- Additional Learning Needs Transition funding distributed to schools - £61,000.
- Corporate contingency support for schools meeting the Cause for Concern criteria - £144,000.
- Additional 1:1 support funding for special schools - £188,580.

Without the last minute additional funding from Welsh Government and the CSC the overall schools' balance would have been a negative figure of £349,000.

Central Education and Family Support Budgets

Inclusion

- There is an over spend of £164,000 in the Inclusion service. This is primarily due to a shortfall in recoupment income – there were 24 out of county placements at Heronsbridge School and Ysgol Bryn Castell in the spring term 2019 compared with 30 in the summer term 2018.

Home to School Transport

- There was an over spend of £1.101 million on home to school transport in 2018-2019. Previous budget reductions of £1.87 million have not been implemented as quickly as anticipated due to the need to undertake safe route assessments and deal with legal challenges. There have also been significant costs associated with discretionary transport, transport to support looked after children and children with additional learning needs, in particular autism spectrum disorder. There have been challenges over the safety and availability of walked routes to school with the need to issue temporary passes to children where they would not normally be eligible.
- During 2018-19 there was also an increase in the requirement to provide alternative transport for children with significant behavioural needs and to support the new Access to Education arrangements to support the Council's vulnerable group's agenda, in particular a reduction of permanent exclusions. Eligible pupils for both home to college and home to school transport have also increased. The limited number of transport providers reduces the options available for the local authority to drive forward efficiency savings and to support the aforementioned significant budget reductions.
- In addition, the handing back of contracts from providers who have over-committed themselves in tendering for transport has meant increased costs later on in the contract's lifespan.

A number of policy proposals are being put forward for Cabinet to consider to support future efficiency savings during 2019-2020. It is expected that these proposals will better support the previous budget reductions of £1.87 million in 2020-2021. In addition, £427,000 of growth has been allocated in the 2019-20 budget to support increase in demand.

Pupil Support

- The under spend on Pupil Support of £136,000 has arisen mainly as a result of the cessation of the volunteer driver support service in February 2017 whilst a review was undertaken. A budget reduction proposal of £100,000 has been agreed as part of the MTFS 2019-20 to 2022-23 against the volunteer driver service.

Catering Services

- The under spend of £58,000 has arisen as a result of an increase over and above the anticipated demand for school meals compared with when the budgets were set at the start of the financial year of 4.28%.

Integrated Working

- There is an under spend of £460,000 on this service. Of this £351,000 is due to maximisation of the Integrated Working grant funding and £62,000 due to vacancy management.

Youth Justice

- There is an under spend of £97,000 primarily as a consequence of moving to alternative premises (£60,000) with the remainder being from staff vacancy management. These under spends will contribute towards a budget reduction in the MTFS for 2019-20 of £41,000 against the Youth Offending Service.

Health and Safety

- There is an under spend of £57,000 in this area due to staff vacancies. Additional funding of £150,000 has been agreed as part of the MTFS to provide more robust corporate health and safety arrangements following interventions by the Health and Safety Executive. This includes additional officers to work with, and support managers, in discharging their health and safety responsibilities. The recruitment process is currently ongoing.

4.3.2 **Social Services and Wellbeing Directorate**

The net budget for the Directorate for 2018-19 was £70.088 million and the actual outturn was £69.136 million, following draw down of £1.750 million from earmarked reserves, resulting in an under spend of £952,000. As outlined in paragraph 4.1.3 the Directorate received additional grant funding of £620,528 from Welsh Government towards the end of the financial year towards costs associated with supporting sustainable social services. It was also successful in bidding for Supporting People grant slippage of approximately £620,000, and was able to access additional Integrated Care Fund (ICF) regional funding of approximately £140,000. Without this additional grant funding there would have been an over spend of almost £430,000. This funding is non-recurring and will therefore be a cost pressure for the Directorate in 2019-20.

SOCIAL SERVICES AND WELLBEING DIRECTORATE	Net Budget	Actual Outturn	Actual Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Older Persons Residential Care	8,808	9,166	358	4.1%
Care at Home for Older People	8,462	7,919	(543)	-6.4%
Assessment and Care Management	4,892	4,244	(648)	-13.2%
Learning Disabilities Residential Care	1,630	1,786	156	9.6%
Care at Home for Learning Disabilities	9,366	9,504	138	1.5%
Looked After Children	11,173	11,486	313	2.8%

Older Persons Residential Care

- There is a year-end over spend of £358,000. There are various factors contributing to this, including the increased demand for nursing and some residential placements and also reductions in the predicted levels of income received through charging, which can vary based on an individual's financial assets. The total number of placements has increased from 464 in 2017-18 to 479 in 2018-19.

Care at Home for Older People

- Care at home includes domiciliary care services, local authority homecare services and the provision of direct payments. The outturn shows a net under spend of £543,000. Of this, approximately £300,000 is related to a staffing under spend within the internal homecare service which in the main relates to non-care staff roles however the service did experience some delays in recruiting to direct care roles. The service is currently undertaking a review of the non-care structure and MTFs savings have been identified for 2019-20. In addition, the Telecare service was able to access additional Supporting People grant slippage to the value of £130,000 towards year end, together with ICF grant to the value of £41,000.

Assessment and Care Management (ACMT)

- There is an under spend of £648,000 on all assessment and care management staffing budgets for adult social care, which includes £236,000 on assessment and care management for older people, £191,000 on ACMT for people with physical disabilities and £167,000 under spend on ACMT for people with mental health, arising mainly from staff vacancies. Effective vacancy management and a number of interim posts throughout the year has enabled these cost savings to be achieved. The service is currently undertaking a review of the overall structure in 2019-20.

Learning Disabilities Residential Care

- An over spend of £156,000 has occurred due to the number and complexity of placements throughout 2018-19.

Care at Home for People with Learning Disabilities

- There was an over spend of approximately £500,000 before the allocation of Welsh Government and Supporting People grants at year end of £362,000, resulting in a final over spend of £138,000. The over spend is due to the number

and the complexity of needs of service users receiving direct payments or receiving domiciliary care within a home setting or supported accommodation.

Looked After Children (LAC)

- There is an over spend of £313,000 on LAC but only following an allocation of Welsh Government grant to the value of £320,000. The actual over spend would have been £633,000. MTFS budget reductions have resulted in the budget being reduced by around £1 million over the last three years. The actual over spend has actually reduced by £233,000 since quarter 3 as the Directorate has implemented its residential and fostering remodelling projects.
- Project plans for both of these areas are now in place and the required work has gathered momentum, with significant capital work taking place in 2018-19. The plan to place more children into in-house foster placements is also now in place. Independent fostering placements (IFAs) have reduced significantly in 2018-19 compared to 2017-18.
- The average number of LAC this financial year is 376 compared with an average of 387 in 2017-18, with 6 children currently in out of county residential placements. Some individual placements can cost around £220,000 per annum. The cost of out of county placements is a considerable pressure on the budget and greatly contributes to the over spend.
- The average number of independent fostering placements (IFAs) this financial year is 61 compared to 75 in 2017-18.

4.3.3 Communities Directorate

The net budget for the Directorate for 2018-19 was £26.937 million and the actual outturn was £27.822 million, following draw down of £2.255 million from earmarked reserves, resulting in an over spend of £885,000. The most significant variances are:

COMMUNITIES DIRECTORATE	Net Budget	Actual Outturn	Actual Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Regeneration	2,304	2,193	(111)	-4.8%
Public Conveniences	72	147	75	104.2%
Waste Disposal	4,629	4,724	95	2.1%
Waste Collection	4,971	5,232	261	5.3%
Highways and Fleet	6,590	6,949	359	5.4%
Transport and Engineering Services	940	862	(78)	-8.3%
Parks & Open Spaces	2,082	2,142	60	2.9%
Corporate Landlord	3,041	3,313	272	8.9%

Regeneration

- The under spend of £111,000 in Regeneration is primarily due to staff vacancy management. £79,000 of this relates to the Physical Regeneration Team – these posts have now been recruited to, therefore the saving is not recurring. £25,000 of this relates to Regeneration Management – this will contribute towards the 2018-19 MTFS saving of £135,000 against Communities Management restructure.

Public Conveniences

- A report was presented to Cabinet on the 19th June 2018 outlining the findings of the public consultation and recommending actions against each of the town centre public toilets. Implementing these recommendations has taken some time to complete. Discussions with the Town and Community Councils have taken place along with formal consultation with affected staff, therefore the £100,000 MTFS saving for 2018-19 has not been made in full this year. Savings have started to materialise from January 2019 and will be made in full during 2019-20.

Waste Disposal

- There was a budget reduction target of £200,000 for 2017-18 in respect of the MREC. There has been a procurement exercise with Neath Port Talbot County Borough Council (CBC) to secure a new operator for the facility, therefore for this financial year the full MTFS saving has been funded from the MTFS Budget Reduction Contingency Reserve as outlined in paragraph 4.2.3. The remaining over spend is primarily due to increased costs for disposing of street sweeper waste for which there is a £36,000 budget pressure in the MTFS for 2019-20, along with an increase in red/grey bag purchases where the service area have been linking in with the probation service and volunteer groups to target problem areas.

Waste Collection

- The over spend of £261,000 on waste collection services is due to a combination of factors. The disposal contract with Neath Port Talbot CBC is based on a fixed price, minimum tonnage. Consequently a drop in commercial waste tonnage for disposal, and subsequent reduction in income, has not generated a corresponding reduction in cost. The Council is currently working closely with Neath Port Talbot CBC to renegotiate the terms of this arrangement. This will contribute towards a budget reduction proposal in the MTFS for 2019-20 of £1,300,000 against the MREC.

Highways and Fleet

- There is a combined over spend of £359,000 on Highways and Fleet Services. £284,000 is due to an over spend on Fleet Services. The service has undergone an initial review and the factors contributing to the over spend have been identified, including the charge out rate being too low to cover costs incurred. In line with a Corporate Management Board (CMB) recommendation, the service area is engaged in a review of productivity before being able to confirm a change to the charge out rate. This is intended to be completed during May 2019 with a report back to CMB shortly after. To improve productivity, technicians moved onto a differing working pattern at the start of 2019, along with a management restructure that was finalised in April 2019, which has seen a refocusing on workshop management and scheduling to address the over spend.
- The balance of over spend is primarily due to the delay in realising the 2017-18 MTFS target of £100,000 in respect of introducing a permitting scheme. The timeline is not in the direct control of BCBC officers as the business case is going through multiple steps in an approval process with Welsh Government. However ultimately a positive response is expected, which should ensure its successful implementation.

Transport and Engineering Services

- There is a combined under spend across Transport and Engineering of £78,000. A shortfall in income within Policy and Development (£184,000) is linked directly to the amount of Section 38 fees received – these fees are charged to developers and relate to assessments and inspection of new street works. Due to the nature of Section 38 fees, income can be subject to considerable fluctuations between years depending on number and type of applications.
- This shortfall has been offset by an under spend of £219,000 in Engineering Services due primarily to an increase in the level of fee earning jobs (balance of EU/non EU funded projects and the differing chargeable rates allowed).

Parks & Open Spaces

- There is an over spend across the service of £60,000 mainly due to additional spend on repairs and maintenance on pavilions.

Corporate Landlord

- There is an over spend of £272,000 against Corporate Landlord for 2018-19. The main causes of the over spend were additional costs of £65,000 for the Interim Head of Service as a result of needing to continue with an external resource, and an income shortfall of £113,000 on Maesteg Market and the Innovation Centre due to refurbishment works.
- The balance is mainly due to a shortfall in income in the Operational Trade Section of the service. As a direct consequence of the launch of the Corporate Landlord model and the complexity of introducing new systems of work, the rates charged were lower than they should have been, based on the actual volumes of work. This has been rectified for 2019-20 with all staff now using timesheets for recharges to be raised against client works and therefore it is anticipated that the financial outcome will be much more positive.

4.3.4 Chief Executive's Directorate

The net budget for the Directorate for 2018-19 was £19.539 million and the actual outturn was £18.063 million, following draw down of £1.590 million from earmarked reserves, resulting in an under spend of £1.476 million. The most significant variances are:

CHIEF EXECUTIVE'S	Net Budget	Actual Outturn	Actual Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Accountancy	1,523	1,395	(128)	-8.4%
Housing Benefits – Admin	712	536	(176)	-24.7%
Housing Benefits – Payments to Claimants	-172	-303	(131)	76.2%
Member and Mayoral Services	1,823	1,468	(355)	-19.5%
HR and Organisational Development	1,637	1,471	(166)	-10.1%
Shared Regulatory Services	1,459	1,347	(112)	-7.7%
Communication & Marketing	1,622	1,463	(160)	-9.8%

Accountancy

- The under spend of £128,000 mainly relates to staffing vacancies across the service. The service also received grant funding to offset some core costs in

2018-19. These vacancies will be monitored in line with business needs in 2019-20.

Housing Benefits – Admin

- There is an under spend on the administration of housing benefit arising mainly from staffing vacancies, but also changes in staffing hours and additional annual leave purchases.

Housing Benefits – Payments to Claimants

- The under spend is due to higher than anticipated recovery of housing benefit overpayments within the housing benefit subsidy claim.

Member and Mayoral Services

- The under spend of £355,000 is mainly as a result of the delay in initially implementing the Members' Community Action Fund in 2017-18, which has impacted upon this year's budget. An assessment of the first year of operation was presented to Audit Committee in December 2018. The budget for this fund is £285,000 and it was approved by Council as a budget reduction for 2019-20 in the MTFS 2019-20 to 2022-23 in February 2019.

HR and Organisational Development

- The under spend of £166,000 is mainly due to staffing vacancies, not least the removal of the post of Head of HR and Organisational Development, as part of the Chief Executive's restructuring of senior management. These savings have been approved as part of the 2019-20 MTFS proposals.

Shared Regulatory Services

- The under spend mainly relates to a rebate of £141,000 following the closure of the 2017-18 final accounts for the Shared Regulatory Service which had not been reserved into that financial year so resulted in one off fortuitous income in 2018-19. This rebate has offset shortfalls in income elsewhere within the service, resulting in an overall under spend of £112,000.

Communications & Marketing

- The under spend of £160,000 is mainly due to staffing vacancies. These vacancies contributed to MTFS savings in 2019-20.

4.3.5 **Council Wide Budgets**

This section includes budgets, provisions and services which are Council wide, and not managed by an individual Directorate. The net budget for 2018-19 was £39.276 million and the actual outturn was £32.565 million, resulting in an under spend of £6.711 million. As outlined in paragraph 4.1.3 the Council received additional grant funding of £718,701 towards teachers' pay, which offset corporate funding. The most significant variances are:

COUNCIL WIDE BUDGETS	Net Budget	Actual Outturn	Actual Variance Over/(under) budget	% Variance
	£'000	£'000	£'000	
Capital Financing Costs	9,304	6,459	(2,845)	-30.6%
Council Tax Reduction Scheme	14,354	14,085	(269)	-1.9%
Insurance Premiums	1,588	1,167	(421)	-26.5%
Other Council Wide Budgets	5,233	2,312	(2,921)	-55.8%

Capital Financing

- The under spend of £2.845 million is mainly as a result of the change in policy in respect of repayment of debt (Minimum Revenue Provision - MRP), as approved by Council in September 2018 (£2 million saving in 2018-19). There is also an under spend on interest paid due to lower borrowing than anticipated, as the Council uses its own internal resources to finance schemes, and additional interest received from current investments. The funding released from the change in policy has been transferred to an earmarked reserve for future capital expenditure. The budget has been reduced in 2019-20 by £1.975 million as part of the MTFs savings going forward.

Council Tax Reduction Scheme

- There is an under spend of £269,000 on the Council Tax Reduction Scheme. This is a demand led budget and take-up is difficult to predict. The Welsh Government is working with local authorities and third sector organisations to make people more aware of the range of support available to help people pay their council tax bills, and this could impact on take-up in 2019-20.

Insurance Premiums

- There is an under spend of £179,000 as a result of the reduction in the premium for property insurance in 2018-19 following a retendering exercise. There is also a fortuitous and unexpected rebate in respect of the Maesteg PFI scheme under the contract's premium sharing agreement (£177,000).

Other Council Wide Budgets

- The net under spend of £2.921 million is mainly due to reduced requirements for funding for budget pressures and pay and price increases compared to the estimates provided at the start of the financial year. This includes funding returned in-year from the Education and Family Support budget for the Festival of Learning and Uniform grant, which were no longer required, along with additional grant funding of £718,701 received from Welsh Government towards the costs of teachers' pay.
- As mentioned in previous reports, there will be a significant increase in the employer's contribution to teachers' pensions from September 2019. This was significantly higher than previously indicated, and for Bridgend will result in a full year cost of around £3.5 million. We have been notified by Welsh Government that some grant funding will be allocated towards this during 2019-20 but we have not been informed of the final amount at this stage, although it is estimated that it could be around £100,000 short of the required amount. In addition, we do not yet know what the teachers' pay award is likely to be from September 2019, and whether or not additional funding will be provided by Welsh Government towards this. Given this uncertainty, any balance of funding from provisions for pay and prices will be carried forward to meet that pressure.

4.4 Capital programme outturn

4.4.1 This section of the report provides Members with an update on the Council's capital programme for 2018-19. The original budget approved by Council on 28th February 2018 has been further revised and approved by Council during the year to incorporate budgets brought forward from 2017-18 and any new schemes and grant approvals. The revised programme for 2018-19, approved by Council in February 2019 as part of the MTFS, currently totalled £35.474 million, of which £31.933 million is met from BCBC resources, including capital receipts and revenue contributions from earmarked reserves, with the remaining £4.224 million coming from external resources.

4.4.2 Appendix 4 provides details of the individual schemes within the capital programme, showing the budget available in 2018-19 compared to the actual spend. Commentary is provided detailing any issues associated with these projects. The revised programme was only approved in February 2019, so there have been few amendments since then other than the following main changes:

- New approvals of £284,000, £188,000 of which is revenue minor works re-classified as capital, and £96,000 of which relates to a re-profiling of grant in respect of the Maesteg Town Hall Cultural Hub. This brings the revised budget to £35.758 million.

4.4.3 Total expenditure as at 31st March 2019 is £27.614 million, resulting in a total under spend of £8.144 million. Net slippage into 2019-20 of £8.286 million is required, the main schemes being:

- £508,000 in respect of the Extra Care facility at Maesteg following delays due to drainage issues.
- £535,000 in respect of the Cardiff Capital Region City Deal as no additional capital projects were approved during the year (although there was further spend in respect of the Compound Semiconductor scheme).
- Porthcawl Resort Investment Focus (PRIF) where £661,000 of grant has been re-profiled into 2019-20.
- £1.015 million of funding for minor capital works which, due to capacity issues during the implementation of the Corporate Landlord model, have not been able to be completed.
- £790,000 in respect of retentions on 21st Century Band A Schemes that were finalised during 2018-19, including Garw Valley South and Brynmenyn Primary provision.

4.4.4 The overall outturn is therefore a small over spend of £38,000, mostly in respect of ICT schemes, which has been funded by a revenue contribution to capital.

4.5 Earmarked Reserves

4.5.1 The Council is required to maintain adequate financial reserves to meet the needs of the organisation. The MTFS includes the Council's Reserves and Balances Protocol which sets out how the Council will determine and review the level of its Council Fund balance and Earmarked Reserves. During 2018-19, Directorates drew down funding from specific earmarked reserves and these were reported to Cabinet through the

quarterly monitoring reports. The final draw down from reserves was £9.996 million and is detailed in Table 5 below.

Table 5 – Draw Down from Earmarked Reserves during 2018-19

	Draw down from Earmarked Reserves 2018-19 £'000
Education & Family Support	2,081
Social Services & Wellbeing	1,750
Communities	2,255
Chief Executives	1,590
Non-Directorate	2,320
Total	9,996

4.5.2 The year-end review also examined:

- commitments against existing reserves and whether these were still valid;
- earmarked reserve requests from Directorates as a result of emerging issues and;
- emerging risks for the Council as a whole.

Table 6 below details the creation of new earmarked reserves, increases to existing earmarked reserves and amounts that have been unwound from reserves. The net additions to reserves for the whole of 2018-19 is £10.301 million. The final column shows that there have been net additions of £8.379 million in the last quarter of the financial year:-

Table 6 – Net Appropriations to/from Earmarked Reserves 2018-19

	Unwound	New/Additions	Total	Increase/
	2018-19	to Reserves		(Decrease)
	£'000	£'000	£'000	Qtr 4 Only
				£'000
Corporate Reserves:-				
Asset Management Reserve	(320)	1,200	880	1,180
Building Maintenance	(87)	-	(87)	(87)
Capital Asset Management Fund	-	500	500	500
Capital Feasibility	(60)	164	104	104
Capital Programme Contribution	(553)	3,502	2,949	1,102
Change Management	-	501	501	19
Corporate Pressures Contingency	(1,000)	-	(1,000)	(1,000)
DDA Emergency Works	(119)	-	(119)	(119)
Economic & Future Resilience Fund		800	800	800
ICT & Finance Systems	(250)	420	170	420
Insurance Reserve	-	2,320	2,320	-
Major Claims Reserve	(3,448)	700	(2,748)	86
MTFS Contingency	-	1,000	1,000	1,000
Property Disposal Strategy	-	14	14	-
Public Realm	(57)	-	(57)	(57)
Total Corporate Reserves	(5,894)	11,121	5,227	3,948
Directorate Reserves:-				
Chief Executive Partnership Reserve		3	3	3
City Deal	-	812	812	812
Directorate Issues	(348)	1,850	1,502	1,270
Donations Reserve Account	-	2	2	1
Highways Asset Management Reserve	-	1,491	1,491	1,491
Human Resources Reserve	(5)	-	(5)	-
Local Development Plan IT System	(20)	-	(20)	-
School Projects Reserve	-	152	152	-
Waste Awareness Reserve	-	82	82	-
Total Directorate Reserves	(373)	4,392	4,019	3,577
Equalisation & Grant Reserves:-				
Elections	-	40	40	40
Highways Reserve	(791)	32	(759)	(791)
IFRS Grants	-	1,197	1,197	1,043
Legal Fees	-	167	167	167
Local Development Plan	-	15	15	-
Special Regeneration Fund	-	141	141	141
Equalisation & Grant Reserves	(791)	1,592	801	600
School Balances	-	254	254	254
TOTAL RESERVES	(7,058)	17,359	10,301	8,379

4.5.3 The main net additions in the last quarter have been:-

- a net increase of £1.180 million to the Asset Management Reserve to support health and safety expenditure on schools, various demolitions and condition surveys in accordance with the Asset Management Plan;
- a net increase of £1.102 million to the Capital Programme Contribution Reserve which includes additional funding for Schools Maintenance Grant following the late notification from Welsh Government of £1.162 million offset by some monies being moved into a new Highways Asset Management Reserve;
- a movement of £1 million from the Corporate Pressures Contingency Reserve to the MTFs Contingency Reserve;
- a net increase of £1.270 million on Directorate Issues Reserve which reflect earmarked reserve requests received by the s151 Officer as part of the Closing of the 2018-19 Accounts and subsequently approved in accordance with the Reserves and Balances Protocol;
- an amalgamation of various earmarked reserves in relation to highways and infrastructure assets into a new Highways Asset Management Reserve totalling £1.491 million at year end.

4.5.4 A full breakdown of the total movement on earmarked reserves at 31st March 2019 is provided in Appendix 5. Table 7 below summarises the final position on all useable reserves for the year:-

Table 7 – Summary of Movement on Earmarked Reserves 2018-19

Opening Balance 01-Apr-18 £'000	Reserve	Movement as at Quarter 4		Closing Balance 31-Mar-2019 £'000
		Additions/ Reclassifi cation £'000	Drawdown £'000	
8,347	Council Fund Balance	429	-	8,776
39,155	Corporate Reserves	5,227	(7,579)	36,803
5,653	Directorate Reserves	4,019	(1,676)	7,996
2,907	Equalisation & Grant Reserves	801	(741)	2,967
360	School Balances	254	-	614
48,075	Total Earmarked Reserve	10,301	(9,996)	48,380
56,422	Total Useable Reserves	10,730	(9,996)	57,156

5. Effect upon Policy Framework & Procedure Rules

5.1 As required by section 3 (budgetary control) of the Financial Procedure Rules; Chief Officers in consultation with the appropriate Cabinet Member are expected to manage their services within the approved cash limited budget and to provide the Chief Finance Officer with such information as is required to facilitate and monitor budgetary control.

6. Equalities Impact Assessment

6.1 There are no implications in this report.

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.

8. Financial implications

8.1 These are reflected in the body of the report.

9. Recommendations

9.1 Cabinet is requested to note the actual revenue and capital outturn position for 2018-19;

Gill Lewis
Interim Head of Finance and Section 151 Officer
June 2019

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Background documents: Individual Directorate Monitoring Reports
MTFS Report to Council – 28 February 2018

2016-17 AND 2017-18 BUDGET REDUCTIONS CARRIED FORWARD INTO 2018-19

Ref.	Budget Reduction Proposal		Original RAG £000	Revised RAG £000	Amount of saving achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
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RAG STATUS KEY

RED	Not likely to be achieved at all in this financial year or less than 25%.
AMBER	Reduction not likely to be achieved in full in financial year but greater than 25%
GREEN	Reduction likely to be achieved in full

EDUCATION & FAMILY SUPPORT

EFS1	Phased implementation of Learner Transport Policy regarding statutory distances for free travel.		20		0	Delays to the assessments of safe routes have meant the policy can not be implemented. It will be implemented incrementally as routes are assessed. Red RAG status given overspend on HTST in 2018-19.	An external review of BCBC's transport arrangements has been commissioned. This will report in Summer term 2019. It is hoped this will support changes to the current arrangements with a view to making the identified efficiency savings.
EFS2	School transport route efficiencies.		40		0	As above	As above
EFS15	Speech and language therapy - This is a proposal to delegate the Speech and Language Service to schools-School Based Model. Other Local Authorities such as Cardiff, Neath Port Talbot and Swansea have moved towards a school based model with the involvement of an SLA with Health which has proven to be a successful model. This proposal would negate the local authority's requirement to manage the service resulting in a release of the management structure of the service.		75		75	This proposal formed part of the wider Inclusion Restructure which will be fully implemented from 2019-20. Consultation for which has now been completed.	Vacant posts were held within the wider service area to cover value of saving in 2018-19. Inclusion restructure fully implemented for the 2019-20 financial year.
EFS7	To review the Built Environment Service Level Agreement with Schools to achieve full cost recovery.		31		31	This proposal was achieved through the introduction of the new Corporate Landlord Model	None required.
Total Education & Family Support Directorate			166		106		

SOCIAL SERVICES & WELLBEING

SOCIAL SERVICES & WELLBEING OUTSTANDING REDUCTIONS	1,917
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NEW PROPOSALS TO MEET SHORTFALL BETWEEN 2018-19 AND 2020-21

		Total Proposed Saving	2018-19 Proposed Saving	2018-19 Actual Saving		
SSW001	Management and admin review	203	116	116	The savings proposal has been profiled over two years. £116k savings has been identified for 2018-19.	Further restructuring will continue into 2019-20 when the remaining savings will be realised.
SSW003	Outcome focussed assessment and review	350	350	350	N/A	These savings have been achieved against current packages but there is still pressure on budgets overall due to continued demand and increased complexity of packages.
SSW004	Review of LD supported living accommodation	78	39	39	Proposal only commenced mid year. Following consultation. Therefore only 50% of savings achievable in 2018-19	No action required. Full saving should be achieved in 2019-20.
SSW006	Review of telecare monitoring contract and income generation	91	91	91	N/A	None required
SSW007	Review of commissioned services	118	118	84	N/A	None required
SSW008	Maximise grant funding - Childrens services	67	67	67	N/A	None required
SSW009	Remodel children's residential services	245	10	10	The savings proposal has been profiled over three years. £10k savings has been identified for 2018-19.	Remodelling will continue into 2019-20. £145k savings have been forecast for 2019-20.
SSW010	Increase in-house fostering provision	373	136	136	The savings proposal has been profiled over two years. £136k savings has been identified for 2018-19 and will be achieved.	The fostering project will continue into 2019-20 with savings of £237k forecast.
SSW011	Fairer charging legislative changes	203	203	203	N/A	None required
SSW012	Additional income from health in relation to Section 117 and CHC	60	60	60	N/A	None required
SSW013	Review of financial support for care leavers in Children's Services	60	60	60	N/A	None required
SSW016	Restructure localised day services within LD	50	50	50	Consultation will not complete until 2019-20	Completion of consultation and realisation of savings.
	Unidentified	19	0	0		
Total Social Services & Wellbeing Directorate		1,917	1,300	1,266		

Ref.	Budget Reduction Proposal		Original RAG £000	Revised RAG £000	Amount of saving achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
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COMMUNITIES

COM12	Broad review of car park charging including staff and elected member parking passes		50		50	Cabinet report presented 15th May 2018 with proposal to achieve the £50,000 efficiency target. Positive outturn for car park income for 2018-19.	None required
COM18	Reductions to the budget for the Materials Recovery and Energy Centre (MREC) Introduction in 17-18 of savings achieved through the current procurement being undertaken with Neath Port Talbot CBC for the provision of new operator arrangements for the MREC facility at Crumlyn Burrows.		200		0	The timeline is not in the direct control of BCBC as the project is NPT led. Draw down of £200K from MTFs Contingency Reserve confirmed by the Interim S151 Officer for 2018-19.	BCBC officers continue to meet regularly with NPT.
COM19	Permitting Scheme road works net of existing income of £95,000		100		0	Timeline not in the direct control of BCBC officers as the business case is going through multiple steps in an approval process with WG. However ultimately a positive response is expected, and this is being lead by the group manager to ensure it is followed through.	Ongoing communication with WG to progress the business case.
COM21	Rights of Way - removal of contribution to Coity Wallia		21		21	Saving achieved in full in 2018-19.	None required
Total Communities Directorate			371		71		

CHIEF EXECUTIVE'S**FINANCE**

CEX3	To put Council Tax and some aspects of benefits online and to collaborate with others		150		150	Will depend upon the take-up of digitalisation, and impact on staffing requirements within the service.	Digitalisation didn't go live until April 2018. Staffing will be reviewed as roll-out progresses. Some vacancies held to meet previous shortfall.
Total Chief Executives			150		150		

GRAND TOTAL OUTSTANDING REDUCTIONS			2,604		1,593		
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REDUCTIONS SHORTFALL					1,011		
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MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
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EDUCATION & FAMILY SUPPORT
CENTRAL EDUCATION & FAMILY SUPPORT

EFS1	Phased implementation of Learner Transport Policy regarding statutory distances for free travel.	<ul style="list-style-type: none"> • Savings should occur naturally as a result of the policy application year on year, however dispersed learners and contractual pressure from operators as routes become more untenable may mean it becomes increasingly difficult to find the identified savings • Risk of price increases from Contractors 	67	0	Delays to the assessments of safe routes have meant the policy can not be implemented. It will be implemented incrementally as routes are assessed. Red RAG status given overspend on HTST in 2018-19.	An external review of BCBC's transport arrangements has been commissioned. This will report in Summer term 2019. It is hoped this will support changes to the current arrangements with a view to making the identified efficiency savings.
EFS3	Reduction to Catering Service Budget	Recent and planned MTFs efficiencies have reduced the ability of the service to reinvest, in particular in improving and maintaining school kitchens to a high standard. Although the recently agreed 10p increase in the cost of a school meal may provide additional income over time, historically there is a reduction in the take-up of meals during the short to mid-term following a price increase. Whilst all school kitchens were recently rated as the highest rating of five for food hygiene, one of our kitchens has since dropped to a rating of four due to the condition of the fabric of the kitchen	71	71	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS12	Restructure Integrated Working and Family Support Service.	Limited impact on operational delivery as existing tasks will be picked up across the service or by other stakeholders.	50	50	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS14	Traded Services Schools brochure - It is proposed to revise the current approach to offering traded services under the current SLAs where such services impact upon the LAs statutory responsibilities. A new traded brochure will offer services from the LA but mandate certain services where these impact upon the LAs statutory responsibilities or where the risk to the schools, their users or LA are high	<ul style="list-style-type: none"> • Relationship with schools and governing bodies may suffer • Freedom of schools to shop around and obtain best value for money is challenged 	20	10	Outturn for 2018-19 showed a small shortfall against this saving proposal.	Shortfall in the savings target in 2018-19 has been met via vacancy management within the service area. Permanent virements will be required from other small budget headings in 2019-20.

MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref. Page 36	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
EFS23	Staff vacancy management - It is proposed to implement strong vacancy management arrangements within the Directorate. This will ensure that all posts that progress to recruitment have been robustly challenged and vacant posts which cannot be justified will not be filled	<ul style="list-style-type: none"> • Posts that become vacant may be critical • Service resilience becomes partly dependent on longevity of current postholders • Natural succession of staff into more senior positions is potentially stalled, impacting retention and morale • Service delivery becomes potentially at risk • Demand overload for staff expected to pick up the 'slack' • Challenge from Unions over additional responsibilities/operation tasks without consideration of financial recompense for staff • Further restructures likely as teams reduce • Morale of staff may be affected 	50	50	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS24	Proposal to amalgamate the Health and Safety service with neighbouring authorities.	Initial discussions have been undertaken by Heads of Service and agreement in principal has been granted by CMB. A project officer has been allocated to develop a project brief and establish a structure to drive the amalgamation. It is anticipated that the savings would be derived from a reduction in management costs. Agreement and full commitment of the partner authority is required to effect proposed savings.	25	25	Vacancies held in year to achieve saving in 2018-19.	Not applicable - structure going forward matches available budget and growth provided in 19-20 as part of the MTFS budget setting process.
EFS25	Reduction to contribution to the Central South Consortium (CSC) of 2%	This proposal has been agreed by partner authorities for 2018-19.	12	12	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS26	Education Improvement Grant (EIG) - re-alignment of budget to reflect actual match funding contribution required	Risk that contribution in future years increases	20	20	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS27	Review arrangements for Special Schools Home to School Transport with a view to achieving efficiency savings	<ul style="list-style-type: none"> • Historic arrangement with school - may impact on relationship with school. • Specialist provision narrows numbers of contractors able to transport pupils. • Outcome of review could mean extra rather than reduced cost. 	75	0	Re-tendering special school transport is unlikely to make the full saving due to additional in-year pressures on the Special School HTST budget.	An external review of BCBC's transport arrangements has been commissioned. This will report in Summer term 2019. It is hoped this will support changes to the current arrangements with a view to making the identified efficiency savings.
EFS28	Post 16 grant - maximise centrally retained element from 2% to 3%	The impact would be a small reduction in the individual grant allocation to each school sixth form. On average this would be £6,666 per school. Risk that Post 16 grant is reduced in future years which would impact on this saving proposal and allocation to schools.	60	60	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS29	Develop collaborative arrangements around the Additional Learning Needs Service	Consider the sensory review and any cost effective savings that could be achieved through collaboration with other local authorities	50	50	This proposal formed part of the wider Inclusion Restructure which will be fully implemented from 2019-20. Consultation for which has now been completed.	Vacant posts were held within the wider service area to cover value of saving in 2018-19. Inclusion restructure fully implemented for the 2019-20 financial year.

MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
EFS30	Reduction to Schools Contingency budget (held centrally)	Risk that there is insufficient funding to meet any in-year changes to school budgets - e.g. increased rateable values	30	30	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
EFS32	Vacancy management factor across all staffing budgets (with the exception of grant funded/schools)	By taking a strategic approach to vacancy management on all core funded posts this saving can be achieved	100	100	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
Total Education & Family Support Directorate			630	478		

SOCIAL SERVICES & WELLBEING

ASC18	Development of Extra Care Housing	All service users transitioning from the existing residential establishments will receive an assessment of their need, taking into account their wellbeing outcomes, when planning their future care with their family and carers. The transition will be a collaborative approach, with timely transfer of care to the newly built scheme or, if not appropriate, to an alternative provision which will better meet their assessed needs, with the safeguarding of individuals being of paramount importance throughout the transition process.	330	330	The scheme opening dates have been delayed but there is still confidence that full savings can be achieved due to staffing reconfiguration being implemented as planned.	
HL2	Review Healthy Living Partnership Contract	The £20k is the final part of a proposal to deliver £509k of savings from the healthy living partnership between 2016-17 and 2018-19. The negotiations with the contractor have remained positive throughout and the management fee has been reduced without the creation of detriment to the service that would have required compensation. A larger than scheduled efficiency of £308k was delivered a year early in 2016-17. The £20k balance will be found through improvements in energy efficiency measures.	20	20	Savings has been achieved in full.	
Total Social Services & Wellbeing Directorate			350	350		

MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
Page 18	COMMUNITIES					
COM1	Public conveniences - Reductions to the budget for Public Toilet provision: Budget saving against the service pending the outcome of public consultation on the future provision of public toilets in Bridgend, Porthcawl and Maesteg, closure or transfer to Town & Community Councils. Whilst there will be limited toilet provision remaining, a budget will also be retained to support the Authority's comfort scheme. This will be used to grant fund businesses that open their toilets to the general public	<p>Removal of 60% of the public toilet revenue budget will result in the closure of a number of the remaining public toilets in Porthcawl, Bridgend and Maesteg, along with a number being transferred as part of the Council's Community Asset Transfer (CAT) programme.</p> <p>The budget remaining will be used to fund some limited toilet provision as well as the Council's Comfort Scheme. This scheme provides access to toilet facilities in partnership with local businesses, who are prepared to open their toilet facilities to non paying customers. In return the Council provides financial support in the form of a grant. The value of this grant is assessed in accordance with agreed terms.</p> <p>It should be noted that a White Paper being prepared by the Welsh Government is currently considering the provision of public toilets.</p> <p>In order to implement this saving it will be necessary to consult with staff and the unions.</p>	100	25	<p>A report was presented to Cabinet on the 19th June 2018 outlining the findings on the public consultation and recommending actions against each of the town centre public toilets. The report made a number of recommendations for the toilets which can be broadly categorised as: -</p> <ol style="list-style-type: none"> 1. transfer of the toilets to Town and Community Councils, under the Councils CAT scheme. 2. where this is not possible closure of the toilets and replacement with the Councils comfort scheme. 3. convert identified toilets to pay to use <p>Implementing these recommendations have followed the Cabinet report with discussions with the Town and Community Councils and formal consultation with affected staff. Savings commenced from Jan 2019 therefore £75,000 over spend reported on the Public Conveniences budget in 2018-19.</p>	None required - full saving will be achieved in 2019-20
COM11B	Permanent transfer from the public realm fund.	This proposal mitigates a need to balance the budget through a reduction of £200,000 in street cleaning. It will however reduce the potential to make new improvements to the public realm	200	200	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
COM15	Street lighting - Budget reduction based on energy savings generated through completed LED street lighting installations	A limited number of individual concerns have been raised regarding the perceived increased brightness provided by the LED lanterns, but largely the LED changeover has been welcomed by the public in areas completed	110	110	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
COM16	Regeneration - £40k cut in commissioning budget to support 3rd Sector with Community Asset Transfer and £20K reduction (equivalent to 33%) in the Events budget. £20K reduction to Core Budget within the Economic Development Unit (not SRF)	These cuts will limit the extent to which the Council is able to harness the economic potential of major events, including the Urdd, Elvis Festival, Women's Open, Senior Open etc. The tourism sector currently accounts for 4,000 jobs locally, and is a sector that has shown consistent growth, both locally and nationally, in the last 5 years. The £40k cut in the commissioning budget will limit the package of support that is currently available to support the Third Sector with Community Asset Transfer in 2018-19. The impact of this could result in either the inability to safeguard community services, and/or failure to realise savings elsewhere in the Council. The reduction to the Economic Development unit budget does not relate to staff cuts but to cuts in non staffing budgets that support the work of the core team and allow assistance to be given to local businesses. The impact therefore will be around being less able to provide timely targeted support.	80	80	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.

MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
COM27	Removal of Subsidised bus services	Potential reputational risk. Requirement for consultation and Equalities Impact Assessment (EIA). Risk of isolation of communities. Risk of no commercial services to fill the gap in terms of early or later services thus could be a barrier to employment, healthcare, education and services for the community. Risk that WG reconsider their element of the bus subsidy for Bridgend.	188	121	This saving was subject to public consultation. Cabinet report dated 15th May 2018 resulted in 3 bus routes continuing to be subsidised for at least 12 months. However, Cabinet agreed that the shortfall against the savings target would be met from allocating funding from the small unallocated budget as a result of increasing the Council Tax from 4.2% to 4.5%. The shortfall against the savings target is due to the date of implementation of the removal of subsidies due to the required consultation and notice period for bus contractors.	None required - shortfall in 18-19 due to delay in implementation and mitigated via other under spends in Transportation. Full saving will be achieved in 19-20.
COM31	To rationalise the core office estate - Secure tenant for Raven's Court and move staff into the Civic Offices, in order to generate a rental income and save on running costs	Proposal is dependent on the property market and tenant may not be secured. Whilst there has been tenant interest, to date it has not been possible to complete on the lease with two successive tenants. The property may need to be split and marketed on this basis. This may result in less attractive terms to the council.	114	100	Shortfall only due to MASH not moving until July 18. Full saving will be achieved in 2019-20.	None required - saving will be achieved in full in 19-20
COM36	Efficiency saving for Streetworks (including vacancy management)	This saving is based simply on making the service make an additional 1% efficiency saving on top of all of the savings already identified. The specific impact has not yet been identified but it is likely that it will have a further detrimental impact on capacity and resilience.	73	73	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
COM38	Efficiency saving target for Business Unit, including reduction in software and agency staff budget	A further minor saving from the central Communities Business Unit predicated on reducing budgets that have been underspent over recent years but again removing any financial resilience in this area.	15	15	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
COM39	Reduction to core budget within the Engineering section with the aim of achieving a break-even position	The aim of this saving would be to make the engineering service run at break even. Productivity rates will have to be managed closely to ensure this target is met. Risk that European Funded projects might impact on ability to meet targets due to inability to charge overheads to these projects.	74	74	Saving achieved in full in 2018-19.	None required - saving made in full in 18-19.
COM40	Introduction of Corporate Landlord Model	The savings will be delivered in a number of ways including operational efficiencies, streamlined business processes, IT investment, improved procurement and contract management, and some deletions of vacant posts.	500	300	As Corporate Landlord was a new way of working for the Council there were inevitably some inherent risks in ensuring that the proposed savings from efficiency, procurement, ICT, staff restructuring and streamlined business processes accrued entirely as planned. The outturn for Corporate Landlord for 2018-19 was an overspend of £272,000. However it is anticipated that the problems experienced in the first year have been fully addressed and the savings will be made in full in 2019-20.	Continue to work through the implementation programme and continue to closely monitor during 2019-20.
Total Communities Directorate			1,454	1,098		

CHIEF EXECUTIVE'S

Finance

CEX6	To reduce the annual bad debt provision for housing benefit	Necessary accounting work has been carried out as part of 2016-17 closing which shows that annual additions to the provision are no longer required	189	189	Saving achieved in full in 2018-19.	
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MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
CEX7	Extra recovery income from Housing Benefit	Target £100,000 additional recovery, necessitates investment in staffing estimated at 1 FTE - assume gradual ramp up. Amber rating because model unproven/ recovery figures are estimates	32	32	Saving achieved in full in 2018-19.	
CEX8	Additional Annual leave purchase	Two years data has shown that staffing budget can be top sliced for additional annual leave purchase. There is always the risk that it is not taken up by staff in future years	10	10	Saving achieved in full in 2018-19.	

Legal, Democratic and Regulatory Services

OPS10	Review democratic staffing structure together with non-staff budgets.	Realigns Member and Scrutiny support. Member support already integrated and should not therefore provide further change of capacity to support Members or Scrutiny.	72	45	Original target revised as part of savings already made in previous years.	
OPS11	Review legal staffing structure together with non-staff budgets.	Return to corporate cover for additional litigation. Realignment of responsibility for staff and non staff budgets .	111	128	Saving achieved in full in 2018-19.	
OPS12	Reduction of procurement training budget	Planned training will be maintained.	23	10	Regrading of existing specialist officers following recent job evaluation review.	
OPS13	Review business support and registrars staffing structure together with non-staff budgets.	Will enable further integration of the service.	41	51	Saving achieved in full in 2018-19.	
OPS14	Restructure senior management	Restructure of management responsibility - reduction in number of staff.	43	56	Saving achieved in full in 2018-19.	
OPS19	Efficiencies from Shared Regulatory Service	The project is intended to reduce costs and maintain resilience. It is important that the project provides proportionate savings to the Directorate budget cuts to avoid other services taking disproportionate cuts.	37	37	Saving achieved in full in 2018-19.	

Housing

OPS15	Review staffing and non staffing budgets with SLA's	Re-alignment of staffing required, non staffing review undertaken.	138	138	Saving achieved in full in 2018-19.	
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MONITORING OF 2018-19 BUDGET REDUCTIONS

Page 4	Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
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Human Resources

OPS16	Review HR, Communications and Caretaking staffing structure together with non-staff budgets.	Reduction in staffing likely to impact on response times.	167	167	Saving achieved in full in 2018-19.	
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ICT

OPS17	Further rationalisation of software and hardware budgets	Rationalisation of software and hardware usage.	210	210	Saving achieved in full in 2018-19.	
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Performance

OPS18	Review non staff budgets for performance team	Based on line by line review of budget - minimal disruption.	6	6	Saving achieved in full in 2018-19.	
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Total Chief Executive			1,079	1,079		
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CORPORATE / COUNCIL WIDE

CWD1	Reduction in funding available for meeting the costs of Capital Financing	Low demand on budget in recent years due to low borrowing, so should be minimal impact in short term.	1,170	1,170	Saving achieved in full in 2018-19.	
CWD2	Reduction in provision for Council Tax Reduction Scheme	Budget underspent by £946k in 2016-17. 2017-18 budget includes £300,000 reduction, therefore impact will need to be monitored as this budget is demand led.	400	400	Saving achieved in full in 2018-19.	
CWD3	Removal of capital financing budget for Glamorgan Records Office	Loan repaid in full in 2016-17 so annual capital financing budget no longer required.	80	80	Saving achieved in full in 2018-19.	
CWD4	Reduction in centrally held budget for changes to corporate pension and national insurance costs	Lower superannuation and pensions increases in recent years than anticipated, and roll out of auto enrolment complete in 2017-18, so budgets available to be released.	773	773	Saving achieved in full in 2018-19.	

MONITORING OF 2018-19 BUDGET REDUCTIONS

Ref.	Budget Reduction Proposal	Impact	Savings Target 2018-19 £000	Value of Saving Achieved in 2018-19 £000	Reason why not achieved	Proposed Action in 2019-20 to achieve
CWD5	Removal of equalisation budget for Private Finance Initiative (PFI) Scheme	Budget was originally established to equalise the funding available from Welsh Government with actual annual costs of the scheme, and is not needed in future years.	187	187	Saving achieved in full in 2018-19.	
	Total Corporate / Council Wide		2,610	2,610		

GRAND TOTAL REDUCTIONS	6,123	5,615		
BUDGET REDUCTION REQUIREMENT	6,123	6,123		
REDUCTION SHORTFALL	0	508		

1,496	5,173
4,446	708
181	242
6,123	6,123

BRIDGEND COUNTY BOROUGH COUNCIL	Budget 2018-19			Actual Outturn	Actual Variance Over/(under) budget	% Variance
	Expenditure Budget	Income Budget	Net Budget			
	£000	£000	£000			
EDUCATION AND FAMILY SUPPORT						
School Delegated Budgets	111,347	(21,302)	89,922	89,922	0	0.0%
Health and Safety	231	(2)	228	171	(57)	-25.0%
Learning	10,810	(2,951)	6,879	6,971	93	-1.3%
Strategic Partnerships & Comm	25,754	(11,411)	13,115	13,480	365	2.8%
TOTAL EDUCATION AND FAMILY SUPPORT	148,141	(35,666)	110,144	110,545	401	0.4%
SOCIAL SERVICES AND WELLBEING DIRECTORATE						
Adult Social Care	62,134	(16,267)	45,867	44,922	(944)	-2.1%
Sport, Play and Active Wellbeing	6,184	(892)	5,292	5,228	(64)	-1.2%
Safeguarding & Family Support	19,929	(1,000)	18,929	18,986	57	0.3%
Supporting Sustainable Social Services Grant 2018-19	-	-	-	-	-	0.0%
TOTAL SOCIAL SERVICES AND WELLBEING	88,247	(18,159)	70,088	69,136	(952)	-1.4%
COMMUNITIES DIRECTORATE						
Regeneration & Development	4,809	(2,008)	2,796	2,682	(114)	-4.1%
Street Scene	35,525	(13,422)	20,957	21,713	756	3.6%
Directorate Management	143	-	143	114	(29)	-20.5%
Corporate Landlord	23,615	(20,310)	3,041	3,313	272	9.0%
TOTAL COMMUNITIES	64,093	(35,740)	26,937	27,822	885	3.3%
CHIEF EXECUTIVE'S DIRECTORATE						
Chief Executive	520	-	520	530	10	1.9%
Finance	54,306	(50,792)	3,514	3,062	(451)	-12.8%
Human Resources and Organisational Development	1,937	(300)	1,637	1,471	(167)	-10.2%
Partnerships	2,562	(520)	2,042	1,803	(239)	-11.7%
Legal, Democratic and Regulatory	6,573	(1,253)	5,320	4,821	(499)	-9.4%
Elections	147	(11)	136	122	(14)	-10.1%
ICT	5,003	(1,269)	3,734	3,705	(29)	-0.8%
Housing and Homelessness	7,266	(5,730)	1,536	1,486	(50)	-3.3%
Business Support	1,211	(112)	1,099	1,063	(36)	-3.3%
TOTAL CHIEF EXECUTIVES	79,526	(59,987)	19,539	18,063	(1,476)	-7.6%
TOTAL DIRECTORATE BUDGETS	380,007	(149,552)	226,708	225,566	(1,142)	-0.5%
Council Wide Budgets	40,163	(887)	39,276	32,565	(6,711)	-17.1%
Accrued Council Tax Income				(670)	(670)	0.0%
Appropriations to / from Earmarked Reserves				8,094	8,094	0.0%
Transfer to Council Fund				429	429	0.0%
NET BRIDGEND CBC	420,170	(150,439)	265,984	265,984	(0)	0.0%

NB: Differences due to rounding of £000's

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CAPITAL MONITORING REPORT AS AT 31ST MARCH 2019

Page 45

Main Scheme	Whole Scheme Spend to 31/03/2019 £'000	Budget 18-19 (Council Feb 2019) £'000	New Approvals £'000	Virement £'000	Revised Budget 2018-19 £'000	Total Expenditure 2018-19 £'000	Over / (Under) spend £'000	Slippage Requested	Impact on BCBC Resources £'000	Comments	Sources of Funding (18-19 Expenditure)	
											BCBC £'000	External £'000

Education & Family Support

Ysgol Bryn Castel - Adaptations	2	-	-	2	2	2	-	-	-		2	
Pen Y Fai Primary School	6,883	362	-	-	362	6	(356)	356	-	Scheme complete - compensation payments and payment to landowner expected	6	
Litchard Primary School	3	-	-	3	3	3	-	-	-		3	
Brynmenyn Primary School	8,115	305	-	-	305	71	(234)	234	-	Retention to be paid in 19-20 - limited additional expenditure anticipated		71
YGG Llangynwyd Welsh Comprehensive School - adaptations	92	-	92	-	92	92	-	-	-	Funded from revenue minor works	92	
Coleg Cymunedol Y Dderwen Comprehensive Scho	15	155	-	-	155	15	(140)	140	-	Fencing and ca rpark schemes to be progressed during 2019-2020	15	
Coety/Parc Derwen Primary School	8,514	56	-	-	56	10	(46)	46	-	Mechanical/ electrical scheme being progressed	10	
Garw Valley South Primary Provision	10,433	4,519	-	-	4,519	4,193	(326)	326	-	Retention to be paid in 19-20 - limited additional expenditure anticipated	1,355	2,838
Garw Valley Primary Highways Works	265	146	-	(5)	141	11	(130)	130	-	Retention to be paid in 19-20 - limited additional expenditure anticipated	11	
Pencoed Primary School	10,933	4,751	-	-	4,751	4,651	(100)	100	-	Retention to be paid in 19-20 - limited additional expenditure anticipated on works to school car park as a result of a safety assessment	4,651	
Pencoed School Highways Works	355	115	-	-	115	50	(65)	65	-	Additional works to residents parking area and highway required as identified for the road safety assessment.	50	
Brynmenyn Primary Highways Works	737	181	-	-	181	111	(70)	70	-	Further highway works to access road will be progressed in 19-20	86	25
Additional Learning Needs	4,082	56	-	-	56	19	(37)	37	-		19	
Cwmfelin Primary School - Adaptations	24	235	-	-	235	24	(211)	204	-	Scheme under construction	24	
YGG Bro Ogwr (Adaptation)	10	5	-	5	10	10	-	-	-		-	10
Croesty Primary School (extension)	17	5	-	(5)	-	17	17	-	-	Funded by S106	-	17
Education & FS Directorate Minor Works	136	377	-	-	377	136	(241)	241	-		136	
Bryncethin Primary School - adaptations	96	-	96	-	96	96	-	-	-	Funded from revenue minor works	96	
Heronbridge Special School	250	53	-	-	53	3	(50)	50	-		3	
Schools Traffic Safety	323	297	-	-	297	120	(177)	177	-		120	
Maesteg Comprehensive School Highways Improvements	410	88	-	-	88	-	(88)	88	-		-	
Education S106 Schemes	146	97	-	-	97	55	(42)	42	-		-	55
Complex and Medical Needs Works in Schools	313	533	-	-	533	313	(220)	220	-	Scheme under construction	313	
TOTAL Learning	52,154	12,336	188	-	12,524	10,008	(2,516)	2,526	-		6,992	3,016

TOTAL Education & Family Support	52,154	12,336	188	0	12,524	10,008	-2,516	2,526	0		6,992	3,016
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Social Services and Wellbeing

Bryngarw House	64	-	-	2	2	2	-	-	-		2	
Adult Social Care Minor Works	76	-	-	76	76	76	-	-	-		76	
Development of Supported Living Accommodation	352	350	-	-	350	352	2	-	2	Revenue contribution to capital determined at year end	2	350
Multi Agency Safeguarding Hub (MASH)	86	87	-	-	87	86	(1)	-	-		36	50
Social Services Care Act	71	98	-	-	98	47	(51)	51	-	Slippage required - ongoing commitments in 19-20	47	
Electronic Scheduling System	37	-	-	37	37	37	-	-	-	ICF grant virement		37
Heron House	133	167	-	(37)	130	123	(7)	-	-	ICF grant virement		123
Bridgend Life Centre	390	400	-	-	400	285	(115)	100	-	Scheme to complete in 19-20		285
Refurbishment Works for 52 Week Residential Provision at Heronsbridge School	367	100	-	-	100	78	(22)	-	-			78
Extra Care Facilities	1,717	2,222	-	-	2,222	1,714	(508)	508	-	One scheme completed in 2018-19, slippage requested for remaining scheme to be completed June 2019.	1,714	
TOTAL Social Services & Wellbeing	3,293	3,424	-	78	3,502	2,800	(702)	659	2		1,877	923

Main Scheme	Whole Scheme Spend to 31/03/2019	Budget 18-19 (Council Feb 2019)	New Approvals	Virement	Revised Budget 2018-19	Total Expenditure 2018-19	Over / (Under) spend	Slippage Requested	Impact on BCBC Resources	Comments
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	

Sources of Funding (18-19 Expenditure)	
BCBC	External
£'000	£'000

Communities

Street Scene

Bryncethin Pavilion	3	-	-	-	-	3	3	-	-	Funded by S106
Cardiff Capital Region City Deal	3,447	1,697	-	-	1,697	1,162	(535)	535	-	No spend on new City Deal capital schemes in 2018-19
Town Beach Revetment Sea Defence, Porthcawl	3,151	2,241	-	-	2,241	2,092	(149)	149	-	Main scheme complete. Slippage required to fund some minor works and retentions due in 2019-20
Eastern Promenade Porthcawl	258	383	-	-	383	234	(149)	149	-	Extension to funding approved by WG. Scheme to complete in 19-20
Remedial Measures - Car Parks	64	215	-	-	215	63	(152)	152	-	Structural report commissioned for Brackla 1 car park with receipt due end of May 2019.
Civil Parking Enforcement Vehicle	60	57	-	-	57	60	3	-	3	Revenue contribution to capital determined at year end
Replacement of LED Lanterns - Street Lighting	483	300	-	-	300	483	183	-	-	Scheme progressing faster than anticipated
Local Transport Fund - Safe Routes to School	928	950	-	-	950	928	(22)	-	-	
Road Safety Schemes	26	81	-	-	81	26	(55)	55	-	
Highways Structures	213	200	-	-	200	213	13	(13)	-	
Highways Maintenance	311	250	-	-	250	311	61	(61)	-	
Local Transport Fund - Road Safety	265	290	-	-	290	265	(25)	-	-	
PROW Capital Improvement Programme	41	40	-	1	41	41	-	-	-	
Highways - Carriageway & Footway renewal	1,568	1,600	-	-	1,600	1,568	(32)	32	-	
METRO National Cycle Network	180	150	-	-	150	180	30	-	-	
Replacement of Street Lighting Columns/ River Bridge Protection Measures	1,093	608	-	-	608	564	(44)	44	-	
Bridge Strengthening - A4061 Ogmere Valley	381	93	-	-	93	59	(34)	34	-	
Communities Minor Works	50	100	-	(1)	99	50	(49)	49	-	
Retaining Wall Replacement, Bettws	164	137	-	-	137	126	(11)	11	-	
Car Parks - Pay & Display Machine replacement	81	85	-	-	85	81	(4)	-	-	
Residents Parking - Bridgend Town Centre	-	128	-	-	128	-	(128)	128	-	Scheme delayed due to changes in appeals process. Slippage required to implement physical works once the order process has been completed.
Fleet Vehicle Replacement Programme	236	190	-	-	190	158	(32)	32	-	
Re-locate Household Waste Recycling Centre - West	6	-	-	-	-	-	-	-	-	
Heol Simonstone/Coychurch Rd	264	40	-	-	40	-	(40)	-	-	
S106 Highways Small Schemes	14	-	-	-	-	14	14	-	-	
TOTAL Streetscene	13,287	9,835	-	-	9,835	8,681	(1,154)	1,296	3	

		3
		1,162
522		1,570
	58	176
	63	
	60	
		483
		928
	26	
	213	
	311	
		238
	41	
		1,568
		180
	564	
	59	
	50	
	126	
	81	
	-	
		158
	-	
	-	
		14
3,927		4,754

Regeneration & Development

Business Support Framework	27	63	-	-	63	27	(36)	36	-	
Porthcawl Resort Investment Focus	1,038	1,632	-	-	1,632	971	(661)	661	-	Re-profiling of grant
Match funding for EU/WG programmes	-	100	-	-	100	-	(100)	100	-	Budget earmarked as match funding for future externally funded projects
Salt Lake Car Park works	36	100	-	-	100	36	(64)	64	-	Works commenced in 18-19 but project will slip in to 19-20 due to delays in access to site.
Maesteg Town Hall Cultural Hub	417	143	96	-	239	197	(42)	42	-	Re-profiling of grant
Town & Community Council Fund	-	278	-	-	278	-	(278)	278	-	Majority of approved projects complete - payments to be made in 19-20
Nantymoel Boys & Girls Club	200	200	-	-	200	200	-	-	-	
Bridgend Townscape Heritage Initiative	2,314	-	-	38	38	38	-	-	-	
Porthcawl Townscape Heritage Initiative	489	265	-	(38)	227	51	(176)	176	-	Scheme to end in 19-20
TOTAL Regeneration & Development	4,521	2,781	96	-	2,877	1,520	(1,357)	1,357	-	

	27	
	181	790
	-	
	36	
	100	97
	-	
	200	
	38	
	31	20
613		907

Corporate Landlord

Enterprise Hubs Project	97	325	-	-	325	97	(228)	228	-	Re-profiling of grant
Relocation of Registrars	4	30	-	-	30	4	(26)	26	-	
DDA Works	85	-	-	85	85	85	-	-	-	
DDA Works at Civic Offices	14	-	-	14	14	14	-	-	-	
Minor Works	206	1,398	-	(177)	1,221	206	(1,015)	1,015	-	Holding code for Minor Works. A lack of capacity, along with the transition to Corporate Landlord, has resulted in slippage. This will be addressed in 2019-20.
Relocation of Depot Facilities	984	951	-	-	951	759	(192)	192	-	Design Works to commence in 19-20
Investment Properties	-	480	-	-	480	-	(480)	480	-	Budget to be utilised when suitable property assets are identified
Civic Offices External Envelope	2,538	54	-	-	54	42	(12)	12	-	
Total Corporate Landlord	3,928	3,238	-	(78)	3,160	1,207	(1,953)	1,953	-	

	40	57
	4	
	85	
	14	
	206	
	104	655
	-	
	42	
495		712

TOTAL Communities	21,736	15,854	96	-78	15,872	11,408	-4,464	4,606	3	
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5,035	6,373
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Main Scheme	Whole Scheme Spend to 31/03/2019 £'000	Budget 18-19 (Council Feb 2019) £'000	New Approvals £'000	Virement £'000	Revised Budget 2018-19 £'000	Total Expenditure 2018-19 £'000	Over / (Under) spend £'000	Slippage Requested	Impact on BCBC Resources £'000	Comments	Sources of Funding (18-19 Expenditure)	
											BCBC	External
											£'000	£'000
Housing/Homelessness												
Brimmenyn Homelessness Unit	81	119	-	-	119	80	(39)	39	-	Works on-going, to be completed in 19-20	80	
Housing Renewal/Disabled Facilities Grants	1,623	2,359	-	(693)	1,666	1,623	(43)	43	-			1,623
Target Hardening Grants	34	-	-	34	34	34	-	-	-		21	13
Housing Renewal Area	99	100	-	-	100	99	(1)	1	-			99
Empty Homes Grant	85	-	-	85	85	85	-	-	-			85
Comfort Safe & Security Grants	4	-	-	4	4	4	-	-	-			4
Emergency Repair Lifetime Grant	191	-	-	191	191	191	-	-	-			191
Enable Grant	262	180	-	82	262	262	-	-	-			262
Homes in Town Grant	297	-	-	297	297	297	-	-	-			297
TOTAL Housing/Homelessness	2,676	2,758	-	-	2,758	2,675	(83)	83	-		101	2,574
ICT												
ICT Laptop Replacement (Life Expired)	314	327	-	-	327	314	(13)	13	-		314	
Desktop Computer / Monitor Replacement	379	346	-	-	346	379	33		33	Revenue contribution to capital determined at year end	379	
Digital Meeting Spaces	51	129	-	-	129	30	(99)	99	-	Delay in procurement of equipment but anticipated to be complete in 19-20	30	
ICT Infrastructure Support	-	300	-	-	300	-	(300)	300	-	Slippage required for ICT Rolling Programme	-	
TOTAL ICT	744	1,102	-	-	1,102	723	(379)	412	33		723	-
TOTAL Chief Executive	3,420	3,860	0	0	3,860	3,398	-462	495	33		824	2,574
GRAND TOTAL	80,603	35,474	284	-	35,758	27,614	(8,144)	8,286	38		14,728	12,886

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TOTAL MOVEMENT ON EARMARKED RESERVES AS AT 31ST MARCH 2019

Opening Balance 01-Apr-18 £'000	Reserve	Movement as at Quarter 4		Closing Balance 31-Mar-2019 £'000
		Additions/ Reclassification £'000	Drawdown £'000	
	Corporate Reserves:-			
1,362	Asset Management Plan	880	(367)	1,875
1,023	Building Maintenance Reserve	(87)	(61)	875
-	Capital Asset Management Fund	500	(57)	443
354	Capital Feasibility Fund	104	(93)	365
12,082	Capital Programme Contribution	2,949	(1,159)	13,872
1,183	Change Management	501	(222)	1,462
1,000	Corporate Pressures Contingency	(1,000)	-	-
119	DDA Emergency Works	(119)	-	-
1,255	Digital Transformation	-	(228)	1,027
-	Economic & Future Resilience Fund	800	-	800
1,205	ICT & Finance Systems	170	(294)	1,081
2,335	Insurance Reserve	2,320	(2,494)	2,161
8,022	Major Claims Reserve	(2,748)	-	5,274
800	MTFS Budget Contingency	1,000	(200)	1,600
101	Property Disposal Strategy	14	(21)	94
57	Public Realm	(57)	-	-
7,957	Service Reconfiguration	-	(2,383)	5,574
300	Welfare Reform Bill	-	-	300
39,155	Total Corporate Reserves	5,227	(7,579)	36,803
	Directorate Reserves:-			
97	Chief Executive Partnership Reserve	3	-	100
1,088	City Deal Reserve	812	-	1,900
1,952	Directorate Issues	1,502	(1,084)	2,370
53	Donations Reserve Account	2	-	55
-	Highways Asset Management Reserve	1,491	(262)	1,229
5	Human Resources Reserve	(5)	-	-
20	Local Development Plan IT System	(20)	-	-
939	Looked After Children	-	-	939
312	Porthcawl Regeneration	-	(41)	271
220	Property Reserve	-	(33)	187
78	Safe Routes to Schools	-	(40)	38
116	School Projects Reserve	152	(153)	115
51	Waste Awareness Reserve	82	(63)	70
722	Wellbeing Projects	-	-	722
5,653	Total Directorate Reserves	4,019	(1,676)	7,996
	Equalisation & Grant Reserves:-			
22	Building Control Reserve	-	(12)	10
186	Civil Parking Enforcement	-	(60)	126
28	Election Costs	40	-	68
759	Highways Reserve	(759)	-	-
975	IFRS Grants	1,197	(585)	1,587
109	Legal Fees	167	-	276
213	Local Development Plan	15	(6)	222
615	Special Regeneration Fund	141	(78)	678
2,907	Equalisation & Grant Reserves	801	(741)	2,967
360	School Balances	254	-	614
48,075	TOTAL RESERVES	10,301	(9,996)	48,380

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18th JUNE 2019

JOINT REPORT OF THE CHIEF EXECUTIVE AND HEAD OF OPERATIONS - COMMUNITIES

PUBLIC SPACE PROTECTION ORDERS

1. Purpose of Report

1.1 To ask Cabinet to:

- i. note the results of the consultations on the creation of Public Space Protection Orders (PSPOs);
- ii. note that the grounds, as set out in paragraph 3.3 below, are met; and,
- iii. in light of the outcome of the consultations and the grounds being met, to create 4 new PSPOs as set out in **Appendix 1** (Prohibit Alcohol & Installation of Gates) and **Appendix 7** (Dog Control) detailed in para 4.10 and para 4.35.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

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

- a. **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.
- b. **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 proposal to address anti-social behaviour supports a number of corporate priority themes relating to the reduction of crime and disorder and improvement of the environment.

2.3 Under Section 17 of the Crime and Disorder Act 1998 the Council has a statutory duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent, crime and disorder.

3. Background

3.1 The Anti-social Behaviour, Crime and Policing Act 2014 (the Act) makes provision about anti-social behaviour, crime and disorder. The Act sets out the following 6 new tools for responsible bodies and responsible authorities:

- i. Injunction
- ii. Criminal Behaviour Order (CBO)
- iii. Dispersal power
- iv. Community Protection Notice (CPN)
- v. Closure Power
- vi. Public Spaces Protection Orders (PSPO)

- 3.2 A Cabinet Report dated 15th March 2016 sets out the above powers in more details. This report also delegated to the Assistant Chief Executive, Legal and Regulatory the power to do anything (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Anti-social Behaviour, Crime and Policing Act 2014 with the exception of PSPOs as specified in Part 4, Chapter 2 of the Act. Since this time the Scheme of Delegation has been updated and this same delegation is now made to the Monitoring Officer which still excludes PSPOs. As such the power for Bridgend County Borough Council to create a PSPO remains a Cabinet power and decision.
- 3.3 A Local Authority may make a PSPO if it is satisfied on reasonable grounds that it is likely that activities will be carried on in a public place within that area and that they will have a detrimental effect on the quality of life of those in the locality which is likely to be of a persistent or continuing nature such as to make the activities unreasonable and justifies the restrictions imposed by the notice.
- 3.4 PSPOs are designed to stop individuals or groups committing anti-social behaviour in a public space. They are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. PSPOs contain restrictions and requirements set by the council. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. They can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. They can be enforced by a police officer, police community support officers and council officers. Under s.67 of the Act breach of a PSPO is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate or following a conviction in Court a person can receive a fine of up to £1,000. Under s.63 of the Act a person can be required by an authorised officer to surrender alcohol and a failure to do this is a criminal offence. Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.
- 3.5 Importantly PSPOs replace the old Designated Public Place Orders (DPPOs); Gating Orders and Dog Control Orders.
- 3.6 The Act came into force on the 14th October 2014. Under s.75 the Act made provision for DPPOs; Gating Orders and Dog Control Orders (where in existence) to remain valid for 3 years from the 14th October 2014 at which point, on the 14th October 2017, they were converted under the Act to PSPOs, and remain valid for 3 years until 14th October 2020.

4. Current situation / proposal

- 4.1 Prior to 14th October 2017 there were 5 Designated Public Places Orders (DPPOs) in existence in Bridgend County Borough. These DPPOs established 5 alcohol control areas to deal with issues of nuisance and disorder associated with the consumption of alcohol in streets and public places. The areas where the orders were in force are shown in the attached 5 maps found in **Appendix 2**.

- 4.2 In addition, prior to 14th October 2017 there were two Gating Orders in existence in Bridgend County: one covering the rear lane between Talbot Street and Plasnewydd Street, Maesteg and the second covering the highway to the rear of Wesley Street and Lloyd Street, Caerau, Maesteg. The areas of restricted access covered by these orders are shown in the attached 2 maps found in **Appendix 3**.
- 4.3 A further gating order had previously been in existence covering the highway between Treharne Road and Caerau Road, Caerau but was revoked in March 2014.
- 4.4 On the 14th October 2017 there were no dog control orders within Bridgend County Borough Council.
- 4.5 On the 14th October 2017 the orders listed at paragraph 4.1 and 4.2 above, being five DPPOs and two Gating Orders, migrated under the Act to become PSPOs. No action was required by the Council as this happened automatically under the 2014 Act.
- 4.6 In light of 7 new PSPO's expiring on the 14th October 2020 and to ensure that the new PSPOs remained necessary and to consider whether any further PSPOs should be made, it was proposed to review all areas covered by the old DPPOs and Gating Orders, as well as any new areas where anti-social behaviour is being experienced, to establish what appropriate PSPOs could be made, and what conditions could be attached to best prevent anti-social behaviour. As such, a report was submitted to Cabinet on 27th June 2017 seeking approval to consult on new PSPOs.
- 4.7 The statutory consultation commenced on 24 July 2017 and continued for 12 weeks, ending on 13 November 2017. In addition to the Statutory Consultees there was also a public consultation. Under s.71(4) of the 2014 Act it was necessary to consult with the chief officer of police and the local policing body for the police area that includes the restricted area; whatever community representatives the local authority thinks it appropriate to consult; and the owner or occupier of land within the restricted area ("the Statutory Consultees"). As such, the consultation included the Police and Crime Commissioner; the Chief Superintendent of South Wales Police; Corporate Director Communities Bridgend County Borough Council; Town Centre Manager Bridgend County Borough Council; Bridgend Town Council; Maesteg Town Council; Pencoed Town Council; Porthcawl Town Council; Bridgend Traders Forum; CF31 Bridgend BID; Bridgend Pub Watch/BBAC; Porthcawl Chamber of Trade; Porthcawl Pub Watch and the public. Full details of the consultation can be found in the Consultation Report found at **Appendix 4**.
- 4.8 A letter was sent to Statutory Consultees outlining the proposal and directing consultees to the webpage which gave details of how to respond. A copy of the letter and a list of Statutory Consultees is included in the consultation report in **Appendix 4**. The public consultation was promoted through a variety of means including:
- i. the BCBC website;
 - ii. partner meetings including. Bridgend Hate Forum and Bridgend Community Safety partnership.
 - iii. partner distribution networks;
 - iv. newsletters; and
 - v. via social media.

A clean up event was held between Talbot Street and Plasnewydd Street, Maesteg to promote the consultation to residents and local business.

- 4.9 The Consultation sought views on the following:
- i. Whether to maintain the PSPOs which were automatically created when the Designated Public Place Orders in Bridgend, Caerau, Pencoed, Porthcawl and Maesteg as described in 4.1 migrated by law into PSPOs on the 14th October.
 - ii. If the PSPOs at point i above are maintained, whether to maintain them with identical terms or altered terms
 - iii. If the PSPOs at point i above are maintained whether to extend the area covered to include Coity Road, up to the entrance to the Princess of Wales Hospital
 - iv. Whether to maintain the PSPOs which were automatically created when the Gating Order outlined in 4.2 migrated by law into PSPOs on the 14th October
 - v. If the PSPO at point iv above is maintained, whether to maintain it with identical terms or altered terms
 - vi. A further question was included in the survey: 'Are you aware of any activities which are currently restricted in a public space within your area, which if not restricted would have a detrimental effect on your quality of life?' Five individuals responded to the question.

4.10 Copies of the 3 draft PSPOs are attached as **Appendix 1**. These were included in the consultation. In summary the draft PSPOs as consulted upon sought to:

- i. create one new PSPO to prohibit the consumption of alcohol and the possession of alcohol in an open container within the following restricted areas:
 - Bridgend as attached map at page 6 of **Appendix 1**
 - Caerau as attached map at page 7 of **Appendix 1**
 - Maesteg as attached map at page 8 of **Appendix 1**
 - Pencoed as attached map at page 9 of **Appendix 1**
 - Porthcawl as attached map at page 10 of **Appendix 1**

Any person who, without reasonable excuse, continues consuming alcohol in the Restricted Area when asked to desist by a Police Officer, Police Community Support Officer or authorised person from the Council under Section 63, or fails to surrender any intoxicating substance in his possession when asked to do so by a Police Officer, Police Community Support Officer or authorised person from the Council under Section 63 commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500.00), or if in receipt of a Fixed Penalty Notice to a penalty of a maximum of £100.00.

The restriction applies to all persons at all times. The Order would affect all persons and is proposed to last for 3 years.

- ii. Create one new PSPO to restrict the public right of way between Talbot Street and Plasnewydd Street, Maesteg, specified on the attached map at page 4 of **Appendix 1** ("the Restricted Area") between Monday to Saturday during the hours of 5.30pm on one day and 9.00am on the next and on Sunday and every Public Holiday, for 24 hours. The winter and summer timings will mirror the Greenwich Mean Time and British Summer Time schedules. This Order authorises the installation of lockable swing gates which will enforce the restriction. The Order would affect all persons and is proposed to last for 3 years.

- iii. Create one new PSPO to restrict the public right of way between the Highway to the rear of Wesley Street and Lloyd Street, Caerau, and specified on the attached map at page 2 of **Appendix 1** ("the Restricted Area") between Monday to Saturday during the hours of 5.30pm on one day and 9.00am on the next and on Sunday and every Public Holiday, for 24 hours. The winter and summer timings will mirror the Greenwich Mean Time and British Summer Time schedules. This Order authorises the installation of lockable swing gates which will enforce the restriction. The Order would affect all persons and is proposed to last for 3 years.

- 4.11 Details of the consultation can be found on the BCBC website <https://www.bridgend.gov.uk/my-council/equalities-and-engagement/consultations/closed-consultations/public-space-protection-order-consultation/>
- 4.12 Both the statutory and public consultation closed on 13 November 2017. The results of the consultation are attached in **Appendix 4**.
- 4.13 The Statutory Consultees were given the option of responding to the consultation by completing the on line survey or providing general comments via letter or email. Five written responses were received. One from South Wales Police, one from the Clerk of Maesteg Town Council (on behalf of Maesteg Town Council) and three from individual Porthcawl Town Councillors. All responses supported the proposed orders. One response asked for control of dogs to be considered, and one response indicated there were not enough resources to enforce dog control orders so they should not be included. One response asked why almost the whole of Pencoed and Porthcawl are covered by the orders, whilst Bridgend only seems to be the town centre. There were no further comments on the size of the area.
- 4.14 There were thirty three unique responses to the on line survey. In summary the following responses were received.
 - i. Bridgend Town Centre: 20 persons agreed to maintain the PSPO regarding the prohibition of alcohol and 5 persons said no, but did not specify a reason. 23 persons agreed to the extended area to include Coity Road and 2 persons did not agree, but again did not specify a reason. In the section where comments were requested explaining what activities people deemed have a detrimental effect on quality of life, the following responses were given:
 - people hanging around outside pubs,
 - youngsters drinking and when intoxicated damaging play area of the young people communities,
 - young people congregating, consuming alcohol, Anti-Social Behaviour (ASB),
 - begging and people under the influence of drugs.
 - ii. Maesteg: 15 persons said yes to maintain the PSPO regarding the prohibition of alcohol and 2 persons said no, but did not specify a reason. 6 persons agreed to maintain the PSPO relating to the gates and 11 persons did not but did not give a reason. Of the 17 people who responded to this question 12 individuals stated they did not live within a mile radius of the specified area. It is not possible to tell from the data whether respondents who answered no to

the question regarding the gates live within a mile radius of the specified area. The police and other agencies were in favour of both PSPOs in this area. In the section where comments were requested explaining what activities people deemed have a detrimental effect on quality of life, the following responses were given:

- number of young people on bikes around Llynfi Surgery and carpark,
- drinking, noise and violence caused by drink,
- verbal abuse to members of the public,
- lack of police presence,
- youth drinking/smoking in public area such as Garth Park (Maesteg),
- begging and people in the street under the influence of drugs.

iii. Caerau: 11 persons said yes to maintain the PSPO regarding the prohibition of alcohol and 1 person was opposed, but did not give a reason. 4 persons agreed that the PSPO relating to the gates should be maintained, and 8 did not but did not give a reason. Of the 12 people who responded to this question 8 individuals stated they did not live within a mile radius of the specified area. It is not possible to tell from the data whether those respondents who were opposed to the gates lived within a mile radius of the area. The police and other agencies were in favour of both PSPOs in this area. In the section where comments were requested explaining what activities people deemed have a detrimental effect on quality of life, the following responses were given:

- people hanging around on street corners,
- drinking, noise and violence caused by drink,
- verbal abuse to members of the public,
- begging, people under influence of drugs.

iv. Pencoed: 7 persons agreed to maintain the PSPO regarding the prohibition of alcohol and 3 persons did not, but did not give a reason. In the section where comments were requested explaining what activities people deemed have a detrimental effect on quality of life, the following responses were given:

- drinking, noise and violence caused by drink,
- verbal abuse to members of the public,
- begging.

v. Porthcawl: 11 persons agreed to maintain the PSPO regarding the prohibition of alcohol and 5 did not, but did not give a reason. In the section where comments were requested explaining what activities people deemed have a detrimental effect on quality of life, the following responses were given:

- noisy neighbours,
- litter in Newton beach area,
- fly tipping in lanes,
- begging and people in the street under the influence of drugs.

4.15 Of the 33 responses received 1 person, who identified themselves as a 'visitor', identified begging and people under the influence of drugs as an issue across all areas. No other response referred to begging.

4.16 No comments were made regarding the time periods that the suggested PSPO should have effect.

- 4.17 No comments were made regarding the duration of the proposed orders.
- 4.18 There were no specific comments on the effect of section 63 and section 67 of the Act as specified in para 3.4 above
- 4.19 The responses to the consultation confirm that it is likely that the consumption of alcohol and possession of alcohol in an open container in the 5 public areas covered by the proposed PSPO will have a detrimental effect on the quality of life of those in the locality which is likely to be of a persistent or continuing nature such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.
- 4.20 The responses to the consultation confirm that it is likely that allowing access to the 2 public areas covered by the two proposed PSPOs, during the proposed hours, will have a detrimental effect on the quality of life of those in the locality which is likely to be of a persistent or continuing nature such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.
- 4.21 If the three PSPOs are created they would be published in accordance with Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014, SI 2014/259
- 4.22 It was intended to submit the report on the consultation to Cabinet in February 2018. However as dog fouling was mentioned in the consultation, it was agreed to delay the submission to allow the Communities Directorate to carry out a separate consultation on dog fouling.
- 4.23 The public consultation for Control of Dogs commenced on 5th December 2018 and concluded on 26th February 2019 having been approved in the Cabinet report dated 17th July 2018. Full details of the consultation can be found in the Consultation Report found at **Appendix 6**. The public consultation was promoted through a variety of means including:
- the BCBC website;
 - partner meetings including Bridgend Hate Forum and Bridgend Community Safety partnership.
 - partner distribution networks;
 - newsletters; and
 - via social media.
- 4.24 The public consultation sought views on the following proposals
- Proposal One:** *Dog Fouling – applicable to all public places in Bridgend County Borough*
- Proposal Two:** *Removing Dog Faeces – a requirement that the person in charge of the dog must have bags or other suitable means of removing the faeces with them.*
- Proposal Three:** *Dog on lead by direction – applicable to all public places in Bridgend County Borough*

Detailed information is included within the Consultation report - **Appendix 6**

- 4.25 Details of the public consultation can be found on the BCBC website <https://www.bridgend.gov.uk/my-council/equalities-and-engagement/consultations/>

- 4.26 The consultation was conducted over a twelve week period, during which a range of marketing methods were used to create awareness of the consultation and encourage members of the public to engage with the council. In total, there were 1168 interactions, representing 0.8 percent of the borough's population. The response rate was divided into several areas including: consultations survey responses, emails, letter and social media interactions:
- a total of 1078 survey responses (983 online submissions and 95 paper versions)
 - 86 Comments on social media channels
 - two email comments
 - two letters
- 4.27 50% of respondents were dog walkers and of those 66% walked one dog and 25% walked two dogs. 30% (455) of respondents said they currently walk their dog on open green space with 41% (445) of respondent saying that they dispose of their dog waste in a street bin
- 4.28 93% (999) of respondents said they agreed with proposal one: To introduce the prohibition on dog fouling under the PSPO. If a dog defecates on land to which a relevant PSPO applies, and the person in charge of the dog fails to remove the faeces from the land, then they will be in breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance will be £100.
- 4.29 83% (900) of respondents said they agreed with proposal two: To introduce into the PSPO a condition that if a person in charge of a dog does not have appropriate bags or other suitable means of picking up and removing the faeces for proper disposal with them they will be in breach of the PSPO which is a criminal offence. Should a fine be issued, the associated fee is proposed to be £100.
- 4.30 77% (822) of respondents said they agreed with proposal three: To introduce into the PSPO a condition that a person in charge of a dog who fails to comply with a reasonable direction given to them by an authorised officer of the council to put and keep the dog on a lead for such period/or in such circumstances as directed by the officer. Failing to comply with the direction is a breach of the PSPO which is a criminal offence. Should a fine be issued, the associated fee is proposed to be £100.
- 4.31 Responses from RSPCA and The Kennel Club were included as appendices within the consultation report and both organisations agreed with proposals one and three. Whilst the RSPCA agreed with proposal two, the Kennel Club suggested caution in introducing this option, as it might have an adverse effect on dog walkers' behaviour.
- 4.32 There was a high level of agreement amongst responders on the introduction of these three proposals. Whilst the Kennel Club had some reservations on introducing Proposal Two, this is being administered in other authorities and is supported by the majority of respondents. The introduction of these proposals would include media awareness to notify the community of the changes in enforcement of such issues.
- 4.33 Under s.71(4) of the 2014 Act it was necessary to consult with the Chief Officer of Police and the local policing body for the police area that includes the restricted area; whatever community representatives the local authority thinks it appropriate to consult; and the owner or occupier of land within the restricted area ("the Statutory Consultees"). As such, statutory consultation with the Police and Crime Commissioner; the Chief Superintendent of South Wales Police; Corporate Director

Communities Bridgend County Borough Council and the Council's Property Services was undertaken on the 26th April 2019 and ended on the 10th May 2019. A letter was sent to Statutory Consultees (**Appendix 9**) outlining the proposal and including a draft Order. The response from the police representative, Director of Operations - Communities and BCBC property services indicated no issues in relation to the implementation of this Order. Statutory Consultation responses were supportive of the council's actions and had no objections to the Order.

- 4.34 These restrictions do not in any way prevent dog walkers utilising public land for exercising dogs but places conditions on them, which will prevent the impact of dog fouling within those areas.
- 4.35 A copy of the draft PSPO relating to Dog Fouling is found at **Appendix 7**. A copy of the draft PSPO was not included with the Consultation but has since been drafted based on the responses to the Public Consultation and was published on the 13th May 2019. The effect of this Order is to impose the following conditions on the use of the land:-
- a) Person(s) within the Restricted Area will collect and dispose of the faeces of dogs within their control by removing it and depositing the dog faeces in a bag, or other suitable means for the collection of dog faeces, which should be left in a litter bin or an allocated bin for the collection of dog faeces or taken home
 - b) Person(s) within the Restricted Area who have dogs within their control, must carry bags or other suitable means for the collection of dog faeces
 - c) Person(s) within the Restricted Area must when requested to do so by an Authorised Officer, place dogs in their control on a lead. When making a request under Paragraph 6 (c) of this Order the Authorised Officer must specify a location and duration.
- 4.36 The restrictions in Article 6 of the draft Order shall not apply to Disabled Persons as defined by the Equality Act 2010, where the person suffers from a disability which would prevent them from collecting their dog faeces.
- 4.37 Throughout the Public and Statutory Consultation no comments were made regarding the proposed time periods that the suggested dog control PSPO should have effect.
- 4.38 Throughout the public and statutory consultation no comments were made regarding the proposed duration of the proposed dog control orders.
- 4.39 Throughout the public and statutory consultation there were no specific comments on the effect of section 63 of the Act as specified in para 3.4 above
- 4.40 The responses to the consultation confirm that it is likely that dog control will have a detrimental effect on the quality of life of those in the locality which is likely to be of a persistent or continuing nature such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

5. Effect upon Policy Framework & Procedure Rules

5.1 None

6. Equality Impact Assessment

- 6.1 The Initial Screening EIA indicated a full Equalities Impact Assessment was required for the PSPO relating to the consumption of alcohol and the possession of alcohol in an open container and also the two PSPOs restrict the public right of access. The EIA is attached as **Appendix 5 - (Prohibit Alcohol & Installation of gates)**
- 6.2 The Initial Screening Assessment (Control of Dogs) was completed on 10th July 2018. The full Equality Impact Assessment was completed on the 26th March 2019 – **(Appendix 8 – Control of Dogs)** has been carried out and no groups with protected characteristics identified by the Equalities Legislation 2010 are considered to be adversely affected by the contents of this report providing that the exemptions in clause 4.36 are implemented.

7. Wellbeing of Future Generations (Wales) Act 2015 Assessment

- 7.1 A summary of the implications of the PSPO on the 5 ways of working outlined in the Wellbeing of Future Generations Act is as follows:-
- 7.2 Long term – implementing the PSPO demonstrates how preventing anti-social behaviour can positively affect the long term health and wellbeing of local residents and businesses
- 7.3 Prevention – the prohibition of drinking alcohol in public space can help reduce current and future anti – social behaviour
- 7.4 Integration – the PSPO assists in the achievement of the following wellbeing goals
A prosperous Wales
A Wales of Cohesive Communities
A Healthier Wales
- 7.5 Involvement – the consultation process has involved statutory consultees, stakeholders, and local residents

8. Financial Implications –

- 8.1 The estimated costs for implementing the four orders are:

Design, manufacture and fixing of hard signs	£3500
Printing	£2500
Publicity	£1500
Total	<u>£7500</u>

- 8.2 A request will be sent to partners asking for a financial contribution to the costs. If this is not forthcoming, funding will be made available from existing revenue budgets within the Communities Directorate.

9. Recommendation

- 9.1 It is recommended that Cabinet:
- note the results of the consultations on the creation of four Public Space Protection Orders (PSPOs);
 - note that the grounds, as set out in paragraph 3.3 above, are met; and,

- iii. in light of the outcome of the consultation and the grounds being met, to create 4 new PSPOs as set out in paragraph 4.10 and 4.35 above and at **Appendix 1 (Prohibit Alcohol & Installation of gates)** and **Appendix 7 (Dog Controls)**

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Postal Address Level 4
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CF31 4WB

Background Documents

Equality Impact Screening Assessment – dated 10th July 2018

Well-being of Future Generations (Wales) Act 2015 Assessment – dated 10th May 2019

Cabinet Report – dated 27th June 2017

Cabinet Report – dated 17th July 2018

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Public Spaces Protection Order
Covering the lane to the rear of Wesley Street and Lloyd Street, Caerau, Maesteg

Notice is hereby given that Bridgend County Borough Council ("the Council") proposes the following Public Spaces Protection Order under sections 59, 64 and 74 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

1. This Order shall come into operation on **[insert date]** and shall have an effect for 3 years thereafter, unless extended by further order under the Council's statutory powers.
2. This Order relates to the Highway to the rear of Wesley Street and Lloyd Street, Caerau, and specified on the attached Plan Gating Order covering the lane to the rear to Wesley Street and Lloyd Street, Caerau and specified on the attached plan (Schedule 2 Wesley Street and Lloyd street Gating Order) ("the Restricted Area"). This is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Proposed Order.
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that anti-social behaviour and criminal activities have been carried out within the Restricted Area. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.
5. The Proposed Order may be cited as the Bridgend County Borough Council Public Spaces Protection Order for the Borough covering the Rear Lane between Wesley Street and Lloyd Street, Caerau, Maesteg

By this Proposed Order

6. The effect of this Order will be to restrict the public right of way over the Restricted Area between Monday to Saturday during the hours of 5.30pm on one day and 9.00am on the next and on Sunday and every Public Holiday, for 24 hours. The winter and summer timings will mirror the Greenwich Mean Time and British Summer Time schedules. This Order authorises the installation of lockable swing gates which will enforce the restriction.
7. The restriction in Article 6 of this Order shall not apply to any registered owner of, or person who lives in or works in, premises adjoining the Restricted Area, or to any police, ambulance or fire service personnel, acting in pursuance of statutory powers or duties or to any statutory undertaker, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Area, or persons and/or vehicles required, where necessary, in connection with maintenance work or other function of the Council.



**Public Space
Protection (Gating)
Order**

Wesley S/Lloyd St, Caerau

Scale:
1:1,000

Date Issued:
13/02/2018

© A4 Landscape

**Mark Shephard
Consulting Director
• Commissioned by:**
Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 2AH.

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Development Planning - Mapping Tel: (01629) 643176

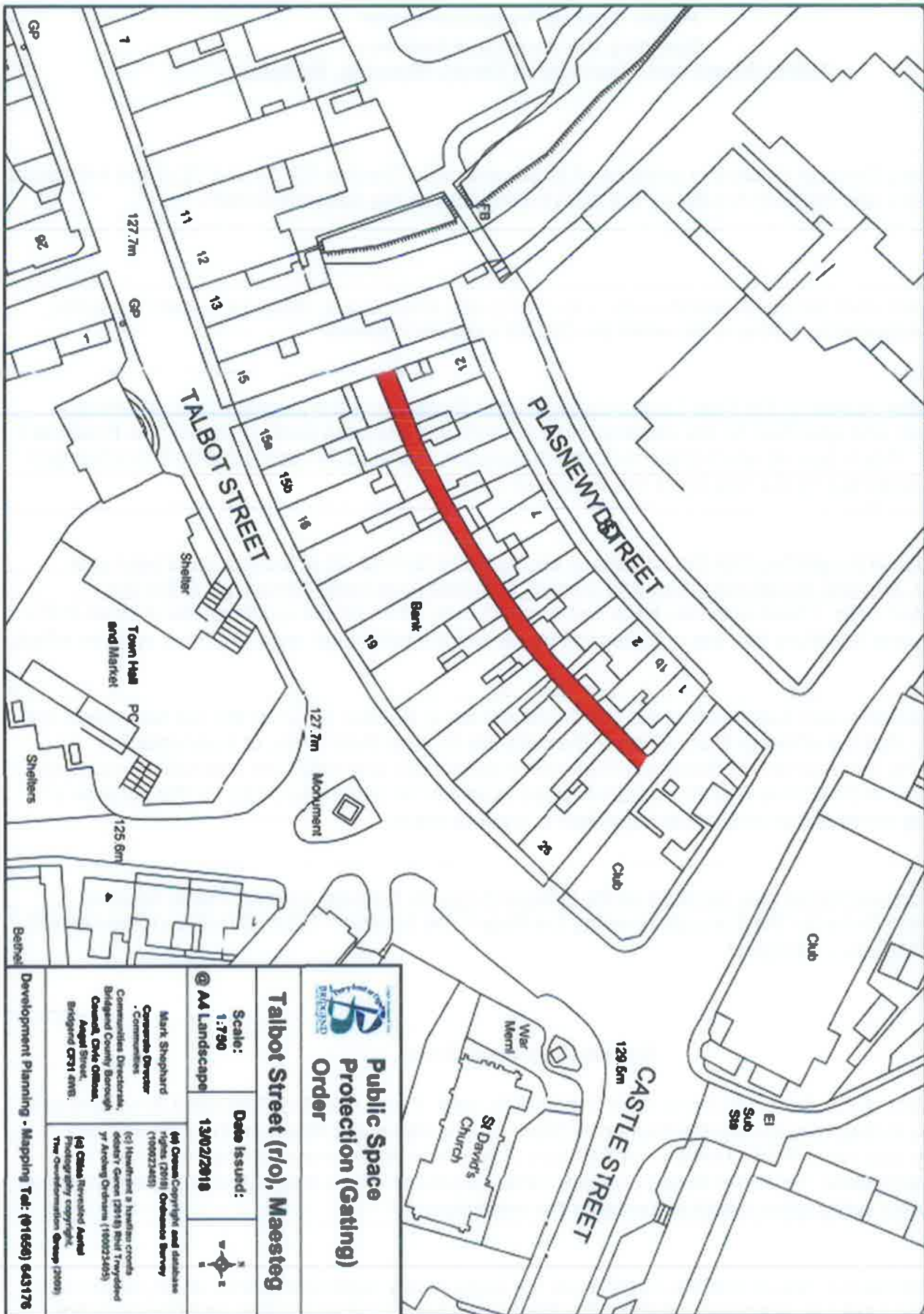
**Public Spaces Protection Order
Covering the Rear Lane between
Talbot Street and Plasnewydd Street, Maesteg, Bridgend**

Bridgend County Borough Council in exercise of its powers under Section 59, 64 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:-

1. This Order shall come into operation on **[Insert Date]** and shall have an effect for 3 years thereafter, unless extended by further order under the Council's statutory powers.
2. This Order relates to the Rear Lane between Talbot Street and Plasnewydd Street, Maesteg, Bridgend, and specified on the attached Plan (Schedule 1 Maesteg Gating Order) ("the Restricted Area"). This is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Proposed Order.
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that anti-social behaviour and criminal activities have been carried out within the Restricted Area. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.
5. The Proposed Order may be cited as the Bridgend County Borough Council Public Spaces Protection Order for the Borough covering the Rear Lane between Talbot Street and Plasnewydd Street, Maesteg, Bridgend.

By this Proposed Order

6. The effect of this Order will be to restrict the public right of way over the Restricted Area between Monday to Saturday during the hours of 5.30pm on one day and 9.00am on the next and on Sunday and every Public Holiday, for 24 hours. The winter and summer timings will mirror the Greenwich Mean Time and British Summer Time schedules. This Order authorises the installation of lockable swing gates which will enforce the restriction.
7. The restriction in Article 6 of this Order shall not apply to any registered owner of, or person who lives in or works in, premises adjoining the Restricted Area, or to any police, ambulance or fire service personnel, acting in pursuance of statutory powers or duties or to any statutory undertaker, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Area, or persons and/or vehicles required, where necessary, in connection with maintenance work or other function of the Council.



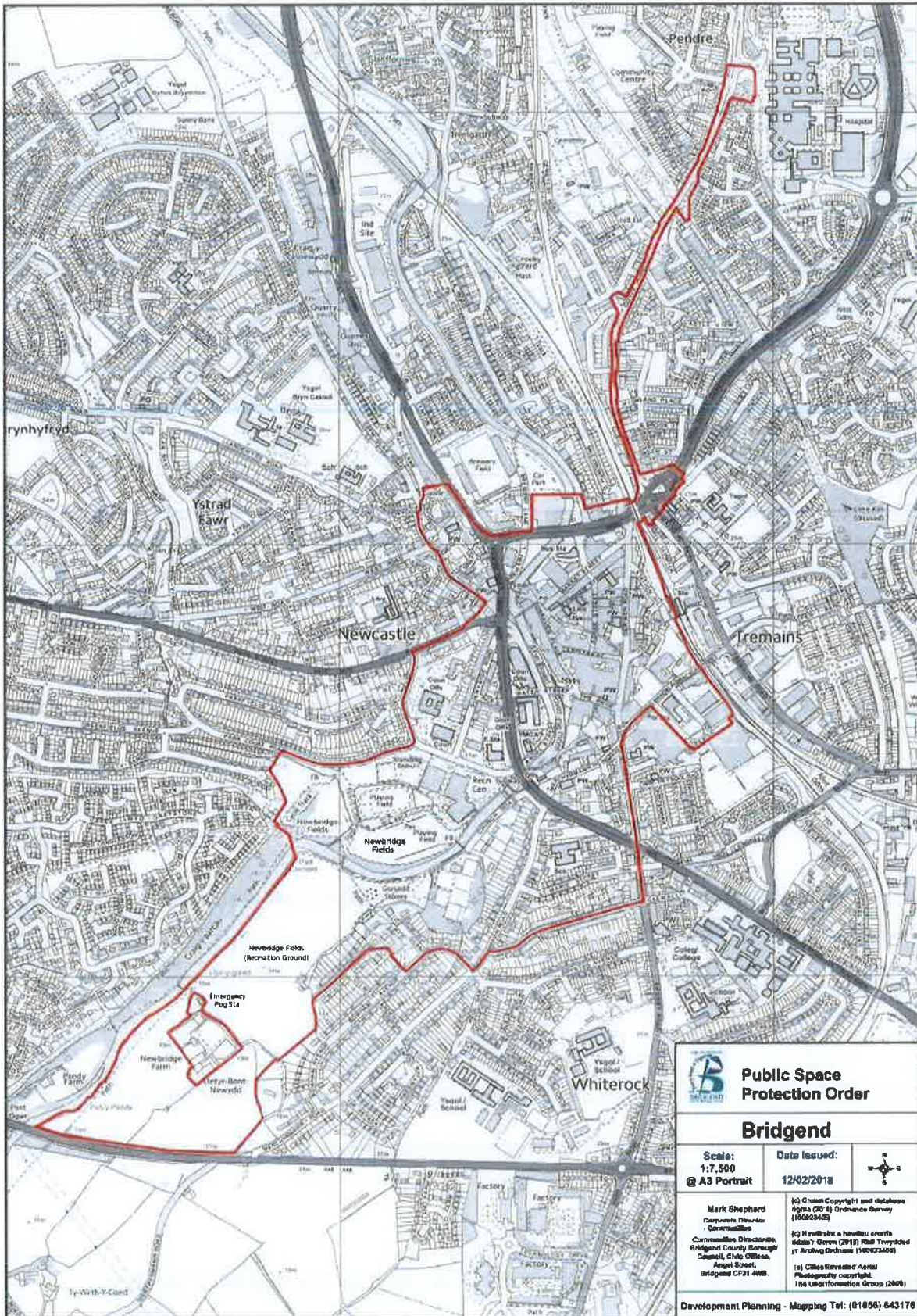
**Public Spaces Protection Order
Covering the Bridgend County Borough Council**

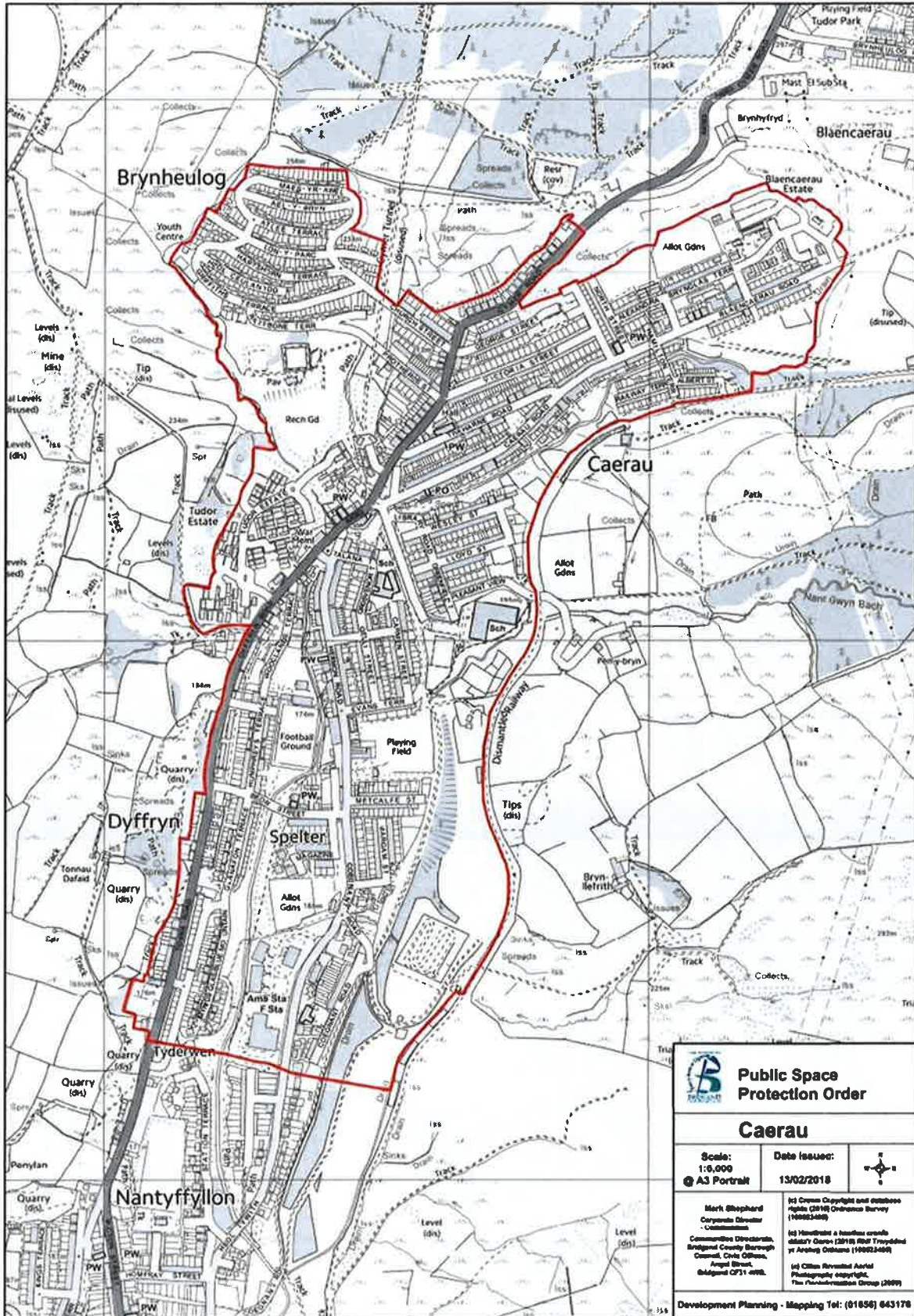
Bridgend County Borough Council in exercise of its powers under Section 59 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:-

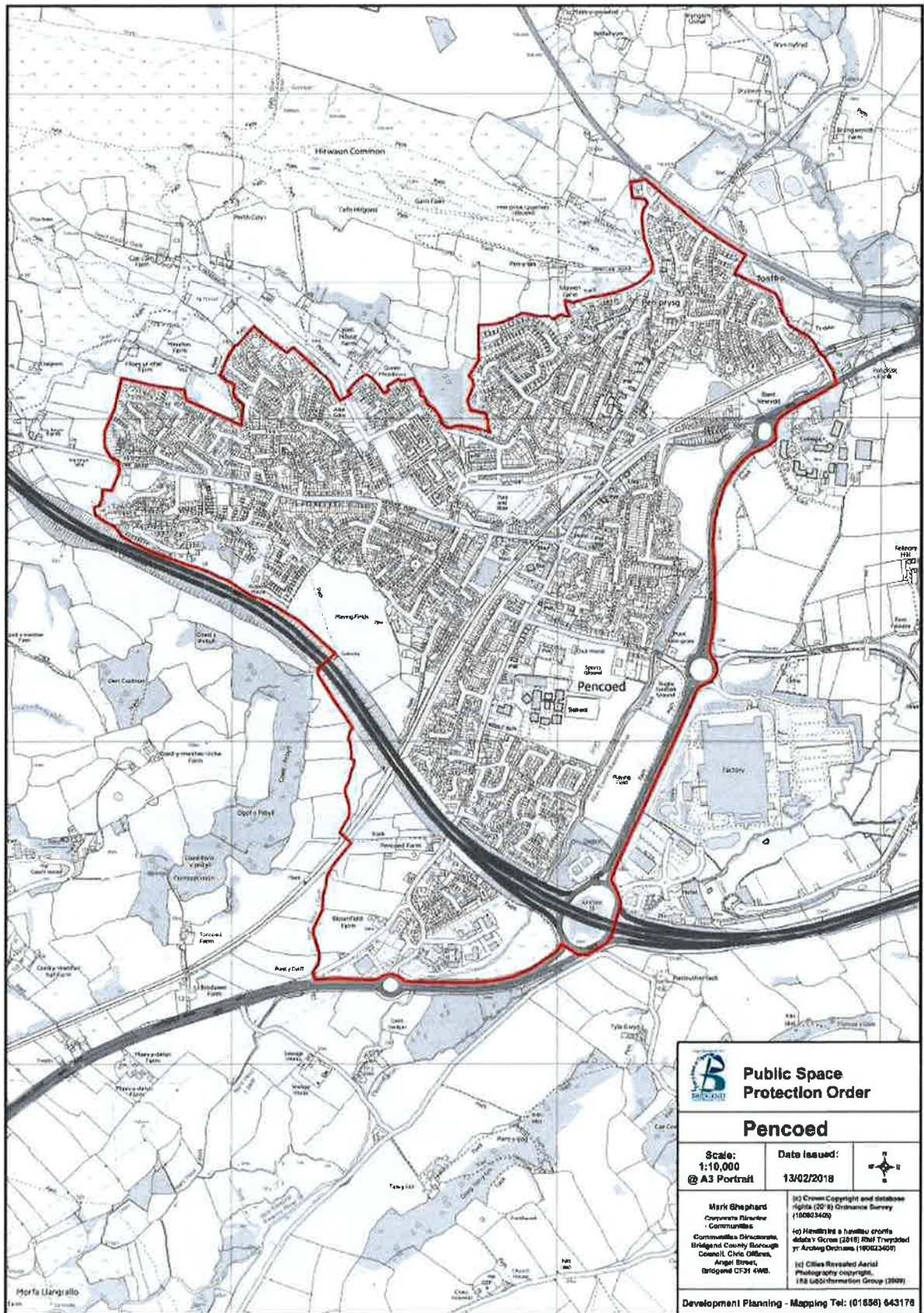
1. This Order shall come into operation on **DATE** and shall have an effect for 3 years thereafter, unless extended by further order under the Council’s statutory powers.
2. The land identified by the appendices map(s) being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Proposed Order (“the Restricted Area”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that anti-social behaviour and criminal activities have been carried out within the Restricted Area through the use of intoxicating alcoholic substances. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.
5. The Proposed Order may be cited as the Bridgend County Borough Council Public Spaces Protection Order for the Borough.

By this Proposed Order

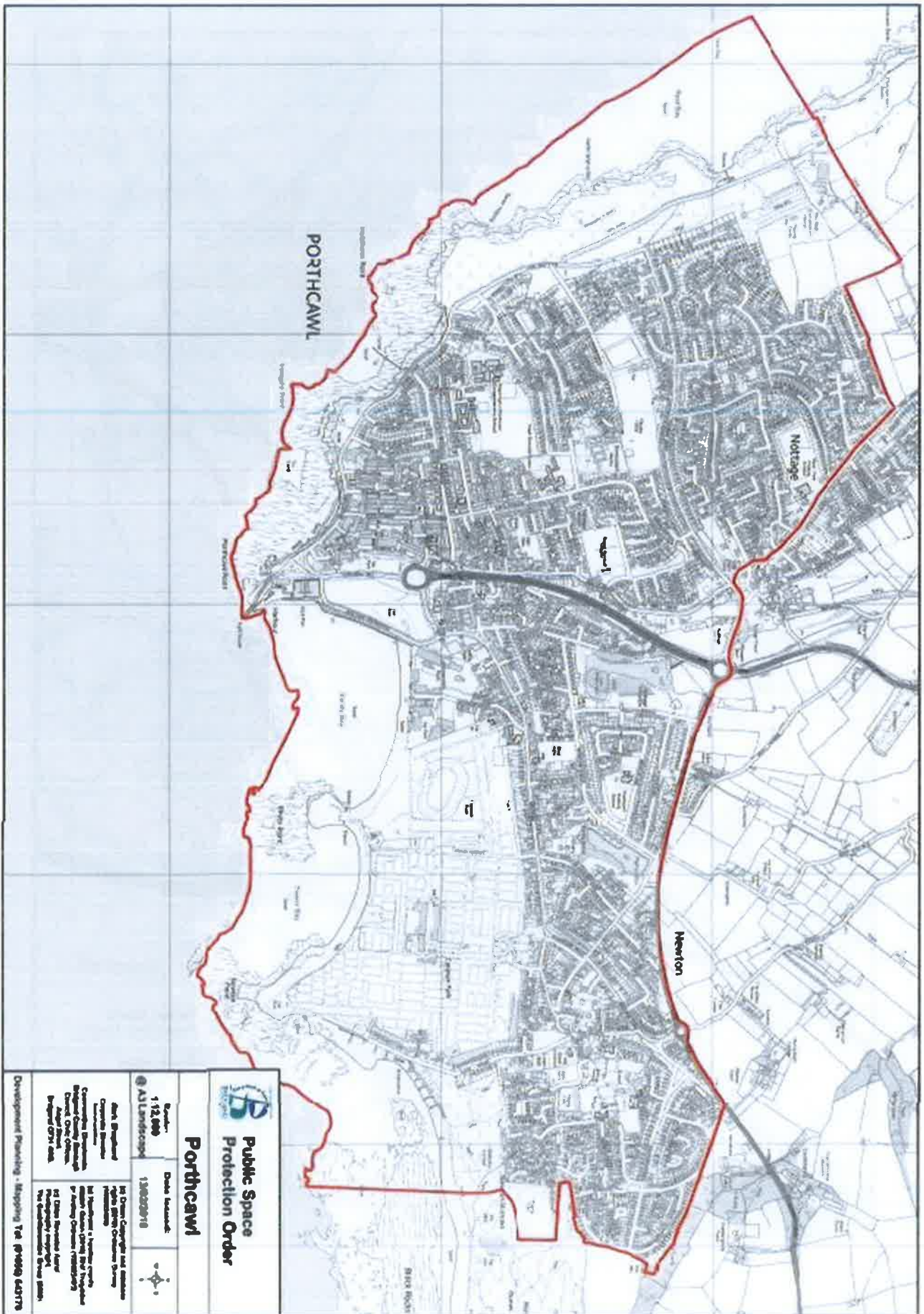
6. The effect of this Order is to impose the following conditions on the use of the land:
 - (a) Person(s) within the Restricted Area will not consume alcohol, or be in possession of an open container of alcohol, in a public space.
7. The conditions above shall not apply to:
 - (a) Premises authorised by a premises licence to be used for the supply of alcohol;
 - (b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
 - (c) A place within the curtilage of premises within paragraph (a) or (b);
 - (d) Premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before or after the relevant time.

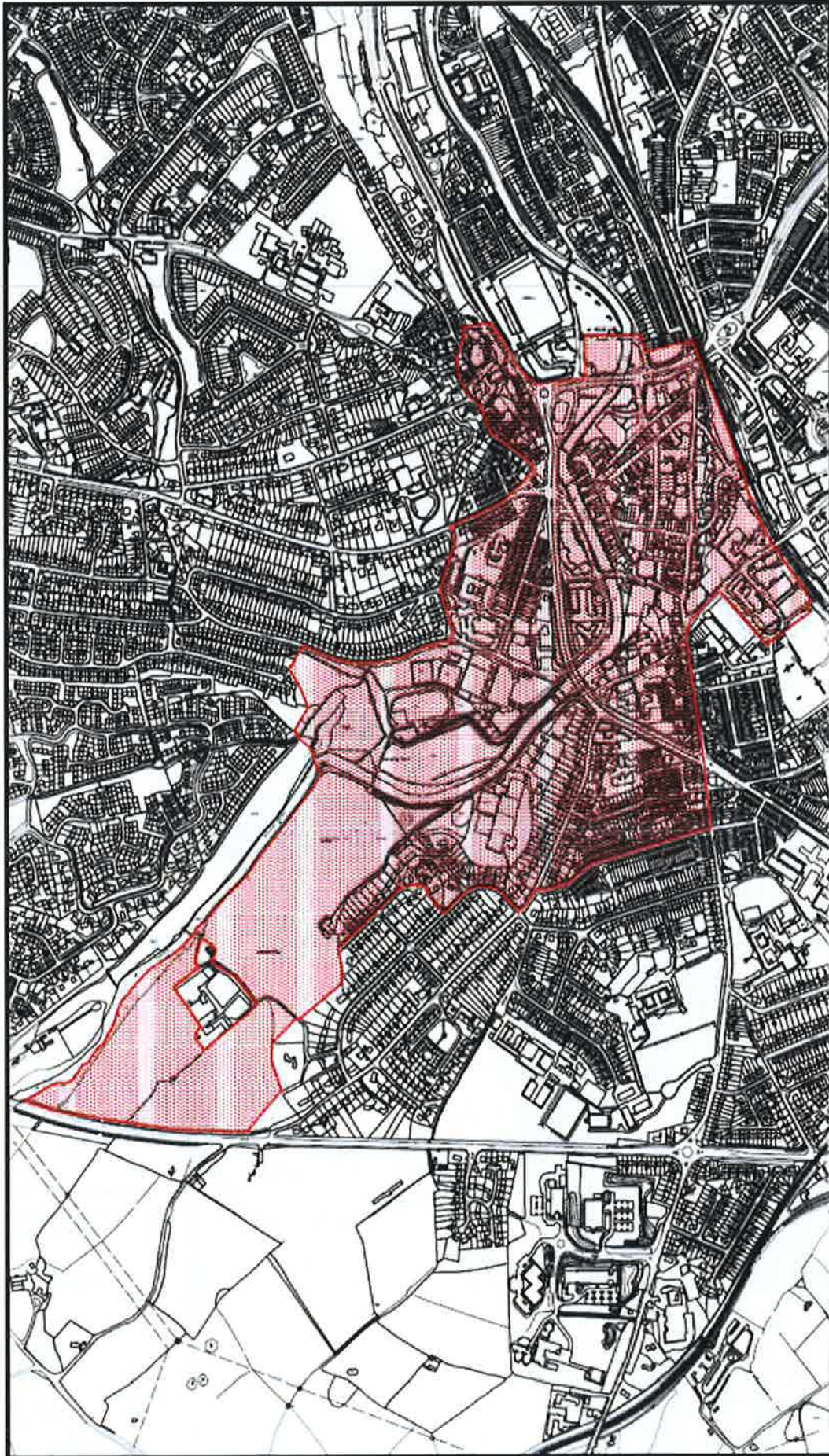






 Public Space Protection Order	
Pencoed	
Scale: 1:10,000 @ A3 Portrait	Date issued: 13/02/2018
	
Mark Shephard Corporate Planner Communities Communities Directorate Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.	<small>(c) Crown Copyright and Database Rights (2018) Ordnance Survey (10003409)</small> <small>(e) Havalin & Havalin orna elada & Gwyn (2018) Rhif Trwydded yr Ardal (D1000000)</small> <small>(f) Cities Revealed Aerial Photography copyright, IFA Information Group (2009)</small>
Development Planning - Mapping Tel: (01556) 643178	





Scale 1:7000
Date issued 16/03/2008

Designated Public Places Order 1, 2008

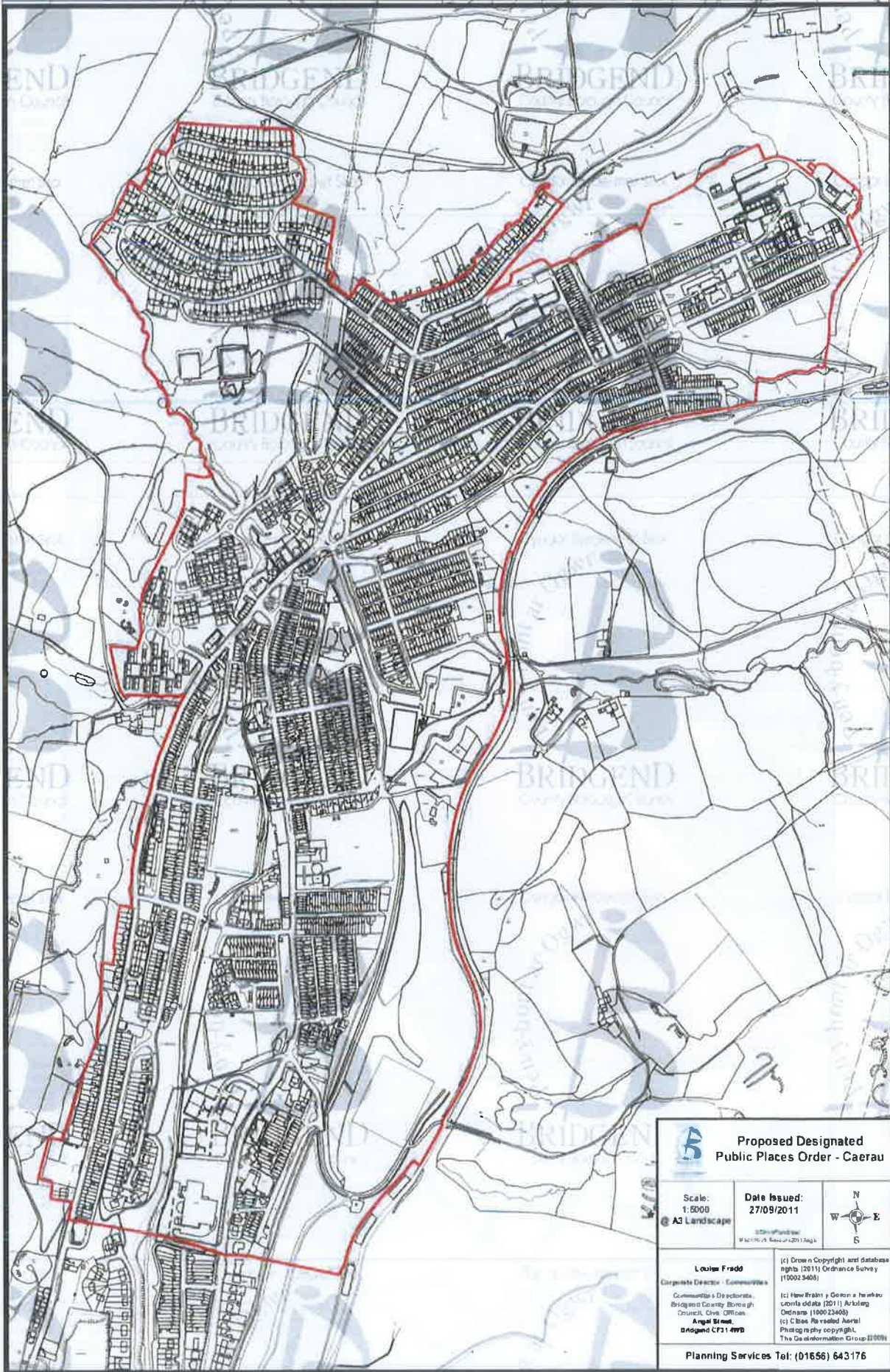
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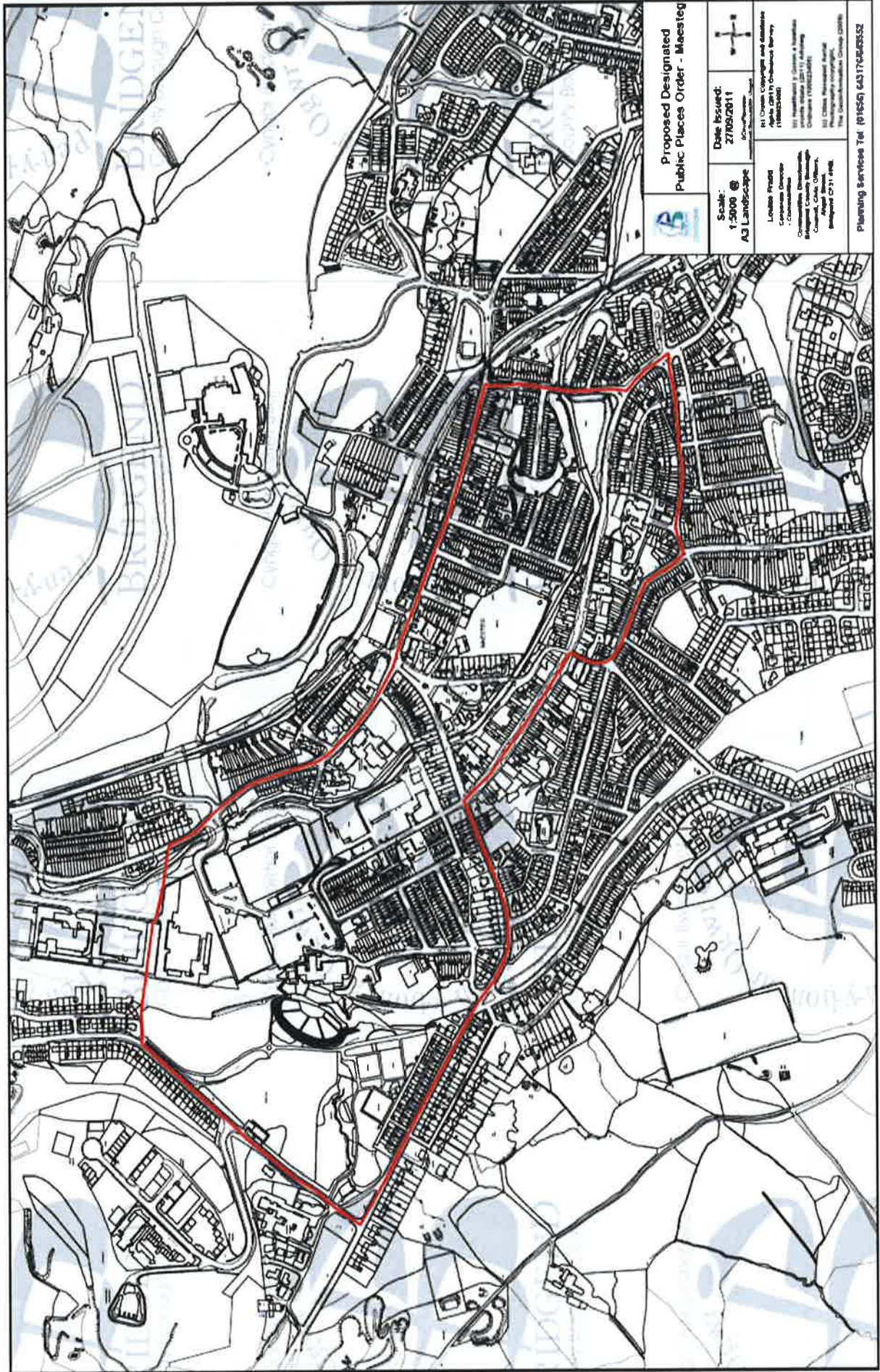
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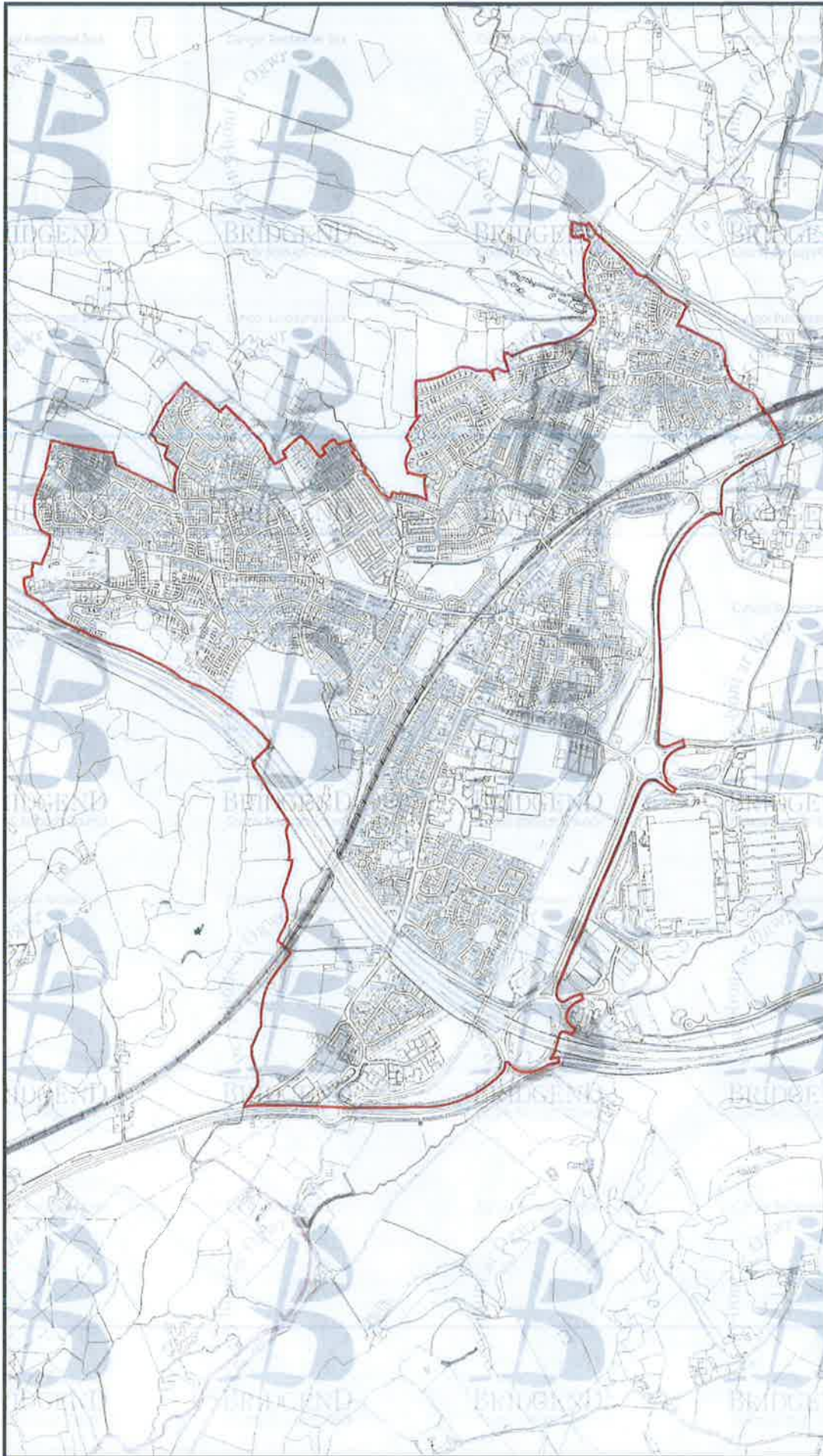
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Planning Department
Tel: (01656) 643176









Scale 1:10,000

@ printed size:
A3 Portrait

Date issued: 21/09/2009

**ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES
FOR THE AREA OF PENCOED ORDER No. 1, 2009**

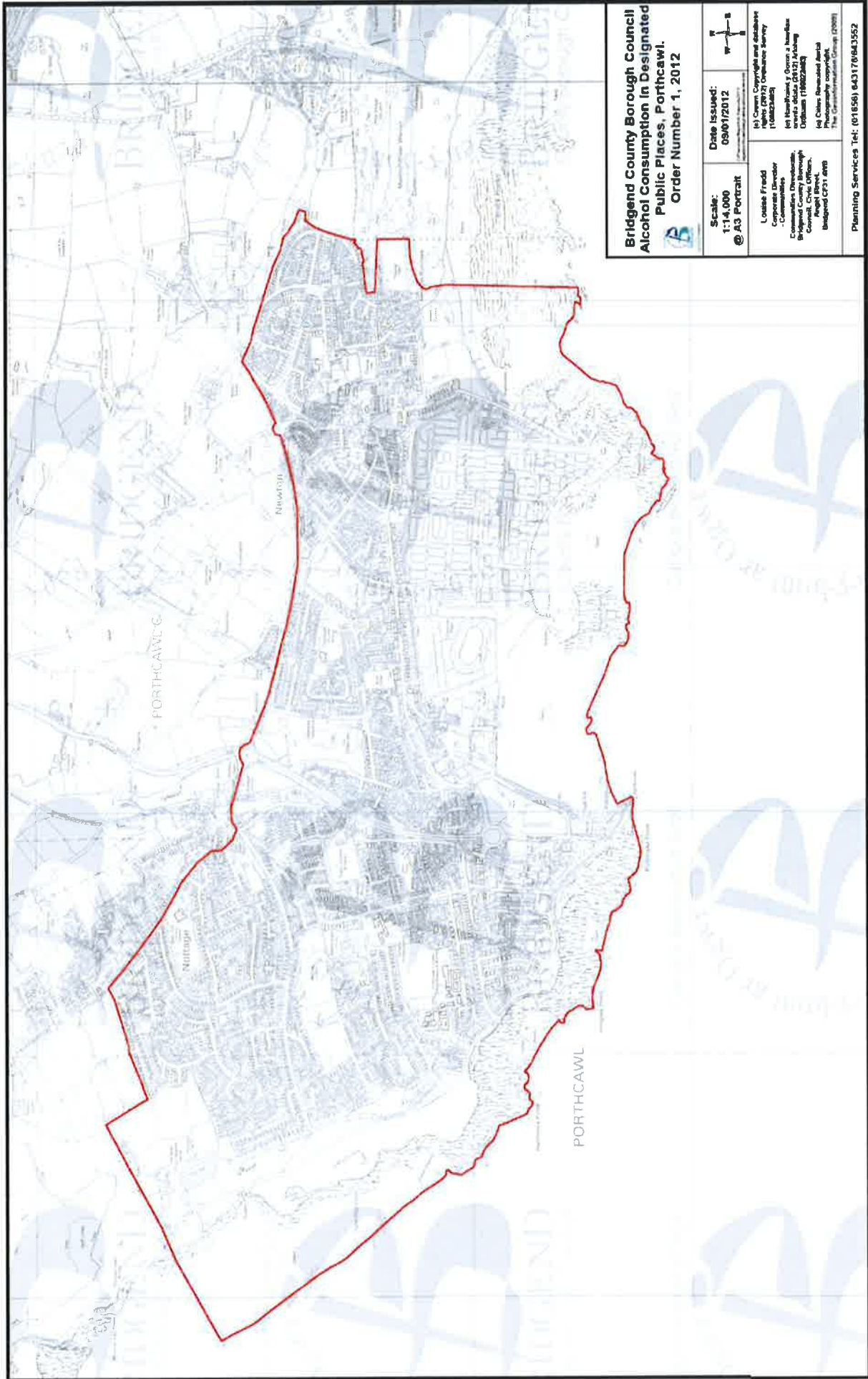
This plan is made under the provisions of the Control of Alcohol (Designated Public Places) (Wales) Regulations 2009. It is made by the Council in exercise of its powers under section 11 of the Local Government Act 2002. It is made on 21/09/2009. It is made under the authority of the Council. It is made under the authority of the Council.

Louise Ffardd
Corporate Director - Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB

Planning Services
Tel: (01656) 643176





Bridgend County Borough Council
Alcohol Consumption in Designated
Public Places, Porthcawl.
Order Number 1, 2012

Scale:
 1:14,000
 @ A3 Portrait

Date Issued:
 09/01/2012

Loise Fredd
 Corporate Director
 - Communities
 Communities Development
 Services
 Council, Civic Offices,
 Porth Street,
 Bridgend CF31 4WB

Date Issued:
 09/01/2012

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 (104832469)

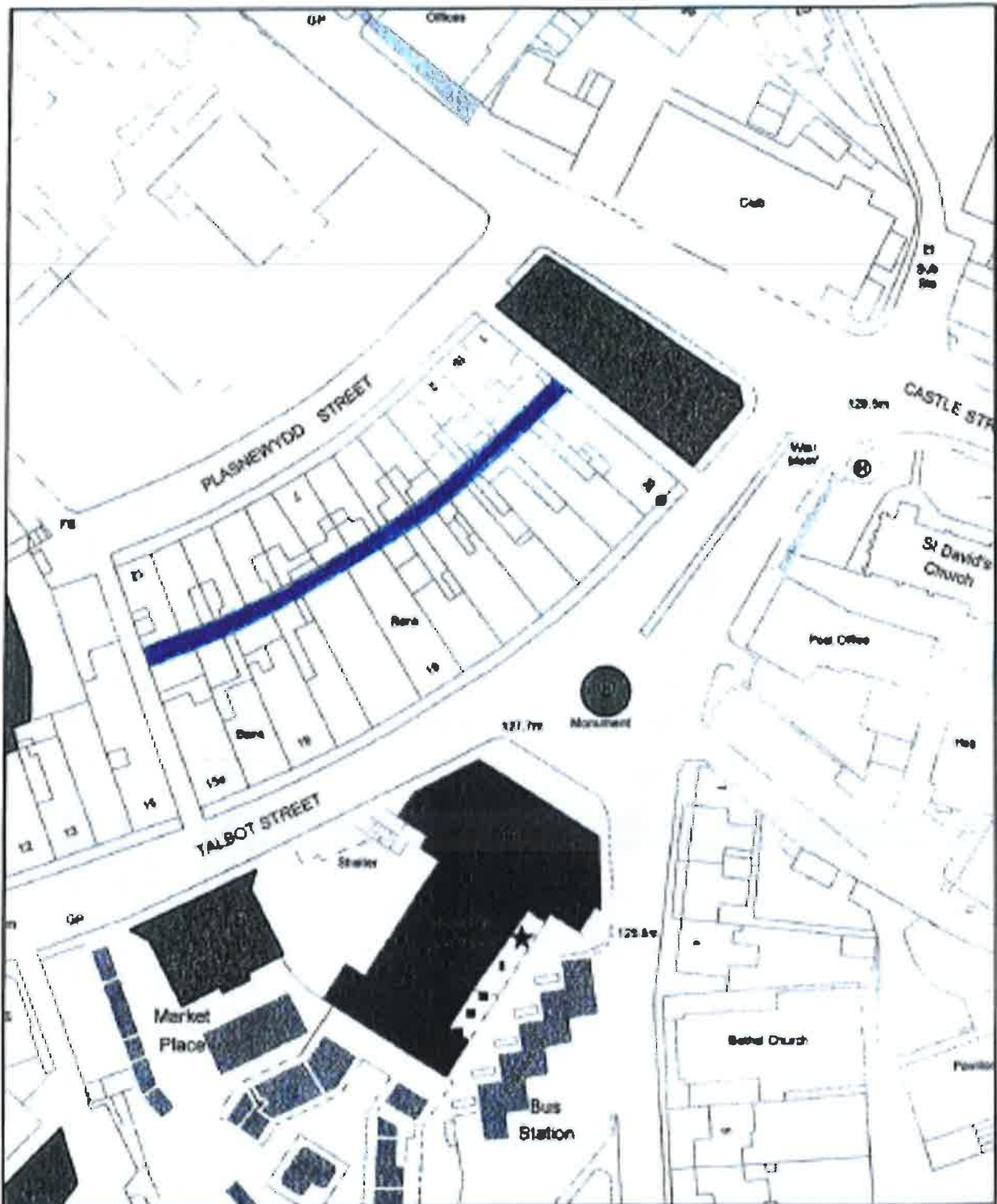
Map Downloaded & Edited
 by: (09/01/2012) Aishling
 (104832469)


Map Created and Updated
 by: (09/01/2012) Aishling
 (104832469)

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Planning Services Tel: (01856) 643170/64352









Jo Ferrar
 Chief Executive,
 Office of the Chief Executive

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Scale 1:800
 Time of plot:
 16:38
 Date of plot:
 30/06/2009

Plot generated by:
 robth.
 Department







Bridgend Community Safety Partnership

Pen-y-bont ar Ogwr
Mwy Diogel



Safer Bridgend

www.saferbridgend.org.uk

Public Space Protection Order

Consultation Report

Contents

Analysis of on line Survey3

Letter to consultees6

List of consultees8

Equality Data9

Public Space Protection Orders – Consultation Summary

33 took part in the survey

82% residents
9% visitors
6% councillors
3% other

Below are the findings from the consultees that answered the questions

Bridgend Town Centre

20 said Yes to re-introducing the order
5 said No to re-introducing the order

23 agreed to the extended area to include Coity Road
2 did not agree

16 stated they lived within a mile radius of the specified area
9 stated they did not

4 indicated they were aware of current restricted activities in a public space
20 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

‘People hanging around outside pubs’

‘Youngsters drinking and when intoxicated damaging play area of the young people communities’

‘Young people congregating, consuming alcohol, asb’

‘Begging and people under the influence of drugs’

Maesteg

15 said Yes to re-introducing the order
2 said No to re-introducing the order

7 stated they lived within a mile radius of the specified area
10 stated they did not

Replace Gating order

6 agreed the gate should remain
11 did not

5 stated they lived within a mile radius of the specified area
12 stated they did not

3 indicated they were aware of current restricted activities in a public space

14 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

‘Number of young people on bikes around Llynfi Surgery and carpark’

‘Drinking, noise and violence caused by drink, verbal abuse to members of the public’

'Lack of Police presence, youth drinking/smoking in public area such as Garth Park (Maesteg)'

'Begging and people in the street under the influence of drugs'

Caerau

11 said Yes to re-introducing the order

1 said No to re-introducing the order

4 stated they lived within a mile radius of the specified area

8 stated they did not

3 indicated they were aware of current restricted activities in a public space

9 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

'People hanging around on street corners'

'Drinking, noise and violence caused by drink, verbal abuse to members of the public'

'Begging, people under influence of drugs'

Replace Gating order

4 agreed the gate should remain

8 did not

4 stated they lived within a mile radius of the specified area

8 stated they did not

3 indicated they were aware of current restricted activities in a public space

9 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

'Young people racing around in cars – too fast and noisy'

'Drinking, noise and violence caused by drink, verbal abuse to members of the public'

'Begging'

Pencoed

7 said Yes to re-introducing the order

3 said No to re-introducing the order

2 stated they lived within a mile radius of the specified area

8 stated they did not

2 indicated they were aware of current restricted activities in a public space

8 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

'Drinking, noise and violence caused by drink, verbal abuse to members of the public'

'Begging'

Porthcawl

11 said Yes to re-introducing the order

5 said No to re-introducing the order

7 stated they lived within a mile radius of the specified area

9 stated they did not

2 indicated they were aware of current restricted activities in a public space

14 indicated they were not

Comments regarding activities that have a detrimental effect on quality of life

'Noisy neighbours'

'Litter in Newton beach area'

'Flying tipping in lanes'

'Begging and people in the street under influence of drugs'



Dear Consultee

Anti-social behaviour, Crime and Policing Act 2014 Public Space Protection Order

Bridgend County Borough Council is seeking your views on proposals to create Public Space Protection orders (PSPO) to:

- a) Prohibit the drinking of alcohol in specified areas
- b) To limit public access to parts of the highway by installing a gate which is locked at specified times.

PSPO's are designed to stop individuals or groups committing anti-social behaviour in a public space. They are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area, which apply to everyone.

They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. They can be enforced by a police officer, police community support officers and council officers.

Breach of a PSPO is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate, or following a conviction in Court a person can receive a fine of up to £1,000.

Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue

A PSPO can be issued if the Council are satisfied that the activities carried out in a public space:

- i. have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- ii. is, or is likely to be, persistent or continuing in nature;
- iii. is, or is likely to be, unreasonable; and
- iv. justifies the restrictions imposed

The Orders, if approved, are scheduled to become effective from 14 October 2017 and will:

- Replace the 5 existing Designated Public Places Order
- Extend the area covered by the existing Designated Public Place Order in Bridgend to include Coity Road, up to the entrance to the Princess of Wales Hospital. This will extend the zone in which police have powers to confiscate alcohol from people drinking in a public area where nuisance or annoyance to members of the public, or disorder have been associated with the consumption of intoxicating liquor in that place.
- Replace the existing Gating Order in Maesteg
- Replace the existing Gating Order in Caerau

Copies of the existing Designation Public Places orders and maps can be found [here](#)

Copies of the existing Gating orders including maps can be found [here](#)

The results of the consultation exercise will be reported to a full meeting of Council, before a decision is taken on whether to implement the PSPO.

The consultation will be open until 13.11.17

Response to the consultation can be made via the following ways

Complete the on line survey [here](#)

By email to consultation@bridgend.gov.uk

In writing to

Consultation, Engagement and Communications Team
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Yours sincerely

Martin Morgans
Head of Performance and Partnership Services

Appendix 4

Name	Organisation	Add2	Add3	Replies	Support PSPO Y/N
Chief Superintendent	South Wales Police	Queen Street	Bridgend		
Neighbour Inspector	South Wales Police	Brackla Street	Bridgend	1	y
Partnership Inspector	South Police	Queen Street	Bridgend		
Assistant Police and Crime Commissioner	Police and Crime Commissioner	Queen Street	Bridgend		
Corporate Director Communities	Bridgend County Borough Council	Civic Offices	Angel Street		
Town Centre Manager	Bridgend County Borough Council	Civic Offices	Angel Street		
Head of Service Neighbourhood Services	BCBC	Civic Offices	Angel Street		
Clerk to the Council	Bridgend Town Council				
Group Manager Properties	BCBC	Civic Offices	Angel Street		

Clerk to the Council	Maesteg Town Council	Talbot Street	Maesteg	1	y
Clerk to the Council	Pencoed Town Council	Salem Chapel Vestry	Coychurch Road		
Clerk to the Council	Porthcawl Town Council	24 Victoria Avenue	Porthcawl	3	y
	Bridgend Traders Forum				
	CF31 Bridgend BID				
	Bridgend Pub Watch/BBAC				
	Porthcawl Chamber of Trade				
	Porthcawl Pub Watch	Pier Hotel			

Equality Responses

33% of the consultees that took part in the survey were happy to complete the equalities questions
67% did not complete the equalities questions

Below are the findings from the consultees that answered the questions

64% described their nationality as Welsh
9% described their nationality as English
27% described their nationality as British

100% selected white as their ethnic group

27% stated they had no religion or belief
64% stated they were Christian
9% preferred not to say

64% male
36% female

73% indicated their gender was that assigned at birth
27% did not answer

36% indicated they were not pregnant and had not given birth in the last 26 weeks

91% stated their sexual orientation was heterosexual/straight
9% preferred not to say

9% stated they were single
55% stated they were married
18% stated they were partnered
18% stated they were widowed

9% indicated that they were a carer
82% indicated they were not a carer
9% preferred not to say

82% stated they could not speak Welsh at all
18% stated they could speak Welsh a little

91% stated they could not read Welsh at all
9% stated they could read Welsh a little

91% stated they could not write Welsh at all
9% stated they could write Welsh a little

27% provided their contact details

Equality impact assessment (EIA) screening form

Please refer to the [guidance notes](#) when completing this form.

This form has been developed to help you to identify the need for EIA when developing a new policy, strategy, programme, activity, project, procedure, function or decision (hereafter all understood by the term policy). You must also complete this form when reviewing or revising existing policies. It will also help to prioritise existing policies that may need to undergo a full EIA.

Unless they are 'screened out' following this initial prioritisation process, policies **will** be required to undergo full EIA in priority order. Refer to the **above** guidance notes on when an equality screening should happen, and some initial principles to bear in mind when getting started.

No new or revised policy should be approved unless an equality screening and, if required, a full EIA has taken place.

The following sections must be completed for all new policies:

Name of policy being screened:

Public Space Protection Orders

Brief description of the Policy:

PSPO's are designed to stop individuals or groups committing anti-social behaviour in a public space. They are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour

Does this policy relate to any other policies?

Public Space Protection Orders replace Designated Places Orders, Dangerous Dog Orders and Gating orders

What is the aim or purpose of the policy?

The responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords. The Home Office has reformed the anti-social behaviour powers to give professionals increased flexibility they need to deal with any given situation

Who is affected by this policy (e.g. staff, residents, disabled people, women only?)

Individuals who commit anti-social behaviour. Individuals and businesses who experience, or who are the victims of anti-social behaviour

Who is responsible for delivery of the policy?

Bridgend Community Safety Partnership

The following sections must be completed for all policies being reviewed or revised:

Is this a review of an existing policy?

Public Space Protection Orders replace existing Designated Public Places Orders, Dangerous Dog Orders and Gating Orders

If this is a review or amendment of an existing policy, has anything changed since it was last reviewed?

South Wales Police have requested an extension of the area covered by the street alcohol powers to include from the bottom on Coity Road to the entrance to the Princess of Wales Hospital

Has an EIA previously been carried out on this policy?

No

If an EIA exists, what new data has been collected on equality groups since its completion?

N/A

Screening questions

1. Is this policy an important or 'large scale' function, and/or is it likely the policy will impact upon a large number of staff, residents and/or contractors?

Yes✓

2. Is it possible that any aspect of the policy will impact on people from different groups in different ways? (See guidance for list of 'protected characteristics' to consider)

Characteristic	Yes	No	Unknown	Explanation of impact
Age	✓			<p>Older people tend to feel vulnerable to incidences of anti-social behaviour. There is anecdotal evidence that reducing ASB may have a positive effect on older people's feeling of safety</p> <p>Young people are also adversely affected by ASB. But there is evidence that incidents of ASB perpetrated by Young People is higher than other age groups. While there is evidence of young people committing ASB, there is also anecdotal evidence that there is less tolerance towards young people, especially in groups. Therefore there may be a risk that young people are unfairly accused of ASB</p>
Disability	✓			Reducing anti-social behaviour could reduce the number of 'hate instances' experienced by disabled people
Gender reassignment	✓			Hate instances could also affect individuals undergoing gender reassignment. Reducing ASB in the

				identified areas might have a positive effect on this.
Pregnancy and maternity			✓	
Race	✓			Reducing ASB could reduce the number of hate incidences relating to race. It could also encourage more people to use the specified areas
Religion/belief			✓	Reducing ASB could reduce the number of hate incidents relating to religion/belief
Sex		✓		There is little evidence to suggest one gender is more likely to be affected by ASB than another
Sexual orientation	✓			There are some reports of ASB relating to sexual orientation
Civil Partnerships and Marriage		✓		

Yes

No

Unknown
(Guidance)

Please expand on your answer:

Anti-social behaviour can also cover issues such as hate instances rather than hate crimes and these will impact on several of the protected characteristic groups. Reducing anti-social behaviour in the specified areas could help encourage more people with protected characteristics to use town centres and the other specified areas.

3. What is the risk that any aspect of the policy could in fact lead to discrimination or adverse effects against any group of people? (See guidance for list of protected characteristics?)

It is possible that young people and others could be unfairly accused of Anti-social behaviour. The issuing of fixed penalty notices (PNDs) to young people and individuals already in poverty may not succeed in reducing ASB and may result in escalation through the criminal justice system

Bridgend Community Safety Partnership will monitor this through their regular meetings.

What action has been taken to mitigate this risk? Guidance

Police Officers and other officers with the powers to issue fixed penalty notices will receive guidance and training on the appropriate issuing of fixed penalty notices

Please expand on your answer:

Guidance and training to be provided to police officers and other relevant personnel
 Updates on training, number of incidences and data on number of notices issued to be provided to Bridgend Community Safety partnership meetings

4. Could any aspect of the policy help BCBC to meet the main public sector duties? Bear in mind that the duty covers 9 protected characteristics.

Guidance

Duty	YES	NO	Unknown
Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act			x
Advance equality of opportunity between persons who a relevant protected characteristic and persons who do not share it	x		
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	x		

Please set out fully your reasoning for the answers given to question 4 including an awareness of how your decisions are justified.

Reduction of Anti-Social behaviour in town centres and other specified areas should encourage more people with protected characteristics to visit and use the areas and feel safe doing so.

5. Could any aspect of this “policy” assist Bridgend County Borough Council with its compliance with the Welsh Language Standards and the Welsh Language (Wales) Measure 2011 which are to consider:-

- whether the policy would impact on people’s opportunity to a) use the Welsh language in a positive or negative way and b) treat both languages equally;
- how the policy could be changed to have a positive effect or increase the positive effect on a) people’s opportunity to use the Welsh language and b) treating both languages equally;
- how the policy could be changed to minimise or remove any adverse effects on a) people’s opportunity to use the Welsh language and b) treating both languages equally.

Consultation on Public Space Protection Orders will be fully bi-lingual. All materials produced will be bi-lingual. Each area covered by a Public Space Protection Order will need signs outlining the restrictions in place to be prominently displayed. This signage will all be bi-lingual

6. Are you aware of any evidence that different groups have different needs, experiences, issues and/or priorities in relation to this policy?

Yes ✓

If 'yes', please expand:

There is some evidence that older people, disabled people and people from the Lesbian, Gay, Bisexual, and Transgender communities are disproportionately affected by anti-social behaviour. Reducing anti-social behaviour is likely to have a positive effect on these groups. Consideration will need to be given to the effect of issuing fixed penalty notices to young people and people living in poverty.

7. Is this policy likely to impact on Community Cohesion?

A reduction in anti-social behaviour is likely to encourage more people to feel safer when using town centres and other specified areas. This may encourage people to share facilities, experiences and venues and improve community cohesion

Conclusions

8. What level of EIA priority would you give to this policy? (Guidance)

MEDIUM - full EIA within one year of screening

Please explain fully the reasons for this judgement including an awareness of how your decisions are justified.

Medium: The full EIA to be carried out using the findings of the 12 week statutory consultation

7. Will the timescale for EIA be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

The recommendations and proposals from the consultation will be made to cabinet in October.

(Guidance)

8. Who will carry out the full EIA?

Community Safety Partnership in conjunction with the Consultation and Engagement team and BCBC Equalities Officer

EIA screening completed by: Judith Jones

Date: 16 June 2017

When complete, this initial screening form and, if appropriate, the full EIA form must be sent to Paul Williams.

Full Equality Impact Assessment

Name of project, policy, function, service or proposal being assessed:	Public Space Protection Order
Date assessment completed	

At this stage you will need to re-visit your initial screening template to inform your discussions on consultation and refer to guidance notes on completing a full EIA

1. Consultation

	Action Points
Who do you need to consult with (which equality groups)?	Effective engagement with all equality groups will help monitor the effectiveness of the PSPO
How will you ensure your consultation is inclusive?	The CSP will work closely with BCBC Consultation and Engagement Team to ensure effective inclusivity

<p>What consultation was carried out? Consider any consultation activity already carried out, which may not have been specifically about equality but may have information you can use</p>	<p>Public Consultation via on line survey Invitation to respond to consultation sent to all statutory consultees</p> <p>No areas of concern raised</p> <p>Face to face meeting with Bridgend Hate Forum</p> <p>Face to face meeting with Bridgend Community Safety Partnership</p>	<p>Equalities responses received</p> <p>33% of the consultees that took part in the survey were happy to complete the equalities questions 67% did not complete the equalities questions</p> <p>Below are the findings from the consultees that answered the questions</p> <p>64% described their nationality as Welsh 9% described their nationality as English 27% described their nationality as British</p> <p>100% selected white as their ethnic group</p> <p>27% stated they had no religion or belief 64% stated they were Christian 9% preferred not to say</p> <p>64% male 36% female</p> <p>73% indicated their gender was that assigned at birth 27% did not answer</p>
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	<p>36% indicated they were not pregnant and had not given birth in the last 26 weeks</p> <p>91% stated their sexual orientation was heterosexual/straight 9% preferred not to say</p> <p>9% stated they were single 55% stated they were married 18% stated they were partnered 18% stated they were widowed</p> <p>9% indicated that they were a carer 82% indicated they were not a carer 9% preferred not to say</p> <p>82% stated they could not speak Welsh at all 18% stated they could speak Welsh a little</p> <p>91% stated they could not read Welsh at all 9% stated they could read Welsh a little</p> <p>91% stated they could not write Welsh at all 9% stated they could write Welsh a little</p> <p>27% provided their contact details</p>
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Record of consultation with people from equality groups

Group or persons consulted	Date, venue and number of people	Feedback, areas of concern raised	Action Points																												
<p>Bridgend Hate Forum</p> <table border="1" data-bbox="683 1104 1390 1552"> <thead> <tr> <th data-bbox="683 1339 715 1552">Name:</th> <th data-bbox="683 1104 715 1339">Organisation:</th> </tr> </thead> <tbody> <tr> <td data-bbox="715 1339 778 1552">Cheryl Griffiths (Chair)</td> <td data-bbox="715 1104 778 1339">South Wales Police</td> </tr> <tr> <td data-bbox="778 1339 842 1552">Dave Lawrence</td> <td data-bbox="778 1104 842 1339">South Wales Police</td> </tr> <tr> <td data-bbox="842 1339 906 1552">Yaina Samuels</td> <td data-bbox="842 1104 906 1339">EYST / All Wales BAME</td> </tr> <tr> <td data-bbox="906 1339 970 1552">Hannah Richards</td> <td data-bbox="906 1104 970 1339">Community Safety Partnership BCBC</td> </tr> <tr> <td data-bbox="970 1339 1034 1552">Irene Blower</td> <td data-bbox="970 1104 1034 1339">Community Safety Partnership BCBC</td> </tr> <tr> <td data-bbox="1034 1339 1098 1552">Pat Jones</td> <td data-bbox="1034 1104 1098 1339">ABFABB / New LEGACY</td> </tr> <tr> <td data-bbox="1098 1339 1161 1552">Ffion Jones</td> <td data-bbox="1098 1104 1161 1339">Victim Support</td> </tr> <tr> <td data-bbox="1161 1339 1225 1552">Sue Cunningham</td> <td data-bbox="1161 1104 1225 1339">BCBC Housing /SP</td> </tr> <tr> <td data-bbox="1225 1339 1289 1552">Kerry Morgan</td> <td data-bbox="1225 1104 1289 1339">BCBC Housing</td> </tr> <tr> <td data-bbox="1289 1339 1353 1552">Zenda Caravaggi</td> <td data-bbox="1289 1104 1353 1339">BCBC YOS</td> </tr> <tr> <td data-bbox="1353 1339 1390 1552">Gaynor Griffiths</td> <td data-bbox="1353 1104 1390 1339">BCBC PSB</td> </tr> <tr> <td data-bbox="1390 1339 1426 1552">Helen Hammond</td> <td data-bbox="1390 1104 1426 1339">BCBC PSB</td> </tr> <tr> <td data-bbox="1426 1339 1461 1552">Dai Rees</td> <td data-bbox="1426 1104 1461 1339">South Wales Police</td> </tr> </tbody> </table>	Name:	Organisation:	Cheryl Griffiths (Chair)	South Wales Police	Dave Lawrence	South Wales Police	Yaina Samuels	EYST / All Wales BAME	Hannah Richards	Community Safety Partnership BCBC	Irene Blower	Community Safety Partnership BCBC	Pat Jones	ABFABB / New LEGACY	Ffion Jones	Victim Support	Sue Cunningham	BCBC Housing /SP	Kerry Morgan	BCBC Housing	Zenda Caravaggi	BCBC YOS	Gaynor Griffiths	BCBC PSB	Helen Hammond	BCBC PSB	Dai Rees	South Wales Police	<p>5 December 2017</p>	<p>When considering the relevance to equality, members were asked to discuss whether the Public Space Protection Order is likely to impact differentially on any particular group of people they support.</p> <p>All members agreed that there were no issues of potential impact from the</p>	
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2. Assessment of Impact

Based on the data you have analysed, and the results of consultation or research, consider what the potential impact will be upon people with protected characteristics (negative or positive). If you do identify any adverse impact you **must**:

- a) **Liaise with the Engagement Team who may seek legal advice as to whether, based on the evidence provided, an adverse impact is or is potentially discriminatory, and**
- b) **Identify steps to mitigate any adverse impact – these actions will need to be included in your action plan.**

Include any examples of how the policy helps to promote equality.

Gender	Impact or potential impact	Actions to mitigate
<p>Identify the impact/potential impact on women and men.</p>	<p>There is nothing to indicate this policy would have different impact on men or women.</p> <p>Gender is not expected to influence the actions of enforcement officers or the execution of the order. The process of enforcing the PSPO is solely focussed on the prohibition of the order. The process of applying the order will be the same for all</p>	<p>CSP to monitor the number of fixed penalty notices issued to identify any unexpected trends.</p> <p>Police Officers and other officers with the powers to issue fixed penalty notices will receive guidance and training on the appropriate issuing of fixed penalty notices</p> <p>Updates on training, number of incidences and data on number of</p>

		<p>notices issued to be provided to Bridgend Community Safety partnership meetings</p> <p>Vulnerable individuals of all ages to be referred to safeguarding</p>
<p>Disability</p> <p>Identify the impact/potential impact on disabled people (ensure consideration of a range of impairments, e.g. physical, sensory impairments, learning disabilities, long-term illness).</p>	<p>Impact or potential impact</p> <p>Disability is not expected to influence the actions of enforcement officers or the execution of the order</p> <p>Potential positive impact. Reducing anti-social behaviour has to potential to reduce the number of hate incidences relating to disability. It is hoped it will encourage disabled people to feel safer in the controlled areas.</p>	<p>Actions to mitigate</p> <p>As above</p>
<p>Race</p> <p>Identify the impact/potential impact of the service on Black and minority ethnic (BME) people.</p>	<p>Impact or potential impact</p> <p>Race is not expected to influence the actions of enforcement officers or the execution of the order. The process of enforcing the PSPO is solely focussed on the prohibition of the order. The process of applying the order will be the same for all</p>	<p>Actions to mitigate</p> <p>As above</p>

	<p>Potential positive impact. Reducing anti-social behaviour has the potential to reduce the number of hate incidences relating to race.</p>	
<p>Religion and belief</p> <p>Identify the impact/potential impact of the service on people of different religious and faith groups.</p>	<p>Impact or potential impact</p> <p>Religion and or faith is not expected to influence the actions of enforcement officers or the execution of the order. The process of enforcing the PSPO is solely focussed on the prohibition of the order. The process of applying the order will be the same for all</p> <p>Potential positive impact</p> <p>Reducing anti-social behaviour has the potential to reduce the number of hate incidences relating to religion/belief</p>	<p>Actions to mitigate</p> <p>As above</p>
<p>Sexual Orientation</p> <p>Identify the impact/potential impact of the service on gay, lesbian and bisexual people.</p>	<p>Impact or potential impact</p> <p>Sexual orientation is not expected to influence the actions of enforcement officers or the execution of the order. The process of enforcing the PSPO is solely focussed on the prohibition of the</p>	<p>Actions to mitigate</p> <p>As above</p>

	<p>order. The process of applying the order will be the same for all</p> <p>Potential positive impact.</p> <p>Reducing anti-social behaviour may have a positive impact on the LGBT community's feelings of safety in the controlled areas.</p>	
<p>Age</p>	<p>Impact or potential impact</p>	<p>Actions to mitigate</p>
<p>Identify the impact/potential impact of the service on older people and younger people.</p>	<p>Young people are adversely affected by ASB. But there is evidence that incidents of ASB perpetrated by Young People is higher than other age groups. While there is evidence of young people committing ASB, there is also anecdotal evidence that there is less tolerance towards young people, especially in groups. Therefore there may be a risk that young people are unfairly accused of ASB</p> <p>Reducing anti-social behaviour should have a positive impact on younger and older persons' feelings of safety</p>	<p>CSP to monitor the number of fixed penalty notices issued to identify any unexpected trends.</p> <p>Police Officers and other officers with the powers to issue fixed penalty notices will receive guidance and training on the appropriate issuing of fixed penalty notices</p> <p>Updates on training, number of incidences and data on number of notices issued to be provided to Bridgend Community Safety partnership meetings</p>

			Vulnerable individuals of all ages to be referred to safeguarding
Pregnancy & Maternity	Impact or potential impact		Actions to mitigate
	No adverse impact or potential impact is anticipated		As above
Transgender	Impact or potential impact		Actions to mitigate
	Transgender is not expected to influence the actions of enforcement officers or the execution of the order. The process of enforcing the PSPO is solely focussed on the prohibition of the order. The process of applying the order will be the same for all		As above
	Potential positive impact. Reducing anti-social behaviour may have a positive impact on transgender individuals' feelings of safety		
Marriage and Civil Partnership	Impact or potential impact		Actions to mitigate
	No adverse impact is anticipated		As above

Under the Welsh Language Standards, EIAs must also consider:

- whether the policy would impact on people’s opportunity to a) use the Welsh language in a positive or negative way and b) treat both languages equally;
- how the policy could be changed to have a positive effect or increase the positive effect on a) people’s opportunity to use the Welsh language and b) treating both languages equally;
- how the policy could be changed to minimise or remove any adverse effects on a) people’s opportunity to use the Welsh language and b) treating both languages equally.

Welsh Language	Impact or potential impact	Actions to mitigate
Identify the impact/potential impact on Bridgend County Borough Council, the Welsh Language, Welsh Culture, Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.	Each area covered by a Public Safety Protection will have signs outlining the restrictions in place prominently displayed. This signage will be bi-lingual with the Welsh version printed first.	

The following Section only applies where there is a potential impact (negative, positive or neutral) on children

United Nations Convention on the Rights of the Child (UNCRC)

The UNCRC is an agreement between countries which sets out the basic rights all children should have. The United Kingdom signed the agreement in 1991. The UNCRC includes 42 rights given to all children and young people under the age of 18. The 4 principles are:

1. Non-discrimination
2. Survival and development
3. Best interests
4. Participation

This section of the Full EIA contains a summary of all 42 articles and some will be more relevant than others, depending on the policy being considered however, there is no expectation that the entire convention and its relevance to the policy under review is fully understood. The Engagement Team will review the relevant data included as part of its monitoring process. The EIA process already addresses two of the principle articles which are non-discrimination and participation. This section covers “Best interests” and “Survival and development”.

Some policies will have **no direct impact** on children such as a day centre for older people.

Some policies will **have a direct impact** on children where the policy refers to a childrens’ service such as a new playground or a school.

Some policies will **have an indirect impact** on children such as the closure of a library or a cultural venue, major road / infrastructure projects, a new building for community use or change of use and most planning decisions outside individual home applications.

What do we mean by “best interests”?

The “Best interest” principle does not mean that any negative decision would automatically be overridden but it does require BCBC to examine how a decision has been justified and how the Council would mitigate against the impact (in the same way as any other protected group such as disabled people).

- The living wage initiative could be considered to be in the “Best interests”. The initiative could potentially lift families out of poverty. Poverty can seriously limit the life chances of children.
- The closure of a library or cultural building would not be in the “Best interests” of children as it could limit their access to play, culture and heritage (Article 31.)

Please detail below the assessment / judgement of the impact of this policy on children aged 0 – 18. Where there is an impact on “Best interests” and “Survival and development”, please outline mitigation and any further steps to be considered.

Impact or potential impact on children aged 0 - 18	Actions to mitigate
N/A	

It is essential that you now complete the action plan. Once your action plan is complete, please ensure that the actions are mainstreamed into the relevant Service Development Plan.

3. Action Plan

Action	Lead Person	Target for completion	Resources needed	Service Development plan for this action
E.g. Information about the service to be available in BSL video on the website	Service manager	End of financial year	£XX Staff time?	X Service Plan

Please outline the name of the independent person (someone other than the person undertaking the EIA) countersigning this EIA below:

Martin Morgans, Head of Partnerships and Performance

Please outline how and when this EIA will be monitored in future and when a review will take place:

The EIA will be monitored by the Community Safety Partnership Executive and will be reviewed annually and/or following changes in legislation

Signed:

Date:

4. Publication of your results and feedback to consultation groups

It is important that the results of this impact assessment are published in a user friendly accessible format.

It is also important that you feedback to your consultation groups with the actions that you are taking to address their concerns and to mitigate against any potential adverse impact.

Please send completed EIA form to Paul Williams, Equality Officer

**PUBLIC CONSULTATION PUBLIC
SPACES: PROTECTION ORDER
CONTROL OF DOGS**

Consultation report

Date of issue: 6 March 2019

Contents

1. OVERVIEW.....	3
2. INTRODUCTION.....	3
3. PROMOTIONAL TOOLS AND ENGAGEMENT METHODS.....	4
4. RESPONSE RATE.....	4
5. HOW EFFECTIVE WAS THE CONSULTATION?.....	4
6. HEADLINE FIGURES.....	5
7. QUESTION AND ANALYSIS - CONSULTATION SURVEY.....	5
8. EMAILS, SOCIAL MEDIA AND LETTER COMMENTS.....	12
9. CONCLUSION.....	13
10. APPENDIX ONE.....	14
11. APPENDIX TWO.....	16

1. OVERVIEW

This consultation followed a proposal to make a Public Spaces Protection Order (PSPO) to tackle dog fouling and other dog related issues.

A previous PSPO was imposed in October 2017 which placed restrictions on the consumption of alcohol in Bridgend town centre, Caerau and Maesteg, Pencoed and Porthcawl. This PSPO was created in areas where Gating Orders and Designated Public Place Orders (DPPOs) had previously existed and these migrated to PSPOs under the Anti-social Behaviour, Crime and Policing Act 2014.

The Anti-social Behaviour, Crime and Policing Act 2014 came into force on the 14 October 2014. Under s.75 the Act made provision for DPPOs; Gating Orders and Dog Control Orders (where in existence) to remain valid for three years from the 14 October 2014 at which point, on the 14 October 2017, they were converted under the Act to PSPOs.

It is proposed that the council will introduce a further PSPO, potentially introducing prohibitions and requirements in relation to the control of dogs including:

- **Proposal one:** Dog Fouling – applicable to all public places in Bridgend county borough;
- **Proposal two:** Removing faeces - a requirement that the person in charge of the dog must have bags or other suitable means of removing the faeces with them;
- **Proposal three:** Dogs on leads by direction - applicable to all public places in Bridgend county borough;

The council, in making a PSPO, may specify the amount of fixed penalty fine payable in respect of any breach at no more than £100.

A public consultation outlining these proposals was undertaken over a twelve week period following presentation of the proposals to Cabinet in July 2018. The consultation received 1078 responses from the consultation survey and by using the authority's Citizens' Panel. This paper details the analysis associated with the consultation.

2. INTRODUCTION

A public consultation based on Bridgend county borough council's Public Spaces Protection Order (PSPO) to tackle dog fouling and other dog related issues was conducted over a twelve week period between 5 December 2018 and the 26 February 2019. The survey was available to complete online on the consultation page of the council's website and residents could also request a paper copy or another alternative format by telephone or email. The survey was available in English and Welsh as standard and accessible versions.

In total, there were 13 questions which required a reply from respondents; all questions in the survey were optional. All survey responses offered the option of anonymity. The council's standard set of equalities monitoring questions were also included with the survey, as is now recommended good practice for all public facing surveys carried out by the council.

The content of the consultation remains available online in closed consultations.

Comments regarding the consultation were also invited via letter, email and phone call.

3. PROMOTIONAL TOOLS AND ENGAGEMENT METHODS

This section details the specific communications and engagement methods used to reach people and encourage them to share their views during the consultation period.

3.1 Social media and online

Facebook and Twitter have widely been used to promote the consultation.

Information was posted to the council's corporate Twitter and Facebook accounts 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 11,117 followers on its corporate Twitter accounts and 11,703 on Facebook. During the period, the authority 'tweeted' eight times and the information was seen 18,106 times. One post was made to the council's Facebook page, which reached 11,725 people.

3.2 Local press

A press release entitled "Should irresponsible dog owners be fined?" was issued on 7 December. This was issued to BBC, ITV, Sky, Bridge FM and Media Wales.

<https://www.bridgend.gov.uk/news/should-irresponsible-dog-owners-be-fined/>

3.4 Community engagement

The Bridgend Coalition of Disabled people requested that the Consultation and Engagement team attend their meeting in February 2019 to enable members to complete the survey using clicker pads. Seven attendees completed the survey at the meeting.

4. RESPONSE RATE

In total, there were 1168 interactions, representing 0.8 per cent of the Bridgend County Borough population. The response rate has been divided into several areas including: consultation survey responses, emails, letters and social media interactions:

- We received 1078 survey responses in total (983 online submissions and 95 paper versions);
- During the consultation period, there were 86 comments on our social media channels;
- Two comments were received by email;
- Two letters were received (appendix one and two)

5. HOW EFFECTIVE WAS THE CONSULTATION?

The Public Spaces Protection Order (PSPO) to tackle dog fouling and other dog related issues consultation was conducted over an twelve week period during which a range of marketing methods were used to create awareness of the consultation and encourage members of the public to engage with the council.

The social demographic data reflects a good cross section of the county borough's population.

The data collection methods, which include the online survey, a paper survey and an accessible survey, were all developed using plain English to maximise understanding. These response methods were designed to give a consistency to the survey across multiple platforms.

6. HEADLINE FIGURES

- 93% (999) of respondents said they agreed with **proposal one**: To introduce the prohibition on dog fouling under the PSPO. If a dog defecates on land to which a relevant PSPO applies, and the person in charge of the dog fails to remove the faeces from the land, then they will be in breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance will be £100.
- 83% (900) of respondents said they agreed with **proposal two**: To introduce into the PSPO a condition that if a person in charge of a dog does not have appropriate bags or other suitable means of picking up and removing the faeces for proper disposal with them, this is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.
- 77% (822) of respondents said they agreed with **proposal three**: To introduce into the PSPO a condition that a person in charge of a dog who fails to comply with a reasonable direction given to them by an authorised officer of the council to put and keep the dog on a lead for such period/or in such circumstances as directed by the officer. Failing to comply with the direction is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.
- 50% (544) of respondents said they were a dog owner
- 66% (362) of respondents, who said they owned dog, owned one dog
- 30% (455) of respondents said they currently walk their dog on open green space
- 41% (445) of respondent said they dispose of their dog waste in a street bin

7. QUESTION AND ANALYSIS - CONSULTATION SURVEY

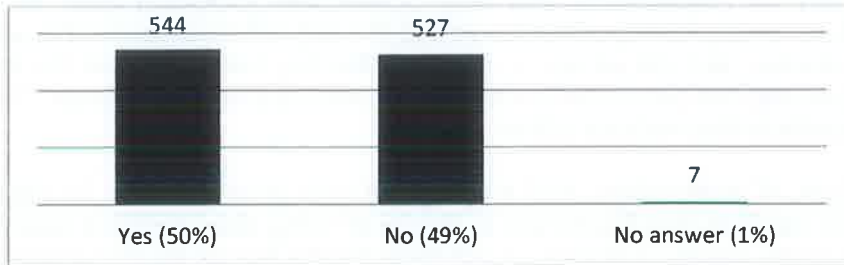
Section seven of the report looks at the questions asked in the consultation survey – with 1078 respondents in total.

7.1 Please select a language to begin the survey.

Respondents to the consultation survey were initially asked in which language they would like to complete the survey. Overall, 99.6% of respondents selected English with 0.4% selecting Welsh.

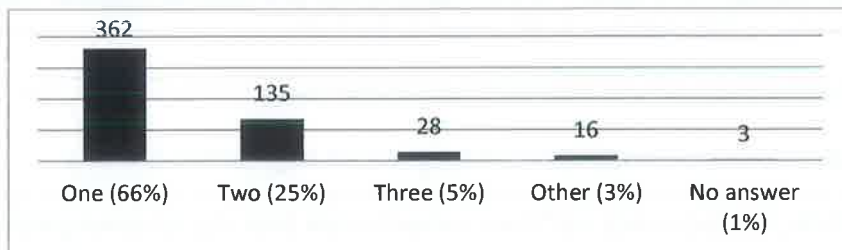
Language	#	%
English	1074	99.6
Welsh	04	0.4
Total	1078	100.0

7.2 Are you a dog owner or dog walker?



1071 respondents answered this question. 50% (544) of respondents said they owned or walked a dog, 49% (527) of respondents said they did not own or walk a dog and 1% (7) did not answer this question.

7.3 How many dogs do you walk?

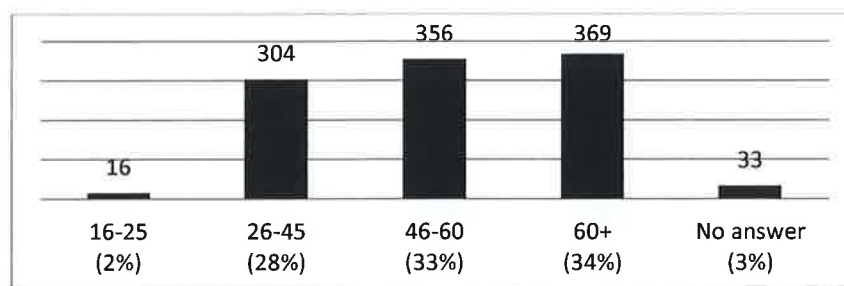


If respondents answered that they did own or walk a dog they were asked how many dogs they walked. Of the 544 respondents that said they owned or walked a dog 66% (362) said they had one dog, 25% (135) said they had two dogs, 5% (28) said they had three dogs and 3% (16) gave an 'other' response.

Of the 16 respondents who chose 'other', 15 respondents commented on their dog walking. The table below outlines the comments made:

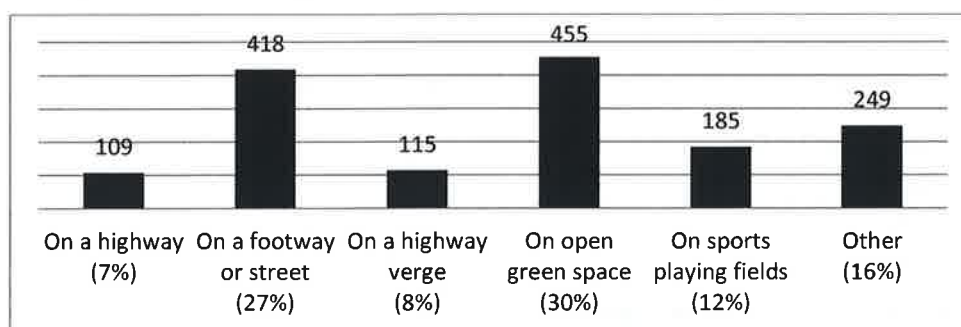
I walk four dogs	8
I walk five dogs	1
I walk six dogs	3
I walk seven dogs	1
It varies	1
Look after family dogs	1

7.4 What is your age group?



(1045) respondents answered this question. 3% (33) of respondents did not answer this question. The graph shows that 2% (16) of respondents were aged 16-25, 29% (304) of respondents were aged 26-45, 34% (356) were aged 46-60 and 35% (369) were aged 60+.

7.5 Where do you currently walk your dog?

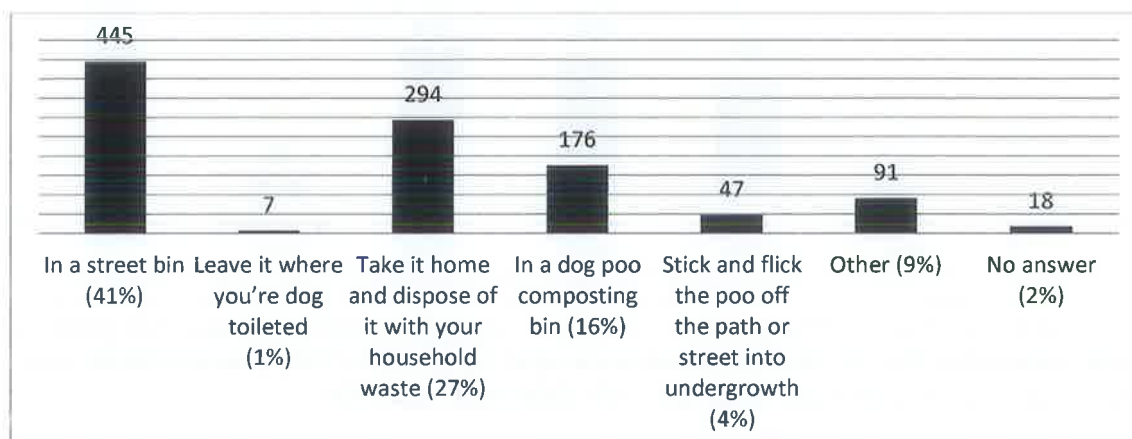


This was a multiple choice question which meant respondents could choose more than one answer. The graph shows that a third (455) of respondents walk their dog(s) on open green space, 27% (418) walk their dog on a footway or street and 16% (249) of respondents chose 'other'.

Of the 16% (249) respondents that chose 'other', 231 respondents made comments. The table below outlines what comments were made:

Beach / sand dunes	116
Don't have a dog	63
Forest / Woods	18
Bridal / Cycle paths	11
Parks / Playing fields	11
Countryside	9
Private land	7
Nature reserve	5
River	4
Numerous places	3
Cemetery	2
Action petz (indoor dog park)	2

7.6 How do you currently dispose of your dog waste?

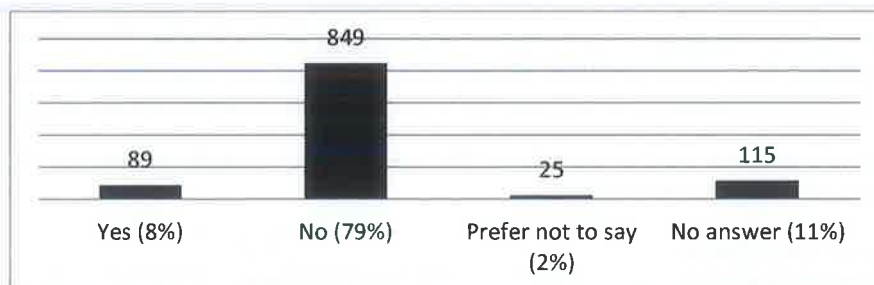


The graph shows that 41% (445) of respondents dispose of their dog waste in a street bin, 27% (294) take it home and dispose of it in their household waste and 16% (176) use a dog poo composting bin.

9% (91) of respondents chose 'other'. The table below highlights what comments were made:

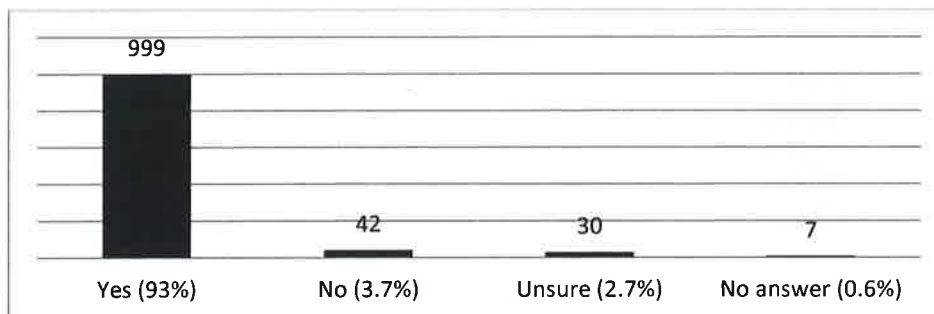
Don't have a dog	28
Dog poo bins	4
Bin	2

7.7 Do you consider yourself to be disabled?



The graph shows that 79% (849) of respondents said they did not consider themselves to be disabled. 8% (89) of respondents said yes, they did consider themselves to be disabled, 2% (25) chose the 'prefer not to say option' and 11% (115) did not answer this question.

7.8 Do you agree with proposal one: To introduce the prohibition on dog fouling under the PSPO. If a dog defecates on land to which a relevant PSPO applies, and the person in charge of the dog fails to remove the faeces from the land, then they will be in breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance will be £100.



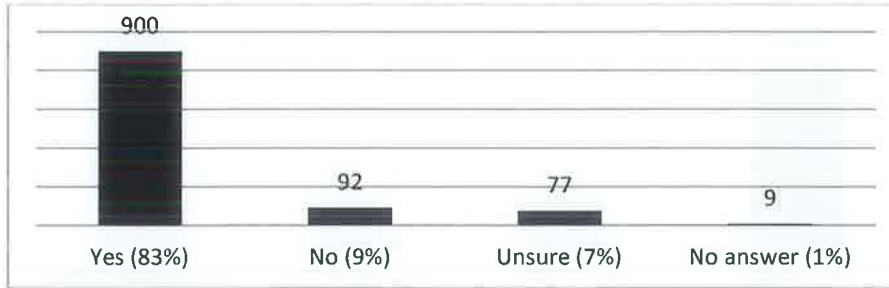
The graph shows that 93% (999) of respondents agree with proposal one, 3.7% (42) disagreed, 2.7% (30) were unsure and 0.6% (7) did not answer this question.

7.9 Do you have any comments in relation to proposal one?

Following the proposal respondents were given the opportunity to comment on the proposal. 317 respondents made a comment. The comments received were themed and are outlined in the table below:

Agree with proposal	128
Difficult to police	83
Fine is too low	29
Ban dogs from playing fields	15
Council should provide more dog waste bins	10
Disagree with proposal	9
Should apply everywhere not just PSPO land	9
Fine is too high	7
General query	7
Dog may have diarrhoea	6
Caution first then a fine	5
Criminal offence is excessive	4
Signage is confusing	4
More rules for dog ownership (licensing)	4

7.10 Do you agree with proposal two: To introduce into the PSPO a condition that if a person in charge of a dog does not have appropriate bags or other suitable means of picking up and removing the faeces for proper disposal with them, this is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.



The graph shows that 83% (900) of respondents agree with proposal two, 9% (92) disagreed, 7% (77) were unsure and 1% (9) did not answer this question.

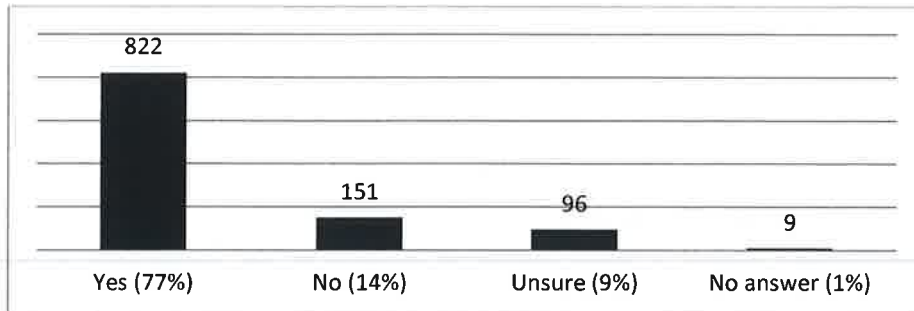
7.11 Do you have any comments in relation to proposal two?

Following the proposal respondents were given the opportunity to comment on the proposal. 317 respondents made a comment. The comments received were themed and are outlined in the table below:

Agree with proposal	80
Difficult to police	50
Could use all bags by end of walk	35
Disagree with proposal	32
Council need to provide more dog waste bins	20
Dog may go to the toilet more than once or twice	15
Caution first then a fine	14
Fine is too low	9
Criminal offence is excessive	6
Council should provide dog poo bags	7
Fine is too high	6
More rules for dog ownership (licenses)	2
General query	1
Signage is confusing	1

7.12 Do you agree with proposal three: To introduce into the PSPO a condition that a person in charge of a dog who fails to comply with a reasonable direction given to them by an authorised officer of the council to put and keep the dog on a lead for such period/or in such circumstances as

directed by the officer. Failing to comply with the direction is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.



The graph shows that 77% (822) of respondents said they agreed with proposal three, 14% (151), 14% (151) disagreed, 9% (96) were unsure and 1% (9) did not answer this question.

7.13 Do you have any comments in relation to proposal three?

Following the proposal respondents were given the opportunity to comment on the proposal. 312 respondents made a comment. The comments received were themed and are outlined in the table below:

Agree with proposal	108
Don't understand/need more information on proposal	78
Policing issue/ difficulty enforcing	45
Dogs should be allowed off lead in designated areas	25
Higher fines	20
Disagree with proposal	14
Dogs should always be on the lead	7
Areas should be signposted	6
Lower fines	4
Should be an appeals procedure	3
Dogs should be banned from playing fields	1

7.14 Do you have any other comments?

Agree with proposals/fine	192
Will have an enforcement/policing issue	76
More bins/signage	57
Dogs should be banned on playing fields	44
Should have off lead areas	27
Should have higher fines	17
Need more information on proposals	16
Education rather than fines	15

Disagree with proposals	14
Public should be able to report	7
Council should focus on other issues	6
Should have lower fines	1
Feedback on the survey	1

8. EMAILS, SOCIAL MEDIA AND LETTER COMMENTS

Additional comments were invited by letter, phone call or email as well as via our corporate social media channels during the consultation period.

8.1 Email and letter comments

Additional responses received by letter (two) and email (two) during the live period have been themed. The letters contained multiple themes, these are detailed in the table below:

RSPCA agrees that it should be an offence if dog owners do not pick up their dog faeces
There should be promotion of dog poo bins
Experience knowledge and training of officer imposing fines be sufficient and able to signpost the owner for further advice regarding their dogs behaviour
Encourage local authority to take proactive measures to promote responsible ownership
Concerns over making it an offence to not have the means to pick up
Effective communication essential
Erection of appropriate signage
Ban dogs from playing fields
We need dog parks

8.2 Social media comments

We received 86 comments over social media during the live period, these have been themed and are detailed in the table below:

Council needs to provide more bins
Agree with proposal
Already an offence
Caution first then a fine
Difficult to police
Disagree with proposal
Dog mess is an issue
Explore alternative options
Fine is too low
Issues with other animal mess
Why is this only highlighted as an issue now?

Should provide dog poo bags
It's not all dog owners
Complaint about recycling being late

9. CONCLUSION

A sample of 1078 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 $\pm 3\%$ 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 47% and 53%.

9.1 Equality Impact Assessment

The EIA screening informed the development of the consultation questionnaire. This consultation should assist the completion of the Full Equality Impact Assessment and the breakdown of equalities data from those respondents who provided it has been supplied to the service area.

9.2 Proposal to make a Public Spaces Protection Order (PSPO) to tackle dog fouling and other dog related issues

Overall the proposals within this consultation were supported by the survey respondents as follows:

- 93% of respondents said they agreed with **proposal one** (999 respondents);
- 83% of respondents said they agreed with **proposal two** (900 respondents);
- 77% of respondents said they agreed with **proposal three** (822 respondents).

10. APPENDIX ONE



Consultation Response

FROM THE RSPCA IN WALES

Consultation response: Bridgend Council Proposed Public Spaces Protection Order - Control of Dogs

January 2019

RSPCA Cymru is responding to Bridgend County Borough Council's consultation on the proposed Public Space Protection Order (PSPOs) - Control of Dogs, in the areas that are relevant to our work.

We welcome the fact the the Council has decided not to include a condition of banning dogs from certain areas, especially marked sports pitches and that the PSPO is being used sparingly and in a manner that is proportionate to the problem, in accordance with guidance, and not as a blanket ban that punishes the responsible majority in an effort to tackle problems created by an irresponsible few.

Do you agree with proposal one: To introduce the prohibition on dog fouling under the PSPO. If a dog defecates on land to which a relevant PSPO applies, and the person in charge of the dog fails to remove the faeces from the land, then they will be in breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance will be £100.

RSPCA Cymru understands that dog fouling is a major issue for towns and cities across Wales. Therefore, in order to increase responsible dog ownership and improve the relationship between dog owners and the wider community, the RSPCA agrees that it should be an offence for an owner not to clean up their dog's faeces. RSPCA Cymru would urge the Council to look at educational or promotional schemes around responsible dog ownership in areas where dog fouling is a regular issue, such as Conwy Council's 'Keep it Clean - No Messing' ambassador scheme, which works with local people to reduce instances of dog fouling and other forms of littering. RSPCA Cymru submitted a 'Review of Responsible Dog Ownership in Wales'¹ to the Welsh Government in 2016, containing recommendations on improving responsible dog ownership.

As stated Council's website and in the consultation document, dog owners are able to put dog waste in the council's bins however, generally, many dog owners are unaware that this is the case and we would encourage the Council to help promote this fact to dog owners to help reduce the amount of dog faeces in bags left along footpaths and in hedges. This promotion would also help to encourage all dog owners to clear up their dog's faeces.

Do you agree with proposal two: To introduce into the PSPO a condition that if a person in charge of a dog does not have appropriate bags or other suitable means of picking up and removing the faeces for proper disposal with them, this is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.

As with the first requirement for dog owners to pick up their dog's faeces, RSPCA Cymru believes that this will help to improve responsible dog ownership.

Do you agree with proposal three: To introduce into the PSPO a condition that a person in charge of a dog who fails to comply with a reasonable direction given to them by an authorised officer of the council to put and keep the dog on a lead for such period/or in such circumstances as directed by the officer.

¹ <http://politics.animal.org.uk/wp-content/uploads/2016/03/Responsible-Dog-Ownership-Review-March-2016.pdf>

www.RSPCA.cymru www.politics.animal.wales	PAGE 1	externalaffairs.cymru@rspca.org.uk 0300 123 8910
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Failing to comply with the direction is a breach of the PSPO which is a criminal offence. The fixed penalty fine payable in this instance is proposed to be £100.

To ensure that this condition is administered appropriately and in a proportionate manner, RSPCA Cymru would like to see that the experience, knowledge and training of the officer imposing the condition is sufficient to ensure the welfare of the dog is not compromised and that they give advice to ensure that the dog is still able to be regularly exercised off the lead. Where required, the officer should be able to signpost the owner to someone appropriate for further advice regarding their dog's behaviour.

Many dogs enjoy interacting and playing with other people and animals, and it is important that they are able to express normal behaviour off the lead. Being walked off the lead and being able to meet, play and interact with new animals and people are important aspects of ensuring the welfare needs of dogs are met and that they are safe within a community. Being able to meet, play and interact appropriately and adequately is particularly important for puppies to ensure they develop into well adjusted happy individuals. Where this is not allowed, or done incorrectly, problems can occur which include fear and aggression. RSPCA Cymru does recognise that not all dogs will be well-socialised and may find other animals or people threatening and where this is known then they should be encouraged to seek advice about their dog's behaviour and apply measures to ensure their dog doesn't pose concern to the community e.g remain on a lead but this should be done on a risk-based approach.

www.RSPCA.cymru www.politicalanimal.wales	PAGE 2	externalaffairs@cymru@rspca.org.uk 0300 123 8910
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11. APPENDIX TWO



THE KENNEL CLUB

Making a difference for dogs

**Kennel Club response to Bridgend County Borough Council Public Spaces Protection
Order consultation**

Submitted on 25 February 2019 by: The Kennel Club, Clarges Street, Piccadilly, London
W1J 8AB, tel: 020 7518 1020, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities, the Kennel Club runs a dog owners group KC Dog which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively. The exception to this is when there is a clear indication from the landowner to the contrary.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Dog fouling - requirement to be in possession of means to pick up

Whilst the Kennel Club supports proactive efforts on behalf of local authorities to encourage responsible dog ownership and to ensure that those who are not picking up after their dogs are brought to book, this has to be fair and proportionate and we would not like to see responsible dog owners penalised unfairly.

The Kennel Club has concerns over proposals to introduce an offence of not having the means to pick up. Responsible owners will usually have dog waste bags or other means to clear up after their pets but we do have some concerns, for example, if dog owners are approached at the end of a walk and have already used the bags that they have taken out for their own dog, or given a spare bag to someone who has run out, a behaviour that is encouraged by Green Dog Walker schemes.

Furthermore, it is perfectly plausible that these proposals in certain circumstances would perversely incentivise dog walkers not to pick up after their dog. Should a dog walker on witnessing their dog fouling realise they are down to their final poo bag (or other receptacles), they will be forced into a decision of whether to use the bag and risk being caught without means to pick up, or risk not picking up in order to retain a means to pick up should they be stopped later on their walk. It is perfectly reasonable to assume that a proportion of dog walkers would choose the second option if they thought this was the least likely route to being caught. Especially if the penalty for not picking up was the same as not having means to pick up. Local authorities may wish to consider introducing a clause which provides an exemption for dog walkers who have run out of bags but can prove that they were in possession of and made use of bags (or other suitable receptacles) during their walk.

If such a measure is introduced it is essential that an effective communication campaign is launched in the local area to ensure that people are aware of the plans and have an excess supply of dog waste bags with them, so that it is the right people who are getting caught. Additionally, appropriate signage should be erected to inform those who are not familiar with the local rules are not unfairly caught out.

We are also concerned how easily local authorities could enforce this law when trying to define whether or not dog owners have 'a means' of picking up after the dogs, without risking the expense of legal challenge. In the absence of poo bags owners trying to flout the law could theoretically point to any number of items on their person that they intend to use, so we think that the most effective spot checks you can carry out are those that catch offenders in the act of not picking up, rather than second guessing behaviours on the basis of what they are or are not carrying with them.

Alternatively, to avoid a fine an irresponsible owner could simply tie one bag to his or her dog's lead or collar but never actually use it.

Cornwall council considered introducing a means to pick up order but subsequently decided against it as they deemed it to be disproportionate and concluded that the requirement would be 'toothless', as it would be highly unlikely to be enforceable in a magistrates court. Please see the attached Cornwall Council report for more details.

If the Council proceeds to introduce such a measure it is essential it provides greater clarity to dog walkers on how to comply with the Order.

Dogs on lead by direction

The Kennel Club strongly welcomes 'dogs on lead by direction' orders, as these allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst allowing the local authority powers to restrict dogs not under control.

We would recommend that the authorised officer enforcing the order is familiar with dog behaviour in order to determine whether restraint is necessary. There is a danger that, through no fault of its own, a dog could be a 'nuisance' or 'annoyance' to another person who simply does not like dogs.

We would also recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can also help those people whose dogs run out of control due to them not having the ability to train a reliable recall.

Assistance dogs

We welcome the reference to include exemptions for those who rely on assistance dogs.

We would urge the Council to review the Equality and Human Rights Commission guidance for businesses and service providers –

<https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>

A number of well-known assistance dog providers are members of Assistance Dogs UK. This umbrella group, currently has eight member organisations which can be viewed here - <http://www.assistedogs.org.uk/>. However, it is important to note that the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations, and may change during the currency of the PSPO, it also does not provide for owner trained assistance dogs. We would therefore encourage the Council to allow some flexibility when considering whether a disabled person's dog is acting as an assistance dog.

The Council could consider adopting the definitions of assistance dogs as used by Mole Valley District Council which can be found on page 4 of this document - [https://www.molevalley.gov.uk/media/pdf/1/b/83072 - Completed PSPO.pdf](https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf)

Appropriate signage

It is important to note that in relation to PSPOs the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 make it a legal requirement for local authorities to –

"cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to –

- (i) the fact that the order has been made, extended or varied (as the case may be); and

(ii) the effect of that order being made, extended or varied (as the case may be).*

While all dog walkers should be aware of the requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

With specific regard to the proposed means to pick up measure this type of law will be unfamiliar to dog walkers and prominent signage explaining the exact requirements expected of dog walkers, not all of whom will be local residents, should be erected in any area where the measure is to be enforced.

**Public Spaces Protection Order Dog Control
Bridgend County Borough Council**

Notice is hereby given that Bridgend County Borough Council ('the Council') proposes the following Public Spaces Protection Order under Sections 59 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act').

1. The Order shall come into operation on and shall have an effect for 3 years thereafter, unless extended by further order under the Council's statutory powers.

2. This Order relates to all public open spaces throughout the borough and is specified on the attached plan ("the Restricted Area"). This is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Proposed Order.

3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely that Anti-Social behaviour and criminal activities have been carried out within the Restricted Area. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.

4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be of a persistent or continuing nature and that these activities are unreasonable and justify the restriction imposed by this Order and that it is in all the circumstances expedient to make this order for the purpose of reducing crime and/or anti-social behaviour in a public place.

5. The Proposed Order may be cited as the Bridgend County Borough Council Public Spaces Protection Order Dog Control covering all public open spaces within the borough.

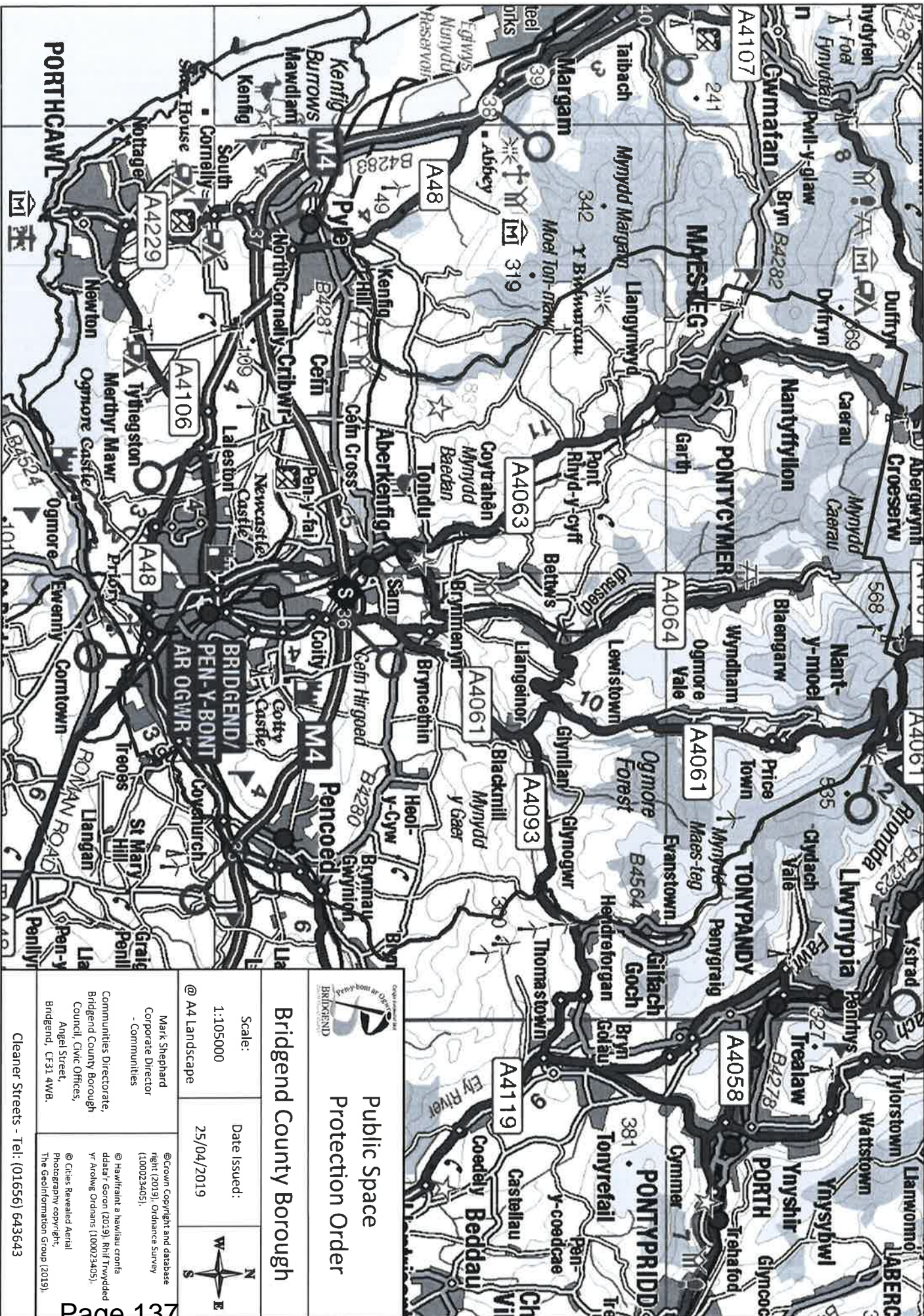
By this Proposed Order

6. The effect of this Order is to impose the following conditions on the use of the land:-

- a) Person(s) within the Restricted Area will collect and dispose of the faeces of dogs within their control by removing it and depositing the dog faeces in a bag which should be left in a litter bin or taken home
- b) Person(s) within the Restricted Area who have dogs within their control must carry bags or other suitable means for the collection of dog faeces

c) Person(s) within the Restricted Area must when requested to do so by an Authorised Officer place dogs in their control on a lead. The Authorised Officer must specify the location and duration covered by a direction given under Paragraph 6 (C) of this Order.

7. The restrictions in Article 6 of this Order shall not apply to Disabled persons as defined by the Equality Act 2010 where the person suffers from a disability which would prevent them from collecting their dog faeces.





 Public Space
 Protection Order

Bridgend County Borough
 Scale: 1:105000
 Date Issued: 25/04/2019

@ A4 Landscape
 Mark Shephard
 Corporate Director
 - Communities
 Communities Directorate,
 Bridgend County Borough
 Council, Civic Offices,
 Angel Street,
 Bridgend, CF31 4WB.

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APPENDIX C Equality Impact Full Assessment

<p>Name of project, policy, function, service or proposal being assessed:</p>	<p>CONSULTATION ON PUBLIC SPACES PROTECTION ORDER CONTROL OF DOGS</p>
<p>Date EIA Screening assessment completed:</p>	<p>10th July 2018</p>
<p>Full assessment date for completion (from EIA screening):</p>	<p>26TH March 2019</p>

At this stage you will need to re-visit your initial screening template to inform your consultation and refer to guidance notes on completing a full EIA

Consultation

	Method	Action Points
<p>Who do you need to consult with (which equality groups)?</p>	<p>Public consultation. Available to all residents, including local community, equality and diversity Groups</p>	<p>Consultation went live on 5th December 2018 to 26th February 2019. Online, paper and accessible versions in Welsh and English were available throughout the consultation period.</p>
<p>How will you ensure your consultation is inclusive?</p>	<p>Consultation survey forms were available online and at 12 local libraries across the county of Bridgend and at Bridgend Bus Station. Citizens' Panel were informed of consultation. Articles in Gem and Wales on line. Social media posts on twitter and Facebook.</p>	<p>Information circulated on social media regularly throughout the consultation period. (Facebook and Twitter) Hard copies and posters made available at local libraries. Residents could also request a paper copy. Information shown on council website and use of local press to advertise the consultation</p>

<p>What consultation was carried out? Consider any consultation activity already carried out, which may not have been specifically about equality but may have information you can use</p>	<p>It had been agreed in Cabinet meeting on 17th July 2017 that the council would undertake a public consultation in order to ensure all views were obtained in relation to the introduction of a PSPO for dog control and dog fouling.</p> <p>A survey was developed in line with national consultation guidance which enabled residents to provide their feedback on the proposals.</p>	<p>Circulating questionnaire through Council's Citizen Panel, local groups, organisations and visiting appropriate groups</p>
<p>Survey responses as well as social media, phone, email and letter responses The Bridgend Coalition of</p> <p>In total, there were 1168 interactions, representing 0.8 per cent of the Bridgend County were received and analysed.</p>		

Record of consultation with people from equality groups

Group or persons consulted	Date/venue and number of people	Feedback/areas of concern raised	Action Points
Bridgend Coalition of Disabled People	February 2019	Advised attendees of the on-going consultation in respect of PSPO Dog Controls 7 people completed the survey.	The group were assisted in completing the surveys.
Citizens' Panel	All members of the Citizens Panel were made aware of the consultation	At the beginning of this consultation there were 1685 Citizens' Panel members.	n/a

Assessment of Impact

Based on the data you have analysed, and the results of consultation or research, consider what the potential impact will be upon people with protected characteristics (negative or positive). Include any examples of how the policy helps to promote equality. If you do identify any adverse impact you **must seek legal advice as to whether, based on the evidence provided, an adverse impact is or is potentially discriminatory, and identify steps to mitigate any adverse impact – these actions will need to be included in your action plan.**

	Impact or potential impact	Actions to mitigate
Gender	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Disability	<p>89 respondents (8%) considered themselves to have a disability and generally accepted the proposals.</p> <p>Only 1 responder suggested that disabled and blind persons should be exempt.</p>	<p>Disabled persons as defined by the Equality Act 2010 where the person suffers from a disability which would prevent them from collecting their dog faeces.</p>
Race	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A

Religion and belief	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Sexual Orientation	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Age	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Pregnancy & Maternity	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A

Transgender	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Marriage and Civil partnership	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A
Welsh language	<p>Removal or reduction of services would have a potentially negative impact on any members of the community.</p> <p>However, the consultation report does not give evidence to suggest that this group would be any more disproportionately affected than others.</p>	N/A

Equality Impact assessment Action Plan

It is essential that you now complete the action plan. Once your action plan is complete, please ensure that the actions are mainstreamed into the relevant Service Development Plan.

Action	Lead Person	Target for completion	Resources needed	Service Development plan for this action
Report to Cabinet	Service Manager	16 April 2019	£0	-

Include in Enforcement Contract	Service Manager	31 April 2019	Self-financing contract	-
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Please detail the name of the independent person (someone other than the person undertaking the EIA) countersigning this EIA below:

Countersigned:	Role:	Date:
ZAK SHELL	HEAD OF OPERATIONS - COMMUNITIES	26.03.19

Please outline how and when this EIA will be monitored in future and when a review will take place (max. three years):

Monitoring arrangements:	Date of Review:
MONTHLY MONITORING WITH THE EXTERNAL ENFORCEMENT CONTRACTOR	MAY 2019

Details of person completing the Full EIA:

Name:	Role:	Date:
SIAN HOOPER	CLEANER STREETS & WASTE CONTRACT MANAGER	26.03.19

Publication of a Full EIA and feedback to consultation groups

It is important that the results of this impact assessment are published in a user friendly accessible format.

It is also important that you feedback to your consultation groups with the actions that you are taking to address their concerns and to mitigate against any potential adverse impact.

When complete, this form must be signed off and retained by the service area. The Full EIA should be recorded as complete on share point (your business manager has access to share point). Where a full EIA is needed this should be included as an appendix with the relevant cabinet report and therefore available publically on the website.

If you have queries in relation to the use of this toolkit please contact the Equalities Team on 01656 643664 or equalities@bridgend.gov.uk

APPENDIX 9 – RESPONSE TO STATUTORY CONSULTATION

Sent: 07 May 2019 13:40

To: Joanne Choat

Subject: ASB, Crime and Policing Act 2014 - Public Space Protection Order Dog Control

Afternoon Joanne, with regards to your letter dated 25th April from Zak Shell addressed to our Divisional Commander Stuart Parfitt, please note that the Divisional Commander for the BCBC area is now Chie Superintendent Alun Morgan.

I confirm that neither C/Supt Morgan and Supt. Claire Evans have not issues in relation to the above correspondence.

Kind regards



Susan Vaulters

Archa Heigia Hysgrifennydd / Command Team Secretary

BCU Y Canol / Central BCU

Gorsaf Heddlu Heol y Frenhines / Queens Road Police Station

☎: 01656 679589 | Ext: 27217 / Mob: 07970 163828

📘 /SWPolice 📧 @SWPolice 🐦 @SWPolice 📺 /SWPTV

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 JUNE 2019

REPORT OF THE CORPORATE DIRECTOR : COMMUNITIES

SECTION 123 (2A) LOCAL GOVERNMENT ACT 1972 : DISPOSAL OF LAND AT THE GREEN / SALT LAKE CAR PARK, PORTHCAWL

1. Purpose of report

- 1.1 The purpose of this report is for Cabinet to decide whether or not the above Council owned land, which is classed as public open space, should be made available for disposal.

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate priority:
- 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 Members may recall that early in 2018 the Council acquired the third party leasehold ownership in Salt Lake car park and merged this with its freehold ownership, in order to enable it to take control of the redevelopment of the site.
- 3.2 Officers have been working on an outline plan to bring forward the comprehensive redevelopment of the site. As a first phase it is looking to bring forward the sale of land to a food retailer to act as a catalyst to the rest of the scheme and to generate capital receipts, which can be reinvested into the future phases of development on the remainder of the land.
- 3.3 There is a significant amount of preparatory work which needs to be undertaken in terms of planning, highways and infrastructure requirements and legal processes, in order to bring these sites forward for sale. One of the legal steps required is for the Council as land owner to consider whether or not the land constitutes public open space and if so, to publish its intention to dispose of this land, freehold or leasehold. The definition of public open space under:
- the Public Open Spaces Act 1906 means ‘ ..any land, whether inclosed or not, on which there are no buildings or of which not more than one-twentieth part is covered with buildings, and the whole or the remainder of which is laid out as a garden or is used for purposes of recreation, or lies waste and unoccupied..’.

- the Town and Country Planning Act 1990 definition of “open space” means ‘ any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground.

3.4 In common with many Council owned sites which have been sold, the land known as The Green and Salt Lake car park is considered to constitute public open space and therefore in accordance with statutory requirements the proposal to dispose of it needs to be advertised.

3.5 In accordance with Section 123 (2A) of the Local Government Act 1972, the Council has advertised its intention to dispose of “Land known as The Green, Salt Lake, situated between the Portway and Eastern Promenade, Porthcawl” (see attached plan in Appendix 1), by way of Notice for two consecutive weeks on 4th April 2018 and 11th April 2018 in the Glamorgan Gazette and on site. The Notice required any objections to the proposed disposal of the public open space to be made in writing no later than 30th April 2018.

4. Current Situation

4.1 Objections to the Proposal:

Six objections have been raised by individuals and local organisations (see appendix 2) which can be categorised as follows:

4.1.1 Objection 1 : The objector is concerned at the loss of public open space for housing development and building on much loved wilderness, a place of natural beauty and much needed flood plain. They are concerned that the sale of the freehold interest will be to an owner interested in making money and not in the best interest of Porthcawl.

4.1.2 Objection 2 : the objector is concerned that the disposal of the freehold to a developer will take place without scrutiny from Porthcawl Town Council to ensure adherence to the planned development of the sites and how this will be enforced.

4.1.3 Objection 3: the objector wants local councillors to be informed first and is unhappy at the potential purchaser being able to do whatever they want, irrespective of whether it will benefit regeneration of Porthcawl. They are concerned that there do not appear to be conditions on the sale and suggest that public consultation should take place to set these conditions, as the land is classed as public open space and is used and owned by Porthcawl residents.

4.1.4 Objection 4 : the objector was not aware that the land was designated as Public Open Space. They refer to Welsh Government Planning Policy Wales Technical Advice Note “Sport, Recreation and Open Space” and high density flat development requiring even greater protection of open space for recreational facilities. Along with reference to Para 4.1.25 of Bridgend LDP 2006-2021 Deposit plan which provides further guidance. They are concerned that insufficient land for amenity use will be allocated within the development.

They have proposed an alternative location for the food store and previously suggested that the proposed food store should be located on Council owned land in Dock Street instead of The Green.

They highlight that the Green's past history includes the inner dock swimming facilities and believe that future policy should be to develop this area as an outdoor recreational facility and not extinguish rights of access to public open space.

They are also concerned at lack of consultation with town councillors.

4.1.5 Objection 5: the objector is concerned at the loss of public open space and the resulting loss to the community

4.1.6 Objection 6: this objection relates to the sale of the land for use as a retail supermarket development, which will result in the loss of public open space, which would be a loss to the community. They believe that the location of the site is unsuitable for use as foodstore by pedestrians and those with mobility issues. They are also concerned regarding the level of bus services and public transport provision and the need for a new bus station.

4.2 Summary of the Objections

The key common themes regarding why objectors consider that the public open space should not be disposed can be summarised as:

- Loss of open space and the impact on the community;
- Lack of safeguarding ;of existing and future provision of recreational facilities
- Lack of consultation with the Town Council and others;
- Lack of control over the disposal and eventual development and use of the land;
- Concern that part of the site is not suitable for development as a foodstore (which is the proposed use for the northern portion) and suggested alternative locations for the food store.

4.3 Response to Objections

4.3.1 The paragraphs below provide a response to the above objections and the reasons why it may be appropriate to grant approval to the application to dispose of the site:

4.3.2 It should be noted, that from communication received from interested parties, there may have been some confusion regarding the identity and location of land which was included within the published notices. The Notice referred to "Land known as The Green, Salt Lake, situated between the Portway and Eastern Promenade, Porthcawl" but according to communications received there was an assumption that only an area known as "the Green" (which is the northern part of the site) was included. However, the plan referred to in the Notice which was available to be viewed at the Civic Offices (shown as appendix 2), and which clearly shows that it includes all of the land within the Council's ownership at The Green (the northern part of the overall site) and Salt Lake.

4.3.3 Loss of open space and the impact on the community:

The site is not laid out as formal public open space. A large portion of the site has been utilised as a roughly surfaced car park for many years – previously by a third party who held a long lease of the land - and currently by the Council. Much of the area known as The Green (and which is located at the Northern end of the site), has been utilised more recently as a long term site contractor's compound. So whilst the public have been able to access

and cross the sites at different times, they have not had exclusive use or right to do so. The main impact on the current use of the site will be the loss of the car park and this will need to be considered within the master planning for the site.

4.3.4 Lack of safeguarding of existing and future provision of recreational facilities:

As mentioned in the above paragraph, the site does not currently provide recreational facilities. Although the public can access the site, it's primary use is as a car park. The need for recreational facilities will be considered within the planning context and master planning of the site.

4.3.5 Lack of engagement with the Town Council and others:

The Notice is a precursor to enabling the Council to dispose of the above land. Currently the Council is preparing all of the background information relating to highways, planning, infrastructure, ground conditions, prior to marketing the site for sale.. The intention is to engage with others on the wider master planning for the site in due course.

There seemed to be a misunderstanding that the Council had already marketed the land and is in the process of finalising a sale, which is not the case.

4.3.6 Lack of control over the disposal and eventual development and use of the land:

As mentioned above, the Council has not yet marketed the sale of this site. The marketing pack will provide details on the likely acceptable planning uses and will set out the basis on which the Council is prepared to dispose of the land, whether this is by way of a freehold or long leasehold interest in the site. Heads of terms will then include any legal conditions and requirements ensuring the delivery of the development, the use of the site and the sale price generated, in order to ensure that the Council's interests are suitably protected.

4.3.7 Concern that the site is not suitable for development as a foodstore and suggested alternative locations:

This is not really a matter for consideration under Section 123(2A) of the Local Government Act 1972, as the process relates to the general principle of disposing of Council owned land, which is considered to be public open space and not its actual use by future purchasers.

As land owner the Council's view is that there is merit in retaining and enhancing the existing main public car park at Hillsborough Place and ensuring parking provision as close to the town centre as possible; rather than developing this site and relocating the car park elsewhere. However, any future proposed land use will be a matter which will be controlled and determined by the Council in its capacity as Planning Authority.

5. Effect upon policy framework and procedure rules

5.1 None

6. Equality Impact Assessment

6.1 There is no requirement to undertake an Equality Impact Assessment for property disposals.

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

- 7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment based on the 5 ways of working has been considered and there are no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed disposal of land at The Green and Salt Lake car park.

8. Financial implications

- 8.1 The capital receipt generated from the sale of this site could contribute towards the Council's capital programme and a significant proportion is to be re-invested into infrastructure improvements within the Porthcawl Regeneration area.

9. Recommendation

- 9.1 That Cabinet, having considered this Report and the objections received in response to the Notices published in accordance with Section 123(2A) of the Local Government Act 1972, authorises the disposal of land at The Green and Salt Lake car park, Porthcawl.

Zak Shell
Head of Operations – Community Services
Communities Directorate

Contact officer: Fiona Blick
Strategic Asset Management and Investment Manager

Telephone: (01656) **642702**

Email: **Fiona.blick@bridgend.gov.uk**

Postal address: Ravens Court offices, Brewery Lane, Bridgend address>

Background documents:

None

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BRIDGEND COUNTY BOROUGH COUNCIL

SECTION 123 (2A), LOCAL GOVERNMENT ACT 1972

**LAND KNOWN AS “THE GREEN”, SALT LAKE, SITUATED
BETWEEN THE PORTWAY AND EASTERN PROMENADE, PORTHCAWL**

NOTICE IS HEREBY GIVEN pursuant to Section 123(2A) of the Local Government Act 1972 that the Bridgend County Borough Council intends to dispose of its freehold interest in the above land which comprises “public open space”. A location plan of the land to be disposed of is available for inspection by members of the public at the Legal and Regulatory Services Department of Bridgend County Borough Council at the address given below during the Council’s normal office hours.

Any objections to the intended disposal must be made in writing by no later than 30th April 2019 addressed to The Head of Legal and Regulatory Services at the address given below.

Dated 4th April 2019

K Watson, Head of Legal and Regulatory Services – Chief Executive’s Directorate,
Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB

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CYNGOR BWRDEISTREF SIROL PEN-Y-BONT AR OGWR

ADRAN 123 (2A), DEDDF LLYWODRAETH LEOL 1972

**TIR A ADWAENIR FEL “THE GREEN”, SALT LAKE, WEDI’I LEOLI RHWNG Y
PORTWAY A PHROM Y DWYRAIN, PORTHCAWL**

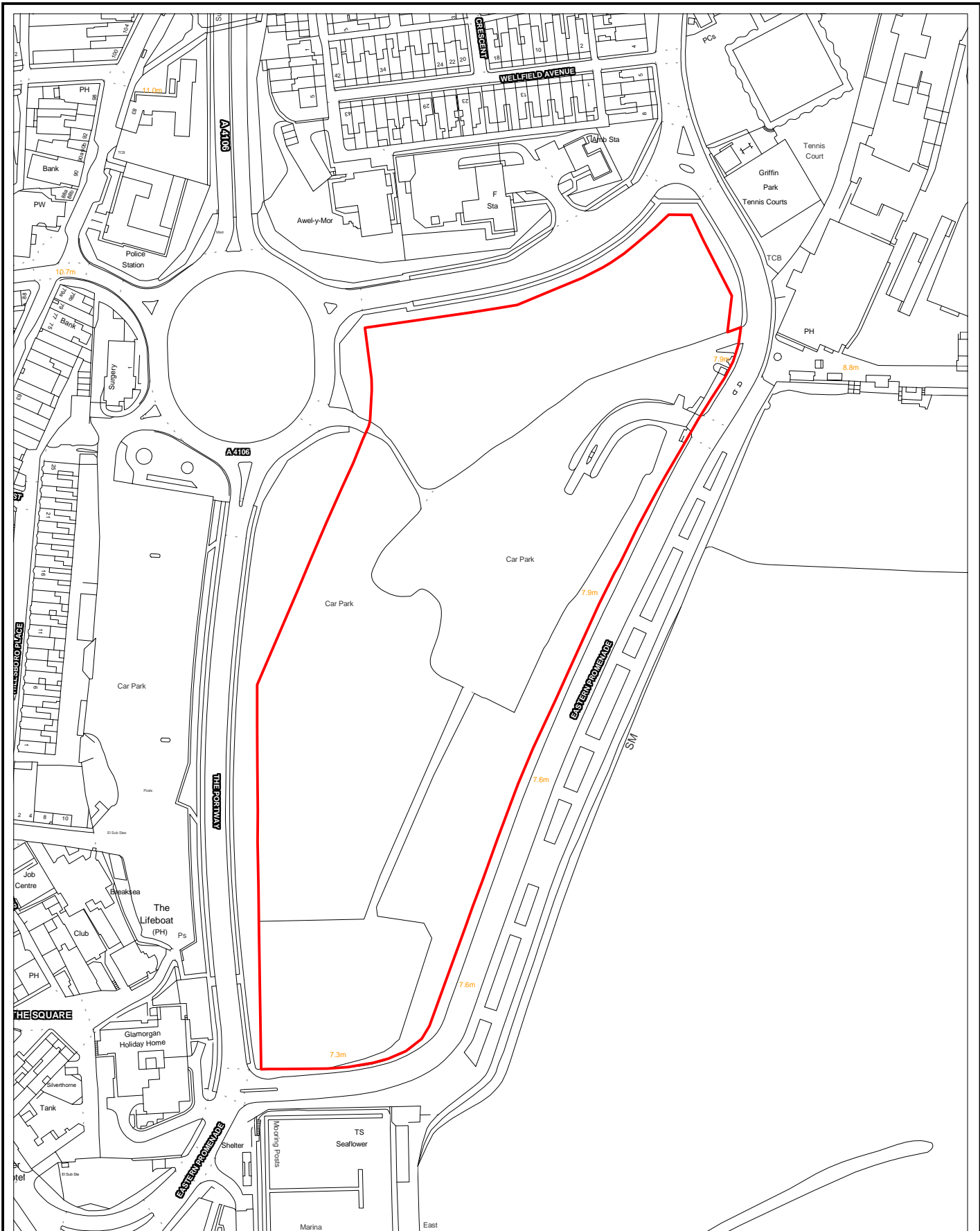
GWNEIR YR HYSBYSIAD HWN dan Adran 123(2A) o Ddeddf Llywodraeth Leol 1972bod Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr yn bwriadu cael gwared ar ei fuddiant rhydd-ddaliadol yn y tir uchod sy’n cynnwys “gofod agored cyhoeddus”. Mae’n bosibl i’r cyhoedd archwilio map lleoliad o’r tir sydd i’w waredu yn Adran Gwasanaethau Cyfreithiol a Rheoleiddiol Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr yn y cyfeiriad a roddir isod yn ystod oriau swyddfa arferol y Cyngor.

Rhaid gyrru unrhyw wrthwynebiad i’r bwriad i waredu’r tir yn ysgrifenedig erbyn 30 Ebrill fan bellaf. Dylid cyfeirio’r sylwadau at y Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol yn y cyfeiriad a roddir isod.

Dyddiedig 4 Ebrill 2019

K Watson, Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol – Cyfarwyddiaeth y Prif Weithredwr, Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr, Swyddfeydd Dinesig, Stryd yr Angel, Pen-Y-Bont Ar Ogwr CF31 4WB

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Cyngor Bwrdeistref Sirol
Teyrn-bont-ar-Ogwr
BRIDGEND
County Borough Council

BRIDGEND COUNTY BOROUGH COUNCIL

MARK SHEPHARD
Corporate Director - COMMUNITIES

Civic Offices
Angel Street
Bridgend CF31 4WB
Telephone (01656) 643643

**Former Salt Lake
Car Park Site, Porthcawl**

Plot Generated: Morgas15
Ref: PC1_2019_RO_032219

Scale 1 : 2500

Date 22/03/2019

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15 April 2019

K Watson
Head of Legal & Regulatory Services
Chief Executive's Directorate
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB



Re: Disposal of land at The Green Salt Lake, Porthcawl

Dear Ms Watson

Firstly, I would like to know why the first any Porthcawl councillor knew of this sale was when your notice appeared in a local newspaper. Surely BCBC has a duty to inform Porthcawl councillors of something that could have an extremely detrimental affect on their town's regeneration ?

I am appalled that BCBC plans to simply sell off this land, in effect giving any potential purchaser the opportunity to do as they please with it, irrespective of whether or not it will benefit Porthcawl's long-overdue regeneration. There do not appear to be any conditions on the sale of this land and I believe the public consultation promised by Cllr Charles Smith should have taken place first to set those conditions.

On this subject, could you please tell me when this public consultation will take place ?

The land in question was acquired by Porthcawl Urban District Council in the early 1960's and was therefore managed by this authority on behalf of the people of Porthcawl. It is classed as a public open space and is therefore used by residents and belongs to them.

I am amazed that BCBC has learned nothing from having to buy out a lease they granted on Salt Lake, that effectively thwarted any regeneration plans for generations. Without seeing any conditions attached to the sale or disposal of The Green, I cannot support your proposal.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Steve Maitland Thomas". The signature is written in a cursive style with a large initial 'S'.

Cllr Steve Maitland Thomas BA(Hons)
East Central Ward

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PORTHCAWL CIVIC TRUST SOCIETY

Registered Charity No 515757 Founded 1970

Hon. Secretary: Caroline Vaughan 32 Penylan Avenue, Porthcawl, CF36 3LL
Tel: (01656) 788549 e-mail caroline.vaughan3@btinternet.com

23rd April 2019

K. Watson
Head of Legal and Regulatory Services
BCBC
CF31 4WB

The Green, Salt Lake, Porthcawl Legal Notice of disposal of Public Open Space

The Porthcawl Civic Trust Society objects to the proposal by Bridgend County Borough Council to dispose of its freehold interest in The Green, Porthcawl.

The Society was unaware until the publication of the above notice that The Green is a designated Public Open Space and had itself suggested an alternative to the food store that the County Borough Council (BCBC) appears minded to approve for that site.

The revelation by BCBC that The Green is a Public Open Space significantly changes its status and the proposal to remove this area for retail or house building use is not acceptable.

The attention of BCBC is drawn to the Welsh Government's "Planning Policy Wales, Technical Advice Note "Sport, Recreation and Open Space". There is in this document reference to the importance of protecting and enhancing existing Sport and Recreation facilities **and Open Spaces** [our emphasis]. The avowed intention by BCBC is to allow a high density flat development to take place on Salt Lake, as a consequence of which there will be an even greater need for protected Open Space for recreational facilities. The Council might also refer to Para 4.1 25 of the Bridgend Local Development Plan 2006-2021, Deposit Plan for guidance.

The Society is aware that BCBC has indicated that part of the southern section of Salt Lake could be allocated for amenity use but there is no guarantee that this will ever be implemented. The area is not legally designated as a Public Open Space and the impression given by a BCBC representative was that the amenities it might provide were vague. The willingness demonstrated by BCBC to dispose of a legally established Open Space does not convince the Society that the area at the south end of Salt Lake would ever become a replacement for it.

The Society has previously suggested to BCBC that the proposed food store should be located on BCBC land in Dock Street instead of The Green. This would be preferable because it would bring the customers to the food store into John Street instead of separating them from the town by the Portway, the main traffic route into Porthcawl. There is, therefore a viable alternative to The Green.

The Society understands that The Green's past history includes its forming part of the inner dock swimming facilities. Certainly over the last fifty years successive Local Authorities have failed to ensure that it is developed and maintained as an outside recreational facility and this should be the future policy of BCBC. It is not acceptable to extinguish the right of access to this public open space.

The Society was surprised to be told at a meeting we held on April 4 with Porthcawl Town Councillors, some of whom were also BCBC Councillors, that they were unaware of the intention of the Borough Council to dispose of its freehold in land designated as Public Open Space, a decision that would appear to deserve prior consultation with Local Councillors and with local voluntary organisations.

We therefore ask the question - does BCBC hold a higher obligation to economic gain or to social well-being?

Yours sincerely

Mrs. Caroline Vaughan

(Honorary Secretary)

Subject: S.123 (2a) Local Government Act 1972, land known as The Green, Salt Lake, situated between the Portway and Eastern Promenade, Porthcawl.

Dear Ms Watson,

I refer to the above notice which was discussed at a recent meeting of Porthcawl Town Council.

I wish to outline a concern of the Town Council about future disposal of the freehold interest. Any future disposal of the freehold interest to a developer will be subject to scrutiny by this Council. Bridgend CBC are asked to take into account the concerns of the Town Council at this time concerning adherence to the planned development of the various sites and how this will be enforced going forward.

Regards

Alison

Mrs A Thomas LLB
Town Clerk & Responsible Financial Officer
Porthcawl Town Council

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Subject: Sale of Land at Salt Lake

Dear Ms Watson,

The notice outlining the intended sale of land at Salt Lake was recently discussed at a meeting of the Town Council. In response to this item, I acknowledge that deadline to object is 30th April 2019.

On behalf of the Town Council, I have been instructed to make enquiries with regards to the intended purpose of the sale of the land. Further, will the purpose of the sale be identified to the buyer and included as a legally binding covenant within the transfer document.

I look forward to your response.

Regards

Alison

Mrs A Thomas LLB

Town Clerk & Responsible Financial Officer

Porthcawl Town Council

16-18 Mary Street, Porthcawl, CF36 3YA

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Subject: The Green - Porthcawl

Porthcawl Shout Forum objects emphatically to the sale of the Green as advertised in the Gazette. This area is public open space, and would be a loss to the Community.

Regards
Rod Colyer
Chairman
Porthcawl Shout Forum

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Dear Cllr Smith.

I would like to respond to the latest BCBC proposal to regenerate Porthcawl by selling The Green area for a retail supermarket development.

Having talked about regeneration for decades BCBC are to be congratulated by what has been achieved with the help of private developers, residents and the Health Board creating new attractive venues to visit with more to follow.

However these are individual stand alone projects and it is pleasing that the more difficult area for regeneration, Salt Lake, is now being considered. The perfect time for a reality check.

The Green is regarded by residents as Public Open Space and therefore would be a loss, rather than a gain to the community. It is also unsuitable for a supermarket because of its difficult position for pedestrians and those with mobility issues.

Following its inability to regenerate Bridgend has BCBC learned anything about retailing, footfall, car parking and Porthcawl demographics as a new food store will not attract visitors but only share the town's current food market with the Co-op and Bridgend stores.

Porthcawl has the largest proportion of older residents in the borough and to remain healthy they have special needs such as public transport yet it has the poorest and most ill equipped bus service in the borough.

The local around town "service" is often a farce being grossly unreliable with unannounced cancellations and bus breakdowns all too common. Recently the service has been cut again and now limits the time bus dependant people can spend in town. To carry shopping from The Green area to the present bus service would be impossible for most older people.

Planners normally design an integrated transport provision as the first element of any new development and a new bus station at the rear of Hillsboro Place should be considered as a prime requirement and begs the question. Is public transport to be considered in the regeneration plan?

Retailing today is all about strength in numbers and therefore any new store should be kept as part of the town's existing shopping experience. A Dock Street location would link a new store to the town but it also is a long way from the bus service for older people.

Therefore a new bus station or bus stop at the north end of Hillsboro Place with the new supermarket close to it would have great merit for many Porthcawl residents. It would not break up the town's shopping area and add footfall to all the existing businesses.

The decision seems to be either an American type development where accommodating the car is the first priority or our preferred traditional walk around town model that has a good variety of shops all efficiently built next to each other.

Finally there has been a lot of changes since the 2004 CDN Porthcawl Development Framework was drawn up and you may recall my email correspondence going back to 2014 in which I suggested BCBC were no longer interested in working with or talking to resident groups.

Therefore I would like to know what the BCBC directive currently is concerning interested resident groups who want to be involved and have input into the regeneration of their town.

I look forward to your reply

Gary Victor..... Porthcawl Shout Forum..... 30th April 2019

To: Kelly Watson

Subject: Objections to intended disposal

I am one of the founding committee members of The friends of the wilderness.

I am a resident of Porthcawl and yet again amazed at how BCBC treat us all.infact fail Us all.

They treat us residence & our beautiful town really bad.all they seem to want it to make money out of Porthcawl none of which is put back in our town.

I am horrified at the idea of possibly building anything especially houses on our much needed & loved public open spaces.

The future plan to build of salt lake is so so wrong.something for the locals & future generations is very much needed in way of leisure facilities .NOT

More expensive houses that people who grew up here could never afford.

I along with thousands of others are more horrified at the thought of any building of any sort be built on our much loved wilderness . Now or in the future.A place of natural beauty with our much loved & cared for wildlife.dozens walk there everyday & feed the wildlife.the children learn more there than anywhere about nature caring & appreciation of life.

Our friends of the wilderness group have been raising money and will continue to do so to help and improve the area as much as we can.with the help of many local businesses and the angling association. Plus it's a much needed flood plain .HOW could that possibly be built on ????

Both the park & skate park are used everyday.from babies to adults it helps us all be more healthy & happy.

Please please please dont desecrate our land

Regards

Linda Keane

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Yet again I see you are planning on trying

To spoil Porthcawl.

I object very strongly to the sale of the freehold of that land.

Any new owner will not be interested in anything other than making money out of Porthcawl without liasing with any local people or counsellor before deciding what may or may not be suitable for Porthcawl & the local residents

Please reconsider

Linda Keane

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 JUNE 2019

REPORT OF THE CHIEF EXECUTIVE

WELSH GOVERNMENT COMMUNITY COHESION GRANT REGIONAL PARTNERSHIP

1. Purpose of report

- 1.1 The purpose of this report is to update Cabinet on a regional application for funding to Welsh Government in relation to EU Brexit Community Cohesion and to seek Cabinet approval to enter into a partnership agreement with the Council of the City and County of Swansea (Swansea Council) and Neath Port Talbot County Borough Council (NPTCBC) in relation to that grant funding.

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.

3. Background

- 3.1 In December 2018 Welsh Government issued their 'intention to fund' email to all Regional Community Cohesion Co-ordinators in Wales. Welsh Government indicated that each region would be allocated £140,000 to:
- 'Identify and mitigate community tensions (hate crime, extremism, anxiety, anti social behaviour) relating to Brexit;
 - Improve community cohesion communications;
 - Organise events/activities to promote social inclusion; and
 - Deliver non Brexit activities as outlined in the Nation Community Cohesion Plan (2019).
- 3.2 Bridgend County Borough Council, (BCBC) Swansea Council and Neath Port Talbot Council make up the Western Bay Community Cohesion Region, which is led by a Regional Community Cohesion Co-ordinator based in Swansea Council.
- 3.3 Welsh Government requested the funding proposal be submitted by the host local authority for the region i.e. Swansea Council.

4. Current situation/proposal

4.1 The proposal submitted for the region was successful and the region has been awarded £140,000 for the period 1st April 2019 to 31st March 2020. This must be claimed in full by 16 April 2020. This is for year 1 of a proposed 2 year funding agreement.

4.2 Working closely with communities and stakeholders, in particular Bridgend Community Safety Partnership, a range of activities will be delivered to understand and mitigate community tensions. These will include:

- Regular engagement with groups vulnerable to harassment / experiencing community tensions in relation to Brexit (EU citizens, BAME communities, other protected characteristic groups), gathering intelligence on community tensions as they emerge.
- Monitoring community tensions, and providing regular tension monitoring reports through agreed channels, including regular summaries to the Welsh Government.
- Work with Local Authority communications teams and equalities officers to engage with the Welsh Government Equality and Inclusion Communications Network, around specific calendar events, also cascading information in the event of an incident.
- Events to promote social contact and integration (e.g. people from different backgrounds cooking together, community music groups for young people from different nationalities, community arts based projects, active citizenship awards, interfaith events, welcoming newcomer initiatives).
- A mapping exercise to include consultation to better understand the impacts of Brexit on communities.

4.3 BCBC costs for Year 1 are set out below and will be funded in full from the Welsh Government Community Cohesion Grant:

Community Cohesion Officer (new Post)	25 hours per week at Grade 8	£21,408
Travel Expenses		£1,000
ICT bundle		£1,336
Community Projects		£6,420
Total		£30,164

4.4 There is no additional financial contribution from BCBC.

5. Effect upon policy framework and procedure rules

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

6. Equality Impact Assessment

6.1 There is no negative equality impact resulting from this report.

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

7.1 The implications of the five ways of working in relation to the Well-being of Future Generations (Wales) Act 2015 are summarized below:

- Long term – Identifying and mitigating community tensions through engagement and other activities will foster better relations in communities now and in the future.
- Prevention – Regular engagement with groups vulnerable to harassment / experiencing community tensions in relation to Brexit (EU citizens, BAME communities, other protected characteristic groups), will help prevent tension escalating into hate crime and anti-social behaviour. The project will engage with relevant networks including the Police to identify tensions / hot spots and plan and implement multi-agency response to reduce tensions and/or undertake preventative work.
- Integration – The project will achieve this way of working by supporting the following objectives in the Wellbeing Plan for Bridgend: Supporting communities in Bridgend to be safe and cohesive and Reducing Social and Economic Inequalities
- Collaboration – this project has been developed through collaboration with Swansea Council and Neath Port Talbot County Borough Council. It will be delivered through their respective Community Safety Partnerships
- Involvement – This project is based on the involvement of communities and stakeholders. It aims to identify areas of tensions and to provide the evidence base for cohesion support for socially or economically marginalised groups or communities that are identified as priorities at a Local Authority or PSB level due to low, or risk of low inclusion or cohesion.

8. Financial implications

- 8.1 The costs outlined in 4.3 above will be funded in full from the Welsh Government Community Cohesion Grant. Invoices for costs incurred will be submitted to Swansea Council six monthly i.e. 30th September 2019 and by 31st March 2020.

9. Recommendation

- 9.1 Cabinet is recommended to

- Note the approval of Welsh Government regional funding in relation to the Community Cohesion Grant 2019 – 2020; and
- delegate authority to the Chief Executive, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to negotiate and enter into a partnership agreement in relation to the Community Cohesion Grant funding with Swansea Council and NPTCBC and any ancillary documents relating to that partnership arrangement.

Mark Shephard
Chief Executive
30/5/19

Contact officer: Martin Morgans
Head of Partnerships and Performance

Email: Martin.Morgans@Bridgend.Gov.UK

Postal address: Bridgend County Borough Council
Civic Centre
Angel Street
Bridgend
CF31 4WB

Background documents: None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 June 2019

REPORT OF THE HEAD OF OPERATIONS / COMMUNITIES

TARGETED REGENERATION INVESTMENT (TRI) PROGRAMME IMPLEMENTATION

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from Cabinet on the following proposals for the Targeted Regeneration Investment (TRI) programme;

Urban Centre Property Enhancement Fund (UCPEF) & Urban Centre Living Grant (UCLG)

- To enter into a service level agreement with Rhondda Cynon Taff County Borough Council;
- To delegate authority to award grants to property owners / long term tenants within Bridgend Town Centre.

11a Nolton Street

- To enter into a funding agreement and legal charge with Coastal Housing Group (CHG)

Future TRI Stand Alone Projects

- To delegate authority to give out grants to third parties for future projects under the TRI programme with the principal aim of regenerating the town centre.

2 Connection to Corporate Improvement Plan/Other Corporate Priority

- 2.1 The TRI programme proposals connect to the following Corporate Plan (2019-2020) objectives i.e.

- **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 Welsh Government's (WG) TRI programme is intended to build on the achievements of the 2014-2017 Vibrant and Viable Places programme, but takes a wider approach to regeneration by including ambitions of the Well-being of Future Generations (Wales) Act 2015 and the priorities identified in Local Well-being Plans and other local and regional plans for enhancing economic regeneration and community well-being.
- 3.2 The new TRI programme is intended to run over a 3-year period (April 2018-April 2021), and will look to invest in projects which can deliver realistic economic and community outcomes. Bridgend County Borough Council (BCBC) will be looking to deliver these outcomes over the 2019/2020 and 2020/2021 financial years.
- 3.3 WG has encouraged a regional approach to thematic regeneration, taking opportunities to work with partner authorities and agencies to deliver more targeted, localised projects. BCBC forms part of the South East region together with Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Cardiff Council, Merthyr Tydfil County Borough Council, Monmouthshire County Council, Newport City Council, Torfaen County Borough Council, Vale of Glamorgan County Borough Council and Rhondda Cynon Taff County Borough Council.
- 3.4 The first part of the programme has seen local authority officers in the South East region collaborating to set out a new regional regeneration plan to support the TRI programme, which has established a set of regional priorities and local investment areas for each authority. The regional regeneration plan aligns the TRI programme in the South East with major programmes such as City Deal, South Wales Metro, and Valleys Taskforce, but makes clear that TRI will not be a fund to specifically deliver those agendas. Whilst the regional regeneration plan sets the context for TRI, its longer term perspective could mean it will influence future funding programmes.
- 3.5 Informal Cabinet has supported a Bridgend town approach to the TRI programme for BCBC. This is principally due to its strategic location and the need to develop further on the back of significant economic and population growth focussed on junction 35 of the M4. Also as the administrative centre, the town centre will continue to serve the Valleys and Porthcawl as a hub for employment, and provide an invaluable retail and social function for the local population.
- 3.6 At the outset of the TRI programme, a key suggestion from across Wales was to see the devolution of some of the decision making and programme governance to the region level. This would enable some flexibility on the approach to funding and in some instances streamline decision making processes.

- 3.7 In 2017 WG established two city-regions in Wales, one of which covers Cardiff and south-east Wales. This is now known as the Cardiff Capital Region. The City Region Board was identified early on as the most appropriate conduit to provide consistent engagement with WG and direction within the region. The City Region Board in turn has established a TRI Programme Board to specifically engage in the TRI programme and provide endorsement to those projects proposed by each authority.
- 3.8 In July 2018 the regional regeneration plan was endorsed by the City Region Board and subsequently approved at the WG's Capital Investment Panel in September 2018.

4. Current Situation / Proposal

4.1 A BCBC Project Board with representatives from Regeneration, Legal, Finance and Planning, with supporting work stream groups, has been established and an initial meeting has taken place to discuss the principles of the TRI Programme. A summary of each of the projects within the regional regeneration plan relevant to BCBC is as follows:

4.2 Urban Centre Property Enhancement Fund (UCPEF) & Urban Centre Living Grant (UCLG):

- 4.2.1 WG set out the guidance for funding and delivery. The region's collective application has been submitted and was approved at WG's Capital Investment panel in November 2018. *UCPEF and UCLG* have a total funding pot of c£10,000,000 being split equally between the 10 Local Authorities that make up the South East region to deliver two thematic areas under the TRI programme.
- 4.2.2 Rhondda Cynon Taf County Borough Council (RCT) is acting as the lead body for the South East region and will report to WG and the South East Wales Regional Regeneration Board, which will comprise the *Cardiff Capital Region Regeneration Board*. RCT require BCBC and the other local authorities making up the South East region to enter into a Service Level Agreement with RCT to facilitate the drawdown of the grant funding and ensure compliance with the WG grant funding terms and conditions. 3% of each Local Authorities allocation is to given to the regional lead to provide the management and lead functions of the scheme.
- 4.2.3 BCBC is to receive £1,000,000 over a 2 year programme to deliver our projects.

The TRI funding is proposed to be split as follows:

	£
Fee to RCT (3% flat rate agreed by WG for RCT's lead body role)	30,000
UCPEF	700,000

UCLF	220,000
Management Fee (5% flat rate agreed by WG for BCBC to utilise)	50,000
Combination of Revenue and Capital	
TOTAL	1,000,000

Match funding into the project will be made up from grant applicant contributions and BCBC's Special Regeneration Fund (SRF). The proposed match funding elements are shown within the table in section 8.1 of this report.

- 4.2.4 The project will focus on delivering a set of physical, commercial and social improvements through re-developing vacant, poor quality, under used or derelict buildings and premises. This will generate employment opportunities; provide prominent and suitable locations for commercial and retail use; protect and sustain local shopping areas, increase town centre footfall; and make available suitable town centre housing.
- 4.2.5 BCBC will work in conjunction with partners including the private sector and Registered Social Landlords (RSLs) in order to deliver the projects.
- 4.2.6 The projects will be delivered by 31 March 2021 and will complement the Welsh Government national strategy *Prosperity for All* and the requirements of the *Well-being of Future Generations (Wales) Act 2015*.
- 4.2.7 The project has previously been supported by the City Deal Programme board at regional Level and had BCBC CMB approval in November 2018.

4.3 11a Nolton Street:

- 4.3.1 Led by Coastal Housing Group (CHG), the project will involve the redevelopment of a key site in the town centre, providing 10 affordable new homes, supported by 1- 3 commercial units.
- 4.3.2 The application was submitted at WG's Capital Investment panel in November 2018. Following a WG site visit the project was approved in March 2019. WG are currently preparing the grant offer letter. BCBC will act as a conduit for the grant and will enter into a funding agreement with CHG. In order for BCBC to release grant monies to CHG, CHG will need to supply evidence of spend and defrayment paid retrospectively without VAT applied.
- 4.3.3 The Purpose of the TRI funding for this project is to support the development of commercial units at the property by the CHG.
- 4.3.4 The total cost of the project is circa £2.2million (Including BCBC's management fee) and is funded via CHG and Welsh Government's Social Housing Grant, Housing Finance Grant, Vibrant and Viable Places programme and TRI which is made up as follows:

Funding Source	Amount
Targeted Regeneration Investment programme (Welsh Government)	£304,366
Social Housing Grant (Welsh Government)	£530,807
Housing Finance Grant (Welsh Government)	£353,000
Vibrant and Viable Places Programme-Pipeline (Welsh Government)	£91,753
Coastal Housing Group	£941,501
	£2,221,427

In relation to TRI funding this project as shown in the above table is proposed to receive £304,366 which is made up of the following:

- Grant to CHG: £298,399
- Grant to BCBC for their management fee £5,967

4.4 Future TRI Stand Alone Projects:

4.4.1 Currently BCBC have other potential projects within the Town Centre that could be eligible for TRI funding but no formal applications have been submitted due to the early stage of project development and discussion.

4.4.2 The regeneration team are currently preparing an update to WG on the other proposed projects under the TRI programme.

4.5 Risks and issues

4.5.1 There are a number of risks and issues which Cabinet need to be aware of in deciding whether to participate in the programme. Many of these are common to all local authorities who have submitted successful bids, but nonetheless, in the present local government financial context, these must be fully understood.

- Due to the nature of the projects and the various potential eligible elements that the grant could offer, we cannot fully assess the costs of each individual property improvement until we have received the breakdown of intended works. As such the spending profile across each financial year may be subject to change along with the outputs/outcomes. There is a risk of cost overrun on some projects, and a risk that we will be unable to claim the required amounts from WG to cover costs as there is no carry over funding across financial years. If we fail to meet required WG targets, this could lead to financial claw back. While some of these risks can be managed through effective project management, they cannot be eliminated altogether. However, for the 11a Nolton Street scheme the risk will be passed onto CHG via the

funding agreement so that BCBC is not liable for any additional costs. To mitigate against the risk for UCPEF and UCLF there will be regular dialogue with applicants to ensure that any risk is identified early and worked through accordingly.

- Delays in the planning process or increased costs resulting from unforeseen mitigation costs may mean the programme cannot be delivered on time or on budget. To avoid this, meetings are being arranged with relevant internal services to seek advice on potential issues and constraints, and how these could be overcome.
- There may be insufficient take up of grants. Officers will be actively marketing this project and will be canvassing all eligible properties within the town centre. For properties that are vacant, land registry searches will be undertaken and the landowners will be contacted directly.
- There is a risk that the defrayment evidence required for the release of grant monies is not forthcoming or correct. If BCBC are not satisfied with the evidence received then the grant will not be paid. To avoid this regular liaison with grant recipients is required to ensure that all parties are aware of their obligations.

4.6 Next Steps

4.6.1 Cabinet will need to consider the above proposals and determine whether to approve the requests. If the decision is made to proceed, the next step is for BCBC to:

- Sign an SLA agreement with RCT and begin approval and dissemination of grants to applicants for the UCPEF and UCLF projects.
- Enter into a funding agreement and legal charge with CHG and enable the transfer of grant monies on receipt and acceptance of the relevant defrayment evidence submitted.
- Allow the award of grant to other parties as part of future TRI projects

5 Effect upon Policy Framework & Procedure Rules

5.1 None

6 Equalities Impact Assessment.

6.1 A screening exercise has been undertaken on the TRI Programme. The Programme will ensure that there is a positive impact on the equalities agenda.

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

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment is annexed to the report. A summary of the key elements are as follows:

- Long Term: The regeneration planned for Bridgend Town Centre as part of the TRI programme will drive local prosperity, providing local employment opportunities and offering better environments to promote the health and wellbeing of those who live, work and visit town centres in the long term.
- Prevention: By improving the commercial, office and residential developments in the town centre it will strengthen the existing economic assets while diversifying its economic base. Converting unused or underutilised commercial space into economically productive property also helps boost the profitability of the district
- Integration: The TRI programme will focus on delivering a set of physical, commercial and social improvements through re-developing vacant, poor quality, under used or derelict building and premises. This will generate employment opportunities; provide prominent and suitable locations for commercial and retail use and sustain local shopping areas, increase town centre footfall and make available suitable town centre housing.
- Collaboration: The project will allow property owners, lessees and RSL's to access funding which will allow them to tackle poor quality and unattractive properties; offering these properties a new lease of life and therefore enhancing the physical appearance of the shopping offer, streetscape and public realm.
- Involvement: Investing in a community offers a means to connect with local stakeholders. Strong, resilient communities will reinforce the regional and Welsh culture which is a key feature in promoting visits and tourists to the area.

8. Financial Implications

- 8.1 UCPEF and UCLG: The capital match funding identified in the bid from BCBC is already contained in the Capital Programme allocation for Special Regeneration Fund (SRF) and this bid does not request any further funding to be submitted. We currently envisage this SRF split to be as follows:

Funding Source	2019/2020	2020/2021	Total
BCBC SRF	100,000	100,000	200,000
WG TRI Grant via RCT (Inc RCT and Management Fees)	330,000	670,000	1,000,000
Private Match Funding (Min)- Grant Applicants	100,000	220,000	320,000
Total	530,000	990,000	1,520,000

- 8.2 11a Nolton Street: There is no requirement for match funding from BCBC within this project'. However, for Coastal's Match Funding; BCBC will need to collect the evidence of this for submission to WG.

8.3 As future projects materialise under the TRI project the match funding elements will be reviewed and the relevant approvals gained accordingly.

8.4 Match funding for grant for all TRI projects will be signed off by the Chief Finance Officer under the grants policy.

9. Recommendation

9.1 Cabinet is requested to:

9.1.1 Approve the outline proposals for TRI in Bridgend town centre, as set out in the report;

9.1.2 Note and accept the risks and issues highlighted in paragraph 4.5;

9.1.3 Authorise the Chief Finance Officer to accept the TRI grant on behalf of the Authority.

9.1.4 Delegate authority to the Head of Operations / Communities, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to negotiate and enter into a service level agreement with Rhondda Cynon Taff as set out in paragraph 4.2 above;

9.1.5 Delegate authority to the Head of Operations / Communities, to award the TRI UCPEF and UCLG grant funds to eligible applicants within Bridgend town centre;

9.1.6 Delegate authority to the Head of Operations / Communities, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to negotiate and enter into a funding agreement and legal charge with CHG.

Zak Shell

Head of Operations / Communities

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CF31 4WB

Background documents

None

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

Project Description (key aims):	
Targeted Regeneration Investment (TRI) Programme	
Welsh Government's Targeted Regeneration Investment (TRI) Programme is intended to build on the achievements of the 2014-2017 Vibrant and Viable Places programme, but takes a wider approach to regeneration by including ambitions of the Well-being of Future Generations Act and the priorities identified in Local Well-being Plans and other local and regional plans for enhancing economic regeneration and community well-being.	
Section 1	Complete the table below to assess how well you have applied the 5 ways of working.
Long-term	<p>1. How does your project / activity balance short-term need with the long-term and planning for the future?</p> <p>The project will fund and deliver two Thematic Projects; an <i>Urban Centre Property Enhancement Fund</i> and an <i>Urban Centre Living Grant</i>. These projects will focus on town centre regeneration within the 10 south east Wales Local Authority areas and build upon previous programmes, for example <i>Vibrant and Viable Places</i> (VVP) and complement concurrent programmes such as <i>Local Wellbeing Plans</i>.</p> <p>The regeneration planned for Bridgend Town Centre as part of this project will drive local prosperity, providing local employment opportunities and offering better environments to promote the health and wellbeing of those who live, work and visit town centres.</p> <p>Short term benefits will see the enhancement and re-use of poor quality, unattractive, run down and dilapidated properties, building upon and complementing previous regeneration schemes such as European Convergence Programme and Vibrant and Viable Places. This will allow property owners, lessees and RSLs to access funding which will allow them to tackle vacant, poor quality and unattractive properties; offering these properties a new lease of life and therefore enhancing the physical appearance of the shopping offer, streetscape and public realm. Properties on the Empty Properties register will be dealt with.</p> <p>Grant support will make businesses both more accessible and welcoming to customers who will have the benefit of underpinning commercial activity in town centres, which in turn will make towns both more attractive to visitors and residents. Local shops will become more vibrant; with increased footfall resulting in an enlarged spend in town centres creating more employment opportunities.</p>

	<p>Projects will encourage the conversion of vacant floor space into residential use. This will produce a number of benefits; empty and underutilised town centre properties will be revitalised, breathing new life into towns, improving the local economy (including the night time economy) and improving the image of the locale making it a more attractive place in which to visit or invest; more affordable housing will be readily available and the housing offer will improve. Quality housing will support the delivery of healthy communities.</p>
Prevention	<p>2. How does your project / activity put resources into preventing problems occurring or getting worse?</p> <p>Commercial, office, retail and residential developments in town centres will strengthen the existing economic assets while diversifying its economic base. Converting unused or underused commercial space into economically productive property also helps boost the profitability of the district.</p> <p>Commercially active towns will attract more visitors, tourists and investment. New revenue streams can be created from refurbishing premises for a retail/commercial use.</p> <p>Targeted properties will be upgraded, making town centres aesthetically more attractive to visitors, tourists, shoppers and residents. This will draw inward investment and inspire community pride and protect community assets and facilities.</p>
Integration	<p>3. How does your project / activity deliver economic, social, environmental & cultural outcomes together?</p> <p>The project will focus on delivering a set of physical, commercial and social improvements through re-developing vacant, poor quality, under used or derelict buildings and premises. This will generate employment opportunities; provide prominent and suitable locations for commercial and retail use; protect and sustain local shopping areas, increase town centre footfall; and make available suitable town centre housing.</p>
Collaboration	<p>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being</p>

	<p>objectives?</p>
	<p>The project will allow property owners, lessees and RSLs to access funding which will allow them to tackle vacant, poor quality and unattractive properties; offering these properties a new lease of life and therefore enhancing the physical appearance of the shopping offer, streetscape and public realm. The overall project aims will assist property owners in giving properties a meaningful, commercial use which will have a positive impact across Bridgend.</p>
<p>Involvement</p>	<p>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?</p> <p>Investing in a community offers a means to connect with local stakeholders. Strong, resilient communities will reinforce the regional and Welsh culture which is a key feature in promoting visitors and tourists to the area. Increased visitor numbers will help to make the Cardiff Capital Region a more prosperous environment.</p>

<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</p>		
<p>Description of the Well-being goals</p>	<p>How will your project / activity deliver benefits to our communities under the national well-being goals?</p>	<p>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>
<p>A prosperous Wales 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</p>	<p>Targeted regeneration will focus on town centres, specifically dealing with poor quality dilapidated and underutilised property; bringing them back into full use, for a variety of commercial and residential end uses. This project will provide an appropriate environment for businesses to drive local</p>	<p>Project officers will closely review and monitor the way the project is delivered to ensure that it remains fit for purpose, of a high quality and value for money.</p>

<p>advantage of the wealth generated through securing decent work.</p>	<p>prosperity and provide local employment opportunities. Inequality will be reduced by facilitating more people to benefit from sustainable growth. Town centre investment will lead to improved confidence, further business enterprise and additional job creation. There will be a specific concentration on tackling regional inequality by helping the most deprived communities and those people with the lowest household income to access training and employment opportunities. This will grow household income and entry to greater opportunities.</p> <p>The Thematic Project will work with businesses, allowing them to grow and create jobs and training opportunities.</p> <p>Regeneration of town centres will assist the ambition of a prosperous Wales, through an increase in footfall and spend, support for local business augmentation and a proliferation of employment prospects.</p>	
<p>A resilient Wales 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 projects will promote opportunities for building healthier communities and better environments by developing good housing and job creation. This will lead to a positive contribution to good quality physical and mental health.</p>	<p>Project officers will closely review and monitor the way the project is delivered.</p>

<p>A healthier Wales 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>People in Wales will enjoy better health for longer through decent housing and quality environments. Town centre investment will offer good housing and allow people to enjoy active lives through easy access to key services leisure facilities, and being less reliant on using their cars. This will also have a positive contribution to mental well-being</p>	<p>Project officers will closely review and monitor the way the project is delivered.</p>
<p>A more equal Wales 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>Targeted investment will create a region where people will attain equality through healthier communities, job and training opportunities and good housing. This will allow people to accomplish their potential no matter what their background or status.</p>	<p>Project officers will closely review and monitor the way the project is delivered.</p>
<p>A Wales of cohesive communities Attractive, viable, safe and well-connected communities.</p>	<p>People will feel that they have a stake in their community if that area can provide access to good housing, jobs, public services and leisure facilities. The Thematic projects will contribute to this access.</p> <p>Town centre redevelopment will help to build resilient communities, culture and language. Communities prosper where people can fully participate in their local environment.</p>	<p>Project officers will closely review and monitor the way the project is delivered.</p>

	<p>Investment will ensure that a diverse array of businesses flourish, enabling the growth of the Cardiff Capital Region economy.</p> <p>New housing will bring cohesive communities into town centres and local facilities will be maintained.</p>	
<p>A Wales of vibrant culture and thriving Welsh language 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>Targeted regeneration and Investment in the region presents a way to link with local stakeholders.</p> <p>Where individuals can connect with cultural activities within their communities, they are likely to benefit from pathways into educational and training opportunities, employment and improved health and well-being.</p> <p>During the marketing stage for this project all material / documentation was sent out in the Welsh and English language. On initial dialogue with applicants they were asked if they would prefer to correspond in Welsh or English.</p>	<p>Compliance with the Welsh Language act will be monitored as the project progresses.</p>
<p>A globally responsible Wales A nation which, when doing anything to</p>	<p>Investment in new quality, energy efficient</p>	<p>Project officers will closely review and</p>

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.	housing will contribute to sustainable energy consumption. Town centre living will enable communities to access shops and services through walking/cycling, which will cut down on greenhouse gas emissions.	monitor the way the project is delivered
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Section 3 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

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 - greater building accessibility	No	Review of project progress
Gender reassignment:	n/a	No	Review of project progress
Marriage or civil partnership:	n/a	No	Review of project progress
Pregnancy or maternity:	Yes - greater building accessibility	No	Review of project progress
Race:	n/a	No	Review of project progress
Religion or Belief:	n/a	No	Review of project progress
Sex:	n/a	No	Review of project progress
Welsh Language:	Yes – provision will be made to ensure that peoples preferences are respected and catered for	No	Review of project progress

Section 4 Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive members and/or Chief Officers	
Cabinet	
Compiling Officers Name:	Laura Willcox
Compiling Officers Job Title:	Senior Regeneration Officer
Date Completed:	23 rd May 2019

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 June 2019

REPORT OF THE HEAD OF PERFORMANCE AND PARTNERSHIP SERVICES

COMMISSIONING AND AWARD OF CONTRACTS IN RESPECT OF THE FAMILIES FIRST PROGRAMME

1. Purpose of Report .

1.1 The purpose of the report is to:

- a) Seek approval to continue service delivery based around contract arrangements currently in place for the delivery of Welsh Government funded contract arrangements for Families First for the period to end March 2020.
- b) On the basis that such approval is granted:
 - o suspend that part of the Council's Contract Procedure Rules (CPR's) in respect of the proposed Contracts listed in Appendix 1 of this report in relation to the requirements as to retendering these Contracts
 - o authorise the Head of Performance and Partnership Services to enter into short term (9 month) contracts with the current providers. Details of these programmes are detailed in Appendix 1

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The continuation of the contracts named above support the achievement of the following corporate 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.
- 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.
- 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. Background.

- 3.1 The Families First Contracts listed in Appendix 1 (the Contracts) were awarded to the existing service providers following a competitive procurement exercise in accordance with the requirements of the Council's Contract Procedure Rules (CPR's) and public procurement regulations. The initial contracts commenced on 1st April 2014 with a term of two years and an option to extend for a further year, with the Contracts expiring on 31st March 2017.
- 3.2 On 31st January 2017 Cabinet was informed of Welsh Government's intention to make substantial changes to the Families First programme. On concluding its consultation exercise, revised guidance was to be published by Welsh Government late that year which would not be available to inform the re-tendering exercise required following the expiry of the Contracts on 31st March 2017. As such Cabinet was asked to approve the suspension of the Council's CPR's requiring a competitive procurement exercise in accordance with public procurement regulations and extend the Contracts for a year to 31st March 2018 to allow implementation of the new guidance, whilst also allowing continuation of service provision to service users.
- 3.2 On the 22nd January 2018 Welsh Government issued an indicative grant offer letter for 2018/19 and nominated Bridgend as a Flexible Funding Pathfinder Area. The discussions with Welsh Government with regard to the implementation of funding flexibility arrangements prohibited a competitive procurement exercise in accordance with public procurement regulations from being undertaken. On 28th March 2018 Cabinet approved the suspension of the Council's CPR's requiring a competitive procurement exercise in accordance with public procurement regulations and authorised the continuation of service delivery for the 2018/19 financial year, extending the Contracts for the twelve month period to 31st March 2019 while Welsh Government undertook a pilot year to trial a new flexible funding arrangement.
- 3.3 With the introduction of flexible funding arrangements in April 2018 Welsh Government issued supplementary guidance to pilot Local Authorities (LA's) to support implementation of flexible funding from 1st April 2018. The flexible funding arrangements provide an opportunity for LA's to identify gaps and overlap in service provision, with the ability to achieve service re-design and 100% funding flexibility across ten anti-poverty programmes.
- 3.4 In March 2019 the pilot flexible funding arrangement ended and Welsh Government announced its intention to roll out the flexible funding arrangements to all 22 LA's and divide the single grant into a two themed approach, Housing Support Grant and Children and Communities Grant. A single outcomes framework to underpin the delivery and performance of the two grants is in development with the expectation of full implementation by April 2020.
- 3.5 On 19th March 2019 Cabinet was informed that the transition in funding arrangements created a barrier to carrying out the required competitive procurement exercise. Cabinet approved the suspension of the Council's CPR's requiring a competitive procurement exercise in accordance with the Public Contract Regulations 2015 and authorised extending the Contracts for the three month period to 30th June 2019 to allow time to consider the new guidance and single outcomes framework put in place by Welsh Government.

4. Current situation / proposal.

- 4.1 The existing extended contracts in relation to the Families First programme will end on 30th June 2019. The Council is required under the CPR's and Public Contract Regulations 2015 to re-tender for replacement service providers via a competitive procurement exercise.
- 4.2 The grant offer letter from Welsh Government was received on the 29th March 2019. This included new terms and conditions, guidance and the proposed single outcomes framework. The late receipt of grant offer meant the initial requested timeframe to re-procure the services did not allow sufficient time to revise the service specifications in line with grant offer, allow for mobilisation of service and to gather the TUPE information required to re-tender the service. Appendix 2 reflects an adequate timeframe and suitable approach to re-tender of service encompassing the new requirement.
- 4.3 For the reasons above mentioned, it is proposed that new short term contracts be awarded to the existing providers to allow sufficient time to undertake the required commissioning exercise in line with the new Welsh Government single outcomes framework and funding guidance.
- 4.4 Cessation of the Contracts in June would pose a risk to the on-going delivery of essential services to individuals and families. To ensure service continuity and ensure that staffing disruptions likely to arise from the ending of Contracts is minimised, it is proposed that Cabinet suspends the relevant parts of the Council's CPRs requiring a competitive procurement exercise in accordance with the requirements of the Public Contract Regulations 2015 and agrees to the awarding of contracts based on current contractual arrangements until 31st March 2020.
- 4.5 Cabinet needs to be aware that, in awarding these short-term contracts to the current providers listed in the Appendix 1, the Council is exposed to the risk of potential challenge from other providers of such services. The Council's CPR's ensures that procurement exercised are lawful and carried out in compliance with the Public Contract Regulations 2015 to satisfy EU Treaty principles of transparency, non-discrimination and equal treatment. The report proposes entering into contracts with the existing service providers without any competition. This proposal breaches the requirements of the Public Contract Regulations 2015 and requires Cabinet's approval to set aside the Council's CPR's.
- 4.6 The risk of challenge is not possible to quantify, however, given the current difficulties in the commissioning of the services and the fact that these contracts relate to vulnerable people and families in need of support services, the Council may take the view that the potential for challenge is one it is prepared to accept. That being said Cabinet should be aware that this course of action does not comply with the requirements of the Public Contract Regulations 2015.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 This report is requesting a suspension of the Council's CPRs.

6. Equality Impact Assessment

6.1 Families First is an anti-poverty programme directed toward supporting people in need. The impact of the cessation of services provided by its contract arrangements will have a detrimental impact on people living in poverty and many of the protected characteristics.

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

7.1 The implications of the five ways of working in relation to the Well-being of Future Generations (Wales) Act 2015 are summarised below:

- Long term – services will be responsive to need in the short term, identifying issues early in order to avoid escalation. A multi agency approach will be adopted, working collectively to meet the needs of individuals and families, promoting engagement and resilience avoiding the need for more intensive intervention in the future. The performance of services will be monitored closely to inform future long term planning.
- Prevention – Families First, along with other Children and Communities programmes are early intervention, prevention services. The objective is to identify, assess and take action by developing a package of support to address individual or family issues at the earliest opportunity, avoiding the need for more costly, statutory service involvement.
- Integration – The project will achieve this way of working by supporting the following objectives in the Wellbeing Plan for Bridgend: best start in life, supporting communities in Bridgend to be safe and cohesive and reducing social and economic inequalities, healthy choices in a healthy environment.
- Collaboration – this will be achieved through effective partnership working with both internal and external services, such as the third sector, health, police and community groups. We will collaborate with other local authorities through networking groups, health boards and the PSB.
- Involvement – This project is based on the involvement of children, young people, their families and communities, supported by multi agency partnership working in order to addresses issues early and build resilience within the family and communities in which they live.

8. Financial Implications.

8.1 All services funded via these contract arrangements are funded by Welsh Government Children and Communities grant for which a grant offer has been accepted for the year 2019/20.

9. Recommendation.

9.1 Cabinet is recommended to:

- a. suspend the relevant parts of the Council's CPR's in respect of the requirement as to re-tendering of the proposed contracts listed in Appendix 1 of this report, allowing implementation of the re-tender milestones detailed in Appendix 2.
- b. authorise the Head of Performance and Partnership Services to enter into short term contracts to end March 2020, with the current providers in respect of the Contracts listed in Appendix 1 of the report.

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Background documents:

- **Cabinet Report on the Commissioning and Award of Contracts in respect of the Communities First, Families First and Supporting People Programme of 31st January 2017**
- **Cabinet Report on the Commissioning and Award of Contracts in respect of the Families First Programme of 28th March 2018**
- **Cabinet Report on the Commissioning and Award of Contracts in respect of the Families First Programme of 19th March 2019**

Appendix 1 - Contract details

Families First Proposed Programme - 2019/20

Contract Element	Contracted Provider	Short Term Contract Value (9-months to end March 2020)
Disability Support Programme	Barnardo's	£123,375
Parenting Support Programme	Action for Children	£101,625
Practical Home Management	Barnardo's	£22,500
Support for Young Carers	Action for Children	£29,250
JAFF/ TAF (including parent school engagement, dad's worker & language & learning elements)	BCBC – Education & Family Support	£690,402
Youth Programmes	BCBC - Education & Family Support	£112,500
Targeted Child and Family Support	BCBC - Education & Family Support	£90,000

Appendix 2 – Milestones Re-tender services

Tender Process	2019/20
Authorisation to tender – Delegated Powers	Under consideration
Review of Service	✓
Agree finances available to the new service	✓
Write draft specification	June / July
Circulate draft specification to project team	June / July
Write General Terms and Conditions/Service Agreement	June / July
Send General Terms and Conditions and Service Agreement to Legal for review	July / August
Consultation	n/a?
Prepare for Provider Event	n/a?
Provider Event	n/a?
Finalise specification after provider event and circulate	August / September
Prepare tender evaluation criteria/method statements etc.	August / September
Circulate draft tender pack to project team for comments	August / September
Finalise tender pack as a project team and sign off	September
Final amendments to tender pack	Early October
Send documents to procurement	Mid October
Procurement requested TUPE info	September 2019
Delegated Power Received?	28/10/19
Place notice	1/11/19
Return of tenders	w/c 2/12/19
Accounts to finance	December 2019
Evaluate qualification envelope	December 2019
Opening of tenders	December 2019
Desktop evaluation of technical envelope (Method Statements)	December 2019
Evaluations as a panel	December 2019
Presentation/Interviews	December 2019
Final Evaluation and Sign Off by Project Team	6/1/20
Delegated Powers to award	w/c 13/1/20
Issue unsuccessful letters and intention to award letter (start of voluntary standstill)	17/1/20
End of standstill	29/1/20
Issue award letter	30/1/20
Sealing of the contract with legal	N/A
Contract mobilisation	1/2/20 – 31/3/20 (2 months)
Contract commence	1 April 2020

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 JUNE 2019

REPORT BY THE CORPORATE DIRECTOR OF EDUCATION AND FAMILY SUPPORT

SUSPENSION OF CONTRACT PROCEDURE RULES FOR HOME-TO-SCHOOL BUS SERVICE CONTRACTS

1. Purpose of report

1.1 The purpose of this report is to seek Cabinet approval to suspend the relevant parts of the Council's Contract Procedure Rules (CPRs) in respect of the requirement to re-tender the proposed contracts listed in Appendix 1 of this report for Home-To-School Bus Services and to authorise the Corporate Director (Education and Family Support) to enter into the contracts with the operators listed at Appendix 1.

2. Connection to Corporate Improvement Objectives/other corporate priorities

1.2 The report links to the following improvement priorities in the Corporate Plan:

- **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.
- **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

1.3 On 19 March 2019, Cabinet approved a procurement exercise to invite tenders to bid for contracts for multiple home-to-school bus services, for a term of 5 years with the option to extend by 2 further periods of 1 year. The indicative total value for the full term was identified as £17.9m.

4. Current situation/proposal

1.4 Transport services are procured to meet both the local authority's statutory duty under the Learner Travel (Wales) Measure 2013 and the discretionary arrangements contained in the local authority's Home to School/College Transport Policy.

1.5 The local authority's Home to School/College Transport Policy will soon be subject to review and the outcome of that review will inform the requirements of the home to school bus service that is to be provided. As a result, the local authority cannot offer assurances to transport operators, that, if following any proposal to amend further the local authority's Home to School/College Transport Policy, any changes would not

have an impact on the longevity of these contracts for the short to medium term, let alone the anticipated length of the contract of potentially seven years.

- 1.6 Therefore, with the identification of this risk for operators, the proposal is that these contracts are not retendered when they expire in July 2019. Instead, Cabinet is asked to suspend the relevant parts of the CPRs requiring a competitive procurement exercise and authorise entering into contracts with existing operators for a period of 11 months from September 2019 to July 2020. This will ensure that the outcome of any proposals to amend the current Home to School/College Transport Policy following appropriate public consultation, would be considered prior to the retendering of the current contracts.
- 1.7 Cabinet needs to be aware that, in awarding these short-term contracts to the current providers, the Council is exposed to the risk of potential challenge from other providers of such services. The Council's CPRs ensures that procurement exercises are carried out in compliance with the Public Contract Regulations 2015. The report proposes entering into contracts with the existing service providers without any competition in breach of the requirements of the Public Contract Regulations 2015.
- 1.8 The risk of challenge is not possible to quantify, however, given the current difficulties in the commissioning of the services, the Council may take the view that the potential for challenge is one it is prepared to accept.

5. Effect upon policy framework and procedure rules

- 1.9 This report seeks the suspension of the Council's CPRs.

6. Equality Impact Assessment

- 1.10 An initial assessment identifies that there are no equalities issues related to this report.

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

- 1.11 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

Long-term	The identification of the continuity of the current contracts for eleven months identifies that the local authority understands the impact on operators of supporting the sustainability of school bus services.
Prevention	The local authority assesses the suitability of transport operators to deliver home-to-school transport services. The local authority is now developing training to support operators with training, to enable them to develop and maintain their knowledge and skills, and be successful in fulfilling the role.
Integration	School transport operators have a strategic role in providing a service so that all eligible pupils are supported in accessing their place of education. This ultimately means that learners can learn and achieve so that they can access opportunities for further

learning and employment, and can play active roles in their communities, contributing positively to society as a whole.

Collaboration School transport providers have a strategic role in supporting pupil's access to school. Transport providers need to ensure the health and wellbeing of pupils and staff. The local authority, in conjunction with transport providers, are ensuring that services are improved to meet the needs of all learners.

Involvement The local authority engages with transport operators on a regular basis.

8. Financial implications

1.12 The annual cost of the contracts identified at Appendix 1 is £2.56m. By extending these contracts, there will be no variation to the rates currently charged to the local authority by contractors through to July 2020. Nevertheless, a full tender exercise of the routes at Appendix 1 approved by Cabinet in March 2019, for the agreed term of 5 years with the option to extend by 2 further periods of 1 year, may have brought significant annual savings to the learner transport budget from September 2019. Nevertheless, it is anticipated that these savings would still be deliverable from September 2020.

9. Recommendation

1.13 Cabinet is recommended to:

- suspend the relevant parts of the Council's Contract Procedure Rules in respect of the requirement to re-tender the contracts listed at Appendix 1 of this report for home-to-school bus services; and
- authorise the Corporate Director (Education and Family Support) to enter into the contracts with the operators listed at Appendix 1 of this report from 2 September 2019 until 20 July 2020.

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Background Documents None

Appendix 1

Contract ref.	School	Operator name
B1A	Archbishop McGrath Catholic High School	Wilkins Coaches
B1B	Archbishop McGrath Catholic High School	Llynfi Coaches
B1C	Archbishop McGrath Catholic High School	Wilkins Coaches
B02	Archbishop McGrath Catholic High School	Davey Travel
B03	Archbishop McGrath Catholic High School	Davey Travel
B04	Archbishop McGrath Catholic High School	Gwyn Jones & Sons Ltd
B05	Archbishop McGrath Catholic High School	Gwyn Jones & Sons Ltd
B06	Archbishop McGrath Catholic High School	Easyway
B07	Archbishop McGrath Catholic High School	Cresta Coaches
B08	Archbishop McGrath Catholic High School	Pencoed Travel
B10	Archbishop McGrath Catholic High School	Peyton Travel
B11	Archbishop McGrath Catholic High School	Easyway
B12A	Brynteg School	Cresta Coaches
B12B	Brynteg School	Cresta Coaches
B12C	Brynteg School	Cresta Coaches
B12D	Brynteg School	Cresta Coaches
B13	Brynteg School	Cresta Coaches
B14	Cynffig Comprehensive School	Express Motors
B15	Cynffig Comprehensive School	Gwyn Jones & Sons Ltd
B16	Coleg Cymunedol y Dderwen	Gwyn Jones & Sons Ltd
B17	Coleg Cymunedol y Dderwen	Davey Travel
B17A	Coleg Cymunedol y Dderwen	Davey Travel
B17B	Coleg Cymunedol y Dderwen	Davey Travel
B17C	Coleg Cymunedol y Dderwen	Davey Travel
B18	Coleg Cymunedol y Dderwen	Gwyn Jones & Sons Ltd
B19	Maesteg School	Wilkins Coaches
B20	Maesteg School	Wilkins Coaches
B21	Maesteg School	Wilkins Coaches
B22	Maesteg School	Wilkins Coaches
B23	Maesteg School	Wilkins Coaches

Contract ref.	School	Operator name
B24	Maesteg School	Wilkins Coaches
B25	Maesteg School	Wilkins Coaches
B26	Pencoed Comprehensive School and Pencoed Primary School	Cresta Coaches
B26A	Pencoed Primary School	Cresta Coaches
B27	Pencoed Comprehensive School	Easyway
B28	Pencoed Comprehensive School	Cresta Coaches
B29	Pencoed Comprehensive School	Express Motors
B30	Pencoed Comprehensive School	Express Motors
B32	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B33	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B34	Ysgol Gyfun Gymraeg Llangynwyd	Pencoed Travel
B35	Ysgol Gyfun Gymraeg Llangynwyd	Davey Travel
B36	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B37	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B37A	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B38	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B39	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B40	Ysgol Gyfun Gymraeg Llangynwyd	Wilkins Coaches
B41	Ysgol Gyfun Gymraeg Llangynwyd	Llynfi Coaches
B42	Ysgol Gyfun Gymraeg Llangynwyd	Gwyn Jones & Sons Ltd
B43	Ysgol Gyfun Gymraeg Llangynwyd	Davey Travel
B44	Coety Primary School	Pencoed Travel
B45	Dolau Primary School (Welsh Unit)	Cresta Coaches
B46	Ogmore Vale Primary School	Davey Travel
B47	St Mary's Catholic Primary School	Pencoed Travel
B48	St Mary's Catholic Primary School	Peyton Travel
B49	St Mary's Catholic Primary School	Easyway
B50	St Mary's Catholic Primary School	Easyway
B51	St Mary's and St Patrick's Catholic Primary School	Wilkins Coaches

Contract ref.	School	Operator name
B52	Ysgol Gymraeg Bro Ogwr	Gwyn Jones & Sons Ltd
B53	Ysgol Gymraeg Bro Ogwr	Cresta Coaches
B54	Ysgol Gymraeg Bro Ogwr	Cresta Coaches
B55	Ysgol Gymraeg Bro Ogwr	Pencoed Travel
B56	Ysgol Gymraeg Bro Ogwr	Pencoed Travel
B57	Ysgol Gymraeg Bro Ogwr	Cresta Coaches
B58	Ysgol Gymraeg Bro Ogwr	Cresta Coaches
B59	Ysgol Gymraeg Bro Ogwr	G&S Travel
B60	Ysgol Gynradd Gymraeg Cwm Garw	Gwyn Jones & Sons Ltd
B60A	Ysgol Gymraeg Bro Ogwr	G&S Travel
B61	Ysgol Cynwyd Sant	Llynfi Coaches
B62	Ysgol Cynwyd Sant	Wilkins Coaches
B63	Ysgol Cynwyd Sant	Wilkins Coaches
B64	Ysgol Y Ferch o'r Sgêr	Express Motors
B65	Ysgol Y Ferch o'r Sgêr	Express Motors
B66	Ysgol Gyfun Llanhari	Davey Travel
B67	St Robert's Catholic Primary School	Easyway
B68	St Robert's Catholic Primary School	Village Bus
B69	St Mary's and St Patrick's Catholic Primary School	Llynfi Coaches
B70	Ysgol Gynradd Gymraeg Calon Y Cymoedd	Davey Travel

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

18 JUNE 2019

REPORT OF 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 paragraphs 4.1 and 4.2.

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 paragraphs 4.1, 4.2 and Appendix A).

4. Current situation/proposal

- 4.1 For the 14 schools in the table below, all 17 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:

Name	School
Cllr Jefferson Tildesley MBE	Afon y Felin Primary School
Miss Jennifer Jones	Brackla Primary School
Mr Iwan Dowie	Bryntirion Comprehensive School
Cllr Cheryl Green	Bryntirion Comprehensive School
Mrs Heather Griffiths	Coleg Cymunedol Y Dderwen
Mr John Miles	Coleg Cymunedol Y Dderwen
Mrs Phyllis Denise Roberts	Corneli Primary School
Mr Adrian Roberts-Walsh	Cynffig Comprehensive School
Mrs Sarah Murphy	Mynydd Cynffig Primary School
Cllr Stephen Smith	Nantffyllon Primary School

Mr Chris Habberley	Nottage Primary School
Mrs Rita Batstone	Ogmore Vale Primary School
Mr Richard Sloggett	Pen y Bont Primary School
Mr Malcolm Cowper	Porthcawl Primary School
Mr Jonathan Wilson	Tynyrheol Primary School
Mrs Helen Lowcock-James	Ysgol Gymraeg Bro Ogwr
Mr Martin Keith Hughes	Ysgol Gymraeg Bro Ogwr

- 4.2 There was competition for one vacancy at one school and the applicants are detailed in the table below.

Name of applicants	School
Mr William Bond	Heronsbridge School
Mrs Marjorie Nash	

The officer panel scrutinised the applications in line with the Council's selection criteria. It was agreed to recommend Mr William Bond due to his record of attendance at governor training events.

There was competition for two vacancies at one school and the applicants are detailed in the table below.

Name of applicants	School
Mr Harry Davies	Ysgol Gyfun Gymraeg Llangynwyd
Mr Huw Marshall	
Mr Robert Alun Evans	

The officer panel scrutinised the applications in line with the Council's selection criteria. It was agreed to recommend Mr Huw Marshall and Mr Robert Alun Evans due to these applicants already being school governors and also their records of attendance at governing body meetings in the last two years.

- 4.3 Subject to the above appointments being approved, there are still 20 vacancies that need to be filled in 17 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 equality issues related to this report.

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

- 7.1 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed. 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 the 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 the 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 paragraphs 4.1 and 4.2.

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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
- Well-being of Future Generations Assessment.

Appendix A

Local authority governor vacancies: current and forthcoming (up to the end of August 2019)

Name of school	Number of current and forthcoming vacancies
Archbishop McGrath Catholic High School	1
Maesteg School	1
Porthcawl Comprehensive School	1 (from July 2019)
Abercerdin Primary School	1
Betws Primary School	2 (1 from July 2019)
Brackla Primary School	1
Cefn Glas Infants School	1
Cwmfelin Primary School	1 (from August 2019)
Llangewydd Junior School	1
Llangynwyd Primary School	2
Mynydd Cynffig Primary School	1
Newton Primary School	1
Ogmore Vale Primary School	1
Plasnewydd Primary School	1
St Mary's Catholic Primary School	1
St Robert's Catholic Primary School	2
Tondu Primary School	1
TOTAL VACANCIES	20

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