

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 17 SEPTEMBER 2019 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
RE Young

PJ White

HM Williams

D Patel

Apologies for Absence

Corporate Director – Social Services and Wellbeing.

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Kelly Watson	Head of Legal & Regulatory Services
Laura Kinsey	Head of Children's Social Care
Mark Shephard	Chief Executive
Mark Galvin	Senior Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Martin Morgans	Head of Performance and Partnership Services
Zak Shell	Head of Neighbourhood Services
Helen Picton	Operational Manager Enterprise & Specialist Services

403. DECLARATIONS OF INTEREST

Councillor HM Williams declared a personal interest in Agenda Item 11., in that he owns livestock on Mynydd Y Gaer Common near the Rockwool site, that was discussed as part of debate on this item.

404. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of Cabinet dated 23 July 2019 be approved as a true and accurate record.

405. PUPIL DEPRIVATION GRANT - ACCESS GRANT 2019-20

The Interim Head of Finance presented a report, the purpose of which, was to provide an update to Cabinet on the PDG Access Grant which is part of the Welsh Government Local Authority Education Grant 2019-20.

By way of background information, she explained that in 2018-19, the PDG Access Grant replaced the former Welsh Government (WG) School Uniform Grant for pupils in receipt of free school meals and entering secondary school for the first time (Year 7). It was extended to include free school meals of Reception age. For 2019-20, the WG grant had further been extended to include pupils who are eligible for free school meals and entering Reception, Year 3, Year 7 and Year 10 in primary, secondary and special schools, resource bases and pupil referral units.

The Interim head of Finance went on to say, that the purpose of the PDG grant is to enable Local Authorities to provide assistance to families on low income, and in receipt of free school meals with the purchase also of equipment shown in paragraph 4.1 of the report.

The value of the grant was up to £125 for each eligible pupil with the exception of those pupils entering Year 7 who were eligible for up to £200.

To the date of the report, 512 PDG Access Grants have been awarded to eligible primary school pupils, 36 grants to eligible pupils attending special schools and 561 grants awarded to eligible pupils attending secondary schools. In addition, a small number of grants have been awarded to looked after pupils attending schools in other authorities, under Welsh Government guidance.

The Deputy Leader confirmed that he had become aware of the changes to these type of grants at a recent School Budget Forum meeting and he encouraged parents to claim for these on the basis of eligibility.

The Leader was pleased to note that the availability of such grants had been extended to other year groups of schools. He extended his thanks to Welsh Government for the grant funding, as some families struggled to provide the likes of school uniform, sports kit etc for their children, and this provided some invaluable financial assistance especially for parents who had a number of children.

He hoped Head teachers would remind parents of this grant and that details of this could also be relayed through the Communications Panel and to the Fostering team so that they could remind Foster Carers of LAC.

RESOLVED: That Cabinet noted the update on the PDG Access Grant from Welsh Government, including the number of applications that have been received to date and the potential number of pupils who are still eligible to claim the Grant.

406. VALLEYS REGIONAL PARK - AWARD OF FUNDING IN RELATION TO VALLEYS REGIONAL PARK DISCOVERY GATEWAYS CAPITAL GRANT 2019- 2021

The Head of Operations – Community Services presented a report, the purpose of which, was to update Cabinet on applications for funding to the Valleys Regional Park Discovery Gateways Capital Grant, 2019-2021, and to seek Cabinet approval to accept funding offers and enter into agreements with delivery partners Awen Cultural Trust and the Wildlife Trust, South and West Wales, to support the delivery of activities as part of the Valleys Regional Park at Bryngarw Country Park and Parc Slip.

The report outlined certain background information, following which, he advised Members that BCBC had received notification from Welsh Government, that the proposals in relation to Bryngarw Country Park and Parc Slip have been approved.

He explained that the proposal for Bryngarw Country Park has been offered £500k capital funding and Parc Slip has been offered £400k capital funding.

In terms of the funding for Bryngarw Country Park, paragraph 4.4 of the report outlined examples of what this would deliver, whilst paragraph 4.5 outlined the same for Parc Slip.

In terms of the report's financial implications, these were outlined in paragraph 8. of the report, and the Head of Operations – Community Services reiterated that Welsh Government have indicated that at this stage, any funding indicated in financial years is fixed and there is no scope to vary between years. Delivery partners therefore have to manage and spend the resources in line with this and will be liable for any costs resulting from over or under spend not in line with the profile.

The Cabinet Member – Education and Regeneration commended the report adding that he was delighted with the funding so secured for the Valleys Regional Park schemes.

The Leader added his thanks to Welsh Government, ministers of which had championed the concept of VRP and backed this up with the appropriate investment. He also added the importance of partnership working in order to deliver projects such as these.

RESOLVED: That Cabinet:

- 1) Accepted the grant offers for the delivery of activity at Bryngarw Country Park (£500,000) and Parc Slip (£400,000) through the Valleys Regional Park Discovery Sites Capital Grant, 2019-2021.
- 2) Authorised the Head of Operations – Community Services, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to enter into agreements with Awen Cultural Trust and the Wildlife Trust, South and West Wales for the delivery of their respective aspects of the project in accordance with paragraph 4.8 of the report.

407. **SUSPENSION OF COUNCIL'S CONTRACT PROCEDURE RULES AND AWARD OF CONTRACTS FOR DOMESTIC ABUSE SERVICES**

The Head of Performance and Partnership Services submitted a report on behalf of the Chief Executive, the purpose of which, was to seek approval to:

- Continue service delivery of existing domestic abuse services, to allow for regional commissioning options to be fully explored.
- Suspend the relevant parts of the Council's Contract Procedure Rules (CPRs) with regards to the requirement to re-tender the contracts detailed in this report.
- Authorise the Chief Executive Officer to enter into two contracts with the existing provider, Calan DVS until 30th April 2021.

By way of background information, he advised that Bridgend County Borough Council (BCBC) currently commissions a range of domestic abuse services, in line with two separate contracts.

One of these was for Integrated Domestic Abuse Services and a second contract was for the Perpetrator Programme, as detailed in paragraphs 3.2 and 3.6 of the report.

Following a tender exercise in 2015 BCBC entered into a contract with Calan DVS. The contract was commissioned for a three year period, with the option to extend for a further period of up to 24 months. This provision includes:

- Womens' refuge
- Move on accommodation
- Drop in provision part of BCBC's 'Assia Suite'
- Floating support
- Children and Young Persons Service — this element of the service is an annual option. A decision is made by December each year as to whether provision will continue in the following financial year.

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In terms of the Perpetrator Programme, on 30th January 2018 Cabinet authorised the suspension of the Council's CPRs in relation to the requirements to tender a service and authorise to enter into a contract with Calan DVS for the provision of a Perpetrator Programme.

A progress report in November 2018 showed that 26 male perpetrators had been referred to the scheme and of these, 11 have gone on to have 14 sessions, and 11 women (survivors) have received 58 one to one sessions. 100% of males and 100% of the survivors stated that they would recommend the programme to others.

The Head of Performance and Partnership Services, proceeded by stating that The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, aims to improve the public sector response to abuse and violence across Wales.

Commissioning guidance published in 2019, requires Violence against Women, Domestic Abuse and Sexual Violence ("VAWDASV") regional commissioning partnerships to carry out an assessment of need to inform VAWDASV commissioning strategies. The guidance stresses the importance of needs led, strengths based and accountable VAWDASV services.

As part of Welsh Government's regional reform process, BCBC has been working in collaboration with Merthyr Tydfil County Borough Council and Rhondda Cynon Taf County Borough Council to create a Cwm Taf VAWDASV Steering Group.

In addition, following Bridgend's health care boundary change to Cwm Taf University Health Board, effective from 1st April 2019, BCBC formally joined the Cwm Taf Regional Collaborative Committee, with regards to the Supporting People Grant, allowing for increased collaboration with partners across the Cwm Taf footprint.

In 2019 BCBC commissioned an independent consultant to undertake a VAWDASV population needs assessment to inform commissioning. The report highlighted a number of gaps in provision, including services for survivors of sexual violence, gender specific provision and services for people with additional needs, including those with mental health and substance misuse issues. A population needs assessment of the Merthyr and Rhondda Cynon Taf areas highlighted some common gaps in provision.

BCBC has commissioned an independent consultant to look at the strengths and weaknesses of existing services. This work is currently ongoing. BCBC will continue to work collaboratively as part of the Cwm Taf VAWDASV Steering Group to explore options for regional commissioning activity.

Finally, the Head of Performance and Partnership Services concluded his submission, by confirming that Cabinet needed to be mindful, that in awarding these contracts to Calan DVS, the Council is exposed to the risk of potential challenge from other providers of such services. The Council's CPRs ensure that procurement exercises 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 Cabinet Member – Future Generations and Wellbeing acknowledged the ongoing changes with regard to the crossover from ABHMU to the Cwm Taf Health Board and the importance of the more vulnerable in society accessing services. She stated that after the regional commissioning proposals had been completed these services would be clearer, and more robust and beneficial to clients such as these.

RESOLVED: That Cabinet:

- (1) Approved the continuance of service delivery of the existing Integrated Domestic Abuse Services and the Perpetrator Programme, to allow for regional commissioning options to be fully explored.
- (2) Suspended the relevant parts of the Council's CPR's in respect of the requirement as to re-tendering of the proposed contracts.
- (3) Authorised the Chief Executive to enter into two separate contracts with Calan DVS, one for the provision of Integrated Domestic Abuse Services and one for the provision of the Perpetrator Programme until 30 April 2021.

408. SCHOOL CROSSING PATROLS

The Head of Operations – Community Services submitted a report, the purpose of which, was to recommend amendment to the School Crossing Patrol Service with adoption of the Road Safety Great Britain [GB] School Crossing Patrol Service Guidelines 2016 (the 2016 GB Guidelines).

In a previous Cabinet Report of 3 March 2015, there were 24 identified permanent School Crossing Patrol Officers [SCP's] currently employed by Bridgend County Borough Council. As a result of fluctuations in the service and as some SCPs have left or retired, there are now 17 permanent SCPs currently employed by Bridgend County Borough Council.

There are a number of sites which are historical and need to be investigated further to determine their status. For example, some sites are located where formal crossings have been provided, therefore SCP provision is not required and the posts have not been filled.

He explained that as detailed in the Road Safety GB School Crossing Patrol Service Guidelines (2012), appraisal of a potential site should be carried out objectively and be capable of withstanding challenge or criticism. This guidance was updated in 2016. The main difference between the guidelines is that one of the 2012 criteria counts children and adults that are crossing the road, whereas the 2016 guideline criteria considers the primary user to be child pedestrians crossing the road adopted.

This approach does not mean that sites will be automatically disestablished if they do not meet the criteria, as dialogue would take place with schools and town/community councils if they expressed an interest in funding the retention of the site.

In keeping with the previous report a site would be assessed if there is a change in circumstances i.e. a school relocation, a retirement or vacancy of a school crossing patroller, or demographic changes to a school.

The Head of Operations – Community Services added, that if the site does not meet the criteria, but the community consider the provision of an SCP to be important to them, then consideration should be given to other ways of funding the post such as the Community / Town Council. The SCP would be employed by BCBC but funded by the community.

This proposal is in line with the best use of resources and focusses on those sites where there is greatest assessed risk, based on the 2016 GB Guidelines.

The Cabinet Member – Communities, advised that there were no staffing implications currently, as a result of the report's proposals which he supported.

The Cabinet Member – Social Services and Early Help advised that the safety of children in particular was paramount and School Crossing Patrols were very important to this end. In light of the difficulty of recruiting staff to patrol School Crossings, he commended the assistance from Roly Patroly, a vehicle that was used to pick up unauthorised parking of vehicles in restricted areas, including those near schools.

The Head of Operations – Community Services advised that Roly Patroly had been successful in controlling unauthorised parking, and he reminded those present that more facts and details on issues relating to this report would be shared with Subject Overview and Scrutiny 3 when the topic of Enforcement will be on the agenda at next month's meeting.

The Cabinet Member – Future Generations and Wellbeing pointed out that if there were school crossing patrols outside or in the vicinity of any school, then this would possibly encourage pupils to walk more to schools than be driven there. Also, if any school crossing did not meet the required standards or criteria at any site and therefore were not subject to being patrolled by a School Crossing Patrol Officer, then could the school in question assist here in any way.

The Corporate Director – Education and Family Support advised that some schools had site supervision of traffic management schemes in place which may be able to assist to this end. Also, there was scope for a Town/Community Council or School Group to fund any controls should they express an interest to do so. However, any School Crossing Patrol Officer so recruited to control school crossings, would require to be employed by BCBC.

RESOLVED: That Cabinet approved that the 2016 GB Guidelines be adopted for future assessment of vacant or proposed School Crossing patrol sites.

409. **SERVICE LEVEL AGREEMENT BETWEEN BRIDGEND COUNTY BOROUGH COUNCIL AND G4S CARE AND JUSTICE SERVICES (UK) LIMITED INVISIBLE WALLS WALES**

The Corporate Director – Education and Family Support submitted a report, in order to seek Cabinet approval for the continuation of the service level agreement between BCBC and G4S Care and Justice Services (UK) Ltd in respect of Invisible Walls Wales service.

He advised that BCBC had worked in partnership with G4S and the Invisible Walls Wales (IWW) service since 2012 via a Big Lottery Grant.

He proceeded by confirming that an evaluation of the service had been undertaken, which highlighted some positive outcomes linked to the work undertaken by IWW, examples of which were detailed in paragraph 3.3 of the report.

A social work role (as alluded to in the report), has played a critical part in the success of the project and G4S were keen to maintain this partnership arrangement. A service level agreement (SLA) was previously approved by Cabinet in April 2018.

This SLA attached at Appendix 1 to the report, set out the ongoing partnership arrangements and has been updated to reflect changes in relation to service criteria that have been recently introduced.

The Cabinet Member – Future Generations and Wellbeing, though that the report made for positive reading and hoped that Members could soon visit Parc Prison within the immediate future.

The Leader concluded debate on this item, by stating that it was vital for children of prisoners to be able to maintain contact with them and foster their relationship with their father, through visits etc, rather than this being compromised.

RESOLVED: That Cabinet:

(1) Agreed the ongoing partnership

(2) Authorised the Corporate Director – Education and Family Support, to enter into the service level agreement, as referenced at Appendix 1 to the report.

410. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director – Education and Family Support submitted a report, the purpose of which, was to seek approval from Cabinet, for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1 and 4.2 of the report.

Details of the necessary appointments were outlined in paragraph 4. of the report.

The Cabinet Member – Education and Regeneration referred to Appendix A to the report that listed the current (and forthcoming) list of Local Authority governor vacancies and he asked if this could be circulated to all Councillors; the media, staff within the Authority and the general community, in order to obtain as much interest as possible, so that hopefully these vacancies could be filled in the not too distant future.

This was echoed by the Leader.

RESOLVED: That Cabinet approved the appointments listed at paragraphs 4.1 and 4.2 of the report.

411. **SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2018/19**

The Corporate Director – Social Services and Wellbeing submitted a report, in order to present to Cabinet the 2018/19 Annual Report on social services representations and complaints procedures as required by Welsh Government guidance. The Annual Report was attached at Appendix 1 to the cover report.

The Head of Children’s Social Care advised by way of background information, that there was a requirement upon local authorities to have in place procedures for considering any such representations or complaints made in relation to the discharge of their Social Services functions. This section of the report outlined how this information was collated and in turn, reported to Welsh Government.

In terms of the reports current situation, paragraph(s) 4 of the report reflected for some positive reading, in that all complaints received for the above period were resolved within the statutory timescales with there also being an early resolution of such complaints.

The number of complaints together with the category of these, were detailed in paragraph 4.2 of the report.

The Cabinet Member – Social Services and Early Help, commended the report adding that last year's data meant for pleasant reading, in that it was an improving picture, with the Council having responded positively to such complaints etc, and this not just related to the service area of Social Services, but was also a wider Council approach. He encouraged all Members to also become involved in Rota Visiting of establishments, if they weren't involved in this currently.

The Leader concluded debate on this item, by advising that it was heartening to read the feedback given to the services provided to clients on pages 89 and 90 of the report in respect of Adult Social Care, as it was so very important to give support to the more vulnerable members of our community and see these individuals being very appreciative of this.

RESOLVED: That Cabinet approved the Annual Report on social services representations and complaints procedures for 2018/19.

412. LOCAL AIR QUALITY MANAGEMENT - ANNUAL PROGRESS REPORT 2019

The Operational Manager and Specialist Services Officer, from the Shared Regulatory Services jointly presented a report, the purpose of which, was to seek approval for the 2019 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR), based upon on air quality datasets obtained in 2018. The report required Cabinet approval in order to submit a final version to Welsh Government (WG) before the 30th September 2019.

Cabinet were advised, that under Section 82 of the Environment Act 1995 every local authority has an obligation to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives to protect health are likely to be achieved. Where the air quality reviews indicate that the air quality objectives are not being achieved, or are not likely to be achieved, Section 83 of the 1995 Act requires local authorities to designate an Air Quality Management Area ('AQMA'). Section 84 of the Act ensures that action must then be taken at a local level which is outlined in a specific Air Quality Action Plan (AQAP) to ensure that air quality in the identified area improves.

The Annual Progress Report provided details on the ratified data for the air quality monitoring undertaken in 2018 within Bridgend County Borough Council.

On 20th November 2018 BCBC's Cabinet approved the recommendation to implement an Air Quality Management Area (AQMA) on Park Street based on evidence provided by Shared Regulatory Services (SRS) who manage LAQM on behalf of BCBC. Cabinet also approved the detail of the proposed AQMA order.

The Park Street, Bridgend AQMA Order was officially implemented on the 1st January 2019. The area comprising the Bridgend County Borough Council Air Quality Management Area Order No. 1, Park Street was outlined by Figure 1 in the report.

The 2019 Annual Progress Report confirms that in general air quality within Bridgend County Borough continues to meet the relevant air quality objectives as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002.

However, it was notable that in 2018 air quality was a prevalent concern along Park Street, which coincides with the boundary of the AQMA Order raised on 1st January 2019. It is also noted that elevated annual average NO2 air quality levels exist in close

proximity to Park Street along adjoining road networks, where relevant exposure is apparent.

It was noted that monitoring undertaken at the new established site for 2018 (OBC-110), located on Park Street, does not only demonstrate annual average levels in exceedance of the annual average air quality objective set at (40µg/m³) for NO₂, but levels captured are also encroaching upon the 1-hour objective; 200µg/m³ not to be exceeded > 18 times per year. OBC-110 recorded an annual average figure of 58.7.µg/m³.

It was also essential that the highlighted monitoring sites are closely examined and suitable action is taken where necessary explained the Officers. Such action may involve amendments to the AQMA Order, including revisions of the geographical boundary to encapsulate a wider area and reasoning for declaration.

As part of the LAQM statutory duties, from the date of raising the AQMA Order (in this instance 1st January 2019) SRS and BCBC has 18 months in which to prepare a Draft Action Plan to improve air quality in the area, and once agreed, this plan must be formally adopted before two years has elapsed.

SRS/ BCBC are currently working in accordance with WG's Policy Guidance to produce an Air Quality Action Plan (AQAP).

In preparing such a document, SRS has established a Work Steering Group which ensures the AQAP considers all aspects, including transport, planning, strategy & policy, public health and communications. The work steering group consists of representatives from BCBC's various departments, as well as representatives from the local Public Service Board (PSB). Meetings held to date have allowed for cross department integration and the development of realistic mitigation measures to alleviate the air quality concerns.

To date SRS has developed a preliminary list of proposed mitigation measures to address and hopefully alleviate the air quality concerns within the established Park Street, Bridgend AQMA. This preliminary list of measures considers the main categories shown in paragraph 4.13 of the report.

SRS/BCBC would be engaging with members of the public via 'Drop-in' sessions to answer any questions from residents and businesses in regards to the development of the Park Street AQMA Action Plan. The drop in sessions will provide an outline understanding for Council proposed mitigation measures and will allow persons to comment or request further information on the proposal.

Following completion of the Draft Air Quality Action Plan, a public consultation will be undertaken which will allow residents and businesses to make necessary comments.

As part of the report's financial implications, Officers advised that to support the development of the Park Street AQMA Action Plan, detailed air quality and transport modelling will be required to support any decisions to implement mitigation measures to improve NO₂ levels along Park Street. To support the decision as to which measures will be implemented there will be further detailed modelling assessments. Firstly each measure will be assessed in terms of cost and benefit, which will allow Cabinet to make an informed decision as to which measure/ measures they wish to pursue for further scrutiny and examination.

A further report will be brought to Cabinet in order to facilitate this process.

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Any further detailed assessments will require financial support which, depending on the amount required, will necessitate discussion with the Section 151 Officer as to how these can be funded.

The Cabinet Member – Future Generations and Wellbeing, acknowledged the report together with the fact that Officers from the Shared Regulatory Services (SRS) were taking the issue regarding Park Street seriously. She was pleased to note, that there were no other real concerns with regards to the air quality depreciating significantly in other locations within the County Borough.

The Deputy Leader confirmed that BCBC provided no less than 800 different key services and that it was essential, that the air that people breathe in Bridgend and its surrounding areas is of sufficient quality so to not as be detrimental to any one individual's health. He asked Officers if the air quality within the Mynydd Y Gaer area near the Rockwool site, Wern Tarw was safe for both residents and livestock that grazed on the common land at this location.

The Specialist Services Officer advised that tests had been made at this location and overall the air quality there gave no cause for concern, though there were monitoring processes carried out there from time to time, to ensure this situation did not change.

The Leader noted that there were higher levels of air emissions in the location of Tondu Road which was relatively close to the lower air quality levels at Park Street. He asked if these could be mitigated in some way through, for example, traffic management proposals being possibly put in place within these interconnecting locations, with a view to reducing carbon monoxide levels from motor vehicles.

The Specialist Services Officer confirmed that this was something that would be examined as part of the overall dataset analysis in the 2019 study of Local Air Quality controls. If these levels proved to be high, then mitigation measures would be taken along the lines of those, amongst others, contained in paragraph 8.3 of the report.

RESOLVED: That Cabinet:

- (1) Noted and accepted the monitored results gathered in 2018.
- (2) Noted the progress made developing the Air Quality Action Plan to accompany the Park Street, Bridgend AQMA, and
- (3) Recommended the finalisation of the 2019 Annual Progress Report (as attached at Appendix 1 to the report) for submission as a final version to Welsh Government before 30 September 2019.

413. INFORMATION REPORTS FOR NOTING

The Head of Legal and Regulatory Services submitted a report, the purpose of which, was to inform Cabinet of the Information Reports for Noting which have been published since the last scheduled meeting.

Details of these items were outlined in paragraph 4.1 of the report.

In respect of the report on the Ombudsman Annual Letter 208-19, the Leader was pleased to note that there had been less complaints made to the Ombudsman this year, as well as the fact that responses to any complaints so received were responded to quickly, as well as being taken very seriously.

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RESOLVED: That Cabinet acknowledged the publication of the documents listed in the report.

414. URGENT ITEMS

None.