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Bridgend County Borough Council



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Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 13 November 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, 19 November 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 - 16
To receive for approval the Minutes of 22/10/2019
4. Shared Regulatory Services Annual Report 2018-19 17 - 48
5. Amendment to the Scheme of Delegation of Functions - Renting Homes (Fees etc.) (Wales) Act 2019 49 - 54
6. Homelessness Strategy 2018 - 2022 55 - 96
7. Environmental Enforcement Policy 97 - 130
8. Valleys Task Force Empty Homes Grant 131 - 142
9. Re-Commissioning Supported Living Services 143 - 150
10. Review of Post-16 Provision Across Bridgend (Phase 4 Report) 151 - 198
11. Community Learning Grant - East Hub 199 - 204
12. Appointment of Local Authority Governors 205 - 208

By receiving this Agenda Pack electronically you will save the Authority approx. £4.16 in printing costs

13. 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, 22 OCTOBER 2019

MINUTES OF A MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 22 OCTOBER 2019 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
RE Young

PJ White

HM Williams

D Patel

Apologies for Absence
Cllr R Young

Officers:

Gill Lewis	Interim Head of Finance and Section 151 Officer
Kelly Watson	Head of Legal & Regulatory Services
Mark Shephard	Chief Executive
Susan Cooper	Corporate Director - Social Services & Wellbeing
Mark Galvin	Senior Democratic Services Officer - Committees
Lindsay Harvey	Corporate Director Education and Family Support
Zak Shell	Head of Neighbourhood Services

416. DECLARATIONS OF INTEREST

Councillor D Patel declared a personal interest in Agenda item 8., in that Appendix 1 to the report made reference to Ogmere Vale Primary School of which she is a School Governor.

Councillor PJ White declared a personal interest in Agenda item 10., in that he was the local Ward Member and had submitted no objection to the proposal from a planning perspective.

417. APPROVAL OF MINUTES

RESOLVED: That the Minutes of meetings of Cabinet on the following dates, be approved as a true and accurate record:-

Special meeting – 10 September 2019

Ordinary meeting – 17 September 2019

418. ANNUAL REPORT 2018-19

The Interim Head of Finance and S151 Officer submitted a report on behalf of the Chief Executive, the purpose of which, was to consider the Annual Report 2018-19 (Appendix A to the report) and recommend it to Council in turn, for approval.

The report gave some background information which confirmed that the Plan defined 40 commitments to deliver the three well-being objectives and identified 58 outcome-focused indicators for the financial year 2018-19.

The report also confirmed some pleasing news, in that overall it had performed well in 2018-19. Of the 40 commitments, 35 (88%) were completed successfully and the remaining 5 (12%) achieved most of their milestones.

The Corporate Plan identified 58 indicators to measure access. Of the 56 indicators with a target, 37 (66%) were on target, 9 (16%) were off target by less than 10% and 10 (18%) missed the target by more than 10%. Detailed information about the Council's performance against its commitments and targets was included in Appendix A.

The Interim Head of Finance and S151 Officer confirmed that the Annual Report was an important document, as it provided citizens and stakeholders with detailed information about the Council's performance against its well-being objectives and outcomes. It also included national comparable measures to give a full picture of how the Council performed across a range of services.

The Leader felt the report and supporting information was very balanced and made for positive reading. He particularly felt that reference to a number of case studies that brought the report to life. He felt that reaching 88% of the Council's commitments put the Authority in good stead moving forward. He also referred to page 25 of the report where this detailed how the Council's wellbeing objectives dovetailed with our wellbeing goals. He was also pleased that the report did not hide areas where the Council did not compare so favourably to other authorities.

He felt it notable also to advise that we were ranked 3rd lowest in Wales in terms of the percentage of Year 11 school leavers that were not in further education, employment or training. There were also a list of actions in the Report that identified how the Council had met its objectives.

The Cabinet Member – Social Services and Early Help referred to page 28 of the Annual Report and a snapshot of economic, social, cultural and environmental well-being goals achieved across the Bridgend County Borough. He referred to the fact that in 2018-19 there were 81,767 over 60's free swims recorded for 5,000 individual users, which was the highest participation in Wales out of 22 local authorities.

The Head of Operations – Community Services in response to a question regarding details of the footfall in terms of visits to Porthcawl town centre, advised that these were showing as relatively low in the report. He added that this figure was inaccurate due to the fact that one of the CCTV cameras was not working around the time this figure was collated. This camera had now been both repaired and re-located to a better position and following this in the first quarter of this year, the footfall into the town centre was showing far more favourably than in similar quarters last year.

RESOLVED: That Cabinet considered the Annual Report 2018-19 at Appendix A to the report and recommended it to Council for approval.

419. **BUDGET MONITORING 2019-20 - QUARTER 2 REVENUE FORECAST**

The Interim Head of Finance presented a report, the purpose of which, was to provide Cabinet with an update on the Council's revenue financial position as at 30 September 2019.

By way of background, she confirmed that on 20 February 2019, Council approved a net revenue budget of £270.809m for 2019-20, and that budget projections are reviewed regularly and reported to Cabinet on a quarterly basis.

Paragraph 4 of the report then showed a summary of the Council's financial position at 30 September 2019, which reflected the Council's net revenue budget and projected outturn for 2019-20 in Table 1 in this section of the report.

The overall projected position at 30 September 2019 is a net under spend of £575k, comprising £659 net over spend on directorates and £4.808 million net under spend on corporate budgets, offset by net appropriation to earmarked reserves of £3.574m.

The Interim Head of Finance proceeded, by confirming that the main reason for the under spend of £3.8m on 'Other Corporate Budgets,' is due to Welsh Government advising local authorities of additional grant funding being made available during 2019-20 to meet the increased cost of teachers' pensions, fire service pensions and teachers pay increases, all of which were originally funded in full through the MTFS. A detailed analysis of the more significant projected under and over spends was set out in section 4.3 of the report.

Paragraph 4.2 of the report then outlined information in respect of the monitoring of Budget Reduction Proposals and paragraph 4.2.2 contained Table 2 detailing Outstanding Prior Year Budget Reductions. This reflected that of the £2.342m outstanding reductions, £1.795m is likely to be achieved in 2019-20, leaving a shortfall of £547,000. In respect of this, paragraph 4.2.3 of the report listed the proposals still not likely to be achieved in terms of reductions in certain areas.

Table 3 of the report then highlighted the Monitoring of Budget Reductions 2019-20 where it stated that the total budget reductions required totalled 7.621m, with £6.492 of these likely to be achieved, hence leaving a shortfall of £1.129m.

Appendix 2 identified the projected amount of saving against the proposals in detail and action to be taken by the directorate to mitigate the shortfall.

A summary of the financial position for each main service area was attached at Appendix 3 to the report and comments on the most significant variances were provided on a directorate by directorate basis in the next sections of the report. Some further narrative was then given on Council Wide budgets, whilst Table 4 then in paragraph 4.4.2 of the report gave details of Earmarked Reserves during Quarter 2, which amounted to £3.574m.

The Deputy Leader advised that there were significant challenges ahead, notwithstanding the level savings that the Council had been required to make to date as a result of austerity. Some reliance had also been made on staff vacancies in order to manage the levels of savings that were required under the MTFS. To this end, he noted that there were a number of staff vacancies in the area of Health and Safety within the Education Directorate and he asked if this was compromising the Authority in any way.

The Corporate Director – Education and Family Support advised that it had been difficult to recruit externally in the above area, though the section had increased from one specialist Officer to three including an acting-up Manager. The department were looking to train staff in-house to fill any void here.

The Head of Operations – Community Services advised that there had also been some improvement made in regards to contractual arrangements with Neath Port Talbot Council having committed to improving the current price by taking the facility back in-house as of 1 October 2019.

The Leader concluded debate, by noting that there was an over spend in respect of the provision of Learner Travel for ALN and those being educated in the medium of Welsh.

The Corporate Director – Education and Family Support advised that this was due to the fact that extra bespoke vehicles for ALN had been required to meet a more than

expected level of demand and a similar situation applied for the intake for welsh medium learners and those being taken to/picked up from Learning Resource Centres.

RESOLVED: That Cabinet noted the projected revenue position for 2019-20.

420. CAPITAL PROGRAMME UPDATE - QUARTER 2 2019-20

The Interim Head of Finance and S151 Officer submitted a report, the purpose of which was to:-

- comply with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code for Capital Finance 2018
- provide an update of the Capital Programme for 2019-20 at 30 September 2019 (Appendix A to the report)
- seek agreement from Cabinet to present a report to Council for approval for a revised Capital Programme for 2019-20 to 2028-29 (Appendix B)
- note the projected Prudential and Other Indicators for 2019-20 (Appendix C)

The report outlined certain background information, the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 as amended, contain detailed provisions for the capital finance and accounting controls, including the rules on the use of capital receipts and what is to be treated as capital expenditure. They modify accounting practice in various ways to prevent adverse impacts on authorities' revenue resources.

The Interim Head of Finance and S151 Officer, confirmed that on 20 February 2019, Council approved a capital programme covering the period 2019-20 to 2028-29 as part of the Medium Term Financial Strategy (MTFS).

The capital programme was last updated and approved by Council on 24 July 2019. The report before Members provided an update on the following areas:

- Capital Programme 2019-20 Monitoring;
- Capital Programme 2019-20 Onwards;
- Prudential and Other Indicators Monitoring;
- Capital Strategy Monitoring

In respect of the Capital Programme 2019-20 Monitoring, Table 1 in paragraph 4.1 of the report, reflected the Capital Programme per Directorate for 2019-20.

The revised programme for 2019-20 currently totals £38.133m, of which £18.504m is met from BCBC resources, including capital receipts and revenue contributions from earmarked reserves, with the remaining £19.629m coming from external resources.

Table 2 in the report, then summarised the current funding assumptions for the capital programme for 2019-20.

Appendix A to the report provided details of the individual schemes within the capital programme, showing the budget available in 2019-20 compared to the projected spend.

He explained that a guaranteed interview scheme for veterans provides the guarantee of an interview to those that meet the essential criteria as set out in any relevant job pack. It did not however, guarantee employment, as selection procedures ensure that the best candidate for any job is appointed.

The above together with other support for veterans, can assist them to overcome barriers in finding civilian employment and help to reduce the risk of health and welfare problems as a result of long term unemployment.

The introduction of a guaranteed interview scheme supports BCBC's Armed Forces Community Covenant.

Paragraph 4.2 of the report, confirmed the terms of eligibility for the scheme and criteria that required to be met. The Chief Executive confirmed that if the proposals of the report were approved, then the recruitment process of the Authority would be amended to reflect the above.

The Leader commended the report and added that the guaranteed interview scheme would be one more support mechanism for veterans, added to free swimming sessions, adaptations made where necessary to their living accommodation and prioritising any applications they make to be placed in housing accommodation.

RESOLVED: That Cabinet noted the implementation of a guaranteed interview scheme for veterans.

422. **CAPITAL ENERGY INVESTMENT PROJECT AND CORPORATE LANDLORD ENERGY AND CARBON STRATEGY**

The Head of Operations – Community Services submitted a report, the purpose of which, was to provide an update to Cabinet on the Capital Energy Investment Project and seek approval from Cabinet to use the Re:fit Framework and to issue an Invitation to Tender for the works; as well as seeking approval for the Corporate Energy and Carbon Strategy 2019.

He advised that in February 2018, as part of the Medium Term Financial Strategy 2018-19 to 2021-22, council approved capital funding of £1.3m to enable the delivery of the Capital Energy Investment Project. This was to be funded from prudential borrowing with repayments made from energy savings generated as a result of the investment.

The Welsh Government proposed that the Council considers delivering carbon saving measures using the Re:fit programme. Re:fit is an energy performance framework produced by Local Partnerships LLP (which is a joint venture owned by HM Treasury and the Local Government Association and established in 2009) and specialises in delivering retrofit energy projects to public sector buildings. Re:fit have delivered projects across the UK but also to many Welsh Local Authorities, such as Cardiff, Swansea, Carmarthenshire, Pembrokeshire and Merthyr Tydfil, to name a few.

The report then confirmed that following a review being undertaken of a number of options, Officers of the Council determined that using the Re:fit framework would provide the most appropriate Capital Investment delivery model.

22 buildings as shown in Appendix 1 were identified as delivering the most effective measures in respect of the above, and these were shown in Appendix 1 to the report and engagement with stakeholders is currently being undertaken

423. PLAYING FIELDS, OUTDOOR SPORTS FACILITIES AND PARKS PAVILIONS

The Head of Operations – Community Services presented a report, the purpose of which, was to provide detailed feedback to Cabinet on the public consultation undertaken between 17 April and 10 July 2019, on proposals to make the Council's provision of playing fields, outdoor sports pitches and parks pavilions more financially sustainable moving forward.

In addition, the report put forward recommendations to support a financially sustainable future provision of facilities and provides an update concerning current Community Asset Transfer (CAT) progress.

On 18th September 2018 Cabinet approved a consultation exercise on proposals to make the Council's provision of playing fields, outdoor sports facilities and parks pavilions more financially sustainable moving forward.

The provision of these facilities is recognised as playing an important contributory part in helping to achieve healthy lifestyles and better levels of physical and mental wellbeing for the County Borough's residents.

A list of pavilions and playing fields managed by the Council's Parks Department was attached at Appendix A to the report.

The report outlined that currently there were Medium Term Financial Strategy (MTFS) proposals relating to savings in the areas of playing fields, outdoor sports facilities and parks pavilions, which amounted to £69k in 2019-20 and a further indicative saving of £369k in 2020-21. This totalled a saving overall of £438k.

Paragraphs 4.1 to 4.7 of the report, then gave a comprehensive update regarding progress in respect of Community Asset Transfers (CAT) in respect of the above facilities and although some progress had been made with CAT, it had not been to the extent or level previously anticipated.

The next section of the report, ie from paragraphs 4.8 to 4.13 outlined the part the CAT Task and Finish Group had played in the support of CAT including input from the Scrutiny process, which had provided strategic direction in respect of the Council's CAT Programme, including associated policies, systems and processes. Paragraph 4.9 listed the main recommendations arising from the CAT Task and Finish Group which concluded their review in February 2019. In relation to this, the Group had reported to Cabinet on 23 July 2019, a priority of assets for CAT be refined so that the necessary savings required under the MTFS could be prioritised accordingly.

A consultation was subsequently carried out on the proposals required to achieve the level of savings that needed to be made, in order to gather the views of the public and users of the facilities opinions on the potential impact of changes that would be required moving forward, in order to achieve this. The consultation document was attached at Appendix B to the report and whilst paragraph 4.17 of the report outlined some salient points received on the consultation, the Head of Operations – Community Services also highlighted some of these for the benefit of Members.

Paragraphs 4.18 to 4.36 of the report then continued to give further information with regard to feedback received to the consultation. These included:

- Proposals with regards to Play area provision
- Reducing maintenance on open grassland and highway verges
- Reducing parks grass cutting, and

- Proposal to increase charges for use of Sports playing fields and pavilions to enable costs to be saved

The Head of Operations – Community Services advised, that in the event that sports clubs or community groups are unable to undertake a CAT then the proposed increased fee levels would apply as indicated in Appendix E to the report. These fee charges reflect typical annual maintenance and running costs for both playing fields and pavilions. However, these would need to be tailored by the anticipated usage of individual clubs and organisations. However, the figures and activities offer a reasonable guide to current expenditure against current levels of subsidy.

Prior to closing his submission, he then referred to the reports financial implications, which reiterated that a total of £438k in savings under the Council's MTFs had been earmarked in this area over the next two year period.

The Deputy Leader confirmed that this report was challenging and that the Council did not want to be in the position to make some of the proposals that were being made in the report. However, the level of savings that were required to be made were significant and if these were not made in this area, then they would have to be made in another area within the Communities Directorate.

The Cabinet Member – Social Services and Early Help, added that the Council currently managed 34 Sports Pavilions/playing fields and had done so for a very long time. However, in the current climate, maintenance costs associated with this could no longer be financially sustained. Therefore, alternative ways to do this needed to be looked at, including self-management proposals through the CAT process and/or by Clubs and Associations and possibly Town/Community Councils taking over these assets in terms of the running and maintenance costs.

The Cabinet Member – Education and Regeneration felt that a Development Trust methodology arrangement could possibly be put in place in order to aid possible takeovers such as those detailed above and in the report.

He encouraged Town/Community Councils to assist here through increasing their precept and take over such facilities through avenues so suggested.

He added that some Clubs had funds, for example through charging for the public to see matches and bar intakes which could help assist in funding a takeover of their local ground/Sports Pavilion. He further added that maybe financial support could be committed by national organisations, for example the Football Association and Welsh Rugby Union. He felt that it was particularly important to provide continued assistance for the use of these facilities by the elderly and minority groups and therefore suggested that Cabinet receives a further report on this at a future date.

The Chief Executive confirmed that the above facilities would face closure if assistance was not provided from the likes of Clubs and Associations or perhaps Town/Community Councils, as quite simply the Council could not provide the level of subsidence it had in the past due to the level of savings it had to find under the MTFs. He added that responses to all elements of the consultation had been a little bit mixed, however, a lot of Clubs/Associations had been supportive of the Council's proposals.

The Leader advised that the Council yet had to find £36m in savings across all its Directorates over the next 4 years and this was on top of the extensive savings it had made to date since the recession and austerity. Even if the Authority had an increase in its Revenue Support Grant, there were ongoing pressures that had to be dealt with in continuing to provide its statutory role in terms of its responsibilities, in the Education

and Social Services Directorates where there were as in previous years, continuing and ongoing challenges that had to be met. There was also considerable costs to bear in terms of pay inflation.

The level of subsidy historically provided for the facilities subject of the report was 80% and quite simply, the Council could not sustain this level going forward. There were not many other services it subsidised to this degree he added. A lot of Clubs and Associations had engaged with the Council in a positive way during the consultation process and there were ways to assist them to finance Sports Pavilions and Playing Fields such as through the CAT process where they would be provided with some financial assistance in terms of funding. The new facility at Bryncethin RFC exemplified this.

He further added that the Council would look to set up a separate fund to support junior and mini-clubs, ie under 18's, as they were in a less favourable position than senior teams to self-finance themselves. The Council would also look to support the elderly also in a similar manner, in order to encourage them to continue participating in recreation activities, for the future benefit of their health and wellbeing.

The Cabinet Member – Future Generations and Wellbeing concluded debate on this important item, by stating that hopefully disadvantaged groups could also be financially supported through any fund set-up for this purpose.

RESOLVED: That Cabinet approved the following:-

- A reduction in grass cutting for roadside verges and open grassland from 7 to 5 times a year
- Delegated authority to the Cabinet Member - Communities of approval of identified area where grass cutting can be discontinued.
- Discontinuing grant arrangements and regularising existing lease arrangements with Bowls Clubs to reflect the principles of full cost recovery.
- Increasing fee charges from September 2020 to users of facilities, with Appendix E to the report being used as a general guide to costs presently (with actual costs being determined at a future date) in the event where facilities do not form part of a Community Asset Transfer (CAT).
- Delegated authority to the Cabinet Member - Communities of approval for a separate strategy for Newbridge fields.
- With regards to the Equality Impact Assessment (EIA) attached at Appendix D to the report and, in particular page 126/127 of the EIA, where reference is made to responses to the consultation where it was suggested that there may be an impact arising from the report's recommendations on child development, health and anti-social behaviour, with any such impact specifically relating to both "younger and older persons in society," a fund be set aside for this category of users to provide continued support for their access to facilities. This will assist in addressing any potential concerns the proposals may have on this category of user, including any detrimental effect on their future health and wellbeing. A further report will be presented to Cabinet at the earliest opportunity, outlining the detail of this fund and the users it will support.

- Noted that officers will continue to promote Community Asset Transfer of children's play areas to relevant Town and Community councils.

424. SECTION 123 (2A) LOCAL GOVERNMENT ACT 1972: DISPOSAL OF LAND AT FORGE INDUSTRIAL ESTATE, MAESTEG

The Head of Operations – Community Services presented a report, in order for Cabinet to make a decision on whether or not the above Council owned land, which is classed as public open space, should be made available for disposal.

He explained that a request has been received from an existing business based on the Forge Industrial Estate, Maesteg, to purchase a parcel of Council owned land to facilitate the construction of additional factory space.

Following negotiations with the prospective purchaser, a purchase price for the parcel of land has been agreed. The land was outlined at Appendix 1 to the report.

As the land in question formed part of a wider area of green space, there will be no detriment as a result of the loss of the small parcel of open space.

The proposal was a positive one if approved also, the Head of Operations – Community Services added, in that the sale of land would lead to the creation of a further 10 new full-time posts in the above mentioned factory.

There was one objection to the proposal, however, the report highlighted (in paragraph 4.4) that this was not proven to be valid.

The Deputy Leader was happy with the report, particularly given that the sale of land would result in employment opportunities being created.

The Cabinet Member – Future Generations and Wellbeing asked if any small trees or shrubs have to be removed as a result of the land transaction, then could these be re-planted in another area of this valley location and once more could local school pupils assist in the re-planting, to which the Head of Operations – Community Services replied that both these suggestions could be pursued.

RESOLVED: That Cabinet having considered the report and the objection received in response to the Notices published in accordance with Section 123 (2A) of the Local Government Act 1972, authorised the disposal of land at Forge Industrial Estate, Maesteg.

425. PROCUREMENT UPDATE

The Head of Legal and Regulatory Services submitted a report, in order to update Members on the UK Steel Charter, Code of Practice – Ethical Employment in the Supply Chain, Welsh Government's Foundation Economy model – Better Jobs Closer to Home, the South East Wales Delivery Group and the Welsh Government Project Bank Account Policy and seek to:-

- Sign the UK Steel Charter with a view of working towards achievable commitments within the Charter if reasonable to do so.
- Sign the Code of Practice – Ethical Employment in the Supply Chain with a view of working towards achievable commitments within the Code if reasonable to do so.

- Work with Welsh Government to work towards the principles of the Foundation Economy Model – Better Jobs Closer to Home – Local Wealth Building when procuring goods, works and services.
- Agree for the council to participate in the South East Wales Delivery Group for common and repetitive collaborative Framework Agreements, if they provide value for money for the council.
- Adopt the principles within the Welsh Government Policy on Project Bank Accounts and apply payment through project bank accounts on contracts where their application is deemed appropriate and reasonable to do so.

The report outlined some background information in respect of the UK Steel Charter, Code of Practice – Ethical Employment in the Supply Chain, Foundation Economy Model – Better Jobs Closer to Home – Local Wealth Building, the South East Wales Delivery Group and the Welsh Government Project Bank Account Policy.

In terms of the South East Wales Delivery Group, the report expressed at paragraph 3.4.4, that for delivery of collaborative contracts by Local Government post 2020, there is a clear preference to establish regional delivery arrangements, for the 3 reasons given in bullet point format in this section of the report.

The Head of Legal and Regulatory Services then expanded upon the current situation of the report, giving reasons why the Council needed to consider adhering to/signing up to the proposals detailed in the bullet points above.

She then explained in terms of Section 5. of the report, that the Council's Contract Procedure Rules will require updating, in order to comply with the commitments of the UK Steel Charter, the Code of Practice – Ethical Employment in the Supply Chain and to reference the relevant requirements of the Welsh Government Project Bank Accounts Policy.

With regards to the financial implications of the report, the Head of Legal and Regulatory Services explained that these would be minimal at present, however, there was potential for a cost implication for the Council going forward. If these materialise, then they would be outlined in a future report to Cabinet she added.

The Leader advised that a considerable amount of work had gone into the report before Members, which had been the subject of consideration by Scrutiny as well as the subject of discussions with Welsh Government officials. The proposals of the report, if implemented, would help support the local economy including through local businesses. They had also been tried and trusted and proved successful in other areas, he added.

The Deputy Leader concluded debate on this item, by advising that the Council procured goods and services to the value of £160m and this had a major impact on not just local but the wider economy and the recommendations of the report, which he supported, would maximise that even further.

RESOLVED: That Cabinet :-

- Signed up to the UK Steel Charter with a view of working towards committing to the steps that are considered to be achievable and reasonable to do so
- Signed up initially to the Code of Practice – Ethical Employment in the Supply Chain with a view of working towards achieving the commitments within the Code in the future if considered reasonable to do so.
- Agreed with working towards the Foundation Economy model.
- Agreed for Bridgend to participate in the South East Wales Delivery Group.

CABINET - TUESDAY, 22 OCTOBER 2019

- Adopted the principles contained within the Welsh Government Policy on Project Bank Accounts and apply payment through a PBA on contracts where their application is deemed appropriate and reasonable to do so.

426. INFORMATION REPORT FOR NOTING

The Head of Legal and Regulatory Services presented a report, the purpose of which, was to inform Cabinet of the Information Report for noting published since its last scheduled meeting.

Details of this were outlined in paragraph 4.1 of the report with the report entitled 'Treasury Management – Half-Year Report 2019-20' which was published on 16 October 2019.

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

427. URGENT ITEMS

None.

The meeting closed at 16:45

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

SHARED REGULATORY SERVICES ANNUAL REPORT 2018-19

1. Purpose of report

1.1 The purpose of this report is to provide Cabinet with the Shared Regulatory Services Annual Report for 2018-19 for noting.

2. Connection to corporate improvement objectives/other corporate priorities

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

- 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 April 2015, Bridgend County Borough Council, Cardiff Council and the Vale of Glamorgan County Borough Council signed a Joint Working Agreement (JWA) for the provision of regulatory services across the three Council areas. The document created the Shared Regulatory Service (SRS) and the SRS Joint Committee.

3.2 The Cabinet Member for Well being and Future Generations and the Chair of the Licensing Committees are the two Bridgend County Borough Council representatives on the SRS Joint Committee following appointment by the Council.

3.3 In accordance with the JWA, the SRS is required to produce an Annual Report that covers the operational and financial performance of the service for the preceding year.

3.4 In March 2017, the Council ratified the insertion of a new clause into the JWA to enable each partner authority's Cabinet to receive the SRS Annual Report, for information purposes. This report apprises Cabinet of the decisions taken and functions carried out by the SRS Joint Committee over the preceding financial year, as well as the performance and financial position of the SRS.

- 3.5 A copy of the report considered by the SRS Joint Committee on 11 June 2019, which incorporates the SRS Annual Report 2018-19, is attached as **Appendix A** to this report.
- 3.6 The SRS Annual Report 2018-19 was approved by the SRS Joint Committee and is presented to Cabinet for information. The SRS Annual Report 2018-19 reflects upon the fourth year of operation of the SRS. It outlines the performance of the SRS in 2018-19, the progress made in achieving the objectives set out in the SRS Business Plan, and the summary revenue account and statement of capital spending.
- 3.7 The management of key operational performance for Shared Regulatory Services in BCBC is the Head of Legal and Regulatory Services. The Client lead works closely with Finance, Legal and other Service Areas to ensure that the delivery of services is to the required level and, where required, improvements are implemented.

4. Current situation/proposal

4.1 The key aspects of operational performance across the region from the Annual Report are as follows:

- Sickness absence levels for 2018/19 were 7.55 days per FTE person. This is below the Council's average of 11.90 days FTE but is an increase on the previous year where absence rates were recorded as 6.89 per FTE person. There are mitigating factors with several officers undergoing planned medical interventions. There are no discernible trends in either the short or long term absence figures.
- The Gross Revenue Budget position for 2018/19 for the SRS was an underspend of £496k against the gross revenue budget of £8.504m. For Bridgend County Borough Council this resulted in a net underspend of £129k against a net budget of £1.328m. The Authority Specific Services for Bridgend County Borough Council underspent by £57k; this is partially the result of a £29k underspend within the Licensing Section and a £28k underspend within Kennelling and Vets where activity is below budget. This service was subject to a re-tendering exercise earlier in the year, which has also actively contributed toward lower Kennelling Costs being achieved. Additionally, the Wales Audit Office completed its independent financial audit of the service in September 2019; there were no recommendations for improvement.
- The report indicates that the SRS has consolidated service delivery in accord with the agreed standards and delivered the requisite financial savings. However, the report indicates that more demands are being placed upon the service at a time of reducing resources.
- Operational performance throughout 2018/19 has been reported both to the Joint Committee and to the Council through the corporate system. The targets and actions identified in the 2018/19 plan were achieved for the most part. All statutory documents were published on time and the change programmes identified for the period

concluded on time. The only failings were an inability to complete all of the proactive programmes due to resourcing.

- Agile working, which underpins the new operating model, continues to be deployed to allow maximum flexibility for the deployment of officers. In 2019, the SRS is seeking to understand how to quantify objectively that this mode of working is increasing productivity.
- The SRS has been active in the Courts and Appendix 2 of the Annual report set out the successful interventions undertaken in the 2018/19 period.

4.2 The key operational implications for Bridgend County Borough Council are as follows:

- Public Accountability Measures –
 - PAM 23 - *the percentage of food premises that are broadly compliant*. This measure provides an indication of how well a food business complies with food hygiene legislation. The food industry is responsible for producing and distributing safe food. The SRS, as the enforcement agency, conducts inspections, ensuring that standards are met through a robust enforcement programme to deal with those who do not comply with standards. The business support regimes introduced into the SRS structure also play a part in promoting an increase in hygiene standards, but ultimately this is a measure of the performance of the food businesses themselves. Premises are deemed broadly compliant if specified risk scores are achieved for cleanliness, structural issues, and confidence in the management of the business. The target for 2018/19 was 93% of businesses to be broadly compliant; the performance recorded was 97.52%. This is the best score ever recorded in the Borough and translates to an additional 83 premises in Bridgend, over the last 2 years achieving a satisfactory rating.
 - PAM 13, *Percentage of empty private sector properties brought back into use during the year through direct action by the local authority* and PAM 14, *Number of additional dwellings created as a result of bringing empty properties back into use*.

These indicators were introduced last year, but the core subject matter of reducing the number of empty properties remains the same. This indicator is not explicitly mentioned in the Annual Report, as the SRS only began to support the delivery of the function in Bridgend from November 2018.

In recent years, there has been concern regarding performance against this indicator. However, in 2018/19, performance has improved, and SRS activities have resulted in:

- The performance against PAM 13 was 104 properties (8.41%) brought back into reuse against a target of 7.86%

- The performance against PAM 14 was 5 additional dwellings created against a target of 5.

For 2019/20, PAM 14 has been replaced with PAM 45. The targets have been set at 5% of empty properties to be brought back into use for PAM 13 and 5 additional dwellings created for PAM 45.

4.3 The SRS Business Plan is also aligned to the Council Corporate Plan and in 2018/19, some of the notable activities for the borough included:

- Ensuring taxi users and visitors to the Borough experience a consistently high-quality and safe service by using our regulatory powers to support customers and providers.

A number of policy initiatives that started in 2018/19 have come to fruition in relation to taxi licensing. This has resulted in changes in the Policy applied in respect of the requirement for a knowledge test for new drivers. In addition to route information, the test also covers numeracy/literacy questions, questions on Hackney Carriage & Private Hire Legislation, the location of Buildings and Places of Interest in the County Borough and disability, equality awareness and safeguarding issues.

There have also been Policy changes in relation to the assessment of the suitability of applicants to be drivers in the hackney carriage and private hire trades. Bridgend has adopted the more stringent 2018 criteria recommended by the Institute of Licensing and mirrors that being implemented in the other SRS authorities.

The Council introduced a new fare structure for hackney carriages in the Borough following a lengthy consultation period. This change has not resulted in any complaints from drivers or members of the public and seems to be operating effectively.

In relation to taxi licensing enforcement the appointment of a new Enforcement Manager in 2018/19 has resulted in an increase in exercises with the Police and 'mystery shoppers', - officers from elsewhere in the SRS - to undertake compliance checks on drivers operating in the Borough. More of these are planned for 2019/20.

In general Licensing Policy the SRS started a process of revising the Statement of Licensing Policy and consulting with the public and stakeholders on amendments to the Cumulative Impact Policy(CIP), as required by changes in legislation. The responses received were overwhelmingly in support of maintaining the CIP in Bridgend and a report will be taken back to Committee and Full Council for approval this year.

- Successful delivery of the SRS business plans ensures the Council improves health and wellbeing and protects the environment. Air Quality has become a high profile issue, featuring in the headlines on an almost daily basis. The annual Local Air Quality Management Progress Report for 2017 was submitted to the Welsh Government by the 31st December deadline. SRS continues to review monitoring locations in the Borough, but the most significant challenge for the SRS in 2018/19 was to assist with the declaration of an Air Quality Management Area for Park street following the recording of sustained high levels of Nitrogen Dioxide. A number of BCBC departments and interested parties such as Public Health Wales have been brought together to compile and agree a set of draft mitigation measures to reduce nitrogen dioxide levels and improve air quality in the Park Street Air Quality Management Area (AQMA).

- 4.4 Cabinet has requested a report outlining the performance of the SRS over a longer period. Such a report would allow trends to be identified and provide a different perspective on the performance of the SRS since its formation in 2015. In May 2019, the Wales Audit Office (WAO) undertook its own assessment of the environmental health discipline, revisiting its earlier study in 2014. At that time the WAO considered that the Council was *“mostly delivering environmental health services at minimum standard or above and whilst expenditure and staff numbers have been maintained, survey respondents have a mixed view on the quality of current services and the Council will find it difficult to take on new statutory duties that protect the public and the environment in the future”*.

The 2019 report, published in October stated that *“the shared regulatory services (SRS) model is enabling the Council to sustain its delivery of environmental health services in a context of reducing resources and additional responsibilities placed on it by ongoing changes in legislation. There is scope for the Council to strengthen its scrutiny and oversight arrangements of environmental health services and work with SRS and other providers to explore the opportunities for future improvement”*.

The WAO report and other data will be used to develop the wider SRS assessment which will be presented to Cabinet in due course.

5. Effect upon policy framework and procedure rules

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

6. Equality Impact Assessment

- 6.1 There are no equality implications arising from this report.

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

- 7.1 The SRS Annual report illustrates how the Council’s regulatory function contributes to the national Well-being Goals through the delivery of the well-being objectives contained in the SRS Business Plan. The SRS operates in accordance with the five

ways of working which are also reflected in the content of the plan. There is a strong emphasis on collaboration as the SRS recognises the need to work with partners to deliver services and improve local well-being.

- 7.2 The Annual report reflects the importance of prevention and this has been a strong theme in much of the activities to date, but also recognises that many of the issues are longer term matters, e.g. deprivation, climate change, an ageing population and physical and mental well-being. The involvement of partners and stakeholders in the development and delivery of the SRS functions is critical to its success as is the need to work in a more integrated way, recognising the connections across Council services and with other partners.

8. Financial implications

- 8.1 There are no financial implications associated with this report.

9. Recommendation

- 9.1 It is recommended that Cabinet note the Shared Regulatory Services Annual Report for 2018-19

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1st November 2019

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Background documents:

None

Meeting of:	Shared Regulatory Services Joint Committee
Date of Meeting:	Tuesday, 11 June 2019
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Shared Regulatory Services Annual Report
Purpose of Report:	To advise members on the performance and financial position of the Shared regulatory Service for the 2018/19 financial year.
Report Owner:	Dave Holland, Head of Shared Regulatory Services Carys Lord, Head of Finance, Vale of Glamorgan Council
Responsible Officer:	Miles Punter, Director Environment and Housing
Elected Member and Officer Consultation:	Advice has been sought from the partner Councils
Policy Framework:	This is a matter for the Shared Regulatory Services Joint Committee

Executive Summary:

- The Shared Regulatory Service (SRS) is a collaboration between Bridgend County Borough Council, the County Council of the City and County of Cardiff and the Vale of Glamorgan Council that commenced on the 1st May 2015, and is charged with the provision of Regulatory Services across the Authorities.
- The Joint Working Agreement requires the Head of the SRS and the Head of Finance to produce an Annual report which, once approved, by the Committee is forwarded to the partner Councils
- The report indicates that the SRS has consolidated service delivery in accord with the agreed standards and delivered the requisite financial savings. However, the report indicates that more demands are being placed upon the service at a time of reducing resources
- The SRS is reporting an overall underspend of £496k against the 2018/19 gross revenue budget of £8.504m. This is primarily due to the inability to recruit suitably qualified officers. The report indicates how the service intends to respond to that challenge in 2019/20.
- This report advises on the draft financial outturn position of the Service, and the resulting impact this has to each of the Partner Authorities, appertaining to the provisional outturn position in respect of financial year 2018/19.

- The Draft Shared Regulatory Services Statement of Accounts 2018/19 is presented to Committee, to be signed by both the Chair of the Committee and the Section 151 Officer as Treasurer of the Committee, to formally invite Welsh Audit Office to commence their audit of the account.

Recommendations

1. That the Joint Committee approves the report and authorises the Managing Director, Vale of Glamorgan Council, to forward a copy of the report to the Heads of Paid Service for the other partner Councils.

Reasons for Recommendations

1. To meet the requirements set out in Clause 5.1 of the Joint Working Agreement.

2. Background

- 2.1 Under the Joint Working Agreement, the Shared Regulatory Service (SRS) is required to produce an annual report that covers the operational and financial performance of the service for the preceding year. Clause 5 of the Joint Working Agreement states:

"The Joint Committee shall receive in each year at its annual meeting which shall be held no later than 30th June the report of the Head of Regulatory Services and the Lead Financial Officer in respect of the functions delegated to the Joint Committee relating to the twelve months ending 31st March of that year and a copy thereof shall be forwarded to the Chief Executive of each Participant.

- 2.2 The report shall include:-

- (i) *A statement showing the performance of the Regulatory Service Functions and progress in achieving the Objectives and delivering the Business Plan.*
- (ii) *a summary revenue account and statement of capital spending including the distribution or use of any revenue surpluses and the financing of any capital expenditure"*

- 2.3** This is the fourth report produced under this requirement and covers the period 1st April 2018 to 31st March 2019. If the content of this report is agreed, a copy of the report must be sent to the Head of Paid Service of each of the three Councils along with the SRS Business Plan for 2019/20. The report outlines many of the actions undertaken at each partner Council to deliver the wide range of statutory functions assigned to the Service. The report provides a review of operations across the service, a summary of the financial position, and outlines performance against the 2018/19 service objectives.

Operating the Shared Regulatory Service

- 2.4** The Shared Regulatory Service (SRS) operates across Bridgend, Cardiff and the Vale of Glamorgan. The SRS delivers a range of statutory services through a collaborative model that are critical to maintaining the health, safety and economic wellbeing of local communities. The operating model delivers an integrated service for the Trading Standards, Environmental Health and Licensing functions, which has three service delivery sectors focusing upon the customer rather than the traditional professional delivery model.

- Neighbourhood Services: activities relating to residential premises or having an impact on the local community.
- Commercial Services: activities relating to business premises (generally where national standards apply).
- Enterprise and Specialist Services: specialist areas of work and income generating services.

- 2.5** As a regional organisation, providing regulatory services across three local authority areas, the SRS seeks to ensure that the corporate priorities and stated outcomes of the three councils at the heart of all its activities. Using them as a focus, the strategic priorities for the Shared Regulatory Service:

- Safeguarding the Vulnerable
- Improving Health and wellbeing
- Protecting the Environment
- Supporting the local economy
- Maximising the use of resources

provide a robust base for achieving the outcomes identified in the 2019/20 business plan and the partner Council's corporate aspirations.

- 2.6** The Joint Working Agreement, executed in April 2015, and updated in July 2017, underpins the entire service provision. The JWA contains a number of "milestones and requirements". In accordance with those requirements:

- The Wales Audit Office completed an independent financial audit of the service in September 2018; there were no recommendations for improvement.
- The service set its budget in December 2018 for the 2019/20 period. This implements Year 2 of the 3 year budget reduction programme which set out a budget reduction of 5% p.a. for the period to March 2021.
- The Annual Report is presented here for consideration by the Joint Committee.
- The Business Plan for 2019/20 is presented for political approval in other papers to the June 2019 Committee, following consultation with stakeholders.
- The Joint Committee will receive an audited statement of accounts in September 2019.

3. Key Issues for Consideration

3.1 The 2017/18 Annual report illustrated that the SRS consolidated service delivery in accord with the agreed standards and delivered the requisite financial savings. However, the report indicated that more demands were being placed upon the service at a time of reducing resources. The Key Milestones for 2018/19 were:

- Delivery of the SRS Business Plan 2018-2019.
- A review of the organisational structure for the SRS to meet the budget savings set out for 2019/20 and 2020/21.
- Consequently, to implement the financial savings agreed for the delivery of the SRS for the period 2018 – 2020.
- To respond to new legislation and new policy developments that was anticipated to place greater responsibilities upon the service; and with those responsibilities, greater expectations. *The consequences arising from the Grenfell disaster, the changes to the Public Health regime, the increased exploitation of vulnerable people, the challenges of improving air quality, have placed the SRS under considerable pressure the at a time of reducing budgets.*

Human Resources

3.2 Throughout 2018/19, filling vacancies has continued to be challenging and the SRS has struggled to recruit suitable individuals into the service. This was exacerbated by the consultation undertaken on the budget reduction process where a number of officers formed a view that the SRS could not offer the job security they needed and left the service. However, the Service's programme of "growing our own" officers particularly in the food and trading standards disciplines has seen a number of individuals achieve higher accreditation levels to allow them to undertake a wider range of duties. The retention of those officers

needs a clear commitment to the resourcing of training and development within the organisation.

- 3.3** The functions delivered for the partner councils such as Air Quality, Food Hygiene, Housing enforcement are presenting new demands. The recruitment and retention of good officers remains a challenge to ensure that the SRS meets existing targets, but is also nimble enough to meet future agendas for public protection. The shortage of applicants with the right skills, abilities and experience in the different professions, Environmental Health, Trading Standards, has created a more competitive market. These shortages, attributable to an aging professional demographic, increasing turnover due to retirement and a reduced investment in sponsorship of students by the Councils have to be addressed if SRS is to continue delivering effective regulatory services. We know that the majority of our officers are content with their employment within the SRS, yet the SRS delivery model is at significant risk due to the inability to attract, recruit and retain a high calibre workforce.
- 3.4** Consequently, the SRS management team have developed a new recruitment and retention strategy which seeks to enable the SRS to recruit high calibre professionals to ensure the provision of quality regulatory services across the region. The first step toward doing that is to extend the criteria for use of the Regulatory reserve created in 2016 to include the funding of apprentices and trainee officers. Elected members will be aware of a financial underspend in 2018/19, much of which is attributable to staff vacancies. Continued vacancies will impact upon service delivery and it is proposed to use the Regulatory reserve over the next three years to address the recruitment and development challenges faced by the service. Elected members will receive a formal proposal on this matter at the September committee.
- 3.5** Sickness absence levels for 2018/19 were 7.55 days per FTE person. This is an increase on the previous year where absence rates were recorded as 6.89 per FTE person. There are mitigating factors with a number of staff undergoing planned medical interventions. This increase, while disappointing, compares favourably when viewed in a wider context through comparison against the average sickness rates across the partner Councils. In June 2018, the management team began the consultation process on the need for further budget savings and that may have had an impact upon attendance. There are no discernible trends in either the short or long term absence figures.
- 3.6** Over the summer of 2018, Conflict Management and Lone Worker training was arranged for SRS operational staff. Local provider, Safety Training Solutions Ltd delivered eight sessions of the day long course in house. The trainer engaged fully with SRS to create training that was tailored to the needs of the Service and its ways of working. This included working to SRS specific risk assessments, and teams were invited to submit examples of scenarios encountered previously that would be suitable for use as case studies in the training.

3.7 The course was designed to provide the skills necessary to identify confrontational / threatening behaviour through the combination of observation, communication, threat and risk assessment; and to enable participants to take control of challenging situations.

3.8 Topics covered included teaching to provide:-

- Awareness of the health and safety legislation in the context of workplace violence and aggression.
- Understanding of how confrontation may be expressed through use of body language.
- Ability to identify situation where personal safety may be at risk.
- An ability to use effective communication skills and positive body language to diffuse and manage confrontational situations.
- Safe strategies particularly when engaging with individuals at their own property / at home.

3.9 In addition, some perhaps less obvious areas of teaching included:

- Awareness of one's online and social media profiles and steps to manage effectively.
- Use of the mobile phone in emergency situations.

By the end of the eight sessions, over 130 staff had received the training with excellent feedback being received.

Operational Performance

3.10 Operational performance throughout 2018/19 has been reported both to the Joint Committee and to each partner Council through the legacy systems. Performance is gauged against the 2018/19 Business Plan. The targets and actions identified in the plan were achieved for the most part. All statutory documents were published on time and the change programmes identified for the period concluded on time. The only failings were an inability to complete all of the proactive programmes due to resourcing.

3.11 The SRS has a role in two of the Council Public Accountability Measures; PAM 023 and PAM 013 and 014 for Cardiff only.

- PAM 023 – Food establishments - broadly compliant (%). This measure provides an indication of how well a food business complies with food hygiene legislation. The food industry is responsible for producing and distributing safe food. The

Shared Regulatory Service, as the enforcement agency, conducts inspections, ensuring that standards are met through a robust enforcement programme to deal with those who do not comply with standards. Additionally, the business support regimes introduced into the SRS structure play a part in promoting an increase in hygiene standards, examples of that are set out under the priority heading supporting the local economy. Premises are deemed to be broadly compliant if specified risk scores are achieved for cleanliness, structural issues, and confidence in the management of the business.

The number of premises that are broadly compliant with food hygiene requirements, i.e. scoring 3* or above, are gradually increasing and in line with the UK average of 95%. The number of food businesses with a food hygiene rating of more than 3 increased in each authority area during 2018/19 from the previous year to a higher rating than ever before. (Bridgend from 96.69% to 97.52%, Cardiff 92.71 % to 94.54%, Vale of Glamorgan 95.40% to 95.92%). The results show an increasing number of businesses improving their standards. This translates to an additional 83 premises in Bridgend, 131 in Cardiff and 55 in the Vale over the last 2 years achieving a satisfactory rating, some of which can be attributed to the success of the intervention programme for food businesses. It is important to note that Cardiff has a significant turnover of food business operators and many of these new entrants to the market do not attract immediately a broadly compliant rating and that affects the overall broadly compliant score for Cardiff. Areas with a more settled food business community often score well on this indicator because the food business operators have had time to become accustomed to the requirements of the food hygiene legislation.

- PAM 13, Percentage of empty private properties brought back into use and PAM 14, the number of new homes created as a result of bringing empty properties back into use. This is a new indicator, but the core subject matter of reducing the number of empty properties remains the same. The performance measure guidance suggests that there are categories of direct action that local authorities can take to bring a property back into use, including:

Grants, loans or other financial assistance provided or facilitated by the local authority; (managed by Cardiff Council).

Enforcement action including statutory notices;

Dialogue with the owner where the owner has engaged with the responded to the local authority

Progress has been made on over 200 empty homes cases giving an indication of the level of activity and the potential for future performance. The annual target has been achieved and the actions undertaken in this area of work have been positive; the response from property owners has been encouraging and bodes well going forward. It is important to understand that the nature of empty homes means that there can be a significant lag time between attempted contact with empty property owners and re-occupation which means it can take time to

achieve results. In addition to SRS work on this indicator, a key contributor to this PI in the past has been the Welsh Government Houses into Homes Scheme operated by the Council to assist in bringing properties back into beneficial use.

- 3.12** The SRS has recently begun to support Bridgend County Borough Council in delivering this function and discussions are on-going on the scope of the SRS activity for 2019/20.
- 3.13** Finally the performance indicator PAM 14 is being replaced with PAM 45, which takes account of commercial properties being brought back into use as residential property. PAM 14 has previously not accounted for these increases in private residences.
- 3.14** The detail of performance against all the agreed indicators is set out in **Appendix 1**.
- 3.15** The SRS may, through the relevant participative Council, prosecute breaches of legislation, particularly in respect of those who flout the law or who act irresponsibly, or where there is an immediate risk to health and safety. In the period, the service has been successful in challenging a range of unfair practices, many of which attracted significant media attention. An example of a significant increase in prosecutions is clearly evident. Last year there were 11 food hygiene investigations initiated, in 2018/19 this figure increased to 39. The time and work required investigating these matters, and the consequences of officers' ability to carry out day to day work whilst these matters are on going, is significant.
- 3.16** The details of all the prosecutions concluded in the period 1st April 2018 to 31st March 2019 are set out in **Appendix 2**.
- 3.17** The SRS has continued to support relevant corporate challenges at each Council, most notable in recent months with the issues arising from "Brexit". The uncertainty surrounding the UK's departure from the EU has required increased interaction with civil servants in Westminster and Cardiff on a range of public protection matters. Other examples of providing corporate support include officers playing a key role in assisting the Councils to deal with the requirements to improve air quality, participating in a range of audits including the WAO audit on safeguarding and in the Vale of Glamorgan SRS officers have played a key role on the reshaping programme, particularly in relation to the management development programme.
- 3.18** SRS officers have supported all three Councils statutory Licensing and Public Protection Committees through the year. The Committees have agreed a number of policy documents on Alcohol licensing and Gambling to protect the vulnerable in the community.

The SRS has held discussions with the partner Councils on the potential for a joint Scrutiny regime for the service. The general consensus of the senior officers in attendance at the Management Board meetings and the Heads of each Democratic Service is that there is little to gain in either business terms from a joint scrutiny process, whilst the other scrutiny arrangements at each Council are on-going. However, concerns remain in terms of governance as there is currently no process for 'stopping' or 'checking' a decision of the Joint Committee. Notwithstanding, the SRS has appeared before a number of Scrutiny Committees and task and finish groups in the last year.

Significant Service achievements

- 3.19** Paragraph 2.5 above, sets out the priorities for the SRS; there have been a number of achievements in 2018/19 that demonstrate progress toward delivering the outcomes associated with those priorities. These actions can be found in Section 6 of the SRS Business Plan for 2019/20. Set out below are some examples of the work undertaken in the previous 12 months.

Improving Health and Wellbeing

- 3.20** Improving health and wellbeing is a key priority for Shared Regulatory Services. Work undertaken to ensure that food is safe, that infectious disease, noise and air emissions are controlled, that risks in the workplace are managed properly, allows people to live in healthy environments. Add to this our activities to ensure the quality of private rented property, the promotion of a safe trading environment and our regulation of licensed premises to ensure they operate responsibly and it is evident that the work undertaken by the SRS is hugely important to the health and wellbeing of the region.
- 3.21** The Gambling Policy for all 3 authorities was reviewed and reissued. The review was undertaken to meet the requirements of the Gambling Act 2005. Previous reviews have focused upon young people ensuring they are not able to gamble at premises licensing by the Councils. More recently, gambling is being recognised as a public health problem. While only a minority of gamblers are identified as problem gamblers, research is emerging to suggest that the financial, health and social harms that arise from gambling can impact upon families, communities and wider society. The increase in on-line gambling and the increase in the advertising of gambling products all plays a significant role. Research suggests, such developments increase gambling behaviours and possibly shape a more permissive social attitude to gambling. The Councils role here is limited, but the SRS is working with a range of organisations in Wales to contribute where possible to mitigate the impact gambling has upon vulnerable individuals
- 3.22** Following the tragic fire and loss of life in Grenfell Tower in North Kensington there has been a nationwide review of the use of a particular type of cladding known as Aluminium Composite Material (ACM) which was used in the Tower. Within Cardiff in the last 12 months, the SRS has begun to take a more

prominent role in respect of the affected high-rise buildings and remains in consultation with Welsh Government and the Fire Service as to the potential changes in policy and practice as a consequence of Grenfell. Recently, the Minister for Housing and Regeneration convened an Expert Group, to develop a 'road map' to respond to the issues raised by the Independent Review of Building Regulations and Fire Safety (the 'Hackitt' review). The Head of Service attends this group as a representative of the Regulatory services in Wales. A new addendum to the Housing Health and Safety Rating System guidance (HHSRS) to clarify how an HHSRS assessment of fire risk where aluminium composite material (ACM) cladding is present in high rise buildings should be conducted has been introduced in England. The SRS is encouraging the Welsh Government to introduce the addendum promptly in Wales and to make other policy changes to Housing law.

- 3.23** Three owners of takeaways in the Barry and Bridgend areas were prosecuted following test purchases carried out in relation to allergens. Orders were placed for rice dishes where the businesses were told specifically the meal was for someone who was allergic to egg. However, when tested the food was found to contain egg or egg protein. In one case, 77 times the amount of egg required to cause a reaction in an allergic person was found. Disappointingly, these purchases were conducted only a few months after informal test purchases had been carried out when all three businesses had failed and subsequently been provided with advice. The businesses were fined in total £1800, £1975 in costs and £265 victim surcharges. One owner was given a Community Order to undertake 300 hours of unpaid work. This project is now being undertaken in other parts of the Country.
- 3.24** A business was fined £140,000, ordered to pay costs of £11,835 and a victim surcharge of £170 following a successful prosecution instigated by Shared Regulatory Services for a health and safety offence. The incident which occurred in 2018 occurred at a pub in Barry when a customer was left with serious injuries after falling through a cellar door which had been left open for cleaning staff. The customer fell down a concrete flight of stairs and was found unconscious after suffering a fractured skull and a bleed on the brain.
- 3.25** The SRS began an investigation into the safety of trampoline parks in 2018. These indoor activity areas have become increasingly popular and attract significant numbers of children. SRS investigated the construction materials used at one site and determined that the products used were of concern. The application of the law to these relatively new play environments was unclear. Following a legal opinion, the SRS intervened and required the operator to undertake a number of corrective actions before reopening the facility to the public. The SRS will now extend this piece of work in 2019 to the other similar venues in the region.
- 3.26** The Port Health work has received significant attention this financial year. At Cardiff Airport due to the airport having divert status and being a designated point of entry for Communicable Disease, SRS port health are working closely

with Public Health Wales, the Ambulance Trust and airport management to ensure suitability of facilities in case of an infectious disease emergency. Imported trade is continuing to be monitored from Qatar Airlines; to date no food has been identified as being imported.

Vessel movements at the sea ports of Cardiff and Barry continue to be monitored with ships boarded according to risk in order to carry out inspections. The importance of this in protecting crew welfare was highlighted when a ship arrived at Cardiff sea port with a ship sanitation control certificate that had been issued in Turkey but without any indication of what these controls should be. A port health officer from SRS boarded the ship and found that conditions on board were very poor with issues relating to cleanliness of the galley, welfare of the crew i.e. a lack of food provision for the crew with only a very small amount of dry food and frozen meat and no fresh food, and disrepair to the structure of the ship including in cabins. The officer through the agent and owner arranged for food to be delivered to the ship within 24 hours. The Maritime and Coastguard Agency detained the ship at Cardiff dock due to major contraventions until the non compliances were addressed.

Safeguarding the Vulnerable

- 3.27** SRS contributes toward the safeguarding agendas of the partner Councils by seeking to ensure that children are protected from harmful substances and products, that older and vulnerable people are protected from unscrupulous individuals and traders, that illegal money lending activities across Wales, are challenged robustly and that the public feel safe when using taxis as public transport.

Call blockers can put an end to nuisance or malicious calls. They can be installed at the homes of residents being repeatedly targeted by scams and once fitted, prevent all calls coming through other than those from recognised friends and family numbers. In one case a referral was received from a social worker concerned about a person who was being bombarded by sales and nuisance telephone calls. Following intervention by SRS officers and a review of the individual's financial commitments, "unnecessary" payments to different organisations were terminated and the vulnerable person also received some compensation. SRS now has some 40 call blockers installed in residents' homes as a highly effective way of reducing nuisance and scam calls. Figures for 2018 published by the device supplier indicate that 41% of all incoming calls at these properties are nuisance or scam related, and that the devices are blocking 100% of unwanted calls. Research has shown that the average amount lost through a scam is £1,862; however the true value of call blocker devices can be immeasurable when they provide the comfort and peace of mind older and vulnerable residents need to help them continue living independently in their own homes. The SRS call blockers are now being supplemented by the use of "Memocams" which can be fitted to deter cold callers at the door.

3.28 In order to strengthen improvements in safeguarding, particularly in relation to children, a programme of training and awareness of Child Sexual Exploitation (CSE) with the taxi community and other stakeholders was undertaken in Bridgend where training sessions were held with the trade in conjunction with South Wales Police and Social Services. A recent initiative, Operation Brake, involved Licensing Officers in Bridgend working with South Wales Police to raise awareness of child Sexual exploitation within the night time economy in Bridgend. Officers visited licensed premises and taxi ranks in the town centre to engage with workers in the night time economy on how to spot the signs of child sexual exploitation and how to report anything suspicious. This operation involved partnership working to highlight this crucial issue which impacts on the most vulnerable young persons within our communities. In Cardiff, the hackney carriage/private hire driver's written knowledge test was also updated to include a section on CSE, based on the booklet produced in conjunction with Cardiff Children's Services. Drivers must pass this test to show that they can spot the signs of vulnerability and what to do if they see an issue to become a licensed driver.

3.29 Following a spate of tragic incidents involving the use of knives, Cardiff was identified as one of two areas of concern in Wales with regard to the prevalence of knife crime. In order to play a key role in tackling this disturbing trend, SRS successfully bid for nearly £20,000 of Home Office funding to undertake compliance checks to identify the extent of which young people were able to purchase knives and other bladed instruments across the city and identify problem sectors of the trade. 250 test purchases took place of knives, bladed articles and axes across SRS using trading standards volunteers under the age of 18. The failure rate was 11% with 28 out of 250 premises selling to a person under the age of 18. A variety of products were sold including kitchen knives, Stanley knives and an axe. Following the test purchasing exercise all of the premises that failed were sent a warning letter and invited to engage with SRS to discuss the sale and the training that is provided to staff. Most of the premises made contact and further visits were carried out by officers to offer advice and education. Fifteen premises that failed have recently been re tested with South Wales Police assisting and all of the premises passed. Some premises had removed all knives from the shop whilst others had taken extra steps to reduce accessibility and theft of the products by placing them behind the till areas. A further programme of visits is scheduled for 2019/20.

Protecting the Environment

3.30 Protecting the environment is a core strategic priority of SRS. Many of the activities such as water sampling, monitoring air quality, and remediating contaminated land contribute toward promoting a better environment. This in turn means better long term prospects for the health and wellbeing of our communities. The SRS has a key role to play in ensuring society makes best use of existing resources and bringing back redundant/derelict properties into use is an important contributor to both the environment and local community

development. SRS has a key role to play in the wider climate change and future generations agendas through its enforcement role on energy efficiency controls on properties and products. The impact of these activities is less apparent in the short term for communities, but has an important role for future generations. In the more immediate term, SRS ensures communities are protected from nuisance and are safer by investigating noise complaints, dealing with stray dogs and horses.

Empty Homes

- 3.31** Within Bridgend and Cardiff Council the SRS has provided dedicated officer resource to assist with the work bringing empty properties back into residential use. It is recognised that empty properties are a wasted resource. Whilst they may not always be left in a state of disrepair, there are always consequences, and these can be summarised into three factors:

Social, such as crime including arson, graffiti, squatting, as well as reduced public confidence in the area or the Council

Environmental, including rodent infestation, fly tipping, dangerous structures, and a poor impression of the area

Economic, such as repair costs, increased burdens on councils' resources, property devaluation, and deterred investment

- 3.32** Within Bridgend an SRS Officer has co-ordinated an Empty Homes Working Group which has led to consultation on a new Empty Homes Strategy, using a whole authority approach. The council and its partners seek to work cooperatively with owners of empty properties to bring their properties back into use. The council also provides owners with help and assistance, including empty homes grants and empty property loans and where appropriate, through the use of targeted enforcement action. The renewed focus on empty properties has led to increased performance, with a total of 104 properties brought back out of 1237 empty at the start of the year.
- 3.33** Similarly at Cardiff, the Welsh Government performance indicators were exceeded for last year as a result of a combination of both proactive and reactive work, with an on going caseload of approximately 200 empty properties. Casework involves both informal negotiation and formal enforcement work in order to assist owners in bringing their properties back into use or to require improvements to eradicate associated nuisances. The work follows a general process in line with the Council's Empty Property Policy in order to open a dialogue with owners and where that fails, formal enforcement in the form of statutory notices, in addition to such measures as compulsory purchase and enforced sale. During 2018/2019 the compulsory purchase procedure has been commenced on 3 long term problematic empty properties, one of which is currently being renovated by the owner. The Empty Homes Policy within Cardiff

is being reviewed this year and SRS will consult with internal and external stakeholders as part of that process.

Air Quality

- 3.34** During the last year, SRS ensured that the Bridgend, Cardiff and the Vale of Glamorgan Councils met their statutory obligations under the Environment Act by producing air quality reports for each area and reporting to the respective Cabinets. Failure to produce said reports could have led to the issue of a Welsh Government direction under Section 85(3) of the Environment Act 1995.
- In Cardiff, SRS continued to play a significant role in assisting the City of Cardiff Council as it identifies the most effective way to improve air quality in the city going forward. The SRS Team Manager Specialist Services Environment has been seconded to Cardiff Council for a period of at least nine months in the role of Project Manager for the Council's Air Quality Strategy.
 - In Bridgend, the monitoring at a new location during 2017 and 2018 identified average nitrogen dioxide levels (NO₂) that breach the annual objective set for NO₂. As a result of this finding, Bridgend County Borough Council approved a recommendation made by SRS to designate an Air Quality Management Area (AQMA) at this town centre location (Park Street), and the new AQMA was declared, effective from 1st January 2019. Public engagement is due to commence on possible solutions for the AQMA and a draft action plan is being produced to set out and consider a range of measures.
 - In the Vale of Glamorgan, Cabinet approved a recommendation made by SRS to revoke the Windsor Road, Penarth AQMA as a result of improvements in air quality over a number of years. Public engagement on the revocation is due to commence and residents are reminded that the monitoring will continue in the area to ensure that the greatly improved standard of air quality is maintained.
- 3.35** Officers within Cardiff have led a consultation on new emission standards for taxis and private hire vehicles which is part of the package of proposals aimed at improving air quality and ensuring legal compliance by 2021. Currently 87 % of the taxi fleet licenced in the city does not meet the latest Euro 6 standard and it is estimated that should the proposals be implemented 622 of the oldest and most polluting vehicles will be replaced within the first year. Officers will continue to liaise with the Trade and will draft a report on the result of the consultations for Members to take a final decision on the age, emission and testing proposals for taxis licensed in the city.

Supporting the Local economy

- 3.36** A strong local economy is a key component in the quality of life experienced by local people. The work of SRS has a significant, but often unseen, impact upon the local economy. The provision of timely advice and guidance on regulation can benefit the economic viability of businesses resulting in improved business practice. Much of the market surveillance activity focuses upon maintaining balance in the “marketplace”; the equitable enforcement of regulations helps businesses to compete on equal terms ensuring a fairer trading environment. The SRS role as regulator also extends to providing information to support consumers to enable them to become better informed and confident. In an age where people can purchase goods and services without leaving home, the importance of the principle of “caveat emptor” has never been more relevant.
- 3.37** SRS hosted a forum for food businesses at the Principality Stadium in March to give businesses advice on how best to meet standards. Over 170 delegates booked onto the event, representing a diverse range of organisations, including cafés, health boards, nurseries and hotel chains. Environmental Health and Trading Standards professionals from SRS advised delegates about health and safety in catering, how the food hygiene rating system works in practice and how to improve and maintain a food hygiene rating. Furthermore advice was given on preventing the spread of norovirus and the topic of food allergens which gave attendees the chance to understand their responsibilities in law whilst ensuring the safety of their customers. The event also highlighted the tailored advice services available via paid-for services, or through Primary Authority partnerships which can include staff training, auditing of terms, conditions, policies and procedures and mock food hygiene inspections to better prepare businesses for the real thing. The event was very well received by all attendees, in fact, following the event, a food inspection was undertaken at a delegate’s food business where he had implemented improvements as a result of the event and received an improved food hygiene rating score.
- 3.38** Helping businesses to improve their food hygiene rating score was the drive behind a successful bid to the Food Standards Agency for project funding during 2018. The FHRS intervention grant enabled SRS to target those businesses most in need of support in improving their score, and officers worked with food businesses across the region having poor scores of between 0 and 2. What followed was a programme of intensive 1 to 1 assistance provided to some 14 businesses. The impact of the interventions has been evaluated by reference to the FHRS scores of each of the businesses both before and after the training and support was provided. The results are quite remarkable. Most notably:

The average FHRS score across the fourteen businesses before the intervention was 1.5.

The average FHRs score across the fourteen businesses after the interventions was 4.

The greatest improvement was shown by a business achieving a FHRs rating of 4 having previously been zero rated.

Three premises achieved a 5 rating after the intervention, two having been on a rating of 2 previously and the other on a rating of 1.

As an added benefit of this work, officers were able to pilot the newly developed SRS HACCP training for businesses which is now available to book. It is hoped that given the huge success of the project in driving up low FHRs scores, similar interventions will be possible in the coming year, ideally with further FSA funding.

- 3.39** One of the major developments in the Licensing sphere is a consultation and report by Welsh Government in relation to the future of taxi licensing. Reports have been taken to all three Public Protection Committees to advise Members of the proposals which include the option of removing Licensing of taxis from local authority control and the setting up of a Joint Transport Agency (JTA) to undertake this work. Officers have participated in stakeholder meetings with Assembly Members and have fed back the view that whilst local authorities support the establishment of national standards and information sharing between Authorities, there is no evidence to support the view that the public and the taxi industry would benefit from the role being passed to a JTA.

Maximising the use of resources

- 3.40** Maximising the use of resources was the original catalyst for creating SRS, and work in this area continues. By reducing “triplication” of effort, introducing better processes, making systems work without constant intervention, improving access into the service, our business improves and customer satisfaction increases. Income generating activities like marketing our metrology laboratory, offering paid for advice services, building Primary Authority partnerships and extending our training provision to business are examples of our move to a more “commercial” culture. Our income levels in 2018/19 were the best to date and we are confident that this will continue in 2019/20.
- 3.41** Crucial to the success of SRS are the people who work within the service. SRS officers are engaged fully in the development of the service, by fostering an environment where people are encouraged to think, lead and innovate. The service has been recognised by different organisations for the efforts in regulating particular aspects of the marketplace. In 2018/19 the SRS was recognised by the RSPCA award for our work on animal welfare, by the Hallmarking Council for our investigations into sales of gold and silver, and by the Anti Counterfeiting Group for our challenges to the sale of fake products.

3.42 The Business Support team has achieved further efficiencies over the course of the year through streamlining and harmonising working practices across the three hubs. This work has been particularly successful in respect of the processing of Freedom of Information requests and in the transcription of defendant interviews as part of the prosecution process where demand can now be managed over the different offices. In addition, a further tranche of the remaining phone calls dealt with by the Cardiff hub have been transferred to C1V.

3.43 Further improvements have been made in accessibility to, and the content of, the SRS website with greater reliance being placed on web forms as a means of contacting the service for non-urgent matters. Going forward, this continues to be an important element of the wider SRS agenda for digital channel shift which over time will lead to a reduction in enquiries reaching the service by telephone.

The SRS Twitter account (@SRS_Cymru) continues to prove popular with a steady growth in the number of its followers. A more recent development has been the launch of the dedicated Twitter account for the Wales Illegal Money Lending Unit (@LoanSharksWales) As well as the obvious benefits this brings in terms of raising awareness of the dangers of dealing with loan sharks, the account provides an additional route for complaints, intelligence and requests for victim support to come through to the Unit direct.

3.44 While the SRS budget savings work resulted in the loss of three Support Officer posts last year, the progression of a number of staff into vacancies elsewhere in the structure meant that that the number of staff leaving the service was kept to a minimum.

Financial Performance

3.45 The Gross Revenue Budget and provisional outturn position for 2018/19 are shown in the tables below, with the position in respect of each of the partners detailed to include both Core and Authority Specific expenditure positions. The service has a provisional underspend of £496k against the gross revenue budget of £8.504m, as illustrated in the following table:

	Gross Budget	Provisional Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	1,774	1,602	172
Cardiff	4,978	4,789	189
Vale	1,752	1,617	135
Total Gross Expenditure	8,504	8,008	496

- 3.46** However, it should be noted that to enable the Service to successfully meet the agreed savings target of 2019/20, a mini restructuring of the service was undertaken during 2018, which has actively contributed towards the draft outturn position.
- 3.47** An unanticipated outcome of the savings consultation was the departure of officers who were not at risk, to take up employment elsewhere. Recruitment drives have been undertaken; however the Service has experienced some issues in attracting suitable candidates to certain disciplines.
- 3.48** As a direct consequence of staff vacancies, a number of planned (Core) operations scheduled to be undertaken during 2018/19 have been postponed until 2019/20. This has contributed to the increase in the provisional underspend position since the last report.
- 3.49** A full breakdown of the projected gross revenue outturn position is shown in **Appendix 3**.

Implementation

- 3.50** Provision was made in the 2016/17 accounts for items that were yet to be realised within the accounts. Funding for the remaining two items will be carried forward into 2019/20. These include:

£46k to cover the anticipated cost of setting up the SRS as a separate employer within the Cardiff & Vale Pension Fund as agreed by the Joint Committee on the 20th December 2016.

£10k in respect of partially completed additional IT consultancy work.

Core Services

- 3.51** The approved gross Core Services budget for 2018/19 is £6.261m, and has achieved a provisional underspent outturn position of £500k. The Core Service budget is allocated in line with the population split across the participating authorities, as detailed in the following table:

		Gross	Provisional	Outturn
		Budget	Outturn	Variance
Authority	%	£'000's	£'000's	£'000's
Bridgend	22.39%	1,401	1,286	115
Cardiff	57.51%	3,601	3,318	283
Vale	20.10%	1,259	1,157	102
Total Core		6,261	5,761	500

- 3.52** Employee costs achieved a £300k underspend, which may in part be the result of the reduced staffing levels and subsequent recruitment issues which were

particularly felt within the Food and Health and Safety Teams. Sixteen members of staff have left the Service during the year. Thus, resulting in a number of vacant posts that are actively contributing towards the employee underspend. There continues to be on-going issues in attracting suitable cover within particular disciplines that did not form part of the savings initiative, plus a shortage of suitable agency cover.

- 3.53** The Service has also borne an above average percentage of maternity and paternity taken in 2018/19, which has exerted additional pressures on existing staffing levels. The Vale's Corporate average instances of maternity leave stands at 1.51%, whereas, the SRS is 2.67% higher at 4.18%.
- 3.54** Included within the Employee expenditure are the costs of two part-year unbudgeted members of staff, who supported the Public Space Protection Order initiatives at Cardiff Council and the Vale of Glamorgan. The costs of which were recharged directly back to the two instructing Authorities. Additionally, two team leaders from within Core are currently on secondments out of the service, with team members acting up into the management roles. Unfortunately, this has left vacancies further down the structure.
- 3.55** Transport costs have achieved a £4k overspend which is the result of an anticipated spend in excess of budget on vehicles repair costs. A number of vehicles inherited by the Service have been determined as approaching the end of their economic life due to disproportionate repair and running costs. As a result, the service has purchased a number of replacement vehicles which will have reduced running costs and make a positive contribution towards air quality standards resulting from lower emissions. These purchases have been met by a revenue contribution to capital, and are shown within the Supplies and Services element of this report.
- 3.56** Supplies and Services have achieved a total overspend of £110k. This includes an unbudgeted spend of £123k against vehicle acquisitions, which will be met by the overall revenue underspend. Additional overspends on this heading include £27k on legal costs, £18k on equipment plus an overspend of £17k on audit fee's, which include the WAO charge associated with the external audit of the 2018/19 Statement of Accounts. These have then been offset by £75k of various underspends across a number of headings. The legal fees are partially offset by income received in accordance with a Monetary Order which was imposed as a result of a Trading Standards case heard at Crown Court.
- 3.57** Income has over recovered by £314k. This is made up of £111k of recharged staff costs associated to the Public Space Protection Orders projects at both Cardiff and the Vale Councils, a recharge to Cardiff in respect the secondment of a team leader to their Clean Air Feasibility Study. £73k of various Fees and Charges. Compensation of £47k has been received in respect of the Monetary Order, which offsets the legal and investigation costs of the case. £40k of recharges to Welsh Government in respect a staff secondment to support the Special

Procedures Project which is to be incorporated in to the Public Health (Wales) 2017 Act, £33k of Primary Authority income, plus the receipt of an unbudgeted £10k Food Standards Agency grant.

- 3.58** The 2018/19 Welsh Government Rentsmart Grants of £66k have been built into the SRS budget. The Service has recouped 100% of the costs incurred from the grants from both Welsh Government, and also from the partner Authorities included in the pilot scheme where the grant now forms part of the Flexible Funding Grant received by the participating Authorities.

Authority Specific Services

- 3.59** The approved gross budget of £2.243m in respect of Authority Specific Services is projected to overspend by £4k as detailed in the following table:

	Gross Budget	Provisional Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	373	316	57
Cardiff	1,377	1,471	(94)
Vale	493	460	33
Total Authority Specific Services	2,243	2,247	(4)

- 3.60** The £57k underspend at Bridgend is partially the result of a £29k underspend within the Licensing Section. This is made up of an £25k underspend on employees, where the majority of this variance is due to a temporary vacancy that was carried for a number of months, plus a £4k underspend within Supplies and Services. There is also a £28k underspend within Kennelling and Vets where activity is below budget. This service was subject to a re-tendering exercise earlier in the year, which has also actively contributed toward lower Kennelling Costs being achieved. The decreasing level of service take up agrees with previous year's performance, and is consistent with the national trend in the reduction of dogs presented as being homeless.
- 3.61** The £94k overspend at Cardiff predominantly relates to overspends within Licencing and Night Time Noise, which have then been partially offset by underspends elsewhere on the budget.

There is an overspend of £150k within the Licensing Section, where there are £50k of unbudgeted Employee costs. This is partially due to agency being accessed to cover sickness absences, plus providing operational support as required, and will be offset through License Fee income received directly by Cardiff.

The £2k underspend on Premises is the result of the Licensing Unit vacating the privately rented offices at Hadfield Road, Cardiff. The Licensing Section is now no longer geographically split, with the unit occupying a suite of offices at City Hall.

There is an overspend of £102k within the Licensing Supplies & Services heading which includes unbudgeted Disclosure & Barring Service (DBS) costs of £45k, plus £25k Taxi Plate costs. There is also an overspend of £26k of General Offices Expenses, plus legal fees of £6k. It is understood that this position will be fully met by offsetting Licensing Income. The 3 years Hackney Carriage and Private Hire Driver Licences were renewed from late 2018 onwards, which has impacted on the level of DBS expenditure incurred in the year. However, there will also be an offsetting uplift in the DBS income received in the year at Cardiff as this cost is met directly by the customer.

HMO Plasnewydd and Cathays have a combined underspend of £24k.

As a direct result of the post of Student Liaison Officer being vacant for many months, there is an underspend of £38k. The post lay vacant whilst revised funding mechanisms were investigated by Cardiff Council. The position has now been resolved, and it is expected that the vacancy will be filled in the near future.

The £7k overspend within Night Time Noise relates directly to activity levels in excess of budget.

The £1k underspend at Cardiff Port Health is the result of smaller underspend across the headings.

- 3.62** The £33k underspend in the Vale of Glamorgan is partly the result of a £16k underspend within Kennelling and Vets. This is due to a lower than budgeted uptake in the service, and emulates the reduction in pressures experienced at Bridgend. There has also been a change in the supply of kennelling services which has actively contributed towards this position.

The £6k underspend within Licensing due to an underspend on Employees where there was a temporary vacancy. This post has now been filled.

The £8k underspend within Pest Control is the result of expenditure being below budget within both Transport and Supplies and Services.

The Additional Licensing Scheme which is located within the Castleland Ward in Barry has now expired, and will not be renewed, thus resulting in a £4k underspend.

There is a 1k overspend within Burials where the cost of Public Health Funerals exceeds the available budget. However, this may in part be met by income recovered from the estate of the deceased.

Net Position

- 3.63** In accordance with the Joint Working Arrangement (JWA), income budgets remain the responsibility of each Participant Authority and are shown in this report for completeness. The following table illustrates the provisional net underspend of £355k at year-end, against a net budget of £6.146m:

	Net	Provisional	Outturn
	Budget	Outturn	Variance
Authority	£'000's	£'000's	£'000's
Bridgend	1,328	1,199	129
Cardiff	3,410	3,334	76
Vale	1,408	1,258	150
Total Net Expenditure	6,146	5,791	355

- 3.64** A full summary of the projected net outturn position is illustrated in **Appendix 3**.
- 3.65** Year-end income positions were provided by partner Councils. At year-end, the Service offered recommendations to the legacy accountants in respect of the treatment of income received during 2018/19 but relating to future periods.
- 3.66** The net position for Bridgend is an overall underspend of £129k against a net budget of £1.328m, and is the result of income received being £43k below target overall. Licensing income experienced a shortfall against target of £48k, which may in part be due to an in year income budget increase. It is hoped that this position will improve in 2019/20 upon the implementation of the revised fees and charges rates that was recently presented to the Licensing Committee. This is then partially offset by Core income which over recovered by £5k.
- 3.67** The net position for Cardiff is an underspend of £76k against a net budget of £3.410m. There is an overall shortfall in income of £113k, of which £29k relates directly to Core with the remaining £84k shortfall relating to Authority Specific Services.

The Authority Specific position may in part be due to the historic pattern of income receipts falling off from the second year onwards of the 5 year HMO licence period. HMO Plasnewydd will finish its current cycle in October 2019, with HMO Cathays finishing in December 2021. 2016/17 was the first year that an adjustment in respect of income received in advance had been administered to the account, with no consideration within the accounts made for periods prior to 2016/17.

HMO Cathays and Plasnewydd have achieved income of £211k against a combined budget of £232k, resulting in a shortfall in the achievement of income targets by £21k.

The Licensing Section has achieved a shortfall in income of £91k against a budget of £959k, which is marginally below the performance achieved in 2017/18.

The Student Liaison scheme has achieved income of £16k against a budget of nil. The costs of the scheme are shared between Cardiff Council and the local Universities.

Cardiff Port Health Authority is funded by precepts, and would therefore, be anticipated to meet target. Income received by this unit has exceeded target by £12k and negates expenditure.

- 3.68** The net position in respect of the Vale of Glamorgan is a net overall underspend of £150k, against a net budget of £1.408m. Which has been achieved by an over recovery of income valued at £15k.

Core has achieved income of £17k against a budget of £14k, equating to an over recovery of income valued at £3k.

The Licensing Section has achieved income of £304k against a budget of £290k, exceeding target by £14k.

Unbudgeted income of £2k has been received within the Burial section.

This is then partially been offset by an under recovery of income with the Pest Control unit of £4k.

- 3.69** The Draft Statement of Accounts is shown as **Appendix 4**.

Challenges moving forward

- 3.70** Over the last four years, the SRS has consolidated service delivery in accord with the agreed standards, the requisite financial savings have been delivered for Year 4 and reductions are already in place for Year 5. The Key Milestones for 2019/20 include:

Delivery of the SRS Business Plan 2019-2020

To review recruitment and retention processes to ensure that the SRS can attract and retain skilled officers

To review the agile working arrangements for the service to ensure that technology is being exploited fully to improve service delivery.

To monitor the implementation of new legislation and any requirements imposed by such legislation upon the Service. Generally new requirements can be planned for and effectively resourced, for example the Public Health (Wales) Act 2017 the

Public Health (Minimum Price for Alcohol) (Wales) Act 2018, the Renting Homes Act 2019. However, it is not always easy to predict the impact that new legislation may have on resources. The uncertainty on membership of the EU has the potential to exacerbate such matters. The great uncertainty is the quantum of change and the unknown time scales within which that change must take place.

4. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 4.1** The Annual report demonstrates the partner Councils' commitment to improving social, economic, environmental and cultural well-being and promoting sustainable development in line with the Well-being of Future Generations (Wales) Act 2015. Equalities, Sustainability and safeguarding issues have all been taken into account when drafting this plan. Our work with stakeholders seeking to ensure that our early intervention and prevention activities maintain wellbeing in the SRS region is a crucial element of our approach to protect local people and the environment.
- 4.2** The Well-being of Future Generations Act requires the SRS to underpin decision making by contributing to the seven well-being goals of the Act, following the five ways of working, and consequently undertaking actions that will have a positive impact on people living in the future as well as those living today. The SRS Business Plan contains a number of initiatives that contribute to the well being objectives. Section 6 of the 2017/18 plan approved in June 2018 illustrates how the SRS priorities interface with the well being goals on matters such as safeguarding the vulnerable and protecting the environment and forms the basis for the Annual report.
- 4.3** Aligning the Well-being Goals of the Act enables us to evidence our contribution to the National Well-being Goals. Promoting the five ways of working is reflected in our approach to integrated business planning. Setting consistently challenging yet realistic steps and performance improvement targets, the SRS is able to clearly demonstrate progress towards achieving the national goals by the production of the Annual report.

5. Resources and Legal Considerations

Financial

- 5.1** The implications are set out in the body of the report.

Employment

- 5.2** The implications of the budget reductions undertaken in 2018/19 are set out in the body of the report.

Legal (Including Equalities)

- 5.3** The partner Councils have a duty to improve under the Local Government (Wales) Measure 2009. The report outlines achievements in 2018/19 for the matters assigned to the Shared Regulatory Service.
- 5.4** The Shared Regulatory Services Business Plan 2017 / 2018 and 2018 / 2019. The Joint Working Agreement executed on 10 April 2015 and amended July 2017.

6. Background Papers

Appendix 1 – SRS Performance Measures 2018 / 2019

Appendix 2 – SRS Prosecution Statistics 2018 / 2019

Appendix 3 – Projected Gross Revenue Outturn Position

Appendix 4 – A Summary of the Projected Net Outturn Position

Appendix 5 – Draft Statement of Accounts

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

AMENDMENT TO THE SCHEME OF DELEGATION OF FUNCTIONS – RENTING HOMES (FEES ETC.) (WALES) ACT 2019

1. Purpose of report

1. The purpose of this report is to inform Cabinet of the new legislation, namely the Renting Homes (Fees etc.) (Wales) Act 2019 and to amend the Scheme of Delegation of Functions accordingly.

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following Corporate Priority:
 - Helping people to be more self-reliant. This legislation prevents residents becoming vulnerable to unfair trading practices and supports individuals to build resilience and develop solutions to meet needs and enjoy independent life as much as they can.

3. Background

- 3.1 The Renting Homes (Fees etc) (Wales) Act 2019 came into force on 5 May 2019. Since the 1 September 2019, letting agents and landlords who manage their own properties are prevented from charging any fees before, during or after a tenancy unless specifically exempt in the Act. Such a banned payment is called a 'prohibited payment'.
- 3.2 Letting agents and self-managing landlords are also banned from requiring a tenant to take out a loan or enter into a contract for services.
- 3.3 Enforcement of these new requirements can be undertaken by the Council and Rent Smart Wales (as the Single Licencing Authority). They will contribute to a fairer and more transparent experience for tenants relying on the private rented sector. The Act places a duty on Local Housing Authorities to make information publicly available, including details of how prohibited payments and holding deposits can be recovered. The SRS will place the required information on the SRS website and create links to the Council website to allow the Council to meet that duty.
- 3.4 Welsh Government (WG) believes that any costs associated with renting in the private sector should be reasonable, affordable and transparent. This new Act was

brought in to achieve this aim by enabling Local Authorities to regulate such costs through informal and formal means.

3.5 The Act defines permitted payments that can be required by letting agents and self-managing landlords as:

- ✓ rent
- ✓ holding deposits
- ✓ security deposits
- ✓ payments in respect utilities (e.g. council tax, television, licence and communication services)
- ✓ payments in default (where tenant has done something wrong e.g. lost keys, late payment of rent)

3.6 Any payments other than those listed above are banned and prohibited. Where any rent payment, in one period, is greater than the amount of rent payable in any other period during the contract, the difference (a 'rent fluctuation') is also considered a prohibited payment. There is an exception where there is a 'permitted variation' agreed between landlord and tenant.

3.7 'Holding deposits' are limited to one week's rent and must be re-paid within seven days of the contract being agreed. If the tenancy contract is not agreed, the deposit must, subject to limited exceptions, be repaid within 15 days. There will be no change to existing legislation governing 'security deposits'.

4. Current situation/proposal

4.1 Offences are committed where landlords and/or agents fail to comply with the Act. Local authorities are responsible for enforcing this legislation in partnership with Rent Smart Wales (RSW). The legislation places the duty for enforcement on each local authority, with a power to share the responsibility with Rent Smart Wales. This is a new piece of legislation that makes provision to protect tenants and is currently outside the scope of the existing Scheme of Delegation of Functions. Additionally, the other local authorities in Wales are now in the process of planning, in accordance with their own constitutional arrangements, to authorise Rent Smart Wales to enforce the provisions of the Act.

4.2 RSW will take enforcement action in place of Local Authorities in limited circumstances:

- where RSW is undertaking an audit of a letting and managing agent and find evidence of non-compliance
- where RSW is taking enforcement action for Housing (Wales) Act 2014 offences (e.g. not registered with RSW) and tenant fee contraventions are found

- other exceptional circumstances to be agreed on a case by case basis with the relevant Local Authority

4.3 Local Authorities are primarily responsible for enforcing the requirements and have a duty to inform the Rent Smart Wales if they take enforcement action. Rent Smart Wales will also have a duty to inform Local Authorities if they serve a fixed penalty notice or prosecute under the new Act. There are two formal enforcement options:

- Issue of a fixed penalty notice (FPN) of £1,000, the payment of which would avoid prosecution proceedings. The fixed penalty payment receipts will be used for this enforcement function.
- Prosecution for offences under the Act, which could result in a fine not subject to a minimum on the standards scale of fines (except for failure to provide information required by statutory notice, in which case a fine up to level 4 on the standard scale could be imposed).

4.4 It is proposed that the Scheme of Delegation of Functions be updated accordingly to insert the following function into Scheme B2 as a cabinet function allocated to the Monitoring Officer to ensure that the relevant statutory enforcement powers under the Act are used appropriately:

3.56	To do anything which the Council has the power to do (including the power to serve any notice) that is necessary for the enforcement of any of the provisions contained within the Renting Homes (Fees etc) (Wales) Act 2019.
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4.5 The Joint Working Agreement for the Shared Regulatory Services will also need to be varied due to there being an extension of delegations to the Service. In accordance with the JWA the Participants will need to agree to make the changes and enter into a Deed of Variation to be appended to the Agreement.

5. Effect upon policy framework and procedure rules

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

6. Equality Impact Assessment

6.1 There are no equality implications arising from this report.

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

7.1 The Act relates directly to several of the well-being objectives:

The Act will remove a financial barrier to renting a property in a tenant's area of choice. Being able to tell, up front, what the ongoing cost of a property is, without the potential for unexpected high fees to be levied both up-front and throughout a tenancy, will allow tenants to budget for a property in their chosen area. Considering health, the impact is likely to be generally positive, due to the potential benefits to those on a low income, who will be able to access more appropriate PRS accommodation, fitted to their needs, which may contribute to better health outcomes.

- 7.2 Reducing the financial barrier to suitable accommodation will also be intended to alleviate pressure on finances, meaning funds would instead be available to spend on food, fuel and other essential health-related outgoings. A reduction in income for landlords could mean less responsible behaviour towards the environment, but legal obligations would still apply. The private rented sector provides housing for a higher proportion of younger people (under 35) than other tenures. Ensuring that the upfront barriers to accommodation are reduced, and that the ongoing costs of that accommodation are predictable and stable, will help younger people, particularly those with a lower income, to effectively budget for their accommodation.

8. Financial implications

- 8.1 The additional regulatory burden of this legislation has been the subject of the financial assessment by Welsh Government. It is considered that the fixed penalty (£1000 per offence) or court cost awards will cover the financial impact incurred. No additional staff resources are anticipated at this stage. The legislation will be enforced on a reactive basis following complaint and prioritised accordingly or as part of an ongoing case investigation.

9. Recommendations

It is recommended that Cabinet note the report and:

- 9.1 Approve the amendment to the Scheme of Delegation of Functions as set out in paragraph 4.4 of the report;
- 9.2 Approve that the Monitoring Officer have delegated authority so as to authorise relevant officers to exercise as and when may be required, the carrying out of those statutory enforcement powers;
- 9.3 Delegate authority to the Monitoring Officer to approve and finalise and execute the terms of the Deed of Variation as set out in paragraph 4.5 of the report.

Kelly Watson
Head of Legal and Regulatory Services and Monitoring Officer
November 2019

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Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CHIEF EXECUTIVE

HOMELESSNESS STRATEGY 2018-2022

1.0 Purpose of report

1.1 To seek Cabinet approval to adopt and submit to Welsh Government the Homelessness Strategy and Action Plan 2018 – 2022, which has taken into consideration consultation responses.

2.0 Connection to Corporate Improvement Plan/other corporate priorities

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

- **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
- **Smarter use of resources** – ensuring that all its resources (financial, physical, human, and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3.0 Background

3.1 Part 2 of The Housing (Wales) Act 2014 places a duty on the Council to carry out a Homelessness Review for its area and then formulate and adopt a Homelessness Strategy, based on the results of that review. Any review and strategy must look at the achievement of the following objectives:

- The prevention of homelessness;
- That suitable accommodation is and will be available for people who are or may become homeless;
- That satisfactory support is available for people who are or may become homeless.

3.2 Section 60 of The Housing (Wales) Act 2014 states that the Council must ensure that information and advice about homelessness and the prevention of homelessness is available free of charge to any person in its area. The publication of how the system of information and advice operates along with its impact on people who are homeless or may become homeless is also required.

3.3 It also requires the Council to work alongside other public authorities and the voluntary sector to ensure that the service is designed to meet the needs of

groups at particular risk of homelessness. Such groups include people leaving prison or youth detention accommodation, young people leaving care, people leaving the regular armed forces, people leaving hospital after inpatient medical treatment for mental health challenges and people receiving mental health services in the community.

- 3.4 The Homelessness Strategy has links to the Council's Well Being Plan. The plan makes reference to issues that can be the cause or result of homelessness e.g. Adverse Childhood Experiences (ACE's), mental health and also makes reference to the alignment of the Welsh Government Tackling Poverty Grants – focusing on alleviating child poverty through early intervention programmes, such as Flying Start, Families First, Supporting People and Communities First Legacy Funding.
- 3.5 The Strategy further highlights the intention of working with partners, including service users and carers, to take early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services, supporting individuals and communities to build resilience, and enable them to develop local solutions to meet local needs and enjoy independent life as much as they can.
- 3.6 The Strategy also supports the Wellbeing of Future Generations (Wales) Act 2015. This Act is about improving the economic, social, environmental and cultural well-being of Wales through sustainable development. The number of households successfully prevented from becoming homeless is a National Performance Indicator for this Act. The Homelessness Strategy demonstrates the 'sustainable development principle' by:
- Addressing long term challenges
 - Focusing on prevention
 - Delivering an integrated approach
 - Working in collaboration with others
 - Involving people who use services in the planning, design and commissioning of services
- 3.7 The Strategy also supports the Social Services and Wellbeing (Wales) Act 2014 which places a greater emphasis on ensuring services are more person centred, promoting independence and reducing reliance on more intensive services. In accordance with Section 8 of the Act Welsh Ministers have issued a statement relating to the well-being of people who need care and support and carers who need support. One of the national well-being outcomes specifically links to the suitability of living accommodation. The outcomes states:
- 'I live in a home that best supports me to achieve my wellbeing'*
- 3.8 Section 37 of the Social Services and Wellbeing (Wales) Act 2014 contains the duty to provide care and support for a child in the local authority area if s/he has an eligible need for care and support. These include the powers to accommodate and support the child's carers and other family members as well.

- 3.9 The above demonstrates that alleviating homelessness is not the sole responsibility of one department in the Council, but that it is a responsibility of the Council as a whole.
- 3.10 The draft Homelessness Strategy was presented to Cabinet on 22nd January 2019, where Cabinet approved a period of public consultation. The draft Strategy was also presented to Subject Overview and Scrutiny Committee 3 on 18th March 2019, comments from which have been included in the final Strategy.

4.0 Current Situation/proposal

- 4.1 The Strategy was developed further to a review of homelessness services in the area, undertaken between July – October 2018. The approach taken has been one of co-production. An independent consultant was commissioned to undertake the Homelessness Review which offered an independence from the Council and a fresh perspective to inform the Strategy. All key stakeholder groups were surveyed/interviewed, including people that use/have used homelessness services. Key performance statistics were also analysed along with a review of relevant local and national policies.

Consultation and co-production

- 4.2 Co-production was a key principle of developing the Strategy and as well as the formal questionnaires available to the public a focus was placed on learning the views of service users in addition to the professionals involved in providing services and support for homeless people. As a result of this focus, questionnaires were designed in line with the principles of the Equal Ground Standard (looking at person-centred principles in frontline homelessness services). A total of 76 questionnaires from service users were completed which provided key information which ultimately informed the objectives and actions adopted by the Strategy. 29 of these questionnaires were returned by people that live in supported housing. Service user interaction provided an opportunity for discussion with individuals and for them to voice their key priorities for action and highlight their experiences. This included reasons for homeless presentations, outcomes achieved and desired, and background demographics. Other activities to gather information included:

- A half day workshop was held with Bridgend County Borough Council (BCBC) Supporting People and Housing Solutions Teams to explore their views on local provision and their performance in line with the Housing (Wales) Act 2014;
- A half day workshop was held with BCBC Statutory Services; Registered Social Landlords and Providers;
- Consultation with Cwm Taf Morgannwg Health Board.

- 4.3 Professional consultees include -
Statutory

- BCBC – Housing Solutions
- BCBC – Supporting People Team
- BCBC – Social Services

- BCBC – Environmental Health
- BCBC – Local Member with Wellbeing Portfolio
- South Wales Police
- Swansea Bay University and Cwm Taf Morgannwg Health Boards

Providers

- The Wallich
- Pobl Care & Support
- Llamau
- Calan DVS
- Shelter Cymru

Registered Social Landlords

- Hafod Housing
- Linc Cymru
- United Welsh
- Valleys to Coast
- Wales & West

4.4 A public consultation outlining the Strategy was undertaken over a six week period following the presentation of the Strategy to Cabinet on 22 January 2019. Links to complete the consultation were sent to the Registered Social Landlords that form part of the Common Housing Register (Hafod, Linc Cymru, Wales & West and Valleys to Coast), the Housing Solutions and Rehousing Teams, the Chair of Cwm Taf Health Board and all members of the Supporting People and Homelessness Forum. The draft Strategy was available alongside the consultation document. The consultation received 45 (online) responses. The public consultation summary is attached at **Appendix A**. In summary:

- 45 respondents completed the questionnaire
- 75% of respondents said that the Strategy clearly explains why Homelessness is a priority for the Council
- 78% of respondents agree with the objectives outlined in the Strategy
- 76% of respondents noted nothing was missing and there was no additional information they would like to see included.

4.5 The Strategy has been revised to take into consideration consultation responses and is attached at **Appendix B**. The aim of the Strategy is to work collaboratively on a corporate basis with external partners, and service users, in a responsive, creative and timely manner to prevent and relieve homelessness throughout the county borough, ensuring people can access suitable accommodation, with the support required to meet their needs. The key objectives are -

- Objective 1 - Improve collaboration between external organisations
- Objective 2 - Improve collaboration between the statutory functions within the Local Authority.

- Objective 3 - Improve working arrangements between the Local Authority and Registered Social Landlords (RSLs) to facilitate co-operation in line with Section 95 of the Housing (Wales) Act 2014.
- Objective 4 - Improve how people who are homeless or threatened with homelessness access services.
- Objective 5 - Improve the accessibility and availability of support and accommodation options for all service users.
- Objective 6 – Support Rough Sleepers and tackle the need to sleep Rough

4.6 To support the Strategy an action plan has been developed to achieve the objectives (**Appendix C**). The actions have been developed further to respond to:

- The findings of the homelessness review
- Consultation with providers, statutory services and service users
- Consultation with the public

5.0 Effect upon Policy Framework & Procedure Rules

5.1 There is no effect upon Policy Framework & Procedure Rules.

6.0 Equality Impact Assessment

6.1 An Equality Impact Assessment (EIA) screening form was completed in December 2018 which identified that a full EIA was not required.

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

7.1 The report contributes to the following goals within the Wellbeing of Future Generations (Wales) Act 2015:

- A prosperous Wales
- A resilient Wales
- A Wales of cohesive communities
- A globally responsive Wales

7.2 The 5 ways of working have been considered in the preparation of this report and are summarised below –

- Long term – continued provision will allow for short terms needs to be met, whilst BCBC works together with internal and external partners for the effective planning of long term provision
- Prevention – current activities, strategy objectives and proposed actions are preventative and responsive in nature and are designed to reduce the burden on more costly interventions
- Integration – the Strategy and Action Plan supports economic, social and cultural outcomes, both at an individual level and in wider communities

- Collaboration – the Strategy and Action Plan are predicated on effective and successful collaboration and partnership arrangements with internal and external colleagues, other statutory bodies, 3rd sector and service user engagement

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

8.0 Financial Implications

8.1 The recommendations in this report will not incur any additional financial implications and will be managed within existing resources and will be delivered through existing Homelessness and Supporting People budgets.

9.0 Recommendation

9.1 It is recommended that Cabinet adopt the Homelessness Strategy attached as Appendix B for submission to Welsh Government.

Mark Shephard

Chief Executive

15/10/2019

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Background Documents:

Minutes - Cabinet, 22nd January 2019

Minutes - Subject Overview and Scrutiny Committee 3, 18th March 2019

APPENDIX A

Homelessness Strategy consultation 2019-2023

Consultation report

Date of issue: 28 May 2019

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1. OVERVIEW

Homelessness can have a major impact on a person's and / or their family's life. It can be detrimental to a person's health, employment or education and training opportunities.

There are often misconceptions about homelessness. It is not always about rough sleeping and not just about the availability of accommodation. Statutory homelessness includes people living in unsuitable or temporary accommodation.

Homelessness also has an adverse impact on the economy and increases pressure on public services, including, health, police, education and social services. This is why it is imperative that statutory and non-statutory services, work together to make tackling homelessness a priority.

Housing and support services need to be easily accessible, readily available and designed around and responsive to the needs of the people who use them. The Local Authority needs to work in partnership with citizens to prevent homelessness, empowering people to take steps to resolve their housing issues, to have more choice, make their own decisions and retain control of their lives.

Between July and October 2018 a comprehensive statutory Homelessness review was undertaken for Bridgend County Borough Council. The key messages of this can be found in the Homelessness strategy and in response to this review the council identified what is currently working well and where the council wants to be by 2022. The strategy outlines a number of areas of work that are currently being implemented to accomplish identified aims and objectives by 2022 as well as further work needed to be implemented.

A public consultation outlining the strategy was undertaken over a six week period following the presentation of the strategy to Cabinet on 22 January 2019. Links to complete the consultation was sent to: the Registered Social Landlords that form part of the Common Housing Register which includes Hafod, Linc-Cymru, Wales & West and Valleys to Coast, the housing solutions team including rehousing, the chair of Cwm Taf Health Board and all members of the Supporting People and homelessness forum. The draft strategy was available alongside the consultation document. The consultation received 45 (online) responses. This paper details the analysis associated with the consultation.

2. INTRODUCTION

A public consultation based on Bridgend County Borough Council's Homelessness Strategy was conducted over a six week period between 12 April 2019 and the 24 May 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 Welsh and English as standard and accessible versions.

In total, there were eight 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 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 11,375 followers on its corporate Twitter accounts and 12,267 on Facebook. During the period, the authority ‘tweeted’ six times and the information was seen 8,120 times. Two posts were made to the council’s Facebook page, which reached 6,187 people.

3.2 Local press

A press release entitled **New strategy to prevent homelessness** was issued on 5 February 2019, a further press release entitled **Homelessness: Tell us what you think** was issued on 29 April 2019 and **Don’t miss your chance to have your say** was issued on 17 May 2019. These were covered in the local press as follows:

- **1 January 2019** Bridgend Gem
[Council plans a new strategy to tackle problem of homelessness](#)
- **30 April 2019** Oggy Bloggy Ogwr
[Council drafts new homelessness strategy](#)
- **17 May 2019** Glamorgan Gem
[Don't miss these council consultations](#)



4. RESPONSE RATE

In total, there were 47 interactions, representing 0.03 per cent of the Bridgend County Borough population.

- We received 45 survey responses (online);
- During the consultation period, there were two comments on our social media channels.

5. HOW EFFECTIVE WAS THE CONSULTATION?

The Empty Property Strategy consultation was conducted over a six 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

- 45 respondents completed the questionnaire
- 75% of respondents said that the strategy clearly explains why Homelessness is a priority for the council
- 78% of respondents agree with the objectives outlined in the strategy
- 76% of respondents nothing was missing and there was no additional information they would like to see included?

7. QUESTION AND ANALYSIS - CONSULTATION SURVEY

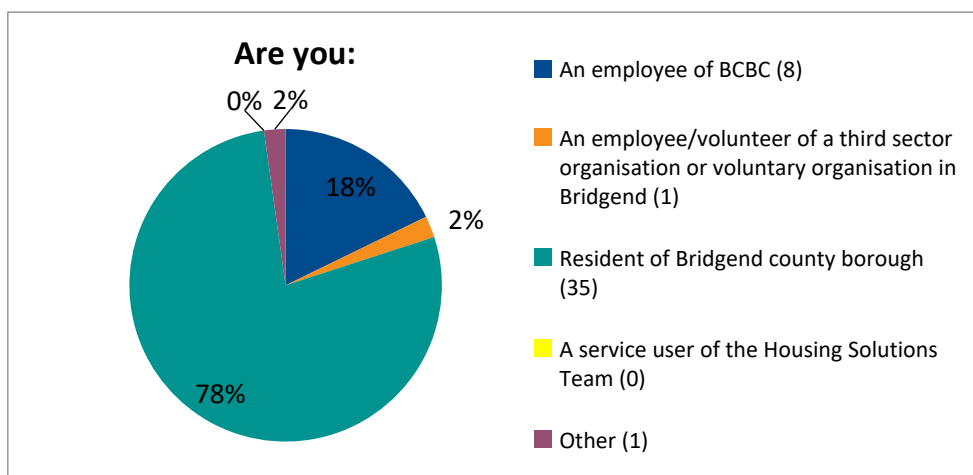
Section seven of the report looks at the questions asked in the consultation survey – with 45 respondents in total.

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. 100% of respondents selected English with 0% selecting Welsh.

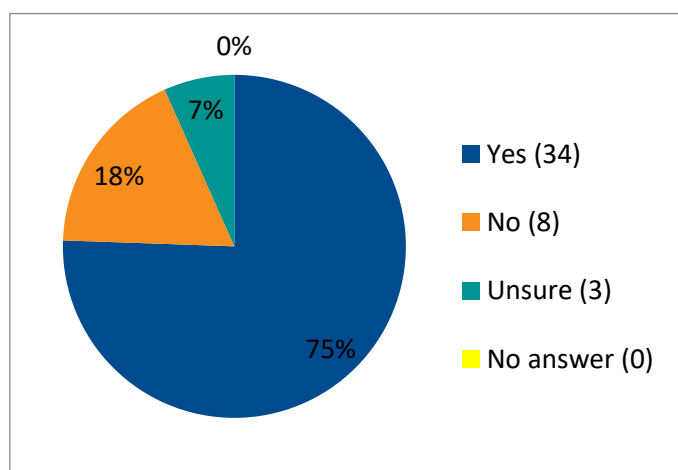
Language	#	%
English	45	100
Welsh	0	0
Total	45	100.0

7.2 Are you responding as:



78% (35) respondents responded as a resident of Bridgend county borough, 18% (8) responded as an employee of BCBC, 2% (1) responded as an employee/volunteer of a third sector organisation in Bridgend and 2% (1) responded as ‘other’ and identified themselves as an ‘Elected Member’. 0 responses came from a service user of the Housing Solutions Team.

7.3 Does the strategy clearly explain why Homelessness is a priority for the council?



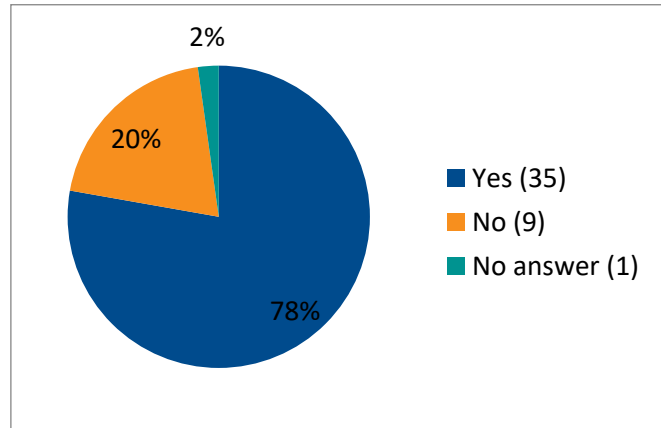
75% (34) of respondents agreed that the strategy explained why homelessness is a priority for the council, 18% (8) disagreed and 7% (3) were unsure.

Of the 11 respondents stated no or unsure, they were able to give details of what they thought should be included. Seven comments were made;

- The wording of the strategy is not user friendly or potentially accessible to all parties reading;
- It doesn't really explain what is being done to get homeless people off the streets permanently;
- To help those who are homeless should be a desire not a begrudged service asked of the council;
- The council says it is a priority, but it has far too many priorities to concentrate on

- Lots of warm words and no detail of actual changes;
- It is jargonised. No smart objectives... just words;
- [One comment was removed due to offensive and derogatory language].

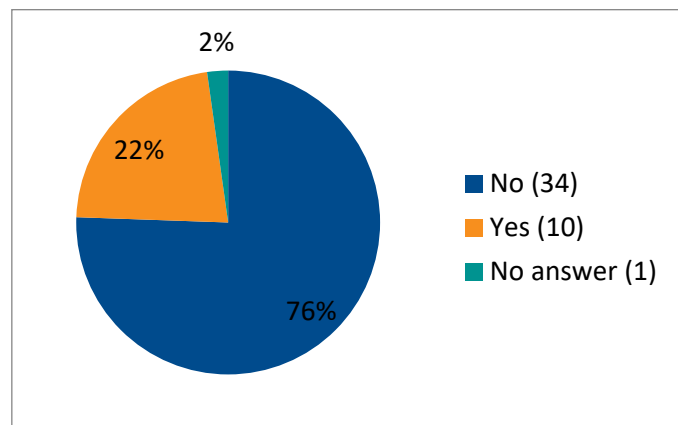
7.4 Do you agree with the objectives?



78% (35) respondents agreed with the objectives in the strategy and 20% (9) respondents disagreed. Where respondents stated no, they were able to give details of what they thought should be included. Of the nine respondents who did not agree the following five comments were made:

- Seems like a misuse of time/funds. Adults are responsible for adult choices;
- Council has other issues to deal with. Anyone made intentionally homeless should not be supported;
- All you're interested in is keeping people happy by making us think you're doing something;
- How will council look to expand housing stock as there is an exodus of landlords... not clear;
- [One comment was removed due to offensive and derogatory language].

7.6 Is there anything missing from the strategy that you would like to see included?



76% (34) respondents said there was nothing missing from the strategy that they would like to see included, 2% (1) respondents did not give an answer and 22% (10) said yes, there are things missing.

Where respondents stated yes, they were able to give details of what they thought should be included. Of the ten respondents who thought something was missing from the strategy, nine comments were made:

- Consideration of drugs and alcohol that often comes hand in hand with homelessness;
- The use of unused or unoccupied buildings to house homeless people;
- More to get homeless people off the streets, into a house and into a job so they can self-sustain;
- Effort to be made with private landlords;
- How homeless is going to be a thing of the past when you convert derelict and abandoned properties;
- Land and unused buildings donated by council to the third sector and others to provide accommodation;
- A detailed plan of actions, and budget increases allocated to the problem;
- Objectives, numbers affected and all packages;
- [One comment was removed due to offensive and derogatory language].

7.7 Please use the space to provide any further comments on this strategy

Respondents were given the opportunity to give any further comments on the strategy.

Eight comments were provided which are outlined below;

- From experience in working with and supporting homeless people. Drugs and alcohol play a HUGE part in this and a solution should be highlighted and incorporated somewhat into the strategy. I was in Bridgend Town Centre last week at 11am to find 3 homeless people clearly drunk and or in drugs. It was so intimidating and frightening, it makes me hate going into Town. I appreciate that this does not include all homeless people, however, the majority that I have seen clearly need support or somewhere to go in the day for support;
- Make sure single people are housed;
- Social housing provides affordable housing but is not always working efficiently. For example, single person occupancies residing in a family size property. Effort should be made to monitor these examples and relocate individuals/families to properties of a more appropriate size;
- Personally, (but you don't think about other people's thoughts, even though you like to say you do) Plenty Of abandoned and derelict places, you can convert these our wages tax is plenty enough to cover these costs. You say you want to beat it by 2020, but I think you can sort it sooner! No excuse. Homeless people are treated poorly, especially our veterans! I think someone needs to have a serious word with themselves and sort this out, this has been going on for years and people just wander by, not giving a second glance, a few pence here and there won't get them far! It's the support and help they need but because their homeless, the job centre plus and government don't want to know;
- Monitoring of town centre homelessness needs to be addressed. People setting up their bedroom in the doorway of New Look is not a desirable presentation of Bridgend and is unfair on traders who pay a lot in business rates. Also street begging needs to be addressed along with littering;
- As a resident of BCB I am very concerned with the growing numbers of homeless individuals living in tents in and around Newbridge Fields. This is turning the area into an unofficial

campsite and spoiling the woodland for local residents. Whilst waking my dogs I have unfortunately come across countless waste products, drug needs and abandoned clothing. Homeless individuals should not feel that the town is a haven for this unacceptable behaviour and should be moved away from our playing fields and public areas;

- It would be good to understand more detail as time goes on as to how the objectives will be achieved. The principles however show a joined up positive approach to collaborative working to achieve the aims;
- [One comment was removed due to offensive and derogatory language].

8. EMAILS, SOCIAL MEDIA TELEPHONE 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 Social media comments

We received two comments over social media during the live period. One of these comments related to accessing the online survey. The other is outlined below;

- There's derelict and abandoned places in Bridgend. Our tax that you take from our hard earned wages is more than enough to convert these places into hostels or 1 bedroom flats for the homeless! I think it's disgusting that this isn't being done!

9. CONCLUSION

A sample of 45 survey completions is subject to a maximum standard error of +1.90% 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 $\pm 14.61\%$ 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 35.39% and 64.61%.

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 Homelessness Strategy consultation

Overall the Homelessness Strategy was supported by the survey respondents as follows:

- 75% of respondents said that the strategy clearly explains why Homelessness is a priority for the council
- 78% of respondents agree with the objectives outlined in the strategy
- 76% of respondents nothing was missing from the strategy and there was no additional information they would like to see included?

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Our Strategy to tackle homelessness in Bridgend County Borough

2018 - 2022

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APPENDIX 1 – LEGISLATIVE BACKGROUND

1.0 Introduction

Homelessness can have a major impact on a person's and / or their family's life. It can be detrimental to a person's health, employment or education and training opportunities.

There are often misconceptions about homelessness. It is not always about rough sleeping and not just about the availability of accommodation. Statutory homelessness includes people living in unsuitable or temporary accommodation.

Additionally, there are often complex reasons for people becoming and remaining homeless. Many people are unable to sustain accommodation because of issues such as mental illness or substance misuse issues. Solutions therefore need to be varied and tailored to individual needs.

Homelessness also has an adverse impact on the economy and increases pressure on public services, including, health, police, education and social services. This is why it is imperative that statutory and non-statutory services, work together to make tackling homelessness a priority.

Housing and support services need to be easily accessible, readily available and designed around and responsive to the needs of the people who use them. The Local Authority needs to work in partnership with citizens to prevent homelessness, empowering people to take steps to resolve their housing issues, to have more choice, make their own decisions and retain control of their lives.

Therefore, this document sets out Bridgend County Borough Council's Homelessness Strategy for 2018-2022. The Strategy looks at the picture of homelessness in the county borough, where Bridgend County Borough Council are now, what Bridgend County Borough Council do well and ultimately a vision for where Bridgend County Borough Council wants to be. The Strategy also sets key aims and subsequent objectives to achieve the vision.



Councillor Dhanisha Patel
Cabinet Member for Wellbeing and Future Generations

1.1 Executive Summary

The Local Authority has embraced the new duties under the Housing (Wales) Act 2014 and has re-configured its staffing structure, processes and policies to take on the preventative and relief duties to reduce homelessness.

The Authority has responded to the increased and changed needs of its residents who were and are facing homelessness. In collaboration with local third sector organisations, the Authority utilised Supporting People and Homeless Prevention grant funding to commission key projects for people in need. This includes additional units of temporary accommodation and increased options for people who require housing related support. Furthermore, the Authority established direct access floor space as a year round option for street homeless people, and a supplemental pilot project which offers support during specific parts of the day.

Despite this proactive response, challenges remain. Homelessness presentations are increasing, this is due to a number of factors, not least the changes to the welfare benefits system; and presentations from people with increasingly complex needs, including mental ill-health, substance misuse, and poverty of finance and opportunity. Responding to these challenges at a time of financial constraint presents a further dilemma.

In addition, there will be forthcoming extensions to duties the Local Authority owe to some people who are found to have made themselves 'intentionally homeless' and the possibility of changes to the 'priority need' categories for homeless people. This could lead to an increased demand on already limited resources, in particular temporary accommodation.

Homelessness and its impacts are wide reaching. No single organisation has the ability to overcome the challenges and as such it is important that statutory and non-statutory functions work together to tackle this cross cutting issue.

The Local Authority is determined to overcome these challenges and our vision is:

“To work collaboratively on a corporate basis with external partners, and service users, in a responsive, creative and timely manner to prevent and relieve homelessness throughout the county borough, ensuring people can access suitable accommodation, with the support required to meet their needs”

The following have been identified as objectives that recognise homelessness is not just a housing issue:

- Improve collaboration between external organisations
- Improve collaboration between the statutory functions within the Local Authority.
- Improve working arrangements between the Local Authority and Registered Social Landlords (RSLs) to facilitate co-operation in line with Section 95 of the Housing (Wales) Act 2014.
- Improve how people who are homeless or threatened with homelessness access services.
- Improve the accessibility and availability of support and accommodation options for all service users.
- Support Rough Sleepers and tackle the need to sleep rough

2.0 Where are Bridgend County Borough Council now?

2.1 Understanding Homelessness in Bridgend

In 2017-18:

- 1020 households presented to the Local Authority because they were homeless or threatened with homelessness. This is projected to increase by 28% by the end of 2018/19.
- 68% of households were single people. This is a slight increase from 2016/17 where it was 66% but similar to 2015/16 where it was 69%.
- 10% of households were people aged 55 or over. This is an increase from 2016/17 where it was 6% and from 2015/16 where it was 7%. It is projected that the percentage will remain consistent by the end of 2018/19 at 10%
- Since implementation of the Housing (Wales) Act, the number of homelessness presentations for people aged 55 or over has significantly increased from 65 in 2015/16 to a projected 134 by the end of 2018-19.
- 59% of presentations were from people aged under 34 and under. This is a slight reduction from 2016/17 where it was 60% and 2015/16 where it was 61%.
- 6% of presentations were from people aged 16 or 17 years old. This is consistent with 2016/17 where it was 5% and 2015/16 where it was 7%. It is projected that the percentage will remain consistent by the end of 2018/19 at 6%.
- Since implementation of the Housing (Wales) Act, the number of homelessness presentations for people aged 16 or 17 has increased from 57 in 2015/16 to a projected 80 by the end of 2018-19.
- The greatest reason for homelessness was “loss of rented or tied accommodation” (19%) followed by “parent no longer able or willing to accommodate” (13%) and “other relatives or friends no longer willing or able to accommodate” (13%).
- The Local Authority successfully prevented 69% of households threatened with homelessness from actually becoming homeless during this period .
- Private rented housing (38%) and social rented housing (39%) were the most used methods for preventing homelessness.
- Private rented housing (38%) and social rented housing (27%) were also the most used methods for relieving homelessness for households who were actually homeless. However, supported accommodation is also increasingly being used (24%).
- Private rented housing (20%) and social rented housing (36%) were again the most commonly used methods for securing accommodation for those whom the Council

had a 'final' duty to house, where it had not been possible to prevent or relieve the homelessness.

- 41% of people for whom the Council had a 'final' duty to house had a negative outcome, such as becoming intentionally homeless from suitable interim accommodation (for example being evicted for rent arrears or breaching accommodation rules) or refusing a suitable offer of accommodation.
- 307 households were helped by being placed into temporary accommodation. This was a 6% increase on 2016/17 and an 8% increase on 2015/16. Local Authority owned hostel accommodation was the most commonly used form of temporary accommodation, where 67% of households were placed.
- 49% of nominations from the Common Housing Register resulted in a successful allocation of accommodation. 28% of nominations were refused by the Registered Social Landlord and 23% were refused by the applicant.

As at November 2018:

- 76 households are accommodated in temporary accommodation.
- 1018 households are registered on the Bridgend Common Housing Register.
- 89 households are threatened with homelessness and being helped to prevent their homelessness.
- 115 households are homeless and being helped to relieve their homelessness.
- 79 households are homeless and owed a final duty by the Local Authority to find them accommodation.
- During the annual rough sleeper count undertaken between the hours of 10pm on 8th November and 5am on 9th November 2018 there were 10 emergency bed spaces available. 5 people accessed the emergency provision, whilst 5 people did not, instead they chose to sleep rough. This is consistent with previous years.

2.2 Key messages from our Homelessness Review

A comprehensive statutory review was undertaken for Bridgend County Borough Council between July and October 2018, in line with the Housing (Wales) Act 2014 where local authorities have a duty to undertake a Homelessness Review and prepare a Homelessness Strategy. The key messages from the review are:

- **Homeless presentations are increasing.** There has been an 18% increase in presentations between 2015/16 and 2017/18. It is projected that there will be a further 28% increase in presentations by the end of 2018/19. Presentations from people aged 55 or over and aged 16-17 have seen a notable increase.
- **The corporate approach, involving Education, Social Services and Housing needs to be strengthened.** This is to ensure that opportunities to prevent or relieve homelessness are not being lost.
- **Research undertaken by a number of reputable organisations confirms the cost of not addressing homelessness has a negative financial impact across the wider public sector.** This includes social services, health, the criminal justice system, and education.
- **Homelessness significantly affects health and wellbeing** and is evidenced by the multiple and complex needs of many people presenting as homeless. As well as addressing housing needs, homeless services can prevent deterioration of physical and mental well-being.
- **Prevention and relief of homelessness should be explicit within all statutory corporate plans, including Health and Probation.** This needs to be more than a commitment. These plans should include detail on prevention and relief pathways for key groups at risk e.g. young people in care, people with mental health and/or substance misuse challenges.
- **'Front door' access to housing advice must be improved.** A redesign and alternative methods of triage could reduce the amount of times people have to share their personal stories, before they can access the service they require. It could also increase staff capacity, allowing for more timely interventions and reducing unnecessary and more costly escalation of issues.
- **Better use of technology and digitalisation could improve service provision.** Service users could access services and more information in a more timely and efficient manner, via a good quality website and the telephone.
- **Access to support services must be improved and diverse.** People in support services have positive experiences, but people are not necessarily aware of the support available and services are not always easily accessible. A variety of inclusive support providers and services should be available, that are accessible and dovetail one another, especially for people with mental health and/or substance misuse issues.

- **A wider variety of accommodation options should be explored.** This is particularly relevant for people with high and complex support needs and those who are not suitable for, or do not engage with traditional accommodation / support methods.
- **RSLs are keen to build on existing relationships with the Local Authority.** Section 95 of the Housing (Wales) Act 2014 introduced a duty for RSLs to co-operate, with the aim of preventing and relieving homelessness. There are some disparities in practices which require more investigation. Better and timelier information will assist with allocations and there is a need for a resettlement pathway for people with a history of arson or sexual offences.
- **Key stakeholders welcome joint strategic planning opportunities with the Local Authority.** More proactive relationships will improve co-ordination and planning of services across the wider sector. Increased opportunities for partners to meet, will allow a forum for highlighting challenges and opportunities.
- **Co-produce pathways with partners and service users.** All-inclusive, coherent pathway planning can deliver required outcomes, ensuring there is clarity around roles and responsibilities.

3.0 What do Bridgend County Borough Council do well?

The Local Authority has made significant progress in adapting to and implementing the Housing (Wales) Act 2014.

3.1 The Housing Solutions Team

Since the implementation of the Housing Wales Act (2014) in April 2015 the Team have:

- Successfully prevented 67% of households threatened with homelessness from becoming homeless (819 households)
- Successfully relieved the homelessness of 43% of households who were actually homeless (856 households)
- Assisted 427 households to remain in their current accommodation or find alternative accommodation, utilising a Spend to Save Scheme
- Responded to homelessness by making 1380 placements into temporary accommodation
- Successfully housed 523 households threatened with or actually homeless via the Common Housing Register

The Local Authority's Housing Solutions Team work well in partnership with the Customer Contact Centre to deliver a front line information and advice service. The Contact Centre deal with initial housing queries and makes an appointment with the Housing Solutions Team when more specialist advice is needed. This process helps to prioritise cases so that the Housing Solutions Team have greater capacity to deal with more urgent cases, such as people presenting as homeless.

The Housing Solutions Team undertake a comprehensive housing and support assessment of applicants and are responsible for processing and managing all homelessness applications, including discharging the Authority's duties under the Act. Where a homelessness presentation is received from a 16 or 17 year old a joint assessment is undertaken alongside Social Services.

Where temporary accommodation is required, the Housing Solutions Team aims to accommodate households in accommodation that best meets their needs. The Local Authority has commissioned a variety of temporary accommodation options including:

- Family and young person's hostel
- Single person's hostel
- Self-contained and shared single person accommodation
- Leased private rented accommodation for families and single persons
- Refuge for women fleeing domestic abuse
- B&B accommodation
- Emergency bed provision available for short-term periods only
- Direct access floor space for rough sleepers

The Housing Solutions Team also manage applications to and nominations from the Common Housing Register.

In preparation for the Act the Housing Solutions Team's existing case management system was redesigned to allow accurate and efficient case management of homelessness. One method the Housing Solutions Team have developed and utilise to achieve positive outcomes is the 'Spend to Save Scheme'. The scheme offers discretionary payments, which saves the Authority and other services greater expenditure by preventing the escalation of a situation.

An example of this is helping an applicant with a cash bond or rent in advance of £500 to secure a private rented property, preventing the need for costly temporary accommodation, which could cost over £4000.

3.2 Embedded Services

There are several non-statutory services embedded within the Housing Solutions Team. Embedding services has created positive working relationships between organisations and enables a seamless, holistic service to applicants.

The services below are currently embedded within the Housing Solutions Team and consideration will be given to further embedding of services going forward.

- A family mediation service specialising in providing mediation support to families, where a young person aged 16-25 is or is at risk of becoming homeless. The service works with both the young person and their family to improve relationships and prevent a young person being asked to leave or facilitate a return home.
- A homelessness prevention and financial advice service, which provides independent advice and support on a variety of matters including; security of tenure / possession proceedings, homelessness, disrepair, debt / money matter, maximisation of income.
- The Bond Board Scheme assists people on a low income to find and secure privately rented accommodation. The service issues bond certificates which cover the cost of a deposit on a privately rented property.
- Integrated domestic abuse services, based in the Councils domestic abuse 'one stop shop' (Assia Suite) provides confidential, specialist support to victims of domestic abuse, including supporting victims to flee from perpetrators, by accessing refuge accommodation.

3.3 Supporting People Programme Grant

The Supporting People Programme Grant (SPPG) from Welsh Government is an early intervention programme which prevents people from becoming homeless or helps homeless people to find and keep accommodation. It also helps some of the boroughs most vulnerable people to live independently in their own home or supported housing. In Bridgend County Borough the SPPG currently funds:

- Alarm services, including for sheltered accommodation and telecare services.
- Temporary / Supported Accommodation for:

- ❖ Homeless adults
 - ❖ Homeless families
 - ❖ Direct access provision for those whom the Local Authority have no duty to accommodate.
 - ❖ Young persons aged 16-21
 - ❖ Those with mental health issues
 - ❖ Vulnerable and chaotic service users
 - ❖ Those with substance misuse histories
 - ❖ Those with learning disabilities
- Floating support for:
 - ❖ Generic housing related support needs
 - ❖ Private landlords and tenants
 - ❖ Those with criminal offending histories
 - ❖ Older persons
 - ❖ Refugees

Housing Support at older persons 'extra care' schemes.

- Domestic abuse services, including:
 - ❖ Refuge
 - ❖ Drop in and floating support
 - ❖ Perpetrator programme
 - ❖ Support for young persons

As of June 2018 the SPPG funded services the county borough had the following breakdown:

Fixed Supported Accommodation	Number of Units
Alarm Services (Sheltered Accommodation & Telecare)	2886
Other	10
Families with Support Needs	16
People over 55 years of age (Extra Care)	39
People with Learning Disabilities	111
People with Mental Health Issues	21
People with Substance Misuse Issues	5
Single People with Support Needs	22
Women experiencing Domestic Abuse	13
Young people who are care leavers	12
Young People with Support Needs (16 to 24)	30
Grand Total	3165

Floating Support	Number of Units (min)
Families with Support Needs	20
Generic / Floating Support	488
People over 55 years of age	90
People with Criminal Offending History	15
People with Mental Health Issues	204
People with Physical and / or Sensory Disabilities	10
People with Refugee Status	6
Single People with Support Needs	3
Women experiencing Domestic Abuse	92
Young people who are care leavers	85
Young People with Support Needs (16 to 24)	35
Grand Total	1048

3.4 Private Rented Sector

Working closely with the private rented sector is imperative to successfully prevent and relieve homelessness. The Local Authority has a number of initiatives to achieve this:

- The Bridgend Landlords Forum meets regularly and is well attended by private sector landlords who let properties across the county borough. The Forum is an opportunity for the Local Authority and landlords to communicate, share information and best practice.
- The 'Early Doors' service, funded by the Supporting People Programme Grant, enables landlords to ask for help on the tenant's behalf, at a stage before the situation becomes more critical. An 'Early Doors' support worker will work impartially with both landlord and tenant to try to resolve any issues and hopefully reach an agreeable solution to avoid an eviction.
- The 'Bridgend Bond Board' issues bond certificates to cover the cost of a deposit on a rented property. This provides a guarantee to landlords that they will receive payment up to the value of the Bond if the tenancy ends prematurely. The service also supports tenants in the move and resettlement process, promoting positive relationships with local landlords.
- Working to achieve the aims of the Empty Property Strategy, the Empty Property Co-ordinator works with private sector landlords to reduce empty properties across the county borough and help contribute towards increasing the availability of housing for sale or for rent. An Empty Homes Grant is available to landlords to help with the cost of any works. Properties that receive the grant must be rented at the rate of the Local Housing Allowance for a minimum period of 3 years. Properties are rented to people nominated by the Housing Solutions Team, and includes homeless households.

3.5 Affordable Housing

To shape the provision of new-build accommodation and maximise the amount of Social Housing Grant and supplementary grants in partnership with Registered Social Landlords and Welsh Government, there have been 351 units of affordable housing delivered in the county borough from 2015-16 to 2017-18. This includes social rented housing and intermediate housing (housing at a cost above social rents, but below private rents or market value). Intermediate housing can include low cost homes for sale or intermediate rent.

3.6 Current Developments

In this Strategy Bridgend County Borough Council explore where the Local Authority wants to be by 2022 and how the Local Authority will achieve this. Work is already being undertaken to accomplish these aims and the following are examples of some of this:

- The Housing Solutions Team have appointed a Gateway Development Officer, whose responsibility it will be to develop and manage a Gateway for support services, including supported accommodation. A Gateway improves accessibility to support services and allows for better monitoring of provision, ensuring that those in most need have access

to services required and those ready to move on are supported to do so in a timely manner.

- In preparation for winter the Local Authority has developed a co-ordinated approach with third sector partners, expanding and increasing services ensuring appropriate provision for homeless persons through the winter months. An afternoon service will be developed in and around Bridgend Town Centre, which will allow homeless people to access a safe, dry, warm and friendly environment to escape poor weather.
- The Housing Solutions Team have gone through a commissioning exercise to procure a Housing First service. The service will specifically look to support and accommodate complex, entrenched rough sleepers using a non-traditional support method. The service started 1st January 2019.
- The Supporting People Team are working closely with internal mental health and substance misuse services to develop pilot mental health and substance misuse outreach support services. Mental health outreach workers have been recruited and services have been operational since February 2019.
- To further build on adaptations made to our Housing Solutions I.T / case management system, a new system is being implemented which provides a customer portal, allowing people to make and manage their applications online. This will improve our triage approach, helping to reduce the need for people to repeat their story and will contribute to increasing capacity within the Housing Solutions Team.
- To develop a clear pathway for both young persons and staff, work is being undertaken to develop a joint protocol between Housing and Social Services, with regards to an accommodation pathway for looked after children and young person's presenting as homeless.

4.0 Where do Bridgend County Borough Council want to be?

It is our ambition to continually improve our housing and homelessness services, to realise our vision for homelessness in the county borough. The Local Authority has therefore developed four key aims to help us achieve this.

Aims	Objectives to achieve the aims
<p>Improve collaboration between external organisations</p>	<p>Create a forum(s) where key partners, including users of services, Registered Social Landlords, private landlords and the third sector, can highlight challenges, opportunities and plan provision.</p> <p>Co-produce clear pathways that are easy to navigate for both organisations and users of services where there is clarity of roles and responsibilities.</p>
<p>Improve Collaboration between the statutory Functions within the Local Authority</p>	<p>Enable the statutory functions of the Local Authority e.g. Housing, Social Services and Education to meet more regularly with the goal of ensuring a Council wide approach to preventing and relieving homelessness.</p> <p>Ensure commitment to tackling homelessness is explicitly enshrined within all statutory plans, including Registered Social Landlords.</p>
<p>Improve working arrangements between the Local Authority and Registered Social Landlords (RSLs) to facilitate co-operation in line with Section 95 of the Housing (Wales) Act 2014.</p>	<p>Enable the Local Authority and RSLs to meet more regularly to allow for consistency and improve existing processes e.g. providing timely information, sharing risk assessments and allowing opportunities for joint working.</p> <p>Work in partnership to seek alternatives to evictions for rent arrears and anti-social behaviour.</p> <p>Maximise the accommodation and support available to alleviate homelessness e.g. availability of more shared accommodation and more supported housing for people with complex needs.</p> <p>Devise mutually agreed formal agreements and/or key performance indicators.</p>
<p>Improve how people who are homeless or threatened with homelessness access services.</p>	<p>Advance existing 'triage' services utilising online and telephone methods to allow for better information and advice at the first point of contact.</p> <p>Facilitate an environment for sensitive or confidential discussions to take place and reduce the amount of times people have to share their personal and traumatic stories, before they can access the service they require.</p>

	<p>Increase staff capacity, allowing for more timely interventions and reducing unnecessary and more costly escalation of issues.</p> <p>Consider opportunities to co-locate or joint manage statutory and non-statutory services, which reflect the wide, complex and co-existing challenges some homeless people face.</p>
<p>Improve the accessibility and availability of support and accommodation options for all service users.</p>	<p>Review the diversity of housing related support provision, to ensure inclusivity for all including ex services personnel , especially for those people excluded from services or who represent as homeless.</p> <p>Ensure suitable accommodation options are available for people with a history of co-existing mental health and substance misuse challenges and serious offending histories, including history of arson or sex offences.</p> <p>Consider the implications of increasing levels and the changing demographic of homeless presentations and ensure that support and accommodation options are suitable to meet needs.</p> <p>Maximise the use of existing funding streams, such as the Supporting People Grant and Social Housing Grant, responding to changing needs and explore alternative funding streams and joint collaboration, such as between statutory agencies to achieve bespoke support and accommodation options, to prevent homelessness</p>
<p>Support Rough Sleepers and tackle the need to sleep rough</p>	<p>Develop a multi-agency approach to tackling street homelessness</p> <p>Develop suitable support and accommodation services for rough sleepers</p> <p>Offer protection to rough sleepers</p>

5.0 How will Bridgend County Borough Council deliver and monitor the Strategy?

A multi-agency Homelessness Strategy Delivery Group will be established to implement this Strategy. Where necessary, sub-groups will be set up to deliver specific objectives within the Strategy. The Delivery Group will prepare an annual report outlining the progress made in achieving the aims and objectives.

The Local Authority Corporate Plan and the Directorate Business Plans will specify the actions and performance indicators which will contribute towards achieving the aims and objectives within this Strategy. The Corporate Plan is prepared on a 3 year cycle and the Directorate Business Plans updated annually. The actions within the Directorate Business Plans will be monitored on a quarterly basis, and those of corporate importance will be reported to Cabinet through the quarterly Corporate Performance Assessment.

It is acknowledged that whilst the Local Authority has taken the lead in developing this document, the Strategy is owned by all statutory and non-statutory partners who work together to prevent and relieve homelessness within the county borough.

APPENDIX 1 – LEGISLATIVE BACKGROUND

The Housing (Wales) Act 2014

Part 2 of The Housing (Wales) Act 2014 amends and consolidates all previous homelessness legislation in Wales.

The Act ensures a greater emphasis is placed on prevention of homelessness and places new statutory duties on local authorities. Key features of the legislation include:

- A new duty to help anyone threatened with homelessness within 56 days;
- A duty to provide help to any homeless person to help them secure a suitable home;
- A power rather than a duty to apply the intentionality test;
- New powers for local authorities to discharge their homelessness duties through finding accommodation in the private rented sector;
- Stronger duties on Housing Associations to support local authorities in carrying out their homelessness duties.

The purpose of the legislation is to achieve:

- Fewer households experiencing the trauma of homelessness;
- Better, more targeted, prevention work;
- Increased help, advice and information for households who receive limited assistance under the current legislation;
- More focus on the service user, helping them to address the causes of homelessness and make informed decisions on finding solutions to their housing problem;
- More effective use of the private rented sector as a solution to homelessness;
- A stronger emphasis on co-operation and multi-agency working;
- Greater protection provided for children in households who are homeless or threatened with homelessness as well as additional help for children leaving care.

Section 50 of the Act places a duty on the Authority to carry out a Homelessness Review for its area and then formulate and adopt a Homelessness Strategy, based on the results of that review. Any review and strategy must look at the achievement of the following objectives:

- The prevention of homelessness;
- That suitable accommodation is and will be available for people who are or may become homeless;
- That satisfactory support is available for people who are or may become homeless.

Additional legislative and regulatory background

In drafting this Strategy the following legislative and regulatory have also been taken into account:

- 10 Year Homelessness Plan for Wales 2009-2019
- Equality Act 2010
- Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014
- National pathway for homelessness services to children, young people and adults in the secure estate in Wales
- National Housing Pathway for Ex-Service Personnel
- Social Services and Wellbeing (Wales) Act 2014
- Offender Rehabilitation Act 2014
- The Homelessness (Suitability of Accommodation) (Wales) Order 2015
- Well-being of Future Generations (Wales) Act 2015
- Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Code of Guidance to Local Authorities on the Allocation of Accommodation and Homelessness, 2016
- Bridgend County Borough Council Corporate Plan - One Council Working Together to Improve Lives 2016-20
- Wales Audit Office Report “How Local Government manages demand – Homelessness” January 2018
- Welsh Government Rough Sleeping Action Plan 2018-20
- Welfare Benefit Reforms

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Homelessness Strategy Action Plan 2018-2022

The Homelessness Strategy sets out the aim and objectives of Bridgend County Borough Council and its partners to address homelessness.

Homelessness Strategy Aim:

“To work collaboratively on a corporate basis with external partners, and service users, in a responsive, creative and timely manner to prevent and relieve homelessness throughout the county borough, ensuring people can access suitable accommodation, with the support required to meet their needs”.

Homelessness Strategy Objectives:

Objective 1 - Improve collaboration between external organisations

Objective 2 - Improve collaboration between the statutory functions within the Local Authority.

Objective 3 - Improve working arrangements between the Local Authority and Registered Social Landlords (RSLs) to facilitate co-operation in line with Section 95 of the Housing (Wales) Act 2014.

Objective 4 - Improve how people who are homeless or threatened with homelessness access services.

Objective 5 - Improve the accessibility and availability of support and accommodation options for all service users.

Objective 6 – Support Rough Sleepers and tackle the need to sleep Rough

Objective 1: Improve collaboration between external organisations				
<p>1.1 Create a forum(s) where key partners, including users of services, Registered Social Landlords, private landlords and the third sector, can highlight challenges, opportunities and plan provision.</p> <p>1.2 Co-produce clear pathways that are easy to navigate for both housing and social service and other key partners and users of services where there is clarity of roles and responsibilities</p>				
		By When	Activity	Outcome
1.1		June 2020 on-going Quarterly ongoing	Remodel the Supporting People and Homeless forum. Undertake on-going Engagement with I Service User consultation, feedback on current services and identify gaps in service Continue the quarterly Private Rented Sector Landlord Forum. Identify barriers to engagement in prevention of homelessness.	<p>Improve homeless prevention services and increase awareness of homelessness</p> <p>Improve homeless prevention services Raise awareness of homelessness. Increase the supply of private rented accommodation.</p> <p>Raise awareness of homelessness issues. RSL's to co-operate in the prevention of homelessness.</p>
1.2		March 2020 On-going On-going	<p>To implement the findings and pathway resulting from an independent review into 16/17 year olds that present as homeless and develop a joint protocol between Social Service and Housing</p> <p>Monitor the effect of Welsh Governments Prisoner Pathway and utilise Housing Support Grant to continue funding a specific prisoner support service.</p> <p>Respond to any changes implemented by WG in relation to change of priority and work with partner agencies to</p> <p>Implement and support 3rd sector projects to deal with complex and vulnerable young people</p> <p>Engage with colleagues in the Cwm Taf RCC and Cwm Taf Morgannwg Health Board</p>	<p>Reducing youth homelessness.</p> <p>Reduce reliance on all statutory services by preventing homelessness of ex-offenders.</p>

Objective 2 Improve collaboration between the statutory functions within the Local Authority 2.1 Enable the statutory functions of the Local Authority e.g. Housing, Social Services and Education to meet more regularly with the goal of ensuring a Council wide approach to preventing and relieving homelessness 2.2 Ensure commitment to tackling homelessness is explicitly enshrined within all statutory plans, including Registered Social Landlords				
2.1		June 2020	Establish regular meetings with internal partners to identify areas of collaboration and co-produced principles	Incorporate co-produced principles into the delivery of services to ensure that people receive early intervention from all services Increase support options for those facing homelessness Increase awareness and enable early intervention.
2.2		June 2020	Ensure the commitment to be reflected in the Councils Corporate Business Plan. Consult with, and obtain agreement from all Registered Social Landlords to identify and agree action/performance indicators to reducing homelessness.	The prevention of homelessness recognised as being a corporate responsibility. Stakeholder commitment to reduce the reliance on statutory services to tackle homelessness
Objective 3 Improve working arrangements between the Local Authority and Registered Social Landlords (RSLs) to facilitate co-operation in line with Section 95 of the Housing (Wales) Act 2014 3.1 Enable consistency and improve existing processes e.g. providing timely information, sharing risk assessments and allowing opportunities for Joint working between BCBC and RSL's . Devise mutually agreed formal agreements and/or key performance indicators. 3.2. Maximise the accommodation and support available to alleviate homelessness e.g. availability of more shared accommodation and more supported housing for people with complex needs				
3.1		March 2019 - ongoing	To continue a monthly operational Common Housing Register group meeting consisting of representatives of the Council and Registered Social Landlords to identify collaborative opportunities to tackling homelessness Work with Registered Social Landlords to support the Council in developing supported accommodation options	Collaborative approach to alleviating homelessness. Agreements in place committing to the effective allocation of accommodation. Effective sharing of information with

		Monthly ongoing	Review, Appraise and amend if required the Councils Social Housing Allocation Policy with the Registered Social Landlords that form part of the Common Housing Register	Registered Social Landlord Partners to prevent homelessness
		April 2020	Implement a new case management system shared between the Council and Registered Social Landlords to the Common Housing Register.	
3.2		April 2020 – onwards	Engage with RSL's to investigate the feasibility of shared accommodation for under 35s	Increase suitable accommodation options to meet demand.
<p>4. Improve how people who are homeless or threatened with homelessness access services.</p> <p>4.1 Advance existing 'triage' services utilising online and telephone methods to allow for better information and advice at the first point of contact.</p> <p>4.2 Facilitate an environment for sensitive or confidential discussions to take place and reduce the amount of times people have to share their personal and traumatic stories, before they can access the service they require</p> <p>4.4 Consider opportunities to co-locate or jointly manage statutory and non-statutory services, which reflect the wide, complex and co-existing challenges some homeless people face.</p>				
4.1 - 4.4		April 2020	Implement a new case management system that will improve information available to applicants on line, allow online applications that will allow customers to interact more efficiently with the Housing Solutions Department.	Provide advice and access to the homelessness service online. Allows for early intervention and prevention.
<p>5. Improve the accessibility and availability of support and accommodation options for all service users.</p> <p>5.1 Increase accommodation options are available for people with a history of co-existing mental health and substance misuse challenges and serious offending histories, including history of arson or sex offences.</p> <p>5.2 Maximise the use of existing funding streams, to achieve bespoke support and accommodation options, to prevent homelessness</p>				
5.1		March 2020 onwards	Review supported accommodation needs for people with complex needs. Identifying suitable funding and resources	Increase suitable accommodation options to meet complex needs

			<p>Work in collaboration with mental health services to develop a community based support service for individuals with mental health and substance issues. Identifying suitable funding and resources</p> <p>Implement the findings of an independently commissioned review into mental health services.</p>	<p>Early intervention and prevention of homelessness/reliance on statutory services.</p> <p>Improve services to those experiencing mental health issues.</p>
5.2		<p>March 2020</p> <p>Monthly ongoing</p> <p>April 2020 – on-going</p>	<p>Engage with private rented sector landlords develop more shared accommodation</p> <p>Engage with private landlords to utilise the Empty Homes Grant to bring properties back into use.</p> <p>Maximise grant funding opportunities to implement a Private Rented Sector support service to prevent homelessness from private sector landlords</p>	<p>Increase suitable and affordable accommodation options</p>
5.2		<p>March 2019 – onwards</p> <p>March 2020</p>	<p>Work collaboratively with Social Services to tender for services utilising youth homeless funding</p> <p>Monitor the allocation of Supporting People Grant/Housing Support Grant funding to ensure it contributes to homeless services</p>	<p>Improve homeless prevention services for young people</p> <p>Adequate and tailored services to meet the need of homeless individuals.</p>

6. Support Rough Sleepers and tackle to need for people to sleep rough

- 6.1 Develop a multi-agency approach to tackling street homelessness
- 6.2 Develop suitable support and accommodation services for rough sleepers
- 6.3 Offer protection to rough sleepers

6.1		<p>March 2020</p> <p>May 2019</p> <p>March 2020</p>	<p>Implement Welsh Governments Street Homeless Information Network</p> <p>Work with the Community Safety Partnership to contribute to a Multi agency steering group to agree support action plans for those who are rough sleeping and vulnerable</p> <p>Consult with support and statutory providers to look at developing a rough sleeper day support service. Thereafter, if feasible, to utilise Homelessness Prevention funding and Supporting People funding to implement such service</p>	<p>Identify the location of rough sleepers in order to target support</p> <p>Robust support plans in place for rough sleepers</p> <p>Improve accessibility to support for rough sleepers</p>
6.2		<p>January 2019 - onwards</p> <p>January 2020</p>	<p>Working with the 3rd sector partners Utilise Housing Support Grant funding and Homelessness Prevention funding to develop a Housing First contract aimed specifically at entrenched rough sleepers</p> <p>Utilise Supporting People funding and Homelessness Prevention grant to carry out a tender exercise for emergency accommodation provision and support officer</p>	<p>Increase accommodation and support options. Create a pathway into independent accommodation/supported accommodation.</p>
6.3		<p>September 2019 reviewed yearly</p>	<p>Revise the annually cold weather provision for rough sleepers and implement Winter provision for street homeless people</p>	<p>Cold weather plan to offer accommodation and support to rough sleepers</p>

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CHIEF EXECUTIVE

ENVIRONMENTAL ENFORCEMENT POLICY

1. Purpose of Report.

- 1.1 To seek Cabinet to approve the adoption of the revised Enforcement Policy for the issuing of Fixed Penalty Notices for Environmental Offences.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

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

- **Helping people to become 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 guidance specifies that '*Fixed Penalties can provide an effective and visible way of responding to low-level environmental crimes such as littering, dog fouling, fly-tipping and some waste issues. They can provide a more proportionate and cost efficient alternative to prosecuting offenders in Court*'.
- 3.2 On 16th April 2019, Cabinet approved a consultation exercise to seek the views of the public in relation to a revised Enforcement Policy. This document included the procedures for issuing Fixed Penalty Notices, the level of fines and an early payment discount.
- 3.3 Enforcement procedures differ between Local Authorities and this Council has previously taken an approach of educating residents and warning offenders, prior to issuing formal Fixed Penalty Notices. This has proved effective and most incidents have a positive outcome when dealt with in this manner.

4. Current Situation

- 4.1 A public consultation survey based on Bridgend County Borough Council's amended Enforcement Policy was conducted over a twelve week period between 17th June 2019 and the 8th September 2019. The survey was available to complete online, on the consultation pages of the council's website and residents could also request a paper copy or another alternative format by telephone or email.

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

- 4.2 In total, there were twelve questions which required a reply from respondents. All questions in the survey were optional and offered anonymity to the respondent. The council's standard set of equalities monitoring questions were also included with the survey as it is recommended good practice for all public facing surveys carried out by the council.
- 4.3 A press release entitled '**Council takes action against dog fouling and anti-social behaviour**' was issued on 29th April 2019 and a '**Views wanted on changes to enforcement scheme**' was issued on 11th June 2019, a final press release entitled '**Don't miss your chance to have your say**' was issued on 18th June 2019.
- 4.4 In total, there were 18 survey completions, representing 0.01% of the Bridgend County Borough population. This is subject to a maximum standard error of plus/minus 23.10% at the 95% confidence level. Therefore, there is 95% confidence that these responses are representative of those that would be given by the total adult population.
- 4.5 44% (8) of responses were received from females and 50% (9) from males. 6% (1) of respondents preferred not to disclose their gender.
- 4.6 The majority of respondents 23% (4) were aged between 46 and 54, followed by 18% (3) aged 65 to 74.
- 4.7 78% (14) of respondents said they weren't disabled, with 11% (2) saying that they were disabled.
- 4.8 94% (17) agreed that the Enforcement Policy clearly outlined the offences included in the fixed penalty notice scheme but 6% (1) was unsure.
- 4.9 90% (16) of respondents agreed that the Enforcement Policy clearly outlined the new early payment discount with 5% (1) of respondents disagreeing and 5% (1) unsure.
- 4.10 90% (16) agreed with the early payment discounts and 10% (2) disagreed. Comments indicated that "they should be more generous – 50% off for early payment" and another disagreeing saying "it's a bullying tactic to discourage appeals."
- 4.11 50% (9) of respondents said there was nothing missing from the Enforcement Policy but 28% (5) were unsure and 22% (4) respondents said the Enforcement Policy was missing information.
- 4.12 Full details of the public consultation and its findings are attached for consideration by Cabinet at **Appendix A**.
- 4.13 Given the general agreement within the consultation that the Policy and early payment discounts are acceptable, it is recommended that Cabinet adopts the Enforcement Policy. A copy of the Enforcement Policy is attached at **Appendix B**.

4.14 It is important to recognise that issuing each Fixed Penalty Notice will be considered on its individual merits, matters of proportionality, objectivity, fairness and reasonableness. A system is in place to offer an appeal or contest to the notice and to preserve the integrity of the process. No undue external pressure should be brought, by either members of the Council or senior officers, which could be misconstrued to unduly influence the decisions by virtue of their position alone. This is a similar process adopted by the Car Parking Marshals when issuing fines for parking offences.

5. Effect upon Policy Framework & Procedure Rules.

5.1 This report has no effect on the corporate Policy Framework and Procedure Rules.

6. Equality Impact Assessment

6.1 An Equalities Impact Assessment has been carried out and is attached in **Appendix C**.

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

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment based on the 5 ways of working and any requisite mitigating measures have been set out in **Appendix D**.

Long-term - A consultation sought opinions on changes to the enforcement policies and the level of fines for environmental offences. There was general agreement to the Enforcement Policies and discounts applied. The implementation of the Enforcement Policy allows a greater range of provision in dealing with offenders which will lead to improved local environment.

Prevention - The consultation agreed the revised policies on Environmental Enforcement. These will be reinforced within the service and with the external enforcement contractor. No additional resources are allocated but this strategy offers greater powers for officers to act to resolve issues.

Integration - Clarity on enforcement powers allows a greater means of dealing with offenders and ultimately leads to improved environment.

Collaboration - The service is contracted to 3GS for enforcement of littering and dog fouling and Cleaner Street services will co-ordinate activities on a monthly basis to ensure a combined impact on targeted improvement areas. The service already collaborates with Keep Wales Tidy, Sea Quest and voluntary organisation to reduce littering and fly tipping.

Involvement - The Consultation engaged with the community and the responses are being reported back through Cabinet

8. Financial Implications.

8.1 Whilst the implementation of this policy could increase the number of Fixed Penalty Notices issued, the policy would require education of offenders and it is not intended to create additional income.

9. Recommendations.

- 9.1 It is recommended that Cabinet approves and adopts the revised Enforcement Policy for the issuing of Fixed Penalty Notices for environmental offences.

Zak Shell
Head of Operations - Communities
November 2019

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Background Documents - None

ENFORCEMENT POLICY FOR THE ISSUING OF FIXED PENALTY NOTICES FOR ENVIRONMENTAL OFFENCES

Consultation report

Date of issue: September 2019

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1. OVERVIEW

This report outlines the responses made to the amendments to the existing 2007 enforcement policy. The amendments proposed aimed to make the policy fit for purpose and incorporate current legislation. The amended policy:

- Includes additional penalty offences of:
 - failure to comply with a public space protection order
 - failure to comply with the duty of care in respect of household waste
- Outlines guidance relating to entering into arrangements with contractors/third parties to issue FPNs
- Incorporates an early payment discount scheme

A public consultation outlining the strategy was undertaken over a 12 week period following the presentation of the strategy to Cabinet on 16 April 2019. The draft strategy was available alongside the consultation document. The consultation received 18 (online) responses. This paper details the analysis associated with the consultation.

2. INTRODUCTION

A public consultation based on Bridgend County Borough Council's enforcement policy for the issuing of fixed penalty notices for environmental offences was conducted over a 12 week period between 17 June 2019 and the 8 September 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 Welsh and English as standard and accessible versions.

In total, there were 12 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 Local press

A press release entitled **Views wanted on changes to enforcement scheme** was issued on 11 June 2019, a further press release entitled **Council takes action against dog fouling and anti-social behaviour** was issued on 29 April 2019 and a final press release entitled **Don't miss your chance to have your say** was issued on 18 June 2019.

4. RESPONSE RATE

In total, there were 18 survey completions, representing 0.01 per cent of the Bridgend County Borough population.

5. HOW EFFECTIVE WAS THE CONSULTATION?

The enforcement policy for the issuing of fixed penalty notices for environmental offences consultation was conducted over a 12 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

- 18 respondents completed the survey;
- 94% (17) respondents were residents of Bridgend County Borough;
- 50% (9) respondents were male;
- 23% (4) respondents were aged 46-54 ;
- 11% (2) respondents identified as being disabled;
- 100% (18) respondents said the strategy is clear and easy to understand;
- 94% (17) respondents said the strategy clearly outlines the offences;
- 90% (16) respondents said the strategy clearly outlines the new early payment discounts;
- 90% (16) respondents agreed with the early payment discounts.

7. QUESTION AND ANALYSIS - CONSULTATION SURVEY

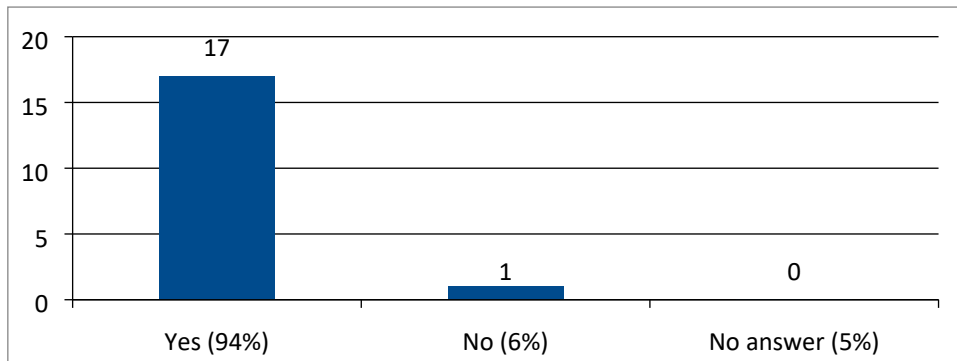
Section seven of the report looks at the questions asked in the consultation survey – with 18 respondents in total.

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. 100% of respondents selected English with 0% selecting Welsh.

Language	#	%
English	18	100
Welsh	0	0
Total	18	100.0

7.2 Are you a resident of Bridgend County Borough?

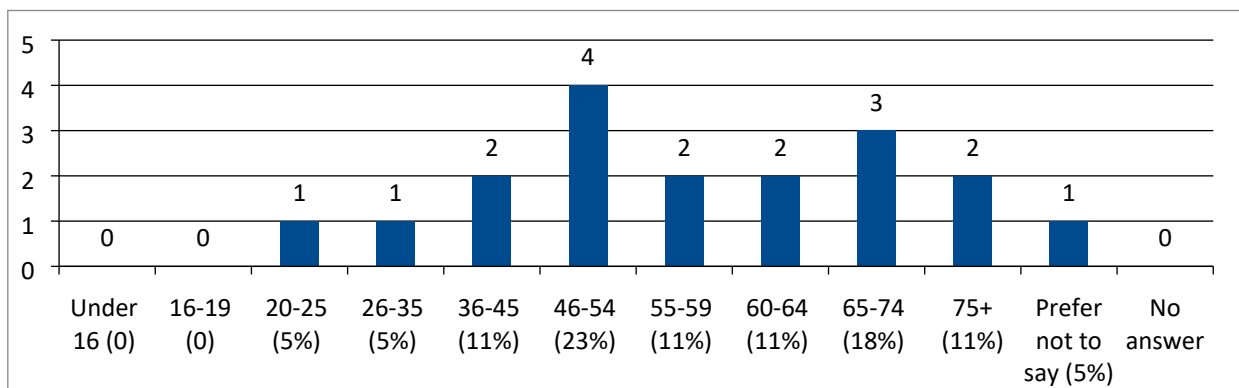


94% (17) respondents were resident of Bridgend County Borough. One respondent said they were not a resident and lived in Rhondda Cynon Taf.

7.3 What is your gender?

50% (9) respondents were male, 44% (8) respondents were female and 6% (1) respondent preferred not to disclose their gender.

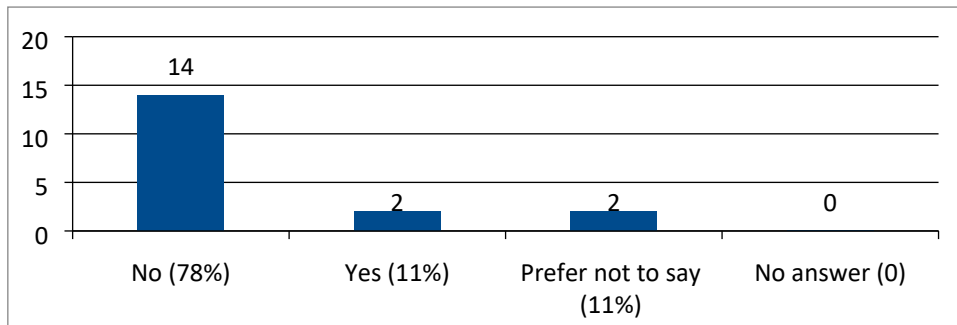
7.4 Please select your age category?



Respondents were asked to select their age category. The graph shows that:

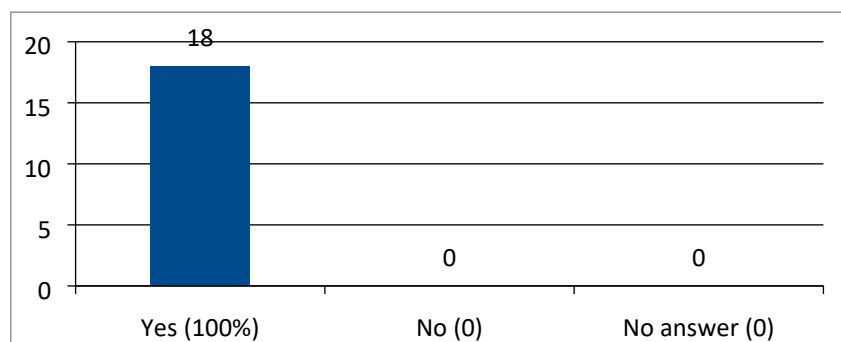
- 10% (2) respondents were aged under 16 to 35 years of age;
- 56% (10) respondents were 36 to 64 years of age;
- 34% (6) respondents were aged 65 and over.

7.6 Do you consider yourself to be disabled?



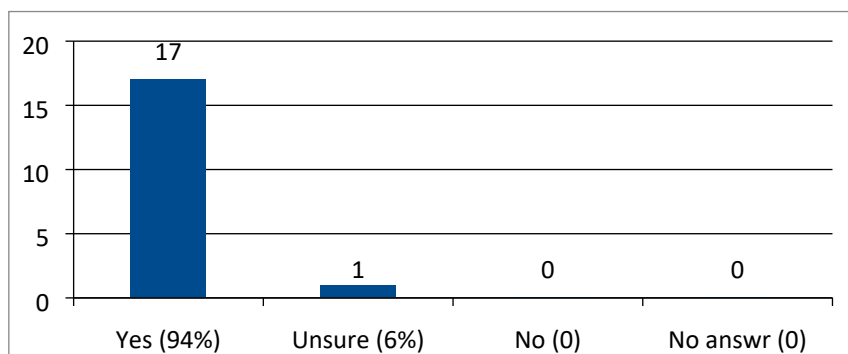
78% (14) respondents said they were not disabled, 11% (2) respondents said they are disabled and 11% (2) respondents chose not to answer the question.

7.7 Is the strategy written in plain language that is clear and easy to understand?



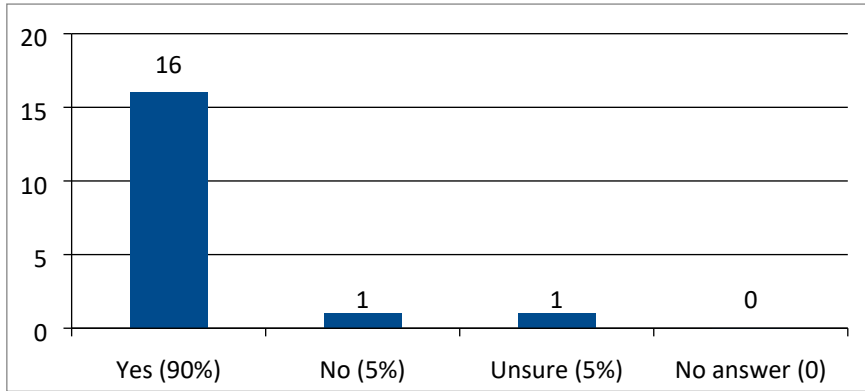
100% (18) respondents agreed that the strategy is written in plain language that is clear and easy to understand.

7.8 Does the strategy clearly outline the offences included in the Fixed Penalty Notice scheme and who can issue Fixed Penalty Notices?



94% (17) respondents agreed that the strategy clearly outlined the offences included in the fixed penalty notice scheme and who can issue fixed penalty notices. 6% (1) respondent was unsure.

7.9 Does the strategy clearly outline the new early payment discounts?



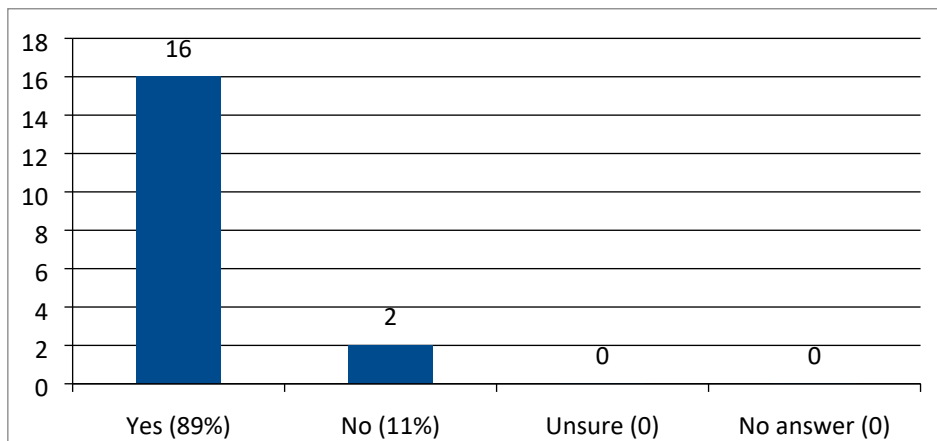
90% (16) respondents agreed that the strategy clearly outlined the new early payment discounts. 5% (1) respondents disagreed and 5% (1) respondent was unsure.

Respondents were asked to specify what was unclear in the strategy. The following comment was made:

- I was issued with an FPN for an amount of £100. I was not made aware of an early payment discount anywhere.

(The council responds – This question relates to the introduction of an Early Payment Discount as it is proposed within the new Enforcement Policy.)

7.10 Do you agree with the early payment discounts?



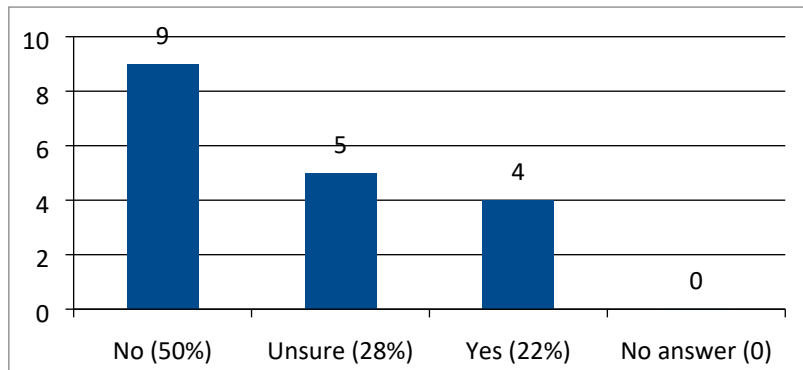
89% (16) respondents agreed with the early payment discounts, 11% (2) respondents did not.

Respondents were asked to tell us why they disagreed or were unsure. The following two comments were made:

- They should be more generous. 50% off for early payment
- Disagree with early payment discounts generally, it's a bullying tactic to discourage appeals

7.11 Is there anything missing from the strategy?

7



50% (9) respondents said there was nothing missing from the strategy. 28% (5) respondents were unsure and 22% (4) respondents said the strategy was missing information.

Respondents were asked to identify what is missing from the strategy. The following four comments were made:

Please tell us what you think is missing. (4 comments)

- As you are intending to pass the duties of enforcement officers onto a 3rd party you have not made provision of a system to prevent the third party issuing financial incentives to officers to induce them to be creative in the way they execute their duties. For instance if I come across some litter and pick it up to drop into a bin an officer could photograph this and then accuse me of dropping the litter. This I obviously would contest but he has got one more issue of a FPN to his list to try and reach a bonus payment.
(The council responds – The Enforcement Contract with 3GS focuses on communication, public relations and reduction of offences above pure income generation.)
- A level of detail for the offenses. I may have missed it but are warnings given?
(The council responds – Enforcement Officers have discretion and must consider each set of circumstances when reaching a decision as to whether the issue of a FPN is appropriate. Under the proposed new Enforcement Policy, FPNs should only be issued where it is appropriate to do so. In some circumstances, the issuing of a FPN will not be appropriate and, instead, either no further action should be taken or the matter should be considered for prosecution in the court.)
- Explicit guidance on what constitutes an offence, particularly for household waste - it's not clear what you can get fined for doing as a homeowner
(The council responds – Offences are covered by legislation and a description is contained under the Acts. Any communication with offenders would provide the appropriate legislation and a description of the offence.)
- Penalties specifically for motorists who discard their unwanted items onto the highway
(The council responds – This is covered by littering offences.)

7.12 Please use the space to provide any further comments on this strategy.

- I was issued with an FPN of £100 in early May 2019. While I completely agree with the reason for using FPN's as a deterrent and preventative measure to protect the local environment of Bridgend - I feel 3GS have unfairly enforced this to their own discretion. I

have personally witnessed 3GS let someone off a fine for dropping a cigarette butt, but was fined £100 for the same offence. I would also state the attitude of the 3GS Officers is also poor - when offering to remove the litter during my offence I was told "it is the same if someone had robbed your house and returned your belongings the next day, you have still committed an offence". I feel the context of this discussion was extremely poor and was completely against the National Government Guidelines of allowing an offender to remove the litter before an FPN is issued. Furthermore, the lack of opportunity to appeal an offence without it becoming a formal court case immediately is extremely unfair to the residents of Bridgend. Many within the Borough struggle financially and having to fund a court case to appeal these type of offences comes across as a purposely placed barrier to prevent those with low income appealing these fines. The lack of support from the Council itself when contacted was also very poor. I can fully appreciate that 3GS undertake this contract, however the Council should provide some support to those looking to appeal and raise issues with the way the offences are dealt with, I contacted 'Clean up the County' and was simply told to contact 3GS, they were clearly not interested whatsoever in providing any advice, guidance or information. Furthermore, the BCBC page states that FPN's should be £75, so why I was charged £100 is extremely frustrating and disappointing. This needs to be regulated more thoroughly by the Council to ensure that residents are not being unfairly fined.

(The council responds – 3GS do offer a right to contest the issue of the FPN and make every offender aware of the process and the appropriate contact details. The website will be reviewed.)

- Great
- I hope the enforcement is not contracted out to a third party.
(The council responds – 3GS have been appointed to undertake enforcement of littering and dog fouling but fly tipping and other environmental offences will remain the responsibility of council officers.)
- Enforcement should be carried out. It doesn't seem to be now.
(The council responds – 3GS were appointed in April 2019 to assist with enforcement operations)
- What about dog fouling?
(The council responds – Dog Fouling is covered by the Public Spaces Protection Order which was approved in June 2019.)
- By using a 3rd party to employ and govern the enforcement officers the strategy of the third party has little to do with improving the environment or educating dog walkers and potential litter droppers and all to do with maximizing profits. This strategy from a third party view will be how much can I squeeze out of the council coffers before they start to investigate the governance of the enforcement officers
(The council responds – The Enforcement Contract with 3GS focuses on communication, public relations and reduction of offences above pure income generation.)
- This strategy will have to be robustly enforced if it has any chance of success
(The council responds – Approval of the proposed policy will provide a current and specific protocol for Enforcement of Environmental offences.)

8. EMAILS, SOCIAL MEDIA TELEPHONE 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 Social media comments

We received two comments over social media during the live period. One of these comments related to accessing the online survey. The other is outlined below;

- There's derelict and abandoned places in Bridgend. Our tax that you take from our hard earned wages is more than enough to convert these places into hostels or 1 bedroom flats for the homeless! I think it's disgusting that this isn't being done!

9. CONCLUSION

A sample of 18 survey completions is subject to a maximum standard error of +23.10% 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 $\pm 23.10\%$ of the percentages reported.

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.



BRIDGEND COUNTY BOROUGH COUNCIL

COMMUNITIES DIRECTORATE

**ENFORCEMENT POLICY FOR THE ISSUING OF
FIXED PENALTY NOTICES FOR ENVIRONMENTAL
OFFENCES**

Introduction

The purpose of this policy is to establish standardised fixed penalty procedures and enforcement procedures to be followed by all those with powers to issue fixed penalty notices for penalty offences on behalf of the Authority.

The purpose of this Policy is to ensure efficient compliance with legislation. It intends to explain the approach adopted by the Authority whilst carrying out its enforcement duties. All officers will consider and follow the Code for Crown Prosecutors issued by the Crown Prosecution Service when taking decisions on whether to prosecute.

In adopting this policy, officers will apply legal powers consistently and fairly, whatever the circumstances. Decisions will not be influenced by the gender, disability, language, ethnicity, religion, political beliefs or sexual preference of the subject, victims or witnesses.

1. Offences included in the Fixed Penalty Notice scheme

It is not the intention of this Policy to deal formally with each and every situation where an offence has been witnessed. Neither is it the intention of the Policy to be prescriptive as to when a Fixed Penalty Notice (FPN) should be issued. Enforcement officers quite properly have discretion and must consider each set of circumstances when reaching a decision as to whether the issue of a FPN is appropriate.

A FPN may only be issued where an officer has reason to believe a person has committed a penalty offence and there is sufficient and appropriate evidence to a criminal standard of proof to support a prosecution in court, should the penalty notice go unpaid

FPNs are designed to deal with low-level offending only. When the nature or extent of the offence is so serious that the issue of a FPN would bring the system into disrepute, then prosecution should be considered instead.

Normally offences resulting in a FPN will be witnessed directly by the officer, albeit that an officer may consider it appropriate to issue a FPN when they have not directly witnessed the offence but have reliable witness testimony.

Any interview and questioning must be consistent with the practice and procedures established by the Police and Criminal Evidence Act 1984.

2. Penalty Offences

As a local authority Bridgend County Borough Council can issue FPNs for the following offences:

Offence	Relevant Legislation
<i>Litter</i>	S87 & S88 Environmental Protection Act 1990
<i>Unauthorised distribution of literature on designated land</i>	Schedule 3a, Para 7(2) Environmental Protection Act 1990
<i>Failure to produce a Waste Carriers Licence</i>	S5 and 5B Control of Pollution (Amendment) Act 1989
<i>Failure to produce a Waste Transfer Note</i>	S34A Environmental Protection Act 1990
<i>Graffiti & Fly-Posting</i>	S43 Anti-Social Behaviour Act 2003
<i>Failure to comply with a Public Space Protection Order</i>	S67 & S68 Anti-social Behaviour, Crime and Policing Act 2014
<i>Fly-tipping</i>	S33 and S33ZB Environmental Protection Act 1990
<i>Waste Receptacle Offences</i>	S46 and S47ZA Environmental Protection Act 1990
<i>Failure to comply with the duty of care in respect of household waste</i>	S 34(2A) and S34ZB Environmental Protection Act 1990

3. Who can issue Fixed Penalty Notices?

Local Authority Employees can issue FPNs on behalf of the Authority as long as they have been authorised to do so. They must also be familiar with the Authority's powers, penalty levels, this Policy and the areas where the FPNs can be issued.

If it is believed that an issue of a FPN is inappropriate or unjustified then this Policy allows for the decision to be reviewed by a senior officer.

Third Party Enforcement Services

The Authority reserves the right to enter into arrangements with Contractors/Third Parties who are not directly employed by the Authority to issue FPNs on its behalf where it has the statutory power to do so. Each employee of the Contractor/Third Party must be individually authorised in writing by the Authority to issue FPNs on its behalf.

Any such arrangements must be subject to appropriate due diligence checks and regard should be had to any guidance issued in respect of the use of third party enforcement services.

4. Table of Fines

The level for fixed penalties is set by the Authority and is set out in the table below:

Offence	Penalty	Early Payment Penalty
Littering	£100.00	£75.00
Waste Receptacles	£100,00	£75.00
Graffiti and Fly-posting	£100.00	£75.00
Fly -Tipping	£200.00	£120.00
Failure to comply with a Public Space Protection Order	£100	n/a
Failure to produce a Waste Carriers Licence	£300.00	£180.00
Failure to produce a Waste Transfer Note	£300.00	£180.00
Unauthorised distribution of literature on designated land	£100.00	£75.00
Failure to comply with the duty of care in respect of household waste	£300.00	£150.00

5. Early payment discount

Early payment is encouraged by the Authority. Early payments should be paid no later than 14 days from the date of the notice in respect of all penalty offences. In the case of fly-tipping, where a lesser amount is specified, this must be paid within 10 days from the date of the notice.

Payment of a fixed penalty by instalments will not be accepted

6. How Fixed Penalty Notices are issued

FPNs must be issued in accordance with Legislation and any statutory and/or best practice guidance published by or on behalf of the UK Government and the Welsh Government.

Gathering evidence

Enforcement Officers are required to record all evidence in their PACE notebook. Information to be recorded in the notebook shall include:

- The nature of the penalty offence
- Date and Time of penalty offence
- Location
- Name and Address of the Offender
- Date of birth (if applicable)
- Gender of the Offender
- Offender's Appearance
- Weather Conditions at time of penalty offence
- Identification number of the Enforcement Officer
- The FPN number

The Enforcement Officer should ensure that all evidence including photographs, video footage and notes are kept as evidence and to help resolve any disputes are kept for the time periods set out in the table below:

Offence	Time period to keep evidence
Littering	6 months
Waste Receptacles	6 months
Graffiti and Fly-posting	6 months
Fly -Tipping	Indefinitely
Failure to comply with a Public Space Protection Order	6 months
Failure to produce a Waste Carriers Licence	6 months
Failure to produce a Waste Transfer Note	Indefinitely
Unauthorised distribution of literature on designated land	6 months
Failure to comply with the duty of care in respect of household waste	6 months

A register of FPNs issued will be kept and updated each time a FPN is issued.

Enforcement Officers can use the DVLA vehicle keeper database to find the owners of vehicles used in connection with the offence of Littering, Fly-tipping, Dog Fouling and Fly-Posting. Third party enforcement services are excluded from using the DVLA vehicle keeper database.

7. Grounds for issuing a Fixed Penalty Notice

A FPN may only be issued where an officer has reason to believe a person has committed a penalty offence and there is sufficient and appropriate evidence to a criminal standard of proof to support a prosecution in court, should the FPN go unpaid.

An officer may issue a FPN where the offence is of a nature suitable for being dealt with by a FPN. Normally offences resulting in a FPN will be witnessed directly by the officer. However, an officer may consider it appropriate to issue a FPN to a suspect if they have not directly witnessed the offence, but have direct evidence of an offence or reliable and direct witness testimony. The Witness must be prepared to give evidence in court under Oath.

Any interview and questioning must be consistent with the practice and procedures established by the Police and Criminal Evidence Act 1984, Code C.

FPNs should only be issued where it is appropriate to do so. In some circumstances, the issuing of a FPN will not be appropriate and, instead, either no further action should be taken or the matter should be considered for prosecution in the court.

In the following circumstances, it will not be appropriate to issue a FPN and no further action should be taken:

- where there is insufficient evidence to support prosecution for the original offence in the magistrates' court should the FPN go unpaid;
- where the offence that has been committed is so small or trivial in its effect that action might not be in the public interest.
- where the suspect appears to be unable to understand what is being offered to them or there is any doubt about their ability to understand English;
- where the suspect's behaviour suggests they have learning disabilities or a mental disorder;
- where the suspect is drunk or under the influence of drugs;
- where the suspect is a non-resident foreign national.

In the following circumstances, prosecution in the Court should be considered instead of issuing the FPN:

- Where the offence that has been committed is considered to be too 'serious' in scale or effect to merit a FPN.
- Where an alleged offender becomes aggressive or violent or is threatening or abusive towards an officer, the officer should ensure their own safety and seek help from the

police. The offender would be dealt with by way of prosecution, either by the police or by the Authority

- A FPN may not be appropriate where it is known that the suspect has a previous conviction or a caution for the offence, or has been issued with a number of FPNs, particularly if they have not paid. The officer should inform the offender that he will be reported with a view to prosecution.
- Where there has been more than two FPNs served on the same individual within a twelve month period

Where there is no satisfactory address for enforcement purposes, for example where the suspect is homeless, further investigation will be required before the issuing of a FPN can be considered.

8. The Offender

A FPN should be issued only where there is sufficient evidence as to his/her identity and place of residence.

Where a suspect is not cooperative, consideration may be given to an alternative disposal (e.g. prosecution and/or police involvement). FPNs must be issued to *and* received by the suspect. If an alleged offender refuses to give a correct name and address, and their identity can only be established through other means, i.e. by the police, the offence should normally be pursued by prosecution, rather than the FPN procedure.

9. Issuing a Fixed Penalty Notice

The officer will approach the alleged offender, identify him/herself, caution them in accordance with Police and Criminal Evidence Act 1984 and tell the person, in simple terms that they have been seen committing an offence. The person will then be spoken with to obtain their name, address and date of birth. These details will be verified as far as practicable and the person must be given the opportunity to explain why they committed the offence and put forward any mitigating factors.

If evidence has been found without the presence of the alleged offender which leads the enforcement officer to suspect an offence has been made such as Fly-Tipping, a letter which complies with the provisions of Pace will be issued to the offender providing evidence of what has been found and providing the offender with an opportunity to answer questions in relation to the evidence. The Officer can then determine whether any further action should be taken.

If there is any doubt over someone's identity they should not be offered a FPN at the time. Rather, the enforcement officer should see if it is possible to verify the individual's identity. If, following further enquiries, it turns out that the alleged offender was providing the correct details then a FPN can be issued retrospectively. If it transpires that false details were provided and the enforcement officer is able to establish the correct identity then consideration will be given to prosecute the alleged offender for the original offence

Where the enforcement officer requires the alleged offender to provide their name and address and it transpires that false or inaccurate details were provided, the Authority will consider prosecuting that person for providing the false or inaccurate details where it has the power to do so.

Failure to identify a suspect prior to issue could invalidate enforcement. Police assistance will be sought where necessary. The officer must record the suspect's forename, surname, address, post-code and date of birth on the FPN. These are required for processing purposes.

When the FPN is issued, the officer should explain that it provides an opportunity to avoid prosecution, and will draw the person's attention to the relevant points about the level of fine, making payment and prosecution in the event of non-payment.

FPNs can be issued by person or by post and this should be clearly stated on the FPN. The FPN must also include details of the date by when the fine must be paid. This date must be at least 14 days following the date of the notice.

If the person either refuses to accept a FPN or, having accepted the FPN, does not pay before the end of the time period set out in the FPN, then the matter may result in prosecution.

Issuing a Fixed Penalty Notice to Juvenile offenders

The Council and its authorised Officers have a duty under the Children Act 2004 to discharge their functions having regard to the need to safeguard and uphold the welfare of children.

A person under 17 is to be treated as a juvenile for the purposes of the Police & Criminal Evidence Act 1984 together with the relevant Codes of Practice and should not be interviewed without the presence of an 'appropriate adult'. An appropriate adult is the young person's parent or legal guardian, or if the young person is in care, an adult from the care authority.

Officers are advised to consider the merits of issuing an FPN to a person aged below 16.

When an Officer approaches a young person they should only obtain their name and address and details of their parent or legal guardian.

Officer should then consider whether a Fixed Penalty Notice is appropriate, consider whether the offender has received a Fixed Penalty Notice previously (wherever possible no more than one Fixed Penalty Notice should be issued to anyone under 16, but a reprimand, warning or other sanction should be considered instead). Consideration should also be given to his or her family circumstances and whether he or she suffers from other vulnerabilities.

The Officer will also need to consult with the Youth Offending Team and the Young Person's school before a final decision is made to issue the FPN.

If on enquiry it is decided that a Fixed Penalty Notice is suitable, the Fixed Penalty Notice shall be issued to the young offender personally with a parent or legal guardian present. If for any reason the Fixed Penalty Notice is issued by post a responsible adult shall be notified at the same time.

An FPN will not be appropriate where a young person's behaviour suggests they have learning disabilities, or they suffer from a vulnerability that impairs his or her understanding of what goes on. In such cases the matter should be referred to the Youth Offending Team and Social Services. Any action in respect of the alleged offence can be decided on later.

Juveniles 16-17

Once the age of the offender has been ascertained, FPNs can be issued to this age group using the same procedure as for adults.

10. Non payment

If a FPN is not paid within the prescribed period, criminal proceedings will be considered.

It will be at the discretion of the Authority's Legal Services Department in deciding whether to initiate a prosecution.

11. Appeals process

If the FPN is issued by a third party enforcement services: any appeal should be made to the third party enforcement service and their appeal process should be followed.

If the FPN is issued by the Authority: Written representation should be sent to the Cleaner Streets and Waste Contract Manager via Post or email within five working days of the date of the FPN

All relevant evidence and information will be considered before deciding upon a prosecution in order to enable a consistent, fair and objective decision to be made. The Council will have regard to the Attorney General's Code for Crown Prosecutors, which means that the following criteria will be considered:

- Whether the standard of evidence is sufficient for there to be a realistic prospect of conviction;
- Whether the prosecution is in the public interest;

The public interest test will be considered in each case where there is enough evidence to provide a realistic prospect of conviction. Consideration will also be given as to whether a caution would be appropriate.

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Equalities Impact Assessment (EIA) Screening Form

Department	Communities	Completed by (lead)	Date of initial assessment	Revision date(s)	
Street Scene	Communities	Sian Hooper	23.10.19		
Name of policy being screened:		Environmental Enforcement Policy			
Who is responsible for delivery of the policy?		Street Scene			
Is this an existing or new function/ policy, practice, procedure or decision?		Change in Legislation and Good Practice guidance			
Brief description and aim of policy:		To review the approach and structure of Environmental offences and introduce early payment discounts			
Does this policy relate to any other policies (please state)		no			
Who is affected by this policy (e.g. Staff, residents, disabled people, women only?)		Public at large and groups with protected characteristics under the Equalities Act			
What evidence has been used to inform the assessment and policy? (please list only)		Report seeking authorisation to undertake public consultation and consultation findings.			
If this is a review or amendment of an existing policy, has an EIA been carried out? Please include date of completion:		Amendment to current enforcement practices due to change in Law and Welsh Government guidance			
If an EIA exists, what new data has been collected on equality groups since its completion?		None exists			
			Yes	No	Unknown
Is this policy an important or large scale function				✓	
Is it likely the policy will impact upon a large number of staff, residents and/or contractors?				✓	

Is it possible that any aspect of the policy will impact on people from different groups in different ways?					
Characteristic	High (H)	Med (M)	Low (L)	None	Explanation of impact
Age				x	
Disability				x	

Gender Reassignment				x			
Race				x			
Religion/ Belief				x			
Pregnancy and maternity				x			
Sexual Orientation				x			
Sex				x			
Civil Partnerships and Marriage				x			
Welsh Language				x			
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 notes for list of protected characteristics)							
None anticipated							
What action has been taken to mitigate this risk?							
A full public consultation was undertaken to establish the effects on such groups and mitigation measures will be introduced to control this risk.							
Could any aspect of the policy help BCBC to meet the main public sector duties? Bear in mind that the duty covers nine protected characteristics.							
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 above including an awareness of how your decisions are justified.							
The revised Enforcement Policy would be neutral in this regard							
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							
					Yes	No	Unknown
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						x	
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						x	
The policy could be changed to minimise or remove any adverse effects on a) people's opportunity to use the Welsh						x	

language and b) treating both languages equally			
Is this policy likely to impact on community cohesion?			
No			

	Yes	No	Unknown
Procurement: Are there any procurement implications to the activity, proposal or service. (Please take the findings of this assessment to your procurement plan).		x	
Human Resource: Are there any HR resource implications to the activity, proposal or service		x	

What level of EIA priority would you give to this policy?			
High full EIA within 6 months, or before approval of policy	Medium Full EIA within one year of screening	Low Full EIA within three years of screening	Screen out No further EIA required at this time
			x

Please consider if timescale for EIA will be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

Please explain fully the reasons for this judgement, where “screened out” here you must include information how your decisions are justifiable and evidence based.	
The Enforcement Policy is an amendment to the original Enforcement Policy in respect of the Fixed Penalty Notices. There has been some change to the processes under the original Enforcement Policy but this does not have an adverse impact on any particular group. The Policy was put out to consultation and no issues were identified as part of that exercise.	
Who will carry out the full EIA?	
Full EIA to be completed by (Date):	
Date EIA screening completed:	
Approved by (Head of Service):	

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

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

Project Description (key aims): ENFORCEMENT POLICY FOR THE ISSUING OF FIXED PENALTY NOTICES FOR ENVIRONMENTAL OFFENCES	
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>A consultation sought opinions on changes to the enforcement policies and the level of fines for environmental offences. There was general agreement to the Enforcement Policies and discounts applied. The implementation of the Enforcement Policy allows a greater range of provision in dealing with offenders which will lead to improved local environment.</p>
Prevention	<p>2. How does your project / activity put resources into preventing problems occurring or getting worse?</p> <p>The consultation agreed the revised policies on Environmental Enforcement. These will be reinforced within the service and with the external enforcement contractor. No additional resources are allocated but this strategy offers greater powers for officers to act to resolve issues.</p>
Integration	<p>3. How does your project / activity deliver economic, social, environmental & cultural outcomes together?</p> <p>Clarity on enforcement powers allows a greater means of dealing with offenders and ultimately leads to improved environment.</p>
Collaboration	<p>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</p> <p>The service is contracted to 3GS for enforcement of littering and dog fouling and Cleaner Street services will co-ordinate activities on a monthly basis to ensure a combined impact on targeted improvement areas. The service already collaborates with Keep Wales Tidy, Sea Quest and voluntary organisation to reduce littering and fly tipping.</p>
Involvement	<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>The Consultation engaged with the community and the responses are being reported back through Cabinet</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		
Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>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 advantage of the wealth generated through securing decent work.</p>	Actively engages with the community in updating environmental policies and creates a consisted approach to enforcement.	The impact of the service will be monitored.
<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>	Enforcement creates an obstruction to offenders and improves the environment.	The impact of the service will be monitored.
<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>	Environmental offences impacts on the health and wellbeing of residents. Any enforcement deterrents would benefit the community	The impact of the service will be monitored.

<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>Any changes to enforcement policies would be consistent to all members of the community</p>	<p>The impact of the service will be monitored.</p>
<p>A Wales of cohesive communities Attractive, viable, safe and well-connected communities.</p>	<p>Enforcement creates an obstruction to offenders and improves the environment.</p>	<p>The impact of the service will be monitored.</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>All literature, advice and notices will be bilingual.</p>	<p>Compliance with the Welsh Language Act will be monitored</p>
<p>A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>Any reduction in environmental offending would improve the local community</p>	<p>The impact of the service will be monitored.</p>

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:	No	No	Service Delivery will be closely monitored
Gender reassignment:	No	No	Service Delivery will be closely monitored
Marriage or civil partnership:	No	No	Service Delivery will be closely monitored
Pregnancy or maternity:	No	No	No Service Delivery will be closely monitored
Race:	No	No	Service Delivery will be closely monitored
Religion or Belief:	No	No	Service Delivery will be closely monitored
Race:	No	No	Service Delivery will be closely monitored
Sex:	No	No	Service Delivery will be closely monitored
Welsh Language:	No	No	Service Delivery will be closely monitored

Section 4 Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive members and/or Chief Officers	
Cabinet Meeting on 19 th November 2019	
Compiling Officers Name:	S Hooper
Compiling Officers Job Title:	Cleaner Streets & Waste Contract Manager
Date Completed:	23rd October 2019

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CHIEF EXECUTIVE

VALLEYS TASK FORCE EMPTY HOMES GRANT

1. Purpose of Report

The purpose of this report is to seek approval from Cabinet to enter into a service level agreement with Rhondda Cynon Taff County Borough Council for the Valleys Task Force Empty Homes Grant and to delegate authority to Rhondda Cynon Taf County Borough Council to deliver and manage Empty Homes Grants to property owners within the Valleys Task Force Area of Bridgend.

2. Connection to Corporate Improvement Plan/Other Corporate Priority

2.1 This report assists in 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.
- **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 The Ministerial Taskforce for the South Wales Valleys was set up by the Welsh Government in July 2016 after the National Assembly election and the EU referendum. Lee Waters, the Deputy Minister for Economy and Transport took up the role of Chair in 2018.
- 3.2 The Valley Task Force has a delivery plan called 'Our Valleys, Our Future' and has seven focus areas, included housing.
- 3.3 The Minister for Housing and Local Government has agreed to support the Valleys taskforce by rolling out an Empty Homes Grant to all local authorities in the taskforce areas as a pilot for the period from October 2019 to the end of

March 2020. £10 million has been set aside for empty properties over the next two years within those areas.

- 3.4 For the pilot stage £4,500,000 has been allocated to deliver the programme. No financial contribution is expected from local authorities for this phase of the Empty Homes Grant programme. For Phase 2 Local Authorities will be expected to make a 35% contribution towards the fund.
- 3.5 Empty private sector homes represent a wasted resource and financial expense both to the owners and the council and in many cases a missed opportunity to provide much needed affordable housing for residents. Not only are they a waste of a valuable housing resource, but they can cause a blight to communities and distress to residents affected by their unsightly appearance, and attract crime and anti-social behaviour.
- 3.6 Over the last few years, the council has developed many tools and approaches to encourage empty homes to be brought back into use which have had a positive impact.
- 3.7 This grant will furthermore support the delivery of the Council's and Welsh Government's priority of returning empty properties into use in the Valleys areas of Bridgend County Borough, to help regenerate communities, provide more choice and suitable accommodation for residents.

4. Current Situation / Proposal

4.1 Overview of current situation

- Welsh Government has awarded funding of £4.5 million to Rhondda Cynon Taf County Borough Council ("RCTCBC") to support the roll out of the Rhondda Cynon Taf Empty Homes Grant Scheme across all the Valleys Taskforce Areas.
- RCTCBC are required to accept the terms and conditions of the funding as set out in the Offer Letter and will be liable to the Welsh Government if the conditions contained within the Offer Letter are not complied with or breached.
- The council will enter into a service level agreement with RCTCBC to enable RCTCBC to administer the Funding in the Council's administrative area and to comply with the Conditions.

4.2 Proposal - Eligibility and Conditions of Valleys Task Force Empty Homes Grant Scheme

- Applicants must be potential owner occupiers who plan to live in the property as their main residence for a period of at least 5 years.
- The property must have remained unoccupied for a period of 6 months prior to purchase and at the time of the grant application. Council Tax records will be used to verify this timescale.
- The property must meet the housing needs of the applicant's family who intend to occupy the property.

- Applicants are required to make a 15% maximum contribution to the total cost of grant eligible work.
- The Grant will be available for essential repair works to make the property safe and secure and free from any category one hazard.
- The Grant eligible work will be determined by the Council's Improvement Grant Surveyor.
- Maximum grant eligible towards cost of work is £20,000 (inc VAT)
- Ancillary fees can be added to the cost of works limits.
- Minimum cost of work limit of £1,000 (exclusive of VAT) - not eligible if works below this cost.
- Grant conditions are registered with a Full Legal Charge on the property on completion of the works for a 5 year period. Full repayment will be requested if the property is sold, or not occupied as intended during the 5 year grant condition period.

Delegation of authority to RCT CBC to undertake compliance checks on behalf of BCBC:

RCTCBC is responsible for the delivery and management of the Empty Homes Grant Scheme throughout the areas of the Valley Taskforce local authorities. As a result, the council is required to delegate authority to RCT CBC to deliver and manage the Empty Homes Grant Scheme in the Valleys Taskforce area of Bridgend which shall include:

- Reviewing applications and, if appropriate, challenging applications based on name and address and flag for further review/investigation any that raise concerns regarding future occupancy.
- Checking the date property became empty with BCBC Council Tax department.
- Approving applications
- Approving that works have been carried out in accordance with grant conditions and arranging payment of the grant.
- Notifying BCBC Council Tax of grant completion.
- At the annual anniversary of grant completion, the name of occupant is checked with Council Tax to check occupancy and that property is still occupied.
- On a sample basis (10%) annual verification checks that require the grant recipient to provide proof of occupation e.g. Water Bill.

As the responsibility for the delivery and management of the scheme in the Valley Taskforce Area of Bridgend lies with RCTCBC, the council is required to undertake the following:

- Promote the grant within the BCBC Valleys Task Force area.
- BCBC Council Tax department to provide RCT with written confirmation via email that a property has been empty for 6 months plus.
- Undertake investigations to check identity.

4.3 A service level agreement shall be entered into between RCTCBC and the council to cover this arrangement. A requirement of the service level agreement is for BCBC to supply surveyors and bill RCT for their time. As BCBC's Surveyors currently do not have capacity to undertake this role, it is proposed that surveyors from Neath Port Talbot CBC and RCT CBC be used to fulfill this role. This arrangement shall be dealt with in the service level agreement. BCBC will be informed when works are completed and signed off.

4.4 Future Projects:

4.4.1 A phase two of the Empty Homes Grant will begin in April 2020 and a proposal for the scheme is currently being developed. A further report will be provided to Cabinet regarding phase two should the council be looking to join Phase two.

4.5 Risks and issues

4.5.1 This is a low risk project for phase one as the authority does not need to make any financial contribution to this phase.

4.5.2 No issues are anticipated from this phase of the grant programme.

4.6 Next Steps

4.6.1 Cabinet will need to consider the above proposals and determine whether to progress with phase one of the scheme. If the decision is made to proceed, the next step is for BCBC to:

- Sign an SLA with RCTCBC to administer the grant within the Valleys Task Force of Bridgend County Borough.

5. Effect upon Policy Framework & Procedure Rules

5.1 There are no effects upon BCBC's Policy Framework or Procedure Rules

6. Equalities Impact Assessment.

6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics and an EIA status of low priority is considered appropriate at this stage.

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 at **Appendix A**. A summary of the key elements are as follows:

- Long Term: The proposal to bring empty homes back into use as part of the scheme will drive local prosperity, by offering better environments to promote the health and wellbeing of those who live, work and Valleys of Bridgend in the long term.

- Prevention: By improving and bringing empty homes back into use it will strengthen
- Integration: The grants programme will provide opportunity to deliver a set of physical and social improvements through re-developing vacant, poor quality, under used or derelict empty homes.
- Collaboration: The project will allow property owners in collaboration with the council to tackle poor quality and unattractive properties; offering these properties a new lease of life and therefore enhancing the physical appearance and opportunities for people to buy homes in the Valleys area of Bridgend.
- 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 There are no financial implications for the authority from phase one, other than some officer time, due to the pilot stage of the programme being fully funded by grant. Approximately £300,000 has been allocated to the Valley Task Force Area of Bridgend. This is based on a 2% take up allocation of the current amount of empty homes in the Valleys Task Force area of Bridgend.

9. Recommendation

- 9.1 Cabinet is requested to:

9.1.1 Approve the outline proposals for the Valleys Task Force Empty Homes Grant, as set out in the report;

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

9.1.3 Delegate authority to RCTCBC to deliver and manage the scheme within the Valleys Taskforce area of Bridgend in accordance with paragraph 4.2;

9.1.4 Delegate authority to the Head of Operations - Communities Services, in consultation with the Section 151 Officer and Head of Legal and Regulatory Services, to negotiate and agree the terms of the service level agreement with Rhondda Cynon Taf County Borough Council and enter into the service level agreement.;

Mark Shephard
Chief Executive

Contact Officer: Nicola Lewis
Regeneration

Telephone: (01656) 815207

E-mail: nicola.lewis3@bridgend.gov.uk

Postal Address Regeneration Section
Bridgend County Borough Council
Civic Centre
Angel Street
Bridgend
CF31 4WB

Background documents

None

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

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

Project Description (key aims):

The Valleys Task Force Empty Homes Grant programme aims to bring empty properties back in to use that have been empty for six months or more. The grant offers funding towards improvements for owner occupiers and first time buyers.

Section 1

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

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

Empty private sector homes represent a wasted resource and financial expense both to the owners and Council and in many cases a missed opportunity to provide much needed affordable housing for residents. Not only are they a waste of a valuable housing resource, but they can cause a blight to communities and distress to residents affected by their unsightly appearance to attract crime and social behaviour.

Over the last few years, the Council has developed many tools and approaches to encourage empty homes to be brought back into use which have had a positive impact.

This grant will furthermore support the delivery of the Council's and Welsh Government's priority of returning empty properties into use in the Valleys areas of the Bridgend County Borough, to help regenerate communities, provide more choice and suitable accommodation for residents and furthermore complement concurrent programmes such as *Local Wellbeing Plans*.

The regeneration planned for the Valleys Empty Homes as part of this project will drive local prosperity, providing support home owner occupiers and offering better environments to promote the health and wellbeing of those who live, work and visit the Bridgend Valleys.

Short term benefits will see the enhancement and re-use of poor quality, unattractive, run down and dilapidated properties. This will support the empty homes team to tackle vacant, poor quality and unattractive properties; offering these properties a new lease of life and therefore enhancing the physical appearance of the streetscape and public

	<p>realm. .</p> <p>Projects will encourage empty properties to come back into use by supporting owner occupiers and first time buyers. This will produce a number of benefits; empty and underutilised properties will be revitalised, breathing new life into the valleys, improving the image of the local area 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>This project will aim to bring empty homes back into use, preventing them from getting into disrepair.</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 and social improvements through re-developing empty homes. This will generate opportunities for good quality affordable homes for people in the Bridgend Valleys.</p>
Collaboration	<p>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</p> <p>The project will allow property owners and first time buyers work with Valleys Task Force and Bridgend CBC to get empty properties back in use.</p>
Involvement	<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>

Section 2 Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals		
Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>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 advantage of the wealth generated through securing decent work.</p>	<p>The project will be specifically dealing with poor quality dilapidated and underutilised property; bringing them back into full use, for residential end uses. Inequality will be reduced by facilitating more people to benefit from sustainable growth. Empty Home investment will lead to improved confidence and will specifically concentration on tackling regional inequality by helping the most deprived communities and those people with the lowest household income to access support affordable housing.</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>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 project 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. The investment will offer support for good housing and 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>This project will provide owner occupiers to be able to improve their homes and provide opportunity for first times buyers to get on the property ladder.</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.</p> <p>Bringing empty properties back in to use will help to build resilient communities, culture and language. Communities prosper where people can fully participate in their local environment.</p> <p>New housing will bring cohesive communities into the Bridgend Valleys and local facilities will be maintained.</p>	<p>Project officers will closely review and monitor the way the project is delivered.</p>
<p>A Wales of vibrant culture and thriving Welsh language A society that promotes and protects culture, heritage and the Welsh</p>	<p>The project presents a way to link with local stakeholders.</p>	<p>Compliance with the Welsh Language act will be monitored as the project progresses.</p>

language, and which encourages people to participate in the arts, and sports and recreation.	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.	
A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	Investment in new quality, energy efficient housing will contribute to sustainable energy consumption.	Project officers will closely review and monitor the way the project is delivered

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:	Nicola Lewis
Compiling Officers Job Title:	Senior Regeneration Officer
Date Completed:	11/11/2019

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CORPORATE DIRECTOR OF SOCIAL SERVICES AND WELLBEING RE-COMMISSIONING SUPPORTED LIVING SERVICES

1. Purpose of Report

1.1 The purpose of this report is to:-

- Request Cabinet approval to implement the proposed recommissioning plan for the Supported Living services across Bridgend county borough; and
- Request Cabinet approval for Bridgend County Borough Council (the Council) to undertake a procurement exercise to invite tenders to establish a Framework Agreement of commissioned service providers.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

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

- **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.

2.2 Plus the following local strategic priorities:-

- Adult Social Care Commissioning Plan 2010-20: Living Independently in Bridgend in the 21st Century;
- The Remodeling Adult Social Care programme;
- The Council's Medium Term Financial Strategy (MTFS)

3. Background

3.1 The Council carried out a procurement exercise in 2016 which resulted in the appointment of three independent service providers to deliver Supported Living services to eligible individuals with a learning disability. These people live in shared accommodation with their own tenancies and with care and housing related support provided by the three service providers – currently Drive, Cartrefi and Mirus.

- 3.2 The Council also manages its own Supported Living schemes across the county borough alongside the independent schemes. However, the Council schemes are not in scope as part of the recommissioning exercise being proposed.
- 3.3 The 2016 commissioning exercise included Supporting People grant funding (now changed to Housing Support Grant) as a separate element of the contract, and, together with Adult Social Care funding, the contract value procured in 3 Lots was £5,470,203 per annum, and was capped at the below rates:

	ASC funding	SP funding	TOTAL pa
Lot 1	£873,287	£686,258	£1,559,545
Lot 2	£1,427,283	£445,140	£1,872,423
Lot 3	£1,370,525	£667,710	£2,038,235
Total	£3,671,095	£1,799,108	£5,470,203

- 3.4 During 2018-19, an in-depth review was led by Adult Social Care's Transformation & Review team. The review focused on the effectiveness of service delivery and outcomes for individuals across the three independent service providers.
- 3.5 The review findings have been shared and have enabled a change of thinking and working practice by the service providers. This in turn has improved the lives of the individuals living within the schemes, and also achieved cashable savings which have been made as a result of enabling greater independence and reducing the amount of care hours required (by over 150hrs per week) across each of the 3 Lots.
- 3.6 In terms of lessons to be brought into the recommissioning exercise, where savings have been made, this has been primarily achieved by the Council taking the lead in reviewing support arrangements. Similarly, collaborative working could be further developed between service providers, between schemes, and with the broader community.
- 3.7 The review has allowed for a stronger understanding of the constraints of the current county-wide contract arrangements, and helped identify what future commissioning priorities the Council should aim to achieve.
- 3.8 The contract commissioned in 2016 was for three years, with an option to extend up to a further 24 months. The Council has extended the contract initially for a 12 month period, taking it up until March 2020, and there is a further extension option of 12 months to March 2021.
- 3.9 The Council needs to carry out a procurement exercise over the next 12 months in readiness for this date and to ensure continuity of service, and to ensure compliance with the Council's Contract Procedure Rules.

4. Current situation / proposal

- 4.1 The current contracts are 'county-wide' meaning that each of the three incumbent service providers must manage a number of Supported Living schemes dispersed across the entire county borough, which has practical and logistical challenges for service providers.

- 4.2 A recent mapping exercise has identified 113 individuals living in 49 properties supported by the three service providers. The location of current schemes falls into naturally localised areas, which supports a move towards community-based contracts in the following geographical areas:
- Pencoed – 9 people living in 6 properties
 - Maesteg – 16 people living in 4 properties
 - Tondu/Bettws – 20 people living in 9 properties
 - Bridgend (town) – 43 people living in 21 properties (option to be split further into East and West areas of the town centre)
 - Pyle and Kenfig Hill – 17 people living in 7 properties
 - Porthcawl – 8 people living in 2 properties
- 4.3 Recommissioning activity began in July 2019 when 10 service providers, including the 3 local incumbents, attended individual market-testing sessions to highlight and discuss what they think is best practice in running Supported Living schemes. The 10 service providers who attended the initial market-testing event have experience of delivering Supported Living services across a range of local authority areas, and provided rich information in terms of best practice.
- 4.4 Council officers have also spoken to officers from a number of other local authorities to understand how they manage their Supported Living contracts, with most authorities moving to locality-based service models, and some of them implementing a Framework Agreement to help them identify potential service providers for each locality.
- 4.5 Many stakeholders described the positive benefits of having ‘local area’ services. This approach helps service providers to manage their staff more effectively across schemes within a local area, as opposed to managing staff dispersed across the whole county. Staff are able to be more flexible and better able to support people based on what they need and what they like to do.
- 4.6 Following the review of services undertaken by the Transformation and Review team, stakeholder feedback, and analysis of the market testing information provided from a range of sources, officers were in a position to develop a proposal for recommissioning the services. The proposal is to carry out a phased approach to ensure minimal disruption for individuals, and giving commissioners the best opportunity to deliver services that are person-centred and community focused. The proposal is set out as below:
- a. Stage 1 – Undertake a procurement exercise in December 2019 to establish a Framework Agreement with a number of quality service providers who would then be considered for future delivery of Supported Living Schemes – the Framework Agreement to be awarded in early 2020;
 - b. Stage 2 – Undertake a series of locality based call-off contracts to allocate packages of care under the Framework Agreement (“Local Area Service”) based on existing clusters of schemes – a phased procurement to be undertaken over a number of months following award of the Framework Agreement and following detailed consultation in each area.

- 4.7 This proposal is intended to encourage a continuation of a mixed market within Bridgend, which enables service providers to develop their business in a sustainable and managed way. It will also give the Council the ability to work in the true spirit of partnership with care service providers, and to extend the ‘community development’ approach of their local services.
- 4.8 Service providers on the Framework Agreement will not be guaranteed an award of a Local Area Service, each of which will be subject to its own tender process and evaluation. In order to mitigate risk of the impact of future business failure, no single provider will be awarded a Local Area Service(s) contract whereby they will have a market share in excess of 50%.
- 4.9 All Framework service providers who meet the Council’s minimum quality requirements will be required to submit a price for the provision of social care and housing related support services, which will act as a price ceiling for all future bids submitted as part of the localised Local Area Service tenders.
- 4.10 The Council is committed to working with high quality and experienced service providers, and there will be a very strong emphasis on quality as part of the Framework Agreement tender evaluation process, which will include asking bidders for evidence of how they have worked innovatively with technology, and worked in an enabling way to support individuals in their progression towards independent living. To enable this, the cost:quality ratio will be strongly weighted in favour of quality – which will be evaluated through the written responses from the service providers, as well as face-to-face presentations and/or interviews that are part of the tender process.
- 4.11 The table below sets out the planned Stage 1 procurement timescales, should approval be given to implement the recommissioning plan:

	Stage 1 Procurement Activity	Date
1	Finalise service model and preparation of tender documents	November 2019
2	Place tender notice for the Framework	Dec 2019/Jan 2020
3	Tender returns	Jan/Feb 2020
4	Final tender evaluation	February 2020
5	Approval to award	Feb/Mar 2020
6	Contract start date for Framework	Mar/April 2020

- 4.12 As part of Stage 2 – it is planned that everyone who lives in a Supported Living scheme will also be able to say what is important within the service and ‘what matters’ to them. The local advocacy group People First Bridgend have agreed to undertake an independent engagement exercise to ask for views from individuals within each locality, which will help develop the community-based services.
- 4.13 A further provider event was held in October 2019, where 14 service providers attended to discuss the viability of creating a Framework Agreement as a ‘Stage 1’ procurement exercise; followed by a ‘Stage 2’ process where the subsequent Local Area Service Agreements would be procured individually over a number of months through 2020.
- 4.14 The main findings taken from the engagement event were:

- All service providers agreed that the procurement approach proposed was a logical way forward in terms of continuing with the mixed market via an initial Framework Agreement tender, and allowing individual service providers to better establish a high quality 'community development' approach to service delivery via subsequent Local Area Service tenders.
 - All service providers felt that the proposed 'locality' service model was deliverable with significant benefits to be gained, including opportunities for resource efficiency and better outcomes for individuals within the service.
 - It was recognised that the Council has a strong emphasis on quality and that, while there will be no financial caps as part of the tender exercise, competitive bidding will be encouraged and that the Council will only be paying for service hours delivered.
- 4.15 In addition to the event above, local stakeholders including the Learning Disabilities social work team and family representatives at the Parents Forum have been engaged on the proposal – where feedback received was positive, in particular the proposal linked to Stage 2, with a strong focus on co-production.
- 4.16 Based on service provider and stakeholder feedback, it was concluded that very little change would be needed in practice to the existing service and that the main change would be a move from the existing county-wide contracts to a new contract arrangement based on Local Area Service agreements.
- 4.17 It is also anticipated that the service to individuals will not change significantly, other than creating more opportunities for them to be supported more flexibly in their own local communities. The Council is also committed to co-producing the service specifications for each of the Local Area Service contracts, and will be facilitating direct consultation with individuals in each area to ensure their views, wishes and priorities are reflected in any new arrangements with service providers.
- 4.18 As highlighted in paragraph 3.3 above, the Learning Disability Supported Living service is a jointly-funded service, with around 75% of costs funded via Adult Social Care core budgets for the care elements of the service, and circa 25% funded via the Welsh Government Housing Support Grant (HSG) for the housing related support elements of the service.
- 4.19 Currently, these funding streams are separated which causes confusion for service providers and is also a complicated process for commissioners and support teams. Moving forward, it is proposed to combine these funding streams which will allow for a more person-centred and outcome-focused method for delivering services – in place of the current method of capping and fixing housing related support hours.
- 4.20 The amount of Housing Support Grant allocated to the service moving forward will be determined as part of the budget allocation processes for central grants, and will be monitored in line with the single outcomes framework that is being developed.
- 4.21 It is recognised that Housing Support Grant allocations received from Welsh Government may be subject to change in the future, and there may also be subsequent guidance being released by Welsh Government in respect of how Housing Support Grant can be used for learning disability services. Based on this,

there will be pertinent clauses included within tender packs and contractual documentation, highlighting the potential funding risks in the future.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 There is no direct impact on the Council's policy framework and procedure rules. Any tendering process will be undertaken in compliance with the Council's Contract Procedure Rules (CPRs) and the Public Contracts Regulations 2015.

6. Equality Impact Assessment

- 6.1 An Equality Impact Assessment (EIA) screening was undertaken in September 2019 which found that a full EIA was not required due to the fact that individuals within the service will continue to receive the same level of service to meet their assessed needs within the Supported Living scheme.
- 6.2 The only operational service changes to occur from this procurement exercise will be to the geographical area that contracts cover which should afford improvements to flexible service delivery.

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

- 7.1 The commissioned Supported Living service aims to ensure that individuals living within the service schemes are able to live as independently as possible and to build their resilience with links with social networks in their own community. As such, the wellbeing goals of: a healthier Wales; a more equal Wales; and a Wales of cohesive communities are supported through these services.
- 7.2 The commissioning of the Supported Living service supports the five ways of working under the Wellbeing of Future Generations (Wales) Act 2015, as follows:

Long Term – moving towards a 'locality-based' service model enable service providers to establish closer and longer-term working relationships with other local community groups, agencies, and local residents. This is a more sustainable approach to ensuring people are better supported in maintaining their independence and wellbeing and follows a 'community development' approach that enables the service provider to become more established in the longer-term.

Prevention – the Supported Living service aims to support the progression of individuals towards independence with some potential to reduce the level of support needs they have and to prevent the escalation of needs by offering a stable living environment and maintaining their tenancy support through appropriate housing related support.

Integration – the service providers will need to work with a wide range of stakeholder groups to help individuals to better integrate into their local community.

Collaboration – The 'locality-based' service model is predicated on close collaboration between the service provider and social services teams and other support agencies. The service model requires service providers to demonstrate collaboration between staff within the local schemes they manage and between

service providers in other localities to identify and support the needs and aspirations of the individuals they support.

Involvement – Key stakeholders have been involved in early-stage engagement activities to help shape and inform the service proposal. An in-depth local engagement is proposed within each locality to ensure a co-productive approach to detailing the service specifications for each Local Area Service. This make sure that the people who receive the service have been fully involved in identifying the key priorities for the support they will get from their service providers.

8. Financial Implications

- 8.1 The financial implications of recommissioning Supported Living services will be determined once bids to enter into a new Framework Agreement are received from service providers which will determine the ceiling at which they can subsequently bid for Local Area Services.
- 8.2 The projected annual spend for the provision of independent Supported Living services is now estimated to be circa £6M – with pertinent 2019/20 budgets shown in the table below:

Lot	Adult Social Care 19/20 Budget	Housing Support Grant 19-20 Budget
Lot 1	1,232,833	£649,207
Lot 2	1,992,086	£363,277
Lot 3	1,641,086	£556,463
Total	£4,866,005	£1,568,947

- 8.3 As highlighted in paragraph 4.21 above, there are some risks in respect of future funding linked to Welsh Government Housing Support Grant allocation(s), and appropriate provisions and clauses will be included in contractual documentation.
- 8.4 It is expected that the introduction of a Framework Agreement will reinforce the number of service providers in Bridgend county borough and will bring a greater emphasis on competitiveness.
- 8.5 The service has experienced cost pressures of nearly 20% (costs increasing from £5.5M to £6.4M) since April 2016 when the service was last commissioned, which is linked to increasing demands and complexities of individuals within the schemes. Moving forward, these challenges and pressures will be managed by the innovative use of technology and a strong focus on progression and community & daytime opportunities, reducing individual's reliance on commissioned care and support.

9. Recommendation

- 9.1 Cabinet is recommended to:-
- Approve the recommissioning plan proposed for Supported Living services in Bridgend;
 - Approve the invitation of tenders to establish a Framework Agreement;
 - Note that once bids to enter into the Framework Agreement are received from service providers a further report will be presented to Cabinet requesting

approval to enter into the Framework Agreement and to implement the Stage 2 procurement of Local Area Service tenders.

Susan Cooper
Corporate Director – Social Services and Wellbeing
November 2019

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10 **Background documents**

None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

REVIEW OF POST-16 PROVISION ACROSS BRIDGEND (PHASE 4 REPORT)

1. Purpose of report

- 1.1 In April 2019, Cabinet gave approval for work to be undertaken to prepare specific option proposals under Phase 4 of the review of post-16 provision across Bridgend.
- 1.2 This report provides Cabinet with the detail of those option proposals and seeks approval to go to public consultation on the basis of the proposals contained in Appendix 1 and supporting information in Appendices 2 to 4.

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.
- **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

- 3.1 In 2016, a Strategic Review Board (SRB) was established with this key objective:

'A strategic review is required to evaluate education provision and curriculum delivery across Bridgend County Borough including with Bridgend College, and to determine the future direction needed by means of an options appraisal and the recommendation of a preferred option.'

- 3.2 The SRB in turn established a Post-16 Operational Board to review post-16 provision across Bridgend County Borough. This Board presented its report back to the SRB and then to Cabinet in October 2017. SRB recommended that six concepts be considered for the future of post-16 education and recommended two preferred options. Cabinet endorsed these recommendations and asked for more detailed work to be undertaken. This was completed and reported back to Cabinet in April 2018 where Cabinet gave approval for a public consultation on the six concepts and preferred options for post-16 provision across Bridgend County Borough.

- 3.3 The public consultation documentation was approved by Cabinet on 20 November 2018 and the consultation went live across December 2018 to February 2019.
- 3.4 A post-consultation report was prepared and went to Cabinet on 16 April 2019. Approval was given by Cabinet to move to a Phase 4 of the Post-16 Review and to prepare detailed alternatives against a more limited range of options.

4. Current situation/proposal

- 4.1 In April 2019, Cabinet approved the further analysis of three options from the original six concepts. These are:

Option 1 - A mix of school sixth forms with some mergers to create new local authority maintained sixth-form centre(s).

Option 2 - A mix of school sixth forms with some mergers to create new further education (FE) college governed sixth-form centre(s).

Option 3 - The retention of sixth forms in all schools - the current position (ie a distributed tertiary model based on collaboration, but with further development in order to improve the delivery of this option).

- 4.2 The attached Phase 4 paper at Appendix 1 and Appendices 2 to 4 include updates to data contained in previous reports and the public consultation documents.

- 4.3 Furthermore contained in the paper in Appendix 1, a range of outcomes are explored in the context of the three proposed remaining options specifically:

- For Option 1, 6 potential outcomes are described (Outcomes A to F) and a range of positives and concerns for each of these is presented.
- For Option 2, there is an overlap with Outcome F in Option 1 and 2 FE college scenarios are considered.
- For Option 3, where sixth forms are retained in all secondary school settings, a range of issues have been identified that would need to be addressed in order to deal with the perceived concerns around the current sixth-form arrangements.

- 4.4 Cabinet approval is now being sought to take the option proposals detailed in Appendix 1 out to public consultation from 2 December 2019 to 21 February 2020 with the intention of bringing the results of the consultation back to Cabinet in April 2020. In addition feasibility studies will be prepared, particularly where there are capital implications, and be presented to Cabinet together with the outcomes of the consultation, should Cabinet give approval to go out to consultation.

- 4.5 Should the public consultation be approved then officers will engage with the full range of stakeholders as set out in the Welsh Government's Schools Organisation Code. In addition to the standard consultation processes, it is intended that there will be, as in the previous consultation, engagement with pupils, staff, governors and parents in each secondary school and parents of pupils in each primary cluster will be invited to the secondary school parent event.

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 (EIA)

6.1 The previous reports to Cabinet, when considering the range of concepts, have referenced the issues of faith, Welsh language and the additional learning needs aspects of post-16 provision. These aspects are again referenced in the draft consultation paper however the work connected to additional learning needs is being subsumed into the regional plan for the implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

6.2 A revised initial EIA impact screening has been undertaken and is attached to this report at Appendix 6. A full EIA will be undertaken as part of the consultation exercise where stakeholders will be asked to contribute to the assessment.

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

7.1 There is a financial pressure in the education system which challenges the viability of small sixth forms and the range of subjects that are available to learners aged 16 to 18.

7.2 The options for the future of post-16 provision in the County presented in Appendix 1 are aimed at providing choice in post-16 settings, maintaining the breadth of subject choice, improving facilities and enhancing the standards of performance.

7.3 Through these developments, the Council is striving to meet the ambitions of learners and support them to become high skilled members of the workforce in Wales. This will enable them to access employment and thereby have incomes that allow them to lead fulfilling lives.

7.4 Through all stages of the review of post-16 provision there has been close engagement with a range of stakeholders including the young people in schools and college. This has meant that the voice of learners has been clearly articulated in the design of future provision. Over 2,000 learners contributed to the public consultation earlier in the year and learners will continue to be engaged in any future consultation activity.

7.5 Further detail can be found in the accompanying Wellbeing and Future Generations Assessment for Post-16 in Appendix 5.

8. Financial implications

8.1 Funding for sixth form provision in Bridgend County Borough is provided by Welsh Government as a single post-16 grant allocation each year. There is a core allocation based mainly on student numbers, with additional allocations to take into account student deprivation and Welsh-medium education.

8.2 Total funding for 2018-2019 was £5,829,430. In the 2018-2019 financial year and the two preceding years, the core grant had a cumulative reduction of £672,427 as a

result of the combined effects of lower student numbers and reductions by Welsh Government to the central post-16 grant for schools.

- 8.3 The total allocation for 2019-2020 is £5,750,256, a reduction of 1.36% or £79,174 on the 2018-2019 allocation.
- 8.4 The consultation report referenced the financial pressures being faced by the Council, its secondary schools and Bridgend College. The need to use limited resources efficiently was discussed along with providing good value for money. Further updated information is included in Appendix 3.
- 8.5 Further work will be undertaken via feasibility studies on the capital and transport implications of the different outcomes and options referenced in paragraph 4.1.

9. Recommendation

- 9.1 Cabinet is recommended to give approval to go to consultation on the options detailed in Appendix 1 for the future of post-16 education across Bridgend County Borough.

Lindsay Harvey

Corporate Director (Education and Family Support)

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Background documents:

Report to Cabinet, 31 October 2017, A REVIEW OF THE FUTURE OF POST-16 PROVISION ACROSS BRIDGEND COUNTY BOROUGH COUNCIL

Report to Cabinet, 24 April 2018, REVIEW OF POST-16 EDUCATION (PHASE TWO)

Report to Cabinet, 20 November 2018, REVIEW OF POST-16 EDUCATION (PHASE THREE AND PUBLIC CONSULTATION)

Report to Cabinet, 16 April 2019, REVIEW OF POST-16 EDUCATION (RESULT OF THE PUBLIC CONSULTATION AND APPROVAL TO MOVE TO PHASE 4)

Draft Consultation paper on the potential re-organisation of post-16 provision across Bridgend County Borough Council plus eight appendices.

Wellbeing and Future Generations Assessment

Initial Equalities Impact Assessment

Appendix 1

Phase 4 of the consideration for potential re-organisation of post-16 education provision across Bridgend County Borough Council (BCBC)

Autumn 2019

Introduction

1. This paper takes forward the remaining options for the provision of post-16 education as determined by Cabinet on 16 April 2019. A summary of the background to the review is presented at Appendix 2.
2. The final options are predicated on the efficient use of resources by creating economies of scale in the educational provision so that the range of subjects, support for learners and facilities can all be afforded.
3. The more limited number of changes now under consideration have been influenced by the feedback from the first round of public consultation in early 2019 and all retain some element of sixth-form provision.

Table 1 Sixth form numbers via January PLASC data 2015-2020

Numbers in sixth forms – January PLASC data 2016 - 2020 School Name	Year					
	2015	2016	2017	2018	2019	2020 provisional
Archbishop McGrath Catholic High School	150	164	156	148		
Brynteg School	442	422	377	347		
Bryntirion Comprehensive School	205	170	174	205		
Coleg Cymunedol y Dderwen	165	157	148	160		
Cynffig Comprehensive	100	88	76	61		
Maesteg School	193	204	177	150		
Penybont Sixth Form College	142	130	128	141		
Porthcawl Comprehensive School	332	290	262	242		
Ysgol Gyfun Gymraeg Llangynwyd	123	110	111	118		
Mainstream total	1852	1735	1609	1572		
Heronbridge Special School	51	55	59	60		
Ysgol Bryn Castell	42	39	41	42		
Total in schools	1945	1814	1709	1674		
Bridgend College 16-18	1903	1864	1906	2488 combined		
Overall total of 16-18 (includes Y14 in schools)	3848	3678	3615			
Bridgend College 19 plus	587	601	573			
Bridgend College full-time enrolments	2490	2435	2509	2488		

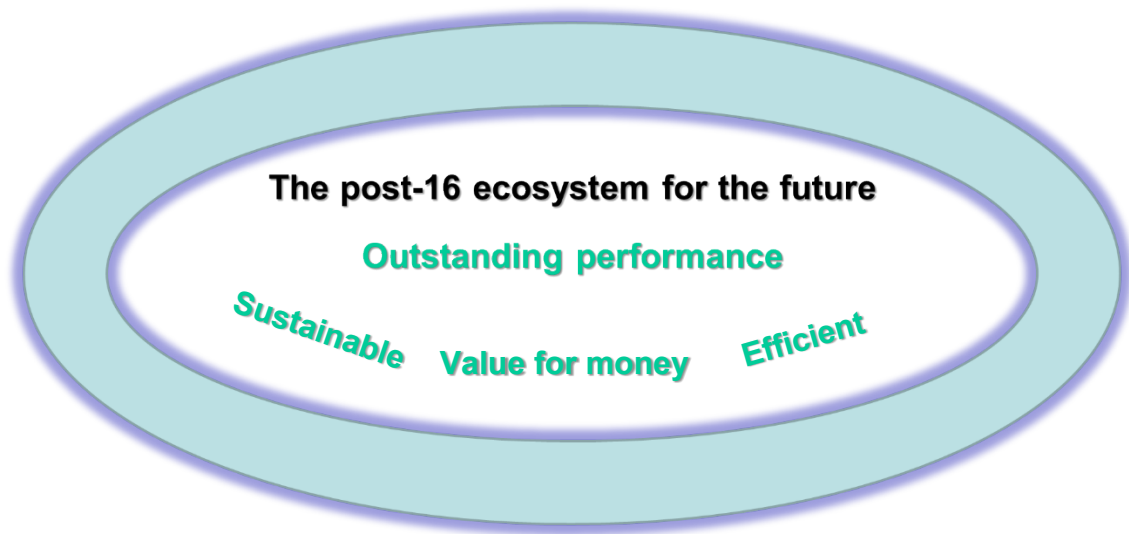
4. In respect of the 'status quo', there have been many discussions on the relative positives and concerns of the current system. Some of these were reinforced during the first public consultation and some new ones added (in blue ink). The table below summarises the key points.

Table 2 – positives and concerns of the Status Quo

Positives
<p><i>Points made during the review:</i></p> <ul style="list-style-type: none"> • The retention of sixth forms is seen as essential in some areas in response to community aspirations • Maintaining the link between sixth-form students and the rest of the school, especially as role models and supporting younger learners • Sixth forms add to the overall ethos of the school • Perceived as popular with parents, staff, students, governors • Some schools believe they can have a viable sixth form under this approach • Faith and Welsh-medium schools see this as a highly desirable/only acceptable model • Least disruptive approach • Stability in staffing • Standards have improved in 2019 <p><i>Points made in the public consultation:</i></p> <ul style="list-style-type: none"> • Known environment/ accessibility • Teacher pupil parent relationship/support • Sixth-formers set a good example
Concerns
<p><i>Points made during the review:</i></p> <ul style="list-style-type: none"> • Ability to maintain curriculum breadth; some traditional subjects have already been lost • Resources/budgets/funding all set to reduce and many regard this model as unsustainable • Does not address the issue of surplus places • Does not provide value for money and in schools with small sixth forms is likely to lead to funds for key stages 3 and 4 being used to subsidise the sixth form • The transport costs of current collaborative arrangements are a drain on resources and will be difficult to maintain • Withdrawal of transport grants may require students to pay for their own transport or remain in their home school with consequential reduction in subject choice • Where subjects are delivered in small groups this is not always conducive to high standards and a dynamic learning environment • Increasing challenge to meet the Learning and Skills Measure in smaller sixth forms <p><i>Points made in the public consultation:</i></p> <ul style="list-style-type: none"> • Does not increase the range of choice of providers for learners and parents • Limited opportunity to provide investment in 16-18 education facilities • Travel issues • Expense • High standards may drop • Less subject choice

What are we aiming for?

5.



For any change that is envisaged for BCBC we would want to realise the benefits identified in the diagram above and to a level of improvement that will be to the benefit of all learners in post-16 education.

What are the remaining options under consideration?

6. Option 1

A mix of school sixth forms with some mergers to create new local authority maintained sixth-form centre(s).

Option 2

A mix of school sixth forms with some mergers to create new FE College governed sixth-form centre(s)

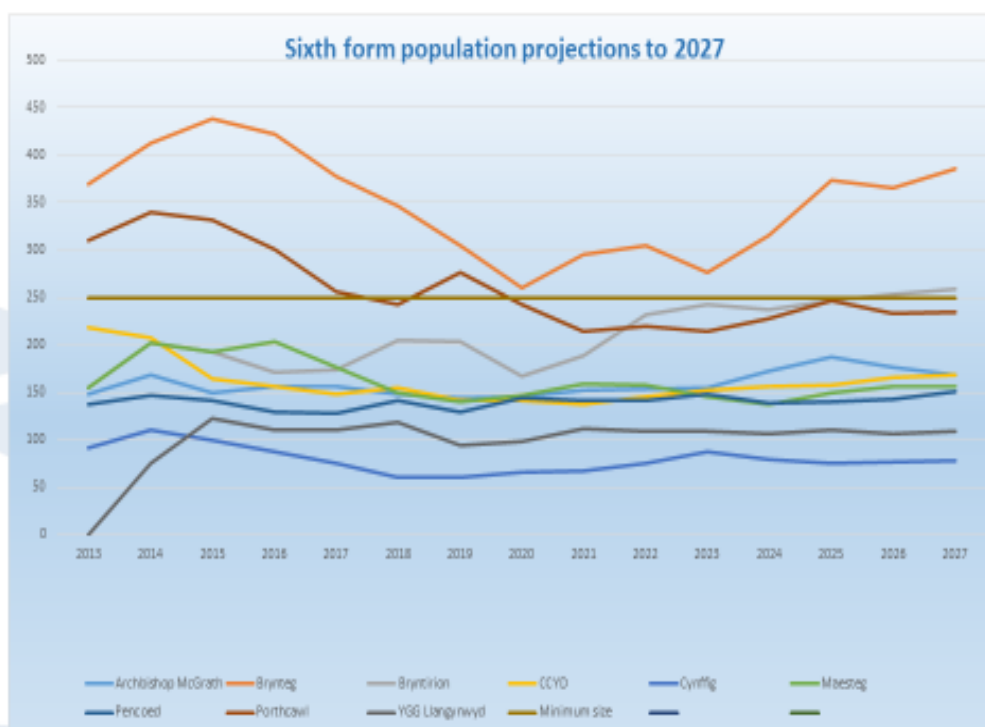
To note: Options 1 and 2 are not mutually exclusive and elements of both could be taken forward.

Option 3

The retention of sixth forms in all schools - the current position (ie a distributed tertiary model based on collaboration, but with further development in order to improve the delivery of this option)

- In order to be able to compare the remaining options and the alternatives that might be available within a given option it is important that key data presented in earlier reports is updated. Accordingly fresh tables of information are now to be found in the appendices and will be referenced below.

Table 3: Size of Sixth form – current and projections



- In previous reports the significance of the size of sixth forms was discussed with reference to standards of performance, the curriculum offer and financial viability. In general benchmark terms an effective sixth-form provision needs to have a student population of around 250. The projections for Bridgend suggest

that Brynteg School sixth form will continue to exceed this figure and that Porthcawl Comprehensive School and Bryntirion Comprehensive School sixth forms will be close to this benchmark during the next decade. All other schools are well below the figure of 250. For these schools there are implications for the number of timetabled subjects, the viability of minority subjects, the dependence on collaboration to meet the requirements of the Learning and Skills Measure and for students to achieve their first preference combination of subjects. Increasingly with rising budget pressures the affordability of small sixth forms has to be subject to detailed scrutiny (see appendix 3 for further detail).

9. Two schools stand apart from this particular issue. Archbishop McGrath Catholic High School will continue to provide a post-16 education of a religious character. It is expected to be fully subscribed for the foreseeable future and to have an average sixth form of 159. For this number to rise toward 250 there would need to be some expansion of facilities to the current site.
10. YGG Llangynwyd, as the sole Welsh-medium high school in BCBC, is reliant on the flow of pupils from the Welsh-medium primary sector. Through the Welsh Education Strategic Plan and the Band B programme of 21st Century School there are plans to increase in capacity in Welsh-medium primary education. However, it will be some time before this increase impacts on numbers in the sixth form and they expand above 100. There is significant pressure on this school to be able to provide a good range of subjects through the medium of Welsh and there is therefore a strong reliance on the partnership collaboration with YGG Llanhari in RCT. Hence in the last paper to Cabinet in April 2019 the proposal to formalise the arrangements between the two schools was articulated. Dialogue on this has now commenced with RCT.

11. School capacities

The forward projection of the size of sixth forms also needs to be considered in relation to the projected capacity of each of the secondary schools in BCBC

Table 4: School capacities to 2027

Planned admission numbers, capacity, average size of sixth form and balance of places per school

	1	2	3	4	5	6	7	8	9	10
School	Overall capacity	PAN/year group	PAN Y7-11	Average Projected 6th form	Expected size PAN plus average	Balance of capacity	Current roll - PLASC Jan 19	Current actual balance of	Whole school projection to 2027	Projected balance of capacity
Archbishop McGrath	836	131	655	159	814	22	834	2	1054	-218
Brynteg	2099	333	1665	350	2015	84	1450	649	1933	166
Bryntirion	1208	210	1050	209	1259	-51	1212	-4	1422	-214
CCYD	1595	276	1380	161	1541	54	1259	336	1663	-68
Cynffig	1013	180	900	80	980	33	718	295	832	181
Maesteg	1333	228	1140	162	1302	31	1039	294	1188	145
Pencoed	1115	214	1070	140	1210	-95	898	217	1284	-169
Porthcawl	1551	246	1230	259	1489	62	1235	316	1528	23
YGG Llangynwyd	775	165	825	100	925	-150	614	161	790	-15



12. In Table 4 above the columns show the following information:

1. Column 1 – the overall capacity of each school
2. Column 2 – the planned admission level per year group
3. Column 3 – the planned admission level for Years 7 to 11 assuming all year groups are at planned capacity
4. Column 4 – the projected average size of the sixth form
5. Column 5 – the combined totals for Years 7 to 13
6. Column 6 – the balance of places when full to planned admission levels in Years 7 to 11
7. Column 7 – the numbers on roll, Years 7 to 13, taken from the latest PLASC return in January 2019
8. Column 8 - The balance of places in the academic year 2018-2019
9. Column 9 – Whole-school projections of numbers on roll to 2027 for Years 7 to 13
10. Column 10 – the balance of places expected in 2027 based on these projections

13. Columns 1 to 6 indicate that if all schools achieved their planned admission levels then the only significant issue would be under capacity in Welsh-medium provision. However, the current position as revealed by columns 7 and 8 shows a range of surplus places in all schools except Archbishop McGrath Catholic High School and Bryntirion Comprehensive School where there are pressures to accommodate demand.

14. The forward projections to 2027 allow for the growth in housing contained in the current local development plan. This includes all those areas where planning permission has been granted plus a figure for development land where planning has not yet been brought forward. From this projection it can be seen that surplus capacity now only exists in Brynteg School, Cynffig Comprehensive

School and Maesteg School. Brynteg School with less than 10% surplus capacity would be within Welsh Government parameters. Maesteg School is projected around 10% and only Cynffig Comprehensive School at 17.8% has levels of surplus capacity which would be of concern. Pressure on places is beginning to be felt in Coleg Cymunedol y Dderwen, Porthcawl Comprehensive School and YGG Llangynwyd. Severe pressure is envisaged for Archbishop McGrath Catholic High School, Bryntirion Comprehensive School and Pencoed Comprehensive School. In the case of Archbishop McGrath Catholic High School a significant proportion of the pupil population are non-Catholics and therefore through the application of its admission policy the school should be able to meet the demand for places for pupils from both Catholic and Church in Wales families. Since Archbishop McGrath Catholic High School draws its catchment from across BCBC the excess demand would be dispersed across the County and either apply further pressure on some schools or be accommodated by those with surplus places.

15. A new local development plan (LDP) for BCBC to cover the period from 2021-2033 has been released for public consultation. Further potential areas for housing development have been identified in addition to those in the current LDP. Should these be taken through to a new LDP then the possible impact on secondary school places might be as follows:

Maesteg – 635 new houses yielding 137 extra secondary pupils 11-18.
Bridgend – 1000 new houses around Island Farm yielding 216 secondary pupils and about 1250 houses towards Laleston yielding 270 secondary pupils.
Pencoed – 800 new houses yielding 173 secondary pupils.
Pyle – around 1500 new houses yielding 324 secondary pupils.

The consequence of this would be to see surplus capacity in Maesteg School reduced to nearly zero with Brynteg School and Cynffig Comprehensive School potentially moving from a position of surplus to excess demand. Bryntirion and Pencoed Comprehensive Schools would see demand for places increase significantly above the current projections in Table 4.

If any of these current new housing proposals are brought forward in the 2021-2033 LDP then the implications for secondary school places and for sixth-form accommodation will need to be further reviewed.

16. Achievement and progress

In the determination of any change to the nature of post-16 provision across BCBC it is important to demonstrate that the quality of provision will be at least as good as currently provided if not better. At this point in time, the 2019 examination data that follows is provisional and may change.

17. In broad terms, since 2014-2015 standards at post-16 in sixth forms have been rising across BCBC. There is variation across schools and between years and not all schools have been able to demonstrate sustained improvement. Tables for the key indicators are provided below.

18. The percentage of students gaining 3 A*-A grades at A level in 2019 at 12.5% (provisional) is the best performance for BCBC since 2012. This and the other indicators reflect the effects of greater scrutiny of post-16 data, the use of Alps value-added data, the impact of Seren and the individual efforts within schools themselves. The average prior GCSE performance of students has remained fairly consistent since 2014-2015 (see appendix 4). There has been variation in the quality of year groups both between schools and between year groups in any given school.

% gaining 3 A*-A	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Archbishop McGrath	2.2	7.8	10.6	8.5	6.7	21.9	21.4	16.1
Brynteg	5.5	6.5	11.4	4.0	7.2	10.3	5.4	16.7
Bryntirion	3.0	10.9	6.3	5.6	8.0	12.7	12.9	16.7
CCYD	0.0	3.6	1.6	3.3	0.0	0.0	4.9	8.8
Cynffig	0.0	4.0	0.0	0.0	2.9	7.4	6.9	5.6
Maesteg	3.9	4.8	0.0	0.0	1.3	7.4	1.7	1.8
Pencoed	3.1	4.1	3.3	1.7	3.5	3.7	6.7	11.3
Porthcawl	13.9	15.4	10.9	12.2	10.7	9.8	16.0	12.3
YGGL				3.6	7.4	7.3	7.7	8.2
LA	5.2	8.3	7.1	5.3	6.1	9.4	9.2	12.5
Wales	9.0	8.3	8.8	7.8	6.7	10.5	13.4	

19. The percentage of students gaining 3 A*- C grades at A level in 2019 has shown a bit more variance than the 3A*-A data but the overall trajectory for BCBC since 2014-2015 shows sustained improvement but with more to do to exceed the All Wales average.

% gaining 3 A*-C	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Archbishop McGrath	73.9	78.4	40.9	34.0	40.0	78.1	69.6	62.9
Brynteg	47.3	64.5	58.7	47.4	51.7	52.9	57.4	62.7
Bryntirion	68.2	71.9	34.4	38.2	44.0	58.7	61.4	54.4
CCYD	60.9	52.4	39.1	29.5	31.9	36.2	52.5	45.6
Cynffig	52.9	64.0	15.2	11.8	17.1	51.9	51.7	61.1
Maesteg	62.3	81.0	20.3	16.0	33.3	45.7	38.3	41.1
Pencoed	68.8	83.7	31.1	26.7	15.8	37.0	46.7	64.2
Porthcawl	67.0	65.7	56.3	59.0	57.9	61.5	68.1	65.8
YGGL				32.1	48.1	63.4	51.9	57.1
LA	60.7	68.2	42.9	38.7	42.4	54.2	56.5	57.5
Wales	65.2	66.8	42.6	40.0	38.3	54.7	57.9	

20. Since 2014-2015 the Level 3 threshold or % of learners who achieve at least 2 A levels or A level equivalents has moved steadily up and ahead of the All Wales average. This reflects the fact that the overwhelming majority of learners successfully complete their qualifications and can move on positively to post-18 destinations. The 'Not in Education, Employment or Training (NEETs)' data for Year 13 has been in decline over recent years and this confirms the schools' view that most sixth-formers achieve positive destinations. Schools report that the vast majority of students who wish to go on to Higher Education gain places to study and in most cases this is their first choice. We have seen increased numbers of our Seren students gaining places at Russell Group and Sutton Trust 30 universities.

L3 threshold (% achieving minimum of 2 A levels)	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Archbishop McGrath	87.0	88.2	100.0	95.7	100.0	100.0	100.0	100
Brynteg	98.2	92.8	94.6	98.9	97.2	95.5	96.6	100
Bryntirion	95.5	100.0	98.4	96.6	100.0	98.4	100.0	96.5
CCYD	96.9	92.9	96.9	91.8	98.6	98.3	100.0	98.2
Cynffig	88.2	100.0	93.9	100.0	100.0	100.0	89.7	94.4
Maesteg	97.4	96.8	100.0	98.8	100.0	97.9	100.0	100
Pencoed	95.3	98.0	95.1	98.3	96.5	98.1	95.0	98.1
Porthcawl	98.3	98.6	95.8	97.4	96.7	99.2	100.0	99.1
YGGL				100.0	100.0	100.0	100.0	100
LA	96.0	95.6	96.6	97.6	98.3	98.1	98.3	98.8
Wales	96.9	96.5	97.1	97.0	98.0	97.1	97.6	

21. The overall value-added performance of BCBC sixth forms as measured by the Alps system shows a number of strongly performing schools but also a degree of variance across schools. In this data **red (grades 1, 2 and 3)** indicates strong performance among the top 25% of UK centres and **blue (grades 7, 8 and 9)** indicates a relatively weak performance in the bottom 25% of UK centres. One of the key challenges for any system change at post-16 is to ensure that there is a greater consistency in outcomes for learners irrespective of where they are studying and that overall the results for BCBC push on to exceed All Wales figures especially in performance outcomes at the higher grades.

Alps grades

Excellent performance Top quartile	Good to average performance	Significant under-performance Bottom quartile
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1	2	3	4	5	6	7	8	9
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Overall Alps Performance Grades

	2015/16	2016/17	2017/18	2018/19
Archbishop McGrath Catholic School	3	2	2	3
Bridgend College (twilight A levels)	4	5	2	
Brynteg School	4	4	3	7
Porthcawl Comprehensive School	3	4	4	6
Maesteg School	5	4	5	6
Ysgol Gyfun Gymraeg Llangynwyd	3	5	7	5
Coleg Cymunedol Y Dderwen	7	5	2	4
Pencoed Comprehensive School	6	5	6	3
Cynffig Comprehensive School	5	6	6	5
Bryntirion Comprehensive School	6	6	6	7

22. At this moment in time, a school-to-school improvement system for post-16 is under-developed both locally and regionally. The proposed changes to post-16 provision will need to demonstrate how the excellent practice in our best departments is spread across the sector to enhance the performance of learners wherever they are studying. Central South Consortium have introduced subject networks in STEM subjects and the engagement of staff from Bridgend schools with these networks is being monitored. These networks are currently only available for developments through the medium of English and not Welsh.

Option proposals

23. Consideration is now given to the three remaining options that are being taken forward from the earlier reports to Cabinet on the post-16 review. It should be noted that there is some flexibility to combine elements of Options 1 and 2 in any final outcome proposal.

Option 1

A mix of school sixth forms with some mergers to create new local authority maintained sixth-form centre(s)

There are seven English-medium community secondary schools across BCBC.

Numbers in sixth forms – January PLASC data 2016 – 2019 plus projection to 2027	Year						Current surplus places 2018	Projected surplus places 2027
	2015	2016	2017	2018	2019	2027 projection		
School Name								
Brynteg School	442	422	377	347		386	649	166

Bryntirion Comprehensive School	205	170	174	205		259	-4	-214
Coleg Cymunedol y Dderwen	165	157	148	160		169	336	-68
Cynffig Comprehensive	100	88	76	61		78	295	181
Maesteg School	193	204	177	150		157	294	145
Penybont Sixth Form College	142	130	128	141		151	217	-169
Porthcawl Comprehensive School	332	290	262	242		235	316	23

In considering the options that follow the intention is to create sixth forms/centres that have a minimum capacity of 250. In doing so we will be ensuring that:

- There are sufficient numbers of learners in each setting to provide a broad curriculum offer
- The continuance of minority subjects is protected
- Standards do not dip but continue to rise
- Teaching sets are of a size that secures efficient use of resources
- Learner numbers are matched to the capacity of the schools

24. Where mergers of sixth forms are considered there are two ways in which this process could be managed. The first is through a statutory process whereby some schools will have their category changed from 11-18 to 11-16 and others retaining 11-18 status with an expanded sixth-form provision. Whilst this would result in centres that provide the benefits of scale for provision and resources concerns have been expressed about the potential impact on the 11-16 schools. These include:

- Potential loss of experienced staff
- Difficulties in recruiting/retaining expert/experienced staff who would prefer 11-18 settings
- Potential de-stabilisation at Year 7 where parents use their preferences to apply for places in 11-18 schools where there will be continuity of education to 18
- The loss of sixth-form students as role models within the school
- A potential reduction in the cultural activities within the school
- Leakage of 'more able' pupils to schools with a sixth-form centre
- Surplus teachers and redundancy

25. The second mechanism is through the voluntary mergers of sixth forms. In the outcomes put forward later Headteachers and Governing Bodies could agree to co-locate their sixth-form students on to one site without relinquishing their 11-18

status. This model has been discussed with secondary headteachers but would require some firm commitments to be established including:

- A common timetabling agreement to allow members of staff from either school to access the sixth-form timetable (it could also support some sharing of staff at key stages 3 and 4)
- A joint management committee to oversee the arrangements comprising of at least the headteachers and chairs of governors (WG guidance on joint FE/School partnerships can provide insights into acceptable ground rules)
- Contributing schools would pool their post-16 allowances
- Student performance data would be used as part of the evidence base for determining which staff would be used to deliver the sixth-form provision
- Instigate a school to school professional development approach for staff teaching post-16 in order to ensure a continued rise in standards
- Consultations with staff in relation to travel between sites
- An agreement to deliver at least the Welsh Bac to students back in their home school in order to maintain contact with pupils lower down the school and act as role models

Outcomes under Option 1

26. There are three secondary schools with sixth forms that either have or are projected to be around the 250+ preferred size. These are Brynteg School, Bryntirion Comprehensive School and Porthcawl Comprehensive School. Of these Bryntirion Comprehensive School has a projection indicating significant capacity issues. By 2027, it is anticipated to have a sixth form of 259 and a demand for places over capacity of 214 and this excludes any additional pressures from the new local development plan (LPD) under construction (see paragraph 15). It is understood that expansion on the Bryntirion Comprehensive School site is unlikely. Whilst Brynteg School could take some of the surplus demand it could not meet all of it and future demand from the new LDP. BCBC could consider whether there is sufficient demand for a new secondary school when the LDP comes forward or whether re-organisation of sixth-form provision supports a long-term solution.

27. Outcome A

One choice could be to develop a post-16 centre of excellence on the Brynteg School campus. This would require capital investment which may lie outside of Band B proposals for the 21st Century Schools Programme. The proposal could change Bryntirion Comprehensive School to an 11-16 school but that route (route 1) may well generate a lot of opposition. The other route is to develop a joint or federated sixth form that belongs to both schools and this may be a more acceptable development (route 2). A strong town centre sixth form with

partnerships with Bridgend College and Archbishop McGrath would have some merit.

Strengths	Weaknesses
<ul style="list-style-type: none"> • A joint sixth form or centre with between 550 and 650 students • A rich and broad curriculum offer • Efficient use of resources and good value for money • Minority subjects would hold their place • Ability to develop expert teams of teachers drawn from the two schools (route 2) • The Brynteg School campus could accommodate expansion for sixth-form provision • Using route 2 would alleviate some of the concerns Bryntirion Comprehensive School are likely to express over changing its status to 11-16 • Proximity of the two schools and to Bridgend College • Potential to share staff across all secondary key stages and helping to address financial and recruitment issues • Ability to offer a wider range of academic and vocational subjects through collaboration with Bridgend College • Better range of services and support for students because of the scale of the centre 	<ul style="list-style-type: none"> • The seven potential issues faced by Bryntirion Comprehensive School as an 11-16 school in route 1 as discussed in paragraph 24 • The ability of BCBC to find the capital investment for the project • Bryntirion Comprehensive School becomes a split site school and Brynteg as well but to a lesser extent depending on the location of the centre in its extensive grounds • Developing new joint subject delivery teams and ensuring clear lines of accountability so standards don't drop in the short term • A common timetable will impose some constraints on timetablers but when married up with the new key stage 3 curriculum this could create new opportunities • The management of staff movement between sites

28. Outcome B

Porthcawl Comprehensive School in the west of the County has an established and successful sixth form of 242 and is forecast to have an average of around 259. This sixth form therefore meets the general viability requirements and given the distance from other settings (excluding Cynffig Comprehensive School) it would seem inappropriate to require this number of students to travel elsewhere for their sixth-form education. It is proposed that this is one of the retained sixth forms under Option 1.

29. Outcome C

Cynffig Comprehensive School has BCBC's smallest sixth form of currently 61 students. This falls well below the expected minimum size for a sixth form. The number of timetable subjects is limited to around 12 to 14 and this will impact on the choices students make. They can take advantage of subjects in day time collaboration or through twilight sessions in Bridgend College both of which will require additional travel during or at the end of the day. Although A level results are improving being a small sixth form it is less resilient to changes in students and/or staff which increases the likelihood of variances in outcomes. There will always be a financial pressure on small sixth forms trying to match subject availability against limited resources without cross-stage subsidy. In this option consideration is given to the closure of the sixth form (route 1) or its merger with Porthcawl Comprehensive School sixth form (route 2). It is noted that these two schools are already engaged in some collaborative activities.

Strengths	Weaknesses
<ul style="list-style-type: none"> • A potential increase in sixth-form numbers to just over 300 • A richer and broader curriculum offer than if the sixth forms were separate • Efficient use of resources and good value for money • Minority subjects would hold their place • Ability to develop expert teams of teachers drawn from the two schools (route 2) • Porthcawl Comprehensive School has a consistently strong track record of delivering sixth-form education with a good track record of results • The Porthcawl Comprehensive School campus could accommodate the numbers of sixth-form students from Cynffig Comprehensive School • Using route 2 would alleviate some of the concerns Cynffig Comprehensive School is likely to express over changing its status to 11-16 • Potential to share staff across all secondary key stages and helping to address financial and recruitment issues 	<ul style="list-style-type: none"> • The seven potential issues faced by Cynffig Comprehensive School as an 11-16 school in route 1 as discussed in paragraph 24 • The current situation of surplus places at Cynffig Comprehensive School is around 29% and using future projections without the sixth form this may reduce to 25% with surplus places therefore remaining a significant issue at Cynffig Comprehensive School • A common timetable will impose some constraints on timetablers but when married up with the new key stage 3 curriculum this could create new opportunities • The management of staff movement between sites which are at some distance from each other • It has been suggested that the removal of a sixth form from Cynffig Comprehensive School might lower the aspirations in the community and of learners in the school (note: the Welsh Bac proposal in paragraph 25 to offset this)

30. **Outcome D:** Cynffig Comprehensive School also has the capacity to act as a host for an expanded sixth-form centre. This could be considered alongside the capacity issues that are projected to be experienced by both Coleg Cymunedol y Dderwen and Pencoed Comprehensive School. This would require some investment to increase the capacity for sixth-form students at Cynffig Comprehensive School. Currently the three schools have 362 sixth-form students between them and this is projected to rise to 398 by 2027. Both Coleg Cymunedol y Dderwen and Pencoed Comprehensive School are expected to be over capacity by then.

Strengths	Weaknesses
<ul style="list-style-type: none"> • A good size sixth form of 360 to 400 students • A richer and broader curriculum offer than if the sixth forms were separate • Efficient use of resources and good value for money • Minority subjects would hold their place • Ability to develop expert teams of teachers drawn from the three schools (route 2) • Using route 2 would alleviate some of the concerns Coleg Cymunedol y Dderwen and Pencoed Comprehensive School are likely to express over changing their status to 11-16 • Potential to share staff across all secondary key stages and helping to address financial and recruitment issues • Would address the issue of surplus places at Cynffig Comprehensive School and alleviate to some extent longer term capacity issues in Coleg Cymunedol y Dderwen and Pencoed Comprehensive School 	<ul style="list-style-type: none"> • The seven potential issues faced by Coleg Cymunedol y Dderwen and Pencoed Comprehensive School as 11-16 schools in route 1 as discussed in paragraph 24 • The need for capital development to facilitate expansion of the sixth form • Access to the school site for larger numbers of students • A common timetable will impose some constraints on timetablers but when married up with the new key stage 3 curriculum this could create new opportunities • The management of staff movement between sites which are at some distance from each other • Developing new joint subject delivery teams and ensuring clear lines of accountability so standards don't drop in the short term • Would impact significantly on BCBC's discretionary post-16 travel budget increasing costs to the LA under current arrangements and result in an increase in travel time and distance for many of the 300 or so learners from Coleg Cymunedol y Dderwen and Pencoed Comprehensive School • Although post-16 results have improved this year in the three schools, historically the standards in value-added and national indicators have not been strong; there is a risk of slippage through a period of change

	and particular attention would need to be given by the schools to alleviating this risk
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31. Outcome E

The position of Maesteg School at the head of the valley does create issues for transport and travel times and, as was articulated in the consultation events, a strong sense of loss and lost opportunity should the sixth form be removed. Here consideration is given to a sixth-form centre based in Maesteg School. The partner school would be Coleg Cymunedol y Dderwen where over capacity in the future might become a problem. During the consultation a strongly expressed view from Maesteg School was that everything headed ‘down the valley’ and that never a thought was given to reversing that. In this outcome, Maesteg School which has a current surplus of 294 places falling to 145 over time would host the 160 to 170 sixth form students from Coleg Cymunedol y Dderwen. Both statutory 11-16 proposals and voluntary mergers could be explored in this option.

Strengths	Weaknesses
<ul style="list-style-type: none"> • A good size sixth form of between 300 and 330 students • A richer and broader curriculum offer than if the sixth forms were separate • Efficient use of resources and good value for money • Minority subjects would hold their place • Ability to develop expert teams of teachers drawn from the two schools (route 2) • Using route 2 would alleviate some of the concerns Coleg Cymunedol y Dderwen is likely to express over changing their status to 11-16 • Potential to share staff across all secondary key stages and helping to address financial and recruitment issues • Would address the issue of surplus places at Maesteg School and alleviate to some extent longer term capacity issues in Coleg Cymunedol y Dderwen 	<ul style="list-style-type: none"> • The seven potential issues faced by Coleg Cymunedol y Dderwen as an 11-16 school in route 1 as discussed in paragraph 24 • A common timetable will impose some constraints on timetablers but when married up with the new key stage 3 curriculum this could create new opportunities • The management of staff movement between sites which are at some distance from each other • Developing new joint subject delivery teams and ensuring clear lines of accountability so standards don't drop in the short term • Would impact significantly on BCBC's discretionary post-16 travel budget increasing costs to the LA under current arrangements and result in an increase in travel time and distance for many of the 160 or so learners from Coleg Cymunedol y Dderwen. • Although there have been some improvements in post-16 results for these two schools, results at 3A*-A and 3A*-C

	have been below All Wales averages; there is a risk of slippage through a period of change and particular attention would need to be given by the schools to alleviating this risk
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32. Outcome F

At this point in the discussion of options Pencoed Comprehensive School has only appeared in Outcome D and is left apart from the other choices. Left to itself it only has a sixth form of 141 and an expectation that this will rise to 151 by 2027, below the benchmark of 250. By that point there is expected to be a shortfall in capacity of around 170 places. This does not take into account new housing in the east of BCBC which is now contained in the consultation for the new LDP.

This option therefore looks at four schools (Coleg Cymunedol y Dderwen, Cynffig Comprehensive School, Maesteg School and Pencoed Comprehensive School) and considers a link to Option 2. Two centres are envisaged in Maesteg School and in Pencoed Comprehensive School. The Maesteg School centre would be populated by students from Maesteg School (150), Cynffig Comprehensive School (61) and a split of around 60 students from Coleg Cymunedol y Dderwen. This would create a sixth form of around 271 rising to nearly 300 by 2027. The rest of the Coleg Cymunedol y Dderwen students would head to Pencoed Comprehensive School to create a sixth form of around 250.

However Pencoed Comprehensive School would be over capacity in the future therefore this option considers accommodating the students in an FE based sixth-form centre on the Bridgend College Pencoed campus. This is explored further under Option 2. Should more of the Coleg Cymunedol y Dderwen students decide to head to Pencoed Comprehensive School then the Cynffig Comprehensive School /Maesteg School numbers will be in the range of 211 to 235, not quite at 250 but better placed for numbers than the individual sixth forms.

Strengths	Weaknesses
<ul style="list-style-type: none"> Development of two sixth-form centres in Maesteg School and Pencoed Comprehensive School with both featuring close to the 250 benchmark 	<ul style="list-style-type: none"> The seven potential issues faced by Coleg Cymunedol y Dderwen and Cynffig Comprehensive School as 11-16 schools in route 1 as discussed in paragraph 24

<ul style="list-style-type: none"> • A richer and broader curriculum offer than if the sixth forms were separate • Efficient use of resources and good value for money • Minority subjects would hold their place • Using route 2 would alleviate some of the concerns Coleg Cymunedol y Dderwen and Cynffig Comprehensive School are likely to express over changing their status to 11-16 • Would address the issue of surplus places at Maesteg School and alleviate to some extent longer term capacity issues in Coleg Cymunedol y Dderwen • The Maesteg School campus could accommodate the numbers of sixth-form students from Cynffig Comprehensive School and Coleg Cymunedol y Dderwen as proposed • The Pencoed Comprehensive School campus could be planned to meet predicted demand – see Option 2 • This model from Option 2 would offer access to a more varied curriculum offer with the college bringing a range of vocational and specialist A level courses into the mix 	<ul style="list-style-type: none"> • With the number of schools involved plus the FE based centre it may make the use of a common timetable more challenging • This makes route 2 more difficult to achieve and there is a greater possibility of Coleg Cymunedol y Dderwen and Cynffig Comprehensive School becoming 11-16 or just the three schools (these two plus Maesteg School) come to some form of arrangement • Would impact significantly on BCBC's discretionary post-16 travel budget increasing costs to the LA under current arrangements and result in an increase in travel time and distance for many of the learners from Coleg Cymunedol y Dderwen and Cynffig Comprehensive School • Reliant on collaboration and partnership with Bridgend College • Managing the destination at 16 for students from Coleg Cymunedol y Dderwen
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33. The second option consists of a mix of some sixth forms with a sixth-form centre based in the FE sector.

Option 2

A mix of school sixth forms with some mergers to create new FE College governed sixth-form centre(s)

Discussions with Bridgend College have centred around two proposals:

- A long-term suggestion of a town centre new build which could incorporate a sixth-form centre
- The continued development of the Penybont Sixth-Form College partnership between Pencoed Comprehensive School and Bridgend College

34. In Options 1 and 2 it is proposed that BCBC's largest sixth form at Brynteg School will remain open either as a single sixth form or in combination with

Bryntirion Comprehensive School. If other sixth forms remain open in the outlying areas of the county then to have a further FE sixth-form centre within the town centre may create competition and duplication. Whilst a new FE build in the town centre may be seen positively from a regeneration perspective the sixth-form element is more problematic.

If the Brynteg/Bryntirion proposal in Outcome A, paragraph 31, is not a preferred option then, if and when, Bridgend College brings forward a town centre project a partnership with Bryntirion Comprehensive School could be considered along the lines of the Penybont Sixth-Form College which is explored in paragraph 36.

35. However, it should be noted that Bridgend College may not be inclined to develop separate sixth forms of around 250 to 350 in size preferring instead to create centres with a larger capacity of 500 to 700. In the event of this outcome, then consideration could be given to movement of students to an FE sixth-form centre in a new town centre FE campus from Cynffig Comprehensive School and Coleg Cymunedol y Dderwen alongside those from Bryntirion and Pencoed.

Strengths	Weaknesses
<ul style="list-style-type: none"> • A joint sixth form or centre with between 550 and 650 students • A rich and broad curriculum offer • Efficient use of resources and good value for money • Minority subjects would hold their place • A richer and broader curriculum offer than in the existing sixth form with a good choice of vocational and academic subjects offered with parity of esteem • Efficient use of resources and good value for money • Modern purpose built facilities • Better range of services and support for students because of the scale of the centre • Provides a college-based A level provision choice alongside the sixth-form options increasing choice of environment for learners • Eases the pressure on the schools to meet the increasing demand for places 	<ul style="list-style-type: none"> • The seven potential issues faced by Comprehensive Schools as 11-16 schools in route 1 as discussed in paragraph 24 • The ability of Bridgend College to find the capital investment for the project • Potential duplication/competition between three sixth-form centres within the town of Bridgend (Archbishop McGrath, Brynteg [with or without Bryntirion], new college campus) • Would impact significantly on BCBC's discretionary post-16 travel budget increasing costs to the LA under current arrangements and result in an increase in travel time and distance for many of the learners from the secondary schools • Reliant on collaboration and partnership with Bridgend College

36. In the east of the County, Pencoed Comprehensive School and Bridgend College have developed a new partnership which has been branded as Penybont Sixth-Form College. A joint management committee has been established and the partnership has been following the Welsh Government guidance on collaboration

between schools and FE colleges. Pencoed Comprehensive School entered the arrangement on the basis that it could no longer afford to run its sixth form and provide a good curriculum offer. Bridgend College have committed both staff and financial resources to the partnership and there has been a strong willingness and commitment from both partners to make the venture a success.

While student numbers are increasing slowly the exam results for students showed a good improvement in 2018 and the provisional data for 2019 is showing an even more marked improvement moving Penybont Sixth-Form College up to or surpassing All Wales figures. There has also been an improvement in the curriculum offer with new subjects being added and students from both school and college taking advantage of the availability of new subjects. It should be noted that the college have indicated that sustained resource support may not be available if this project does not have long term viability.

37. The future projections for Pencoed Comprehensive School indicate the school will experience excess demand for places. Meanwhile the college has plans that are well advanced within Band B proposals for the 21st Century Schools Programme to build a new Science/Technology/Performing Arts centre on its Pencoed campus. This will relocate existing provision and students from older buildings on the Cowbridge Road campus. Associated development on college land will lead to an increase in the housing stock in the Pencoed area which will be reflected in the new LDP (see paragraph 15). This will add further pressure for places at Pencoed Comprehensive School. The plans for the new college centre also allow for the future expansion of the centre through the extension of the three wings and for this to then incorporate a sixth-form centre. The logical development of the Penybont Sixth-Form Partnership would be to expand the new college centre and transfer the sixth-form students from the school site to the college thus releasing much needed capacity within the school. With respect to Outcome F discussed in paragraph 36 this could well create an attractive offer for students from other schools, especially the Coleg Cymunedol y Dderwen students who would be released from their school under the Outcome F proposal. It may also be attractive to Cynffig Comprehensive School students who could travel by train or down the M4 corridor to Pencoed. The Penybont Sixth-Form Partnership could continue but the funding methodology would switch from the LA/school to the FE sector. The college is anticipating that the new facility will attract students from a wider area. It might be expected that the joint management committee continues to have an oversight of the A level provision and provide a conduit for the voice of the school and local community over the provisions in the centre.

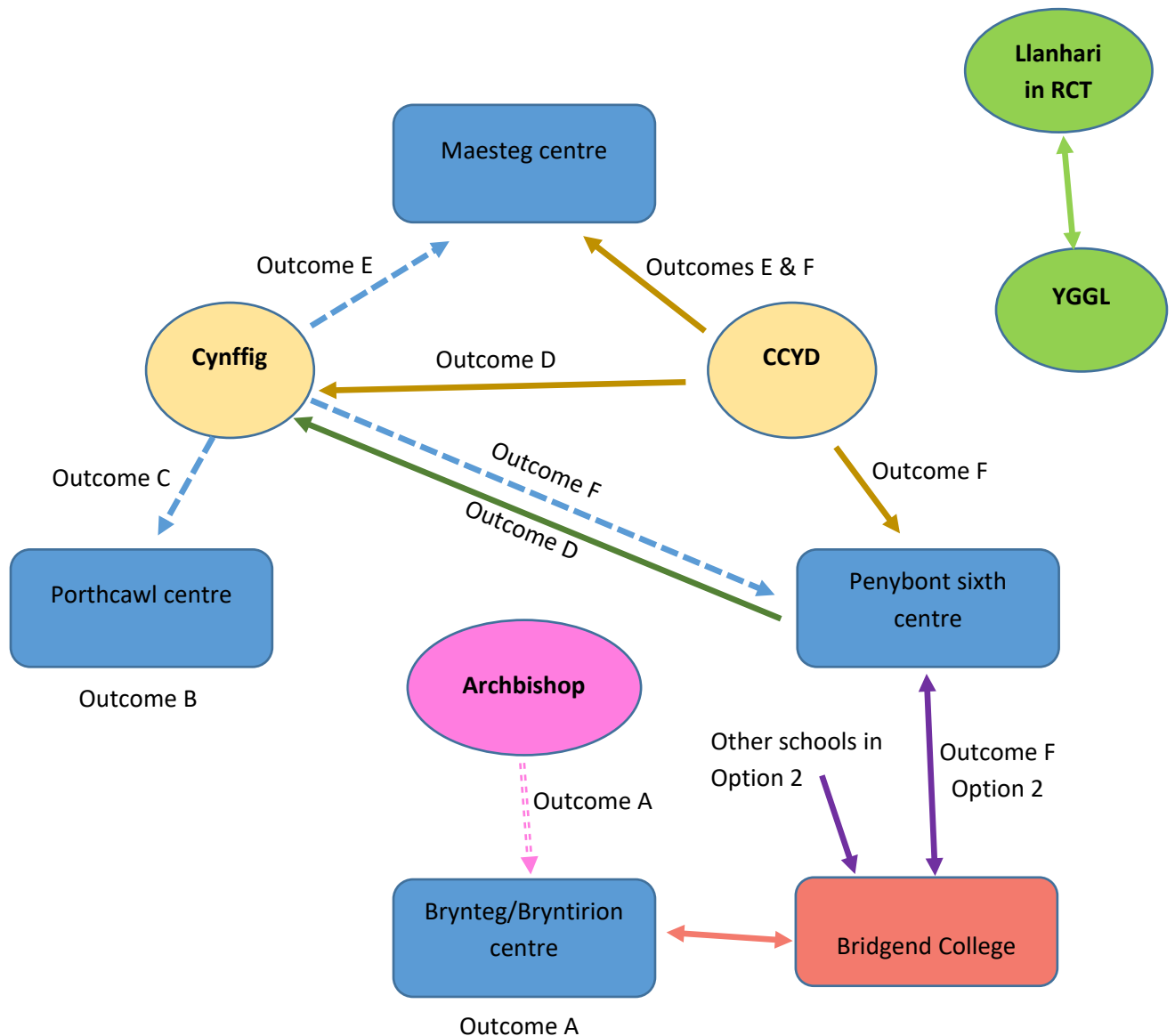
Strengths	Weaknesses
<ul style="list-style-type: none"> • A sixth form with a minimum cohort of around 250 • A richer and broader curriculum offer than in the existing sixth form with a good choice of vocational and academic subjects offered with parity of esteem 	<ul style="list-style-type: none"> • There is a question over whether the partnership is retained with Pencoed Comprehensive School as an 11-18 school or whether, with the centre firmly in the FE domain, it is re-categorised to 11-16; if the latter then the seven issues referred to in paragraph 24 may become live issues for the school

<ul style="list-style-type: none"> • Efficient use of resources and good value for money • Minority subjects would hold their place • Modern purpose built facilities • As long as the partnership maintains a common timetable then school staff will be able to continue to engage in sixth-form teaching • The improvement in standards is likely to be maintained or further improved as there will be no disruption to the subject delivery teams • Better range of services and support for students because of the scale of the centre • Provides a college-based A level provision choice alongside the sixth-form options increasing choice of environment for learners • Eases the pressure on the school to meet the increasing demand for places 	<ul style="list-style-type: none"> • A novel approach would be to have joint teaching delivery between an 11-16 school and an FE college with the college refunding the time contributed by school-based staff from its post-16 general education grant. • Relies on capital funding either as a college development or as a joint LA/college venture to create the expansion to the centre; the college may have more flexibility in its ability to raise capital for a development of this nature • Schools have indicated that new builds such as this centre may attract more students than originally planned and destabilise any remaining sixth forms elsewhere; given the geography of the proposals and the nature of the nearest sixth forms (Brynteg School and Archbishop McGrath Catholic High School) this may be considered a low risk
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38. Taking all the options so far discussed into consideration then the overall picture for the future of post-16 provision across BCBC under Options 1 and 2 would see sixth-form centres in the east, west, north and centre of the County as illustrated in the diagram below. The arrows indicate potential movement of students under the different outcomes. One of the key decisions is whether to take a statutory approach to changing the designation of the schools that do not have sixth forms or adopt a voluntary merger/federation of sixth forms.

39. Three of the centres would require capital development if they are to be realised fully, namely Brynteg/ Bryntirion (Outcome A), Cynffig (Outcome D) and the Penybont Sixth-Form Centre (Outcome F). The suggestion is that the first two of these new build or expanded centres would come under the governance of schools and the LA and the last one of Bridgend College thus generating a hybrid proposal between Options 1 and 2.

Schematic of student movements for Outcomes A to F in Option 1 and for Option 2



40. Through the development of this model of delivery the Council would ensure that in all parts of the County young people will have access to sixth-form education that provides a good range of choices and is delivered to a high quality. Resources would be used effectively and efficiently thus providing good value for money. The inequalities of the current position would no longer be present and the changes would impact on three schools, two of which are predicted to be over-subscribed (Bryntirion Comprehensive School and Coleg Cymunedol y Dderwen) and one has a particularly small sixth form (Cynffig Comprehensive School). The proposals minimise the level of disruption to the system yet achieve the economies of scale required. The contribution to capital investment could be by both BCBC and Bridgend College but at a cost lower than establishing a single large sixth-form centre. However BCBC might feel it appropriate to put

some investment into all centres to ensure that the facilities meet the needs of sixth-form students

41. The feedback from the recent consultation on post-16 provision indicated that the most popular concept was Option 3.

Option 3

The retention of sixth forms in all schools - the current position (ie a distributed tertiary model based on collaboration, but with further development in order to improve the delivery of this option)

The current model of post-16 delivery has been in place since 2011 and at various times reports and meetings have recognised the shortcomings of this model. The weaknesses that have to be recognised and overcome are included below. The strengths of this model of delivery have been recognised in previous reports and are also summarised below.

Strengths	Weaknesses
<ul style="list-style-type: none"> • The retention of sixth forms is seen as essential in some areas in response to community aspirations • It maintains the link between sixth-form learners and the rest of the school, especially as aspirational role models and in supporting younger pupils • Sixth forms add to the overall ethos of the school • Some schools believe they can have a viable sixth form under this approach • Faith and Welsh-medium schools see this as a highly desirable/only acceptable model • Given the current shortage of teachers, headteachers believe they can attract and recruit more qualified/experienced staff if the school has a sixth form • There is strong academic performance in some sixth forms 	<ul style="list-style-type: none"> • A significant variation in standards at subject level both within and across schools • The overall outcomes for BCBC are yet to match All Wales figures for the higher grades 3 A*-A and 3A*-C when as a county we might expect to be performing above the Welsh averages • There is an issue of inequality in access to the curriculum offer; larger centres offer and timetable a broad range of subjects and learners in these settings are more likely to get their preferred combination of subjects; in smaller settings there are fewer subjects in the timetable and some learners will have to change their combination of subjects to suit the home school timetable or they will have to travel to other centres for their subjects either in the daytime or in twilight • There is only partial collaboration in the post-16 timetables covering two option blocks out of four or five. Even in these options visiting students may not be able to access all the scheduled lessons because some are timetabled out of the common blocks • The current system has not really dealt with the issue of large numbers of small classes. Appendix 3 provides detail on the costs of delivery and distribution of groups; it should

	<p>be noted that, going forward, groups of 11+ or more students will cover teaching costs and 15 or more students will cover teaching costs plus overheads</p> <ul style="list-style-type: none"> • The consequence of this is that in many sixth forms subjects may be under-resourced or study facilities and the IT infrastructure have not had sufficient investment to meet the needs of learners • There is also the underlying issue that in small sixth forms there is the danger of cross-phase subsidisation with funds drawn from key stages 3 and 4 budgets to support the curriculum in the sixth form • There are also financial pressures on schools to meet the costs of transport for collaborative provision out of their own budgets; this has been exacerbated by the reduction and ‘disappearance ‘ of a dedicated 14-19 grant that covered transport costs in the past • The current situation does not help BCBC address issues of surplus places or over capacity • This model does not increase the range of choice of providers for learners and parents • Where subjects are delivered in small groups this is not always conducive to high standards and a dynamic learning environment • In this model there is limited opportunity to provide investment in 16-18 education facilities
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If this model of delivery is to be retained then the weaknesses outlined above need to be addressed without losing the strengths that have been identified.

42. One solution could be for schools to adopt the Route 2 model described earlier and generate models of voluntary merged sixth forms. All schools retain their sixth forms but the delivery is in fewer settings and there is movement of staff rather than learners.

43. If all schools are to retain their sixth forms then they will have to commit to addressing the current weaknesses through some or all of the proposals that follow:

- It should be stressed that Option 3 would **not** be a continuation of the ‘status quo’. It would require considerable further development of current practices, maximum flexibility, collaboration and cooperation between schools, and also between schools and the FE sector. The blended learning element would

require a substantial investment in staff development, premises and technology, together with expertise which would probably need to be bought in.

- An increase in the amount of common timetable option blocks in order to address breadth of student choice and to allow greater pooling of students; this practice does not have to be uniform across all schools; the current X and Y options should be maintained for all but increased common timetabling between local schools could be increased; this is a practice that has been used in the past but has declined where there have been issues with students, staff, co-operation and lack of communication; the use of this to allow merging of groups between schools in Year 13 would make a welcome contribution to the reduction in the number of small teaching groups.
- The greater use of performance data to make decisions about which schools and staff should be deployed to deliver particular subjects; the data is available as illustrated in this report but it requires careful analysis in order to identify strong teaching; some schools have become more robust in taking tough decisions on delivery but there is scope for doing more and thereby improving standards and the life chances of young people.
- Aligned with this is the need to develop a robust system of school to school improvement for the delivery of A level teaching; Central South Consortium is now establishing some subject level support for post-16 but often the best work can be accomplished in smaller more local groups; this will entail identifying good and outstanding practice in each subject; this could be at overall subject level or within topic/themes in the exam specification; the big challenge is to establish the space for subject groups to meet and professional development to take place; Schools are naturally reluctant to release staff too frequently from the classroom as this can be disruptive to teaching; so far there has been very little progress in persuading schools to make better use of INSET days with coordination of dates and the development of common agendas for subject development; as can be seen from the variation in standards across schools and subjects this is an area which urgently needs addressing; it cannot be considered acceptable for learners in a particular school where there may be limited staff experience in A level delivery to have to face mediocre or poor delivery year on year; schools have to commit collectively to making improvements in delivery across all sixth forms and subjects.
- It is also through activity in these groups that 'blended learning' can best be developed; the collective development of resources or the online delivery of expert classes led by staff from different schools can also contribute to the development of independent learning in sixth-form students; these approaches can also be used to offset reductions in teacher contact time; the development of resources for collective use and the inclusion of these in dedicated areas within Hwb and the increased availability of Google Classrooms have all being explored by the Digital Champions Group and such practice could (and should) be extended to other subject areas.

- It would be helpful to remove the need for schools to individually make decisions over transport for day time collaboration; this can be achieved by restoring a pool of money from the 14-19 element of the EIG to cover these costs with any balances being returned to schools once learners have settled into their courses each autumn term

44. At the time of preparation of this paper BCBC has launched a public consultation on the review of learner travel. Under Proposal 4 in that consultation, consideration is given to the removal of support from the Council to meet the costs of post-16 transport. This is a discretionary expenditure and has been identified as an area for potential savings to the Council. Should this saving be made it will have an impact on the potential travel arrangements outlined in this paper. Therefore in taking forward the final options it will be important to reflect the outcomes and decisions relating to the review of learner travel.

John Fabes
Post-16 Specialist: Education and Training
October 2019

Appendix 2

Phase 4 of the consideration for potential re-organisation of post-16 provision across Bridgend County Borough Council

Background

1. In 2016, Bridgend County Borough Council ('the Council'), as part of a wider review of all its school estates, began a review of post-16 provision across Bridgend County Borough ('the County'). A post-16 Board was established to lead and report on this review. As an initial step, the Post-16 Board (the Board), the student councils in all our secondary schools and Bridgend College set out to define the ambitions that should underpin the provisions for post-16 education across the County. They all agreed that learners, wherever they are taught, should experience:

- High-quality teaching and learning that enables them to secure strong performance and high standards of achievement in examinations
- A broad curriculum offer underpinned by excellent impartial careers advice and guidance
- Positive relationships with staff who are inspirational with learners and experts in their work
- First-class support for learners whether in a personal capacity or through the facilities available to support their studies
- A good range of extra-curricular activity and have access to work experience.

At the heart of the review into post-16 education is the ambition to develop a skilled and well-educated workforce by providing outstanding 16-18 education – 'Supporting a successful economy'. These young people will provide the skilled adults employers are seeking and will underpin the growth of employment opportunities, the economy and wealth in the local economy.

What is the current position for post-16 provision across the County?

2. The current education provision for 16-18 year olds in Bridgend is as follows:

- Sixth forms present in each secondary school varying in size from 61 to 347 (January 2018 PLASC data) predominantly delivering A levels for 1572 learners
- Sixth forms present in the two special schools with pathways for 102 learners
- Bridgend College and Pencoed Comprehensive School working in partnership to develop collaborative provision known as Penybont Sixth Form College
- Bridgend College provides a range of vocational pathways for 1,907 learners 16-18 (October 2017)
- Options X and Y timetabled in common (two afternoons per week for each option) across all eight English-medium sixth forms and Bridgend College
- Twilight provision at Bridgend College

- Welsh-medium provision enhanced through extensive collaboration between YGG Llangynwyd in Bridgend and YGG Llanhari in RCT
 - Faith-based provision available in Archbishop McGrath Catholic High School
 - 5 work-based training organisations provide 60 to 70 places on Engagement, Level 1 and Traineeship programmes for Year 11 leavers
 - A handful of Year 11 learners will go on to Foundation Apprenticeships
 - In 2015 approximately 29 learners from Year 11 went into employment
3. From a variety of reports and professional dialogue amongst the local education community including secondary headteachers, college principal, the Education and Family Support Directorate and other stakeholders, there has been general agreement that the current provision does not best meet the stated ambitions for post-16 education across the County. Among the reasons for this are the size of sixth forms, post-16 funding, standards of achievement, range of subjects offered, access to digital learning and staffing. Details on these issues are provided in the body of the main report. There is a consensus that change is needed.

Appendix 3

Phase 4 of the consideration for potential re-organisation of post-16 provision across Bridgend County Borough Council

Efficient use of resources

1. From the 2020-2021 financial year, Welsh Government is modifying the funding mechanism for sixth-form education. There has been an anomaly in the way in which the Advanced Skills Challenge Certificate (ASCC) has been funded. In future it will be funded on the same basis as any other A level or A level equivalent qualification. The ASCC is recognised as an A level equivalent qualification providing the full range of grades from A* to E and the same value of UCAS points. The majority of universities now accept the result of the ASCC in the offer they make to students. Strong performance in the ASCC can also make a difference in borderline considerations in universities such as Bath and Cambridge.
2. In the alteration to the post-16 funding model Welsh Government has stripped out the Learning Core element which was used to fund ASCC or a set of Essential Skills Wales and instead will fund the ASCC on the same basis as an A level. There will be no other funding for the Learning Core. Schools that do not provide the ASCC/Welsh Baccalaureate will no longer be able to draw down Learning Core funds.
3. The revised programme values are provided on the next page. The breakdown of allocation per qualification taken is as follows:

Number of qualifications	Programme value	Rate per qualification
3	£2,782	£927
4	£3,565	£891
5	£4,347	£869

4. In assessing the BCBC post-16 allocation Welsh Government look at the PLASC data returns and calculate an average programme value per student across BCBC. This figure is then used along with a demographic prediction to generate an overall allocation for the County's sixth forms. For the 2019-2020 financial year calculation the average programme value for BCBC was £3,599.
5. It can be seen therefore that each student contributes a financial resource of around £890 to each teaching group they attend. With teaching costs running at approximately £10,000 per group it will need just over 11 students in the group to cover teaching costs and 15 if the full costs (including overheads) of sixth-form provision are to be met. This will be an improvement on the current position where group sizes needed to be 13 and 18 respectively.

6. While this is an improvement on the 2019-2020 programme values, it should still be noted that in England the current rate for programmes of 3, 4 and 5 qualifications are £4,000, £4,400 and £4,800. This means that the Welsh figures are showing a comparative deficit of £1,218, £835 and £453 across the three programme values. This is a significant disparity in post-16 funding for the delivery of the same volume of programme. In England, there is significant pressure being exerted to increase the levels of post-16 funding.
7. In consequence of this resourcing background it is important not to run too many classes in post-16 provision with numbers less than 10. Indeed in order to be able to maintain minority low uptake subjects, critically ones like modern foreign languages, classes in other subjects need to be kept above the average.
8. As reported in the earlier public consultation document for this review, the proportion of small teaching groups (below 10 learners) increases as the size of a sixth form decreases from 3 out of 25 subjects (12%) in the largest sixth form to 8 out of 12 subjects (66.6%) in the smallest. In the October 2017 Learning audit 150 classes across Years 12 and 13 were identified with less than 10 students. Decreasing this number in order to improve the efficiency and value for money of post-16 provision has to be significant consideration in this review of sixth-form provision.

Programme Title	Equivalent no of A Levels	Main subject area weight	Induction hours	New Main Hours	Main * SAW	Other (CLIF)	New Core Hours	Total Hours	Total Weighted Hours	Current Value	New Programme Value
2 AS equivalent plus WBQ	3	1.20	15	405	486	75	0	495	576	£2,652	2,782
3 AS	3	1.20	15	405	486	75	0	495	576	£3,434	2,782
3 AS equivalent	3	1.20	15	405	486	75	0	495	576	£3,434	2,782
3 AS plus WBQ	4	1.20	15	540	648	75	0	630	738	£3,434	3,565
3 AS equivalent plus WBQ	4	1.20	15	540	648	75	0	630	738	£3,434	3,565
4+ AS	4	1.20	15	540	648	75	0	630	738	£4,217	3,565
4+ AS equivalent	4	1.20	15	540	648	75	0	630	738	£4,217	3,565
4+ AS plus WBQ	5	1.20	15	675	810	75	0	765	900	£4,217	4,347
4+ AS equivalent plus WBQ	5	1.20	15	675	810	75	0	765	900	£4,217	4,347

Appendix 4

Phase 4 of the consideration for potential re-organisation of post-16 provision across Bridgend County Borough Council

Student prior performance at GCSE

In the value-added data provided by Alps prior performance is measured by average GCSE scores across the best eight achievements at GCSE: A*=8, A=7, B=6, C=5, D=4, E=3, F=2, G=1.

The data is banded into three categories:

Average GCSE score of 6.4 and above – a mix of A*, A and B grades

Average GCSE score of 5.5 to 6.4 – students gaining grade Bs on average

Average GCSE score of 5.5 or below – students gaining mainly grade Cs or mix of B, C and D

The overall average GCSE score across BCBC for students entering the sixth forms has risen slightly over the last four years. The proportions of students in the three categories above has remained relatively constant.

Indicator	Examination Year			
	2016	2017	2018	2019
Overall average GCSE score for BCBC sixth-form students	5.95	5.88	5.91	6.00
% of students with prior GCSE averages above 6.4	31.2%	30.8%	32.4%	35.9%
% of students with prior GCSE averages between 5.5 and 6.4	36.4%	32.9%	34.7%	32.2%
% of students with prior GCSE averages below 5.5	32.4%	36.2%	32.9%	31.9%

This data indicates that the BCBC sixth forms are operating a fairly inclusive policy from year to year and not restricting access to just the more able. It does mean that students who have talents in a more defined area of the curriculum are given the opportunity to take forward their studies in this area to advanced level.

It is also important to view the retention data now being published by Welsh Government on sixth-form provision to check that students are not dropping out of provision in inclusive sixth forms because they might have been better suited to vocational provision at college.

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APPENDIX J - WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT

Project Description (key aims):	
Section 1	Complete the table below to assess how well you have applied the 5 ways of working.
Long-term (The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)	1. How does your project / activity balance short-term need with the long-term and planning for the future?
	In the short term BCBC and its secondary schools are faced with financial pressures. With reduced funding it is becoming difficult to maintain financially viable sixth forms in all our schools. The review of post-16 provision and the public consultation addresses this issue but also sets out to protect the long term interest of learners 16-18 by ensuring curriculum breadth, high standards, value for money and enhanced facilities.
Prevention (How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)	2. How does your project / activity put resources into preventing problems occurring or getting worse?
	The Council's options on post-16 provision are to retain a few sixth forms and merge others into larger centres or to retain sixth forms in all secondary schools. In the former case this will allow for economies of scale, ensure no more subjects are lost and re-instate others, provide value for money and a boost to standards. This in turn will support two of the Council's key corporate objectives – 'Supporting a successful economy' and 'Smarter use of resources'. In the latter fresh expectations on the nature and quality of collaboration will be set out.
Integration (Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of	3. How does your project / activity deliver economic, social, environmental & cultural outcomes together?
	It engages, educates and upskills young people to create a well qualified workforce for the future benefiting both the nation and the individual. The final options will strengthen the social ties within the larger sixth-form settings and through the larger units will have environmental benefits. The opportunities for a wider range of cultural activities and exchanges will also be exploited.

other public bodies)	
Collaboration (Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)	<p data-bbox="461 236 1973 304">4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</p> <p data-bbox="461 328 1995 507">As part of this change programme BCBC has already engaged with over 2000 learners and staff in schools and college to inform the ambitions of the project. We worked with another 2000 young people in the consultation phase as well as a range of educational stakeholders, parents, staff and governors in order to shape the future provision of post-16 education in ways that will be of maximum benefit to young people and thereby their wellbeing.</p>
Involvement (The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)	<p data-bbox="461 568 1973 636">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 data-bbox="461 644 2018 932">As indicated in 4. the project has already engaged every secondary school council in workshops to determine the principles for 16-18 education. In turn they ran workshops with pupils in their own schools. Over 1500 learners 16-18 and 500 staff in school and college responded to a survey on the current state of 16-18 provision which informed the process of considering concepts for the future. Moving forward through the public consultation on post-16 provision the Council engaged with 2000 learners via consultation workshops and a wider audience through the online survey and direct contact with staff, parents and governors where open workshops were held across the County. All the input from these activities was fed into the future deliberations on how post-16 provision will be delivered in the years ahead.</p>

Section 2 Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).		
Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>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 advantage of the wealth generated through securing decent work.</p>	<p>The project is at the heart of developing a skilled and well-educated workforce by providing outstanding 16-18 education. These young people will provide the skilled adults employers are seeking and will underpin the growth of employment opportunities, the economy and wealth in the local economy. The preferred changes are predicated on the efficient use of resources by creating economies of scale in the educational provision.</p>	<p>The Council's final options set out to maximise the benefits to the young people in our communities by increasing choice of subjects to study and raising standards of achievement. Facilities will be enhanced and extra-curricular opportunities will be expanded.</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 project will rationalise the transport infrastructure that supports post-16 education in the County thereby making efficient use of resources, reducing the carbon footprint and thereby contributing to a healthier natural environment.</p>	<p>The final options in the project would seek to maximise access to a wide range of high quality education with rationalised transport and good value for money.</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>The final options will create larger 16-18 settings with viable teaching groups. Research has shown that the dynamic and interactions that occur in the larger units have a positive effect on the learning</p>	<p>Creating larger settings for post-16 will enable those learning communities to provide more physical and cultural activities in the working week to balance</p>

	experience resulting in higher standards and better wellbeing. There is the potential for increasing the amount of participation in physical activities which in turn will have positive effects on wellbeing.	the academic demands and therefore improve learner wellbeing.
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).	This is a critical factor in the review – producing a result where all young people 16-18, regardless of background, circumstance or geography can enjoy access to the same wide range of high quality educational opportunities.	The project is seeking to maximise the opportunity for young people from some of our more disadvantaged backgrounds to access the full range of progression routes post-16 thus providing every learner with a possible and realisable route into their future.
A Wales of cohesive communities Attractive, viable, safe and well-connected communities.	The current post-16 community is fragmented and the project aims to bring together learners from a range of settings into well-designed learning provision alongside peers from across the County either through mergers or expanded collaboration. This would expand their social interactions and increasing the connectedness of young people from different communities across the County.	The project aims to maximise opportunities for high quality learning in settings which are financially viable, safe, with excellent facilities and where strong relationships exist between staff and learners.
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.	The extra-curricular dimension and expanded engagement of learners 16-18 in the arts and sport will be built into any developmental plans. The lack of sport in the current post-16 curriculum was identified as a weakness by learners and will be addressed through the preferred concepts.	The project will proactively support a thriving Welsh-medium post-16 provision in partnership with schools in RCT with long term plans to expand the numbers in this sector.
A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of	The Advanced Skills Challenge Certificate element of the revised Welsh Baccalaureate is followed by all learners 16-18 across Bridgend and this will	Maximise impact by universal adoption of the Welsh Baccalaureate and the Advanced Skills Challenge Certificate.

Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	continue with the development of the final options. As a consequence all students will take part in the Global Challenge, one of four challenges built into the qualification.	
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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 through enhancing and improving educational opportunities for 16-18 year olds	No	Through the implementation of the Council's final options for post-16 provision across the Borough.
Gender reassignment:	Neutral	Neutral	
Marriage or civil partnership:	Neutral	Neutral	
Pregnancy or maternity:	Neutral	Neutral	
Race:	Neutral	Neutral	
Religion or Belief:	Yes	No	Retention of faith-based, post-16 provision
Race:	Neutral	Neutral	
Sex:	Neutral	Neutral	
Welsh Language:	Yes	No	Full support for partnership and collaboration that enriches and expands the opportunities within Welsh-medium post-16 provision

Section 4	Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers
Compiling Officers Name:	John Fabes
Compiling Officers Job Title:	Specialist Officer: Post-16 Education and Training
Date completed:	02 October 2019

Appendix I - Equality impact assessment (EIA) screening form

Department	Completed by (lead)	Date of initial assessment	Revision date(s)
Education and Family Support	John Fabes	1 st March 2018	
Name of policy being screened:	Post-16 Education		
Who is responsible for delivery of the policy?	Lindsay Harvey		
Is this an existing or new function/ policy, practice, procedure or decision?	The post-16 education project is looking to change the existing post-16 education model.		
Brief description and aim of policy:	<p>The Post-16 Education phase two project aims to develop proposals for the strategy for post-16 education which is signed off by all stakeholders and which will inform future planning.</p> <p>The strategy for post-16 education in Bridgend will be underpinned by robust models, which will deliver the right education in the right place and with the best outcomes for learners.</p>		
Does this policy relate to any other policies (please state)	<p>The following legislation, principles, and policies which will assist in the development of the policy and to be considered are:</p> <ul style="list-style-type: none"> • United Nations Convention on the Rights of the Child • The Well-being of Future Generations (Wales) Act 2015 • 2050, A Million Welsh Speakers • Action Plan, Cymraeg 2050 • One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy • Child Poverty Strategy for Wales (issued February 2011 information document number 95/2011) or any successor strategy • Faith in Education • Local plans for economic or housing development • Welsh in Education Strategic Plans (made under Part 4 of the School Standards and Organisation (Wales) Act 2013 • Children and young Peoples Plans (or successor plans) • 21st Century Schools – Capital Investment Programme and the relevant wave of investment • Learner Travel Statutory Provision and Operational Guidance 2014 		

	<ul style="list-style-type: none"> Measuring the capacity of schools in Wales, Circular No: 021/2011
Who is affected by this policy (e.g. Staff, residents, disabled people, women only?)	Staff, schools, learners, parents/carers/guardians
What evidence has been used to inform the assessment and policy? (please list only)	Informal consultation completed Options appraisal on concepts completed Formal consultation and engagement was held November 2018 to February 2019 Formal consultation on final options due to be held November 2019 to mid-February 2020
If this is a review or amendment of an existing policy, has an EIA been carried out? Please include date of completion:	No previous EIA in place
If an EIA exists, what new data has been collected on equality groups since its completion?	N/A

	Yes	No	Unknown
Is this policy an important or large scale function	✓		
Is it likely the policy will impact upon a large number of staff, residents and/or contractors?	✓		

Is it possible that any aspect of the policy will impact on people from different groups in different ways?					
Characteristic	High (H)	Med (M)	Low (L)	None	Explanation of impact
Age	✓				This policy directly impacts on post-16 education learners.
Disability	✓				The policy will be considering post-16 education for learners with additional learning needs
Gender Reassignment				X	
Race				X	
Religion/ Belief	✓				The policy will be considering post-16 education for learners in schools of a religious character.
Pregnancy and maternity				X	

Sexual Orientation				X	
Sex				X	
Civil Partnerships and Marriage				X	
Welsh Language	✓				The policy will be considering post-16 education for Welsh-medium learners.
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 notes for list of protected characteristics?)					
The risk is minimal because the policy is aiming to provide all learners with an access to the right post-16 education.					
What action has been taken to mitigate this risk?					
As part of the post-16 education review a children's rights impact assessment and a Welsh impact assessment will be completed. Full consultation is scheduled. The school organisation code is being consulted. The appropriate religious bodies and the Archdioceses will be consulted before the consultation document is published.					

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

Duty	Yes	No	Unknown
Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act	✓		
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	✓		
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	✓		
Please set out fully your reasoning for the answers given above including an awareness of how your decisions are justified.			
The project is aiming to provide all post-16 learners with access to the right education. The proposals will ensure equality of opportunity for learners regardless of geographical location.			

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	Yes	No	Unknown
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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	✓		
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	✓		
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	✓		

Is this policy likely to impact on community cohesion?

This policy may impact positively on the education community as greater links would be made between institutions.

However, this policy may negatively impact on the residential community as sixth forms may be removed from local comprehensive schools or located outside of the local community.

	Yes	No	Unknown
Procurement: Are there any procurement implications to the activity, proposal or service. (Please take the findings of this assessment to your procurement plan).		✓	
Human Resource: Are there any HR resource implications to the activity, proposal or service	✓		

What level of EIA priority would you give to this policy?			
High full EIA within 6 months, or before approval of policy	Medium Full EIA within one year of screening	Low Full EIA within three years of screening	Screen out No further EIA required at this time
✓			

Please consider if timescale for EIA will be affected by any other influence e.g. Committee deadline, external deadline, part of a wider review process?

Please explain fully the reasons for this judgement, where “screened out” here you must include information how your decisions are justifiable and evidence based.

This policy is an important and large scale function. It will be impacting on a wide range of people and will impact on protected characteristic groups. The policy will enhance equality of opportunity for learners and could positively impact on the ability to use the Welsh Language.

A full consultation and engagement exercise took place between November 2018 and February 2019 with a further phase of consultation planned for November 2019 to January 2020 (subject to Cabinet approval). Following all consultations a full equalities impact assessment will be completed.

Who will carry out the full EIA?	Specialist Officer: Post-16 Education and Training
Full EIA to be completed by (Date):	April 2019
Date EIA screening completed:	
Approved by (Head of Service):	

When complete, this form must be retained by the service area. The EIA screening should be recorded as complete on share point (your business manager has access to share point). The EIA screening should be referenced and summarised in the relevant cabinet report for this policy. Where a full EIA is needed this should be included as an appendix with the 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

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 2019

REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT

COMMUNITY LEARNING GRANT – EAST HUB

1. Purpose of report

- 1.1 This report provides Cabinet with information regarding Welsh Government's (WG) Community Learning Grant and the East Hub project.

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 Following a full service restructure of Integrated Working and Family Support services in April 2015, three multi-disciplinary locality teams were created; moving from a stand-alone service model to an integrated Early Help Team structure, co-located with safeguarding teams. Each Early Help Locality Team was formed to include the following professional roles: family support workers, family engagement officers, parenting workers, Flying Start parenting workers, educational welfare officers, school-based counsellors and lead workers. This service has since developed and now includes police community support officers. In addition, the locality hub model was created to allow for close integrated working with professionals from other departments including locality Safeguarding Teams and Inclusion Service, Education Psychology Service staff and non-local authority professionals including health visitors and police liaison officers.
- 3.2 Accommodation was secured for the North Hub in Coleg Cymunedol Y Dderwen and for the West Hub in Pyle Life Centre. However, there was no budget available to allow for a bespoke multi-agency hub for the east locality and as an interim measure, space was secured in Civic Offices for eight desks adjacent to the Safeguarding East Team. Since 2015, the Early Help Team has expanded from 14 staff to 23, which has presented challenges for effective desk sharing and has led to more off-site working and homeworking which can have a detrimental effect on timely information sharing and joint working. The lack of working space has prevented other professionals, such as behaviour support, ancillary support and educational psychologists, becoming embedded within the service model in the east locality.

- 3.3 The current staffing levels for Safeguarding have also increased since the restructure and now stands at 24 members of staff. This presents similar challenges of office space and the ability to undertake effective joined-up working between Early Help and Safeguarding staff.
- 3.4 Effective early help relies upon local organisations and agencies working together to identify children and families who would benefit from early help. Working together across the partnership will share intelligence and identify needs at the earliest opportunity, building confidence so practitioners identify needs as early as possible and take responsibility for getting them resolved. The proposed hub would ensure that services are locally accessible; working within the existing geographical location/structure to develop multi-agency and joint services, which are clear about what support is on offer and how it can be accessed. There is already existing partnerships with Flying Start, Families First and South Wales Police with their staff being based within the hubs and this approach can be further developed through ongoing collaboration with third sector partners. The service vision is to relocate health visitors within each of the locality hubs and this will further develop and strengthen the model.
- 3.5 Partner providers can reach out to those families and communities who are reluctant to engage to ensure that the needs of vulnerable children and young people are met through close working with the Early Help Hub, assisting with building relationships and trust with children and families to provide a range of services. The proposed hub will allow for effective engagement with community members and third sector agencies as Early Help services will consistently be delivered from one venue. Families that face multiple barriers to sustained engagement with services require services to be delivered from a single point in the community. Being based in a formal civic centre is a real barrier to this model of community-based, family-centred support as the office does not lend itself to informal access.

4. Current situation

- 4.1 In December 2018, WG invited local authorities across Wales to submit expressions of interest (EOI) against a £15m capital budget to create community learning hubs. The funding would be available in 2019-2020 with the funding to be used by 31 March 2020.
- 4.2 It was recognised that relocating the East Hub from Civic Offices to Brynteg School would significantly improve integrated working. An EOI was submitted for £1.044m of funding which was accepted by WG. In April 2019, a funding bid for the £1.044m received WG approval.
- 4.3 A scheme was developed in consultation with key stakeholders, and comprised of a new detached, single-storey building of approximately 313m². A car park for use by the hub staff would be provided by utilising the current sixth-form car park, located adjacent to the proposed development site. Parking throughout the school site is being rationalised as part of an ongoing strategy to improve safeguarding. The scheme includes the demolition of an existing dilapidated temporary double mobile classroom, in order to create space for the new provision.

- 4.4 The tender was let by utilising the SEWSCAP 3 framework; the time allowed for the process ran concurrently with the planning process. Tenders were returned and assessed, however, they were significantly over the available construction budget. The scheme received planning approval on 24 October 2019.
- 4.5 The increased construction cost and a delay in the planning process has had a detrimental effect in achieving WG's required spend by 31 March 2020. WG was kept informed of this issue. Officers submitted a request for additional funding of £284,351 and also requested that monies are vired across financial years. This request received WG approval on 5 November 2019.
- 4.6 A pupil voice session has been held with Brynteg School Council. The School Council identified benefits to the school and community which included:
- access to service and improve wellbeing of pupils;
 - help to promote good attendance at the school;
 - improved facilities;
 - improved support for families;
 - co-location of staff will improve communication and relationships; and
 - more effective contact sessions.
- 4.7 Brynteg's School Council expressed concerns regarding parking and access to the school from Brynteg Gardens. The alternative arrangements were explained (ie access off Eweny Road plus the construction of a new footpath to allow safe entry into the school from that location).
- 4.8 The Headteacher of Brynteg School has offered the project his full support.

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 initial assessment has identified that there is no disproportionate impact on any protected group.

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

- 7.1 The Well-being of Future Generations (Wales) Act 2015 assessment template has been completed and a summary of the implications from the assessment relating to the five ways of working is below:
- Long-term: The scheme has been identified through a collaborative strategic approach with officers from key departments of the Council including education, planning and corporate landlord plus headteacher representation. The group considered current and projected data including capacity and building condition.

- **Prevention:** The scheme has been identified to ensure that forms of working are geared towards reducing the number of children and young people open to statutory services. A more integrated, multi-agency, community-based service will better support this outcome.
- **Integration:** Construction has been competitively tendered, thereby achieving best value for money. Main contractors will be asked to advertise work on Sell to Wales which will potentially provide opportunities for local small or medium-sized enterprises (SMEs) to tender for the construction, which would support economic activity in the area. Community benefits will be maximised.
- **Collaboration:** The local authority works effectively with schools, Estyn, Central South Consortium (CSC), health, community councils and many internal and external partners to ensure that the building meets the short-term and future needs of the users and the community which it will serve. Officers will work with technical colleagues developing the scheme to ensure that the building design is sustainable and energy efficient. In evaluating the list of options available, consideration will be given to how best make the schemes work effectively in order to maximise the use of resource and capitalise on the expenditure ensuring the schemes meet the needs of current and future generations.
- **Involvement:** Schemes are subject to a long list of options, which include site. These are systematically evaluated. Work involves the engagement of all potential stakeholders including Cabinet, members, governors, staff, pupils, community, internal and external partners which will include third sector organisations.

8. Financial implications

- 8.1 WG funding approval has been received for the total project costs (ie £1,328,351).
- 8.2 The operational model for the East Hub and the links with Brynteg School have been considered throughout the project. Governors have been given assurance that the East Hub will be a cost neutral project for the school and a service level agreement will be developed regarding the responsibilities of the East Hub/school going forward in relation to the new building.
- 8.3 Revenue funding to support the proposal in the long term has been agreed. The ongoing revenue commitment of £20k per annum will be 50/50 jointly funded by the Social Services and Wellbeing Directorate and the Education and Family Support Directorate.

9. Recommendations

- 9.1 Cabinet is recommended to:
- note the contents of this report; and
 - approve the development of the East Hub on the site of Brynteg School as indicated in this report.

Lindsay Harvey
Corporate Director - Education and Family Support

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Background documents

- Equalities Impact Assessment
- Wellbeing and Future Generations Assessment

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 NOVEMBER 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 paragraph 4.1.

2. Connection to corporate improvement objectives/other corporate priorities

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

- **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.

4. Current situation/proposal

4.1 For the six schools in the table below, all six 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
Mr Gareth Pope	Brynmenyn Primary School
Mr Christopher Williams	Cefn Glas Infants School
Pastor Paul Evans	Corneli Primary School
Ms Dawn Evans	Cynffig Comprehensive School
Cllr Richard Collins	Plasnewydd Primary School
Dr Julie Withecomb	Nottage Primary School

4.2 Subject to the above appointments being approved, there are still 21 vacancies that need to be filled in 15 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 paragraph 4.1.

Mr Lindsay Harvey
Corporate Director, Education and Family Support

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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 (to the end of December 2019)

Name of school	Number of current and forthcoming vacancies
Archbishop McGrath Catholic High School	1
Porthcawl Comprehensive School	1 (from November 2019)
Abercerdin Primary School	1
Brackla Primary School	1
Cefn Cribwr Primary School	1
Cwmfelin Primary School	1
Llangewydd Junior School	2
Llangynwyd Primary School	3 (1 from November 2019)
Mynydd Cynffig Primary School	2
Newton Primary School	1
Porthcawl Primary School	1
St Mary's Catholic Primary School	1
St Robert's Roman Catholic Primary School	2
Tondu Primary School	2
Ysgol Gynradd Gymraeg Calon Y Cymoedd	1
TOTAL VACANCIES	21