

MINUTES OF A MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 19 JUNE 2019 AT 15:00

Present

Councillor SE Baldwin – Chairperson

S Aspey	JPD Blundell	NA Burnett	MC Clarke
RJ Collins	HJ David	PA Davies	DK Edwards
T Giffard	RM Granville	CA Green	DG Howells
A Hussain	B Jones	M Jones	DRW Lewis
JE Lewis	JR McCarthy	DG Owen	D Patel
RL Penhale-Thomas	AA Pucella	JC Radcliffe	KL Rowlands
B Sedgebeer	RMI Shaw	SG Smith	JC Spanswick
RME Stirman	T Thomas	JH Tildesley MBE	E Venables
KJ Watts	CA Webster	DBF White	PJ White
AJ Williams	HM Williams	JE Williams	

Apologies for Absence

TH Beedle, N Clarke, P Davies, J Gebbie, RM James, MJ Kearns, CE Smith, G Thomas, SR Vidal, MC Voisey, LM Walters, A Williams and RE Young

Officers:

Susan Cooper	Corporate Director - Social Services & Wellbeing
Lindsay Harvey	Corporate Director Education and Family Support
Gail Jewell	Democratic Services Officer - Scrutiny
Gill Lewis	Interim Head of Finance and Section 151 Officer
Andrew Rees	Democratic Services Manager
Helen Rodgers	Revenues Manager
Mark Shephard	Chief Executive
Kevin Stephens	Democratic Services Assistant
Kelly Watson	Head of Legal & Regulatory Services

327. DECLARATIONS OF INTEREST

None.

328. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meetings of Council of 17 April and 1 May 2019 and the Annual Meeting of Council of 15 May 2019 be approved as a true and accurate record.

329. TO RECEIVE ANNOUNCEMENTS FROM:

Mayor:

The Mayor informed Council of the engagements which he had undertaken since his Inauguration, which included attending the Maesteg Festival and attending Porthcawl YMCA to mark the 175th Birthday of the National organisation. His proudest moment so far came at the Young Enterprise Company Wales Finals at the University of South Wales Cardiff, where he met pupils from Archbishop McGrath Comprehensive School and learned about their business 'Archways', which is an essential oil scented revision

tool. The pupils won the overall Wales final and will now progress to represent Wales in the UK final of Young Enterprise. The Mayor wished the pupils the very best of luck.

Deputy Leader

The Deputy Leader announced that the Council is marking today's National Refill Day, which aims to cut down on single-use plastic by encouraging restaurants, cafes and businesses to offer customers a free refill on a reusable bottle. Businesses can register online at refill.org.uk, while people can download an app which shows them where they can fill up their reusable bottles.

He also informed Members of reports concerning two men trying to impersonate the new 3GS enforcement litter officers, by demanding instant cash payments for supposed littering offences. He urged the public to watch out for the scam and stated that the enforcement officers always wear official ID badges and lanyards and never ask for a cash payment. Enforcement officers issue a ticket which details the offence and giving payment options.

The Deputy Leader informed Members of two Community Asset Transfer projects. Firstly, the all-new skate park at Pencoed, which is drawing a lot of visitors. The £59,000 project is the result of a partnership between the authority and Pencoed Town Council. Secondly, Bryncethin Rugby Club has undergone a £550,000 transformation to become a new community centre, which is the result of hard work by the Club with support from the Community Asset Transfer team. Both projects have been delivered for the benefit of their local communities.

Cabinet Member Social Services and Early Help

The Cabinet Member Social Services and Early Help informed Members that the carers choir, Off Duty have marked carers week by releasing their first charity single and video. He stated that the choir was formed to give local carers a chance to have time for themselves and to socialise. The choir has been set up with support from the Council, Awen Cultural Trust and the Bridgend Carers Centre.

He was delighted to see a new initiative called 'Super-Agers' for improving the mental and physical health of older adults receiving a share of £5.4m funding. The scheme is designed to establish a regional physical activity programme for adults aged 50 plus to help them live active, healthy lifestyles while reducing pressure on support services. The scheme is one of 17 projects to benefit from the Healthy and Active Fund set up by the Welsh Government, Sport Wales and Public Health Wales.

Cabinet Member Wellbeing and Future Generations

The Cabinet Member Wellbeing and Future Generations announced that the former Spar shop and space above the job centre in Commercial Street in Maesteg is to be transformed with the development of 12 accommodation units, due to an empty properties grant of £105k. The accommodation will create more opportunities for people to live within town centres and are aimed at people of all ages who are employed, who have no significant support needs and no known anti-social behaviour or drug and alcohol histories. The grant funding further obliges the project to meet all Rent Smart Wales requirements and are to be let and managed by a responsible landlord.

Chief Executive

The Chief Executive announced that the annual electoral canvass would commence next week, in that text messages will be issued to householders advising of the canvass

and encouraging them to respond with their details. He reassured Members that the text messages will be sent by an organisation called i-Dox, with the first phase ending on 7 July. Canvass forms will be delivered by staff between 7 July and 4 August, with the second stage delivered by mail on 27 August. The third and final stage will run from 28 September to 1 November.

He also informed Members that Kier have announced that the company will be focusing its efforts on construction and road maintenance. Officers are liaising closely with Kier seeking further clarification following their announcement. He stated that the Council has responded to the BBC and social media requests to highlight that the recycling and waste collection service is currently the second-highest performing in Wales and to reassure residents they will not experience any immediate changes to the recycling and waste collection service. The Chief Executive informed Members that there is a seven year contract in place with Kier, which includes safeguards such as bonds which could be used to ensure there is a continuation of service and that any eventual transition would include an appropriate lead-in time and plenty of notice would be provided of issues of any significance.

Monitoring Officer

The Monitoring Officer requested that Members note a change to the membership of the Standards Committee in that Councillor P Davies will replace Councillor DRW Lewis.

330. TO RECEIVE THE REPORT OF THE LEADER

The Leader announced that the Council is continuing to work with partners including Welsh Government in response to the announcement that Ford is proposing to close its Engine Plant next year. A high-level meeting of local business leaders and employers is being organised to discuss working together to help the local economy respond and rally to the proposed closure. The Council is also relaunching two major funding initiatives that will support supply chain companies and businesses affected by the announcement.

He stated that Ford has long been considered an anchor company in the South Wales economy, and the Special Regeneration Fund will help local companies to diversify and invest in order to thrive and take advantage of new business opportunities. The Kick Start fund seeks to support new businesses and create fresh jobs within their first three years of trading by helping them invest in equipment and other capital start-up costs.

Welsh Government is also taking swift and urgent action with news that a special response team is being assembled to support workers, businesses and local communities. The Council will offer workers at the engine plant redundancy support and access to new employment and training opportunities. He stated that the staff at Ford are highly skilled, world-class workers, and wherever possible, the Council will encourage other businesses within the county borough to offer them alternative employment. There are a number of initiatives in place which can support this, such as the ReAct fund which helps new employers meet recruitment and training costs, or the Employability Bridgend Programme which helps people to adapt, re-train, gain new skills and take advantage of fresh opportunities.

He stated that if the closure goes ahead, Bridgend County Borough is going to need significant investment from both the UK Government and Welsh Government in order to offset some of the huge impact that this will have on the local economy, the area and the community as a whole. The Leader announced that he will keep Members updated on this very concerning matter.

The Leader announced that full public access has been recently restored to the all-new Town Beach in Porthcawl. The completion of the new £3m sea defences has radically transformed the area previously known as the Tarmac Beach. The design of the terraces in action divert the force of each incoming wave to either side instead of allowing it to hit the seafront area head-on. This will ensure 260 seafront properties are protected, including the Grand Pavilion, from flooding and coastal erosion. He thanked all involved delivering the project.

The Leader congratulated Archbishop Mcgrath School which was recognised at the Young Enterprise Wales awards recently after pupils set up a project called 'Archways' which promotes aromatherapy as a personalised study aid. The awards help build transferable skills and encourage innovation, and Archbishop won first place and will now represent Wales at the UK national awards. Ysgol Bryn Castell has received a glowing inspection report and a 'good' rating from Estyn, with Inspectors recognising the high-standard of teaching and strong progress made by pupils at the school.

331. TO RECEIVE THE FOLLOWING QUESTIONS FROM:

Question from Councillor T Thomas to the Cabinet Member Wellbeing and Future Generations

Will the Cabinet Member outline the key recommendations on the recent HM Inspectorate of Probation report on youth justice services in Western Bay?

Response of the Cabinet Member

Her Majesty's Inspectorate of Probation's recommendations can be found on page 7 of the full inspection report.

There were 14 recommendations made in relation to a number of partners they are detailed below:

Western Bay Youth Justice and Early Intervention Service Management Board should:

1. Review and clarify its role and function, include all statutory partners and work in an effective way to make sure that the service operates to a sufficient standard.
2. Make sure that partnership agencies provide appropriate support and services.
3. Develop effective oversight of the service's work and effective challenge to partners.
4. Develop a clear plan to manage disaggregation of individual youth offending teams from the service to limit any detrimental effect on the remaining parts of Western Bay Youth Justice and Early Intervention Service.
5. Provide the resources and support to the management team to manage the service effectively.
6. Review the role and function of the prevention service.

The Western Bay Youth Justice and Early Intervention Service Manager should:

7. Make sure that all staff have appropriate supervision and management oversight.
8. Review the management structure and lines of accountability.

The directors of children's services should:

9. Monitor and review all cases where there are safety and wellbeing issues, making sure that appropriate referrals are made and joint work takes place as needed.
10. Improve the quality (and awareness from staff) of the referral systems so that children and young people receive the services they need.

The local authority education services should:

11. Review the effectiveness of information-sharing protocols to ensure that all schools and workers involved have the information they need to provide support tailored to children and young people's individual needs.
12. Develop effective strategies to encourage children and young people who speak Welsh to access services in their preferred language, and to use, develop and recognise the value of the language as an employment skill
13. Develop a literacy and numeracy strategy to support children and young people to develop these skills.

Abertawe Bro Morgannwg University Health Board should:

14. Provide relevant and timely physical, sexual, emotional and mental health services to meet the needs of children and young people to reduce further harm and promote wellbeing.

Councillor Thomas asked what plans the Cabinet Member has to implement the recommendations of the Probation Inspectorate. The Cabinet Member Wellbeing and Future Generations that a post inspection action plan had been reported to Cabinet in April 2019. The post inspection action plan is monitored by partners, with the Youth Justice Board being satisfied with the good progress made to date. The Corporate Director Education and Family Support informed Council that extensive work is being undertaken with staff and partners, with the post inspection plan being monitored by the Youth Justice Board on a fortnightly basis. He also informed Members that the structure of the service had been reviewed. Reviews of statutory cases being completed, prior to non-statutory reviews commencing.

Councillor J-P Blundell asked what means the Inspectors used to assess the service. The Corporate Director Education and Family Support stated that the Inspectors undertook the inspection over a 2 week period. As part of the inspection, interviews took place with 12 Case Managers, Directors and Chief Executives and 31 cases were examined. A Member commented that he was reassured having attended a recent meeting of the Public Service Board that all agencies are working together.

Question from Councillor R Stirman to the Cabinet Member – Social Services and Early Help

Could the relevant Cabinet member please advise the extra cost to BCBC of supplying care and support to members of the secure estate since the grant from WG was shared across all 22 Local Authorities rather than by direct grant to those LA's who had a prison within their boundaries?

Response of the Cabinet Member

The Secure Estate Grant 2017/18 from Welsh Government was £217,500; this was transferred into the RSG for 2018/19; the allocation was split across all 22 authorities and is difficult to quantify the exact sum as it is based on various formulas. It is estimated that the council receives approx. £18,000 within the RSG for the secure estate. Therefore approx. £200k shortfall of funding and the estimated additional cost to Bridgend CBC, based on the budget for 2017/18. This budget was set three years ago and the actual costs are kept subject to annual review.

The Council has made representations to Welsh Government and the Distribution Sub Group (DSG) about this change in allocation. The DSG discussed the matter following representations but no change was made to the distribution methodology.

Councillor Stirman asked whether prisoners following their release would be entitled to receive benefits from this authority? The Cabinet Member Social Services and Early Help stated that prisoners following release would only be entitled to receive benefits from this authority only if they are residents of the County Borough.

A Member questioned whether this authority was treated adversely due to it having a prison. The Corporate Director Social Services and Wellbeing stated that the situation is different to other local authorities which have prisons, in that Parc Prison is the only private one in Wales. It also has longer term prisoners compared to Cardiff and Swansea prisons which are remand prisons, whilst Usk is an open prison and Wrexham prison is larger than Parc. Parc Prison has a lot of older prisoners serving long sentences, with many having mental health and learning disability problems and suffering from dementia. She stated that the requirements to support the secure estate was more difficult to meet compared to other prisons.

Question from Councillor A Hussain to the Deputy Leader

To what extent has the Deputy Leader engaged with businesses in Bridgend County Borough to tell them that Discretionary Rate Relief may be available to them, as only a third of those eligible for this relief are getting it?

Response of the Deputy Leader

The Council has taken a very proactive approach to the various rate relief schemes as set out below. Application forms for the most recent scheme were sent out soon after the Cabinet decision to adopt the scheme and a press release is due to be released this week.

The application form is now available on line and reminders will be sent at the end of June.

There are currently 3 types of rates relief schemes in place for business rates payers:
Small Business Rates Relief (SBBR)
This was introduced in 2007. Automatically applied.

Transitional Relief

Following the 2017 non-domestic rates revaluation by the Valuation Office Agency, transitional relief was implemented to support ratepayers whose eligibility for Small Business Rate Relief (SBBR) would be affected as a result of the revaluation. It is a 3 year scheme, finishing in 2019/20, where the ratepayer pays 25% of the increase in the 1st year, 50% in the 2nd year and 75% in the 3rd year. The increase must have been over £100. The relief is automatically awarded via our Business Rates system.

High Street and Retail Rates Relief (HSRR) The Welsh Government has provided guidance to local authorities on the administration of the High Street Relief scheme for each of the 5 years that it has been in operation 2014/15, 2015/16, 2017/18, 2018/19 and 2019/20. There was no scheme in 2016/17. The guidance also states that it is for each local authority to determine how they wish to administer the scheme in order to maximise take up and minimise the administrative burden for the ratepayers and the local authority staff.

There have, in fact, been 3 different High Street Relief schemes in operation for the years 2014/15 and 2015/16, 2017/18 and 2018/19 and the current scheme for 2019/20. Each scheme has had different criteria based on the rateable value and the businesses' entitlement to Small Business Rates Relief and or Transitional Relief.

Each year a report has been presented to Cabinet by the Deputy Leader, for the scheme to be adopted before any relief can be awarded. Each year the report has been approved for the relief to be awarded on an application basis only. Applications for this relief can be made up to and including the 31 March of the year the relief relates to.

2017/18

- the report went to Cabinet for approval on 27/06/17
- on 25/07/17 and 04/08/17, 97 and 309 bespoke letters and forms were sent to each eligible business
- on 21/2/18 115 second letters and forms were sent to remind businesses to apply before the end of financial year
- for the year 2017/18, 289 applications were received and relief awarded.

2018/19

- * the report went to Cabinet for approval on 19/06/18
- * on 27/06/18 and 12/07/18, 80 and 298 bespoke letters and application forms were sent to each eligible business
- * on 12/11/18 second letters and forms were sent to remind businesses to apply before the end of financial year
- * for the year 2018/19, 275 applications were received and relief awarded.

2019/20

For the current year the WG announced in the December budget, that a scheme would be running this year. The guidance for the scheme was received at the end of January 2019. The WG require us to provide a signed letter of acceptance for this funding by 03/05/19 which has been completed.

The report for the Rate Relief Scheme for 2019/20 was taken to Cabinet on 16/04/19.

Once the scheme had been approved, the data relating to eligible ratepayers was rechecked to confirm the businesses were still eligible, and bespoke pre-populated letters and application forms were then sent to eligible ratepayers on 02/05/19. A bespoke letter and application form is sent to assist the correct ratepayer to apply for the eligible relief. Also, as the account number is on the enclosed application form when it is returned to the digital office it can be scanned and indexed to the correct account so the eligible ratepayer will receive their relief quicker.

To date, as at 5/6/2019, 706 bespoke letters and application forms have been sent out and 373 have been returned to us of which 340 accounts have already been awarded with the relief. The remaining forms will be processed by the end of June at which point

a further letter and application form will be sent to those businesses that have not returned the original form. As a result of this relief, instalments have been recalculated if there is still an outstanding balance and if the account has gone into credit a refund has been issued. In relation to the current year a second letter and application form will be sent to those that have not returned their forms by the end of June.

Bridgend has always chosen to award this relief on an application basis. This is to ensure that the information we hold is correct in so far as that the property is still occupied and occupied by the business held on our system. When comparing how many businesses qualified last year compared to the forms sent this year, even if those businesses that qualified last year were awarded the relief automatically there would still have been a need to send out 428 bespoke letters and application forms.

This year, the scheme was adopted by the Council much earlier than in previous years and the application forms sent out shortly after. Also the maximum relief that can be awarded is the highest amount so far. Priority has been given to the applications received which are currently being worked on and the applicable relief awarded to the accounts. This will result in revised bills being issued and any overpayments being refunded.

At the time the application forms were issued, information regarding the relief was made available on the BCBC website. Online applications forms were also available from 07/06/19. These application forms will automatically be directed to the Taxation Section to be worked on.

If, the Welsh Government decide to continue the High Street Relief scheme in future years then we will continue to review options on the administration of the scheme. This will enable us to determine the optimum approach in order to maximise take up and minimise the administrative burden for the ratepayers and the local authority staff. Currently this information is being gathered from all Welsh authorities.

Councillor Hussain questioned why other Councils were a lot more proactive and quicker in administering this process, whilst we were very slow, which means businesses missed out (and financial hardship caused as a result) and has the Leader had any discussion with the Minister about it and if so, would the Leader please share it with us? The Deputy Leader informed Council there are 3 schemes available to businesses. Small businesses are able to receive high street relief and will receive a letter to sign and return to the Council. He believed the process in place to be efficient and it ensured that funding was going to the right place, with 300 businesses having returned the forms, with 200 businesses allocated funding. A reminder letter will be sent to businesses requesting that they complete and return the form. The Deputy Leader was aware that some authorities offer different schemes to support business rate payers.

The Interim Head of Finance informed Council that all authorities in Wales administer the scheme differently. She confirmed that letters were sent out to businesses in May, some Councils had not done so yet. Larger businesses would not be eligible to receive support and some businesses if supported, would breach state aid. The Interim Head of Finance stated that businesses had not lost out, with forms being applied immediately. The relevant forms are available online.

The Leader urged businesses that are eligible to receive funding to get in touch with the Council.

Question from Councillor M Voisey to the Deputy Leader

Would the deputy leader please advise council, of what sanctions if any, have been imposed on Kier, in regards the waste contract, since appointment?

Response of the Deputy Leader

Since the appointment of Kier as the Council's waste contractor for a seven year period starting in April 2017, the Council has issued 482,814 contractual default points and £87,500 in financial penalties (to the end of April 2019). The majority of these relate to the early months of the contract and the well-publicised issues at that time, although the default figures are a little meaningless without a detailed understanding of the contract.

The Council continues to monitor and manage the contract diligently and issues defaults on a monthly basis, but in the main the contract is now operated efficiently and effectively and has ensured that the Council has delivered the second highest recycling figures in Wales at just under 69%, well over the current Welsh Government statutory target of 64%.

A Member requested information on the nature of the defaults and sought assurances that penalties are enforced. The Deputy Leader stated that many of the penalties were incurred early into the contract and their value was low in comparison to the value of the overall contract. He also stated that demand for recycling equipment, particularly the kitchen caddies had been under estimated. In the event of defaults, Kier does not pay the Council, the Council would withhold payment to Kier. The Chief Executive informed Council that defaults are applied to every element of the contract, most defaults were applied to the first 3 months of the contract.

A Member asked what contingencies are there in place in the contract. The Chief Executive stated that the contract contains a significant Bond. He stated that Kier had indicated that they would not apply for waste contracts again and there was no indication they would not honour their contract with the Council.

332. **ESTYN INSPECTION OF BRIDGEND COUNTY BOROUGH COUNCIL'S LOCAL GOVERNMENT EDUCATION SERVICES**

The Corporate Director Education and Family Support informed Council of the outcomes of the recent Estyn inspection of the Council's local government education services.

He reported that the inspection was carried out by Estyn in March 2019, under the new Local Government Education Inspection Framework. Inspectors from the Wales Audit Office and Care Inspectorate Wales were part of the inspection team. A wide range of stakeholders were involved in the inspection, which included elected Members, officers, head teachers, learners and members of the public.

The Corporate Director Education and Family Support highlighted to Council the strengths and areas for development in relation to Inspection Area (IA) 1 – Outcomes; IA2 – Education Services and IA3 – Leadership and Management. He also highlighted the recommendations made by Estyn. He stated that in recognition of the notable practice by the authority, it had been requested by Estyn to provide a case study on its work in relation young people's involvement in decision-making processes in schools and the local authority, for dissemination on Estyn's website.

The Leader commented that the authority would ensure that the recommendations made by Estyn are implemented in a timely way in the post-inspection plan. He was pleased to note that Estyn had recognised the Council's work in relation to involving young people in the decision-making process, holding monthly meetings with the Youth Mayor and it valued the input of the Youth Council in making policy. He thanked the Corporate

Director Education and Family Support, officers, all Members of Council and stakeholders for making a difference to young people.

A Member of Council requested an update on the progress being made with the post inspection plan. The Corporate Director Education and Family Support informed Council that a detailed plan had been drawn up to look at the key priorities and he welcomed the involvement of scrutiny in that.

A Member of Council questioned what was being done to identify and provide support to young carers. The Corporate Director Education and Family Support stated that work is ongoing to support young carers, but there was need for young carers to identify themselves in order that they can receive support.

A Member of Council questioned the support provided to vulnerable groups where pupils' attendance at school could be adversely affected by having to attend hospital appointments. The Corporate Director Education and Family Support commented that the Directorate is working with health and partners to support vulnerable groups. A Vulnerable Groups Team had been set up to work with schools and partners.

Concern was expressed by a Member at the standard of literacy in primary schools, with reliance being placed on the Consortium and whether the Council was receiving value for money from the Consortium. The Corporate Director Education and Family Support informed Council that reading tests were in line with expectations. He stated that 3 primary schools are causing concern and work is in progress with the Consortium to address the situation. He also stated that the Consortium receives value for money from the services of the Consortium. He informed Council that he would be required to submit the post inspection plan to Estyn for sign off.

RESOLVED: That Council noted the contents of the report.

333. REVIEW OF POLITICAL BALANCE - CHANGES TO COMMITTEE MEMBERSHIP

The Monitoring Officer advised Council of the outcome of a review of the political balance of the Authority resulting from a change to the membership of the Plaid Cymru Group and sought approval of the revised political balance. She informed Council that Councillor R Stirman would no longer sit as a stand-alone Independent member and has joined the Plaid Cymru Group. The change does not affect the seats currently allocated to Councillor Stirman.

RESOLVED That Council:

- (a) Noted the change to the political composition of the Council;

Approved the allocation of seats to political groups in accordance with the political balance rules as set out in Appendix 1 of the report;

334. INFORMATION REPORT FOR NOTING

The Head of Legal and Regulatory Services reported on the following information report which has been published since the last meeting of Council:

Urgent Delegated Decisions

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

335. URGENT ITEMS

There were no urgent items.

336. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contained exempt information as defined in Paragraph 12 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the under-mentioned items in private with the public being excluded from the meeting as it would involve the disclosure of exempt information as stated above.

337. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the exempt minutes of the meetings of Council of 17 April and 1 May 2019 be approved as a true and accurate record.

The meeting closed at 16:20