

**MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY - VIA MICROSOFT TEAMS ON TUESDAY, 20 JULY 2021 AT 14:30**

Present

Councillor HJ David – Chairperson

CE Smith  
SE Baldwin

HM Williams

D Patel

NA Burnett

Apologies for Absence

Officers:

Janine Nightingale	Corporate Director - Communities
Gill Lewis	Interim Chief Officer – Finance, Performance and Change
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Andrew Rees	Democratic Services Manager
Lindsay Harvey	Corporate Director Education and Family Support
Jackie Davies	Head of Adult Social Care
Michael Pitman	Democratic Services Officer - Committees
Pete Tyson	Planning and Contract Management Officer
Jonathan Parsons	Group Manager Development
Joseph Cassinelli	Principal Planning Officer - Strategic Transportation
Wayne Palmer	Principal Engineer - Project Management
Paul Ryan	Senior Development Surveyor

686. DECLARATIONS OF INTEREST

Councillor N Burnett declared a personal interest in agenda item 10 - Suspension of the Contract Procedure Rules for Home-To-School Transport Minibuses and Taxis as she has co-parenting responsibilities for a child with complex needs going through the transition process.

687. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of Cabinet of 18/05/21 and 22/06/21 be approved as a true and accurate record.

688. BUDGET MONITORING 2021-22 QUARTER 1 REVENUE FORECAST

The Interim Chief Officer Finance, Performance and Change reported on an update on the Council's revenue financial position as at 30 June 2021. She informed Cabinet that Council at its meeting on 24 February 2021 approved a net revenue budget of £298.956m for 2021-22 and she summarised the net revenue budget and projected outturn for 2021-22, which showed a net over spend of £904k on directorates and a break even projection on council wide budgets.

The Interim Chief Officer Finance, Performance and Change reported that the Welsh Government had set up a Covid-19 hardship fund, with the Council successfully claiming £15m in expenditure and over £5.5m in loss of income claims in 2020-21. She stated that the Council will continue to claim from the Hardship fund against the eligible criteria and directorates will continue to capture costs incurred as a result of the ongoing impact of the Covid-19 pandemic. Updates will be provided to Cabinet in the quarterly revenue budget monitoring reports.

She informed Cabinet that a Covid -19 Recovery Fund of £1m had been established aimed at boosting recovery that were unlikely to be paid for by the Welsh Government. She highlighted the claims for Covid-19 expenditure which had been made. A further claim for loss of income was being made to the Welsh Government for the first quarter on 23 July 2021. She stated that in addition to the loss of income, the Council is also likely to see a reduction in Council Tax income. A 1% reduction in the collection rate, could equate to additional pressure to the Council of £1m.

The Interim Chief Officer Finance, Performance and Change reported on position of outstanding prior year budget reductions, in that for 2012-22 there is likely to be a shortfall of £310k and she highlighted the proposals still not likely to be achieved. She highlighted the position of budget reductions in 2021-22, which showed a projected shortfall of £65k, the most significant being the re-location of the Community Recycling Centre from Tythegston to Pyle.

The Cabinet Member Communities referred to the claims on hold and was grateful for the funding made available to support homelessness but noted the tapering of funding. He questioned what claims are on hold and whether it would impact on homelessness. The Interim Chief Officer Finance, Performance and Change informed Cabinet that during lockdown the Council ensured that all homeless people received accommodation, however the Council has a growing number of people in temporary accommodation, with 170 to 200 people per week who present as homeless. The tapering of funding will cause a pressure on the Council's budget, where costs are not funded. The Leader informed Cabinet that the Council is working with its partners on innovative housing solutions and there was a need to increase the pace, due to the increase in homelessness.

The Cabinet Member Social Services and Early Help referred to the many underspends contained within the report, which reflects a lack of capacity and is a negative impact on staff. The Chief Officer Legal, HR and Regulatory Services informed Cabinet that the underspends were not attributed to savings, but where there are vacancies in posts which cannot be cut. Managers are doing their best and are looking at innovation, including opportunities for apprenticeships and a graduate scheme.

The Deputy Leader stated that the Council has been reliant on the funding it has received from the Welsh Government hardship fund and that it is still experiencing the impact of the pandemic along with austerity measures. He questioned the reason for the level of underspend on the adult community learning budget. The Corporate Director Education and Family Support commented on the importance of the adult community learning service, which had seen difficulties being experienced in recruitment to fill vacancies. However due to the pandemic, there had been increased levels of grant funding which had enabled courses to be delivered online.

The Leader commented that the Council will continue to make representations to the Welsh Government, which in turn receives its funding from the UK Government due to the financial pressures faced by the Council and to ensure that services are fully funded.

689. **RESOLVED:** That Cabinet noted the projected revenue position for 2021-22.  
**CAPITAL PROGRAMME OUTTURN 2020-21 AND QUARTER 1 UPDATE REPORT 2021-22**

The Interim Chief Officer Finance, Performance and Change presented a report to comply with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code for Capital Finance in Local Authorities; provided an update on the capital outturn for 2020-21; provided an update of the capital position for 2021-22 as at 30 June 2021; sought agreement from Cabinet to present a

report to Council for approval a revised capital programme for 2021-22 to 2030-31 and to note the projected Prudential and Other Indicators for 20221-22.

The Interim Chief Officer Finance, Performance and Change reported that Council on 26 February 2020, approved a capital programme, which had been further revised and approved by Council during the year. The most recent programme for 2020-21 of £35.440m approved by Council in February 2021 as part of the Medium Term Financial Strategy, of which £12.419m is met from the Council's resources, including capital receipts, revenue contributions from earmarked reserves and borrowing, with the remaining £23.021m coming from external resources. She informed Cabinet of amendments to the capital programme, with new approvals of £3.060m as a result of a new grant schemes from the Welsh Government, which include £2.329m School Maintenance Grant, £0.149m for the East Hub at Brynteg Comprehensive, £0.174m Green Recovery grant and £0.148m Circular Economy grant and £0.318m funding brought back from 2021-22 to reflect updated spend profiles, bringing the revised budget to £38.818m.

The Interim Chief Officer Finance, Performance and Change reported on an update on the Council's capital programme for 2021-22 since the budget was last approved by Council which incorporated any new schemes and grant approvals. The revised programme for 2021-22 currently totalled £87.347m, of which £53.067m is met from the Council's resources, including capital receipts, revenue contributions from earmarked reserves and borrowing, with the remaining £34.280m coming from external resources, including General Capital Grant. The Interim Chief Officer Finance, Performance and Change highlighted the position by each Directorate. She summarised the current funding assumptions for the capital programme for 2020-21 and that capital resources are managed to ensure that maximum financial benefit for the Council is achieved, which may include the realignment of funding to maximise government grants.

The Interim Chief Officer Finance, Performance and Change reported on a number of amendments made to the capital programme for 2020-21 as follows:

- 21st Century Schools Band B
- Bryncethin Depot
- Bridgend Heat Network
- Evergreen Hall
- Maesteg Town Hall
- Enable Grant
- Local Government Public Highways Refurbishment Grant
- Fleet
- Active Travel Fund
- Welsh Government Resilient Roads Fund & Ultra Low Emissions Vehicle Transformation Fund Grants
- Maes yr Haul Solar Panels
- Cynffig Comprehensive School External Canopy
- Porthcawl Waterfront Regeneration Scheme

The Interim Chief Officer Finance, Performance and Change also reported on the monitoring of Prudential and other indicators for 2021-22 to 2023-24 together with some local indicators. The Capital Strategy is intended to give an overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services along with an overview of how associated risk is managed and the implications for future sustainability. A number of prudential indicators were included, and approved by Council. In line with the requirements of the Prudential Code, the Chief Finance Officer is required to establish procedures to monitor both performance against

all forward-looking prudential indicators and the requirement specified. She detailed the actual indicators for 2020-21, the estimated indicators for 2021-22 set out in the Council's Capital Strategy and the projected indicators for 201-22 based on the revised Capital Programme, which shows that the Council is operating in line with the approved limits.

The Interim Chief Officer Finance, Performance and Change reported that the Capital Strategy also requires the monitoring of non-treasury management investments and other long term liabilities. She stated that the Council does have an existing investment portfolio which is 100% based within the County Borough and primarily the office and industrial sectors. Income streams are spread between the single and multi-let office investments on Bridgend Science Park, the multi-let industrial estates and the freehold ground rent investments. The total value of Investment Properties was £5.035m at 31 March 2021. She informed Council that it has a number of Other Long Term Liabilities included within the Capital Strategy.

The Deputy Leader in commending the revised Capital Programme stated that it represented a spend of £190m across the County Borough over a period of 10 years to make it a good place to live, work and visit. The capital programme will also assist in meeting the Council's decarbonisation objectives.

The Cabinet Member Communities commented on the importance of the active travel programme for traversing across the County Borough as not everyone has access to their own transport.

The Leader referred to the Enable Grant and asked how it would impact positively on vulnerable people. The Interim Chief Officer Finance, Performance and Change informed Cabinet that the Enable Grant will allow for small scale adaptations to take place to enable people to stay in their own homes and live independently, following their discharge from hospital.

The Leader also requested clarification on the spend on the Resilient Roads Fund & Ultra Low Emissions programme. The Corporate Director Communities informed Cabinet that approximately £0.5m will be used to target roads which are vulnerable to flooding to make them more robust to the impact of climate change.

The Leader further requested clarification on the funding of £2.424m School Capital Maintenance grant. The Corporate Director Communities stated that the aim of the funding is to ensure best value is achieved by tendering for the same scheme across schools to maximise the use of money and to ensure the school estate is fit for purpose.

**RESOLVED:** That Cabinet:

- noted the capital outturn for 2020-21 (Appendix A to the report)
  - noted the Council's Capital Programme 2021-22 Quarter 1 update to 30 June 2021 (Appendix B)
  - agreed that the revised Capital Programme (Appendix C) be submitted to Council for approval
  - noted the projected Prudential and Other Indicators for 2021-22 (Appendix D).
690. **REVIEW OF CORPORATE PLAN TARGETS FOR 2021-22 FOLLOWING THE IMPACT OF COVID-19**

The Interim Chief Officer – Finance, Performance and Change presented the report of the Chief Executive which sought Cabinet endorsement of the proposed changes to Corporate Plan targets for 2021-22 prior to submission to Council for approval.

The Interim Chief Officer – Finance, Performance and Change reported that the Corporate Plan was refreshed for 2021-22 in February 2021, endorsed by Cabinet and approved by Council in line with the normal statutory requirement to review the Corporate Plan annually. As part of the approval process for the refreshed Corporate Plan, it was acknowledged that COVID-19 had an impact on the planning cycle, making it more challenging to set targets for 2021-22. It was agreed by Council that a flexible approach to setting corporate plan targets was necessary to ensure business planning is robust and effective.

The Interim Chief Officer – Finance, Performance and Change informed Cabinet that as part of the COVID-19 recovery planning each directorate had the opportunity to consider targets for 2021-22, based on verified year end data. She stated that proposed changes to targets had been considered at the Corporate Overview and Scrutiny Committee meeting on 5 July 2021 to ensure appropriate challenge and transparency. She set out the proposed target changes, which would be published as an addendum to the current Corporate Plan. As part of a wider review of performance and governance due to the Local Government and Elections (Wales) Act 2021, it was proposed that corporate planning adopts this approach to target setting in future planning cycles, to ensure that the published corporate plan remains up to date with the most recent year end data and avoids the issue of publishing the Corporate Plan without targets due to lack of data.

The Cabinet Wellbeing and Future Generations in commending the approach for revised targets for the Corporate Plan referred to the actual performance for the percentage of people presenting as homeless or potentially homeless, being 50.4% as opposed to the target of 10%, being attributed to the expansion of the duty due to the pandemic and the change in categorisation of who the Council owes a duty to. However, the Cabinet Member reassured Members that the pressure was being dealt with.

The Cabinet Wellbeing and Future Generations informed Cabinet that despite the pandemic the Council had managed to bring 2 dwellings back into use and that the Council is committed to bringing further properties back into use. The Cabinet Member Communities thanked the empty properties team in bringing back properties back into use. He stated that there are many reasons for empty properties in town centres and which were not owned by the Council. The Corporate Director Communities confirmed that the majority of properties in town centres were not owned by the Council and that non-food retail had suffered in town centres during the pandemic, however the Council with the Bridgend Town Centre Masterplan would be looking at employment and living opportunities in the town centre with its partners, with opportunities for retail space on ground floors and residential on upper floors. The Corporate Director Communities informed Cabinet that a similar scheme is in the process of being delivered in Maesteg Town Centre.

The Cabinet Member Communities referred to the number of Community Asset Transfers not achieving its target of 15 transfers and asked whether capacity within the team had been impacted during the pandemic. The Corporate Director Communities informed Cabinet that the target of 15 transfers had been set before the pandemic and she thanked the Community Asset Transfer Officer and team for delivering 13 Community Asset Transfers during the year. She stated that each transfer is subject to a great deal of due diligence and as the target had been missed by more than 10%, it does not reflect on the performance of the team. The team would be strengthened by recruitment to it and she hoped that another 10 transfers would be completed.

The Cabinet Member Communities questioned the reason for the percentage budget reductions achieved being 85.8%, missing its target of 89.42%. The Interim Chief Officer – Finance, Performance and Change informed Cabinet that officers had worked

hard to achieve the budget reductions and assured Cabinet that savings were continually worked on.

The Cabinet Member Social Services and Early Help referred to the wellbeing objectives being demand-led and she paid tribute to the efforts of staff in the Early Help and the Interventions Teams for their exemplary efforts during the pandemic.

**RESOLVED:** (1) That Cabinet approved the revised Corporate Plan targets for 2021-2022 and recommends it to Council for approval on 21 July 2021.

(2) The Cabinet also approved the proposal to introduce a flexible process to review the setting of targets informed by year end data. Any revised targets will then be published as an addendum to the Corporate Plan.

691. **RE-COMMISSIONING REGULATED CARE AND SUPPORT AT HOME**

The Head of Adult Social Care presented the report of the Corporate Director Social Services and Wellbeing on an update in respect of the recommissioning work being undertaken for Independent Domiciliary Care (IDC) and Short Breaks services.

She reported that Cabinet at its meeting in November 2014, approved the remodelling homecare implementation plan, which set out the Council's intentions for meeting the increasing demands for internal homecare and external domiciliary care in a sustainable and managed way. It proposed that a framework agreement be established for the provision of externally commissioned domiciliary care, which allowed the Council to test the current market, strengthen the existing contractual arrangements, and open up the market to new providers, which managed the increased challenges and demands. Cabinet in January 2016, approved the award of a framework agreement to 13 providers for the provision of new packages of domiciliary care for the period 1st April 2016 to 31st March 2018, with an option to extend for a further period of up to 24 months. Following engagement sessions undertaken with stakeholders and providers, Cabinet in January 2017 approved the final commissioning plan for the independent domiciliary care sector in Bridgend, and approved the invitation of tenders to establish a framework agreement for the provision of all packages of commissioned domiciliary care. In September 2017, Cabinet approved the award of a framework agreement to 15 providers (13 existing and 2 new providers) for the provision of domiciliary care for the period 1 January 2018 to the 31 December 2019 with an option to extend for a further period of up to 24 months. The full extension period has subsequently been utilised, with current IDC arrangements ending on 31st December 2021.

The Head of Adult Social Care reported that a series of stakeholder engagement and consultation events took place during 2019/20 to co-produce the model for a new short breaks service. This had resulted in the development of a new pathway for carers' services in Bridgend. A key part of that pathway is to provide appropriate short breaks for carers through flexible delivery of replacement care to individuals in need of care and support, that will provide more voice, choice and control for individuals and their carers through an ability to bank weekly assessed hours for flexible use within a 4-week window. Following a successful tender exercise, approval was granted (via Delegated Powers) to award contracts for the provision of a regulated domiciliary Short Break Service for individuals and their carers in Bridgend. The duration of contracts entered into was 2 years, commencing in July 2019, with the option to extend for up to a further 24 months.

The Head of Adult Social Care reported that safe, flexible and effective care at home services are an essential part of the Council's strategy to help and support individuals to

maintain their independence. As a consequence of increasing the capacity within care and support at home services, it had enabled the Directorate to manage the volume of placements made into care homes. She stated that the demands on care and support at home services post-Covid is still yet to be fully understood, but the service is already experiencing significant increase in need.

The Head of Adult Social Care reported that alongside the demand pressures, the pandemic has highlighted the fundamental importance of care and support at home, and the role of professional care workers, in providing essential personal care and support to highly vulnerable people to keep them safe, well and connected. There was also a fundamentally changing requirement in respect of the social care workforce and specific requirements in respect of registration and qualification, requiring a highly skilled, professional workforce working with people at the most challenging times of their lives. The social care market remained fragile, with recruitment and retention posing a significant challenge.

The Head of Adult Social Care reported on a proposal to establish a flexible and outcomes-focused regulated Care at Home Service, which is about a more outcome focused way of commissioning as well as personal care outcomes. She stated that a market testing event took place in May 2021, following which, the preferred option for recommissioning homecare services is to use a similar model and concept for the service specification, where there will be a clear emphasis on voice, choice and control for individuals and carers. This will help the Council meet its corporate strategy of helping to keep people resilient and live as independently as possible within their own homes. As with the existing framework agreements in place, the proposal is to implement a four year (2 years with the option to extend by 24 months) Framework Agreement, which will bring both service types (IDC and Short Breaks) in line with one another. It is proposed to carry out the recommissioning exercise in the same way as when IDC and Short Breaks services have previously been tendered, where existing packages of care will only possibly move over to a new provider at point of review, in order to minimise disruption and unrest for individuals.

The Head of Adult Social Care reported on the price schedule for IDC and short break rates which had been tested with potential bidders at the market testing event.

The Cabinet Member Social Services and Early Help in commending the recommendations stressed the importance of providers paying staff the real living wage, which will make a significant difference to the care individuals receive and that the authority is setting the pace for other authorities to follow. The Leader was also pleased that this would be a significant step in moving towards commissioned staff receiving the real living wage, which showed the authority's commitment to valuing care staff.

**RESOLVED:** That Cabinet:

- Noted the contents of this report;
- Approved the procurement of a Regulated Care at Home Services Framework Agreement of commissioned specialist providers;
- Delegated authority to the Corporate Director Social Services and Wellbeing to tender the Framework Agreement for the Regulated Care at Home Services Framework Agreement in consultation with the Chief Officer – Legal, HR and Regulatory Services and noted that a further report shall be presented to Cabinet following the conclusion of the procurement of the Framework Agreement for a decision on whether to award the

Framework Agreement and seek approval to enter into the Framework Agreement with successful bidders; and

- Approved a waiver of the Council's Contract Procedure Rules under Rule 3.2.9.3 from the relevant parts of the Contract Procedure Rules for the extension of the existing terms of the Framework for Independent Domiciliary Care for a further 3 months to 31 March 2022.

692. **PORTHCAWL WATERFRONT REGENERATION SCHEME : PROPOSED  
COMPULSORY PURCHASE ORDER**

The Corporate Director Communities sought a formal resolution of the Cabinet to make, advertise, notify and progress confirmation of a Compulsory Purchase Order (CPO) to acquire land, and to authorise the advertisement of the proposed appropriation of Council owned land to planning purposes to support the Porthcawl Waterfront Regeneration Scheme.

The Corporate Director Communities reported on the steps taken and next steps in the making of a CPO to acquire land to enable delivery of this project. She stated that the Council owns land in the Sandy Bay and Coney Beach area, and in 2011 entered into an agreement with a third party land owner to jointly market and dispose of all of the land to enable the wider Porthcawl Regeneration Area scheme to come forward as a key strategic mixed-use development. Disposal was proposed to be to either a single developer or to multiple developers. She stated there are some unoccupied land parcels where title needs to be cleansed or which are in third party ownership and need to be acquired. She stated that the Council has attempted to acquire the third party land through negotiated agreements, where ownership is known. However, to date, it had not been possible to acquire the third party land by agreement and it was considered that the Council should seek to use its powers under section 226(1)(a) of the Town and Country Planning Act 1990 to acquire land compulsorily within the red edged boundary in the draft plan, as described in the draft CPO and for the reasons set out in the draft Statement of Reasons.

The Corporate Director Communities reported on a proposal to provide a mixed-use development consisting of the following components in accordance with the acquiring authorities' strategic plans and policies to create a primary east west vehicular link; a new large open "Griffin Park"; approximately 912 dwellings on the Sandy Bay/Coney Beach Amusement Park sites and in excess of 328 dwellings on the Salt Lake site; recreational and leisure opportunities; retail and commercial development; new and improved parks and open spaces a new school or expansion of existing educational facilities.

The Corporate Director Communities informed Cabinet that the current target for the completion of the scheme is the late 2020's, with the Council seeking to achieve acquisition of the land to be acquired by early 2023 at latest. It was planned to identify the preferred developer or developers, depending upon whether a single or multiple developers are chosen via open marketing of the first phase of the site in early to mid-2022. The aim is to secure the requisite planning consents for the first phase by late 2023. The Council proposes to dispose of the land by tender, once acquisition is complete. It was considered that that there is a compelling case for compulsory acquisition to secure these remaining small areas of land required to deliver comprehensive redevelopment in advance of resolving all the uncertainties; and there are realistic prospects of the Council subsequently securing the necessary planning permission for the Scheme. To achieve the Scheme it was considered necessary for the Council to unify all the interests in the land to be acquired.

The Corporate Director Communities referred to the special categories of land to be acquired, along with the appropriation of Council's land. She referred to the human

rights implications in that for the purposes for which a compulsory purchase order is made and any decision to appropriate land justifies interfering with the human rights of those with an interest in the land affected.

The Cabinet Member Education and Regeneration stated that the proposed redevelopment of the waterfront will encompass Salt Lake and Sandy Bay, stretching from Rest Bay to Newton. He confirmed that the consultation will include a car parking strategy. The consultation will commence following the conclusion of the consultations for the Local Development Plan and the Masterplan. He stated that no development would take place until a car parking strategy was agreed and he asked the Senior Development Surveyor to clarify the position regarding the purchase of the former model village leisure park.

The Senior Development Surveyor clarified that the Joint Venture partner has a lease of the former model village leisure park, with the freehold interest held by a family trust. Many of the trustees are elderly and some had passed away, the Council would be acquiring the leasehold interest. He stated that compensation will be paid to the owners based on a valuation of the land by valuer's appointed by the Welsh Ministers.

The Leader informed Cabinet that a CPO on its own would not secure the development of the site and there would need for planning consent, the LDP and Masterplan to be in place before any development could take place. The Corporate Director Communities confirmed this is the case and that the CPO changes ownership of the land and that there would need to be detailed surveys, transport and place making briefs in place, prior to a detailed planning process.

The Cabinet Member Communities questioned the owners' agreement and the calculation of the 60/40 split. The Corporate Director Communities stated that it is based on land value as opposed to the area of the land and that independent valuations had been done, with the third party invoiced quarterly. She stated that the freehold of the former model village leisure park would then be in the ownership of the Council following the CPO.

The Leader stated that the next steps is that orders will be made giving the opportunity for objections which would be referred to the Welsh Ministers to make a decision.

**RESLOVED:** That Cabinet:

- (1) Authorised the Corporate Director-Communities and the Chief Officer Legal, HR and Regulatory Services to make a Compulsory Purchase Order in the form at Appendix 1 to the report (subject to such amendments as the Council's Corporate Director-Communities may authorise) and to publish a Statement of Reasons in the form at Appendix 3 (subject to such amendments as the Council's Corporate Director-Communities may authorise) to acquire the land edged red on the attached plan, for the purposes of enabling the comprehensive development of the Porthcawl Waterfront Regeneration Scheme.
- (2) Authorised the Corporate Director-Communities and the Chief Officer Legal, HR and Regulatory Services to make an application to the Welsh Ministers for a certificate under section 19 of the Acquisition of Land Act 1981 that the beach area is to be purchased in order to secure its preservation or improve its management

- (3) Authorised the Corporate Director-Communities and the Chief Officer Legal, HR and Regulatory Services to advertise and give notice of the making of the Compulsory Purchase Order; and to submit the same to the Welsh Ministers for confirmation,
- (4) Gave authority to the Corporate Director Communities and the Chief Officer Legal, HR and Regulatory Services and those who may be authorised by her to respond to any objections received and to progress any public inquiry which the Welsh Ministers may wish to convene in respect of the making of the Compulsory Purchase Order.
- (5) Authorised the Corporate Director-Communities and the Chief Officer Legal, HR and Regulatory Services to advertise the Council's intention to appropriate the open space land as shown on the plan at Appendix 5 of the report, to a use for planning purposes and to report back to Cabinet to consider any objections received to the proposed appropriation.

693. **PENCOED ROAD BRIDGE AND PENCOED LEVEL CROSSING**

The Corporate Director Communities reported on the current progress relating to a major capital transport investment to improve multi-modal accessibility within and through Pencoed and provided an update on the recent work undertaken together with background information on the current situation and potential aspiration and sought authorisation to go out to public consultation in due course.

The Corporate Director Communities reported that the transport proposals at Pencoed will facilitate active travel on Hendre Road by removing the requirement for pedestrians and cyclists to wait until a train has passed, through the provision of a dedicated active travel bridge. It would also seek to enhance active travel infrastructure at Penprysg Bridge through improved pedestrian and cyclist safety, convenience and usability. She stated that a Stage One WelTAG was completed in June 2019 which identified, developed and appraised a long-list of options used to provide solutions to the issues that currently pose a challenge for connectivity between the west and east of Pencoed. The process identified which of those options from the long-list should be progressed and further investigated at WelTAG Stage Two, which was to examine in greater detail the short-list of options for tackling the problem under consideration, as agreed by the WelTAG Stage One report. She stated that the recommendation of the WelTAG Stage Two study was for the option containing a combination of new bridge provision and closure of the level crossing to be taken forward to WelTAG Stage Three. The closure of the level crossing would be anticipated to include provision of a new active travel bridge. She informed Cabinet that a Steering Group has been set up comprising of representatives from the community, Council, the MP, the constituency MS, the town council, Wales Office, Welsh Government, Network Rail and Transport for Wales. An addendum to WelTAG Stage 2 is also nearing completion which is focussed on active travel bridge options at Hendre Road.

The Corporate Director Communities reported that the next stage is for public consultation on the proposals to formally commence which is critical to the WelTAG process, which will enable some affected landowners to be contacted directly to discuss the concept of the scheme and initial engineering activities required to progress the WelTAG process. These initial works include requirements for third party land access to facilitate topographical surveys, ground investigations, ecology surveys and equipment

access. The public consultation phase is critical to the design of the scheme and any subsequent public realm enhancement. She stated engagement had been undertaken and negotiations commenced with Network Rail to facilitate the required access for the initial survey. She informed Cabinet that following favourable public consultation, the project would be able to proceed to WeITAG Stage Three.

The Corporate Director Communities informed Cabinet that the current WeITAG assessments had been funded by the Welsh Government Local Transport Fund which is administered under the Cardiff City Region's Metro Programme and detailed construction costs will be provided at WeITAG Stage Three. However, the current estimate is that the preferred option would cost in the region of £17 million, subject to changing variables and conditions. She indicated that potential sources of funding for future technical work and construction include Section 106 planning contributions, Welsh Government grants, UK Government grants, Cardiff Capital Region City Deal and Network Rail. She informed Cabinet that the Council would need to fully explore future funding options in association with the Steering Group and these will be reported back in due course.

The Cabinet Member Education and Regeneration congratulated the team of officers for the progress it had made with this project to date. He referred to the frequency of trains using the mainline and that the project would impact positively on the future of services calling at Pyle station and on the line to Maesteg. He referred to the cancellation of the electrification project west of Cardiff and asked whether the bridge over the railway line would be future proofed in the event that electrification took place for cables to be run underneath the bridge. The Corporate Director Communities confirmed that the bridge would be future proofed and proposals are being worked up with Capita and Network Rail.

The Cabinet Member Communities requested detail as to when the consultation will commence to ensure there is maximum participation in the consultation. The Corporate Director Communities stated that a consultation will commence in the autumn. A consultation strategy will be developed in order to work with the community and to derive economic benefits and to ensure the consultation as many people as possible. The Group Manager Planning and Development Services informed Cabinet that there is a need for the project to maximise transport connectivity and economic benefits. The project could be some time in the making, necessitating the closure of the mainline at times during construction.

The Deputy Leader asked whether consideration had been given to constructing a tunnel to take the mainline. The Corporate Director Communities stated that this had been considered but had been ruled out due to the instability a tunnel could cause. The Principal Engineer Project Management informed Cabinet that a tunnel had been considered briefly, but its construction would necessitate the closure of the mainline for 5 to 6 months, along with the costs, which would have been astronomical.

The Leader commented on the significance of this engineering project and he looked forward to seeing the outcome of the consultation.

**RESOLVED:** That Cabinet:

- (1) Noted the information contained within the report.
- (2) Delegated Authority to the Corporate Director of Communities to undertake a full public consultation on the scheme, liaise with affected landowners on the proposed design and continue to work closely with Network Rail to design, facilitate and deliver the scheme.

- (3) Agreed that a further report on the consultation outcomes, proposed designs and any potential funding streams comes before a future meeting of the Cabinet before proceeding further.

694. **SUSPENSION OF THE CONTRACT PROCEDURE RULES FOR HOME TO SCHOOL TRANSPORT MINI-BUSES AND TAXIS**

The Corporate Director Education and Family Support sought Cabinet approval to suspend the relevant parts of the Council's Contract Procedure Rules in respect of the requirement to re-tender 154 proposed contracts for home-to-school transport services, and that he be authorised to enter into the contracts directly with relevant operators for the autumn term 2021-2022.

He reported that Cabinet at its on 20 October 2020 approved a procurement exercise to invite tenders to bid for contracts for multiple home-to-school transport services for a term of five years with the option to extend by two further periods of one year, with an indicative total value for the full term identified as £34.2m. He informed Cabinet that a procurement exercise was progressed during June and July 2021 for taxis, minibuses, special taxis and special minibuses, comprising of 154 separate routes, expiring at the end of the current 2020-2021 academic year.

He reported that technical issues with the Sell2Wales notice coupled with recent information concerning changes to COVID-19 operational guidance for schools that are likely to be in place for the start of the autumn term in September 2021, have had an impact on the routes, and the capacity of vehicles required to deliver the service which would have required a substantial material change to the published invitation to tender. Therefore, the Council has found it necessary to abandon the procurement prior to the deadline for tender submissions. It had been intended that new contracts would be awarded in August 2021 in readiness for the start of the autumn term in September 2021.

**RESOLVED:** That Cabinet:

- Agreed to suspend the relevant parts of the Council's contract procedure rules in respect of the requirement to re-tender the contracts listed at Table 1 (at paragraph 4.2) of this report for home-to-school transport services;
- Authorised officers to identify suitable operators for each route referenced in Table 1 (at paragraph 4.2); and

Authorised the Corporate Director (Education and Family Support) to enter into the contracts with transport operators from 3 September 2021 until 17 December 2021.

695. **HUMAN RESOURCES POLICIES**

The Group Manager Human Resources & Organisational Development sought approval of the Disclosure and Barring Service (DBS) and Resolution Policies.

She reported that reviews had been undertaken and completed on the DBS policy and the current Grievance and Dignity at Work policies and that Service managers played a key role in reviewing the Grievance and Dignity at Work policies and developing the new Resolution policy. Full engagement had taken place with Trade Union representatives in the process and support the proposed policies.

She informed Cabinet that the DBS policy sets out the requirements for criminal record checking, which is a requirement for certain employees and also applies in a range of other service areas and is integral to the council fulfilling its safeguarding arrangements.

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The resolution policy is a new policy which brings together the current Grievance and Dignity and Work policies and strengthens the provisions in place which allow employees to raise concerns or dignity at work issues. It takes account of current legislation and best practice with the aim of resolving matters sensitively and without undue delay and also includes the promotion and use of facilitated discussions in order to optimise the chance of early resolution.

The Leader in commending the policies stated that the new policies had been developed to reflect the latest legal and regulatory changes, whilst supporting the needs of the Council and taking into account of best practice. He thanked colleagues in HR for their work in the delivery of the policies and for its support of frontline services during the pandemic. He also thanked trade union colleagues for their involvement in the development of the new policies.

**RESOLVED:** That Cabinet approved:

- the DBS Policy (at Appendix 1 to the report)  
the Resolution Policy (Appendix 2).

696. **INFORMATION REPORT FOR NOTING**

The Chief Officer Legal, HR and Regulatory Services presented a report, which informed Cabinet of the following reports which had been submitted for information that had been published since its last scheduled meeting.

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

<u>Title</u>	<u>Date Published</u>
Monitoring Report – Complaints, Freedom of Information and Data Protection	14 July 2021
Annual Treasury Management Outturn Report 2020-21	14 July 2021

697. **URGENT ITEMS**

There were no urgent items.

The meeting closed at 17:28