

CABINET - TUESDAY, 19 OCTOBER 2021

MINUTES OF A MEETING OF THE CABINET HELD IN REMOTELY - VIA MICROSOFT TEAMS ON TUESDAY, 19 OCTOBER 2021 AT 14:30

Present

Councillor HJ David – Chairperson

CE Smith
SE Baldwin

HM Williams

D Patel

NA Burnett

Apologies for Absence

Officers:

Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Gill Lewis	Interim Chief Officer – Finance, Performance and Change
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Julie Ellams	Democratic Services Officer - Committees
Mark Shephard	Chief Executive
Andrew Rees	Democratic Services Manager
Lindsay Harvey	Corporate Director Education and Family Support
Tina Haddon	Early Years and Childcare Manager
David Holland	Head of Shared Regulatory Services

713. COUNCILLOR P J WHITE

The Leader announced with sadness the recent death of Councillor Phil White and he asked all those present to observe a minutes' silence and for a period of quiet reflection.

All present observed a minutes' silence as a mark of respect.

714. CABINET COMMITTEE EQUALITIES

The Leader announced that it had been necessary to change the date of the next meeting of the Cabinet Committee Equalities in November from 25 November as originally planned to 8 November. The starting time of the meeting remained at 10.00am and the Chairperson is in agreement with this change and Member Invitees on the Committee had been notified accordingly.

715. DECLARATIONS OF INTEREST

The following Declarations of Interest were made:

Councillor HM Williams - agenda item 6 - Capital Programme Update - Quarter 2 2021-22 – Personal interest as Chairperson of the Board of Governors of Abercerdin Primary School.

Councillor N Burnett - agenda item 6 - Capital Programme Update - Quarter 2 2021-22– Personal interest as a member of the Board of Governors of Brynteg Comprehensive School.

Councillor N Burnett - agenda item 6 - Capital Programme Update - Quarter 2 2021-22 – Prejudicial interest as her father is a patron of Bridgend Athletic RFC. Councillor Burnett withdrew from the meeting during consideration of this item.

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Councillor CE Smith - agenda item 6 - Capital Programme Update - Quarter 2 2021-22 – Personal interest as a member of the Board of Governors of Bridgend College.

Councillor CE Smith - agenda item 10 - School Modernisation Programme – Mynydd Cynffig Primary School – Personal interest as he has family members whose children attend or will attend the school.

716. **APPROVAL OF MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet of 14 September 2021 be approved as a true and accurate record.

717. **ANNUAL REPORT 2020-2021**

The Interim Chief Officer Finance, Performance and Change presented for consideration the Annual Report 2020-21 for recommendation to Council for approval.

She reported that the authority must, in accordance with statutory guidance review the progress of its well-being objectives and publish a report to assess the extent to which these objectives contribute to the 7 wellbeing goals. It must also publish its assessment of performance for the previous financial year before 31 October.

She highlighted that the Plan defined 32 commitments to deliver the three well-being objectives and set out 46 success measures to monitor progress. Taking account of Covid-19 and the redirection of resources, targets were removed for 14 success measures. She stated that the Medium Term Financial Strategy identified how it would best use its resources to support the achievement of the well-being objectives and statutory duties, including the management of financial pressures and risks over the next four years.

The Interim Chief Officer Finance, Performance and Change reported that the Annual report evaluated how well the Council did in delivering its commitments and planned outcomes for the financial year, using its success measures and other evidence. She stated that of the 32 commitments, 13 were completed, with 19 achieving most of their milestones. The Interim Chief Officer Finance, Performance and Change informed Cabinet that of the 46 indicators identified in the Corporate Plan, 25 could be compared against their target, 12 met their target, 2 were off target by less than 10% and 11 missed the target by more than 10%.

The Leader commented on the comprehensiveness of the report which highlighted the many unprecedented changes and pressures faced by the Council during the pandemic. He referred to the County Borough being a good place to live and requested information where respondents were dissatisfied with it being a good place to live. The Interim Chief Officer Finance, Performance and Change stated that she would provide more detail on the responses as a place to live to Cabinet.

The Leader referred to the positive feedback on the Council's performance from regulators, such as Estyn and Care Inspectorate Wales and that he was pleased to see the importance placed on the role of Overview and Scrutiny and also how equality and diversity is being championed across the authority.

The Cabinet Member Communities referred to the performance of Community Asset Transfers completed during 2020-21 when 13 assets were transferred to the community for running during the pandemic and questioned why the status was being shown as red. The Corporate Director Communities explained that status was shown as red as the target was missed by more than 10%. She congratulated the Community Asset Transfer Officer and team for their performance for their role, despite the pandemic in achieving 13 assets being transferred to be run by the community.

RESOLVED: That Cabinet considered the Annual Report 2020-21, Appendix A to the report, and recommended it to Council for approval.

718. **BUDGET MONITORING 2021-22 – QUARTER 2 REVENUE FORECAST**

The Interim Chief Officer Finance, Performance and Change reported on an update on the Council's revenue financial position as at 30 September 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 under spend of £2.084m, comprising £170k a net under spend on directorates and a net under spend of £5.9108m on council wide budgets, which was offset by a net appropriation to earmarked reserves of £4.004m. She stated that the under spends masked an underlying position whereby the Welsh Government's Covid-19 hardship fund, although extended until 31 March 2022 will be tapered with an expectation that services will return to pre-pandemic levels. While financial pressures exist in Home to School Transport, Social Services and Wellbeing, Homelessness and Waste. The Council had successfully claimed £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.

The Interim Chief Officer Finance, Performance and Change reported on the position on budget reductions proposals which totalled £1.760m in 2021-22, which currently showed a projected shortfall on the savings target of £65k. She stated that the most significant budget reduction proposal unlikely to be achieved in full is the relocation of the Community Recycling Centre from Tythegston to Pyle resulting in the cessation of lease payments at the existing site (£60,000). The new site in Pyle will be opening once related junction and road improvement works have been completed, both sites will be maintained until the new site is fully operational, the saving will not be achieved in full until 2022-23. She stated that Directors will continue to work staff to deliver their proposals or alternatives and this is reflected in the forecast outturn for the year. She also informed Cabinet of the high level of vacancies experienced which was affecting the delivery of budget reductions.

The Interim Chief Officer Finance, Performance and Change informed Cabinet of the review of earmarked reserves, whereby the Council is required to maintain adequate financial reserves to meet the needs of the organisation. She stated that the net appropriation to earmarked reserves during quarter 2 is £4.004 million (£4.341 million additions offset by £0.337 million that have been unwound). The additions relate mainly to Capital Programme Contribution reserve which was established to avoid the Council needing to borrow, which would result in consequential borrowing costs on the revenue budget, and will be used to fund schemes within the capital programme, both current and future capital pressures. She informed Cabinet of a recent Audit Wales report on the use of reserves by local authorities, wherein it was identified that the Council's level of reserves was towards the higher end compared to other local authorities. The Interim Chief Officer Finance, Performance and Change stated that the authority is in a good position in relation to its level of reserves, which was down to careful budgeting and a careful approach towards risks.

The Deputy Leader in commending the report commented on the challenges in making financial forecasts and that the authority is grateful for the funding it has received from the Hardship Fund. He stated the authority will proceed with caution with its budget planning.

The Cabinet Member Wellbeing and Future Generations asked whether the staff vacancies are due to the under spend on the budget. The Chief Executive stated that the high level of vacancies is of concern, particularly in some service areas where there are significant vacancies affecting service delivery, making those under spends undesirable. He also stated that where difficulties to recruitment to vacancies continue, the Council would have to prioritise service delivery and deliver those services not as quickly as before. He informed Cabinet that the Council has in place apprenticeships and graduate opportunities to grow its own.

The Leader informed Cabinet that the first Joint meeting of the Welsh Government with the leaders of all local authorities in Wales had recently taken place, wherein discussions had focused on climate change and the need for a long term sustainable funding solution to be found for social care.

719. **RESOLVED:** That Cabinet noted the projected revenue position for 2021-22.
CAPITAL PROGRAMME UPDATE - QUARTER 2 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 of the capital position for 2021-22 as at 30 September 2021; sought agreement 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 2021-22.

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 £76.600m, of which £54.378m is met from the Council's resources, including capital receipts, revenue contributions from earmarked reserves and borrowing, with the remaining £22.222m 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 provided detail on the schemes identified as requiring slippage of budget to future years, which total £12.826m. She stated that a number of new externally funded schemes approved and internally funded schemes, had been incorporated into the capital programme, which included:

- Active Travel Fund
- Bridgend College Relocation
- Abercerdin Primary School Community Hub
- Brynteg Comprehensive School Multi Use Sports Pitch
- Accessibility & Safety Road Improvements
- Minor Works
- Health and Wellbeing Village
- Maesteg Town Hall – South Annex Roof; Ground Contamination and Gantries
- CCTV WiFi Project

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 showed 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 £5.090m 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 update to the capital programme stated that the programme covered all aspects of the Council's services and that he was enthused about the CCTV WiFi Project, which will help to create a vibrant digital economy. The Cabinet Member Communities was pleased to see funding from accessibility and safety road improvements for safety and accessibility enhancements to be made from Broadlands to Newbridge Fields. The Leader was also pleased to funding in the capital programme to create a community focused at Abercerdin Primary School and a replacement multi use sports pitch to include floodlights at Brynteg Comprehensive school.

RESOLVED:

That Cabinet:

- noted the Council's Capital Programme 2021-22 Quarter 2 update to 30 September 2021 (Appendix A)
- agreed that the revised Capital Programme (Appendix B) be submitted to Council for approval
- noted the projected Prudential and Other Indicators for 2021-22 (Appendix C).

720. FEES AND CHARGES POLICY

The Interim Chief Officer Finance, Performance and Change sought approval for a revised Fees and Charges Policy.

She reported that as part of the approval process for the Medium Term Financial Strategy (MTFS) 2016- 17 to 2019-20, Council was asked to approve an Income Generation and Charging Policy which aimed to set a consistent approach across Council services and outline key principles to be applied. This included that where a decision has been taken to charge for a service, the Council will aim for full cost recovery, except where there is a conscious decision consistent with council priorities, recognising that the service would then be subsidised by council tax payers. Additionally, in line with the MTFS, generally charges should be increased by the increase in the Consumer Price Index (CPI) plus 1%.

She informed Cabinet that during the scrutiny of the MTFS, the Corporate Overview and Scrutiny Committee (COSC) recommended that: “the Fees and Charges policy be reviewed in 2021-22 to change it from “inflation +1%”, to just “inflation” with a view to it being implemented from the budget in 2022- 23.” She stated that a review of the policy has been undertaken, taking account of the comments of the COSC, with the main changes to the policy being as follows:

- a table showing charging strategy considerations (Table 2 of the Fees and Charges policy);
- the inclusion of more detail on the process for reviewing fees and charges, and the general assumptions for this in Section 7 of the policy, amended to:

This means that, in general, charges should be increased by the Consumer Price Index (CPI). (The appropriate CPI increase date will be that for December prior to the start of the financial year, as set out in the Medium Term Financial Strategy).

- a reference to updated Delegated Powers (paragraph 7.3).
- the process to be followed where it is not proposed to increase fees and charges (paragraphs 7.4 – 7.6).
- a section on the publication of fees and charges (Section 9).

The Deputy Leader in commending the revised Fees and charges Policy stated that it would bring greater transparency and he recognised the input of the Overview and Scrutiny function in recommending this change. He stated that the Council’s hands are tied in the setting of many fees, which are set by the Welsh Government, however the Council can set its charges for car parking and harbour fees. It also had greater freedom in setting commercial rents, but would set rents at a level to encourage employment and business growth.

RESOLVED: That Cabinet approved the updated Fees and Charges Policy at Appendix A of the report.

721. **TREASURY MANAGEMENT HALF YEAR REPORT 2021-22**

The Interim Chief Officer Finance, Performance and Change reported in compliance with the requirement of the Chartered Institute of Public Finance and Accountancy’s ‘Treasury Management in the Public Services: Code of Practice’ to produce interim Treasury Management Reports and the Treasury Management Indicators for 2021-22.

The Interim Chief Officer Finance, Performance and Change explained that Treasury management is the management of the Council’s cash flows, borrowing and investments, and the associated risks. Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy’ (CIPFA) Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) which requires the Council to approve a Treasury Management Strategy (TMS) before the start of each financial year. The CIPFA Code also requires the Council to set a number of Treasury Management Indicators, which are forward looking parameters and enable the Council to measure and manage its exposure to treasury management risks, and these are included throughout this report. In addition, the Welsh Government (WG) issued revised Guidance on Local Authority Investments in November 2019 that requires the Council to approve an Investment Strategy before the start of each financial year. The Council’s Capital Strategy 2021-22, complying with CIPFA’s requirement includes the

Prudential Indicators which in previous years were included in the TMS, along with details regarding the Council's non-treasury investments. The Capital Strategy and TMS should be read in conjunction with each other as they are interlinked as borrowing and investments are directly impacted upon by capital plans and were approved together by Council on 24 February 2021. The Council's treasury management advisors are Arlingclose.

The Interim Chief Officer Finance, Performance and Change reported that the Council has complied with its legislative and regulatory requirements during the first half of 2021-22, with the TMS for 2021-22 approved by Council on 24 February 2021, with the Half Year report being reported to Council on 20 October 2021. She presented a summary of the treasury management activities for the first half of 2021-22 and informed the Cabinet the Council has had surplus funds for investment. The balance of investments at 30 September 2021 was £79.84m with an average rate of interest of 0.06%, which is a significant reduction from the same time last year when the average rate was 0.24%, which showed the impact of the reductions in interest rates as a result of the pandemic.

The Interim Chief Officer Finance, Performance and Change informed Cabinet that the Council had not taken long term borrowing since March 2012. It was anticipated that the Council would need to borrow £30.37m during the year, on the assumption that the Council would have £43m held in usable reserves that it could use in the short term to finance expenditure. She stated that as at 31 March 2021 the Council's usable reserves stood at £114m, an increase from £83 million as at 31 March 2020, which was not foreseen when the TMS was approved. The Council received £20.6 million from the Welsh Government Hardship Fund, which was more than had been anticipated during the year, as well as further additional grants from Welsh Government in the final quarter of 2020-21 of £8.9 million and capital receipts during the year of £2.9 million, as reported to Council in the Revenue Budget Outturn 2020-21 report on 23 June 2021. She informed Cabinet that it was important to note that while the use of usable reserves in lieu of new borrowing is prudent, it was a short-term position and as the reserves are used for specific projects it would become necessary to borrow in the future to finance Capital expenditure. It was expected that there will not be a requirement for new long-term borrowing in 2021-22.

The Interim Chief Officer Finance, Performance and Change informed Cabinet that the primary objective for the management of its debt is to ensure its long term affordability. She stated that following an increase in the numbers of local authorities taking out PWLB loans to buy commercial properties for yield, and following a UK government consultation, HM Treasury has issued revised lending terms for PWLB borrowing by local authorities in November 2020. As a condition of accessing the PWLB, local authorities will be asked to confirm that there is no intention to buy investment assets primarily for yield in the current or next two financial years. She stated that she will be required as Section 151 Officer to certify that capital expenditure plans are current and that the plans are within acceptable use of the PWLB. This in itself did not preclude the Council from investing in commercial activities, investing in assets for yield would preclude the Council from accessing PWLB borrowing. She stated that given the investment and borrowing requirement to support the Capital Programme, the Council is unlikely to consider any investments in commercial assets primarily for yield. The Interim Chief Officer Finance, Performance and Change informed Cabinet that the CIPFA Code and the WG Guidance require the Council to invest its funds prudently and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. She stated that the Council's objective when investing money is to strike an appropriate balance between risk and return, balancing the risk of incurring losses from defaults against receiving unsuitably low investment income. The major objectives during 2021-22 were to maintain security; to maintain liquidity and to achieve the yield on investments commensurate with the proper levels of security and liquidity.

RESOLVED: That Cabinet noted the Council's treasury management activities for 2021-22 for the period 1 April 2021 to 30 September 2021 and the projected Treasury Management Indicators for 2021-22.

722. **UPDATE ON THE EARLY CHILDHOOD EDUCATION AND CARE (ECEC) PILOT**

The Corporate Director Education and Family Support reported on an update regarding the proposed Early Childhood Education and Care (ECEC) pilot, which Cabinet at its meeting on 25 February 2020 had resolved to provide 30 hours of provision to all parents of all 3 and 4 year-olds at any setting from the term after a child's 3rd birthday for 48 weeks (i.e. 39 weeks term-time provision and 9 weeks of school holiday provision). Funding of up to £3.5m per year had been made available by the Welsh Government to support a pilot.

He informed Cabinet that the ECEC Manager had, during the pilot project, established a number of focus groups and working parties to engage with key stakeholders across the maintained and non-maintained early years' sector. The aim of the pilot was to remove barriers that exist between education and care, in order to ensure that any setting, whether a school or private/voluntary childcare, could offer ECEC provision. He stated that potential barriers were significant, which included the absence of a joint inspection framework between Estyn and Care Inspectorate Wales which would include the maintained nursery sector and childminders. The most crucial being, the lack of appropriate and available space within school sites available to develop ECEC childcare which would comply with meeting the National Minimum Standards set out by Care Inspectorate Wales. There was also a lack of capital funding within the ECEC allocation, making it difficult for schools to adapt accommodation to meet the National Minimum Standards and for the maintained sector to expand their premises to accommodate larger numbers of children.

He reported that the Welsh Government had advised that despite being committed to a ten-year transformation programme to develop the philosophy of ECEC, its priorities since the election in May 2021, had changed in response to the pandemic and planned recovery programme and the pilot will be discontinued. He stated that the Welsh Government remained committed to funding the support of the administration of the ECEC pilot for the 2021-22 financial year, in order to support an appropriate and planned exit strategy, alongside a thorough evaluation of the work to date. He advised Cabinet that some investigations and scoping work will continue this financial year to capture and clarify the issues and barriers and indeed propose potential solutions. Welsh Government had advised they will continue to develop further the understanding of the issues identified by Bridgend in order to more fully and appropriately develop any further ECEC approach in Wales.

The Corporate Director Education and Family Support reported that officers had identified activities as being relevant to early years services within Bridgend and had identified many areas for development. It had also gained increased intelligence across both the early years and early education sector and this will further enhance and improve the forthcoming Childcare Sufficiency Assessment and implications for school modernisation including new buildings.

The Cabinet Member Wellbeing and Future Generations thanked the early years team for their work on the pilot project and whilst the Welsh Government had discontinued the pilot it was vital there would be no negative impact on families. The Corporate Director Education and Family Support confirmed there would be no negative impact on families and that existing early years services will remain in place. The Leader thanked the Early Years and Childcare Manager and her team for their work on the pilot project and he hoped that the Welsh Government will revisit the project when they have capacity to do

so. The Cabinet Member Social Services and Early Help whilst disappointed with the project being discontinued stated that the Council remained fully committed to providing early years services to families.

- RESOLVED:** That Cabinet:
- considered the report;
 - agreed that the Education and Family Support Directorate brings the work of the ECEC pilot to a close, following safe and effective actions around the proposed exit strategy and the development of a final evaluation report to be provided to Welsh Government; and
 - agreed to consider the post-pilot evaluation report and its findings when this was completed.

723. **SCHOOL MODERNISATION PROGRAMME – MYNYDD CYNFFIG PRIMARY SCHOOL**

The Corporate Director Education and Family Support presented a report which apprised on the outcome of the feasibility study in respect of locating a proposed 2 form-entry (FE) plus 75-place nursery replacement Mynydd Cynffig Primary School on the junior site; and sought approval to undertake a statutory process in respect of the proposal.

He reported that Cabinet at its meeting in September 2020 gave approval for a feasibility study to be undertaken on a replacement site for Mynydd Cynffig Junior School. The feasibility study concluded that the most notable advantage of developing the site is that its entirety falls within the Council's ownership. He stated that there is potential to increase the developable area by incorporating adjacent allotment gardens and leased areas, subject to relocating these facilities. The additional areas could add a potential 1.85 acres to the site, ensuring it is of a sufficient size to accommodate an aspirational 2FE school. One site is used by the Air Training Corp, which is subject to a lease and a second site, being allotment gardens, occupied by the Pwlygarth Allotment Association under an agreement.

He stated that restrictive covenants affecting the land will not prevent the development of the new school. While the registration of a strip of land located between the school building and playing field has now been completed and the Council granted possessory title. Work is still required to extinguish the highway rights on the land and a stopping up order is necessary and consultants have been engaged to undertake a transport assessment. He also stated that a site investigation has been undertaken and there are no concerns in relation to the ground conditions and minimal contamination issues.

He reported that officers had identified the need for 60 nursery places, however, there is a need for an additional 15 full-time equivalent (FTE) nursery places to be provided for rising 3's. He stated that it was considered that the Mynydd Cynffig Primary School junior site presented an appropriate and beneficial location for development of the proposed primary school. It allowed for suitable solutions to the critical issues of sufficient developable area and appropriate site access and technical officers are of the opinion that solutions can also be applied to other issues which may be encountered.

He reported that £10.2m had been allocated in the Capital Programme for this project and the Welsh Government intervention rate is 65%. The additional 15 FTE places for rising 3's would need to be funded from capital and would form part of the total project costs. He stated that the scheme, could generate revenue cost efficiencies as a consequence of moving from multiple sites to a single site.

The Leader commented that the proposal was the single biggest investment in education in Kenfig Hill and he looked forward to hearing the comments of all stakeholders on the plans for the replacement school, which would be subject to consultation. He thanked the governors and senior leadership team of the school for their commitment to the project.

RESOLVED: That Cabinet:

- noted the outcome feasibility study; and

gave approval to commence a statutory consultation process to enlarge Mynydd Cynffig Primary School to a 2FE school, plus a 75-place nursery to be located on the junior site and open with effect from September 2025.

724. **NOVATION OF CONTRACTS WITHIN ADULT SOCIAL CARE**

The Corporate Director Social Services and Wellbeing reported that Dimensions UK have two contracts with the authority for the Provision of a Specialist Supported Living provision for people with a learning disability and complex challenging behaviour, including autistic spectrum conditions (at Condors Rest) and for Supported Living Framework Agreement 2020-2024. She stated that following a corporate restructuring exercise, Dimensions UK had established Dimensions Cymru Limited for the purpose of registering with Care Inspectorate Wales and delivering local and regional services in Wales. A request had been made to novate two contracts from Dimensions-UK to Dimensions Cymru, to ensure that all business and contractual matters come under the responsibility of Dimensions Cymru. Both contracts have provision allowing the provider to transfer the contract with the consent of the Council.

The Corporate Director Social Services and Wellbeing also reported that the Council had previously entered into a service level agreement (SLA) with Hafal for the provision of a Short Term Respite & Recovery Service for carers. Hafal had merged with three other charities to become Adferiad Recovery Limited and a request had been made to novate the SLA to Adferiad Recovery Limited. She stated that the SLA contained a provision allowing the provider to transfer the contract with the written consent of the Council.

She reported that due diligence had been carried out on Dimensions-UK (as Parent Company) and Dimensions Cymru and on Adferiad Recovery Limited and there are no concerns in respect of the services being provided by Hafal and Dimensions Cymru Ltd and it was considered there are no operational risks in novating the SLA and Contracts.

The Cabinet Member Social Services and Early Help in commending the proposals to novate the SLA and contracts stated that the organisations were reacting to changes in legislation in Wales.

RESOLVED: That Cabinet:

- Authorised the modification of the existing contract with Dimensions-UK in relation to the provision of a Specialist Supported Living provision at Condors Rest by consenting to the novation of that contract to Dimensions Cymru in accordance with CPR 3.3.4;
- Authorised the modification of the existing contract with Dimensions-UK in relation to the Supported Living Framework Agreement by consenting to the novation of that contract to Dimensions Cymru in accordance with CPR 3.3.4;

- Delegated authority to the Corporate Director Social Services and Wellbeing to provide written consent to the above novations and enter into deeds of novation with Dimensions-UK and Dimensions Cymru Limited in consultation with the Interim Head of Finance and Section 151 Officer and Chief Officer – Legal & Regulatory Services, HR & Corporate Policy and to arrange execution of the deeds of novation on behalf of the Council, subject to such delegated authority being exercised in consultation with the Chief Officer – Legal & Regulatory Services, HR & Corporate Policy;
- Authorised the novation of the SLA for the provision of a Short Term Respite & Recovery Service for Carers from Hafal to Adferiad Recovery Ltd;

Delegated authority to the Corporate Director Social Services and Wellbeing to provide written consent to the novation of the SLA for the provision of a Short Term Respite and Recovery Service for Carers in consultation with the Interim Chief Officer – Finance, Performance and Change and Section 151 Officer and Chief Officer – Legal & Regulatory Services, HR & Corporate Policy.

725. VARIATION TO THE OLDER PEOPLE PARTNERSHIP AGREEMENT (S33 AGREEMENT) - RELEASING SERVICE CAPACITY WITHIN THE COMMUNITY RESOURCE TEAM

The Corporate Director Social Services and Wellbeing sought approval to vary the current Overarching Partnership Agreement for integrated community services with Cwm Taff Morgannwg University Health Board to include provision for a pilot scheme utilising Health Care Support Workers within the Community Resource Team. She stated that the intention of the pilot scheme is to seek to mitigate the current risks linked to reduced service capacity due to the inability to recruit to vacant social care worker posts.

The Corporate Director Social Services and Wellbeing reported that during the transition arrangements for the health board boundary change, Cwm Taf Morgannwg University Health Board (CTMUHB) signalled a commitment to continue to work in partnership to deliver intermediate care services for Adult and Older People's Services. She stated that following negotiation in terms of the content and structure of this agreement the formal partnership agreement took effect from 1st April 2019.

The Corporate Director Social Services and Wellbeing informed Cabinet that the long-term impact of Covid-19, alongside the known pressures of an ageing population, increasing dementia rates and more complex and challenging needs will result in increasing demands on already pressurised services. Demands on care and support at home services have increased significantly, showing an increase in 7-8% in care at home hours delivered in August 2021 compared to in April 2020, before the pandemic took effect. Demand has also increased for both hospital and community services, with both operating under significant pressure.

The Corporate Director Social Services and Wellbeing reported on an urgent need to work in partnership with CTMUHB to increase service capacity. It was proposed that CTMUHB recruit 4 Whole Time Equivalent (6 x 25 hr contracts) band 2 Community Health Care Support Workers (HCSW) into the current integrated Community Resource Team (CRT) structure to provide support for people to reduce the need for social care input. This aimed to release social care capacity within the current system and improve the availability of short-term assessment care packages within the locality. She stated

that it was intended that the pilot follows similar management procedures in place for existing joint arrangements within the CRT.

The Cabinet Member Social Services and Early Help in commending the proposal highlighted the benefits of working in an integrated way which is a strength in the service.

RESOLVED: That Cabinet:

- considered the contents of the report, the current challenges this proposal aimed to mitigate; and

delegated authority to the Corporate Director for Social Services and Wellbeing, in consultation with the Interim Chief Officer, Finance, Performance and Change and the Chief Officer, Legal, HR & Regulatory Services, to negotiate and enter into a variation agreement to the Overarching Partnership Agreement for the integrated community services with Cwm Taff Morgannwg University Health Board Board to include provision for a pilot scheme utilising Health Care Support Workers within the Community Resource Team in accordance with the proposal set out in the report.

726. **COSY CORNER TOURISM ATTRACTOR DESTINATION FUNDING**

The Corporate Director Communities reported on an update to securing funding through the Tourism Attractor Destination Programme to take forward a project on Cosy Corner, Porthcawl, and to accept an offer of funding and enter into required agreements.

She reported that following the intention of Credu Charity Limited to appoint administrators and the withdrawal of funding for the Maritime Centre project, funded through the Visit Wales Tourism Attractor Destination Programme (TAD), the Council terminated the agreement for the lease relating to the Maritime Centre at the Cosy Corner site. She stated that Officers had undertaken an outline appraisal of the short to medium term options available to the Council to seek to access possible funds through the TAD programme for Cosy Corner. Should the funding become available and dependent on resources it was proposed to enhance improvements for community organisations; the local economy and tourism offer; marina users and for the wider community.

The Corporate Director Communities reported that following authorisation by Cabinet in December 2020 to submit a bid for improvements to Cosy Corner through the TAD programme, the Welsh European Funding Office (WEFO) had completed an assessment of six of the nine criteria. WEFO had also requested further information for the remaining assessment stages and confirmation of matching funding and state aid cover. Cabinet at its meeting in March 2021, authorised proceeding with the development at risk and to utilise match funding of £384,615 in order to secure a potential grant of £1m. Architects had been appointed following a procurement exercise in order to progress the project.

The Corporate Director Communities reported that a £500k earmarked reserve was established for the project, increasing the capital project budget to £1,884,615, with a further £230k added from the Strategic Regeneration Fund for price fluctuations. Confirmation had now been received of an offer of £1m funding from WEFO and the Welsh Government, with the remaining funding of £1,114,615 funded by the Council's resources. She stated that the project must be completed by December 2022 and authorisation was sought to accept the offer of funding and to enter into required agreements to progress the project.

The Cabinet Member Education and Regeneration in commending the proposals for Cosy Corner stated that whilst the project is separate to the Salt Lake development, it

would integrate with it. He stated that the vision for Cosy Corner will be useful as a tourism destination, improvements to the street scene will fit in with the area which is iconic. The Cabinet Member Communities thanked the Regeneration Team for the work it had undertaken to date on the project to date and he looked forward to its completion. The Leader also welcomed the project, which was operating against tight timescales and looked forward to it coming to fruition.

RESOLVED: That Cabinet delegated authority to the Corporate Director Communities, in consultation with the Chief Officer – Legal and Regulatory Services, HR & Corporate Policy and the Interim Chief Officer, Finance, Performance and Change to accept the offer of funding to deliver the Cosy Corner project as part of the Visit Wales Tourism Attractor Destination Programme.

727. INFUSE PROGRAMME

The Corporate Director Communities reported on progress in developing the Cardiff Capital Region Challenge Fund and Infuse Programme and requested approval to enter into a Partnership Agreement with Monmouthshire County Council for the Infuse Programme. She informed Cabinet that the Cardiff Capital Region (CCR) Cabinet approved the £10m CCR Challenge Fund to focus on local wealth re-building in a post-COVID state, through solving societal challenges that will have economic impact and potential commercial scale opportunities.

She stated that the Infuse Programme has been designed to develop innovation skills, introducing officers to new process and concepts, providing a safe environment for them. It will be challenge-led, identifying two thematic areas of high importance to the Region, looking at problems and opportunities linked to decarbonisation and will run for 3 years until December 2023. Participants will work within one of the three work streams of R&D, Data or Procurement and there will be opportunities for collaboration and sharing between teams and in-depth engagement with senior leaders. It was intended that officers will work in six cohorts with 120 officers across the region involved over the period of the programme. She stated that in order to participate in the programme, the Council is required to enter into a Partnership Agreement as a Joint Beneficiary with Monmouthshire County Council, along with the other Joint Beneficiaries.

The Cabinet Member Communities in commending the innovative programme commented that it will be a proactive approach towards decarbonisation towards 2030, improving the Council's fleet and alleviating fuel poverty. The Leader commented that the programme will require staff involved in the programme to work in different ways.

RESOLVED: That Cabinet

- noted the progress in developing the Cardiff Capital Region Challenge Fund and Infuse Programme;
- delegated authority to the Corporate Director Communities, in consultation with the Chief Officer – Legal and Regulatory Services, HR & Corporate Policy and the Interim Chief Officer, Finance, Performance and Change to agree and approve the terms of the Infuse Partnership Agreement any further deeds and documents which were ancillary to that agreement and to arrange execution of those agreements on behalf of the Council.

728. CAERAU HEAT SCHEME

The Corporate Director Communities reported on recent activity in relation to the Caerau Heat Scheme and sought approval to change the scope of the Caerau Heat Scheme and submit a re-profile of the project to the Welsh European Funding Office (WEFO).

The Corporate Director Communities reported that the Caerau Heat Scheme was established as a highly innovative project that proposed to extract heat from water contained within flooded former coal mine workings, to provide a resource for properties within Caerau. The water would be transported via a network of pipes to the properties with the temperature being boosted to the residents required level by a ground source heat pump. She stated that the innovative nature of the project had presented several challenges, most notably how to commercially use mine water as a resource, how to secure customers to a heat network largely serving the housing market and how to create a commercially affordable and viable project. Cabinet at its meeting in June 2021 resolved to progress with a blended option of a demonstrator mine water scheme, serving the school, and a heat network with an alternative heat source serving homes and a private wire connection from the wind farm.

The Corporate Director Communities reported that further work was undertaken on the approved proposal in order to inform the re-profile of the project business plan to WEFO. She stated that a number of challenges had been identified, which had yet to result in the re-profile being submitted, most notably, financial viability after the inclusion of business rates, domestic customer sign up to the heat network, meeting the project delivery target date of June 2023 and the delivery of a financially viable project. She outlined an assessment of each challenge and detailed options suitable for progression, namely, to close the project or remove the Tudor Estate heat network element of the project and deliver a mine water demonstrator project with a private wire arrangement from the wind farm providing a lower cost supply of electricity to the heat pump at Caerau Primary School. She stated that WEFO would need to agree that closing the project still aligned with the criteria of the funding and approval was sought for option B, to prepare and submit to WEFP a re-profile for a mine water demonstration project centered on the school using a heat pump and a private wire connection to the local wind farm.

The Corporate Director Communities outlined the financial implications of the scheme cost and informed Cabinet that the re-profile, with a new set of figures would need to be presented to the Section 151 Officer for agreement ahead of submission to WEFO and a further report presented to Cabinet to update on the outcome of the WEFO re-profile and to outline next steps in respect of the scheme, including financial implications.

The Cabinet Member Communities thanked the work of his predecessor, Councillor Young for his work in championing the project and he commented that option B should be pursued as it is a demonstrator project as it sits with the Council's decarbonisation agenda.

The Corporate Director Communities also informed Cabinet that the Coal Authority had shown a particular interest in this project as a decarbonised heat project which would be replicated across the former coalfields in England and Scotland.

The Leader informed Cabinet that the position in relation to there being no exemption from business rates would be taken up with the Welsh Government for it to be re-considered as it currently affects the viability of the project.

RESOLVED: That Cabinet:

- Approved the change to the Caerau Heat Scheme as detailed in sections 4.8 and 4.9 of the report being to remove the Tudor

Estate heat network element of the project and deliver a mine water demonstrator project with a private wire arrangement from the wind farm providing a lower cost supply of electricity to the heat pump at Caerau Primary School;

- Delegated authority to the Corporate Director Communities, in consultation with the Chief Officer - Legal & Regulatory Services, HR & Corporate and the Section 151 Officer to agree and submit the Scheme re-profile to WEFO based on the changes to the Caerau Heat Scheme outlined in sections 4.8 and 4.9 of this report;

Noted that a further report would be presented to Cabinet following the outcome of the submission of the re-profile to WEFO.

729. **EXTENSION TO CONTRACT FOR BUS SERVICES 65 AND 70**

The Corporate Director Communities sought approval for the modification of an existing contract to allow for a 12 month extension to Service No. 65 (Bridgend to Talbot Green via Heol-y-Cyw) and Service No. 70 (Bridgend to Cymmer via Maesteg) in accordance with Contract Procedure Rule (CPR) 3.3.6.

The Corporate Director Communities reported that the contract was awarded for a 12 month period, expiring on 31 October 2021, with options to extend for periods of up to 12 months each, and up to a maximum extension period available of 48 months. She stated that bus travel had been severely affected by the Covid-19 pandemic with passenger numbers plummeting, whilst social distancing and additional cleansing requirements have placed added burdens and costs on operators. Discussions had taken place with the Corporate Procurement Team to consider available options as to the retendering or extension of the contract. It was identified that the market would be disrupted due to the impact of the pandemic and that the pace of recovery would dictate the appropriate renewal / extension process and a wait and see approach may be appropriate in the first instance. With restrictions still in place on public transport in Wales, and numbers not recovered to pre pandemic levels, any current tendering process would be affected by the current restrictions within the sector. Reduced patronage following COVID-19 was very likely to increase tendered contract costs significantly in any subsequent procurement processes undertaken in the present circumstances and it was proposed to extend the current contract for a further 12 months on the basis of the same level of remuneration and during which time the contract will be retendered.

RESOLVED: That Cabinet approved the modification of the bus service contract in accordance with CPR 3.3.6 to allow for a 12 month extension of the contract for Service No. 65 and Service No. 70 from 01 November 2021.

730. **FORWARD WORK PROGRAMME - CABINET, COUNCIL & SCRUTINY**

The Chief Officer, Legal and Regulatory Services, HR and Corporate Policy presented a report which sought approval for items to be included on the Forward Work Programme for the period 1 November 2021 to 28 February 2022 and for Cabinet to note the Council and Overview and Scrutiny Forward Work Programmes for the same period.

The Cabinet Member Wellbeing and Future Generations in commending the report stated that the publication of the Forward Work Programmes is important for transparency in decision making.

RESOLVED: That Cabinet:

- Approved the Cabinet Forward Work Programme for the period 1 November 2021 to 28 February 2022 at Appendix 1;

Noted the Council and Overview and Scrutiny Forward Work Programmes for the same period as above, shown at Appendix 2 and Appendix 3 of the report, respectively.

731. **SHARED REGULATORY SERVICES ANNUAL REPORT 2020-21**

The Head of Shared Regulatory Services reported on the Shared Regulatory Services Annual Report for 2020-2021.

He informed Cabinet that in accordance with the Joint Working Agreement (JWA), Shared Regulatory Services is required to produce an Annual Report, covering the operational and financial performance of the service for the preceding year and for it to be presented to each partner authority's Cabinet for information purposes. He highlighted the key aspects of operational performance across the region. He informed Cabinet that the pandemic had brought about a wave of unprecedented actions controlled by Government, which officers were required to enforce on additional activities on businesses and individuals. He stated that the performance of staff across the service had been nothing short of spectacular. He also thanked staff for their commitment in reducing sickness levels significantly for 2020-21 to 6.32 Full Time Equivalent (FTE) person, compared to 10.13 FTE in the previous year. He informed Cabinet of the actions of officers in bringing empty private properties back into use and officers had also been active in the Courts in bringing rogue traders and doorstep criminals to justice.

The Leader conveyed his appreciation to the staff of Shared Regulatory Services for their performance, particularly having to close several businesses due to the restrictions in place brought about by the pandemic and then having to enforce as restrictions lifted. He was pleased to see the actions taken by officers through the courts in bringing rogue traders and doorstep criminals to justice, who had preyed on and exploited residents. The Cabinet Member Wellbeing and Future Generations thanked all the teams within Shared Regulatory Services which is multi-disciplined in nature within the public realm. She congratulated the Animal Welfare Team through its work for achieving RSPCA awards.

The Cabinet Member Wellbeing and Future Generations thanked the Head of Shared Regulatory Services for his leadership of the teams and who is instrumental in the way they carry out their duties, in what is a high performing service. The Leader also thanked the Head of Shared Regulatory Services for his leadership of the service and for the culture which he has embedded into the service.

RESOLVED: That Cabinet noted the Shared Regulatory Services Annual Report for 2020-2021.

732. **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 item of business as it contained exempt information as defined in Paragraph 14 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Act.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the following item in private, with the public excluded from the meeting, as it was considered that in all circumstances relating to the item, the

public interest in maintaining the exemption outweighed the public interest in disclosing the information.

733. **ESTABLISHMENT OF A FRAMEWORK AGREEMENT FOR THE PROVISION OF SPECIALIST SUPPORTED LIVING SERVICES**

The Corporate Director Social Services and Wellbeing sought approval to award a Framework Agreement (Stage 1) for the provision of Specialist Supported Living Services to the service providers listed and sought approval to implement a phased procurement of 'call-off' tenders (Stage 2) under the Framework Agreement, which formed the final stage of the procurement approach approved by Cabinet in May 2021.

The Corporate Director Social Services and Wellbeing reported that the Stage 1 tender process was commenced to appoint service providers onto a framework for the delivery of high quality and sustainable Specialist Supported Living Services in areas around Bridgend County Borough. The framework agreement will be for an initial period of 2 years, with an option to extend for up to a further 24 months and will enable the Council to enter a Stage 2 procurement process for contracts from framework providers using a call-off tender process. Assessment was based on 80% quality and 20% price. Responses were received from 10 bidders, with 7 bidders demonstrating their commitment to the Council's quality requirements, 3 bidders did not meet the essential quality criteria and were excluded. As part of the tender process, bidders were required to submit a pricing schedule to provide their hourly rates for delivering daytime care and support (including housing related support), as well as over-night rates for sleep-in and waking-night cover. The framework prices will form the 'ceiling' price against which service providers can submit equal or lower prices in each of the subsequent call-off tenders. Call-off tenders will be phased over a 48 month period following award of the framework agreement and in line with the existing end of contract dates for the specialist schemes. Consultation with individuals living at each of the specialist schemes was being undertaken independently by People First Bridgend, in order that providers can fully understand the interests and wishes of individuals when tendering, and will be vital for matching staff to individuals when delivering services.

The Corporate Director Social Services and Wellbeing reported that the estimated value of total spend across all the Specialist Supported Living Services under the Framework was anticipated to continue at current spending levels and will exceed £5m and approval was required to award the framework in line with the Council's Scheme of Delegation.

The Cabinet Member Social Services and Early Help stated that the Council will have a very strong framework in place with the emphasis on treating individuals with respect and dignity and providing individuals with a home close to their families. The Leader stated that 3 tenders were not progressed further, due to the rigorous assessment process of the tenders received. He commented that the framework agreement offered flexibility to support people with provision as there is a small long term growth of adults with specialist needs.

RESOLVED:

That Cabinet:

- Approved the award of a Framework Agreement for the provision of Specialist Supported Living Services for the period 1 November 2021 to the 31st October 2023 (with an option to extend for a further period of up to 24 months), to the bidders listed in Appendix 1, subject to no challenge being received during the standstill period
- Noted that following the successful award of the Framework Agreement, invitation of tenders will be issued implementing the Stage 2 procurement of Specialist Supported Living Services call-off contracts (with the following contract awards to be carried out under the Council's Scheme of Delegations).

CABINET - TUESDAY, 19 OCTOBER 2021

734. **URGENT ITEMS**

There were no urgent items.

The meeting closed at 17:28