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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
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Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

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Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Thursday, 13 October 2022

Dear Councillor,

COUNCIL

A meeting of the Council will be held Hybrid in the Council Chamber, Civic Offices, Angel Street, Bridgend/Remotely on **Wednesday, 19 October 2022 at 15:00.**

AGENDA

1. Apologies for absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest from Members/Officers in accordance with the Members' Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 5 - 30
To receive for approval the minutes of 20/7/2022.
4. To receive announcements from:
(i) Mayor (or person presiding)
(ii) Members of the Cabinet
(iii) Chief Executive
5. To receive announcements by the Leader
6. Social Services Annual Report 2021/22 31 - 120
7. Review of Corporate Plan Targets for 2022-23 121 - 128
8. Corporate Self-Assessment 129 - 152
9. Replacement Local Development Plan Submission Document 153 - 188
10. Capital Programme Update - Quarter 2 - 2022-23 189 - 210
11. Annual Treasury Management Outturn Report 2021-22 211 - 226

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|-----|--|-----------|
| 12. | <u>Joint Protocol - Mileage Rates</u> | 227 - 234 |
| 13. | <u>Constitution and Constitution Guide</u> | 235 - 526 |
| 14. | <u>Appointment of the Chief Executive's Appraisal Panel</u> | 527 - 530 |
| 15. | <u>Review of Political Balance - Changes to Committee Membership</u> | 531 - 536 |
| 16. | <u>Information Report for Noting</u> | 537 - 542 |
| 17. | <u>To receive the following Questions to the Executive</u> | |

Question from Councillor Graham Walter to the Cabinet Member Social Services and Early Help

Could the Cabinet Member for Social Services & Early Help please tell me what we are doing as a Council to recruit into vacant positions.

Question from Councillor Elaine Winstanley to the Cabinet Member Social Services and Early Help

Does the Cabinet Member for Social Services and Early Help have confidence that we will be able to meet care and support demands for our vulnerable residents during the winter months?

Question from Councillor Paul Davies to the Cabinet Member Social Services and Early Help

Considering fairly recent events in Bridgend reported in the press and through documentaries', does the Cabinet Member for Social services and Early Help have confidence that Children's Services is fit for purpose and that the services they deliver are safe and effective?

Question from Councillor Alex Williams to the Cabinet Member Communities

Is the Cabinet Member for Communities satisfied with the way in which Bridgend County Borough's refuse and recycling service is being operated by the current service provider; is he content that the service is fulfilling the agreement as set out in the terms of the contract; and what is being done by BCBC to address the significant challenges faced by the operator during the stop-gap extension to the contract whereby there will be little commercial incentive for the operator to improve service delivery?

Question from Councillor Ian Williams to the Cabinet Member Communities

There has been a great deal of anger towards BCBC regarding the recreational provision for adults and children in Newbridge Fields which are to be honest an absolute disgrace. I would like to know when works will start to make our premier park an inclusive and fun place for families with improvements to the substandard playground and the provision of toilets and disabled changing facilities and a suitable attraction such as a skateboard park for older children and teenagers.

18. Notice of Motion Proposed by Councillor Alex Williams

That this Council:

Requests that Cabinet conducts a review of BCBC's School Admission Policy and Arrangements 2020/2021; and Learner Travel Policy 2016 and:

- a. Notes that Bridgend County Borough Council's (BCBC's) Home-to-School Transport

Policy allows parents to choose either English-medium, Welsh-medium or a faith-based education for their child.

- b. Notes the report to Cabinet of 23rd July 2019 at paragraph 4.35 which states that: *“For pupils wishing to benefit from Welsh-medium education, free home-to-school transport would apply to the nearest Welsh-medium school within Bridgend County Borough.”*
- c. Notes that the report on Home-to-School Transport to Scrutiny & Overview Committee 2 on 5th February 2020 fails to mention that home-to-school transport would only apply to the nearest Welsh-medium school *within Bridgend County Borough*.
- d. Notes that this policy was not properly implemented in September 2020 and that pupils were wrongly awarded BCBC-funded, free home-to-school transport, and that this error was only identified in October 2021.
- e. Notes that free home-to-school transport is available to learners living in BCBC who wish to attend a Welsh-medium secondary school (YGG Llangynwyd) but regrets the erroneous miscommunication to parents and carers on 13th June 2022 which led parents, carers and the Headteachers of both Ysgol Gynradd Dolau and Ysgol Gyfun Llanhari to believe that learners were eligible for home-to-school transport, before unexpectedly discovering that they would not be in receipt of home-to-school transport in late August, a week before children were to start secondary school and had already attended Year 6/Year 7 transition activities with parents/carers also having purchased uniforms.
- f. Regrets that BCBC did not feel that it was necessary to communicate the administrative error which was identified in October 2021 to Ysgol Gynradd Dolau; Ysgol Gyfun Llanhari and parents/carers so that they could plan for the impact which the removal of home-to-school transport would have on children’s education upon transition in September 2022.
- g. Welcomes the fact that learners who have already transitioned from Ysgol Gynradd Dolau to Ysgol Gyfun Llanhari prior to the policy change will continue to receive BCBC-funded, free home-to-school transport from BCBC to Ysgol Llanhari until they complete their secondary school education as home-to-school transport provision had already been provided and, as a consequence, BCBC could not justify the removal of the provision.
- h. Notes that the Welsh Language (Wales) Measure 2011 makes provision about promoting and facilitating the use of the Welsh language and treating the Welsh language no less favourably than the English language; notes that the current Welsh Government “Learner Travel: statutory provision and operational guidance (2014)” identifies that local authorities must promote access to Welsh-medium education; and that this legislation does not preclude out-of-county home to school transport.
- i. Welcomes the long-term ambition to incentivise in-county Welsh language education but regrets the practical effect of BCBC’s School Admission & Learner Travel Policies which, in combination, have resulted (in some cases) in the parental choice to remove their children from Welsh language education due to the lack of communication and the negative emotional impact of this upheaval of splitting up friendship groups and siblings.
- j. Notes that Home-to-School Transport is still available from the English medium Abercedin Primary School in Evanstown to Tonyrefail Community School as part of the existing BCBC School Admission Policy (and associated arrangements), which is in contravention to the Welsh Language (Wales) Measure 2011 in that it actively discriminates against the Welsh language in disallowing pupils from BCBC who were accessing primary education at Ysgol Gynradd Dolau or Ysgol Gynradd Gymraeg Tonyrefail to access similar out-of-county Home-to-School Transport to Ysgol Gyfun Llanhari when they transitioned from primary to secondary education.
- k. Urges BCBC to work collaboratively with RCTCBC to engage early and communicate to all of those parents and carers of learners currently at Ysgol

Gynradd Dolau who reside in BCBC that they will NOT be eligible for home to school transport to Ysgol Gyfun Llanhari when they transition from primary to secondary education so that they can make considered choices for their children's future education.

- I. Notes that other local authorities currently offer some 'paying places' on its home-to-school transport vehicles and calls on BCBC to ensure that all future contract tenders for school transport operators require Public Service Vehicle Accessibility Regulations (PSVAR) compliance to allow for 'paid for' places on school transport.

19. Urgent Items

To consider any item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Note: This will be a hybrid meeting and will be recorded live. Members of the public can attend the meeting in the Council Chamber gallery. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

S Aspey
H T Bennett
A R Berrow
F D Bletsoe
S J Bletsoe
JPD Blundell
E L P Caparros
N Clarke
RJ Collins
HJ David
C Davies
C L C Davies
P Davies
M J Evans
N Farr
P Ford
J Gebbie

Councillors

W R Goode
RM Granville
H Griffiths
S J Griffiths
D T Harrison
M L Hughes
D M Hughes
RM James
P W Jenkins
M R John
M Jones
MJ Kearns
W J Kendall
M Lewis
J Llewellyn-Hopkins
RL Penhale-Thomas
J E Pratt

Councillors

E Richards
R J Smith
JC Spanswick
I M Spiller
T Thomas
JH Tildesley MBE
G Walter
A Wathan
A Williams
AJ Williams
HM Williams
I Williams
MJ Williams
R Williams
E D Winstanley
T Wood
S Easterbrook

COUNCIL - WEDNESDAY, 20 JULY 2022

MINUTES OF A MEETING OF THE COUNCIL HELD REMOTELY - VIA MICROSOFT TEAMS
ON WEDNESDAY, 20 JULY 2022 AT 15:00

Present

Councillor M Jones – Chairperson

S Aspey	H T Bennett	A R Berrow	F D Bletsoe
S J Bletsoe	JPD Blundell	E L P Caparros	N Clarke
RJ Collins	HJ David	C Davies	C L C Davies
P Davies	M J Evans	N Farr	J Gebbie
RM Granville	H Griffiths	S J Griffiths	D T Harrison
M L Hughes	D M Hughes	RM James	M R John
MJ Kearns	W J Kendall	M Lewis	J Llewellyn-Hopkins
RL Penhale-Thomas	J E Pratt	E Richards	R J Smith
JC Spanswick	T Thomas	G Walter	A Wathan
A Williams	AJ Williams	I Williams	MJ Williams
R Williams	E D Winstanley	T Wood	

Apologies for Absence

P Ford, W R Goode, P W Jenkins, I M Spiller, JH Tildesley MBE and HM Williams

Officers:

Mark Galvin	Senior Democratic Services Officer - Committees
Laura Griffiths	Principal Solicitor
Lindsay Harvey	Corporate Director Education and Family Support
Rachel Keepins	Democratic Services Manager
Carys Lord	Chief Officer - Finance, Performance & Change
Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Michael Pitman	Democratic Services Officer - Committees
Andrew Rees	Democratic Services Officer - Committees
Kelly Watson	Chief Officer Legal, HR and Regulatory Services

29. DECLARATIONS OF INTEREST

Councillor T Wood declared a personal interest in Agenda item 11. (3) as a Bridgend town trader.

30. APPROVAL OF MINUTES

RESOLVED:

That the minutes of a meeting of Council dated 15 June 2022 be approved as a true and accurate record, subject to the following paragraphs being added to the minutes on Declarations of Interest the Capital Programme update:-

'Reason for declaration of interest made by Councillor I Williams to be altered from that contained in the Minutes, to as follows:-

Personal interest as Chair of Governors at Oldcastle Primary and Brynteg Comprehensive schools.

With regard to the paragraphs relating to investment at Coety Primary and Pencoed Schools from a Member responded to by the Corporate Director – Education and Family Support on the Capital Programme Update item, add the following Member question and response from the Corporate Director – Communities to this part of the minutes:-

‘There has been a £500k increase committed to the Cosy Corner project, Porthcawl, so please can I have an assurance that this is the last cost increase for this scheme and would it not be wiser to progress here with the previous Credu Scheme, as the scheme had overrun in any event.

Credu had planned developing a Maritime Centre at this location back in 2020, at a cost of £5.8m. Funding had been committed by Visit Wales in the sum of £3m towards this. However, Credu withdrew from the scheme as they went into administration, so with the site half constructed, BCBC took it over to initially make it safe. With only £1m of the £3m Visit Wales funding subsequently then being available, Cabinet made a decision to take the site forward as part of a Community Scheme. So, a single storey building was then developed there, in-keeping with other buildings at the location, with a number of uses within this. The Council then as part of its Capital Programme committed a further £1m of match funding to the Visit Wales funding. However, to progress with other external works at the site as part of the Cosy Corner development and in a bid to cover increased market and inflationary pressures and costs a further £500k has had to be committed to the scheme, in order to progress with the works. The original scheme had never overrun.’

31. **TO RECEIVE ANNOUNCEMENTS FROM:**

Mayor

The Mayor announced, that as a council, we often warn people to remain alert for scams that are designed to convince people to part with their money or to reveal private banking details.

He was sure colleagues could imagine his surprise, after he was recently informed by a resident about his own name and position as Mayor were being fraudulently used.

It transpired that the resident concerned had received an email from a bogus account set up to look as if it belonged to the Mayor of Bridgend County Borough.

In the email, the scammer using my name asked the resident if they could do ‘me’ a favour by purchasing several hundred pounds worth of digital gift cards and promised to reimburse them immediately.

On seeing the messages from the scammer, several things stood out immediately. The first thing I noticed was that the email was full of spelling mistakes and poor grammar and had been badly put together.

The other big giveaway was the fake email address, which did not end in a gov-dot-UK address, and I am appalled that someone tried to use my name and my position as Mayor in such a criminal manner.

Sadly, it seems that this is quite a common scam which nearly always involves impersonating somebody and sending an email to their friends, family members, people they have supported through public office or customers they may have done business with.

The Mayor urged people to remain alert and to report all suspected scams to the Action Fraud website, without delay.

On happier news, he was delighted to attend the signing of a Memorandum of Understanding between the council and Japanese green energy specialists, Marubeni.

This was a non-binding partnership agreement which set out how both organisations intend to work together to explore and develop a largescale new hydrogen energy initiative.

Bridgend County Borough was specifically selected by Marubeni as the preferred UK location for a green hydrogen demonstrator project, following discussions with Welsh Government.

It aimed to create a plant capable of generating and balancing the supply and storage of low-cost green energy and could act as a trailblazer by generating clean fuel for fleet vehicles, ranging from council gritters to recycling and refuse collection lorries.

It could also be extended to cover emergency response vehicles used by blue light services and will consider how hydrogen fuel might be used to heat buildings and facilities such as schools, Extra Care residential homes, local swimming pools and more.

Welsh Government is actively supporting its development and as the project develops, the Cardiff Capital Region has also agreed in principle to consider the opportunity for making further investment.

Depending on how successful the scheme is, it could then be rolled out across the UK.

Anyone who has filled up their car recently will know that it is becoming increasingly important to find alternative sources of clean, green cheap energy.

This scheme has the potential to not only contribute towards our own decarbonisation targets, but could help meet national Welsh Government targets on achieving a carbon neutral public sector by 2030 and establishing renewable hydrogen production sites as part of the Net Zero Wales agenda.

The Mayor looked forward to seeing the project make progress in the weeks and months to come.

In terms of functions and events, the Mayor's Office had continued to be very busy in supporting various organisations across the County Borough.

Both the Deputy Mayor and myself have been privileged to attend many diverse events and met some incredible people. A selection of these events included:

The BAVO volunteer awards ceremony held at the Grand Pavilion Porthcawl. It was truly humbling and inspiring to witness at first hand the incredible work undertaken by people helping others sometimes in very demanding and unique circumstances. He extended congratulations to all those nominated for an Award and thanked the BAVO management team for organising this event.

The Mayor was sure Members would wish to join him in saying a Big Thank you to all volunteers across the County Borough, that had been involved in the above.

He announced that he also had the privilege to attend award ceremonies at The Bridgend College and CCYD at Tondy, where students can be very proud of their achievements there. There was no doubt the County Borough has a wealth of talent within its younger generation, both in terms of academic achievement and vocational qualification. Well done to all.

On a very hot Sunday afternoon the Mayor also attended a " Night at the Musicals " show at the Grand Pavilion Porthcawl. This had been a great performance.

51 Children from across the County Borough were amazing, along with a packed audience the young people involved, entertained them with song and dance of a very high standard. It was also a pleasure to meet many of the very proud parents after the event. Very proud parents I may add. The Mayor extended his thanks to the Bridgend Show School for the invitation and for organising this event.

Deputy Leader and Cabinet Member – Social Services and Early Help

The Deputy Leader and Cabinet Member – Social Services and Early Help, advised that Foster Wales Bridgend has recently celebrated its first birthday and has been reflecting on a year dedicated to improving foster care for children across the county borough.

As members may know, Foster Wales Bridgend is part of an all-Wales fostering network of not-for-profit fostering services, comprising of all 22 local authority teams.

Over the last 12 months local authority foster carers have come together to provide vital support for vulnerable young people and parents, with 163 new fostering families formed.

However, there is still a need to recruit an estimated 700 new foster carers and families across Wales, all while the country faces a continuing cost-of-living crisis.

The Foster Wales team in Bridgend wants to encourage more people to take up fostering through their local authority, so children can remain in their local area, close to their friends and families and in their schools.

Latest statistics show that last year, 84 per cent of young people fostered by their local authority stayed in their immediate local area.

In comparison, 77 per cent of children cared for by commercial fostering agencies were moved out of their local area to find foster placements. Almost six per cent of children were moved out of Wales entirely.

Our Bridgend foster team wants to support the Welsh Government in its aim to remove the profit element of the care system, ensuring young peoples' interests remain at the heart of the process and offering stability to foster carers through long standing and experienced local authority teams.

We are committed to supporting our hard-working, dedicated foster carers by making life even better for children and those who care for them.

We will be looking at offering carers the financial support they need to provide opportunities and stability for children and continuing best practice for matching, by having a wide pool of foster families to choose the best fit for both the foster carer and the child. Even when placements are made in an emergency, enabling social workers to introduce the child to their foster carer before being welcomed into the home.

This is why local authority, not-for-profit fostering services work alongside schools and children's social workers to develop an in-depth knowledge and understanding of the specific opportunities or challenges in our local area.

We are in this for the long term, for the right reasons, and most of all, for the children themselves, she concluded.

Cabinet Member – Education

The Cabinet Member - Education advised that the next phase of the new digital payment voucher scheme is set to be distributed to eligible families.

Designed to ensure that children who are entitled to free school meals will not go hungry over the summer holidays, the £39 vouchers will be issued in three stages and will provide up to two weeks' worth of food each.

Redeemable at any one of the UK's 28,000 Pay Point outlets, the vouchers will remain valid until the first of September, and more information is available at the council's website.

He was sure that members would also want to join him in congratulating several of our school-based staff for some recent significant achievements.

The Professional Teaching Awards Cymru have named Meurig Jones of Ysgol Gyfun Gymraeg Llangynwyd as this year's Headteacher of the Year, while Gill Sullivan from Maesteg School was also nominated in their 'Supporting Teaching and Learning' category.

While over at Penybont Primary School, teacher Jemma Evans has scooped the 'Teacher of the Year' accolade at the Into Film Awards for incorporating film techniques into her lessons.

The Cabinet Member – Education extended his thanks to all three individuals for achieving these accolades.

Cabinet Member – Regeneration

The Cabinet Member – Regeneration, was pleased to confirm that Welsh firm John Weaver Contractors Ltd have been appointed to provide all-new community facilities at Cosy Corner, Porthcawl.

Workers are about to start laying down the groundwork for an all-new stone and glass-clad building and a landscaped external area that can be enjoyed by visitors and residents.

This £2.4 million project will incorporate premises suitable for five small retail units, public toilets, meeting space for community use, offices for the harbour master, changing facilities for users of the nearby marina and more.

The site will also feature an outdoor children's play area, plenty of public seating, space for staging events and an all-weather canopy capable of providing comfortable outdoor shelter from rain and the sun.

It has been part-funded by the European Regional Development Fund through Welsh Government and is expected to be ready in time for spring 2023.

This exciting new project will support our ongoing plans for the development of the Salt Lake and waterfront areas and will complement other regeneration projects such as the new marina, new sea defences, the recently restored Jennings Building and improvements to the eastern breakwater.

Cabinet Member – Communities

The Cabinet Member – Communities was sure that members will be pleased to hear that work is well underway on the investment programme which is refurbishing play areas across the county borough and providing new equipment.

The work is being undertaken by the Green Spaces team, and by the end of the month, we anticipate that play areas based in Ogmores Vale, Nottage, Evanstown, Wildmill and Caerau will have been completed.

Then, in September, the work will move on to play areas located in Ogmores Vale, Porthcawl, Aberkenfig and Tondur.

Once the new equipment has been installed, further works are planned that will provide refurbished street furniture for the benefit of local children and families.

Further news on the investment programme would be relayed to members, as it progresses.

He was also sure that members will have noted the work that is taking place just outside the Civic Offices to replace and upgrade the traffic lights at the junction between Angel Street and Park Street.

This was also the first temporary traffic light system of its kind to be trialled in Wales, and that early analysis of its performance has revealed it to have been a big success.

Designed to mimic the set-up of the original traffic lights, it ensures that the flow of vehicles through the busy junction can continue as normally as possible and keeps the need for unnecessary queuing to an absolute minimum.

This has greatly supported the refurbishment of the existing traffic lights, which is necessary as they are now more than 25 years old, and also helps with our efforts to improve air quality.

It has certainly proven to be of major benefit in minimising disruption for drivers, and I am sure that we can expect to see the set-up being used for similar works in the future across the County Borough.

The Cabinet Member – Communities thanked Officers in the Street Lighting team for introducing this initiative.

Cabinet Member – Resources

Absent - No announcements

Cabinet Member – Wellbeing and Future Generations

Absent – No announcements

Chief Executive

Absent – No announcements

32. **TO RECEIVE ANNOUNCEMENTS BY THE LEADER**

The Leader announced that he was aware that rumours are circulating about the Aldi food store development at Porthcawl, with some claiming that the company has withdrawn due to issues of ground contamination.

He was happy to confirm that this is completely untrue.

There are no issues with the ground at the site, and the project is very much moving ahead as planned.

The company recently confirmed to us that initial preparations are nearing completion, and that contractors are being lined up for construction to begin at the two-acre site.

As members were aware, the development aims to provide a landmark gateway into the town while creating up to 40 full-time jobs for local people.

All money generated from the sale of the land is being reinvested back into Porthcawl to support local infrastructure improvements and further stages of the exciting regeneration plans.

During the store's construction, public car parking will remain available at Salt Lake and Hillsboro Place, and separate plans are under development for creating an all-new multi storey at Hillsboro Place.

If all proceeds as planned, we can expect to see the new Aldi store opening its doors in summer 2023.

The Leader confirmed that he was pleased to attend an event recently alongside the Deputy Leader, the Mayor and Cabinet colleagues to mark the tenth anniversary of the ongoing partnership between the council and Halo Leisure, Social Enterprise.

When the partnership was first formed back in 2012, members may remember that it was criticised as being destined to fail.

Thankfully, the opposite has proven to be true, and in the ten years of operation, customer visits have increased by 2.35 million people a year.

It has enabled more than £7 million to be invested back into local initiatives and has resulted in major refurbishments and new facilities being introduced at Halo sites in Bridgend, the Garw Valley, the Ogmore Valley, Pencoed, Pyle, Maesteg and Ynysawdre.

More than 32,900 swimming lessons have been delivered to 2.1 million local children in that time, and if the pandemic lockdown had not forced centres to close their doors, I am sure that we would also be looking at more than a million group exercise classes delivered for local people.

This partnership has achieved all that we wanted it to and more and was recognised in 2016 when it became the first in Wales to be awarded an 'Excellent' rating by the industry's national benchmarking service.

The Leader stated that he looked forward to what the next ten years will bring, and thanked everyone who has helped make this such a resounding success.

Finally, members may wish to inform their constituents that the annual programme of activities for children – the Summer of Fun - will be running again this year in partnership with organisations like Halo and our local town and community councils.

As well as supporting parents and families, this ensures that children and young people can enjoy fun, exciting activities during the school holidays in Bridgend County Borough.

A huge range of community activities are taking place, so whether children are into BMX biking, football or want to try out surfing and bushcraft, there is something to suit everyone, he added.

The programme of events included Active 4 Life schemes in Porthcawl, Brackla, Maesteg and Pencoed, and the popular Summer Reading Challenge which is being provided by Awen Cultural Trust at all Arwen County Libraries.

Halo Leisure is providing activities such as free swimming sessions and for the first time, a new Kid's Club will be staging free events using the square at Bridgend Indoor Market.

At Bryngarw Country Park, children will be able to enjoy activities ranging from pond dipping to shows such as David Walliams 'Awful Auntie', and organisations such as Menter Bro Ogwr and The Urdd will provide activities for Welsh-speaking children also.

New activities are being added all the time, and anyone who wants to find out more should be directed to the Summer of Fun webpages at www.bridgend.gov.uk

33. CAPITAL PROGRAMME OUTTURN 2021-22 AND QUARTER 1 2022-23

The Chief Officer – Finance, Performance and Change submitted a report on the above, the purpose of which was to:-

- comply with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA) 'The Prudential Code for Capital Finance in Local Authorities' (2021 edition);
- provide details of the capital outturn for 2021-22 (Appendix A to the report);
- provide an update of the capital position for 2022-23 as at 30 June 2022 (Appendix B);
- seek approval for a revised capital programme for 2022-23 to 2031-32 (Appendix C);
- note the projected Prudential and Other Indicators for 2021-22 and 2022-23 (Appendix D)

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

As well as the legislation, the Council manages its Treasury Management and Capital activities in accordance with the following associated guidance:-

1. CIPFA's Treasury Management in the Public Services: Code of Practice;
2. CIPFA's The Prudential Code for Capital Finance in Local Authorities;

3. Welsh Government (WG) revised Guidance on Local Authority Investments

The Chief Officer – Finance, Performance and Change, confirmed that on 24 February 2021, Council approved a capital budget of £62.363 million for 2021-22 as part of a capital programme covering the period 2021-22 to 2030-31 and Council received regular updates and approved revisions through the year. Although Council approved new schemes for the 2022-23 capital programme in June 22, the programme for 2021-22 was last updated and approved by Council on 23 February 2022. The report provided an update on the following:

- Capital Programme outturn 2021-22;
- Capital Programme monitoring quarter 1 2022-23;
- A revised Capital Programme for 2022-23 to 2031-32;
- Capital Strategy monitoring;
- Prudential and other indicators

Paragraphs 4 of the report, then gave in some detail, narrative on the Capital Programme Outturn Position for 2021-22, with Appendix A of the report giving information of the various schemes within the Programme and the budget available compared to the actual spend. This included in bullet point format, some amendments to the 2021-22 Programme, including information regarding slippage of some of these schemes.

Section 4.2 of the report, provided Members with an update on the Council's Capital Programme for 2022-23 since the budget was last approved by Council, this incorporated any such new schemes and grant approvals.

Table 1 in the report reflected the Capital Programme broken down by Directorate for 2022-23, with Table 2 (at paragraph 4.2.2) summarising the current funding assumptions for the Capital Programme for the above period.

The Chief Officer – Finance, Performance and Change then referred to Appendix B of the report, which provided details of the individual schemes within the Capital Programme, showing the budget available in 2022-23 compared to the projected spend at 30 June 2022.

This section of the report showed new and amended schemes since the Capital Programme was last approved. She added that a revised Capital Programme was therefore shown in Appendix C of the report.

The remainder of the submission related to information on Prudential and Other Indicators 2022-23 (Monitoring) and Capital Strategy Monitoring.

A Member referred to 4.1.21, page 25 of the report, where he noted that the Council has been awarded funding of £1.162 million for free school meals. He asked the Leader whether or not this will allow the BCBC administration to meet its manifesto commitment of delivering free school meals to all primary school children by September 2023.

He had a further question on education, in respect to paragraph 4.1.4 on page 26 of the report with regards to school capital maintenance. The report confirms that there have been a number of underspends due to internal and external resource availability, which has meant that the grant in question has been used to fund various other schemes in the Capital Programme. He asked what these schemes were.

Finally, once more on page 26, the report noted that £1.677 million of funding for Minor Capital Works has slipped due to delays in completing a number of schemes. He was interested to know which schemes had been delayed.

The Leader advised that unfortunately, due to rising costs, there are five schools that did not currently have kitchens and they therefore had no ability to cook any meals, including free school meals.

The aim the Leader added, was that free school meals would be available for all pupils at Reception age from this coming September and Infants aged pupils also. Everyone then of Primary school age would receive this benefit by September 2024.

The Corporate Director – Education and Family Support added, that there was a commitment from Welsh Government to ensure that all primary school pupils, have an offer of a free school meal by September 2024. Work was actively ongoing by the Council, to meet this target.

Over the last two years and as was announced back in 2021, the only formal commitment he was aware of from a Welsh Government perspective, was for all the learners in primary schools to be offered free school meals by September 2024. With regards to the other two questions, he would have to provide further information to the Member outside of the meeting, as they come under the purview of the Council's Corporate Landlord section as they related to capital maintenance schemes. Any delays to the schemes referred to, were as a result of resourcing and supply pressures internally, as well as COVID-19 pressures and the rising cost of the materials and other contractor costs. That meant that some of the proposed schemes have had been reviewed in terms of specification and retendered, which has inevitably slowed down some of the work.

The Corporate Director – Education and Family support added, that he would provide the Member with a full list of schemes in relation to the minor works outside of the meeting, though this list remained unchanged with officers working through these on a prioritisation basis, albeit playing some catch-up work due to the problems experienced to date. Work was ongoing with colleagues in procurement to ensure that the schemes were being addressed, in order to achieve satisfactory further progress on these.

The Member then asked a further question in relation to page 29 of the report on the Levelling Up Fund. He was aware that the cost of the Penprysg Road Bridge at Pencoed was estimated to be £20m a couple of months of months ago. He asked therefore, why this cost had now escalated to £25m.

Finally, he asked if Heol-y-Cyw could be considered sometime in the future, as an Active Travel connection route.

The Corporate Director – Communities advised, that the cost of the works has increased for the Penprysg Road Bridge, ie feasibility costs. The bridge had not been fully designed yet, though this was work commissioned with Network Rail but yet to be completed.

The cost had originally been estimated at approximately £19m, however, colleagues at Network Rail have advised BCBC that this will be substantially more going forward. With inflation currently at 9.4%, and noting that the delivery of the bridge probably won't be in place until the Spring of 2026, if we are successful with our Levelling-Up Fund bid, the costings have been re-estimated to around £25m, to ensure that there will be enough money contained in the bid to progress fully the works.

She added that due to inflation and material costs rising almost daily, it was becoming increasingly difficult to accurately tie down the cost for the different schemes that made up the Capital Programme and this was a problem being experienced by local authorities across the whole of the UK.

In terms of Active Travel, BCBC were as far ahead as any local authority in Wales. She added that she would be happy to discuss this with the Councillor, ie the scope for a further active travel route in Heol-y-Cyw and come up hopefully with some viable options of how to achieve this.

A Member noted from the report that there was some slippage of monies for the Ewenny Road development, in the sum of £2.26 million. He noted that the report mentioned a revision to the engineering scope of works and to the works specification. He sought some clarification that any such revision would not result in a lowering of expectations, or be at the detriment of the extensive works required on the site.

He also enquired if more than one tenderer for the works had submitted a quote to ensure we were having a competitive and value for money work specification and finally, he asked when the works would be undertaken.

The Corporate Director – Communities advised that the slippage had been as a result of legal agreements having to be drawn up, as this was a regional project that had been planned with the 10 other local authorities that made up the Cardiff Capital Region City Deal. This process however had now been completed. A further delay had also resulted from problems with contamination of the site, which had now also been addressed and resolved. Therefore, site investigation works and planning would be carried out as soon as possible.

In relation to the tendering of the works, she added that interest from more than one tenderer had been received, however, only the one tenderer met all the requirements of the works specification.

The Member asked, how strongly the capital programme featured in the Authority's Risk Register. Due to increased inflation, difficulties in getting labour and materials and a national skills shortage, amongst other reasons, he asked if there was an ongoing exercise looking at the deliverability of various pieces of work that may in the future unfortunately find themselves the victim of economic difficulties.

The Chief Officer – Finance, Performance and Change, confirmed that the capital programme per se is not an individual risk on the programme. However, there were a number of risks identified in the Corporate Risk Assessment, which would cover exactly the issues that the Member had just raised, for example, the risk register would look at issues like the impact of inflation for tendered work. It would also examine the ability to actually successfully tender for different pieces of work.

BCBC wanted companies not only submitting tenders for works, but it also needed these companies to deliver the work to a high quality standard that also met our procurement requirements.

She reminded Members also that the Governance and Audit Committee of the Council monitors and updates the Risk Register periodically as part of its remit of functions.

The Cabinet Member – Communities added, that the Council now accounted for risk contingencies in the Contract documents that are sent out and returned as part of the tendering process, due to the rise of costs, such as diesel and materials, etc

A Member referred to page 36 of the report, where it stated there was an underspend of £49k in a safe route project. This was Welsh Government funding specifically for this project. There was also a number of projects similar to this that showed underspends against them. If these monies from Welsh Government funding specifically relate to those projects, she asked where the underspends were going. Would it be able to be spent on other safe routes projects, or was it being allocated to a central Council fund.

The Member also asked for an explanation as to what were communities minor works and highway small schemes.

The Corporate Director – Communities advised that we receive Welsh Government funding for safe routes to schools in the form of a very significant amount. The underspend referred to, is very small in relation to this and should the Council be unable to spend all these funding allocations in one year, it would ask Welsh Government if it could roll the money over to the following year, or alternatively, ring fence it so that it eventually can be used for the purpose it was given for.

She added that in terms of the communities minor works and highway small schemes, these were very small pieces of work. For instance, such as minor highway amendments, moving streetlights, small repairs, maybe a dropped kerb, etc. There was a small scheme budget for this purpose for works spanning the County Borough.

The Cabinet Member – Communities added that the Council had set aside a significant sum of money for highway improvement schemes going forward and he was very pleased to remind Members of this.

The Member also referred to page 45 of the report, where reference was made to S106 Agreement monies and an instance of slippage of £246k which had been rolled over to this financial year. She was aware, that the local authority had a five year window period to spend S106 allocations at different site developments, so she sought an assurance that the Council never puts itself in a position whereby any such monies were given back to the developers should they not be spent within the above period.

The Corporate Director – Communities assured Members that the Council would always spend these allocations within the five year period as this money was needed to provide on-site, facilities such as maybe a children's playground or other assets and improvements that may be required as part of the development. Legal agreements were put in place for this purpose, in order to protect this money, she added.

RESOLVED:

That Council:

- Noted the capital outturn for 2021-22 (Appendix A to the report)
- Noted the Council's Capital Programme 2022-23 Quarter 1 update to 30 June 2022 (Appendix B)
- Approved the revised Capital Programme (Appendix C)
- Noted the projected Prudential and Other Indicators for 2021-22 and 2022-23 (Appendix D).

34. MARKET STABILITY REPORT

The Corporate Director – Social Services and Wellbeing submitted a report, the purpose of which, was to provide Council with a brief overview of the Market Stability Report (MSR), as required under Section 144B of the Social Services and Well-being (Wales) Act 2014.

By way of background information, she advised that legislation requires local authorities to prepare and publish market stability reports and makes provision for regulations setting out the form these must take, matters to be included, and the prescribed period for carrying out market stability assessments as set out in the Partnership Arrangements (Amendment) and Regulated Services (Market Stability Reports) (Wales) Regulations 2021.

The Regulations also amend the Partnership Arrangements (Wales) Regulations 2015, so that the preparation and publication of market stability reports must be carried out on a regional footprint, with local authorities and Local Health Boards working together through Regional Partnership Boards (RPBs).

The Corporate Director – Social Services and Wellbeing confirmed, that Regulations also required local authorities to produce market stability reports every five years, with the first reports aimed to be published by 1 June 2022. The Local Government Elections on the 5 May 2022 meant that it was not possible to gain approval of the MSR until new Councils were formed.

The report she added, will help inform and shape the next five-year area plan, along with the 2022 Cwm Taf Morgannwg (CTM) population needs assessment.

In preparation for undertaking this report, the Corporate Director – Social Services and Wellbeing stated that local authorities carried out, in partnership with the Local Health Board and other RPB partners, an assessment of both the following:

- Sufficiency - an assessment of the sufficiency of care and support in meeting the needs and demand for social care as set out in the population needs assessment. and
- Stability - an assessment of the stability of the market for regulated services providing care and support

She explained that the COVID19 pandemic had been an unprecedented challenge and has changed the type of demand and the way in which local authorities delivered care and support. The impact on people who need care, and their carers is recognised as is the ongoing workforce pressures and market uncertainty.

In January 2021 the Welsh Government published a White Paper setting out their ambition to rebalance care and support providing a mixed economy ensuring there was not an over reliance on the private sector. The ambition sought to simplify current commissioning arrangements, strengthen quality and social value and actively manage the market through effective partnership arrangements.

She stressed that it should be further noted, that the Programme for Government outlines the Welsh Governments commitment to 'eliminate private profit from care of looked after children' (Next Senedd term 2026-2031).

The diagram in paragraph 4.5 of the report, illustrated the relationships between each of the different elements of the MSR how they will contribute towards the ongoing development of regional plans and commissioning strategies and statements.

The Corporate Director – Social Services and Wellbeing then advised that the next section of the report, reflected the key messages from the Market Stability report, and that the recommendations would be further explored within the Regional Partnership Board, adult and children's boards within future work programmes, as appropriate.

Prior to receiving questions from the floor, she gave a resume of the key messages and recommended actions arising from the different elements of the Market Stability Report (MSR), for the benefit of Members.

The full version of the MSR was attached to the report at Appendix 1, with a summary version shown at Appendix 2.

The Deputy Leader thanked the Officer for this regional report. She confirmed that it was no surprise in this area of work, to see issues regarding difficulty around the recruitment and retention of staff, given the demands upon the service which had increased significantly so, particularly since the inception of the pandemic.

This had resulted in some difficulty around giving full commitment to the various plans and strategies relating to the future commissioning of care support mechanisms, including the not-for-profit type for young people. If local authorities are able to fully commit to the delivery of these services, adequate support needs to be provided from Central Government.

A Member asked what preventative measures the Council had moving forward for families that require early intervention, in order to ensure they are not put in a position of risk. Also, he asked if the Council have looked at any options of enhanced support for Foster Carers, for example free bus passes, free/reduced access to leisure facilities, etc.

The Deputy Leader confirmed that a report was considered by Cabinet yesterday entitled Foster Care Allowances update and if the Councillor read this, he will find that there is a considerable amount of information therein, including what Foster Carers think of the Council's service provision.

She added that service demands had increased by around 200% in recent times and this was proving to be extremely difficult to manage, especially as support to both Foster Carers should be accessible 24/7.

The Corporate Director – Social Services and Wellbeing advised, that through both her and the Education and Family Support Directorate, there was a wide range of support available in terms of early help and prevention and wellbeing services, including support from reunification staff which was invaluable.

These staff undertook very focused work in the support of children to become reunited with their families and stabilise placements at risk of breakdown. She added that efforts are also continually being made, to reduce the numbers of children being looked after, where this is safe and in the best interests of the child. She further added, that the Council had also introduced a Foster Care Charter which would support Foster Carers to look after some of the more challenging children, who had experienced unfortunate events in the early part of their lives.

Finally, the Corporate Director – Social Services and Wellbeing, confirmed that a survey carried out as part of the Foster Carers Charter, included for feedback from them on their relationship and experiences with other providers, the full results of which could be shared with Members in due course.

RESOLVED: That Council:

- Noted the key messages and recommendations; and
- Endorsed the Regional Market Stability report.

35. **SIZE AND MEMBERSHIP OF THE STANDARDS COMMITTEE**

The Monitoring Officer presented a report, that proposed an amendment to the size and membership of the Council Standards Committee.

She confirmed that in accordance with statutory regulations, the membership of that committee shall consist of not less than five and no more than nine members.

The Standards Committee of the Council, presently had a membership of seven members, and these were listed in paragraph 3.2 of the report. Members would note that this number consisted of three elected members and four independent members.

The Monitoring Officer added, that the Standards Committee will only be quorate when at least three members, including the chairperson are present and at least half the Members present at any one time, are independent.

Given this requirement, the committee was on occasions in danger of not having the required number of members for a quorum at certain meetings, due to the balance of elected and independent members. If independent members were not available, as was the case in a recent meeting when, unfortunately, a meeting may be inquorate and as a consequence, the business on the agenda could not be proceeded with.

It was therefore proposed that the membership of the Standards Committee is increased to eight members in total, with an additional independent Member being appointed to the committee.

In accordance with the independent Remuneration Panel for Wales annual report, ordinary members of the committee are paid £105 for up to a four hour meeting and subsequently £210 for any meetings exceeding this time. These additional costs would be met from the centrally held provision for pay and price increases during the 2022-23 financial year.

A member of the Standards Committee confirmed he supported the recommendations of the report. He added however, that further consideration be given next year to increase the number of Town and Community Council representatives on the Committee, as had been the case in previous years.

Subject to budgetary pressures being taken into consideration regarding this proposal, the Monitoring Officer confirmed that this request could be given further consideration in due course.

RESOLVED:

That Council:

1. Approved the revised membership and size of the Standards Committee;
2. Receives a further report following the recruitment process;
3. Noted that the Constitution will be amended to reflect the revised membership.

36. OUTCOME OF SURVEY OF MEETINGS TIMINGS

The Monitoring Officer presented a report, in order to update members on the survey that has recently been undertaken, in relation to the timings of meetings survey, the feedback from which was shown in Appendix 1 to the report.

The details of the feedback on each Committee and the preferred timings of these based on the wishes of members of each of those bodies, were set out in the report from paragraph 4.3 onwards.

The council confirmed in a public report to Cabinet in 2020 it would not introduce full cost recovery charges for any clubs provided that they committed to undertaking self-management either by full lease or licence. It was reported to Cabinet that in 2020 that the Council has received expressions of interest for all of its playing fields and park pavilions either from Town & Community Councils and/or sports clubs. Therefore, no club will experience full cost recovery.

Furthermore, I am pleased to confirm that for last 2 years (seasons 2020-21 and 2021-22), the Council waived all hire charges for the use of Sports Pavilions and Playing Fields managed by the Parks Department to assist sports clubs during the covid pandemic. In addition, the Council created the Bridgend Sports Support Fund in 2019-20, providing funding of £75,000 to lessen the impact of covid with grants of up to £1,000 for sports clubs to assist with day-to-day operating costs. Similar funding was again provided in 2021-22 under the Bridgend Sports Support Fund with grants of up to £2,000 (Club Development) or £3,500 (Asset Development) to assist sports clubs recover from the pandemic.

Assets such as Sports Pavilions and Playing Fields at Bryncethin and Rest Bay, Community Centres and Play Areas transferred under the CAT programme have seen significant improvements with capital funding under the Council's CAT Fund and external investment of circa. £1M from Welsh Government, the Welsh Rugby Union, National Lottery and the Ford Community Legacy Fund. The CAT Team and our partners Cwmpas (formerly Wales Co-op) and Coalfields Regeneration Trust are currently working with Town and Community Councils and community groups across Bridgend so that similar outcomes can be achieved in more areas.

Supplementary question from Councillor M Williams

In answering the question the Leader has confirmed that he is not minded to change the policy of full cost recovery and the coercion of clubs to enter into asset transfers remains. However, he didn't answer my point regarding a charitable event but that is the nature of my supplementary question in any case, so he does have the opportunity to reflect on that.

I viewed remotely the last Budget Council meeting in February. It was agreed then by this Council to increase the cost to reflect full cost recovery of special day events such as Community Fun days and Race for Life on BCBC property or at BCBC playing fields. I note with interest that the Bridgend and Ogmores Young Labour summer social picnic and politics event will be taking place in Newbridge Fields this Saturday at 1:00PM. Could I ask the Leader, will the Bridgend and Ogmores Young Labour summer social group be paying the fees that are levied to other organisations, such as Race for Life?

Response

I am not a member of the Young Bridgend or Ogmores Labour group and therefore, I don't know about this event. I can of course find out about it, but I assume it's an informal gathering, as people often do gather in areas such as public playing fields and/or green open spaces available for recreational purposes for the public. But I will take this away and find out a bit more about the event. Just to confirm, Mr Mayor, there is no collusion. There is a partnership that we have with sports clubs across the County Borough and I am proud of that.

Partnerships are made here also with Town and Community Councils as well as organisations and we have made progress here in terms of investment in sports clubs across the County Borough, together with any associated facilities.

We have also seen more than £1,000,000 invested in facilities such as these and we will continue to work with all our Sports Clubs and Town and Community Councils to this end, because they have expressed an interest in delivering those further improvements to such facilities across the BCB.

Second supplementary question form Councillor I Williams

Could you please inform me what the procedure is if a club decides to withdraw its interest in the capital asset transfer process for whatever reason, maybe inability to maintain the assets so taken over, for example, sports pitches and changing rooms.

Perhaps because they cannot commit to the responsibility of taking on a lease for any particular period of time. What would that entail for that club if they pulled out and also in the event of a club being forced into administration or bankruptcy, would the Authority take that lease back over?

Also does the 500% increase in sports field hire then kick in or not, how will this apply? Why don't you remove this fee if BCBC do not intend to enforce it?

Response

That is a couple of questions there from Councillor Williams. The lease situation means that obviously the conditions of these are tailored to different individual sites, because each one is slightly different in their own right. The asset would in such cases then return to the responsibility of the local authority.

We haven't yet reached a position where this is an issue in terms of Clubs or Town and Community Councils as it has not yet arisen.

We have very successfully worked with Pencoed Town Council as a partnership, however, if such a situation as referred to above did arise, we would look at these on a case-by-case basis with an overriding commitment of ensuring that sport would continue at these locations, in order to promote and encourage continued and greater participation in sports across the County Borough.

Also, no club will face the 500% increase, because every club is expressed an interest in the consideration of taking over sports assets and when I recently had an update on CAT this week, no Club or Town/Community Council has indicated that that that they are not prepared to undertake a partnership arrangement. Therefore, we are talking about a hypothetical situation that does not exist at the moment.

As no fees have been increased we are working very successfully with the above organisations, to create on these successes in respect of all these sites. Some clubs are making further progress than others, but we will continue to work very closely with them all, in order to build upon present capacity and this is something that is being built into the programme overall.

The Clubs also get independent support from the Coal Fields Regeneration Trust and the Co-operative Centre to help strengthen that capacity, because BCBC does recognise that some Clubs are in a better financial position than others.

Councillor S Bletsoe to the Cabinet Member – Future Generations and Wellbeing

What criteria do BCBC use to determine that a person is designated as a “rough sleeper” in Bridgend County Borough. Could the cabinet member please detail how a person who is classed as a “rough sleeper” is registered and documented for official

reporting purposes and could the cabinet member please give numbers of those designated as “rough sleepers” that were registered and documented as of September 2021, January 2022, April 2022 and the most up to date information (if later than April 2022).

Response

A ‘Rough Sleeper’ is not defined in the Housing (Wales) Act 2014, but for statistical purposes, the Welsh Government closely followed the definition used by the then Ministry for Housing, Communities and Local Government (now Department for Levelling Up, Housing and Communities) and have used it since 2016:

The following definition of a rough sleeper is recommended:

- a. People sleeping, about to bed down (sitting on/in or standing next to their bedding), actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments);
- a. People bedded down in buildings or other places not designed for habitation (eg such a stairwells, barns, sheds, car parks, cars, derelict boats,).

Since the start of the Covid 19 pandemic, Welsh Government has had an ‘all in approach’ to ensure that rough sleepers are provided with temporary accommodation. Bridgend has adopted this approach and temporary accommodation has been provided for people presenting as homeless. As part of BCBC’s response to the ‘all in approach’ a weekly Homeless Cell meeting has been created. This is attended by a range of statutory and third sector partners and enables a multi-agency approach to both the identification and support of rough sleepers.

Key to our support for rough sleepers is the Wallich Rough Sleepers Interventions Team (RSIT). The Breakfast Run element of the service operates 365 days a year. Staff support clients by providing humanitarian aid in the form of breakfast, hot drinks, warm clothing, toiletries and linking in with further local provision. The service also responds to any notifications made via the Street Link app or website (<https://www.streetlink.org.uk/>). The drop-in centre element of the service (10 Park Street, Bridgend, CF31 4AX) provides a safe environment, off the street to facilitate support work. There are washing facilities and also access to a telephone and computer. Service users can access this Monday to Friday.

In addition to our statutory homelessness provision the Council also commissions a wide range of housing support services funded through Welsh Government Housing Support Grant. These services support the Local Authority in its efforts to both prevent and relieve homelessness. Detail of the services funded in 2022-23 was provided to Cabinet on 08th March 2022.

Despite this approach, there remains a small number of complex cases where the support offered has been rejected due to an individual’s personal circumstances. Broadly, individuals who rough sleep often do so by choice or where individuals have been asked to leave accommodation, due to an ongoing unacceptable risk to staff, property or other residents.

Where there is non-engagement with support, all efforts are made to prevent placement breakdown, including moving people to alternative placements. A multi-agency approach is utilised through members of the previously referenced Homeless Cell. South Wales Police and Probation are key members of the Homeless Cell and discussions feed into the wider community safety agenda. This ensures that where enforcement action is taken, such as notices under S.35 of the Antisocial Behaviour, Crime and Policing Act it

is done so with a true understanding of circumstances and not to criminalise rough sleeping.

All individuals in temporary accommodation are offered a range of support services to meet their individual needs – this can include support from a regionally commissioned health outreach team, which provides specialist support for those with mental health and or substance misuse issues.

In addition to traditional temporary accommodation BCBC does also provide basic shelter in the form of emergency PODS and ‘floor space’. These are situated alongside existing supported accommodation projects and are used only as a last resort, where all other options have been exhausted. Availability is limited to only a small number of cases.

Welsh Government has previously undertaken a ‘single night’ snapshot survey of rough sleepers on one particular night in the autumn. Recent figures for Bridgend are 2018/19 = 5, and 2019/20 = 7. Since Covid, Welsh Government is monitoring rough sleepers on a monthly basis and in September 2021 = 2 cases were recorded, January 2022 = 6 cases were recorded and April 2022 = 3 cases recorded. This small number of individuals are well known, and services continue to work to provide the best support to them, dependent on their complex needs while balancing that with the needs of the wider Bridgend community

Anyone concerned about a rough sleeper can report it through the <https://www.streetlink.org.uk/> service which will notify the Authority and the Wallich directly.

Supplementary question from Councillor S Bletsoe

Before my supplementary, I would like to confirm in the response above it states that in April in Bridgend it recorded three individuals as sleeping rough in the County Borough that particular month.

However, Welsh Government advice on this and those sleeping rough in the BCB and other neighbouring County Boroughs, reported that BCBC had provided a figure to them, that actually eight people had been sleeping rough in the BCB during this month. So obviously, there’s a disparity between those two figures.

The people who sleep rough in our County are possibly some of the most vulnerable people that we are charged with looking after and I have spoken to a number of key people and organisations in our Borough who work on the front line with those who sleep rough. They state that the figure of eight and especially the figure of three is drastically underreporting of the figures in their experience in their personal experience. I have no reason to doubt that.

I have even spoken to people who sleep rough, who have given me the names of more than eight people who were sleeping rough in Bridgend town, let alone Bridgend County in April of this year.

Given that this is such a difficult thing to measure, how can we, as an authority, improve the way that we report these figures so that we can deal with them properly and in a way that represents and looks after those who are some of the most vulnerable people in our County Borough?

Response

I have not seen the literature from Welsh Government, however, I will check this against the Council information as quoted above. I would be keen to hear from the professionals working in this field, to see how the information regarding figures differs from the local authorities.

We commission the Charity Wallich to deliver a service 365 days a year, to support homeless people and we also work with the likes of Registered Social Landlords to identify the extent of the problem going forward. There are homeless people who reside in temporary accommodation and these individuals do not sleep rough, though we have tragically witnessed an increase in the number of homeless people in Bridgend from 308 in June of last year when compared to 321 for the same month this year.

We are maintaining the support though, through providing some with temporary accommodation. Although these people are classified as homeless, they are not sleeping rough. Other people can be accommodated in pods or on floor accommodation.

Positive actions have additionally been put in place also, namely additional Welsh Government funding and an extra £2m accounted for in the MTFS to support homeless people, together with further Council funding again for V2c, in order for them to upgrade 35 empty properties.

It should also be borne in mind the continued support we also provide to those who are homeless who have mental health problems, addictions and other complex needs.

Second supplementary question from Councillor M Hughes

I viewed Cabinet yesterday and noted from a report considered as part of the agenda business, that additional funding had been given to Llanmau, an organisation who support the homeless and most vulnerable in society. Could the Leader confirm what this additional funding will offer to tackle homelessness across BCB.

Response

Llanmau provide family mediation support services, as sadly the 2nd highest cause of homelessness in the County Borough is relationships that break down between parents and teenage children in the same household.

This further funding will help to hopefully intervene and resolve the situation via organisations such as this, with a view to re-building the broken relationship to a point whereby there is no total family breakdown that would result in the young person leaving the family home.

We have supported 72 households here who were in this position last year with Llanmau and have achieved a 57% success rate of such families either remaining intact, or the young person in question leaving, but then returning home after a short time of leaving and being classed as homeless. 89% of these people who did leave the family home, were offered move on accommodation and the feedback from them showed that 100% felt they had a satisfactory outcome, one way or the other.

Third supplementary question from Councillor E Winstanley

What help through partners such as The Wallich are we providing for Bridgend's homeless people.

Response

The Wallich supports rough sleepers and assists in providing them with a place where they can access bathroom facilities, as well as an access to food and other support services. They also assist with move on accommodation where they wish to receive this (as opposed to permanent accommodation which is sometimes refused).

The organisation have supported 36 rough sleepers recently to this end and they continue to support individuals across the whole of the County Borough and not just those sleeping rough in Bridgend and other town centres.

Question from Councillor R Thomas to the Cabinet Member - Regeneration

What is the local authority doing to support town centre high streets across the county borough?

Response

BCBC have a suite of interventions in place which aim to support our high streets which includes, investment in businesses and enterprise; support to traders and owners; investment in premises and town centre environment and delivering marketing campaigns. Year on year we are reviewing and tweaking opportunities to better respond to issues and to take advantage of new grant or finance programmes and opportunities working with colleagues across the County Borough and Welsh Government.

As part of the Welsh Government Transforming Towns Programme and previously Targeted Regeneration Investment (TRI), between April 2018- March 22, £1,572,620 of funding was secured and expended on high street properties in Bridgend and Maesteg via the Urban Centre Property Enhancement programme. These projects focused on the delivery of physical and social improvements through the re-development of vacant, poor quality, underused or derelict buildings and premises, with a view to generate employment opportunities; provide prominent and suitable locations for commercial and retail use; protect and sustain local shopping areas, increase town centre footfall and make available suitable town centre housing.

Project proposals for the Transforming Towns Placemaking Grant 2022-2025 are currently being formulated aimed at direct investment in the three town centres of Bridgend, Porthcawl and Maesteg, which will include further opportunities for grant aid and investment in property.

Over the last 2 years seventeen town centre properties across Bridgend, Maesteg and Porthcawl also benefitted from £113,247 Covid Outdoor Improvements Grant funding.

The completion of the £8.9million Maesteg Town Hall redevelopment will include the creation of a new glass atrium, studio theatre and cinema space, a café and mezzanine bar, and a modern library. The multi-use facility will provide a space to socialise, learn, access information, improve skills, create jobs and celebrate the significant heritage that this building encompasses.

A bid is currently being prepared to support similar investment in the Porthcawl Pavilion, to generate activity, creative opportunities and footfall in Porthcawl. Investment in key buildings and assets within Town Centres and high street is very much part of the programme to develop activities and footfall in our towns. In addition to the Pavilion officers are also working on a new Road Bridge for Penprysg, which would see significant traffic issues being alleviated and improvements to the town centre environment.

Specifically in Bridgend, the Town Centre Access Study, currently underway, reviews previous studies and the latest UK policy/guidance as well as the current Traffic

Regulation Order in order to provide potential options for improved town centre access and better operational access for businesses.

Also, in Bridgend officers are working very closely with colleagues at Bridgend College, to bring a new learning campus to the town centre. This multi million pound project in its self would bring more than a thousand students and staff to the town centre on a daily basis, increasing daily footfall and activity within the town and act as a catalyst for spend, development and investment.

It is planned to deliver a range of Green Infrastructure (GI) interventions across the three main town centres as part of the Welsh Government Transforming Towns Placemaking Grant 2022-2025 building on the £117,000 GI enhancements carried out on Commercial Street Maesteg.

A Green Infrastructure Enhancement Strategy for Bridgend Town Centre, currently being finalised will provide an overarching strategy for the delivery of multifunctional Green Infrastructure (GI) interventions. The document is seen as a key tool to inform and educate key stakeholders and decision makers that urban GI is critical to the future vitality and sustainability of town centres and to promote collaborative working. As well as the environmental and wellbeing benefits, GI will significantly contribute to economic development and boost investment whilst increasing land and property values.

Multiple grants and support to business and enterprise is offered through our Business Support Team. Over the last 2 years over £50m of grant aid was awarded to support business through a period of Covid restrictions, much of that awarded to businesses and independent traders and retailers on the high street, not only to support their existing business but to help change and adapt for the future.

The first phase of the new Business Start-up Fund applications are currently being processed and the next round of applications will be reopened towards the end of July,

This is a flexible grant scheme, delivered through a partnership with UK Steel Enterprise and Bridgend County Borough Council. It provides financial assistance to new or existing micro-businesses that are located, or are planning to locate, in Bridgend County Borough.

POP-UP WALES Grant Fund - This is a specific grant scheme delivered by BCBC for participants of the Pop-Up Wales Project. This project is funded by UK Government via the Community Renewal Fund. The purpose of the grant is to provide financial support to new start-ups, social enterprises and businesses that are located, or are planning to locate in BCBC and who have registered with Pop-Up Wales for ongoing business support, this grant will support 100% of eligible projects costs.

The type of activity and support our business grants provide for includes, equipment; website development; marketing and publicity costs; small scale premises improvements; staff costs; legal and professional fees and in some cases 1 month business rates.

There is also the opportunity for high street traders and businesses to take advantage of Bridgend Business Forum membership. As a member of the Bridgend Business Forum, you have the opportunity to market your business and offer, take advantage of free events and networking opportunities, member offers.

Through the town centre management function, the authority ensures that operational issues within the town centres are managed and resolved. Enquiries and issues from traders, the public and potential investors are supported. Investors are targeted and opportunities are publicised. Also various promotional activities across the town centres as visitor destinations, seasonal offers and marketing and investment opportunities such

as Christmas and Spend Summer in your Town Centre campaigns. Schemes to support traders with marketing apps for seasonal offers have also been successfully delivered.

The recently completed Bridgend Town Centre Masterplan encapsulates a comprehensive strategy for increasing the number of people who shop, work, live, visit and enjoy the town centre and seeks to improve retail opportunities, create new commercial and office space, introduce new public realm works and provide better transport facilities. It identifies a series of ambitious and deliverable projects for the next 10 years that will support future economic growth and secure more benefits and opportunities for Bridgend County Borough.

Similarly, a Placemaking Strategy for Porthcawl has also recently been completed, which will support major development across the wider town, but with a view to connect development to and support and invest in a thriving town. Work on a placemaking strategy for Maesteg will also start later this year, again to support the various investment opportunities across the town.

The authority continues to support parking offers in Porthcawl and Bridgend to enable free parking to access our commercial centres.

Footfall across the three primary town centres in BCBC has increased week on week since covid restrictions have come to an end, and whilst not quite reaching pre pandemic levels, is heading in that direction. The introduction of street markets in Bridgend and Porthcawl has been hugely successful, along with the support of offers, activities and events run by traders and local organisations themselves within Bridgend market and town centre.

More opportunities for targeted investment, support and advice for high streets is being created within the new Shared Prosperity Fund (SPF) 2022 – 2025, which can be delivered across all high streets and commercial areas in the County Borough.

The package of investment being created will include more capital grants and investment for current vacant commercial premises; a larger suite of business and enterprise grants; pop up and meanwhile use advice and finance and marketing and event finance.

Officers continue to work to ensure all avenues of support and investment are explored to support to support High Street improvements. We are seeing some positive changes month on month, with 12 new high street businesses opening since April this year in Bridgend, Maesteg and Porthcawl.

All opportunities to engage with BCBC to access advice, support and grants are promoted via our communication channels principally BCBC website, Twitter, Facebook.

Supplementary question from Councillor R Thomas

Firstly, I'd like to acknowledge the ongoing work of the Council's Regeneration Team who although they are a very small section, they are making significant strides in terms of seeking external investment and securing grants, etc.

I recognise the efforts made both locally and nationally in the face of economic turbulence experienced within the last 2 years or so, as well as the road ahead still carrying a great deal of uncertainty. So, what constructive lessons have been learnt from the previous Business Improvement District Initiative in the Bridgend town centre and despite this being wound up, are there any plans for this Council in the current term of office, to look at bids/similar initiatives to pool investments and ensure the local pound remains local.

I would also like to invite the Cabinet Member – Regeneration to visit Treorchy with me, to see their success story to this end.

Response

The Corporate Director - Communities advised she was unable to comment upon the previous bid so referred to, given that this took place before she was employed by the Council. She would however, arrange for a suitable response to be put together by one of her Officers and sent to the Member outside of the meeting, or meet with him to discuss this matter further.

The Cabinet Member – Regeneration also confirmed that she would be happy to take up the visit to Treorchy.

Second supplementary question from Councillor G Walter

What progress is being made in rolling out free Wi-Fi in our town centres

Response

We are rolling out free Wi-Fi in all four of our town centres and this is being delivered through major investment in our CCTV provision that will keep our communities safe and provide a deterrent against crime. This will be an asset to visitors to the County Borough and residents alike.

Third supplementary question from Councillor R Collins

As someone with long term experience in the retail trade in Maesteg town centre, can you confirm that the support for SME's and sole traders is very much at the forefront of BCBC, in order to ensure that our high streets remain of high priority as a visible point of contact.

Response

The Corporate Director – Communities confirmed that there were a significant number of traders and SME's in Maesteg town and the market area, where there were a number of small independent shops, which would be protected moving forward and our town centre Manager at Maesteg is passionate about this. We have worked hard to protect these businesses through support in the last couple of years by issuing Covid Support and Business Improvement Grants, so that traders could be assisted with their business operational modules. These had allowed certain businesses to continue operating outdoors as well as accommodating avenues for on-line retailing. These were key to the effective operation of businesses in the town and BCBC would continue to support local traders and SME's to this end. Shopping locally has been maintained and even progressed further since and during Covid, where appreciation has been shown to traders by customers, highlighting the value of smaller shops. Further investment was also planned through the Shared Prosperity Fund for small businesses of this nature.

Question from Councillor Alex Williams to the Leader

Councillor Williams advised that he wished to withdraw his question.

Question from D Hughes to the Cabinet Member – Communities

COUNCIL - WEDNESDAY, 20 JULY 2022

As the time of 30 minutes for questions from Members to the Executive had now been reached, the Mayor advised that the above question as shown in detail on the meeting agenda, would roll over to the September meeting of Council.

39. **URGENT ITEMS**

None.

The meeting closed at 18:15

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING

SOCIAL SERVICES ANNUAL REPORT 2021/22

1. Purpose of report

- 1.1 The purpose of this report is to present to Council the Director of Social Services' draft Annual Report for 2021/22, and request that Members endorse the report, the analysis therein of the strengths and areas for improvement in Bridgend social services, and the next steps set out.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

Helping people and communities to be more healthy and resilient - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

Smarter use of resources – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 Following the implementation of the Social Services and Well-being (Wales) Act (SSWBA) 2014, Welsh Government developed a performance framework which aimed to ensure that authorities report, on and performance evaluated against, the well-being outcomes of the SSWBA. The SSWBA has two key policy objectives:

- to improve the well-being outcomes for people who need care and support;
- and to reform social services law.

It seeks to:

- transform the way in which social services are delivered, primarily through promoting people's independence and giving them a stronger voice and control;
- promote partnership working in social care;
- and, enhance the preventative role of social care and health, setting out overarching well-being duties to reduce or delay the need for care and support.

- 3.2 The performance framework provides the foundations of the Council's duty to appoint a statutory Director of Social Services who must report annually to Council on the effectiveness of social services and well-being in the authority area.
- 3.3 The methodology for the format of the Annual Report is prescribed under the Code of Practice, to measure social services' performance which sets standards which must be reported on. These standards, in turn, reflect the national outcomes framework. The approach to inspection, engagement and performance review is similarly focused on outcomes, with an emphasis on engaging with people to learn about their experiences and listen to their views.

4. Current situation/proposal

- 4.1 The SSWBA, places strong emphasis on promoting the well-being of people who need care and support and carers who need support. It is important that the views and voices of people and their carers are heard.
- 4.2 The aim of the Annual Report (**Appendix 1**) is to provide the Council and people living in Bridgend County Borough with an overview of social care. It aims to highlight the progress made over 2021/22, being clear about strengths as well as areas for improvement, and identify priorities for 2022/23.
- 4.3 The preparation of the report involved an analysis, based on evidence of effectiveness. Workforce across the services have contributed to the development of this report and there is evidence within the report of feedback from people who use social services and carers together with feedback from third sector partners.
- 4.4 The guidance for the report sets out the sections in relation to the six national quality standards for well-being:
- Working with people to define and co-produce personal well-being outcomes that people want to achieve;
 - Working with people and partners to protect and promote people's physical and mental health and emotional well-being;
 - Taking steps to protect and safeguard people from abuse, neglect or harm;
 - Encouraging and supporting people to learn, develop and participate in society;
 - Supporting people to safely develop and maintain healthy domestic, family and personal relationships;
 - Working with and supporting people to achieve greater economic well-being, to have a social life and live in suitable accommodation that meets their needs.
- 4.5 The report provides a summary of the main achievements in 2021/22 considering the challenges faced and the report also highlights the priorities for social services in 2022/23. The analysis draws on progress against the business plans, performance data for each service area in adults' and children's social care, the views of Care Inspectorate Wales (CIW) as the regulatory and inspection body for social services and social care in Wales and feedback from people who have experienced social services and well-being and their carers.
- 4.6 The report evidences key service developments and improvements made during 2021/22 whilst recognising those areas where improvements and change are

required. The report also identifies the significant risks and challenges faced as the Council moves forward. This information has informed our key priorities for 2022/23.

This report acknowledges the support of the whole Council, our partners in Bridgend Association of Voluntary Organisations (BAVO), Cwm Taf Morgannwg University Health Board, the Cwm Taf Morgannwg region, our cultural and leisure partners; Halo and Awen, and the whole social care sector, including registered social care providers. It pays tribute to the phenomenal commitment to the most vulnerable people in society of the social care, prevention and well-being and social work workforce.

Regulatory Analysis of Performance

- 4.7 In April 2021 Care Inspectorate Wales (CIW) undertook a quality assurance check of adult and children's social care and wellbeing. Their analysis was largely positive in respect of adult services, whilst identifying areas for improvement in children's social care.
- 4.8 In May 2022, CIW carried out a performance evaluation inspection of children's social care. The purpose of the quality assurance check and the performance evaluation inspection was to review the Council's performance in exercising social services duties and functions in line with the principles of the SSWBA. These principles are Voice and Control, Prevention, Well-being and Partnership and Integration.
- 4.9 CIW published the performance evaluation inspection report in August 2022 and it will be presented to Subject Overview and Scrutiny Committee 2 on 15th September 2022 along with an action plan that has been developed in response to the recommendations of the report. The analysis in the annual report align with the analysis of the inspectorate.

Priorities for 2022/23

- 4.10 The priorities for 2022/23 are included in the Social Services and Wellbeing Directorate Business Plan. The 10 overarching priorities for Social Services and Wellbeing in 2022/23 are as follows:
 - 1. Embed the learning from child and adult practice reviews, and regulatory inspections, to ensure the quality and effectiveness of safeguarding in Bridgend is improved, and ensure there is trust and confidence of people, communities and partners in multi-agency safeguarding practice in the county borough.
 - 2. Recognising the Council is a significant provider of social care, strengthen the quality and effectiveness of leadership, governance and care delivery in regulated direct services whilst delivering significant new services to improve outcomes for people.
 - 3. Deliver clear short, medium and long term priorities in our workforce plans for the social care and social work workforce to ensure a motivated, supported workforce in sufficient numbers to effectively meet need.

4. Implement the first year of 'Signs of Safety' for children's social care and the remodelling of adult social work as the next step in strengthening and improving strength based practice in Bridgend.
5. Develop service planning groups for key population areas, with a view to ensuring sufficiency of quality and quantity of accommodation, care and support services for people with care and support needs in Bridgend.
6. Building on the success of prevention and wellbeing in Bridgend to continue to develop sustainable, user led approaches and services which keep people well, connected and reduce the need for statutory interventions.
7. Develop business cases to develop sustainable, resourced operating models for information advice and assistance and safeguarding localities in children's social care and care and support at home in adult services to ensure the Council can meet statutory duties in a timely way to a quality standard.
8. Implement a new performance and quality assurance framework to ensure effective management oversight, performance improvement and continuous improvements through a focus on getting the core business right and addressing quickly, and at any early stage, emerging risks and issues.
9. Improve the way we engage and consult across all parts of our service, building on success in areas such as learning disabilities and care experienced children.
10. Continue to progress opportunities for integrated working with Cwm Taf Morgannwg Health Board and key partners where this evidently improves outcomes for people.

4.11 There are additional specific next steps identified at the end of each of the 6 standards which are reported upon.

5. Effect upon policy framework and procedure rules

5.1 There is no impact on the policy framework and procedure rules.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

7.1 The implementation of the duties and responsibilities under the SSWBA, in turn, supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. By promoting an environment that maximises people's physical and mental well-being and by supporting children, young people, adults and their carers and families to fulfil their

potential no matter what their circumstances, the well-being goals of a Healthier and more equal Bridgend and Wales are supported.

7.2 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales, with five ways of working to guide how the Authority should work to deliver well-being outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

- **Long Term:** Social Services is demand led and the SSWBA focusses on sustainable prevention and well-being outcomes for the future. There is a requirement to meet the needs of people in the longer term and, because of rising demographics and increasing complexity, the continued remodeling and transformation of services continues to be a priority.
- **Prevention:** The report highlights developments by the Directorate in line with the SSWBA, for example, additional resource within the information, advice and assistance in children's social care and development of workforce projects for care and support at home in adult social services to ensure the Council can continue to meet statutory duties in a timely way.
- **Integration:** The implementation of the SSWBA requires local authorities to work with partners, particularly the NHS and the Police, to ensure care and support for people and support for carers is provided. The report evidences work with the Third Sector, enabling people to remain linked to communities, and the provision access to leisure facilities and programmes for children and young people with disabilities, young carers and care experienced children.
- **Collaboration:** The collaborative approaches described in the report, are managed and monitored through various collaborative boards. These include, the Cwm Taf Morgannwg Regional Partnership Board (RPB), the Cwm Taf Morgannwg Regional Safeguarding Board, the Bridgend Multi-Agency Safeguarding (MASH) Team and the Integrated Cluster Network Teams. Strategic planning and local delivery of integrated support and services are developed and agreed at a regional basis in order to provide optimal intervention to people.
- **Involvement:** The key stakeholders are the people who use social care. There is considerable engagement including surveys, stakeholder meetings, focus groups, feedback forms and the social services complaints and compliments process. The provision of accessible information and advice helps to ensure that the voice of adults, children and young people is heard. Enhancing involvement through engagement is a key priority for 2022/23.

8. Financial implications

8.1 Whilst there are no direct financial implications from this report, the short, medium and long term sustainability of social services, well-being and prevention represents a significant pressure to Council budgets.

8.2 Although a significant underspend for 2021/22 was achieved due to unprecedented levels of short term grant funding, it is important to note that significant pressures are

being experienced in 2022/23 in meeting statutory duties and the directorate has identified significant budget pressures as part of the 2023/24 budget setting process.

9. Recommendations

- 9.1 It is recommended that the Council endorses the Director of Social Services' Annual Report for 2021/22.

Claire Marchant
CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING
October 2022

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Background documents:

None



SOCIAL SERVICES AND WELLBEING DIRECTORATE



Director of Social Services Annual Report



2021/22

Table of Contents



1. Directors Introduction

2. How are people shaping our services



3. Promoting the well-being of those we help

- Adult Social Care
- Children's Social Care
- Prevention and Wellbeing



4. How we do what we do

- Our workforce and how we support their professional roles
- Our financial resources and how we plan for the future
- Our partnership working, political and corporate leadership, governance and accountability



Directors Introduction

How Well We Have Performed

This is my second annual report as Corporate Director of Social Services and Wellbeing in Bridgend, having commenced working in the County Borough in October 2020. At the end of 2020/2021 there was a degree of optimism that despite the huge challenges presented by the pandemic that the worst challenges were over. This optimism was reflected in a Quality Assurance Check undertaken by Care Inspectorate Wales (CIW) in April 2021 which, whilst identifying areas for improvement particularly in children's social care, was on the whole positive about the quality and effectiveness of leadership and partnership through the first year of the global pandemic.

I must start this annual report by paying a huge tribute to the frontline social care and wellbeing workforce who despite many challenges have continued to deliver wellbeing, prevention, social work and social care services to the most vulnerable people within our communities. I would also like to thank the early help workforce in the Council, third sector partners in Bridgend and our commissioned providers, as well as our partners in the Cwm Taf Morgannwg region. Together we have worked to keep adults and children well, connected and supported. There are many examples of innovation which have reduced the need for statutory interventions. Through all the pandemic challenges many people have been well supported due to the fantastic work of our workforce and partners.

2021/22 has been a challenging year, and we have seen some reductions in the very high level of performance achieved in 2019/20, which was a unique year due to the level of covid-19 lockdowns. Whilst performance indicators are important, they only tell part of the story of how well social services and wellbeing and preventative services have performed. Whilst much of this report will focus on areas for improvement, it is important that we celebrate the things we do well.

Directors Introduction

Many strengths to build on.

We have clear purpose and vision for our adults and children's social care.

Our vision is:

Seamless – services and information which are less complex and better co-ordinated for the individual; close professional integration, joint working, and information sharing between services and providers to avoid transitions between services which create uncertainty for the individual.'

(from A Healthier Wales)

So we are focused on:

- Seamless locality based well-being, primary and community health and social care for all population groups.
- Organising all our services – commissioned and provided in extended primary and community service clusters.
- Prevention, supporting people to manage their own health and wellbeing
- Enabling people to live independently, well and connected.
- Supported by technologies and integrated teams co-located teams – single package of support even where there are several professionals involved in assessing need.
- Wrapped around the needs and preferences of the person, based on 'what matters' so that it makes no difference who is providing individual services.
- Transfer from county wide services to locality and community based approaches.

Directors Introduction

In addition, in children's social care we are:

- Working together to enable better outcomes for children, young people and their families via strong relationships, effective practice and timely and responsive services, which support children and families to live together (wherever possible), work on difficulties and safeguard children from harm.

In our children's services in the last year we have created the care experienced children's team and this is impacting on improving outcomes for children and families. There has been a sustainable reduction in the number of care experienced children in Bridgend. Over the past year our reunification workers have promoted permanance and stability for care experienced children including supporting 10 children to return to live with family members.

- There has been vision and capital investment in developing inhouse care homes. It is important to acknowledge there have been significant difficulties in consistently sustaining quality in the delivery of children's care homes. There are areas we need to improve. We are focussed on ensuring we have the right operating models, workforce skill mic, management and leadership and governance. We are focussed on getting things right before the opening of new services in early 2023/24.
- A new corporate parenting and participation officer post has been developed and there is now a real focus and vision on refreshing and invigorating how the Council and partners effectively parent our children and support them to achieve the best outcomes.

Directors Introduction

In addition, in adult social care

- Bridgend adult social care has been high performing and leading practice in the integration of health and social care in Wales for a number of years. This strength in all parts of adult services in Bridgend was recognised by CIW in their April 2021 quality assurance check. There is an experienced professional workforce and there is an opportunity through this report to pay tribute to the excellent practice in areas which do not often receive attention.
- The Council's community occupational therapy team has recently been subject to an internal audit report which gave a high assurance judgement on the way the service works to meet people's needs in a timely way. This service has worked throughout the pandemic to keep people as independent as possible in their own homes and has drastically reduced waiting times. The service has an effective relationship with Care and Repair for the timely provision of minor adaptations.
- Another area of practice which is highly effective is adult safeguarding. The Adult Safeguarding and Secure Estates Manager has succeeded in significantly reducing waiting times for deprivation of liberty safeguards (DoLs), which are critical to the safety and protection of people who do not have the capacity to make important decisions regarding their own lives. This performance contrasts with that in other areas of Wales where DoLs waiting lists remain a significant challenge.

Directors Introduction

- Learning disability services are highly effective in hearing the voice of people with care and support needs, and ensuring that people, who are experts in their own lives, drive the development of services. The recommissioning of supported living services in Bridgend was delivered through partnership with Bridgend People First, which provides peer advocacy and support for people with learning disabilities. There is a service development plan for people with learning disabilities which has been led by People First; the chair of People First Bridgend described the co-productive way in which the plan had been developed as exceptional.
- Our prevention and well-being services are leading edge in Wales in their approach to enabling people to be healthy, well and connected. Examples include the superagers programme which is a Bevan Exemplar, active you people programme and local community co-ordination. We have established partnerships for leisure and culture with Halo and Awen and there are specific programmes for the most vulnerable through our partners such as dementia friendly swimming, the national exercise referral programme and supported employment schemes with Awen through which trainees achieve fantastic outcomes on the pathway to employment.

Directors Introduction

In summary, Bridgend has many strengths – there are good relationships with partners locally and regionally – the NHS, South Wales Police, probation, providers. There is a strong history of integrated services for older people – the team around Mrs. Jones. There are a good range of mental health and learning disability services and a clear strategic plan for improving children’s social care. The social services commissioning team has good relationships with social care providers which have kept us strong as we have worked through the challenges of the COVID-19 pandemic. There is also well evidenced co-production of people taking a lead in designing their services, e.g. learning disabilities, BING carers network and increasingly care experienced children through the work of the new Corporate Parenting and Participation Officer.

Directors Introduction

A Significant Improvement Agenda

It is also important to acknowledge that 2021/22 has been a very difficult year for Social Services and Wellbeing in Bridgend. Whilst this has been the case for many other local authority social services directorates in Wales and beyond, there have been unique and tragic circumstances in Bridgend which have heightened the challenges, scrutiny and recovery and renewal work required

Colleagues in the Council, commissioned providers and partners have worked together tirelessly to address systematically the considerable challenge which the last year has presented us with. I would like to express my personal thanks to them for the unwavering commitment to ensuring we learn, reflect and continuously improve.

Bridgend, as the rest of Wales, worked through a year of dealing with the impact of the pandemic lockdowns. The impacts have been recognised as national challenges for social care. The First Minister of Wales has noted that social workers are “having to make up for a backlog of work that they weren't able to discharge in the normal way”.

In addition to the challenges across Wales and beyond, the people, communities and workforce in Bridgend have been coming to terms with and responding to harrowing tragedy. The death of Logan Mwangi is an unspeakable tragedy for his family and friends.

Directors Introduction

The Council is committed with our partners to ensuring we learn and improve from all the lessons that will be evidenced through the Child Practice Review to be published in the autumn of 2022. The Council and multi-agency partners have been impacted by this tragedy. People choose to work in child protection and safeguarding in order to protect and safeguard children from harm. When this does not happen all members of our safeguarding workforce feel this deeply and need immediate and longer term skilled support to reflect and continue in these critically important roles. As a Council, and with our partners, we have committed to everything we can to support and develop our workforce and work with partners more effectively than ever before.

CIW undertook a performance evaluation inspection of children's services in May 2022 and noted 'The local authority has taken action to instigate immediate learning following recent critical incidents'. Amongst the significant improvements to children's social care CIW identified, was the need to address the variability in practice, the quality of our assurance and management oversight and how well we hear the voice of children and families. This need to improve management oversight so we can address issues in a timely way is a vital area of focus. Improving performance management and quality assurance systems and processes is key. An Improving Outcomes for Children Board has been established, chaired by the Chief Executive and supported by an independent advisor. This enhanced governance is important oversight to delivery of the improvement plan in children's social care.

Directors Introduction

It is important to note that the Performance Evaluation Inspection found that 93% of our workforce in children's services felt supported to do their jobs. Given the unprecedented experience in the last year this is a positive position to sustain and build upon.

The Council took decisive action to instigate a critical incident when quality and performance in the Council's information, advice and assistance service deteriorated at the start of 2022. The risks regarding safeguarding and workforce had already been identified on the Council's corporate risk register. At this time children's services had been under significant pressure, caseloads were too high and management oversight and quality assurance systems were not as good as they should have been. The critical incident reflected a whole Council approach to delivering improvements in quality, performance and outcomes for children and families. A number of colleagues from adult services, other parts of children's services, family support services and the regional adoption service answered the call to provide immediate support to the service and their support was critical. Investment in additional workforce capacity through a managed team means caseloads are now at best practice levels, quality assurance and performance managements systems have developed and the workforce feel better supported. It is however important to acknowledge in this overview that for a period the service fell short of the standards that should be achieved and this impacted on outcomes for children and families in accessing the timely assessment and support they needed.

Directors Introduction



There has been an increase in the numbers of people contacting our services compared to the previous year in both adults and children's social care.

Whilst the level of contacts are similar to pre-pandemic years the complexity of people's needs has increased following the periods of lockdown. In adult services, we have seen a delay in some people seeking support from health and care services due to the pandemic lockdowns, and the more limited services available at times during the pandemic. Lockdowns and factors such as delays in NHS treatments have contributed to deterioration in some people's well-being, physical and emotional health. In children's services some difficult family situations have been exacerbated. The cumulative impact of combinations of factors have increased the challenges people experience in their lives and the complexity of the work we do in all aspects of prevention, wellbeing and social care.

In adult services, there has been significant challenge in this last year in meeting people's care and support needs in a timely way. The greatest difficulties have been in care and support at home services, often called domiciliary care. This in turn is one of the most significant pressure areas affecting how well the whole health and social care system works, particularly when people need to be discharged from hospital to their own homes with care and support. In human terms, people who are delayed in hospital lose their independent living skills and confidence and this can impact severely on their emotional health and wellbeing.

The difficulties in this service area have been exacerbated by the high levels of staff absence in in-house services and the independent sector is delivering less hours of care than before.

Directors Introduction

The Council is working closely with the NHS to take all possible actions to address these challenges. Care and Support services have been recommissioned and there is additional resource for the sector to support their workforce. All domiciliary staff have been provided the opportunity to increase their contracted hours and a number have done so. These new contracted hours are also being offered for new employees recruited to internal domiciliary services. Community based recruitment events are taking place and marketing campaigns have taken place to promote a change in career into the care sector. Options for employing staff who walk between calls are being developed and recruitment events are planned in key areas for non-driving individuals.

Options are also being explored for the use of pooled, electric vehicles. As we move forward, similar to the work to address challenges in children’s social care, interim capacity is being sought to address the ‘backlog’ in work. More investment is being made in the independent sector to support providers to support their staff in view of increased fuel costs and similar options are being explored for the Council’s own staff. There is a review of current working patterns to make roles more attractive.

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This could be the start of your new career!

- Are you a caring person who’s looking to make a difference?
- We have vacancies available where you don’t need a driver’s licence or access to a vehicle
- We will provide full training and support
- Opportunities for career progression

Visit our social care recruitment event

Wednesday 6 July
Adult Support Centre, Sarn, CF32 9SW
5pm – 7pm

Drop in and have a chat with our recruitment team, who will be happy to support you with information on opportunities in social care.

Enquiries from both drivers and **non-drivers** are welcome.

If you can’t join us on the day, you can email us at: recruitment@bridgend.gov.uk or visit: www.bridgend.gov.uk/my-council/jobs/social-care-vacancies/



Looking for a job?



No need to book, just turn up.

This could be the start of your new career!

- Are you a caring person who’s looking to make a difference?
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- We will provide full training and support
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Visit our social care recruitment event

Tuesday 5 July
Ynysawdre Swimming Pool, Aberkenfig, CF32 9ET
5pm – 7pm

Drop in and have a chat with our recruitment team, who will be happy to support you with information on opportunities in social care.

Enquiries from both drivers and **non-drivers** are welcome.

If you can’t join us on the day, you can email us at: recruitment@bridgend.gov.uk or visit: www.bridgend.gov.uk/my-council/jobs/social-care-vacancies/



Looking for a job?



This could be the start of your new career!

- Are you a caring person who’s looking to make a difference?
- We will provide full training and support
- Opportunities for career progression

Visit our social care recruitment event

Tuesday 12 July
Pyle & Porthcawl Community Centre
5pm – 7pm

Drop in and have a chat with our recruitment team, who will be happy to support you with information on opportunities in social care.

Enquiries from both drivers and **non-drivers** are welcome.

If you can’t join us on the day, you can email us at: recruitment@bridgend.gov.uk or visit: www.bridgend.gov.uk/my-council/jobs/social-care-vacancies/

Directors Introduction

There is a common theme in the key challenge social services in the Council is facing, namely insufficient numbers of people within our social care and social work workforce. Focussed actions are being progressed to improve our workforce planning and development, with very close working with corporate human resources colleagues. Whilst in the short term the only option is to secure additional workforce capacity via interim routes, in the medium term and longer term we are investing in recruiting internationally and 'growing our own' social care workforce of the future through training and developing our people. As an example we have appointed 16 people to either be secondees or trainee social workers over the last 2 years.

Our very highest priority is supporting and retaining the workforce we have and we are co-producing charters with our workforce to set out the commitment to the BCBC social care workforce. We are setting out, and holding ourselves to account on, how we can promote an environment where social care can thrive. This enables our workforce to hold one another and management accountable and ensure that our culture, policies, procedures, and actions support us to improve outcomes and transform lives.

Choose a **career** in social care.

“ For someone who left school with minimal qualifications and believing I'd never have the opportunity to complete a degree, I'm extremely grateful for the opportunities the authority has given me.”



Leon

Directors Introduction

Stronger in Partnership

As indicated above, partnerships in Bridgend have always been an area of strength and have never been so tested or important as the last year. The importance of the Cwm Taf Morgannwg Regional Safeguarding Board in discharging effective safeguarding leadership while focussing on staff support has been crucial. The Board created an executive steering group overseeing effectiveness of safeguarding arrangements.

Locally, engagement with partners as part of the response to the critical incident in the information, assistant and advice service has been key with a Joint Operational Group providing high challenge but strong relationships and commitment to improve multi-agency safeguarding arrangements.

South Wales Police and key partners have worked with the local authority to manage the community impact of the tragic events in the county borough with a purpose to ensure trust and confidence in safeguarding arrangements during the high profile criminal trial.

Across the Council relationships have been effective – with HR, marketing and Employability to address the workforce challenges; with colleagues in legal services education and family support and housing as we work together to meet the needs of our most vulnerable people through a one Council approach.

Relationships with social care providers have remained strong and effective in the last year. The Council has commissioned supported living and care and support at home services for adults and has provided significant support, financial and otherwise to providers of social care as they recover from the pandemic impact.



What next?

It is clear from the areas where there is strong and effective performance that the key success factors are: a clear vision, strong and effective leadership and management at every level, a well-supported, well-motivated workforce, strong partnership working, high standards of performance management and quality assurance and acting upon the voice and experience of people we are here to serve.

To progress in those areas where improvements are needed – most critically children’s social care and care and support in adult services, it is important to build on what we know will work.

Our thematic priorities for improvement can therefore be summarised as:

- Securing and retaining a stable, well-supported, motivated permanent workforce.
- Strength-based, social work practice which supports improved outcomes for adults and children and families to stay together (wherever possible) and safeguards people from harm.
- Sufficient supply of high quality evidence-based services and interventions.
- Seamless and effective partnership working at an operational and strategic level.
- Listening to and acting on the voice of people.

Directors Introduction

Delivering these priorities requires a culture that is open and transparent in respect of the challenges we face, supports improvement and prioritises what is important. There will be difficult times inevitably in the year ahead but the genuine commitment of the people, communities, partners and the Council in Bridgend to come together in the most challenging of times to support our vulnerable people and the workforce dedicated to supporting them is heartening. This provides the basis for focused improvement and improving outcomes in the coming year.

Claire Marchant

Corporate Director of Social Services and Wellbeing

July 2022



High Level Summary of Performance

Children's Social Care



High Level Summary of Performance

Children's Social Care



An analysis of the Children's Social Care data notes:

- Between 2020/21 and 2021/22 there has been a 19.5% increase in the number of contacts received and a rise of 11.9% in those progressing to an assessment (advice or assistance).
- Over the last 2 years there has been a significant increase in the number of assessments completed rising from 1042 in 2020/21 to 1644 in 2021/22, which is an increase of 57.8%.
- The reviews of children and young people on the child protection register or looked after has improved with all being completed within timescale during the year. Although the number of reviews of children in need has decreased by slightly by 2.8% the number of reviews required in the year has increased by approximately 36%.

High Level Summary of Performance

Children's Social Care

- The number of children registered on the child protection register as of 31st March has decreased over the last year with 100% of initial child protection conferences being held within timescale. This has been achieved by improving our processes for identifying when the decision is made to proceed to an ICPC.
- There is a slight dip with the number of statutory visits for children on the child protection register being completed within timescales.
- The number of care experienced children has decreased by 16 (4.1%) between 31/03/2022 and 31/03/2021. The end of year outturn for 2021/22 is 0.8% off the target of 371.
- To ensure improvements in performance for 2022/23 the Directorate has increased staffing and resources within the IAA service to respond to the increase in referrals and subsequent increase in assessments with weekly performance review meetings are in place to monitor reviews and statutory visits.

High Level Summary of Performance

Adults Social Care

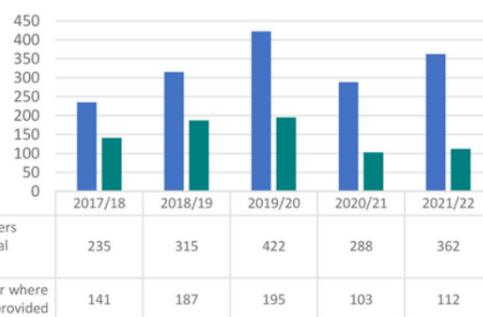
Adult Performance Dashboard

Contacts

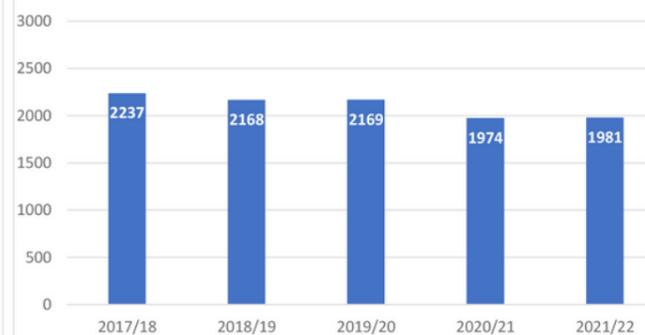
Number of Contacts for Adults Received by Statutory Social Services During the Year and Of Which the Number Where Advice and Assistance was Provided



Number of Contacts for Carers Received by Statutory Social Services During the Year and Of Which the Number Where Advice and Assistance was Provided

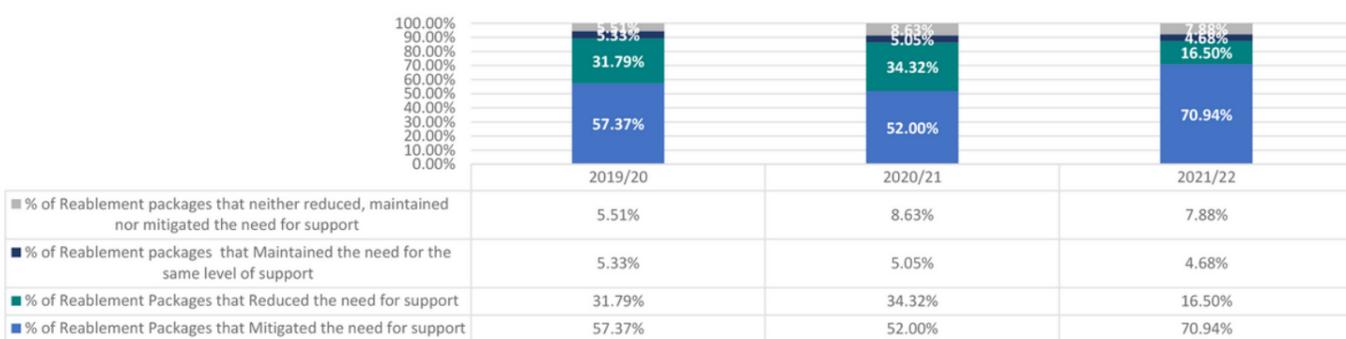


Number of Referrals to the Community Resource Team (65+) by Year

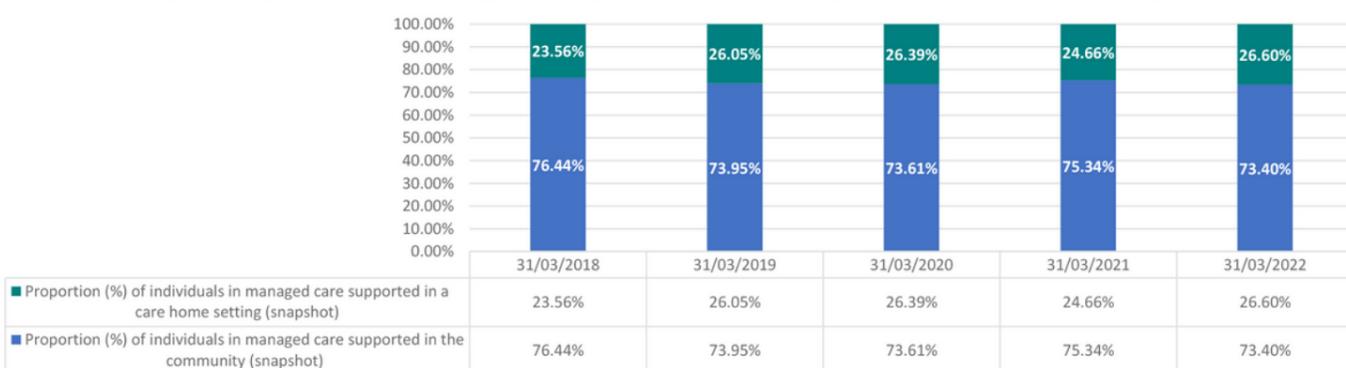


Reablement & Services

Completed Reablement Packages (%) by Outcome and Year

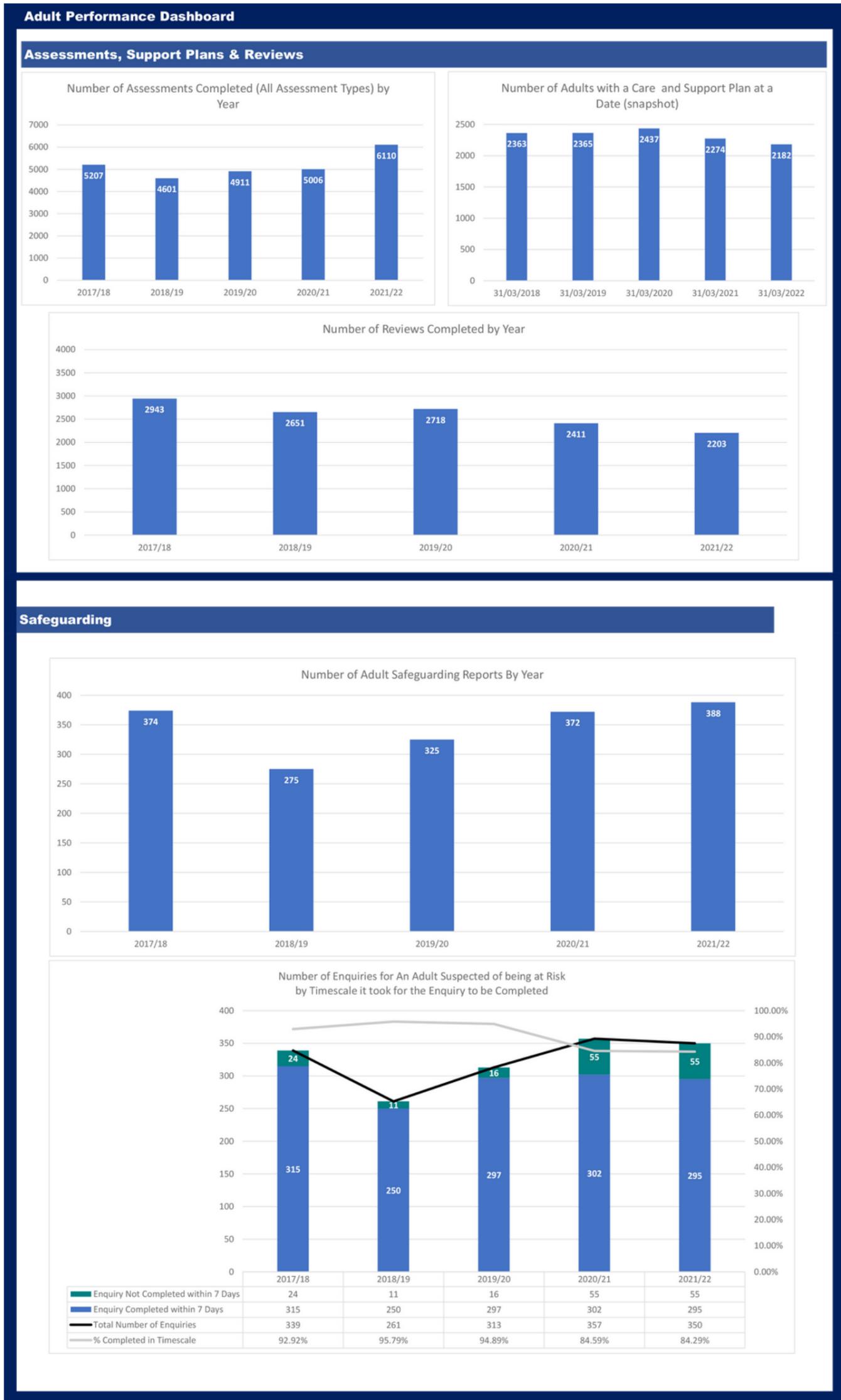


Proportion (%) of Individuals in Managed Care Supported in the Community & Residential Care at a Date (snapshot)



High Level Summary of Performance

Adults Social Care



High Level Summary of Performance

Adults Social Care

An analysis of the Adult's Social Care data notes:

- Between 2020/21 and 2021/22 there has been a 25.2% increase in the number of contacts received and a decrease of 2.9% in those progressing to an assessment (advice or assistance).
- Over the last 2 years there has been a 25.7% increase in contacts for carers with an 8.7% increase in those progressing to an assessment.
- Contacts to our Community Reablement Team has experienced an 8.6% decrease since 2020/21 and a 15.7% decrease over the 5 year period.
- The number of reablement packages that mitigated the need for care and support has increased significantly during the year rising from 52% in 2020/21 to 70.04% in 21/22.
- Over the last 2 years there has been an increase of 22.1% in the number of assessments completed rising from 5006 in 2020/21 to 6110 in 2021/22.
- The number of reviews completed in the year has decreased by 8.6%.
- The number of reablement packages that mitigated the need for care and support has increased significantly during the year rising from 52% in 2020/21 to 70.04% in 21/22.

High Level Summary of Performance

Adults Social Care

- There has been a 4.3% increase in the number of safeguarding reports in the year with maintained performance on the number of enquiries for adults at risk being completed within 7 days.
- The overall performance of keeping people home with plans of care and support has been significantly impacted upon by the pandemic. The care market is in a period of reset, and recovery but there is still significant pressure in this area and a lot of people have entered care settings prematurely. This is also affecting flow both out of and into our short-term services. Individuals have been unable to exit our short-term services into long-term packages of care. Individuals requiring therapy but no care component have been transitioning through our services as normal.
- The challenge for 22/23 will be to re-balance the market, and increase capacity in reablement services, to ensure that people are prevented and delayed from entering hospital and long term care for as long as possible.

Recovery, Reset & Renewal - Social Care Recovery Plan



Over the last year we worked with people and partners to recover from the impact of the pandemic on people's wellbeing and need for care and support. We received £2.7 million investment in recovery from Welsh Government to progress our recovery plans. We focused strongly on the wellbeing of our workforce and on prevention, wellbeing and children and adult social care recovery.

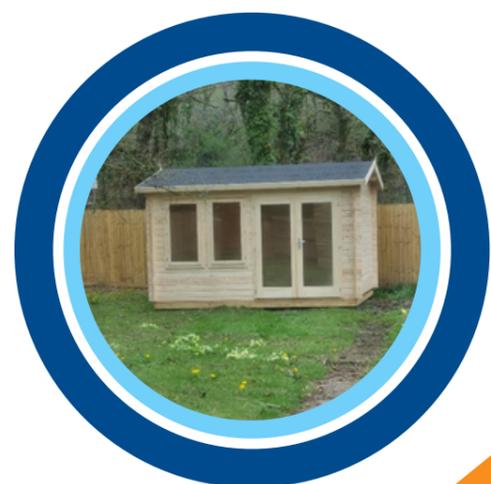
During 2021/22 we secured funding from the Welsh Government Recovery fund which has:

- enabled our partners in Wales Co-op and Halo and Awen Trusts to supply digital devices for both carers and people with care and support needs;
- supported Halo Leisure to deliver wellbeing programmes with and for carers;
- secured a range of equipment and resource improvements for our day opportunities, including an adult outdoor wheelchair swing, which is one of a very few that is accessible to adults in Wales.
- constructed a dementia friendly sensory garden in Bridgend Resource Centre. The garden has been designed with partners including students at Pencoed College and co-produced by Age Connect, The Alzheimer's Society, and people who access the Specialist Dementia facility at the Resource Centre.

Recovery, Reset & Renewal - Social Care Recovery Plan

- provided significant support to commissioned care home, homecare and supported living providers in order to assist with recruitment and retention so they were able to pay staff at Real Living Wage.
- purchased log cabins within the gardens of our residential care homes for children to provide gyms, storage for bikes and other sporting equipment .
- Made a £500 payment to all our BCBC foster carers and adult family placement carers within Bridgend to recognise how phenomenally they had supported children and adults during the pandemic .
- Supported our workforce through funding additional capacity to allow the time to begin to reflect and plan for the future 'post lockdown world of social care.
- We have also invested in trauma informed specialist support, in addition to the Council's corporate wellbeing resources, for those staff who have needed it.

Recovery and reset work takes time but the opportunity to pause, reflect and plan, has been important in the last year and needs to continue in 2022/23. We have engaged an improvement partner to support this work.



Recovery, Reset & Renewal - Social Care Recovery Plan

"The staff have been amazing. All through Covid we had phone calls checking in with us, which meant a lot..' A' and 'B' are our rock and they go above and beyond. We would be lost without the support"

We developed a 3 year strategic plan to set out the vision and actions we need for sustainable, safe services. The implementation of the strategic plan is overseen by the Improving Outcomes for Children Board, chaired by the Chief Executive and advised by an independent advisor to ensure that the right actions are being progressed whilst recognising the need to focus on workforce as the highest priority as the right people in the right roles are key.

We have also focused strategic actions in our adult services to meet the need for care and support in our communities. It is a priority for the coming year to have an aligned plan for adult social care to set out our priority actions for workforce, practice, provision, partnerships and people.

As in 2020/21, during the year the COVID-19 pandemic has continued to impact our services with particular impact on our staffing levels within key frontline services. This is most evident on capacity within care workers and children's social work. There is a national issue around recruitment and retention within these areas and to address this issue we have implemented project groups that not only closely monitoring demand but also exploring new and innovative solutions to recruit staff and deliver services.



How well our regulator has said we have performed

As noted in last year's annual report in April 2021 Care Inspectorate Wales (CIW) carried out an assurance check of how well we had ensured the safety and well-being of people who use or may need to use services, the safety of services they access and the safety and well-being of people who work in services.

During 2021/22 we have been progressing the key actions identified via this assurance check. Key examples include the establishment of workforce development groups to support recruitment and retention across key services, the provision of specialist behavioural support to the parents and carers of disabled children and reducing the waiting lists for occupational therapy assessments.

In May 2022 CIW carried out a performance evaluation inspection of Children's Social Care. The purpose of the inspection was to review our performance in exercising our social services duties and functions in line with the principles of the Social Services and Well-being (Wales) Act 2014. These principles are Voice and Control, Prevention, Wellbeing and Partnership and Integration.

Recovery, Reset & Renewal - Social Care Recovery Plan

The inspection highlighted a number of key strengths and also areas requiring significant improvement within all 4 principles. CIW have formally advised the Council that given the scale of improvements they have 'serious concerns' in respect of Bridgend Children's Services.

Some examples of strengths identified include; our recognition of the importance of ensuring children's voices are heard, the development of our in-house residential services, our positive working relationships with the regional safeguarding board and neighbouring local authorities and the implementation of practice development plans.

Areas for improvement include; the timeliness of the distribution of assessment / key meeting documentation, availability of in-house foster care placements, consistency of practice and timeliness of assessments.

We have developed an action plan in relation to the areas highlighted for improvement and will be regularly reporting to CIW on the progress of these actions and they will be closely monitoring our performance.

A copy of the inspection report can be found [here](#).



The Most Significant Risks We Face Going Forward

At present the social Services and Wellbeing Directorate' is managing a number of inter-related risks across both Children's and Adults Social Care:

Trust and confidence in Bridgend safeguarding arrangements

An effective, highly skilled response from a multi-agency safeguarding partnership with leadership from local authorities is required to ensure and assure trust and confidence in Bridgend safeguarding arrangements. There is a risk that without adequate budgets and the decline of a sufficient experienced workforce that the Council's safeguarding arrangements will not be effective.

The Council works with key partners in Bridgend and within the Cwm Taf Morgannwg Regional Safeguarding Board to safeguard children and adults at risk. The Board has established an executive steering group which is meeting monthly to oversee the effectiveness of child protection and safeguarding arrangements across the region. Following an escalation of issues and risks in the Council's IAA service in children's social care, an internal critical incident has been declared which is chaired by the Chief Executive, which is overseeing deployment of additional resources, including the engagement of a managed team, and a focussed improvement plan. A new Corporate Safeguarding Officer is being appointed and will start in post to enhance the support to corporate safeguarding arrangements.

Recovery, Reset & Renewal - Social Care Recovery Plan

Sufficient quality and quantity of social care and social work workforce to consistently meet statutory duties / Challenges in the recruitment and retention of staff

It is important that the Department is able to attract, develop and retain a suitable workforce to ensure it has the relevant capacity and expertise to continue to deliver our services. If we are able to recruit and retain a suitably qualified workforce then this not only puts service areas at risk but also affects the morale of remaining staff.

Within Social Services and Wellbeing we are implementing approaches to “growing our own” via a considerably enhanced secondment scheme and social work to train staff to become Qualified Social Workers. We have also established dedicated projects to focus specifically on recruitment and retention in domiciliary care and children’s social work.

Dependency on our electronic social care records system (WCCIS)

All of our social care records and services are held on the WCCIS system which is used by a number of local authorities across Wales. If the system fails to work well, social work practitioners are unable to check records of individuals known to the service, including key documentation such as referrals, assessments, care and support plans which could cause safeguarding issues but also impact the delivery of front line services.

To minimise this risk the system is closely monitored and supported by our Corporate ICT Team as well as its external provider. The Department has established a user group to look at how we can improve our use of the system and is working with regional partners on the future development of the system.

Section 3 of this report outlines key priorities for 2022/23 against each of the 6 quality standards.

However, looking holistically across our services the 10 key priorities for Social Services and Wellbeing in Bridgend in 2021/22 are:-

1. Embed the learning from child and adult practice reviews, and regulatory inspections, to ensure the quality and effectiveness of safeguarding in Bridgend is improved, and ensure there is trust and confidence of people, communities and partners in multi-agency safeguarding practice in the county borough.
2. Recognising the Council is a significant provider of social care, strengthen the quality and effectiveness of leadership, governance and care delivery in regulated direct services whilst delivering significant new services to improve outcomes for people.
3. Deliver clear the short, medium and long term priorities in our workforce plans for the social care and social work workforce to ensure a motivated, supported workforce in sufficient numbers to effectively meet need.
4. Implement the first year of 'Signs of Safety' for children's social care and the remodelling of adult social work as the next step in strengthening and improving strength based practice in Bridgend.
5. Develop service planning groups for key population areas, with a view to ensuring sufficiency of quality and quantity of accommodation, care and support services for people with care and support needs in Bridgend.

Looking to the Future Key Priorities for 2022/23

6. Building on the success of prevention and wellbeing in Bridgend continue to develop sustainable, user led approaches and services which keep people well, connected and reduce the need for statutory interventions.

7. Develop business cases to develop sustainable, resourced operating models for information advice and assistance and safeguarding localities in children's social care and care and support at home in adult services to ensure the Council can meet statutory duties in a timely way to a quality standard.

8. Implement a new performance and quality assurance framework to ensure effective management oversight, performance and improvement and continuous improvements through a focus on getting the core business right and addressing quickly, and at any early stage emerging risks and issues.

9. Improve the way we engage and consult across all parts of our service, building on success in areas such as learning disabilities and care experienced children

10. Continue to progress opportunities for integrated working with Cwm Taf Morgannwg Health Board and key partners where this evidently improves outcomes for people.



How are people shaping our services

We are committed to practice, service development and delivery being driven by people whose lives they impact on.

The rights of children and adults should be evident in all we do.

In 2021/22 we have continued to ensure we involve children people in shaping our key service developments. Here are just a few examples of how we have engaged and consulted with people this year:

- The regular use of surveys within the Support at Home service to engage with people who use services and their families.
- Members of the Community Learning Disability team worked with People First to produce a series of easy read documents and an information leaflet about the learning disability team.
- The Learning Disability service held a joint away day with key partners and members of People First to co-produce the service development plan. 4 priorities were agreed: transport, social/ leisure activities, tech to talk and joint working. Following this successful event it was agreed that a person with a learning disability chair a joint working group.
- Appointed a Corporate Parenting and Participation Officer in March 2022 who will support and develop the governance and activity of Corporate Parenting by strengthening the voice of care experienced children and the involvement of the whole Council and partners as good parents for our children. The post will also focus on establishing care experienced forums to provide our children and young people with a collective voice.

How are people shaping our services

"Our Social Worker has been amazing with our family over the last few months and I would like to acknowledge her hard work. She's amazing."

- In May 22 there was a 'Health Inspectorate Wales' review of discharges from adult mental health wards into the community. This involved interviews with social workers and a file audit. The report has not yet been received and we will progress any recommendations in due course.
- 4500 secondary school children engaged in survey work to set wellbeing baselines for the Council's review of play sufficiency. This survey work is driving the priorities and reflected the impact of the pandemic on the emotional health and wellbeing of teenagers in the County Borough.
- 280 older adults evaluated using healthy and active fund tools and surveys.
- 20 carers engaged in evaluating wellbeing improvements

During this year's Carers Week we attended a carer's coffee morning hosted by the Care Collective to engage with Carers of both adults and children. Members of the directorate asked carers to complete a questionnaire and were on hand to offer any advice or assistance.

An analysis of completed questionnaires noted:

- 67% of carers felt that they had the right information and advice when needed.
- 39% reported being offered an assessment in their own right. Of the those took up the offer 83% noting they were satisfied with the assessment.
- 47% reported being actively involved in decision making.
- 80% reported that they were happy with some or all of the services received.
- 60% felt that were actively informed with some or all of the services received.

"We are currently having an assessment on my daughter and have been happy with the support provided."

"Was Offered an assessment but no-one got back to me."

How are people shaping our services



The Corporate Director of Social Services and Wellbeing held 2 focus groups to gain an insight into how people felt about the services they received over the last year.

Care Leavers Focus Group:

- All knew who to contact when they required help or support,
- All felt that Social Services had been there for them.
- All felt that they had been treated with dignity and respect.
- Advocacy was not consistently provided. More information is required around the complaints process

Areas identified for improvement were :

- Communication.
- More support when requesting advice.
- Having the right support at the right time

"Provided with a Housing form but would have been helpful for someone to sit down and go through it with me."

How are people shaping our services



People First Focus Group:

- The majority of people new how to contact Social Services or where to get help to assist in this and felt that they had the right information at the right time.
- All felt listened too and that their views are important. All felt that the away day with the Learning Disability team planning the future was a success and would welcome more joint events to progress priorities.
- Members enjoyed participating in voluntary activities within their communities.
- Everyone was aware of the advocacy services available to them.
- All were very satisfied with the social care services they received.

Areas identified for improvement were:

- Availability of easy to read documents.
- Use of audio messages rather than texts or emails.
- More use of assistive technology at home.

"I went in with a degree of interpretation and came out beaming."

Audio messages would support lip reading.

How are people shaping our services



During the year the Directorate received 74 complaints and 170 compliments. Complaints and compliments are an important aspect of how we use information from people to shape our services.

An analysis of complaints received during the year highlighted 3 key themes: lack of support, staff conduct and communication.

An example of some of the compliments received during the year include:

“Mr “X's Son would like to thank you all for the care provided by yourselves during the Bridgeway assessment period, he said it was much appreciated”

“Just a little note to say thank you to you and your team for looking after our Dad so well. The carers are brilliant, they clearly have huge patience in persuading him to wash and shower. He always looks so well cared for. It's made a big difference for my brothers and sisters and me too, giving us confidence that he is having such good care every day, and knowing that you'll be in touch if you have any concerns.”

“Our family wish to thank you and all your excellent and dedicated staff for the care you gave to “X” on her recent stay with you when we took a holiday. It has meant so much when “X” has obviously enjoyed her stay and all of the care you gave her, and it has given us the opportunity to take a break and return to see “X” in such a happy mood.

Please convey our heartfelt thanks to all concerned and “X” is already looking forward to her next opportunity to stay with you.”

How are people shaping our services



“We're so delighted to have had such a positive conversation with you about “X's” first visit to her prospective Shared Lives host. We're amazed that in your words she was so mature and ready for this next stage in her life. We've been stressed this morning worrying that it might not have gone well. You've prepared “X” for this type of move over a long period so perhaps we should have had more faith. We've told you often and we want to tell you again that so much of this is down to you and your amazing relationship with “X”. You've known us for about three years now, the support and services that “X” has needed has come during that time. That can't be coincidence. You've seen us at our lowest & and most broken and seen “X” at her most stressed & out of control. We say so often where would we be without you: we think “X” would have escalated the violence, would be on more medication and moved to emergency accommodation. We would either be very depressed and on medication or have a broken relationship. Having a social worker is great and we have nothing but praise for the Social Worker but because you are more hands-on you have witnessed how we live and the problems we have had. You have created solutions and made us feel that we are doing our best. “X” trusts you, you have a great relationship with her. We trust you too, the lives of the three of us are better because of the work you do with us. THANK YOU.”

This information will be further analysed during 2022/23 to highlight areas of good practice as well as areas for training or development.

Promoting and improving the wellbeing of those we help.



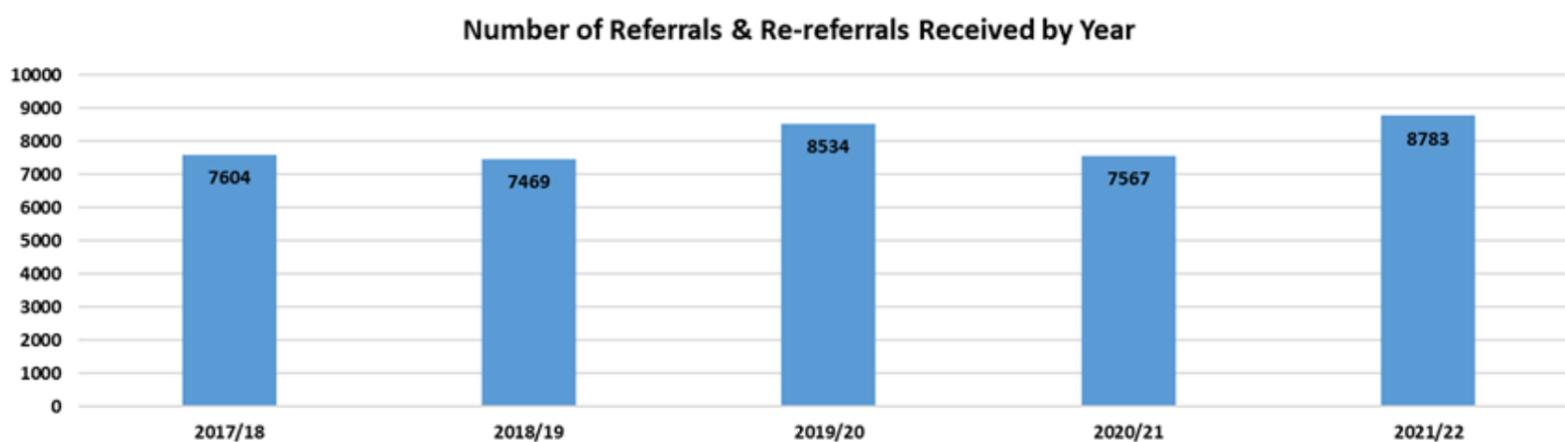
Adult Social Care

Quality Standard 1: Working with people and partners to protect and promote people's physical and mental health and emotional

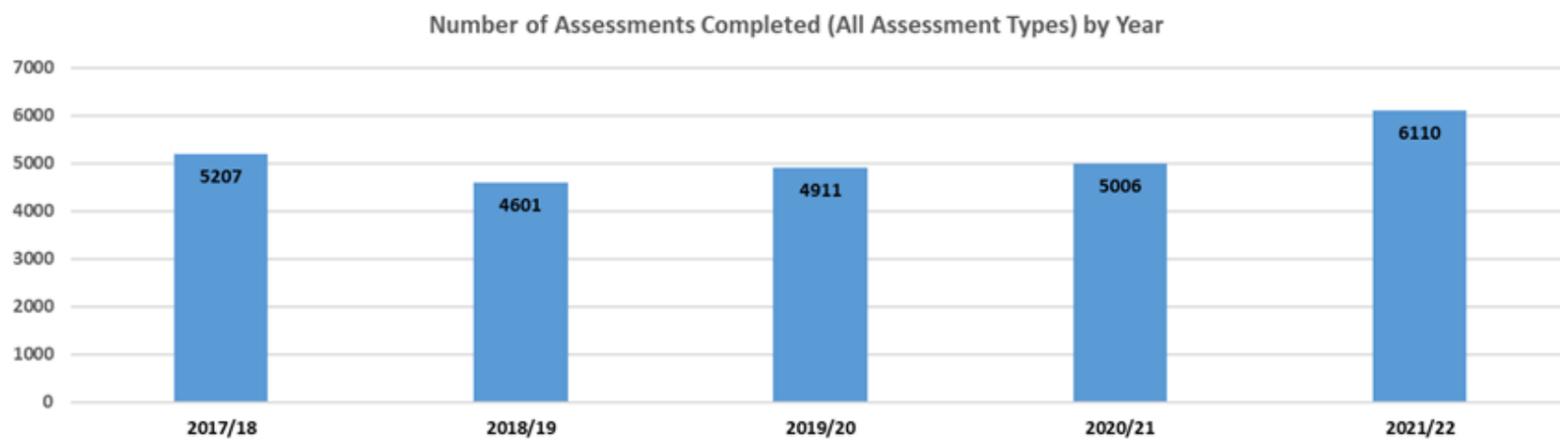
What we did:

- Continued progress in developing relationships with the 3 community clusters which form the geographical footprint for integrated primary and community services.
- Recommissioned the regulated care at home services in a more outcome focussed way with a strong emphasis on voice and control.
- Worked in partnership with People First and people with a learning disability to co-produce a set of local priorities for future developments in learning disability services.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next

- Further develop integrated community services, providing more community services closer to home.
- Improve the way we understand people's experiences of our services, using mechanisms in addition to surveys to obtain feedback from people and families on how we can improve services.
- Undertake an independent review involving close consultation with people accessing day services to co-produce a plan for the next 5 years.

Mr "X" just wanted to express his gratitude for the support received in identifying services and support for "Y". He recognised how difficult things have been with Covid and was grateful that the team has persevered and sought appropriate services to meet "Y's" need.

Promoting and improving the wellbeing of those we help.



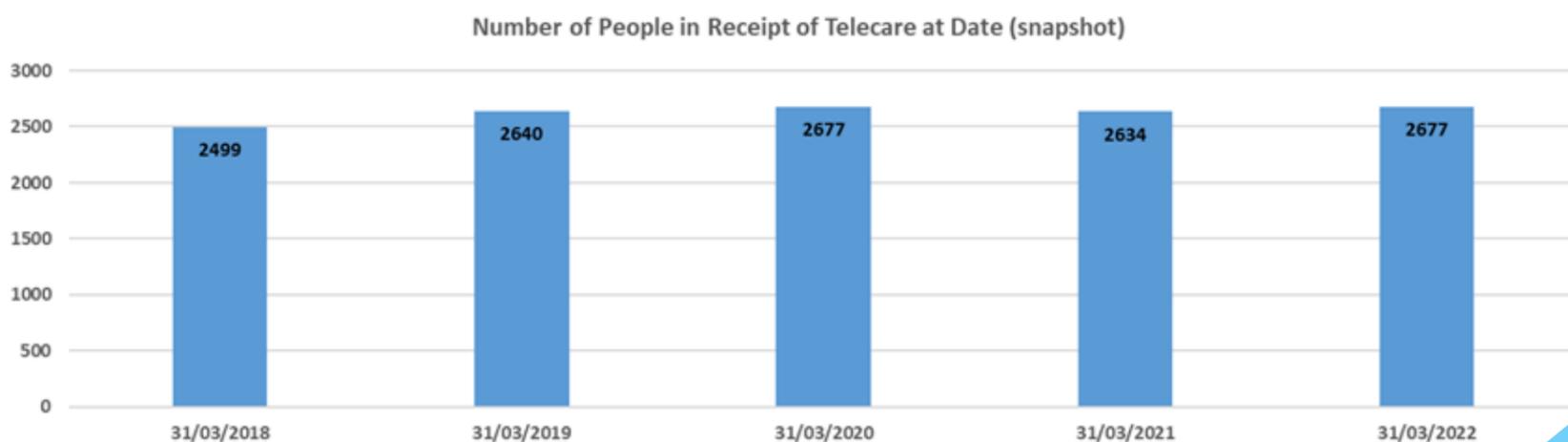
Adult Social Care

Quality Standard 2: Working with people and partners to protect and promote people's physical and mental health and emotional

What we did:

- Worked in partnership the regional substance misuse team and a person with lived experience to recommission preventative substance services to provide consistent provision across the region.
- Completed a review of Telecare Services in line with the national digital changeover requirements and secured funding for the process, sourcing the digital equipment and developing the tender for the installation and ongoing maintenance.
- Worked in partnership with Mental Health Matters and Cwm Taf Morgannwg University Health Board to support the ongoing operation of the "Wellbeing Retreat" for people experiencing a mental health crisis.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next

- Local (BCBC-focused) Adult's Mental Health Strategy to be finalised and implemented.
- Complete the analogue to digital switchover of our Telecare Services and use the new technology to increase the number of people who benefit from telecare.
- Deliver the next phase of strength based social work in Bridgend, ensuring that we continue to understand 'what matters' and our practice supports the achievement of people's own wellbeing outcomes.

Promoting and improving the wellbeing of those we help.

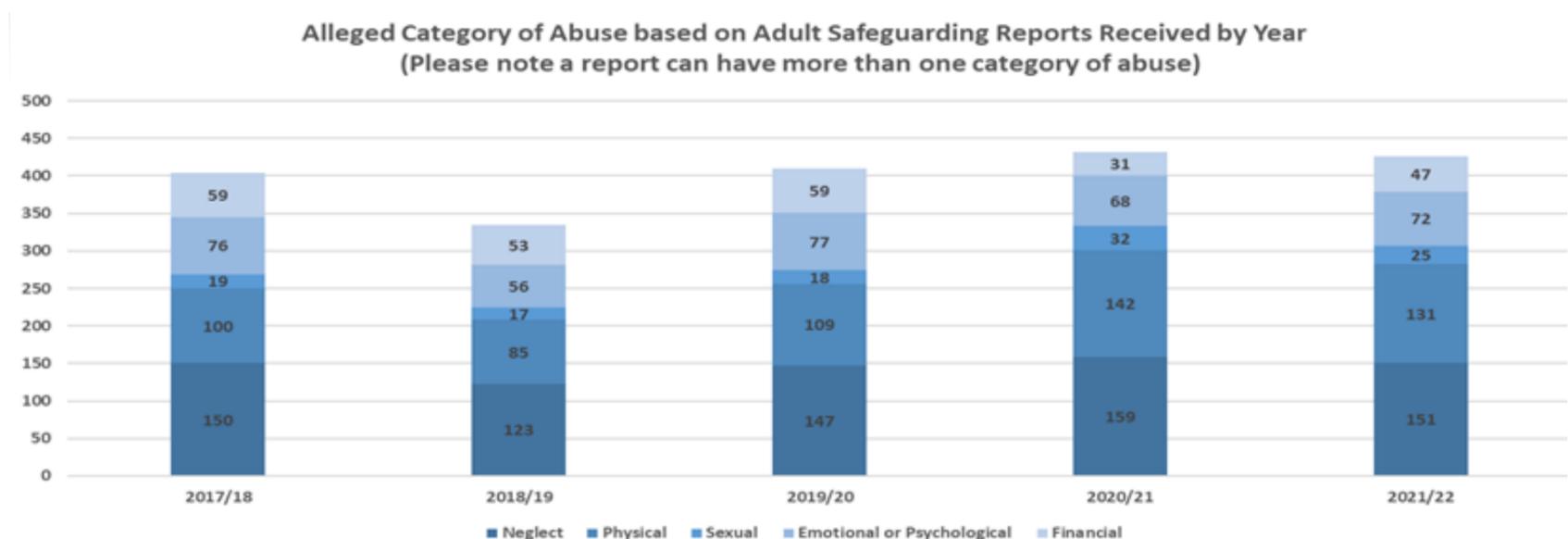


Quality Standard 3: Taking steps to protect and safeguard people from abuse, neglect or harm

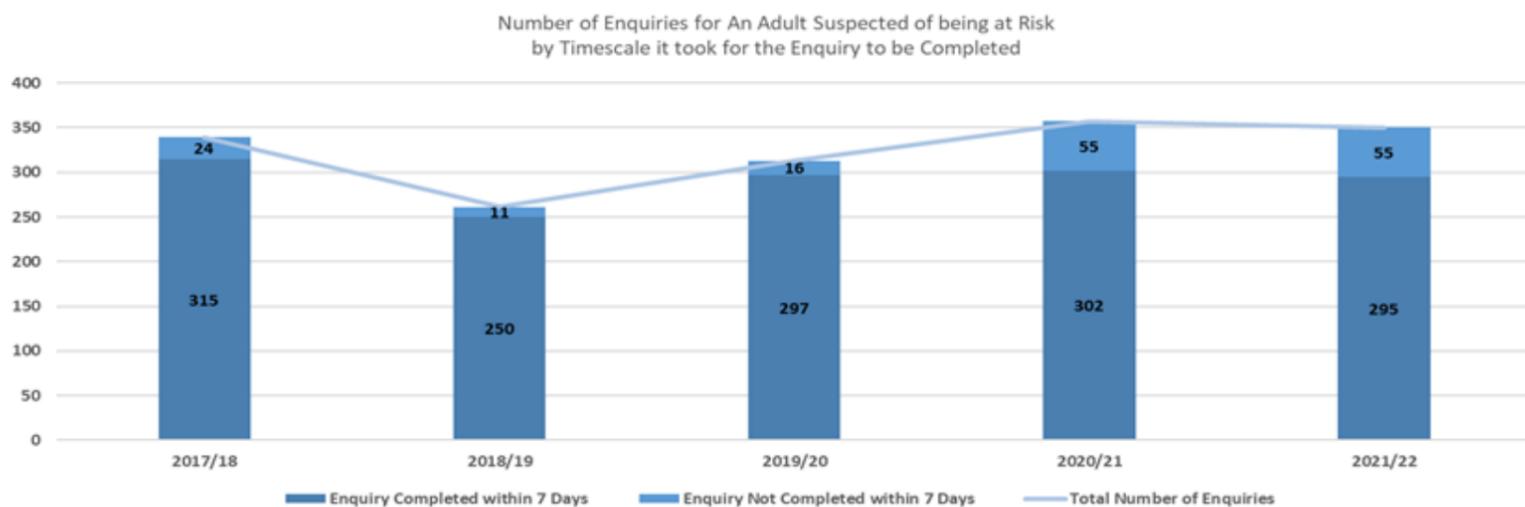
What we did:

- Increased capacity within the Safeguarding & Secure Estates Team by the appointment of an Assistant Team Manager.
- Specialist training for Trauma Informed social work undertaken by the Safeguarding & Secure Estates Team.
- Completed an impact assessment and established a project group in readiness for the legislation to Liberty Protection Safeguards in 2023.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next:

- Implement the Wales Safeguarding Procedures for adults at risk, improving our paperwork to support practice
- Work with partners to ensure that where there are concerns with the quality of care this is sustainably improved through updated Escalating Concerns protocols.
- Work with Cwm Taf Morgannwg University Health Board regional steering group for Liberty Protection Safeguard to ensure people are not unlawfully detained in regulated and community settings and their rights are safeguarded.

Promoting and improving the wellbeing of those we help.

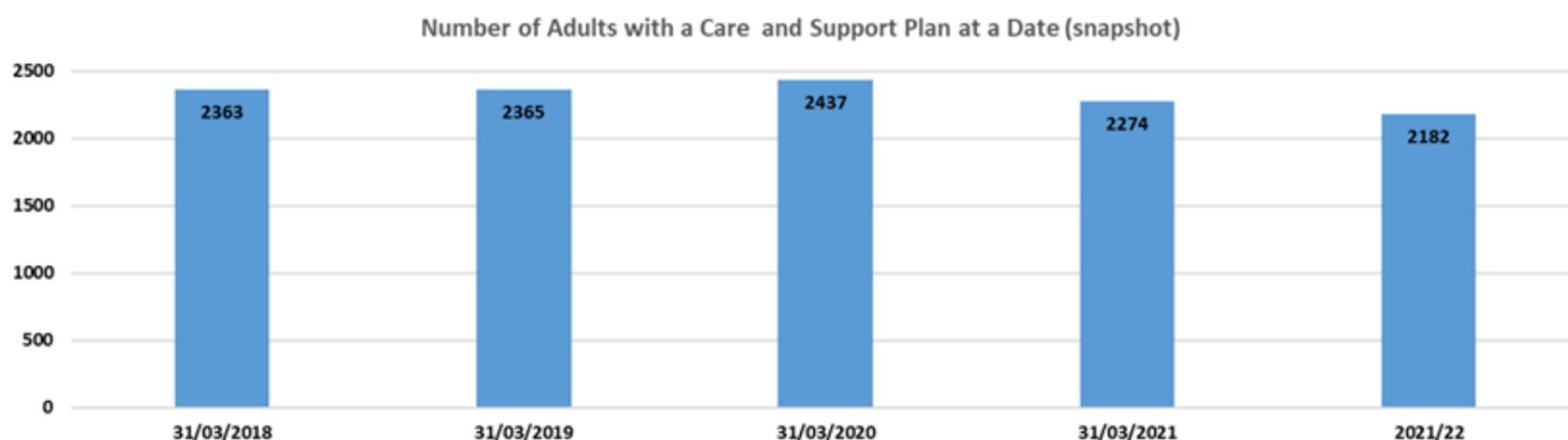


Quality Standard 4: Encouraging and supporting people to learn, develop and participate in society

What we did:

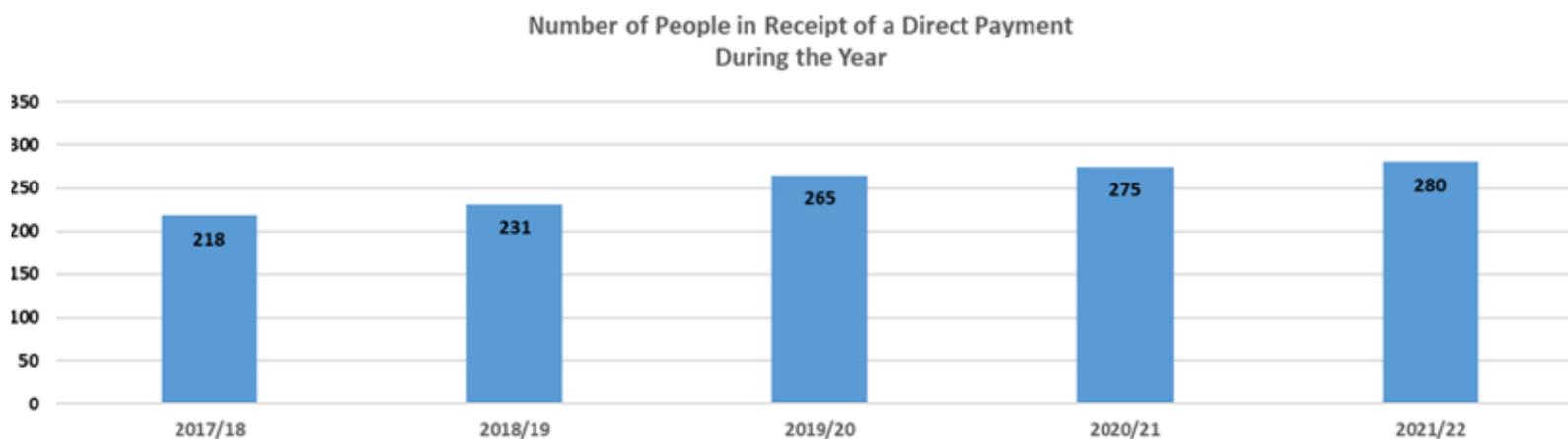
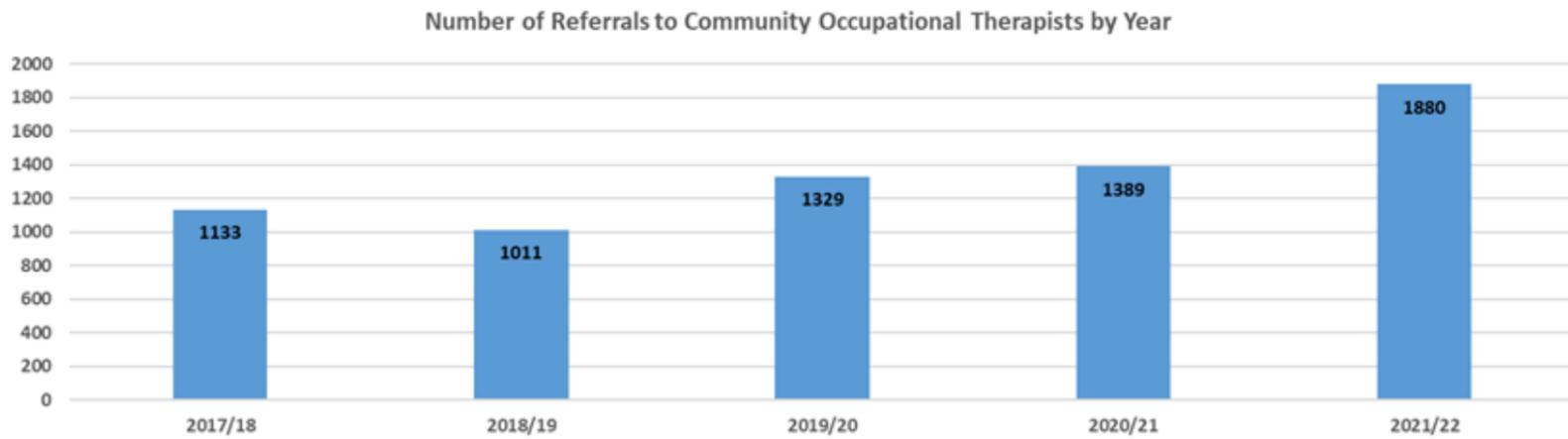
- Continued to operate Day Opportunity Services at different levels during the pandemic ensuring those in greatest need continued to receive support and engage in activities. Day services staff took services to 'people in their own homes
- Developed a framework in relation to “closer to home” accommodation, care and support schemes for people with learning disabilities enabling the commissioning of individual contracts based on “what matters” conversations.
- Dementia and wellbeing support workers continued to work in partnership with the multi professional team and clusters to support people to connect with their communities.
- Following an engagement event with parents and carers in November 2021, the Directorate established a project group to review our its Direct Payments Policy.

How well did we do?:



Promoting and improving the wellbeing of those we help.

How well did we do?:



What are we doing next:

- The Day Service will implement a Quality Assurance Tool to measure how well the service delivered.
- Complete a review of the social work arrangements for transition services for young people agreed between 14 and 25
- Continue to work in partnership with the Cwm Taf Morgannwg University Health Board on consolidating current arrangements to develop seamless services in line with the dementia standards for Wales.
- Launch and implement our revised Direct Payments policy.

"We were so impressed and truly grateful that our mother feels a worthy member of society once again."

Promoting and improving the wellbeing of those we help.

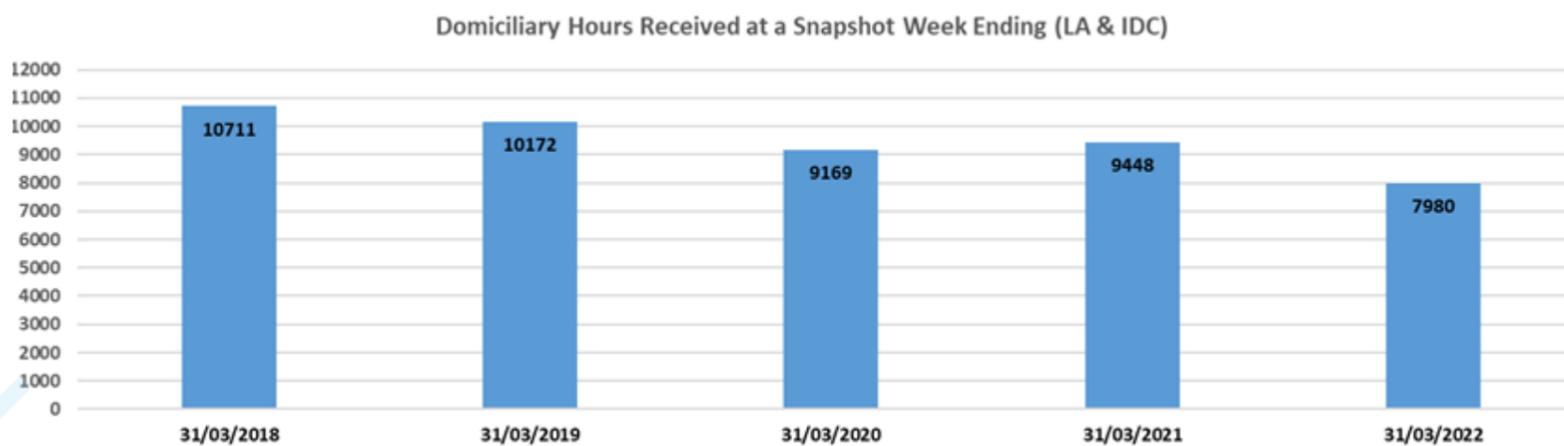


Quality Standard 5: Supporting people to safely develop and maintain healthy domestic, family and personal relationships

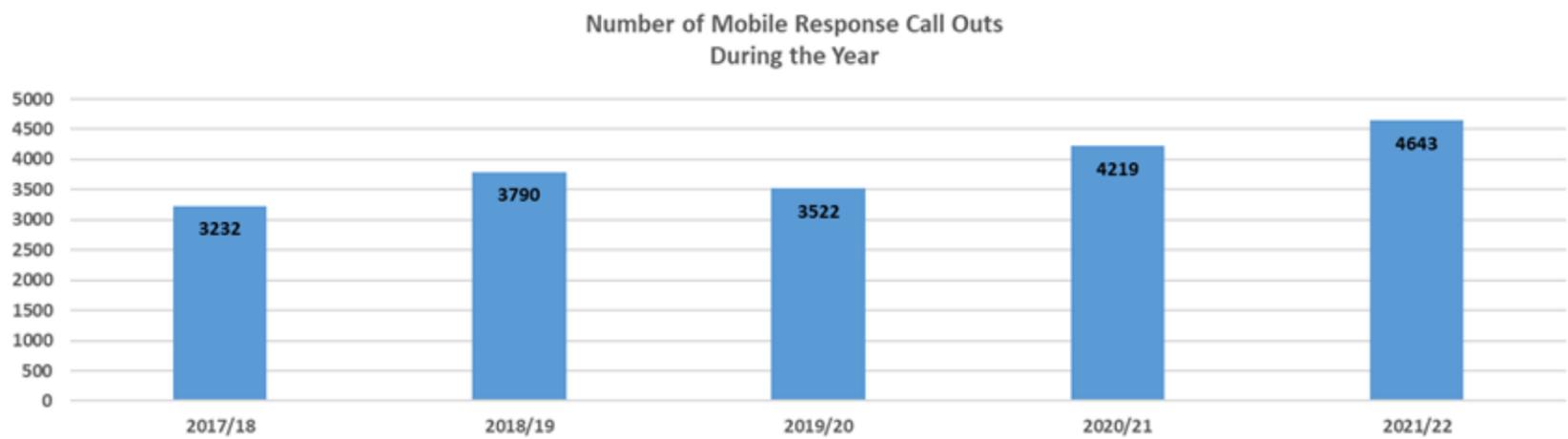
What we did:

- The Integrated Network Cluster Service Teams have provided more timely support for adults presenting with dementia both pre and post diagnosis. As part of this work, they have recruited six support workers who work with adults, and those who support them, in developing better social opportunities for people living with dementia.
- Completed a review of existing contracts for in-house care and support at home staff to ensure contracts are flexible and meet the needs of the carer and the service.
- Community care inform is supporting our workforce to understand research and evidence it in their practice.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next:

- Deliver on our ambitions for our complex dementia community and day service
- Address the recommendations of our Market Stability Report to ensure sufficient supply and sustainability of social care services, particularly the gaps in care and support at home and specialist care home provision.
- Implement the 'Code of practice on the Delivery of Autism Services.'

Fantastic! Thank you for supporting "X" to have positive relationships. You are a great team!

Promoting and improving the wellbeing of those we help.

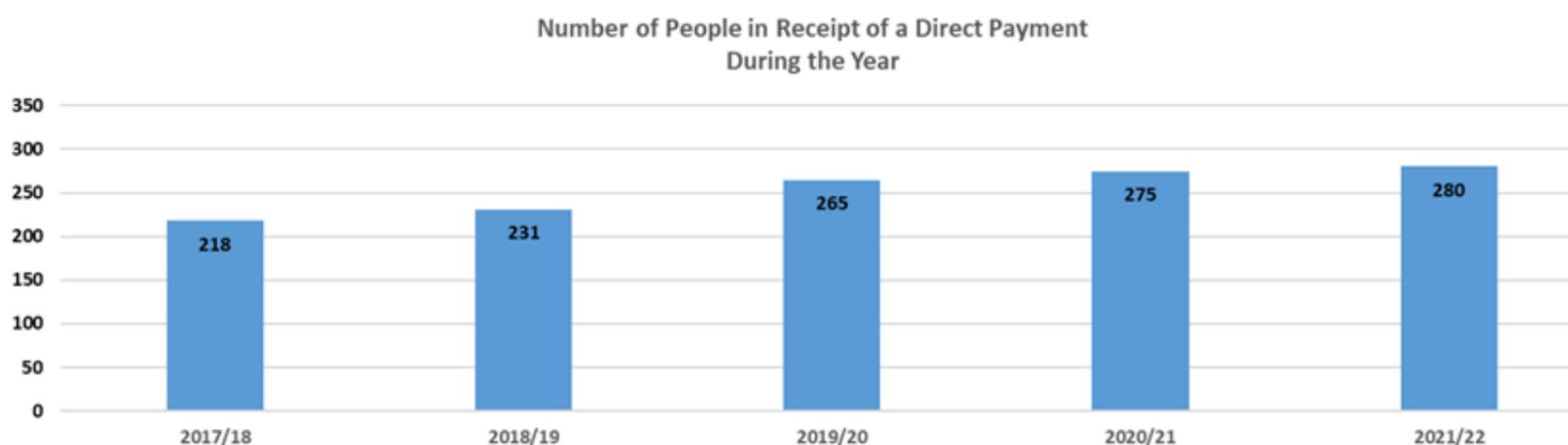


Quality Standard 6: Working with and supporting people to achieve greater economic well-being, have a social life and live in suitable accommodation that meets their needs.

What we did:

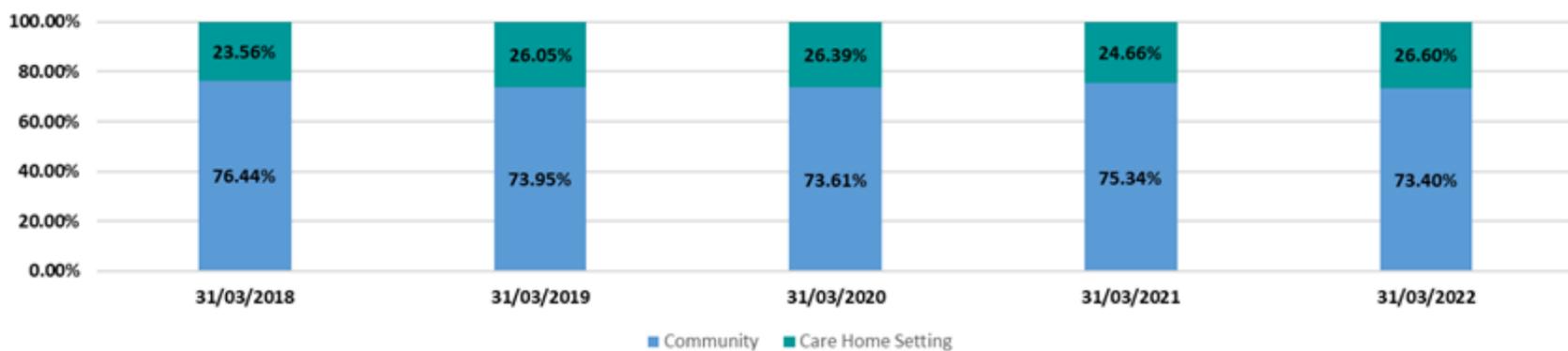
- Retendered our Minor Adaptations service, which incorporated clear performance indicators to measure the responsiveness of the service.
- Commissioned an independent partner to support the development of an Older Person's Accommodation Strategy.
- Established a care and support at home project group to ensure there is sufficient workforce to meet the pressures and demands of recruitment and retention.

How well did we do?:

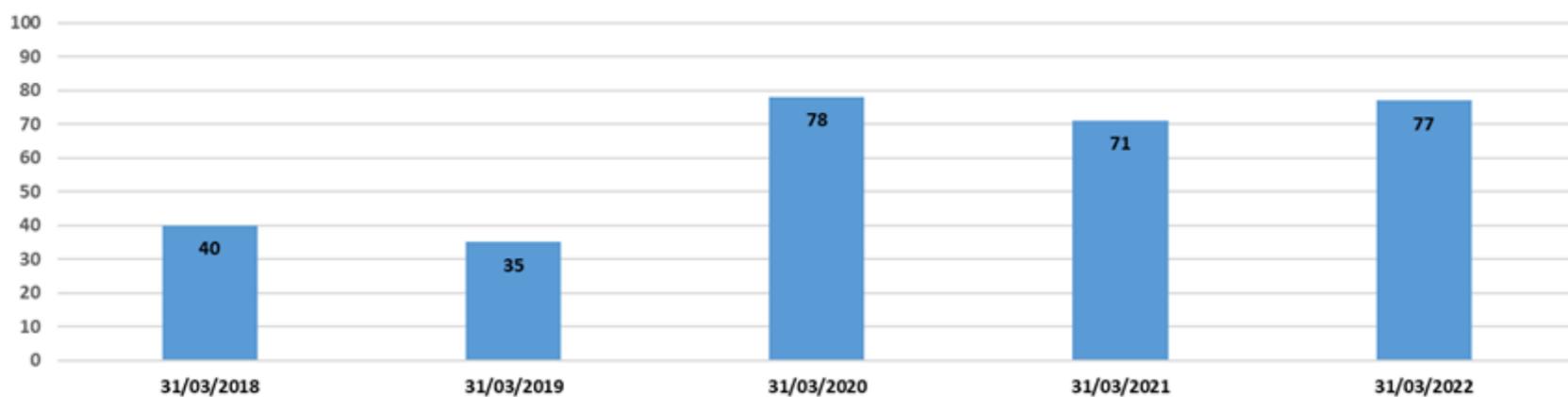


Promoting and improving the wellbeing of those we help.

Proportion (%) of Individuals in Managed Care Supported in the Community & Residential Care At a Date (snapshot)



Number of People in Extra Care at a Date (Snapshot)



What are we doing next:

- Develop service planning groups for to developing commissioning plans based on identified population needs and priority areas.
- Develop joint commissioning strategies between Housing and Social Care for key population groups including care experienced children and older people.
- Within our Support at Home service we are undertaking focused activity to develop innovative recruitment methods such as recruiting walkers to work in their local communities and securing electric vehicles.

We would like to thank you all for your help, care and compassion that you all showed our mam. Without your help, we could not have coped. We thank you all from the bottom of our hearts.”

Promoting and improving the wellbeing of those we help.



Children's Social Care

Quality Standard 1: Working with people to define and co-produce personal well-being outcomes that people wish to achieve

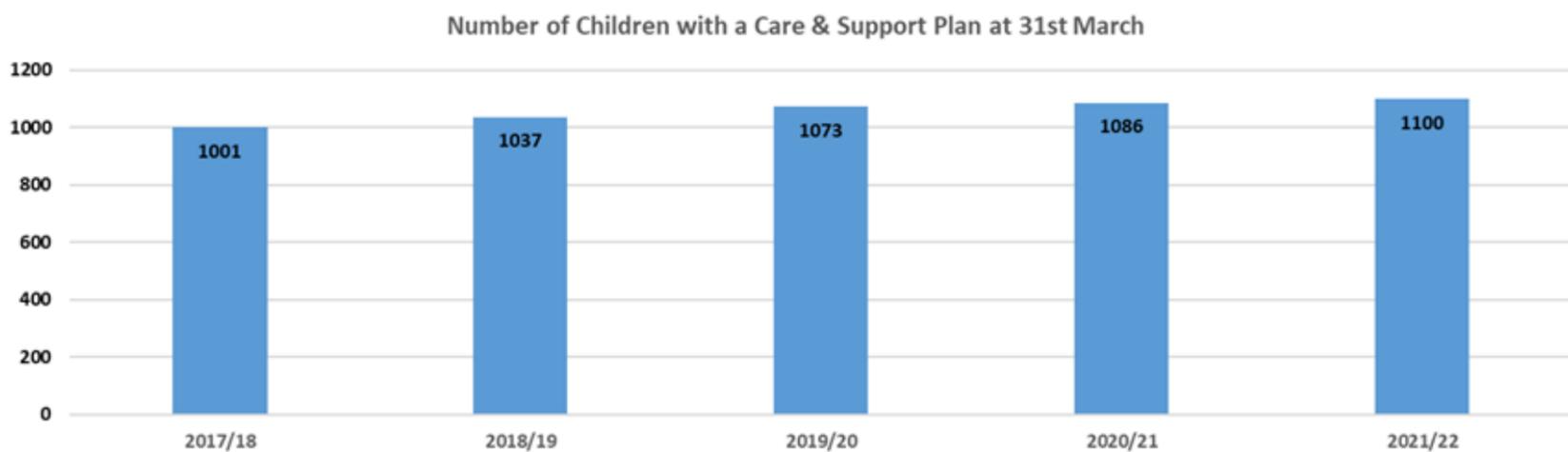
What we did:

- Reviewed our model of strength based practice to ensure it supports our workforce to provide the highest standards of social work for children and families.
- Commissioned a comprehensive range of independent quality assurance to understand in depth the quality of practice
Comprehensive QA programme and commitment to understand in depth the quality and outcomes from practice and to improve where we need to.
- Appointed a Corporate Parenting and Participation Officer in March 2022 to improve engagement with care experienced children and care leavers.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next:

- Develop and implement practice development plans for each area of the service.
- Continue to embed quality assurance by the development of a refreshed framework which supports the embedding of learning from practice reviews and audit work.
- The Corporate Parenting and Participation Officer will engage with key staff, multi-agency partners, council members, care experienced children and care leavers on the development of a Corporate Parenting Strategy.

"I have to say thank you for your excellent conference report, you made a complicated situation very easy to follow."

Promoting and improving the wellbeing of those we help.

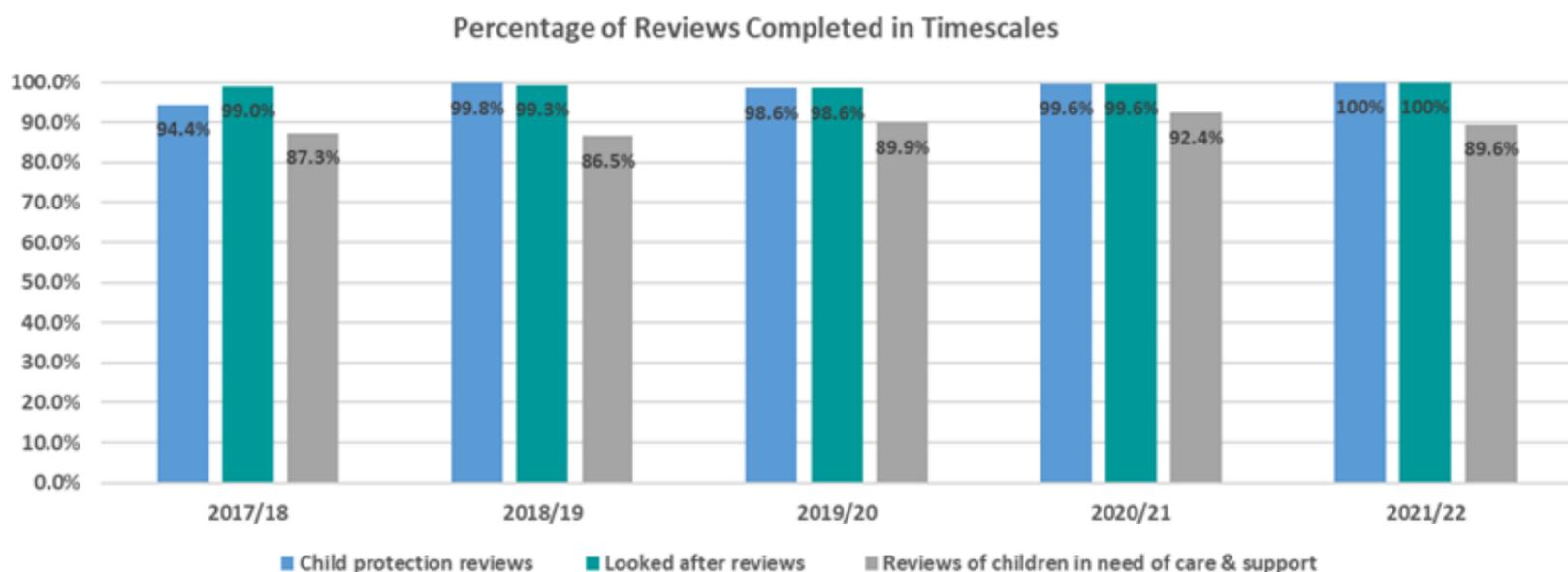


Quality Standard 2: Working with people and partners to protect and promote people's physical and mental health and emotional

What we did:

- Commissioned a regional MAPSS (Multi Agency Placement Support Service) to deliver therapeutic interventions to care experienced children and those placed for adoption
- A new CAMHS In-Reach service has been created with 40 pilot schools across Cwm Taf Morgannwg, being identified as likely to benefit from emotional wellbeing support in schools from September.
- Continued working with Tros Gynnal Plant to support issue-based advocacy at a robust level despite covid restrictions.

How well did we do?:



Issue based Advocacy activity increased during 21-22. We received referrals for 155 children and young people, who presented with 204 issues, compared to 135 children and young people and 193 issues in 20-21.

Promoting and improving the wellbeing of those we help.

What are we doing next:

- Complete a review of the social work arrangements for transition services for young people agreed between 14 and 25.
- Strengthen our working relationship with the CAMHs service to ensure children we work with benefit from timely assessments and services to meet their needs
- Working to identify new approaches to continue to increase the “Active Offer” and update of advocacy services.

Promoting and improving the wellbeing of those we help.

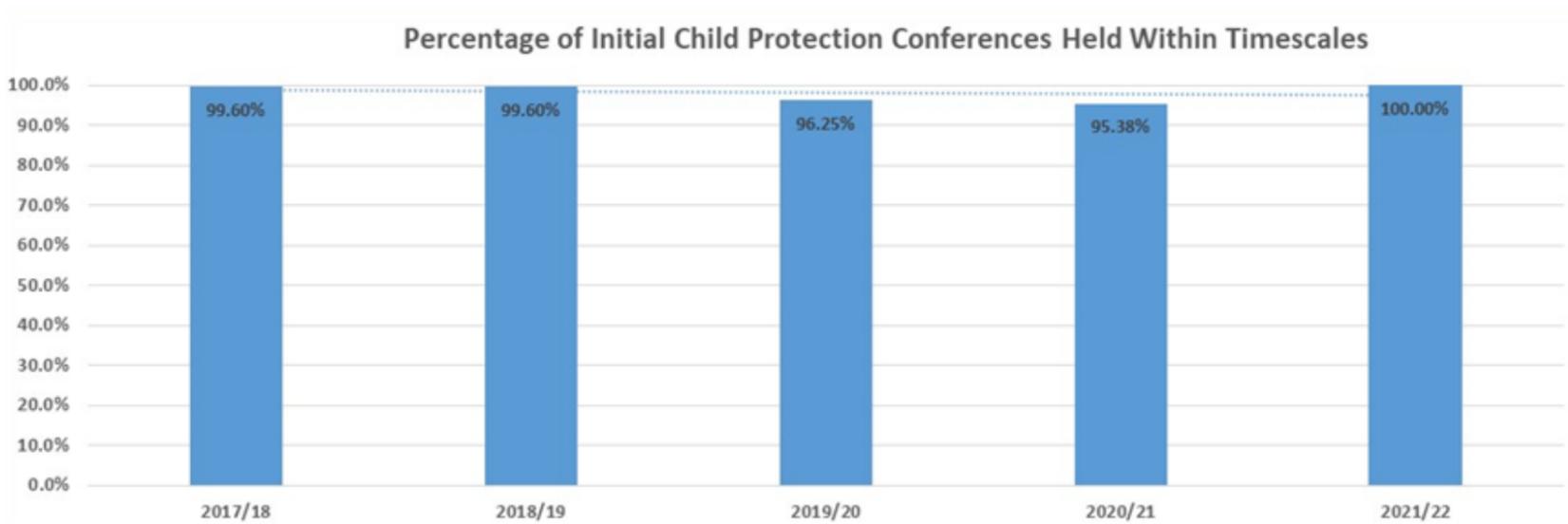


Quality Standard 3: Taking steps to protect and safeguard people from abuse, neglect or harm

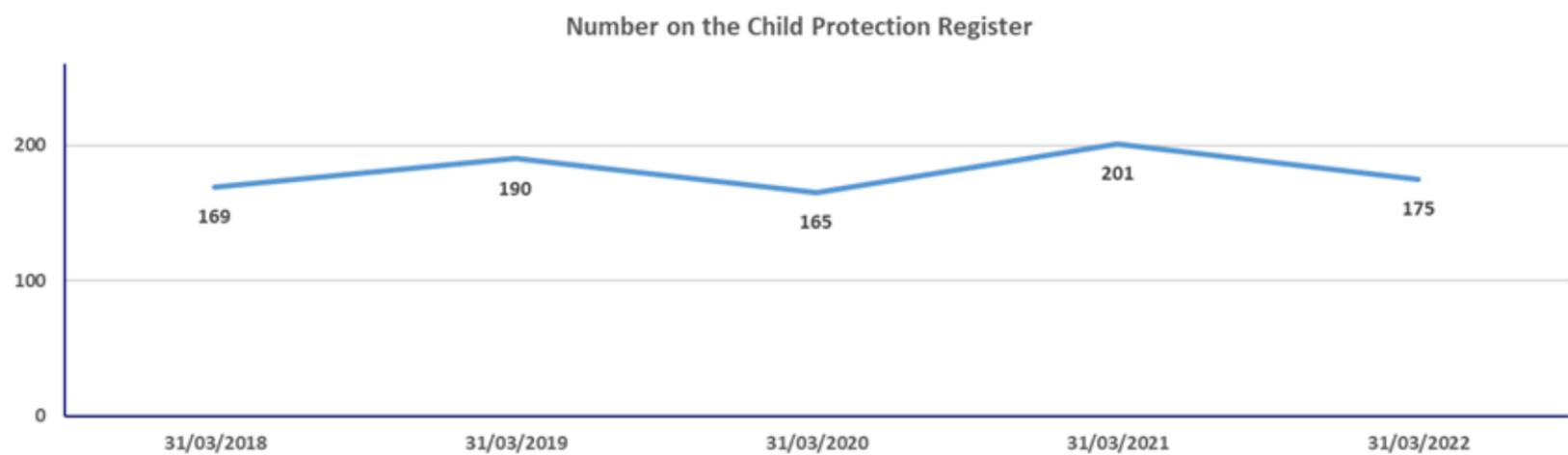
What we did:

- Established a working group to implement the recommendations of the Public Law Outcome legal framework to achieve best practice in child protection and family justice systems.
- Undertook learning and reviews to understand immediately the changes we needed to make following critical incidents in Bridgend
- Established a managed care team to build additional capacity into our front door IAA service and strengthen our working with partners following challenges in meeting the level of need within our workforce resources.

How well did we do?:



Promoting and improving the wellbeing of those we help.



What are we doing next:

- Ensure that all the local short and medium-term recommendations from the Public Law Working Group reforms are implemented.
- Ensure the learning from multi-agency child practice reviews is understood and embedded within our workforce
- Finalise and implement a review of the operating model of IAA services for Children and Families.

Promoting and improving the wellbeing of those we help.

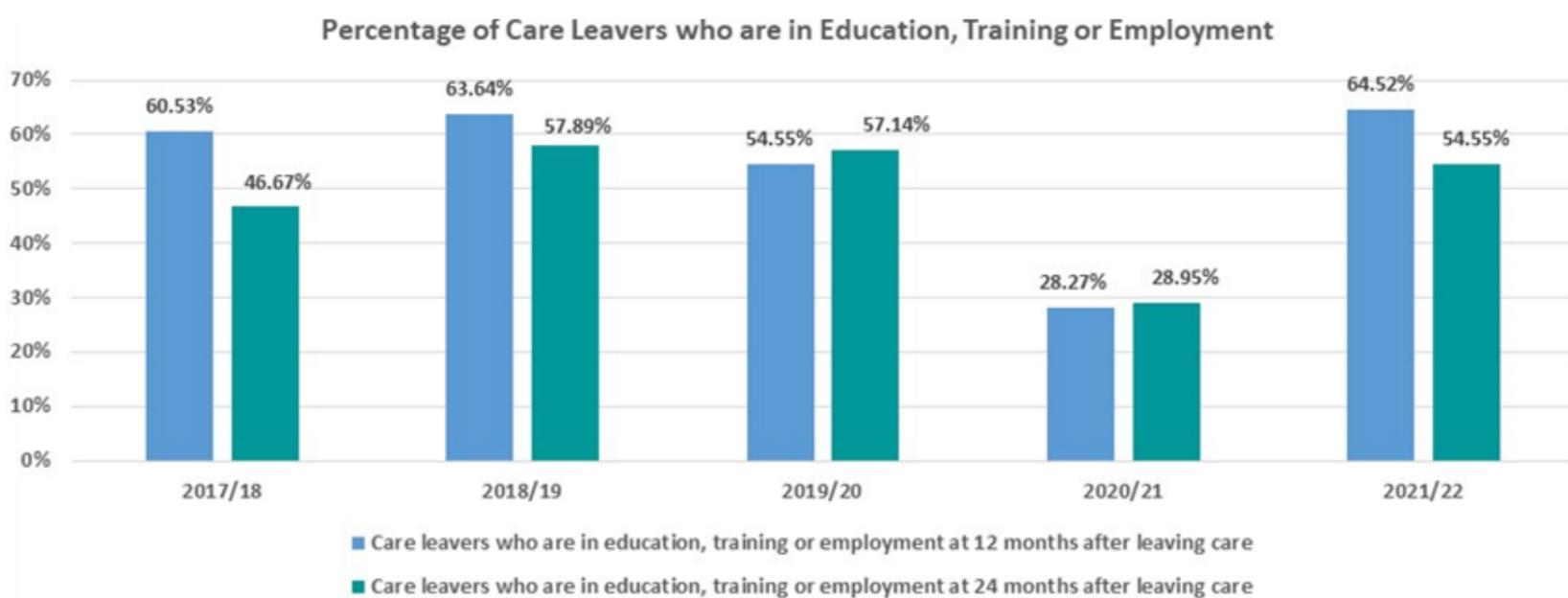


Quality Standard 4: Encouraging and supporting people to learn, develop and participate in society

What we did:

- Following an engagement event with parents and carers in November 2021, the Directorate established a project group to review its Direct Payments Policy.
- Provided a summer scheme for vulnerable care experienced children and children in receipt of care and support services.
- Provided free access to leisure facilities and programmes for children and young people with disabilities, young carers and care experienced children.

How well did we do?:



Promoting and improving the wellbeing of those we help.

What are we doing next:

- Launch and implement our revised Direct Payments policy.
- Co-design a strategy for disabled children and their parents/carers.
- Implement the Basic Income Pilot to support Care Leavers turning 18 between 01/07/22 and 30/06/23.

"I have never known a Social Worker make the time and effort to come in and do an activity with a young person. I think this will have a number of positive benefits for both of you going forward. This is a great way of working and Thank you."

Promoting and improving the wellbeing of those we help.



Quality Standard 5: Supporting people to safely develop and maintain healthy domestic, family and personal relationships

What we did:

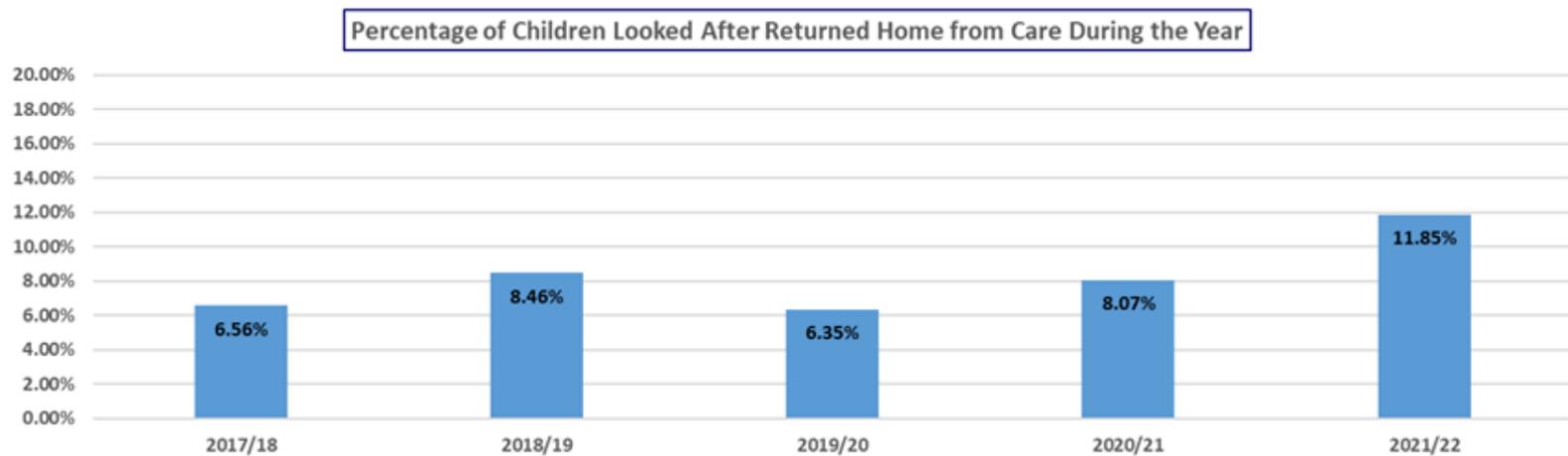
- Continued reduction in the safe number of care experienced children, supporting them, where possible, to live with their families and where this is not possible achieve permanence at the earliest possible opportunity.
- The new Care Experienced Children team became operational in September 2021 ensuring care experienced children are supported to maintain positive personal relationships in permanent arrangements
- Due to unforeseen circumstances. the development of the Brynmenyn Placement Hub was delayed. However during the year a further tender exercise was completed and work on the site commenced.

How well did we do?:

Numbers of Care Experienced Children

	30/03/2018	30/03/2019	31/03/2020	31/03/2021	31/03/2022
Total LAC Population	384	381	394	390	374
Number of Relative/Friend Placements	59	63	87	89	99
Number of PWP Placements	48	57	67	80	72
Number of UASC	2	2	2	0	2
LAC Population minus PWP, Relative/Friend, UASC	277	261	238	221	201

Promoting and improving the wellbeing of those we help.



What are we doing next:

- Develop specialist support for foster carers who care for older care experienced children.
- Increase in the number of children who are supported to live with their family under a Special Guardianship Order.
- Completion and operational opening of the new Brynmenyn Placements Hub including a review of the operating model to ensure the service is fit for purpose to meet the needs of the children who will be supported.

Promoting and improving the wellbeing of those we help.



Quality Standard 6: Working with and supporting people to achieve greater economic well-being, have a social life and live in suitable accommodation that meets their needs.

What we did:

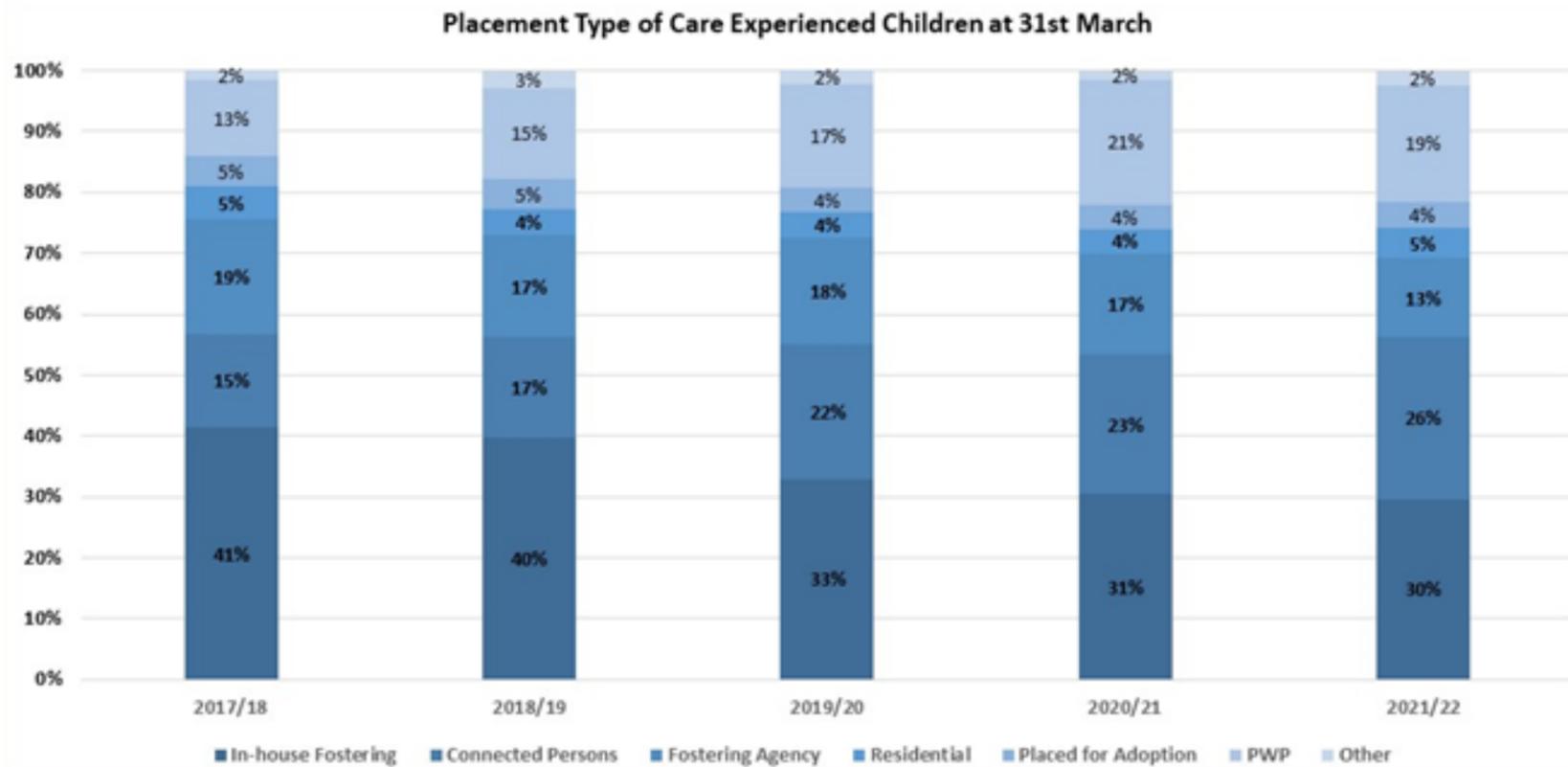
- The regional front door for prospective foster carers went live April 2021. This ensures that there is a timely response to all Foster Carer Enquiries received.
- Concluded the re-structure of the Fostering Service in December 2021 to support children to continue to live with in the most appropriate permanence arrangement to meet their needs.
- Worked with V2C to develop the new solo residential provision for children and young adults.

How well did we do?:

General Foster Carers

	2019/20	2020/21	2021/22
Number of initial enquiries to foster received	142	104	96
Number of initial home visits/initial assessments conducted	49	43	25
Number of fostering assessments commenced	14	27	17
Number of new General Foster Carers approved	8	16	4

Promoting and improving the wellbeing of those we help.



What are we doing next:

- Introduce a Foster Carer Charter which will set out roles and expectations of the Corporate Parent, Fostering Service and our Foster Carers.
- In recognition of the important and critical role Foster Carers play as part of Children's Social Care, and current increased cost of living that is being experienced a review of Foster Carer Allowances will be completed.
- Registration and opening of the new solo residential provision for children and young adults.

"All family members have recognised the excellence of "X's" foster carers and how he is integrated into his placement as a family member, which has supported his continuing positive emotional development."



Quality Standard 1: Working with people to define and co-produce personal well-being outcomes that people wish to achieve

What we did:

- Local Community Co-ordination and Community Navigator support worked with vulnerable people to identify what a good life meant to them, connecting them to communities.
- We worked with Young Carers to better understand their wellbeing needs and created respite opportunities.
- The Feel Good for Life programme supported people living with Dementia and their Carers to remain connected to maintain wellbeing.

How well did we do?:

- Community Navigators supported 990 vulnerable individuals during the year and Local Community Co-ordinators circa 150 people monthly. 99% of people reported being happy with the support received with 94% feeling it made a difference to their lives.
- Over 200 Young Carers engaged in developing a new identity scheme, advocacy resources to highlight their support needs and development of 'You Are Valued' activities. Young Carers network established.

Prevention & Wellbeing Services

- Feel Good for Life supported 200 people living with Dementia and Carers and set up a customer panel to co-produce opportunities. The Social Value award was achieved for engaging customers and digital support.

What are we doing next:

- Co-produce wellbeing opportunities with Carers and Young Carers and engage more partners in developing supportive opportunities.
- Review the Building Resilient Communities approach to cross sector working and identify more sustainable investment. Focus on evidencing impact and cost effectiveness.
- Expand the range of dementia supportive opportunities and increase the range of partners involved.



Quality Standard 2: Working with people and partners to protect and promote people's physical and mental health and emotional wellbeing

What we did:

- We worked with BAVO to develop a Carer Wellbeing Network and Carer respite opportunities.
- The National Exercise Referral Scheme offered a digital and face to face support programme linked to GP Practices.
- Community based opportunities were delivered for children and young people with additional needs and parent carers.

How well did we do?:

- Community partners collaborated to develop carers respite opportunities and create a Carer Wellbeing Network with BAVO.
- The National Exercise Scheme developed new pathways including 'long Covid' recovery, joint care and community wellness opportunities with the Health Board.
- Discovery Days and after school disability opportunities were rebuilt. Bridgend Inclusive Network group (BING) built capacity in third sector groups. Autism friendly activities developed by Halo.

What are we doing next:

- Support BAVO and Third Sector to continue to develop more collaborative opportunities, linked to lived experience. Identify how direct payments policy can support innovation.
- Rebuild exercise referral pathways and review public accountability measure performance.
- Map the availability of opportunities for children and young people with additional needs and identify gaps to be addressed.



Quality Standard 3: Taking steps to protect and safeguard people from abuse, neglect or harm

What we did:

- We engaged with the Older Persons Commissioner, Welsh Government and the Age Friendly Communities programme aiming to bring communities together.
- We supported a cross sector 'falls prevention' network to collaborate on improving postural stability, build confidence and help reduce the rates of falls.
- We worked with BAVO, the Alzheimer's Society and community partners to take forward Dementia Friendly Communities and other support.

How well did we do?:

- Cabinet approval to take forward Age Friendly Communities. Lead staff member engaged in 'Infuse' regional development focused on engaging effectively with older adults. Supporting the rebuilding of the older persons forum commenced.
- Falls Prevention workshops held and 'mobile falls' approaches supported by recovery funding.
- 100% of people sampled via the Alzheimer's support identified it had made a positive contribution to their lives. 120 people had ongoing support and 1200 were provided with information.

What are we doing next:

- Increase the resource available to progress to Age Friendly Communities as a 'One Council' approach in partnership with Welsh Government.
- Embed Otago and Postural Stability support in the community, physical activity opportunities including workforce development aspects.
- Review the type of support that people living with Dementia or cognitive impairment and carers say they need and refocus resources and partnerships.



Quality Standard 4: Encouraging and supporting people to learn, develop and participate in society

What we did:

- We completed the third year of our leadership of the regional Super Agers programme supported by Healthy and Active Funding.
- We supported people to access services via the Awen Books on Wheels and Bridgend Community Transport services.
- We worked with Awen to develop a range of social prescribing and social care recovery programmes.

How well did we do?:

- Over 150 people benefitted locally from Super Agers with a range of community partnerships established . 89% expressed improved wellbeing and 75% felt less isolated.
- Books on Wheels supported 449 people at home with library resources and 13,832 issues. Digital access to resources has also shown growth. Bridgend Community transport supported 200 day services visits per week and the Town Rider scheme to connect people to communities.
- Awen supported a specific development post and social prescribing activities including carers broadcasts, reminiscence activities and mental health interventions.

What are we doing next:

- Super Agers is a manifesto commitment. Secure ongoing investment and develop sustainable community led approaches.
- Identify the impact of lack of transportation on vulnerable groups being able to connect to communities and maintain their wellbeing.
- Further develop social prescribing approaches linked to CTM Health Board and Regional Investment Funding.



Quality Standard 5: Supporting people to safely develop and maintain healthy, domestic, family and personal relationships

What we did:

- We further developed our vulnerable hub support programmes for vulnerable young people.
- Our Carer Wellbeing Service supported people to maintain wellbeing and connect to a range of support.
- Our Family Active Zone programme supported families to improve use of home space and time to live well.

How well did we do?:

- The hub extended to additional school holiday periods and progressions to connecting vulnerable young people into community opportunities that meet needs. A focus on supporting safeguarding concerns.
- The Carer Wellbeing Service supported 2003 individuals. There were 307 'What Matters' conversations and 411 receiving IAA and signposting.
- Over 500 households supported with FAZ resources and guidance on active and healthy living

What are we doing next:

- Ensure a skilled and confident workforce is in place between Children's services and prevention to further develop hub programmes and trauma support.
- Review the Carers Wellbeing Service in conjunction with Carers and stakeholders. Develop an updated and co-produced specification.
- Ensure family based and whole household support activities are further developed, linked to early years strategy.



Quality Standard 6: Working with and supporting people to achieve greater economic wellbeing, have a social life and live in suitable accommodation that meets needs

What we did:

- We supported a range of low cost community opportunities for children, young people and families including diverse needs.
- We used technology to support people to remain connected and to manage their wellbeing.

How well did we do?:

- Free Swimming supported 3490 people including over 60's. The Summer of Fun supported low cost community opportunities and the Winter of Wellbeing programmes supported 10160 beneficiaries.
- The Wales Co-operative Centre supported digital skills amongst unpaid carers, 3 Community Centres were supported to 'stream' activities, virtual reality resources developed with Care Homes and 43 people supported digitally linked to hospital to home.

What are we doing next:

- Continue to target and utilise external investments to support delivery, community development and Third Sector opportunity.
- Deliver next phases of digital development with Wales Co-op, Awen, Halo, Community Centres and BAVO.

How we do what we do

Our workforce and how we support their professional roles

We supported social care staff to develop their skills by:

- Providing a programme of Dementia care training, aligned to the Good Work Framework, accessed by managers, direct care staff, social workers and occupational therapists.
- Delivering Active Support Training in Supported Living settings. This was to ensure that those assessing, care and support planning, and reviewing, are able to reflect person centred care in care and support plans.
- Offering Collaborative Conversations training in integrated adults' assessment and care and support teams, which considered the impact of the pandemic on people's priorities.
- Providing a tiered approach to raising awareness around the impact of trauma when working with children and young people.
- Providing an enhanced range of e-learning available to Foster Carers and Children's Residential staff via The Training Hub.
- Commencing a mandatory safeguarding training programme 'Back to Basics - Strengthening Social Work Practice' training designed to create a solid foundation and consistency of practice across Children's Social Care, Early years and Family Support

We supported qualifying pathways to careers in social care and social work by:

- Significantly enhancing our social work secondee scheme and implementing a social work trainee scheme to increase the number of people we are supporting to become social work qualified in Bridgend.

How we do what we do

- Introducing an Adult social care worker apprenticeship programme.
- Seconding a member of staff to undertake a Foundation Degree in Rehabilitation Work (Visual Impairment).
- Working in collaboration with Social Care Wales, 12 Local Authorities and 3 Further Education Colleges on the development of a Vocational level 4 Social Services Practitioner (SSP) Qualification. The first students enrolled in January 2022.

We supported Post qualifying programmes for social work by:

- Supporting newly qualified social workers via our First year in practice programme.
- Providing mentoring and assessment for social workers undertaking the Consolidation Programme.

How well did we do?:

- Provided very specialist and general individual and team based support following critical incidents in Bridgend to ensure our workforce could readily access support when they need it in a timely way.
- 3838 learning activities were undertaken by staff.
- 56 social care staff achieved a health and social qualification at Level 2, 3, 4 or 5. 8 staff enrolled on the first cohort of the new Social Services Practitioner Level 4 qualification.
- 7 staff achieved the Training, Assessment and Quality Assurance Award (TAQA).
- We provided 30 practice learning opportunities for social work students.
- 10 social workers completed the Consolidation Programme.
- Bridgend commenced support for 9 social workers to undertake a practice educator award
- 2 social work team managers commenced the Team Manager Development Programme
- A senior manager successfully completed the Middle Manager Programme

How we do what we do



What are we doing next:

- Supporting qualifying pathways to careers in social care and social work.
- Internationally recruiting social workers and establishing a comprehensive support programme to support qualified social workers working for the first time in Wales.
- We will offer a Social Services Practitioner apprenticeship, working across Children's Social Care.
- Growing our own social workers' by offering social work traineeship opportunities and supporting staff to undertake the Social Services Practitioner Award, which equates to the first year of the degree

Post qualifying social work programmes

- We will be reviewing our first year in practice programme for newly qualified social workers to ensure sufficiency, the best use of resources and to promote confidence and competence across the newly qualified workforce. This will produce a revised first year in practice programme for the Newly Qualified Social Workers joining the Local Authority during the autumn of 2022.

Social Care Worker registration with Social Care Wales

- We will be working with adult residential care home managers and staff in preparation for the mandatory registration, from October 2022, of adult care home workers.
- We will be supporting domiciliary staff to ensure that they
- have the applicable training and qualifications for their first re-registration.

How we do what we do



What are we doing next:

Liberty Protection Safeguards:

Supporting the workforce in social care and other relevant Local Authority staff by way of preparation for the implementation. We will be developing and delivering a training plan which will be aligned to Welsh Government National Workforce and Training Plan.

Supporting our current workforce

- We will be broadening our core 'back to basics programme' programme. Training courses for 2022-23 will be mapped against the following thematic headings: Values; Skills; Practice Standards; Well-being; Trauma and Safeguarding. Promoting consistency of practice in line with legislation, policy and procedures on a local and national level.
- Implementing a Social Work and Social Care Charter to be clear on the offer to the Bridgend workforce.
- Supporting workforce wellbeing as a priority, ensuring that we get the basics right at all time, including supervision, appraisal and where needed targeted specialist as well as general wellbeing support.

Strength based practice

We will be supporting social workers and social care staff in the application of strength-based practice. A strength-based practice approach underpins the programme of Collaborative Conversations training for Adult Social Care staff. Emphasising a collaborative process which allows people to work together to determine outcomes that draw on the person's strengths and assets.

As already noted, across Children's Social Care we will be adopting the Signs of Safety practice framework, strength based, solution focused approach to practice.

How we do what we do

Building a digitally ready workforce

We will be providing training for staff to support delivery of effective virtual learning. In order to widen access to e and virtual learning we will ensure that we maintain currency of software ICT licences and continue to build up our stock of tablets and laptop computers for loan.

Alongside this to improve digital inclusion, ability and confidence for staff and foster carers we will facilitate access to digital skills workshops.

How we do what we do



Our Financial Resources And How We Plan For The Future

The net budget for the Social Services and Wellbeing Directorate for 2021-22 was £75.239 million and the actual outturn was £69.848 million which following a drawdown of £48,000 from earmarked reserves (EMRs), resulted in an under spend of £5.391 million.

The outturn budget has benefited from significant short term grant investment:

- the Welsh government Social care Pressures Grant which helped us address social care pressures from overspends and winter pressure;
- and the Social Care Recovery Grant which enabled us to implement key priorities and actions in line with the Social care Recovery Framework which supports planning to enable our services and communities to move forward following the COVID-19 pandemic.

Whilst these investments are helpful, the medium and long term sustainability of the social work and social care sector remains a pressure. Work undertaken during 2021/22 by ADSS Cymru demonstrates there is a gap of £250m across Wales which would equate to around £5-6 million in Bridgend to achieve a sustainable workforce in these areas to address the increasing need and demand for services.

How we do what we do

As part of the 2023/24 Budget Setting process, the Directorate has identified a significant amount of budget pressures totalling £12.8m. The major budget pressures include:

- workforce
- the National Living Wage
- demographic changes such as an aging population
- children's specialist placements
- Learning Disabilities Supported Living
- Care and Support at Home

The Directorate has had a selection of EMRs set up at the end of the 2021/22 financial year, funded from the under spend position. These additional earmarked reserves totalled £5.563m. These have been put in place to support some of the pressure areas identified above. Key areas supported by the EMRs include the Managed Team costs, the Grow Your Own Social Worker initiative, the Telecare Analogue to Digital migration and Social Work Capacity in the network teams.

The end of year annual Social Services and Wellbeing financial summary can be found here in the Council Report outlining the revenue budget outturn for 2021/22:

[Revenue Budget Outturn 2021-22](#)

It is clear that there are considerable underlying budget pressures in social services and wellbeing in Bridgend to sustainably and safely deliver statutory services and wellbeing and prevention priorities. Short term funding in 2021/22 meant there were considerable underspends against budgets.

How we do what we do



Our Partnership Working, Political And Corporate Leadership, Governance And Accountability

Partnership and multi-agency working is key to the delivery of our services. Key partners regional partners include Cwm Taf Morgannwg University Health Board, the Cwm Taf Morgannwg Regional Safeguarding Board. The Directorate also has a number of teams that are co-located with key agencies to ensure these include the Bridgend Multi-Agency Safeguarding Team and the Integrated Cluster Network Teams. We also work with key third sector partners, AWEN and HALO in the delivery of our leisure, cultural and wellbeing services. Working in this way enables us to share information, knowledge and resources.

The Directorate has its own Cabinet Member who is the Deputy Leader of the Council reflecting the importance of the portfolio who along with the other Cabinet Members are responsible for making major decisions and policies for Bridgend. The Cabinet has a Corporate Parenting Committee that meet quarterly. The Corporate Parenting Committee makes important policy decisions on service provision for care experienced children and care leavers. There are also a number of Overview and Scrutiny committees who also consider policies and developments across Social Services and Wellbeing making recommendations on future service delivery.

Links to all of the 2021/22 Cabinet, Council, Corporate Parenting and Overview and Scrutiny Committee reports and minutes that relate to social care can be accessed [here](#).

How we do what we do

The Corporate Director of Social Services and Wellbeing is a member of the Council's Cabinet Corporate Management Board who meet weekly and the Cabinet and Corporate Management Board who meet fortnightly. The purpose of these meetings is to ensure oversight of council business by agreeing key strategic and operational priorities in line with the "One Council Approach".

The Directorate's performance is measured at a directorate, local, regional and national level. Performance is measured on a regular basis across all 3 service areas with core operational data being monitored on a weekly, fortnightly or monthly basis and is scrutinised on a quarterly basis via the Council's Corporate Performance Assessment (CPA) Meeting. The CPA monitor's our performance against the Council's Wellbeing Objectives as set out in its [Corporate Plan](#).

Key performance data is shared on a regional basis with the Cwm Taf Morgannwg Regional Safeguarding Board and on a national level we have a statutory duty to report performance adapt to Welsh Government on a quarterly and annual basis.

The Local Government and Elections (Wales) Act 2021 has established a new legislative framework to measure local government performance. The Act will require BCBC, along with all Local Authorities in Wales, to undertake and publish a self-assessment of its performance requirements in relation to exercising its functions, effective and efficient use of resources and governance arrangements. Bridgend's report, reflecting 2021-22, will be published later this year following consultation and engagement with communities, staff and scrutiny.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF EXECUTIVE

REVIEW OF CORPORATE PLAN TARGETS FOR 2022-23

1. Purpose of report

- 1.1 The purpose of this report is to seek Council approval of the proposed changes to Corporate Plan targets for 2022-23 as outlined in **Appendix A**, subject to Cabinet endorsement on 18 October 2022.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
- **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The Corporate Plan was refreshed for 2022-23 in February 2022, endorsed by Cabinet and approved by Council in line with the normal statutory requirement to review the Corporate Plan annually.
- 3.2 As part of the approval process for the refreshed Corporate Plan it was acknowledged that as the Council was in the recovery phase post COVID-19 it was still having an impact on the planning cycle, making it more challenging in some instances to set targets for 2022-23. It was agreed by Council that a flexible approach to setting corporate plan targets was necessary to ensure business planning is robust and effective.

4. Current situation/proposal

- 4.1 As part of the recovery planning process, each directorate had the opportunity to re-consider targets for 2022-23, based on verified year end data.
- 4.2 **Appendix A** sets out the proposed changes to the Corporate Plan targets, and if endorsed by Cabinet and approved by Council will be published as an addendum to the current Corporate Plan. The new or amended targets are highlighted for ease of reference.
- 4.3 As part of a wider review of performance and governance due to the Local Government and Elections (Wales) Act 2021, Council approved this approach to target setting in future planning cycles. This will 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 available data.

5. Effect upon policy framework and procedure rules

- 5.1 The Council's Corporate Plan forms part of the Policy Framework.

6. Equality Act 2010 implications

- 6.1 A full Equality Impact Assessment (EIA) was undertaken when the plan was developed in February 2022. Consideration was given to the potential impact on protected groups within the community and on how to avoid a disproportionate impact on people within these groups. Separate EIAs will be undertaken when proposals for carrying out the plan are developed and implemented.

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

- 7.1 The Well-being of Future Generations (Wales) Act 2015 provides a framework for embedding sustainable development principles within the activities of Council and has major implications for the long-term planning of finances and service provision. The 7 well-being goals identified in the Act have driven the Council's three well-being objectives.

8. Financial implications

- 8.1 There are no financial implications arising from this report. The Corporate Plan is closely aligned to the Medium Term Financial Strategy which sets out the resources for delivering the Council's Corporate Plan.

9. Recommendations

- 9.1 The Council approves the revised Corporate Plan targets for 2022-2023, subject to Cabinet endorsement on 18 October 2022.

Mark Shephard
CHIEF EXECUTIVE
October 2022

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Background Documents: None

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Page 125
Priority area: Improve learner outcomes

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Percentage of all schools that have effective evaluation and improvement processes in place	N/A	100%	100%	100%	100%

Priority area: Growth and prosperity

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
The number of vacant premises in town centres:	74	Bench marking	78	To be confirmed	Bench marking
a) Bridgend	16		19		
b) Maesteg	21		17		
c) Porthcawl	7		8		
d) Pencoed	7				
The number of visitors to town centres- footfall for	3,129,858m	Bench marking	4,537,984	To be confirmed	4,537,984
a) Bridgend	1,960,919m		2,716,863		2,716,863
b) Porthcawl					
c) Maesteg	n/a	n/a	906,129	New	906,129
Financial value of externally funded town centre regeneration projects underway/in development.	£13.5m	£13m	£14.2m	£20m	£20m
Total annual expenditure by tourists.	£146.33m	Bench marking	Data Aug 2022	To be confirmed	£151m
Number of business start-ups.	540	Bench marking	550	To be confirmed	530
The number of participants in the Employability Bridgend programme going into employment.	401	329	556	To be confirmed	347

Priority Area: Developing and enhancing community support and services

Page 126

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Number of people aged 65+ referred to Community Resource Team.	1974	2200	1,981	>2200	>2200
Percentage of reablement packages completed that:	34.32%	33%	16.50%	>33%	>33%
a) Reduced the need for support					
b) Maintained the same level of support	5.05%	11%	4.68%	<11%	<11%
c) Mitigated the need for support	52%	48%	70.94%	>48%	>48%
d) Increased need for support	8.63%	8%	7.88%	<8%	<8%

Priority Area: Building resilient communities

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Number of council owned assets transferred to the community for running.	13	10	11	20	20
Percentage of households threatened with homelessness successfully prevented from becoming homeless.	67.2%	60%	30.5%	60%	30%
Percentage of people presenting as homeless or potentially homeless, for whom the local authority has a final legal duty to secure suitable accommodation.	50.4%	30%	19.2%	30%	30%
Number of additional dwellings created as a result of bringing empty properties back into use.	2	7	Awaiting data	7	7
Percentage of private sector dwellings that had been vacant for more than 6 months at 1 April that were returned to occupation during the year through direct action by the local authority.	3.36%	6%	Awaiting data	6%	6%
Number of children and young people looked after.	390	371	374	<371	<371

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Percentage of care leavers who have completed at least 3 consecutive months of employment, education or training in the 12 months since leaving care	42.86%	>31%	64.52%	>31%	>31%
Percentage of care leavers who have completed at least 3 consecutive months of employment, education or training in the 13-24 months since leaving care	42.47%	>37%	54.55%	>37%	>37%
Percentage of care leavers who experience homelessness during the year (as defined by the Housing (Wales) Act 2014) within 12 months of leaving care.	17.14%	<17%	8.23%	<17%	<17%

Priority Area: Better health and well-being

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Percentage of completed Team Around the Family (TAF) support plans that close with a successful outcome.	69%	69%	73%	70%	70%
Percentage of individuals in managed care supported in the community.	75.34%	75%	73.4%	>75%	>75%
Percentage of individuals in managed care supported in a care home setting.	24.66%	25%	26.6%	<26%	<25%
Total library issues, including physical issues, digital issues and books on wheels service to people's homes	New for 2022-23	New for 2022-23	374,231	Establish Baseline	Establish Baseline
Total visits to leisure centres operated by Halo Leisure for all purposes.	New for 2022-23	New for 2022-23	801,177	Establish Baseline	Establish Baseline

Priority Area: Transforming the councils' estate

Page 128

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Realisation of capital receipts targets.	£3.09m	£3.745m	£48,840	£1.170m	£3.775m
Percentage of BCBC operational buildings achieve full statutory compliance.	62.7%	100%	64.4%	100%	100%

Priority Area: Areas of corporate change

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Number of apprentices employed across the organisation	34	35	40	New	36
Percentage budget reductions achieved (Overall BCBC budget).	85.8%	100%	96.3%	100%	100%

Priority Area: Decarbonisation and environmental sustainability

Success Indicators	Actual 2020-21	Target 2021-22	Actual 2021-22	Target 2022-23	New Target 2022-23
Kilograms of residual waste generated per person.	131.45KG	123KG	131.65	WELSH COVID baseline	131.65kg
Percentage of waste reused, recycled or composted.	69.15%	68%	72.97%	70%	70%
Percentage of waste: reused	0.77%	1%	1.24%	1%	1%
recycled	48.43%	45%	51.29%	47%	47%
composted	19.94%	20%	20.44%	20%	20%
Percentage of street cleansing waste prepared for recycling.	postponed	30%	40.7%	30%	30%

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF EXECUTIVE

CORPORATE SELF-ASSESSMENT

1. Purpose of report

- 1.1 The purpose of this report is to provide an update on the Council's corporate self-assessment report, as required by the Local Government and Elections (Wales) Act 2021, and seek approval for the report attached as **Appendix 1**.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

- 2.2 The Authority's self-assessment and improvement planning process contributes to the achievement of the corporate well-being objectives. As the Annual Wellbeing Assessment has been subsumed into the self-assessment, this report also fulfils the reporting requirements under the Well-being of Future Generations (Wales) Act 2015.

3. Background

- 3.1 The Local Government and Elections (Wales) Act which received royal assent in January 2021 set out a new local government improvement regime, which puts more onus on the Council to demonstrate improvement rather than on Audit Wales and other regulators. One of these requirements in the Act is for the Council to make and publish a self-assessment report once each financial year, starting from the 2021-22 financial year.

3.2 The self-assessment report has to set out conclusions on whether the Council met the 'performance requirements' during that financial year, and actions needed to improve. The 'performance requirements', focus on :-

1. exercising functions effectively;
2. using resources economically, efficiently and effectively;
3. strong governance g.

3.3 To do this, the Welsh Government (WG) statutory guidance and Welsh Local Government Association (WLGA) guidance stipulates that the Council should use evidence; internal evidence (performance and financial data collected from around different parts of the Council); external evidence (including audit and inspection reports, ombudsman / Health and Safety Executive reviews); and the views of stakeholders (through engagement with local people, businesses, council staff and trade unions).

3.4 The self-assessment process has now been completed for 2021-22. The report, which is attached as Appendix 1, sets out conclusions on how well the Council met the 'performance requirements' during the financial year 2021-22, and actions needed to improve.

4. Current situation/proposal

4.1 The Governance and Audit Committee agreed the process outlined for developing the self-assessment in June. The process utilised existing performance management and governance processes within the Council as much as possible, including the use of corporate performance assessment (CPA).

4.2 The process was followed as agreed, and draft findings were presented to CPA members in June and July. The findings and judgements have now been collated into a single, simple, accessible report. In line with WG and WLGA guidance, the self-assessment report and annual well-being assessment have been merged into a single document..

4.3 Welsh Government provided updates on already published reports and their evolving thinking about self-assessment reports at a meeting with the Council on 12 August 2022. WG asked that reports provide clarity on the real, high-level issues around performance in the Authority e.g. in Bridgend they would expect to reference to the inspection work underway around social services.

4.4 Welsh Government also reflected that the 'so what' factor will be very important, with the Council outlining improvement areas for future years.

4.5 Finally, Welsh Government added that there is minimal value in conducting formal consultation / engagement on the self-assessment report. The preference would be a summary of key engagement / consultation work over the year, relating to the wellbeing objectives. This feedback has been integrated into the draft report.

4.6 One self-assessment report has already been published – the report for Powys County Council. There are lots of strong points in the Powys report for the Council to learn from. Their section on the local government context in Wales is good. Their performance section covering each wellbeing objective is strong, it summarises all

of their performance indicators and commitments simply, and includes a list of engagements and auditors judgements. This is reflected in the Council's draft self-assessment report.

4.6 The draft self-assessment report was presented to the Governance and Audit Committee on 13 October 2022 for consideration and Cabinet on 18 October 2022. Verbal feedback following these meetings will be given at Council on 19 October 2022.

4.7 Following approval by Council, the report will be translated and designed and published in late October.

5. Effect upon policy framework and procedure rules

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

6. Equalities Act 2010 Implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions.

6.2 It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

7.1 The 5 ways of working – long-term, integration, involvement, collaboration and prevention - form a key part of the key lines of enquiry for both the performance work and the use of resources workshops in July. The annual wellbeing assessment will be merged with the annual self-assessment for 2021-22.

8. Financial implications

8.1 There are no financial implications associated with these arrangements. The cost of translation, design and publication will be met from within existing budgets.

9. Recommendation

9.1 Council is recommended to approve the corporate self-assessment report 2021-22 attached as Appendix 1.

M Shephard
CHIEF EXECUTIVE
13 October 2022

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Background documents

None.

Appendix 1 – Bridgend County Borough Council Corporate Assessment

1. The purpose of this report

In January 2021, the Welsh Parliament passed a new law that changed the way councils work. Every year, we must publish a self-assessment report. This report covers 6 April 2021 to 5 April 2022. We want the report to assure Welsh Government that we are performing well. We also want it to tell them that we are using our money and other resources properly and making decisions in a sensible, open way. Most importantly, the report must tell local residents, businesses and all stakeholders how we are doing. Welsh Government and the Welsh Local Government Association have published guidance that tells us how we should develop our self-assessment and what evidence we should use to judge ourselves.

2. The changing world for local government

The world has changed a lot in the last 5 years, and this has had a big impact on the way councils work. Some of the main changes are –

- **The coronavirus pandemic** meant we have been asked to do different things, demands on services have changed and many of our staff have worked remotely.
- **UK leaving the EU** meant we have lost some of our funding and workforce. Prices and availability of some of the things we buy has changed, e.g. building materials for our new schools.
- **The war in Ukraine** has also has an impact on availability and prices of some of the things we buy, e.g. fuel prices for recycling vehicles.
- **The cost-of-living crisis** has meant we have been asked to do different things by Welsh Government and increased demand on some of our services.
- **Climate change** is causing extreme weather events like storms and heatwaves have put pressure on us to do more about flood prevention and water safety.
- **A long period of austerity** reducing the funding for the council at the same time as rising demand for services and inflation increases our costs.
- **Local government elections** have changed the councillors who make decisions on our priorities and services.

3. How is the council performing?

Every 5 years the council publishes a new Corporate Plan. This plan describes the council's priorities, why they are important and how progress will be measured. The priorities, or wellbeing objectives, show our commitments to our citizens and our contribution to Wales's seven well-being goals -

Well-being Goal	Priority 1: A successful sustainable economy	Priority 2: Helping people be more healthy & resilient	Priority 3: Smarter use of resources
A prosperous Wales	✓		✓
A resilient Wales			✓

Well-being Goal	Priority 1: A successful sustainable economy	Priority 2: Helping people be more healthy & resilient	Priority 3: Smarter use of resources
A healthier Wales	✓	✓	✓
A more equal Wales	✓	✓	✓
A Wales of cohesive communities	✓	✓	✓
Vibrant culture & thriving Welsh language	✓	✓	
A globally responsible Wales	✓		✓

The Act says we must meet the needs of the present without compromising the ability of future generations to meet their needs. Based on the sustainable development principle, our well-being objectives will deliver long-term positive outcomes. We review progress every year to make sure our actions are getting us closer to our goals. The last full corporate plan was published in 2017, (although it is refreshed and updated annually), with three priorities for the council -



When we developed this corporate plan, we thought hard about the type of organisation we wanted to be. Our vision is to act as **One Council** working together to improve lives.

We have a process for measuring how we are doing on these priorities. We use –

- performance indicators,
- evidence on delivery of our projects,
- feedback from residents, businesses, and partners, and
- the views of our regulators and auditors.

Each part of the council pulls this information together for their services. They present it to councillors who look at the data, check it and ask questions. This was done for the year

2021-22 in June and July 2022. We use this information to come to a judgement on each priority using this scale -

EXCELLENT	Very strong, sustained performance
GOOD	Strong features, minor aspects need improvement
ADEQUATE	Strengths outweigh weaknesses, but important aspects need improvement
UNSATISFACTORY	Important weaknesses outweigh strengths. Needs urgent improvement.

Priority One – Supporting a successful, sustainable economy

We want to build a place where people can have good jobs and careers and improve their family income. Prosperity boosts health and well-being and creates more resilient communities that need fewer services. Education is the most important part of improving the life chances of young people. Our main ways of achieving this objective are -

- **Improve learner outcomes** – Support children, adults and families to get better education outcomes;
- **Growth and prosperity** - Promote the conditions for growth and prosperity by helping people and business to succeed.

What is our judgement?

Supporting a successful, sustainable economy	Good
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- **Learner outcomes** – exam result data is not available for 2021/22 due to the pandemic and Welsh Government guidance. Instead, we have provided information on our work to support schools dealing with effects of the pandemic.
- **School support** - We have supported schools to reduce the pandemic’s impact on teaching and learning. Guidance and risk assessments for schools were updated each time national guidance changed. Schools have blended learning to support self-isolating pupils and for homework. We have worked with the education consortium to support two primary schools to be removed from the Estyn category of ‘special measures’. Schools in Estyn review or monitoring categories has fallen from 12 to 1, with 4 schools getting ‘enhanced’ support.
- **Welsh Language Education** – We have completed the actions in our last Welsh in Education Strategic Plan (WESP). We have developed, and recently agreed with the Minister our new WESP plan 2022-32. The number of Year 1 learners in Welsh-medium primary schools has increased from 119 to 122. The total number of places was 162, so there is still a surplus of Year 1 places. We are enlarging Ysgol Y Ferch O’r Sgêr and the consultation on enlarging Ysgol Gymraeg Bro Ogwr is done. Welsh-medium childcare will be built at Bettws and Ogmores Valley.
- **Safeguarding** - the Education Engagement Team helped schools to audit their safeguarding. Many strengths were identified and some areas for improvement e.g. how effectively they communicate about safeguarding, how clear governing bodies are on their roles and responsibilities and increasing the voice of children, parents and carers. One school identified a lot of issues and has been supported to address them. Safeguarding audits will continue annually.

- **Attendance and exclusions**– During the pandemic attendance levels have worsened. In primary schools, attendance has reduced by 4.7% from 2018-2019 to 2021-2022 and by 7.6% in secondary schools. We have done lots of work to address attendance, including supporting schools on attendance, a task and finish group revising our attendance strategy, and attendance audits have been done to show good practise and areas for development. Behaviour is becoming more of a problem, so the number of permanent and fixed term exclusions is increasing. We are working with schools to make sure they follow the graduated response, use behaviour tools and access local authority support when they need it. The Communication and Relationships Team are speaking to schools to share ways to improve behaviour.
- **Regeneration** - We have made progress on the Town Centre Masterplan for Bridgend, including plans for redeveloping the Railway station. Our placemaking Strategy for Porthcawl has been approved. Work starts soon on the ALDI site and work to secure sea defences will soon be complete at Eastern Promenade. The relocation of Bridgend College to the town centre is progressing, and we are working with housing providers to invest in housing in the Town Centre. Maesteg Town Hall is progressing well. We are investing in town centres and working with partners to redevelop sites and buildings. The regeneration programme delivered over £600k of improvements grants for business premises after covid. There are more vacant properties in some town centres.
- **Business support** - We have provided business rates relief to 1028 businesses and £50 million business grants. We have received funding to deliver the Bridgend Elevate and Prosper Project (EAP) to support start-ups and micro-business. Our new, socially responsible 3 year procurement strategy and delivery plan aims to make our spending more accessible to local small businesses and the third sector. Business start-ups have increased by 14% to 550 in 2021-22.
- **Support for employment** - Employability Bridgend provides support to residents and council employees, including unemployed people, and those in work but struggling with low skills or in-work poverty. Even during the pandemic we reached job outcome targets, but we have not worked with as many people as we expected. The end of EU funding and strength of the job market may have an impact on work in the coming year. The number of people from the Employability Scheme who have gone into jobs has increased by 27% to 556 in 2021-22.
- **Tourism** – We have worked with partners to put on events to increase tourism in Porthcawl, including giving advice on the Porthcawl Triathlon, Porthcawl Truck Gathering, Forest Feastival and the Between the Trees festival and funding a road closure for the Porthcawl Elvis Festival. Cosy Corner will provide new community facilities following a £2.1m investment and will be complete in Spring 2023. More people are visiting Porthcawl - around pre-pandemic levels. Tourism expenditure data will tell us more at the end of the year.

Regulators assurances

Bridgend's School Service has performed well during 2021-22. Progress has been made in addressing the recommendations made by the [Estyn report in March 2019](#).

- **Literacy** - All schools with a school improvement priority linked to literacy are on track to meet their target and getting the support they need

- **Post-16 learners** – as mentioned, it isn't possible to compare results with previous years. But schools tell us that many learners have done better than expected, haven't been disadvantaged and done well with university applications.
- **Improvement in schools causing concern** – new monitoring processes have been set up to help us find problems quickly and speed up improvement.
- **Welsh Education Strategic Forum** - The group now meets every term. We have new Sub-groups to make sure we're making good progress on objectives.

HM Inspectorate of Probation, did an [inspection of youth offending services](#) in Bridgend, published in June 2022. The rating of the service was 'Requires improvement'. The service used to be part of a Western Bay service that got an 'Inadequate' rating in 2018 and was disbanded. Since the 2018 inspection there has been real improvement. Staff have a passion for their work and are trying to deter children from crime. But they still face significant challenges, including lack of mental health support for children in Bridgend. The report made six recommendations.

Consultations and engagement activities

Consultation	Dates	Impact
Enlargement to Ysgol Gymraeg Bro Ogwr	7/2/22 – 21/3/22	Consultation responses are being considered in 2022-23 with the outcome of consultation report in June and a further report on the complete process in September.
Welsh in Education Strategic Plan	27/9/21 – 19/12/21	Following consultation, positive changes were made and our new, 10-year WESP has been approved.
Placemaking Porthcawl strategy	01/04/21 -08/03/22	Following consultation, amendments were made to the strategy, including additional public open space on Salt Lake. Cabinet approved the strategy in March 2022.
Economic development strategy	01/04/21 -08/03/22	Following engagement with stakeholders including local businesses, educational establishments, training providers and the public services board (PSB) the strategy was approved by Cabinet in March 2022.

What will we do to improve?

All improvements planned will be published later in the year. Some of the main improvements we will make for this priority are –

- Developing a permanent exclusion panel for the council to support all schools
- Activities to improve school attendance, including truancy patrols, a marketing campaign, a 'buddy system' and the Consortium's 'Callio' system.
- Significant, continuing support for schools to deal with the impact of COVID-19
- Addressing the budget pressures we are facing, including school transport
- Implement the new curriculum
- Address our staffing capacity issues in the education directorate
- Continuing improvement of the Bridgend Youth Justice Service
- Putting the new WESP 10 year plan in place from September 2022
- Reinvigorate Bridgend Business Forum to deliver business support events.
- Deliver a business support event in June 2022.
- Speed-up the business grant payment process through automation

Priority Two – Helping people and communities to be more healthy and resilient

We want to provide support to help individuals and families thrive. A focus on prevention and wellbeing helps us support people to lead independent lives and reduces the likelihood of them becoming dependent on council services. Our main ways of achieving this objective are -

- **Community support and services** – Provide support and services to those who need our help and help them to stay independent for as long as possible.
- **Resilient communities** – Develop innovative ways to improve well-being and deliver services.
- **Health and well-being** – Improve the physical, mental and emotional well-being of children and young people and vulnerable citizens.

What is our judgement?

Help people & communities be healthy & resilient	Adequate
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- **Social services** - 2021/22 has been a difficult year for Social Services. We have experienced the same challenges as other councils – increasing demand for services, recovery from the pandemic, financial challenges and difficulties in recruiting and keeping staff. We are working with human resources to improve our workforce planning. In the short-term, our only option is to use interim and agency staff, but in the longer-term we are investing in recruiting internationally, ‘growing our own’ workforce and supporting and retaining existing staff. But there have been extra unique and tragic circumstances in Bridgend that have increased the challenges, scrutiny and recovery work needed. The death of Logan Mwangi is a tragedy. We must learn and improve from the lessons that come out of the Child Practice Review to be published in autumn 2022.
- **Children’s services** - In early 2022, we declared a ‘critical incident’ in children’s services. Caseloads were too high and some of our assurance systems weren’t working well. Children and families were not getting the assessments or support they needed. The whole council focused on delivering improvements. Staff were moved from other parts of the council to help and we brought in extra staff. Our new ‘care experienced children’s team’ is improving outcomes for children and families. The number of care experienced children in Bridgend has reduced and stability of placements has improved. We have invested in in-house care homes, including the development of Tir Mor, for over-18 care experienced young people. Our new, trauma informed support model is improving outcomes for young people. We have developed safeguarding and early help hubs. We are improving how we parent our children and support them to achieve the best outcomes.
- **Adult services** - We have struggled to meet people’s care and support needs. The biggest difficulties have been in care and support at home services. This has a knock-on effect to the NHS when people need to be discharged from hospital. We have had high levels of staff absence and the independent sector is delivering less hours of care. We are working with the NHS to make improvements and work has been done to address our workforce problems. Our work on integrating health and social care is strong. Our community occupational therapy works well to keep people independent and has drastically reduced waiting times. Adult safeguarding is effective. Waiting times for

deprivation of liberty safeguards (DoLs) have been cut. Learning disability services are driven by the voice of people with support needs through a new, coproduced plan.

- **Early help** – we have a clear, joined-up way of delivering early-help. A screening team sits alongside the multi-agency safeguarding hub and three locality hubs, where education welfare officers, family support workers, family engagement officers, youth workers, wellbeing workers and school counsellors work together. Demand for these services has increased. Edge of care services intervene in families to avoid children coming into the care system and the youth justice service is improving. Youth support and early years and childcare services are good but demand is increasing and they have workforce challenges.
- **Additional Learning Needs reform** – We have finished the first stage of ALN Reform, and all statutory roles are in place. We are working with partners to make sure that the young person's ALN needs are met in a person-centred planning (PCP) way. We are now working on the next phase, where every young person with an ALN has their additional learning provision (ALP) identified in an individual development plan (IDP).
- **Leisure** - We have strong partnerships for leisure and culture with Halo and Awen. Following the pandemic, we have focused on rebuilding participation in leisure and cultural activities. Participation levels are steadily increasing. The demand for free / low cost activities is increasing as the cost-of-living crisis deepens so we are working with Halo and Awen to develop more of these.
- **Housing** - The pandemic has changed our housing duties. Under Welsh Government's 'All In' approach, we have to provide accommodation for all homeless people. People presenting as homeless and numbers of people on the register for social housing have increased. We have had to rely on hotels and AirBNB's to provide temporary accommodation as supply of suitable accommodation can't meet demand. We received 1656 applications from 2553 people for support, including many applicants with complex support needs. We supported 3,066 households through Housing Support Grant services, including floating support to households threatened with homelessness. We work with Welsh Government and other councils to improve our approach to homelessness and refugees. Time taken to deliver facilities in people's homes for disabled people has fallen slightly.
- **Community Safety** – We have dealt with 1557 anti-social behaviour referrals and 88% were successfully addressed at stage 1. We have completed full needs assessments on 1767 Domestic Abuse referrals. We have opened a remote evidence suite to allow victims or witnesses to give evidence away from court. We have delivered a 'Snip it in the Bud' Campaign, supporting hairdressers and barbers to identify warning signs and signpost to domestic abuse services.
- **Recreation, green and open spaces** - The pandemic has highlighted the importance of open and green spaces for well-being. We work hard to protect and enhance our environment, including the designation of Bedford Park and Frog Pond Wood as nature reserves, plans to improve children's play facilities, (including increasing accessible play facilities) and improving the Cwm Taff nature network. We are also doing a review of our three major parks. The importance of community asset transfers (CAT's) is increasing and we have transferred 11 assets in 2021-22 (above target). External funding has been added to BCBC CAT funding to transform & invest into pavilions at Bryncethin, Cae Gof, Pencoed and Rest Bay, renovate Coychurch Play Area, and refurbish community centres at Brackla, Bryntirion and North Cornelly.

Regulators assurances

Care Inspectorate Wales (CIW) carried out an [assurance check](#) in 2021. During 2021/22 we have been progressing the actions identified in this report. For example, setting up groups to support workforce recruitment and retention, the provision of specialist behavioural support to the parents and carers of disabled children and reducing the waiting lists for occupational therapy assessments.

In May 2022 CIW [inspected children's services](#). The inspection highlighted some strengths, for example our recognition of the importance of ensuring children's voices are heard, the development of our in-house residential services, positive relationships with partners and our new practice development plans. It also showed some areas needed significant improvement, for example issues with timeliness of documents, availability of in-house foster care placements, and the consistency of practice and timeliness of assessments. CIW have advised us that given the scale of improvement needed they have 'serious concerns' about Children's Services. We have developed an action plan to address the problems and will report our progress to CIW. They will be closely monitoring our performance.

Consultations and engagement activities

Consultation	Dates	Impact
BING carers network	Ongoing	We have worked with BAVO and other organisations to better understand and support carers, through a new carer friendly network group. This has resulted in a vast range of new activities, opportunities and support for carers from many different organisations working across the Borough.
Disabled Facilities Grant consultation with future delivery providers	Dec 2021 - Jan 2022	Feedback is helping us develop a contractor's framework for the new, in-house DFG model. This will help us deliver longer-term independence for people in their own homes, more quickly to a higher quality.
Coproduction – learning disabilities	Ongoing	Coproduction is an important part of our learning disability development plan. We recently commissioned a new supported living service in a coproduced way supported by a 3rd sector organisation.
Support at home	Ongoing	Questionnaires are used to assess the service people are receiving (both short- and long-term care). Issues that the people raise are dealt with individually. Information we get is also used to influence our models of service.
Consultation and engagement to develop our homelessness strategy	Oct - Dec 2021	We consulted partners and service users to help us make best use of our grants to support homeless people. Our understanding of their needs will inform the new strategy / action plan working with partners.
Day service	Ongoing	People First are leading a programme of consultation events to help us redesign our services and develop a new Learning Disability Service Development Plan.

What will we do to improve?

- Address our workforce issues in children's social work and the domiciliary care workforce, including developing options for employing staff who don't drive.
- Improve the consistency of social work practice in children's social care, which supports improved outcomes, allows families to stay together (wherever possible) and safeguards people from harm.
- Improve the quality and consistency of children's residential care services
- Improve the 'front door' of children's and adults services
- Improve the way we listen to and act on the voices of people
- Work on admission avoidance and discharge services with the NHS
- Address gaps in social care services e.g. on domiciliary care for adults, new extra care development and complete residential development priorities for children
- Provide enhanced support for adult carers and young carers
- Making further progress on ALN reform and addressing financial pressures in ALN education
- Continue the recovery programme of leisure and cultural services
- Develop a play action plan and take forward the play sufficiency assessment
- Enhance wellbeing and preventative support in all parts of the County
- Develop long term financial sustainability and targeted investment of non-recurring funding
- Improve the information for Councillors on service quality and performance
- Complete and act on the strategic review of major parks
- More investment in children's play areas
- Develop and consult on a new homelessness strategy
- Work with Welsh Government and other authorities on our approach to housing refugees (including Ukrainian refugees)
- Working with the joint partnership board to better understand the needs and views of prisoners in Parc Prison

Priority Three – Smarter use of resources

We want to make the best possible use of public money. We want to make smarter use of our resources while minimising reductions in services. Over the period 2018-19 to 2022-23, the council is expected to make budget reductions of over £20 million. As austerity continues, it becomes harder each year to make further cuts. Our main ways of achieving this objective are -

- **Transforming our estate** – Using our land and buildings to improve service delivery, reduce running costs, minimise our impact on the environment and meet the needs of service users.
- **Corporate change** - Embracing innovation and technology, developing the skills and approaches of staff and new ways of working.
- **Environmental sustainability** - Protecting and safeguarding the environment by lowering the council's carbon footprint, looking at waste reduction, re-use and recycling and promoting environmental responsibility in communities.

What is our judgement?

Smarter use of resources	Good
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- **Budget reductions** - The budget for 2021-22 included proposals for £1.76 million cuts, but we didn't quite achieve that target. This is partly because the community recycling centre relocation to Pyle did not go ahead. Financial pressures are being felt in Social Services and Wellbeing, Homelessness, Waste and Home to School Transport. Social services benefits from significant short term grant investments. These investments are helpful but don't address the longer-term sustainability of social care.
- **Estate** – We are looking at how our buildings will be improved / remodelled through the Future Service Delivery Model. Digital transformation will help us find ways to remodel, reduced or use our office spaces in a smarter digitally enabled way. Our capital receipts were lower than target due to two delayed projects, which we expect to go ahead in 22-23. Most of our buildings now comply with health and safety requirements, but our target was not achieved.
- **School modernisation** - Proposals for Ysgol Y Ferch O'r Sgêr and Mynydd Cynffig Primary School are being implemented as well as a new English-medium school (to replace Afon Y Felin and Corneli Primary Schools). Consultation concluded on enlargement of Ysgol Gymraeg Bro Ogwr. Construction commenced on Welsh-medium childcare buildings at Bettws and Ogmere Valley.
- **Corporate change** – We developed a plan for future working with our staff and trade unions, improved staff wellbeing activities, and continued work on our 'grow your own' schemes to develop apprentices and graduates. Our Future Services Delivery project is well underway. We have some new regional frameworks where we procure goods and services jointly with other authorities, for example highways materials and plant hire. The new WiFi infrastructure project has been completed across all schools in Bridgend giving access to learners and staff, with support on using the Hwb platform to help learning.
- **Waste** – our recycling rates have increased again to 72.9% (target 68%). 76% of people rated waste service as very or fairly good. New community recycling centre works have been completed although the site is yet to open. A reuse shop has opened

at Maesteg Community Recycling Centre. We are now recycling 40% of Street litter. Public campaigns are ongoing around food waste recycling, reminders on what to place in recycling containers, AHP and garden waste. Anti-dog fouling messages, and messages regarding the departments enforcement policy have also been promoted.

- **Sustainability** –We have signed up the Welsh Government’s net zero carbon plan for the public sector. We have been developing a new net zero plan – Bridgend 2030 – which will accelerate our reduction in emissions. We are the first council in Wales to use new Welsh Government Greenhouse Gas Reporting Protocol. We have successfully implemented the £1.3m Ref-fit programme on 19 school buildings. £3m of Active Travel routes have also been implemented in 2021. We have invested £1.3 million to install energy and cost saving technologies to reduce our energy consumption and CO2 emissions. We have set baseline for the gas and electricity consumption and CO2 emissions of our buildings. We have done a review of actions and spending on biodiversity.

Regulators assurances

In Audit Wales’ Annual Audit Summary 2021, a summary of the council’s financial sustainability was included. It said, ‘During 2020-21, we examined the financial sustainability of each council in Wales. In Bridgend County Borough Council, we concluded in August 2021 that the Council has maintained a strong financial position during the pandemic and has strengthened its Medium Term Financial Strategy’.

In Audit Wales, Springing Forward, strategic asset management report (not yet publicly available), the key finding was, ‘The Council made positive progress in delivering its previous asset management strategy and now needs to ensure that its strategic asset planning is fully shaped by the sustainable development. However, workforce challenges are impacting on its ability to plan more strategically and critically, to ensure its buildings meet statutory safety requirements’.

In Audit Wales, Springing Forward, Workforce planning report (not yet publicly available), the key finding was, ‘The Council is taking action to respond to its significant workforce issues, but needs to develop a corporate workforce plan shaped by the sustainable development principle, to address these challenges and strengthen its resilience’.

Improvement plans will be developed to address the areas for improvement in both of these reports.

Consultations and engagement activities

Consultation	Dates	Impact
Annual budget consultation	20/9/21 – 14/11/21	A detailed report was prepared on the findings of the annual budget consultation which was taken to Cabinet December 2021 and has fed into corporate planning and financial planning for the year ahead.
Alterations to Mynydd Cynffig Primary School	23/11/21 - 12/1/22	Responses from parents, pupil, staff and governors were largely very positive. Other responses (allotments and ATC) have been considered separately. Cabinet approved proceeding with the proposal. Replacement school opening 2025.

Alterations to Ysgol Gymraeg Bro Ogwr	7/2/22 – 21/3/22	Consultation responses are being considered in 2022-23 with the outcome of consultation report in June and a further report on the complete process in September.
Staff survey	21/6/22 – 30/07/22	A detailed feedback report was prepared to demonstrate the findings of the survey and an internal action plan has been developed to act on areas for improvement.

What will we do to improve?

- Develop our budget, savings plan and Medium-Term Financial Strategy for the coming year.
- Develop an improvement plan for our areas for improvement in Audit Wales reports – around workforce planning and asset management
- Continuing to develop our Future Service Delivery approach
- Developing options for our waste service both in the medium term up to 2026 and longer term
- Conclude the statutory processes for the Ysgol Gymraeg Bro Ogwr and Heronsbridge School proposals. Develop options for delivery during future bands of the School Modernisation Programme.
- Develop a new biodiversity plan
- Open the new community recycling facility in Pyle and realise the savings this creates
- Improve the proportion of our buildings that meet required standards for health and safety
- Consult on and then implement our net zero carbon strategy and action plan, Bridgend 2030.

4. How is the council using its resources?

We have always had to report how well we are using our resources. For example, we must tell Audit Wales about our spending, our workforce and our buildings. Until recently, we didn't have a common process for reviewing how we are managing all of our different resources. This year, to help us judge our use of resources and write this report, we developed a new process. We held workshops with staff from all around the council to look at –

- finances,
- procurement,
- corporate planning,
- performance management,
- risk management,
- workforce planning, and
- asset management.

To come to our judgements, we used

- performance indicators e.g. staff vacancy levels and building maintenance,
- evidence on delivery of our projects and improvement plans,
- feedback from customers, staff and trade unions, and
- the views of our regulators e.g. Audit Wales report on workforce planning

We asked each other questions based on the wellbeing of future generations act, including

- Do we focus on prevention, not just putting things right when they go wrong?
- Are we making strong long-term plans?
- Do we share ideas, plans and resources with partner organisations?
- Are we making links and doing things consistently across the council?
- Are we involving the community and customers in key plans and decisions?

Like the performance information, we presented our findings to councillors who scrutinised the information, checked it and asked questions. We used the same scale from excellent to unsatisfactory as the one used for performance judgements. This was done for the year 2021-22 in July 2022.

What are our judgements?

Use of resources	Adequate	Day-to-day management of our resources is good. There are clear and agreed working models and strong, working relationships between corporate teams and directorates. Use of resources overall is adequate. Although day-to-day management is good, our longer-term planning for using our resources is not as strong. The pandemic has had a big impact on our planned work. Some of the new working models aren't yet fully working. There are vacancies and staffing issues in corporate teams, and the managers who work alongside them. In some areas, we need to improve member engagement and challenge. We need to make sure we have modern, joined-up IT systems that help with decision-making. Some directorates are better than others in the way they engage and work with corporate teams.
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Our overall judgement looks at use of resources of all types. We also have a specific judgement for each resource type, to help us with our improvement planning.

Finances	Good	Financial management is good. We successfully balance our budget every year and keep within budget during the year. Feedback from our regulators is positive. We have a healthy financial position, and respond quickly to new pressures, through effective management of budgets and reserves and member challenge. Schools and social services funding have been protected in recent years. As a result, the communities directorate budget is stretched.
Corporate planning	Good	Corporate planning is good. We have a clear process for developing the plan and senior managers and politicians are involved. The corporate plan is focused on the long-term. We consulted widely on the last corporate plan which is brief and accessible. A new one will be developed this year for sign-off in March 2023.
Risk management	Good	Risk management is good. Major improvements have been made to the way we identify and manage risks. We have a new Corporate Risk Management Policy and reports are simple and accessible. Issues raised in previous internal audits have all been addressed.
Procurement	Adequate	Commissioning and procurement is adequate. Procurement is good. Major improvements have been made to the way we procure goods, services and works. We have a new, Socially Responsible Procurement Strategy, delivery plan and Contract Procedure Rules. We need an improved and more consistent approach to commissioning across directorates.
Performance management	Adequate	Performance management is adequate. There are long-standing processes for managing how we perform against our Corporate Plan. The corporate performance team and people in directorates work well together. We have positive relationships with our regulators. But performance outside the corporate plan is not as well understood and not managed consistently. There are vacancies and staffing issues in the performance team. We need to develop better challenge of performance with stronger scrutiny and improved benchmarking with other councils.
Workforce planning	Adequate	Workforce planning is adequate. Workforce management is good but more capacity among managers and in the HR team is needed. We need to focus on strategic workforce planning to assess workforce needs in the longer-term including pay, terms and conditions.
Asset management	Adequate	Asset management is adequate. We have clear principles, a strong set of policies and procedures and good directorate engagement. But we need to address the workforce and financial challenges that prevent us from planning more strategically and resulting in a reactive approach.

What will we do to improve?

Full detail on improvements planned will be included in our improvement plan later in the year. Some of the main improvements we will make in our management of resources are –

- Set up a corporate commissioning group to develop a strong and consistent approach to commissioning across the council and share good practice
- Roll-out procurement training to improve stakeholders understanding of the new strategy, delivery plan and procurement rules
- Improve the way we manage performance that is not part of the corporate plan
- Improve the scrutiny of performance by councillors
- Consider new IT systems for performance management and asset management
- Develop strategic workforce planning across the council looking at long-term workforce needs with a broader consideration of pay, terms and conditions.
- Review our management structure, gaps and vacancies
- Establish a new corporate plan for 2023-2027
- Complete and publish a new asset management plan, focusing on sustainability
- Address the maintenance backlog and statutory building compliance performance.

5. How good is the council's governance?

Organisations that have good governance use clear decision-making processes and communicate openly about what they are doing. They work well with their stakeholders, manage the risks they face, and take responsibility for their assets.

We have always had to report on our governance, to Audit Wales. There is a clear process for developing an 'Annual Governance Statement' that has existed for many years. This year, to help us judge our governance and write this report, we have added more thinking about our consultation, engagement and involvement. We did this by holding a workshop with staff from all around the council –

To come to our judgements, we used –

- performance indicators e.g. on member meetings,
- evidence on delivery of our improvement plans,
- feedback from members, staff and trade unions, and
- the views of our regulators and auditors.

We asked each other lots of questions based on some of the important factors in the wellbeing of future generations act, including –

- Do we focus on prevention, not just putting things right when they go wrong?
- Are we making strong long-term plans?
- Are we using good governance for our partnership arrangements?
- Are we making links and doing things consistently across the council?
- Are we involving the community and our customers in key plans and decisions?

Like the performance and resources information, we presented our findings to councillors who scrutinised the information, checked it and asked questions. We used the same scale from excellent to unsatisfactory as the one used for performance and resources judgements. This was done for the year 2021-22 in September 2022.

What is our judgement?

Governance	Good
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Organisations that have good governance use clear decision-making processes and communicate openly about what they are doing. They work well with their stakeholders, manage the risks they face, and take responsibility for their assets.

Decision making

Our governance arrangements are good, and have worked well, including during the pandemic. Our [Governance Framework](#), [Code of Corporate Governance](#) and [Constitution](#) explain how we work, how we are accountable and how decisions are made. Through these documents (along with the Member's Code of Conduct, Standards Committee and role of Internal Audit) the Council operates with integrity, ethical values and within its legal powers.

Our governance arrangements are reviewed each year to update the Annual Governance Statement (AGS). It is considered and approved by the Governance and Audit Committee.

Major issues were identified in the Council's 2020-21 AGS, so in the past year we have made improvements including –

- Claiming money from Welsh Government via the hardship fund to make sure our finances are sustainable
- Doing a review of our financial procedure rules and the code of corporate governance and improving them, and
- Running training for staff to help protect the council from the increasing risk of cyber fraud.

We have made additional changes to our governance as a result of the pandemic, the local elections and changes to legislation including the new Local Government Act –

- Making major changes to the Governance and Audit Committee, including updating their terms of reference and recruiting four new lay members to the Committee with one of these lay members now chairing the Committee.
- Developing a Future Service Delivery Model which shows plans for hybrid working that supports the Council's 2030 agenda and our goal of becoming a Digital Council by 2023. This was presented to Cabinet in September 2021.
- Developing a new relationship with members, including running a significant training programme for new members that includes information on use of performance, resources, governance and an introduction to self-assessment.
- Holding Council, Cabinet and Committee meetings virtually, recording and saving them on the Council's website for the public to access, to make decision making more transparent.
- Making preparations to support the governance arrangements for the South East Wales Corporate Joint Committee (CJC).

Consultation, engagement and involvement

Consultation with our local residents and businesses is good. The corporate consultation team have a programme of future consultations and support directorates to consult in a timely and effective way. We have a range of consultation channels, mechanisms and groups, but these could be broadened. Engagement and involvement is adequate. Engagement activities take place in directorates, some using industry best practice. But engagement is patchy and the corporate team is not always involved or informed. Engagement is usually reactive rather than proactive. The pandemic has had a big impact on our capacity and ability to engage. There is not yet much activity focused on trust or relationship building between the community and BCBC and we need to develop a new engagement platform.

We have positive and constructive social partnership arrangements. We work with recognised Trade Unions (TU's), with clear and regular arrangements for consultation and engagement. Local and regional TU representatives meet HR officers monthly. Other officers are brought in as needed, for example the Chief Executive on future service delivery and the Section 151 Officer on the budget. Two Cabinet members attend bi-monthly so TU representatives can talk to them directly. There are separate meetings for schools. TU representatives play an important role in decision making and organisational change. They contribute different ideas and perspectives and support their members at meetings which focus on the workforce impacts of any changes. All HR policy reviews are done with full consultation with TU's.

As well as regular staff and trade union engagement, we run an annual staff survey. The last one, in summer 2021 had over 1000 responses. The survey contained 51 questions, many of which repeated previous surveys so we can see how we are doing over time. Overall satisfaction with BCBC as an employer is increasing, from 59% in 2018, 66% in 2020 and 73% in 2021. A detailed feedback report was developed, and an internal action plan is in place to act on issues from the staff survey.

Engagement with regulators is strong and systematic. Regular meetings take place between regulators and senior officers in the Council to discuss regulators' work and the council's improvement plans.

What will we do to improve?

Full detail on improvements planned will be included in our improvement plan later in the year. Some of the main improvements we will make in our governance are -

- Improvement work on the Council Chamber and Committee rooms, so hybrid meetings can be held.
- A new constitution and easy read guide will be presented to Council later this year, to make us more consistent with other councils across Wales.
- Developing a programme of Cabinet training with the WLGA
- Acting on the findings in the 2021 staff survey and running a new staff survey in late 2022
- Develop a new engagement, involvement and consultation plan to support the new corporate plan
- Develop a new engagement platform
- Monitoring financial pressures happening as a result of the pandemic, exit from the European Union and the conflict in Ukraine, and
- Monitoring the challenges facing our services (including outsourced services) as a result of rising prices, supply chain issues and staffing issues

6. Our Strategic Equality Plan

In developing the equality objectives, we have talked to our residents, stakeholders and employees and used relevant information, including EHRC reports, Welsh Government reports and internal strategies. In addition to this we have:

- Developed a [Strategic Equality Plan 2020-24](#) and associated action plan
- Reviewed our previous Strategic Equality Plan and action plan to see how we have done;
- Developed a consultation toolkit so we have a more consistent and effective way of engaging with our communities;
- Given further consideration to each of the nine protected characteristics covered by the three main aims of the general duty and the requirement to eliminate discrimination, harassment and other actions prohibited in the Equality Act 2010;
- Looked at regional approaches to meeting the needs of Gypsy and Traveller families and people who have experienced domestic abuse and hate crime.

How do we identify and collect relevant information?

We are committed to collecting and using data to identify where some protected characteristic groups experience a disproportionate impact or where we could deliver services in a different way. We collect data on customers and residents via our consultation and engagement activities and on our employees via our own internal systems. We will collect and use the following equality data:

- Employment profile data for all protected characteristics;
- Service user data so that we understand the characteristics of the people who use our services;
- Job applicants for all protected characteristics.

This data will be published annually as part of our Strategic Equality Plan annual reporting process. In addition we will publish annually:

- The Full Equality Impact Assessments undertaken;
- The Strategic Equality Plan action plan review;
- The Strategic Equality Plan annual report.

How effective are the council's arrangements for identifying and collecting relevant information?

Each year we try to improve the Equality Monitoring Data we hold for employees. We encourage employees to update information through communications / appraisals.

What do our arrangements tell us regarding the equality of access to employment, training and pay?

Every year, we report our 'equalities in the workforce' report to councillors. This tells us about our numbers of employees with protected characteristics. It also tells us about pay, recruitment and training of employees with protected characteristics. This is all put together and included in the strategic equality plan. Areas for improvement are included in the [strategic equality plan action plan](#).

7. Review of our self-assessment process

We have assessed and reviewed our process as we have gone along. We think we started the process to late which meant planning and implementation were a rush.

We were not clear enough on the timescales and deadlines for providing information. The performance management part of the assessment demonstrated the lack of consistency in the way directorates manage performance outside the corporate plan. We found we didn't have the range of evidence we expected for all directorates. Engagement and regulator information are not generally collected or discussed as part of our regular performance management work.

The use of resources workshops were a one off, stand alone exercise, not really in keeping with the guidance. Consideration of use of resources should be better embedded in our business planning and performance management. Communication with participants on the use of resources workshops was last minute and not very detailed. People had minimal time to prepare their thoughts for the workshops. Although in person meetings took place for some of the workshops, others had to be done virtually due to a spike in Coronavirus cases. Those done in person were much more challenging and engaging.

Due to time restraints, there was not enough engagement, communication or discussion with members and officers around the council – in the process or in the final report. The process evolved as we were going through it. This shows we are positive, flexible and adaptable, but it also means members and senior officers weren't always sighted on the changing approach.

The structure and style of the corporate plan and wellbeing objectives (as well as the rush of our directorate self-assessments) made writing a brief and accessible report difficult. We did not consider in any detail how we would present our self-assessment until the very end of the process. We might have done things differently if we had considered this earlier.

What will we do to improve?

- Make clear and early decisions on our process, timelines and responsibilities for our 2022-23 assessment based on learning from year 1 and best practice
- Improve our business planning process to be more comprehensive and consistent. To include corporate plan and other areas of performance.
- Effectively communicate our quarterly performance management process, requirements and timelines to business managers and directorates
- Include management of the different types of resources in our 'business as usual' performance management process. Also include engagement and regulator evidence.
- Develop a clear hierarchy of reports and ensure that people understand it
- Develop a corporate plan structure and style that better lends itself to completing our self-assessment in future years
- Align our AGS and self-assessment process
- Engage a broader range of staff and members in the self-assessment process

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

REPLACEMENT LOCAL DEVELOPMENT PLAN SUBMISSION DOCUMENT

1. Purpose of report

- 1.1 For Council to consider the Deposit Plan Consultation Report Summary Document (Appendix 1) and the proposed submission version of the Replacement Local Development Plan (RLDP) as amended following public consultation (Appendices 2&3) and to agree the amended RLDP be submitted to Welsh Government and Planning and Environment Decisions Wales (PEDW) for independent examination.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
 1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

3. Background

- 3.1 On 19 July 2022, Cabinet considered the Deposit Plan Consultation Report Summary Document (Appendix 1) and the proposed submission version of the Replacement Local Development Plan (RLDP) as amended following public consultation (Appendices 2&3) and agreed to recommend that Council approve the amended RLDP subject to the removal of Heol Fach, North Cornelly as a residential land allocation. Paragraph 4.60 explains the reasoning behind this decision.
- 3.2 An up-to-date Local Development Plan (LDP) is an essential part of a plan-led planning system in Wales. It sets the framework to ensure that the planning system contributes towards the delivery of sustainable development in a co-ordinated manner, enabling a wider, problem-solving outlook than would be possible by dealing with local issues in isolation. Without an up-to-date LDP, it would become progressively difficult for the Council to focus on integrating and addressing multiple

land use concerns and the local planning process would become fragmented, un-coordinated and reactive.

- 3.3 The first release of data from the 2021 Census has shown that towns and cities on the M4 corridor in South East Wales are growing rapidly, with Bridgend's population growth (4.5%) being the third highest in Wales after Newport (9.5%) and Cardiff (4.7%). The population of Bridgend has increased from 139,178 at the time of the 2011 Census, to 145,500 at the time of the 2021 Census. These demographic pressures drive the need for housing growth across the County Borough and the RLDP is the fundamental tool to accommodate this growth by planning for sustainable development. Throughout the life of the Plan, people will continue to have children, students will continue to graduate, new households will continue to form, and some existing family units will continue to breakdown. These housing supply pressures will not pause for housing delivery to catch up. The key means of addressing these issues is to ensure the RLDP contains sufficient deliverable sites, otherwise the gap between housing delivery and population growth will continue to widen and more housing sites will be needed in the future.
- 3.4 Position on Existing Adopted LDP (2006 – 2021)
- 3.5 The existing Bridgend LDP (adopted on 18th September 2013) sets out the priorities and objectives of the Corporate Plan in land-use terms and was designed to cover the period 2006–2021. In September 2020, the (then) Minister for Housing and Local Government confirmed that LDPs adopted prior to 4th January 2016 will remain the basis for determining planning applications until replaced by a further LDP. Whilst the existing LDP will remain extant, the material weight attached to the existing LDP and its evidence base will progressively diminish now that the original plan period has concluded. The existing LDP evidence base was prepared over a decade ago, is out of date and cannot be relied upon to justify planning decisions to the same extent as it once was. Therefore, inaction will place the Council in an increasingly tenuous position, open to challenge from the development industry, and there will be ongoing implications for rational, co-ordinated and consistent planning decisions across the County Borough.
- 3.6 Moreover, the Council is statutorily required, under Section 69 of the Planning and Compulsory Purchase Act 2004, to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption. As such, a review was triggered and a Review Report was published in 2018. That report recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites, whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level.
- 3.7 Monitoring of the Existing Adopted LDP (2006 – 2021)
- 3.8 The Council has a statutory obligation to keep all matters under review that are expected to affect the development of its area and to produce information on these

matters in the form of an Annual Monitoring Report (AMR, under sections 61 and 76 of the Planning and Compulsory Purchase Act 2004, respectively).

3.9 The 2021 AMR noted that the strategically planned developments completed since adoption of the existing LDP have collectively levied significant investment into the County Borough and delivered new homes and jobs for our communities. Evidence collected through the monitoring process clearly shows that good progress has been made in the delivery of the majority of LDP targets, which must be seen as a positive. However, the AMR reaffirmed that several key housing provision policy targets are now not being met, thereby indicating that these policies are no longer functioning as intended.

3.10 Shortfall in housing delivery

3.11 This issue has been highlighted by the new housing delivery monitoring system prescribed by Welsh Government. The Council is required to use the Annual Average Requirement (AAR) method as the primary indicator to measure housing delivery, and to include a housing trajectory within the AMR. This new process has established two new monitoring indicators. The first is the annual level of housing completions monitored against the AAR set out in the plan (i.e. housing requirement / 15 years = AAR). The second is the total cumulative housing completions monitored against the cumulative AAR set out in the plan. The Council must include commentary on the results, implications, and set out clearly what action is being undertaken to address any housing shortfall/under delivery on the plan strategy. The 2021 AMR showed that:

- There has been an annual shortfall in housing delivery against the AAR. In 2020/21, completions were 300 dwellings below what was anticipated (there were 346 actual dwelling completions compared to an AAR of 646 dwellings, a shortfall of -46%).
- The cumulative average annual housing requirement from the start of the plan period to 31st March 2021 was 9,690 units. Actual cumulative completions have been 6,770 dwellings. This represents a 2,920 dwelling shortfall in housing delivery over the plan period to date (-30%).

3.12 These two indicators clearly demonstrate an even more pressing need to adopt the RLDP since the Review Report was published in 2018. Dwelling completions are ultimately failing to keep pace with the housing requirement. Whilst the existing LDP has been successful in bringing forward several (primarily brownfield) residential and mixed-use allocations, other brownfield allocations have not come forward as anticipated. This has meant that the number of remaining deliverable sites has progressively dwindled at the end of the existing plan period, resulting in lower annual dwelling completions.

3.13 Combatting Ad Hoc Development

- 3.14 This is an issue that the development industry is critically aware of and monitors closely, whilst also exploring potential development opportunities out of accord with the existing LDP's strategy. If left unaddressed, this situation could act as a catalyst for speculative planning applications to come forward on sites in unsustainable locations. The Council would then have to increasingly exercise its planning function on a piecemeal basis rather than in a co-ordinated, strategic manner. This would not only provide less certainty to the public but also minimise the planning system's ability to secure wider strategic infrastructure improvements (i.e. schools, highways, recreation and affordable housing) for the benefit of our communities.
- 3.15 This has become a growing issue for other Local Planning Authorities in Wales that exhibit similar housing land supply shortages. Indeed, initial decisions to not grant planning consent for unsustainable housing developments have been overturned at appeal elsewhere due to a lack of local housing land supply. Bridgend County Borough has always had up-to-date development plan coverage and it is imperative that this is not compromised if the Council is to continue to deliver the most sustainable local planning outcomes.
- 3.16 The key means of addressing this issue is to not only ensure the RLDP is adopted, but that it contains sufficient deliverable sites, whilst balancing all other cross-cutting issues and drivers, otherwise the gap between housing delivery and the housing requirement will continue to widen and even more housing sites will be needed in the future to offset the shortfall.
- 3.17 An up-to-date RLDP, with a refreshed evidence base, will ensure the Council continues to have a sound basis for rational and consistent decisions. This is the single most effective means of combating ad hoc 'planning by appeal' and ensuring multiple land use planning concerns can be addressed in an integrated, co-ordinated and sustainable manner. The RLDP will not only address the shortfall in the housing delivery by facilitating the allocation of additional housing land but also enable a co-ordinated response to local land use issues and contribute to a range of wider strategic infrastructure improvements.

3.18 Local Development Plan Preparation Process

- 3.19 The preparation of LDPs is strictly controlled by Welsh Government's national planning policy (Planning Policy Wales) and Development Plans Manual. A broad overview of the RLDP process is depicted in the flow diagram below, with the current Submission Stage highlighted in orange.



4. Current situation/proposal

4.1 The Replacement Local Development Plan (RLDP)

4.2 The RLDP consists of a Written Statement and Proposals Map. The Written Statement as amended following consultation is attached as Appendix 2. The Proposals Map as amended following consultation is attached as Appendix 3. The Written Statement outlines local planning policies, land use allocations and associated justification based on the supporting evidence. The Proposals Map illustrates the land use allocations, settlement boundaries and planning designations proposed in the Plan, which are key to delivery of the Spatial Strategy. The Plan is also accompanied by a separate Constraints Map, which illustrates existing identified environmental designations and other physical constraints. A succinct overview of the Plans chapters is set out below:

4.3 **Chapter 1 – Introduction:** sets out the background and purpose of the RLDP.

- 4.4 **Chapter 2 - Spatial /Strategic Context:** this chapter provides an area profile and overview and policy context.
- 4.5 **Chapter 3 - Key Issues and Drivers:** sets out the key issues and drivers identified through the RLDP preparation process that have directly informed the development of the vision and objectives.
- 4.6 **Chapter 4 – Strategic Framework:** this section of the document sets out the overarching Vision to ultimately define what the RLDP is working towards. The RLDP Vision has been developed to take into account the Bridgend Local Well-being Plan with the specific characteristics and key issues affecting the County Borough. A summary of chapter 4 is set out below:
- 4.7 Vision and Objectives
- 4.8 The RLDP Vision will be delivered through the achievement of 4 Strategic Objectives, which will be underpinned by 35 Specific Objectives. These seek to reflect updated national policy and legislation and address the issues facing the County Borough. The development of the Objectives has also been informed by the Sustainability Appraisal (SA) incorporating the Strategic Environmental Assessment (SEA) process, particularly the key sustainability issues which should be addressed in the RLDP. These identified issues have been carried forward to underpin the SA process, thereby shaping the following four Strategic Objectives, which are central to the RLDP:
- ***SOBJ1: To Create High Quality Sustainable Places (Placemaking)***
 - ***SOBJ2: To Create Active, Healthy, Cohesive, Inclusive and Social Communities***
 - ***SOBJ3: To Create Productive and Enterprising Places***
 - ***SOBJ4: To Protect and Enhance Distinctive and Natural Places***
- 4.9 The Strategic Objectives have been defined to reflect identified key issues, align with national policy and ensure an appropriate balance between the different elements of sustainability. They are cross-cutting in their nature and also cross-reference the goals and objectives of the Well-being of Future Generations (Wales) Act 2015 and Bridgend Local Well-being Plan (LWBP). Acting together, the Vision and Strategic Objectives provide an overarching framework to underpin all other components of the RLDP.
- 4.10 In turn, the Vision and 4 Strategic Objectives are supported by 35 Specific Objectives. These have been devised to create the right conditions to address the various social, cultural, environmental and economic well-being outcomes. The objectives will also form part of the basis for monitoring the implementation of the Plan, once adopted and operational.

4.11 Growth and Spatial Strategy (Placemaking)

4.12 Development will ultimately be directed towards environs conducive to sustainable placemaking that facilitate a balance of environmentally friendly, economically vibrant, and socially inclusive characteristics, aiming to benefit current inhabitants and future generations alike. Sustainable placemaking is therefore an overarching concept that underpins the RLDP.

4.13 Correspondingly, and in order to achieve the Vision and Objectives of the LDP, the Council will follow a Regeneration and Sustainable Growth Strategy. This will provide the framework to help realise the regeneration priorities of the Council, whilst also apportioning sustainable growth towards existing settlements that demonstrate strong employment, service and transportation functions (foundation economy). This dual faceted approach seeks to broadly balance housing, economic development, connectivity, social needs and environmental protection and enhancement to allow the County Borough to prosper, whilst contributing to the success of the Cardiff Capital Region and Swansea Bay Region. This has directly informed and resulted in the formulation of Strategic Policy (SP1), which outlines how the RLDP will make provision to deliver the Regeneration and Sustainable Growth Strategy between 2018- 2033.

4.14 The proposed growth level of 505 dwellings per annum is derived from a demographic scenario that calibrates its assumptions from a 6-year historical period (2013/14–2018/19). This period (post-Great Recession, yet pre-pandemic) witnessed sustainable population growth. As such, the RLDP makes provision for 8,335 new homes to meet a housing requirement of 7,575 dwellings (based on a 10% Flexibility Allowance (a requirement of Welsh Government)), including 1,595 affordable homes.

4.15 This trajectory will lead to more established households (particularly around the 35-44 age group) both remaining within and moving into the County Borough, coupled with less outward migration across other economically active age groups. This will encourage a more youthful, skilled population base to counter-balance and support the ageing population, seeking to sustainably manage an overall population increase of 13,681 people over the plan period (2018-2033). This Growth Strategy is deemed the most appropriate, sustainable means to deliver the RLDP Vision and Objectives. It also conforms with national policy, as Future Wales identifies Bridgend County Borough as a Growth Area, and Welsh Government support this level of growth for the County Borough.

4.16 Employment Land Strategy

4.17 The projected increase in the working age population and the linked dwelling requirement will provide significant scope for residents to live and work in the area, supporting up to 500 new jobs per annum. Hence, 71.7 hectares of available land is allocated for employment development to meet the needs of the employment market and accommodate the new jobs identified. Achieving a wide and balanced portfolio of employment uses is central to the RLDP's Strategy. This will allow the local

economy to attract higher value-added employment uses (including life sciences, construction, energy, decarbonisation and telecommunications) as well as supporting the significant manufacturing base that continues to be an important facet and driver of growth for the local economy. This approach will help minimise the need for out-commuting and promote more self-contained, inter-connected communities, thereby achieving an equilibrium between the number of homes provided and the job opportunities expected. The Growth Strategy can be succinctly explained by the acronym '**CARM**', which summarises the Strategy's intentions to **C**ounter-balance the ageing population by **A**tracting skilled, economically active households, **R**etaining skilled, economically active households and rendering the County Borough a **M**agnet for employers to expand within or move into.

4.18 Prejudicing the County Borough's Future Economic Resilience

4.19 Failure to progress with the RLDP would have severe implications for the future resilience of the County Borough's economy. Dwelling completions would become more erratic and the regular annual build rate could drop to a level that's insufficient to provide enough new housing for newly forming households. This would risk a decline in the number of economically active households both remaining within and being attracted to Bridgend County Borough. Many newly forming households would have to move out of the County Borough to meet their housing needs and demographic trends show that depopulation would be most likely amongst the established 35-44 age group. This would simultaneously lead to a proportionate increase in households aged 60+ and therefore a growing number of economically inactive people residing within the County Borough.

4.20 Without a younger population to counter-balance and support this older population, the County Borough's ability to attract and retain employers would be severely hampered. In the medium term, the area could become increasingly unattractive to new employers and major employers may also be inclined to leave Bridgend over time due to the lack of an active, skilled labour force within the local population base. Already established households that previously lived and worked in the County Borough may also have to begin commuting out of the area for work purposes, thereby encouraging unsustainable transport patterns and generating long-term impacts for local economic growth and resilience. The County Borough's ability to attract inward investment, deliver sustainable economic growth and diversify the employment sector would be considerably impeded. This could equally affect Bridgend's ability to continue performing a sub-regional employment and service centre role that promotes sustainable forms of travel.

4.21 Wider Strategic Infrastructure Improvements and Community Investment

4.22 Adequate and efficient infrastructure is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working.

- 4.23 Bridgend County Borough Council (BCBC) has collaborated with key partners and providers to ensure that development identified in the RLDP is located so that it can be well served by infrastructure. In the first instance, consideration has been made of capacity and identifying opportunities to maximise the use of existing infrastructure. Where the provision of new infrastructure is required, efforts have focussed on ensuring its delivery is sustainable and can be co-ordinated and timed to support the place making aspirations of the RLDP. This simply wouldn't be possible if the Council abandoned production of the RLDP and had to resort to dealing with speculative planning applications in isolation.
- 4.24 In all cases, infrastructure choices have and will be informed by the need to support decarbonisation, create socially and economically connected places and ensure the sustainable use of natural resources.
- 4.25 The RLDP enables holistic opportunities to secure accompanying infrastructure such as improved education provision, affordable housing, leisure facilities and transportation provision.
- 4.26 For example, population growth will give rise to demand for school places in the future. The RLDP has considered the collective impacts of all future developments together to forecast future scenarios and ensure they can be effectively planned for. If there is limited or no spare capacity in the existing school(s), this will be mitigated through developer contributions to avoid developments placing a burden on communities. Sustainable growth at a strategic scale will have to be supported by new school provision and the other necessary education infrastructure to be acceptable in planning terms. The RLDP will deliver 6 new primary schools and significant contributions towards secondary and post-16 provision. Without an RLDP, future planning for education provision would be more reactive to isolated developments and necessarily conducted in a more disjointed manner.
- 4.27 A Strategic Transport Assessment has been completed, which tests the combined impact of proposed developments far more accurately than individual transport assessments can do. This has quantified the collective impact of proposals upon the transport network and recommended the appropriate package of interventions necessary to mitigate development. Capacity issues at major road junctions will be addressed by requiring new traffic management provision, key junction upgrades, new roads, improved public transport links and Active Travel enhancements.
- 4.28 The delivery of new homes helps to ease housing market pressure by boosting supply and enabling delivery of additional, complementary affordable housing to offer safety and security for local families unable to meet their needs in the housing market. This can include social rent, where rents are typically set at benchmark levels, and intermediate housing for first time buyers struggling to get onto the property ladder. The Replacement LDP has considered how far it can contribute to the delivery of affordable housing in a comprehensive way and has tested the level of developer contributions viable to provide integrated affordable housing within new

developments. This provides more certainty on the level of contributions expected to better foster sustainable, mixed tenure communities from the outset.

- 4.29 All new housing developments will be expected to include an appropriate level of outdoor recreation for public amenity purposes in the interest of Good Design, based on the benchmark standards endorsed by Fields in Trust, the National Society of Allotment and Leisure Gardeners Policies and Natural Resources Wales' Green Space Toolkit. The Replacement LDP will provide a mechanism for the Council to work with developers to maintain an optimal level and balance of good quality outdoor recreation space for all its residents.
- 4.30 Health Care: The Council acknowledges that the new homes required to help manage population growth places pressure on the provision of health care facilities. Therefore, when the Council started the review process one of the first actions of Officers was to engage with the Head of Primary Care and Locality Manager for the Cwm Taf Morgannwg Primary Care Team and other relevant stakeholders. Through engagement at all stages of the RLDP, Cwm Taf Morgannwg University Health Board (CTMUHB) have been made aware of the housing development (both approved and proposed) within the Bridgend area and have been able to take the necessary steps to account for this in its primary care and community estates and sustainability plans. Future housing numbers and the location of sustainable urban extensions have been mapped against current and future demand and capacity.
- 4.31 CTMUHB has been fully engaged in the RLDP process and contributed towards the Infrastructure Delivery Plan (IDP) that supports the RLDP. CTMUHB have confirmed that they are confident that it has identified the additional pressures created by the RLDP and that its own estates and sustainability plans articulate the action required to respond to this. CTMUHB's comments are summarised in Appendix 5.
- 4.32 Bridgend County Borough Council will continue to engage with CTMUHB to ensure the delivery of health care infrastructure and secure the best outcomes for all our residents. Specifically the strategic planning team will continue to revisit this matter with CTMUHB, although it is important to reiterate that in their current responses the Health Board have indicated that they are cognisant of the likely additional population growth and demand in the County Brough and have accounted for it in their primary care, community estates and sustainability plans.
- 4.33 Residential Allocations and their new supporting infrastructure
- 4.34 To enable the implementation of the Growth and Spatial Strategy, Policy SP2 defines a suite of strategic residential allocations where growth will be focused.

Site Name	Total Units	Units in Plan Period	Affordable Housing	Education	Highways	Recreation, Open Space, SuDS & Public Realm
Porthcawl Waterfront	1,100	780	30%	£4.6m	£4.8m	£11.3m
Land South of Bridgend	788	788	20%	£5m	£4m	£4.4m
Land West of Bridgend	850	830	20%	£11.4m	£3.7m	£4m
Land East of Pencoed	804	804	20%	£7.2m	£2.5m	£3.4m
Land East of Pyle	2,003	970	15%	£23m	£6.2m	£14.5m
Craig y Parcau, Bridgend	108	108	20%	£650,000		£500,000
Land SE Pont Rhyd-y-cyff	140	140	15%	£1.5m	£50,000	£470,000
Land S Pont Rhyd-y-cyff	102	102	15%	£650,000		£340,000
Land SW Pont Rhyd-y-cyff	130	130	15%	£950,000	£220,000	£620,000

4.35 SP2 therefore builds upon Policy SP1 by directing growth to Regeneration Sites and Sustainable Urban Extensions within the identified Regeneration Growth Areas and Sustainable Growth Areas. The combined development of these sites will result in the provision of comprehensive residential, employment and commercial development whilst providing new transportation, affordable housing, community, education and recreation facilities to serve the respective sites and existing communities. These sites (together with all other candidate sites) have been subject to a proportionate SA, incorporating SEA, and Habitats Regulations Assessment (HRA) to identify the likely environmental and wider sustainability effects from their delivery, thereby informing the site allocations.

- 4.36 All proposed sites have undertaken detailed viability assessments to demonstrate they are capable of funding all necessary infrastructure requirements. This has, in turn, ensured that the LDP's infrastructure and affordable housing policies are robust and can be delivered.
- 4.37 In total, all proposed allocations combined will lever in approximately **£116,000,000** of private sector infrastructure investment within the County Borough and will also provide 951 affordable homes over the life of the Plan (to contribute to the wider LDP target of 1,595 affordable homes, which will also be enabled through existing sites with planning permission and windfall sites).
- 4.38 This approach is strategic in nature and has considered overall mitigation across all collective sites; an approach that would not be possible without a RLDP. This vigorous process has provided a high degree of confidence that the sites included within this RLDP are deliverable, considering the full plethora of associated infrastructure requirements and placemaking principles to deliver high quality communities.
- 4.39 **Chapter 5 – Implementation and Delivery:** this Chapter sets out the Strategic and Development Management Policies, which are derived from the Strategic Framework and form the basis to implement and deliver the Vision and Strategic Objectives. As with all other components of the LDP, all strategic policies are complementary in terms of supporting the achievement of the national Wellbeing Goals, local Wellbeing Objectives and sustainable development. Linkages between each strategic policy and relevant wellbeing goals have therefore been identified and all strategic policies have been subject to SA, incorporating SEA.
- 4.40 All policies are inter-related in their nature and need to be read in conjunction with one another in order to gain an understanding of the overall policy direction of the RLDP. Each section highlights the relevant strategic policy, supporting justification and cross-references with the LDP's Objectives. A 'delivery and monitoring section' is also included at the end of each policy. The Strategic Policies, and the more detailed Development Management policies, are intended to ensure that development proposals can achieve positive economic, social, environmental and cultural outcomes, and can minimise adverse ones. They will form the basis of all planning decisions, and indicators have been developed as part of the Plan's monitoring framework to show the effectiveness of the policies. A 'delivery and monitoring section' is also included at the end of each policy to this end.
- 4.41 A suite of Strategic Policies was identified in the Preferred Strategy and Deposit versions of the plan. These Strategic Policies have been modified to take account of representations received and extended to provide a more comprehensive Strategic Policy Framework. The updated suite of 18 Strategic Policies is also now supported by 56 accompanying Development Management Policies which address a range of detailed thematic issues as follows:

Good Design and Sustainable Placemaking

SP3: Good Design and Sustainable Place Making

PLA1: Porthcawl Waterfront, Porthcawl Regeneration Growth Area

PLA2: Land South of Bridgend (Island Farm), Bridgend Sustainable Growth Area

PLA3: Land West of Bridgend, Bridgend Sustainable Growth Area

PLA4: Land East of Pencoed, Pencoed Sustainable Growth Area

PLA5: Land East of Pyle, Pyle, Kenfig Hill and North Cornelly Sustainable Growth Area

SP4: Mitigating the Impact of Climate Change

SP5: Sustainable Transport and Accessibility

PLA6: Development in Transport Corridors

PLA7: Development West of the Railway Line, Pencoed

PLA8: Transportation Proposals

PLA9: Development Affecting Public Rights of Way

PLA10: Safeguarding of Disused Railway Infrastructure

PLA11: Parking Standards

PLA12: Active Travel

To Create Active, Healthy, Cohesive, Inclusive and Social Communities

SP6: Sustainable Housing Strategy

COM1: Housing Allocations

COM2: Affordable Housing

COM3: On-Site Provision of Affordable Housing

COM4: Off-Site Provision of Affordable Housing

COM5: Affordable Housing Exception Sites

COM6: Residential Density

COM7: Houses in Multiple Occupation

SP7: Gypsy, Traveller and Showpeople Sites

COM8: Gypsy, Traveller and Showpeople Accommodation

SP8: Health and Well-being

SP9: Social and Community Infrastructure

COM9: Protection of Social and Community Facilities

COM10: Provision of Outdoor Recreation Facilities

COM11: Provision of Accessible Natural Greenspace (including Amenity Greenspace)

COM12: Provision of Allotments and Community Food Networks

COM13: Provision of Cemeteries

SP10: Infrastructure

COM14: Telecommunications and Digital Technology Infrastructure

To Create Productive and Enterprising Places

SP11: Employment Land Strategy

ENT1: Employment Allocations

ENT2: Protection of Employment Sites
 ENT3: Non-B Uses on Allocated Employment Sites
 ENT4: Rural Economy
 ENT5: Former Ford Site, Bridgend
 SP12: Retailing, Commercial and Service Centres
 ENT6: Retail and Commercial Development
 ENT7: Development in Commercial Centres
 ENT8: Non A1, A2 and A3 Uses Outside of Primary Shopping Areas
 ENT9: Retail Development Outside of Retailing and Commercial Centres
SP13: Decarbonisation and Renewable Energy
 ENT10: Low Carbon Heating Technologies for New Development
 ENT11: Energy Efficiency Provision Within the Design of Buildings
 ENT12: Parc Stormy
 SP14: Sustainable Development of Mineral Resources
 ENT13: Development in Mineral Safeguarding Zones
 ENT14: Development in Mineral Buffer Zones
 SP15: Sustainable Waste Management
 ENT15: Inert Waste
 ENT16: Waste Movement in New Development
 SP16: Tourism
 ENT17: New or Extended Tourist Facilities, Accommodation and Attractions
 ENT18: Protection of Existing Tourist Accommodation

To Protect and Enhance Distinctive and Natural Places

SP17: Conservation and Enhancement of the Natural Environment

DNP1: Development in the Countryside
 DNP2: Conversion of Rural Buildings
 DNP3: Replacement Dwellings in the Countryside
 DNP4: Special Landscape Areas
 DNP5: Local and Regional Nature Conservation Sites
 DNP6: Biodiversity, Ecological Networks, Habitats and Species
 DNP7: Trees, Hedgerows and Development
 DNP8: Green Infrastructure
 DNP9: Natural Resource Protection and Public Health

SP18: Conservation of the Historic Environment

DNP10: Built Historic Environment and Listed Buildings
 DNP11: Conservation Areas

- 4.42 These policies are aimed at facilitating the achievement of the RLDP vision and suite of objectives, including supporting the delivery of a range of Well-Being Goals.
- 4.43 **Chapter 6 - Monitoring Framework:** contains a monitoring framework, which sets out how the Plan's Strategy, Objectives, Policies and Proposals will be monitored against appropriate indicators and trigger points for action (linked to plan review/revision).

4.44 **Supporting Documents**

4.45 In line with statutory requirements the preparation of the emerging RLDP is being informed by a suite of impact assessments:

- Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) – assessment of likely significant environmental and wider sustainability effects. The SA Framework which underpins this assessment includes a strong focus on wellbeing issues linked to the Well-being of Future Generations (Wales) Act 2015.
- Habitats Regulations Assessment (HRA) – assessment of likely significant effects on sites designated at European level ('European Sites') for reasons of ecological importance.
- Health Impact Assessment – to assess the likely impacts of the Plan on health and equality considerations, particularly those which may impact upon the health of the County Borough's residents.
- Equality Impact Assessment - to review and identify the likely impact of the Plan on existing and future communities, considering relevant evidence to understand the likely or actual effect of policies and practices on protected groups.

4.46 These impact assessments have been undertaken in an integrated manner and used as plan-making tools to inform the RLDP, rather than simply being statutory reporting exercises. This has allowed the environmental, social and economic implications of all plan components to be tested at the earliest opportunity and for any uncertainties, issues or mitigation requirements identified during the impact assessment processes to be addressed during plan preparation. In addition to meeting statutory requirements, this iterative process has helped to maximise the performance of and more generally improve the quality of the emerging RLDP.

4.47 **Evidence Base Documents & Background Papers**

4.48 The supporting technical documents that have been produced to inform the RLDP are listed in below along with their role and purpose and should be read alongside the RLDP.

Supporting Document	Purpose
Existing LDP (2013) Review Report	To set out the proposed extent of likely changes to the existing LDP (2006-2021) and to confirm the revision procedure to be followed in preparing the Replacement LDP.

Replacement LDP Delivery Agreement	To provide a project plan for preparing the LDP and to set out the measures within the Community Involvement Scheme in terms of consultation and engagement.
Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) Scoping Report	To outline the proposed approach to the LDP's Sustainability Appraisal, incorporating the Strategic Environmental Assessment. This report is the first stage of a SA process to identify, assess and address any likely significant effects on the environment from the emerging Bridgend LDP Review.
SA/SEA Scoping Report Initial Report	To identify, from an assessment of reasonable alternatives, whether the LDP will have any significant impacts on the environment and also determine whether the Plan will deliver sustainable development. The Initial Report includes a proportionate assessment of candidate sites. The SA and Habitats Regulations Assessment Reports are being consulted on in tandem with the LDP.
Preferred Strategy	To identify the type and scale of spatial change required to achieve the proposed new LDP Vision and Objectives.
Initial Consultation Report	To outline how the Local Planning Authority (LPA) has undertaken public participation and consultation on the Preferred Strategy in accordance with LDP Regulation 16a. The Report identifies the steps taken to publicise plan preparation, in accordance with the CIS, before outlining the specific bodies engaged, summarising the main issues raised and identifying how the responses have been or will be addressed. The Report provides significant detail on how this key period of consultation influenced development of the Deposit LDP.
Deposit Consultation Report	To comprehensively document how the LPA has considered all representations made on the Deposit Plan. It summarises the key issues raised throughout the process, including the

	representations made and recommendations as to how the LPA considers each representation should be addressed. It represents a key pre-require to submission of the Replacement LDP in accordance with the latest Replacement DA.
The Full Sustainability Appraisal of the Deposit Plan and Non-technical Summary	To identify any likely significant economic, environmental and social effects of the LDP, and to suggest relevant mitigation measures. This process integrates sustainability considerations into all stages of LDP preparation and promotes sustainable development.
Habitat Regulations Assessment	Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires that a HRA must be undertaken to demonstrate compliance with statutory duties set out in the Habitats Directive and the Habitats Regulations where a plan or project is considered likely to have significant effects on European Sites and is not directly connected with or necessary for the management of the site. The purpose of this report is to document the first formal stage of this HRA process, namely, to ascertain whether there would be any LSE on relevant European Sites from the LDP.
The Full Sustainability Appraisal of the Preferred Strategy	The full Sustainability Appraisal of the Preferred Strategy is provided in a separate document accompanying the Preferred Strategy consultation document.
Candidate Site Register	A record of sites submitted by landowners, developers and the public, which will be used as a reference point to assess each site against the Strategy for possible inclusion within the LDP.
Candidate Sites Assessment Report (2022)	The LDP is supported by a Candidate Site Assessment, which has identified the potential sites that are suitable for allocation within the Replacement LDP. All candidate sites have been subject to a sequential four-stage assessment. This has firstly considered the potential of each site to support the Preferred Strategy before

	scrutinising detailed site assessments (in terms of deliverability, sustainability and suitability) and consulting with appropriate specific consultation bodies. The fourth stage of this assessment has sought additional information from site promoters, where appropriate, to support sites for inclusion and subsequent allocation in this LDP.
Economic Evidence Base Study (2019)	To provide evidence-based recommendations on the scale and distribution of employment need and the land best suited to meet that need, whilst also making policy / land allocation recommendations to inform emerging policies and site allocations.
Economic Evidence Base Update (2021)	To review the new household data, identifying the changes from the previous projections and considering how this impacts on the economic forecast and the need for jobs and land.
Retail Study (2019)	To set out evidence-based recommendations on retail need, the distribution of need and the definition of primary shopping areas to inform emerging policies and site allocations.
Retail Study Update (2022)	To re-analyse trends affecting the retail sector which may impact and influence local retailing within the county borough and how this may change over time. Also, to assess future needs for comparison and convenience retail floorspace to 2033, based on existing market shares.
Renewable Energy Assessment (2019)	To provide a robust renewable energy evidence base which will inform LDP production and set out a baseline for future monitoring of renewable energy in the County Borough.
Bridgend Smart Energy Plan (2019)	To provide a roadmap of projects and activities that will enable Bridgend County Borough to respond to the challenge of decarbonising heat within the wider energy system.
Settlement Assessment Study (2019, revised 2021)	To establish a sustainable settlement hierarchy that can inform the Replacement

	LDP. This will identify the most appropriate locations to accommodate future development in order to achieve a sustainable pattern of growth, minimise unsustainable patterns of movement and support local services and facilities.
Demographic Analysis and Forecasts Report (2019)	To provide a summary of demographic evidence, including a suite of population, housing and economic growth outcomes to inform the Strategic Growth Options paper for consideration in the formulation of the LDP.
LDP Demographics Update Addendum (2020)	To update the Demographic Analysis and Forecasts Report (2019) with a refreshed analysis of the latest demographic statistics and forecasts.
Outdoor Sport and Children's Play Space Audit (2021)	To provide an audit of existing outdoor sport and playing space provision in the County Borough, compared to Fields in Trust Standards, to identify shortfalls in provision and inform related strategies and LDP policies.
Allotment Audit (2022)	To provide an audit of existing allotment provision in the County Borough.
Green Infrastructure Assessment (2022)	To provide a holistic spatial analysis of green infrastructure and Active Travel Networks across the County Borough.
Local Housing Market Assessment (2021)	To provide detailed insights into the mechanics of the local residential property markets across the County Borough. The Assessment includes a quantitative assessment of housing need that will be used to inform the housing policies of the LDP in terms of affordable housing provision, tenures and types of accommodation required across the County Borough.
Special Landscape Designations (2010)	To carry out a review of the Special Landscape Areas designation within the County Borough. The methodology uses a structured, iterative approach to identify areas considered worthy of being retained as Special Landscape Area designations in the LDP.

Landscape Character Assessment for Bridgend County Borough (2013)	This document provides a sound evidence base for developers to consider the character and sensitivity of the different landscapes of the County Borough when considering new developments. It also promotes an understanding of how the landscapes of the County Borough are changing (as a result of a combination of natural, economic and human factors), and how they can be strengthened in response.
Carmarthen Bay, Gower & Swansea Bay Local Seascape Character Assessment (2017)	A tool for the management of change in the coastal and marine environment, covering four coastal local planning authorities. It is equivalent to, and overlaps, existing landscape information including LANDMAP and landscape character assessments.
Health and Equalities Impact Assessments	To assess the likely impacts of the Replacement LDP on health and equality considerations.
Gypsy and Traveller Accommodation Assessment (2020)	To assess the future accommodation needs of the Gypsy Traveller and Travelling Show People Communities and determine whether there is a requirement for additional site provision within Bridgend County Borough. This will inform any related site allocations and criteria based policies in the LDP.
Bridgend's Active Travel Integrated Network Map	This document details plans for a network of Active Travel routes and facilities over the next 15 years. These are found in the Integrated Network Maps (INMs). The proposals aim to: enhance access to key services and facilities including town centres, transport hubs, as well as employment and retail areas; develop access to education facilities such as schools and colleges; and improve and expand the existing strategic network in Bridgend County Borough.
Bridgend Destination Management Plan 2018-2022	A statement of intent to manage the County Borough in the interests of tourism, taking account of the needs of visitors, local residents, businesses and the environment. It is a systematic and holistic approach to making Bridgend County Borough work as

	a visitor destination. It embraces the idea of sustainability, focusing on tourism which brings economic benefit, whilst setting out the ways in which different stakeholders may work together to achieve a positive impact.
Bridgend Strategic Flood Consequences Assessment (2020 and 2022)	The updated SFCA creates a strategic framework for the consideration of flood risk when making planning decisions. It has been developed in accordance with Technical Advice Note 15 – Development & Flood Risk (TAN15), as well as additional guidance provided by Natural Resources Wales (NRW). The Study has been updated in light of the new draft TAN 15 and new Flood Map for Planning.
Plan-Wide Viability Assessment (2021)	To understand how different market areas can affect the viability of delivering private and affordable housing as well as associated infrastructure to inform policy formulation, spatial expression and application.
Bridgend Local Biodiversity Plan (2014)	To map and quantify the biodiversity and the underlying ecosystem services (that is the valuable functions our environment provides) of Bridgend. This LBAP is specifically designed to work in conjunction with other key policies that support planning policy in the Borough.
Green Wedge Review (2021)	To review the existing green wedge designations in the adopted Bridgend LDP 2006-2021 and considers the need for their continuation in the Replacement LDP 2018-2033.
SINC Review (2020)	To conduct a focussed analysis on existing SINC's that could be affected by proposed allocations.
Strategic Transport Assessment (2022)	To analyse the strategic road network, assess the impact of potential strategic allocations and consider the mitigation requirements.
Infrastructure Delivery Plan (2022)	To identify the County Borough's infrastructure requirements over the plan period.
Urban Capacity Study (2022)	To provide analysis of the potential urban capacity of the County Boroughs' settlements for housing to evidence the

	expected small and windfall site allowance rate.
Tests of Soundness (2022)	To assess how and why the Council considers the Plan to have satisfied the Tests of Soundness, specified by Welsh Government.
<p>Background Technical, Topic Reports and Papers</p> <ul style="list-style-type: none"> • Background Paper 1: Vision and Objectives • Background Paper 2: Strategic Growth Options • Background Paper 3: Spatial Strategy Options • Background Paper 4: Housing Trajectory • Background Paper 5: Affordable Housing • Background Paper 6: Retail • Background Paper 7: Employment • Background Paper 8: M4 Junction 36 • Background Paper 9: Compatibility of the Replacement LDP Objectives against the Bridgend Local Well-Being Plan • Background Paper 10: Compatibility Assessment of LDP Vision, Objectives & Strategic Policies against Well Being of Future Generations • Background Paper 11: Covid-19 Policy Review • Background Paper 12: Aggregate Safeguarding Assessment of Site Allocations • Background Paper 13: Rail Commuter Trips and Infrastructure • Background Paper 14: Minerals • Background Paper 15: Best and Most Versatile Agricultural Land 	These provide supporting information and a rationale for the RLDP. These focus in more detail on the main issues relevant to Bridgend County Borough and the RLDP.

<ul style="list-style-type: none"> • Background Paper 16: Development West of Pencoed Railway Line • Background Paper 17: NDF Conformity Assessment • Background Paper 18: Gypsy and Traveller Site Options • Background Paper 19: 20-Minute Neighbourhood • Background Paper 20: Biodiversity Net Benefit & New Development - A Case Study of Two Scales • Background Paper 21: Education Capacity • Background Paper 22: RLDP Conformity with the Placemaking Charter • Background Paper 23: RLDP Conformity with the National Sustainable Placemaking Outcomes • Background Paper 24: Strategic Transport Assessment 	
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4.49 **Consultation**

4.50 One of the key aims of the RLDP is to ensure plan production is based on effective community involvement. This is to ensure a range of views can be considered as part of a process of building a wide consensus on the RLDP’s strategy and policies. The Delivery Agreement includes a Community Involvement Scheme (CIS) which sets out how and when stakeholders and the community can contribute to the plan preparation process. The two key stages of public consultation are summarised below.

4.51 Preferred Strategy Consultation

4.52 The Preferred Strategy sets out the Council’s Vision, Strategic Objectives and Spatial Strategy to guide the level of future development and growth in Bridgend County Borough and was consulted on between 30th September 2019 and 8th November 2019 and reported to Council on 22nd January 2020. The 70 representations received mostly focused on the provision of supporting infrastructure and the pressure new growth will place on existing settlements.

4.53 Deposit Plan Consultation

4.54 In accordance with the Replacement Delivery Agreement and Local Development Plan (LDP) Regulation 17, the Deposit RLDP was published and subject to public consultation from 1st June 2021 to 27th July 2021. A Summary Report has been prepared to provide an overview of the key issues raised in response to the specific questions on the consultation form attached as Appendix 1. Detailed responses to all representations received during the public consultation period are provided in the full RLDP Deposit Consultation Report (Appendix 11). The full RLDP Deposit Consultation Report is a 'live' document and will be continuously refined up to the point of formal submission to PEDW.

4.55 A separate Representations Register (Appendix 50) has also been published, which provides a copy of the duly made representations that were received by the Council during the consultation period. That Register has been published in accordance with Regulation 19 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 and can be viewed on the BCBC website:

4.56 <https://www.bridgend.gov.uk/residents/planning-and-building-control/development-planning/replacement-bridgend-local-development-plan-2018-to-2033/replacement-local-development-plan-consultation-deposit-plan-2018-2033/>

4.57 A total of 1,221 representation were received with most of the concerns raised relating to the proposed strategic housing allocations. These included:

- a) The impact of development on primary healthcare facilities;
- b) An increase in traffic levels;
- c) The impact of proposed development on existing infrastructure (i.e. schools, roads and utilities);
- d) The timing of delivery of new infrastructure to support new development; and
- e) The need for greater protection for green spaces and provision of allotment space relative to demand.

4.58 Focussed Changes

4.59 Since the publication of the RLDP Deposit Plan for Consultation, new information, changes to legislation, updated national planning guidance and the completion of supporting technical information has necessitated a review of the LDP evidence base. This, together with some of the matters raised in the consultation representations means a number of changes to the Deposit RLDP are considered necessary. The main changes are as follows:

- a) Removal of Housing Allocation at Parc Afon Ewenni, Bridgend – this is as a result of the recently published Flood Map for Planning identifying the site at being at risk of flooding;
- b) Inclusion of site masterplans;

- c) Removal of Gypsy, Traveller and Showpeople Site at Land adjacent to Bryncethin Depot – this is a result of an existing site receiving planning consent instead;
- d) Completed Strategic Transport Assessment; and
- e) Updated Strategic Flood Consequence Assessment.

- 4.60 The RLDP report considered by Cabinet on 19 July 2022 recommended that a further period of consultation would take place once the RLDP had been submitted to PEDW on the basis that the inclusion of a residential land allocation at Heol Fach, North Cornelly was considered a significant 'Focused Change', requiring formal public consultation. Cabinet made a considered decision to proceed with a 10% rather than a 13% housing requirement flexibility allowance which negates the need to include Heol Fach in the RLDP. Therefore, this change in circumstance means that a formal 'Focused Change' consultation is not required.
- 4.61 The remaining focused changes discussed above, are considered minor and do not require formal public consultation.
- 4.62 The amended RLDP is attached as Appendix 2 and Appendix 3 (with the proposed Changes shown as tracked changes).

5. Effect upon policy framework and procedure rules

- 5.1 Town and Country Planning Act (Local Development Plan) (Wales) Regulations 2005 (Regulation 22) as amended requires the Council to publish a formal notice of submission of an LDP.

6. Equality Act 2010 implications

- 6.1 There are no direct equalities implications associated with this report. However, the policies and allocations contained within the RLDP are subject to equalities impact assessment and the social economic duty. An initial Equalities Impact Assessment Screening of the RLDP was carried out on 30th October 2020. This identified that the RLDP could have a high to medium impact on people from the following protected characteristics: Age, Disability, Race and Welsh Language. As such, it was determined that a full EIA was required to support the Deposit Plan prior to it being published for public inspection and consultation. This is attached as Appendix 4. The recommendation of the full EIA is to continue with the Deposit Plan in its current form as no negative impacts are identified.
- 6.2 Social Economic Duty: the RLDP is intended to help to eliminate inequality and disadvantage in people's lives and that the consultation should inform the process in this respect. The evidence gathered during the preparation of the RLDP has been used to ensure that its policies have a positive impact on people living in socio-

economic disadvantage or contain measures to ensure that any negative impact is mitigated.

- 6.4 The RLDP places a focus on directing growth to accessible locations, whilst also supporting community-based regeneration in the Valleys, this will provide a range of opportunities to safeguard and improve physical and mental health and wellbeing. Simultaneously, development of Sustainable Growth Areas and Regeneration Growth Areas will help to meet existing community needs and unlock new opportunities (e.g. through appropriate infrastructure provision and community facilities) whilst accommodating population growth. This will ensure new development is integrated with its surroundings, helping to tackle area-based deprivation and catalyse socio-economic renewal.

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

- 7.1 The RLDP has full regard to the provisions of the Well-being of Future Generations Act 2015 and to the well-being goals. The promotion and recognition of well-being was interwoven into the early conversations held regarding Plan preparation with a range of stakeholders via the Public Service Board (PSB). The theme of well-being and the provisions of the Well-being of Future Generations Act 2015 is considered through the SA process and reflected in the use of the local well-being goals in framing the strategic objectives and the strategic policies. Background Paper 9 assess each policy in respect of its compatibility with the Local Well-being Goals.

8. Financial implications

- 8.1 The RLDP preparation process has been funded through the LDP budget.

9. Recommendations

- 9.1 That Council:
- a) Consider the Deposit Plan Consultation Report Summary Document (Appendix 1) and the proposed submission version of the Replacement Local Development Plan as amended following public consultation (Appendices 2&3) and agree the amended Replacement Local Development Plan and agree that the amended Replacement Local Development Plan be submitted to Welsh Government and Planning and Environment Decisions Wales for independent examination.
 - b) Authorise the Corporate Director Communities and Group Manager - Planning & Development Services to make any refinements to the Replacement Local Development Plan, supporting background papers and technical evidence required prior to submitting the plan to Welsh Government and Planning and Environment Decisions Wales.

Janine Nightingale
Corporate Director - Communities

October 2022

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Communities Directorate
Civic Offices, Angel Street
Bridgend
CF31 4WB

Background documents:

- Appendix 1: Deposit Replacement Local Development Plan Consultation Report Summary Document
- Appendix 2: Replacement Local Development Plan – Written Statement
- Appendix 3: Replacement Local Development Plan – Proposals Map
- Appendix 4: Equalities Impact Assessment of the Replacement Local Development Plan
- Appendix 5: Cwm Taf Morgannwg University Health Board (CTMUHB) Response to the Replacement Local Development Plan
- Appendix 6: Existing LDP (2013) Review Report
- Appendix 7: Replacement LDP Delivery Agreement
- Appendix 8: Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) Scoping Report.
- Appendix 9: SA/SEA Scoping Report Initial Report Preferred Strategy
- Appendix 10: Initial Consultation Report
- Appendix 11: Deposit Consultation Report
- Appendix 11a: Volume 1 - Member of Public - Key Issues
- Appendix 11b: Volume 2 - Member of Public - Growth Strategy
- Appendix 11c: Volume 3 - Member of Public - Spatial Strategy
- Appendix 11d: Volume 4 - Member of Public - Design and Placemaking
- Appendix 11e: Volume 5 - Member of Public – Active, Healthy, Cohesive and Social Communities.
- Appendix 11f: Volume 6 - Member of Public - Employment
- Appendix 11g: Volume 7 - Member of Public - Retail
- Appendix 11h: Volume 8 - Member of Public - Renewable Energy

- Appendix 11i: Volume 9 - Member of Public - Natural and Built Environment
- Appendix 11j: Volume 10 - Member of Public - Maesteg and Llynfi Valley
- Appendix 11k: Volume 11 - Member of Public – Porthcawl and Pyle
- Appendix 11l: Volume 12 - Member of Public - Ogmore and Garw Valley
- Appendix 11m: Volume 13 - Member of Public - Bridgend and Pencoed
- Appendix 11n: Volume 14 - Member of Public – Other Comments
- Appendix 11o: Volume 15 - Borough Town Community Councillors - Consultation Responses.
- Appendix 11p: Volume 16 - Developers and Landowners - Consultation Responses
- Appendix 11q: Volume 17 - Statutory Consultee and Other - Consultation Responses
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- Appendix 13: Habitat Regulations Assessment
- Appendix 14: The Full Sustainability Appraisal of the Preferred Strategy
- Appendix 15: Candidate Site Register
- Appendix 16: Candidate Sites Assessment Report (2022)
- Appendix 17: Economic Evidence Base Study (2019)
- Appendix 18: Economic Evidence Base Update (2021)
- Appendix 19: Retail Study (2019)
- Appendix 20: Retail Study Update (2022)
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- Appendix 22: Bridgend Smart Energy Plan (2019)
- Appendix 23: Settlement Assessment Study (2019, revised 2021)
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- Appendix 25: LDP Demographics Update Addendum (2020)
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- Appendix 27: Allotment Audit (2022)
- Appendix 28: Green Infrastructure Assessment (2022)
- Appendix 29: Local Housing Market Assessment (2021)
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- Appendix 34: Gypsy and Traveller Accommodation Assessment (2020)
- Appendix 35: Bridgend County Borough Active Travel Maps (2022)
- Appendix 36: Bridgend Destination Management Plan 2018-2022
- Appendix 37: Bridgend Strategic Flood Consequences Assessment (2020)
- Appendix 38: Bridgend Strategic Flood Consequences Assessment Update (2022)
- Appendix 39: Plan-Wide Viability Assessment (2021)
- Appendix 40: Bridgend Local Biodiversity Plan (2014)
- Appendix 41: Green Wedge Review (2021)
- Appendix 42: SINC Review (2020)
- Appendix 43: Strategic Transport Assessment (2022)
- Appendix 44: Infrastructure Delivery Plan (2022)
- Appendix 45: Urban Capacity Study (2022)

- Appendix 46: Tests of Soundness Self-Assessment (2022)
- Appendix 47: Settlement Boundary Review (2022)
- Appendix 48: Potential Strategic Sites Independent Financial Viability Appraisals Report (2021)
- Appendix 49: Updated Financial Viability Appraisals Addendum - Strategic Sites (2022)
- Appendix 50a: Deposit LDP Representations Register Volume 1a
- Appendix 50b: Deposit LDP Representations Register Volume 1b
- Appendix 50c: Deposit LDP Representations Register Volume 2
- Appendix 50d: Deposit LDP Representations Register Volume 3
- Appendix 50e: Deposit LDP Representations Register Volume 4
- Appendix 51: Replacement LDP – Written Statement (Marked Changes Since Deposit Stage)
- Appendix 52: Preferred Strategy Consultation Document (2019)
- Appendix 53: Background Paper 1: Vision and Objectives
- Appendix 54: Background Paper 2: Strategic Growth Options
- Appendix 55: Background Paper 3: Spatial Strategy Options
- Appendix 56: Background Paper 4: Housing Trajectory
- Appendix 57: Background Paper 5: Affordable Housing
- Appendix 58: Background Paper 6: Retail
- Appendix 59: Background Paper 7: Employment
- Appendix 60: Background Paper 8: M4 Junction 36
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- Appendix 62: Background Paper 10: Compatibility Assessment of LDP Vision, Objectives & Strategic Policies against Well Being of Future Generations
- Appendix 63: Background Paper 11: Covid-19 Policy Review
- Appendix 64: Background Paper 12: Aggregate Safeguarding Assessment of Site Allocations
- Appendix 65: Background Paper 13: Rail Commuter Trips and Infrastructure
- Appendix 66: Background Paper 14: Minerals
- Appendix 67: Background Paper 15: Best and Most Versatile Agricultural Land
- Appendix 68: Background Paper 16: Development West of Pencoed Railway Line
- Appendix 69: Background Paper 17: NDF Conformity Assessment
- Appendix 70: Background Paper 18: Gypsy and Traveller Site Options
- Appendix 71: Background Paper 19: 20-Minute Neighbourhood
- Appendix 72: Background Paper 20: Biodiversity Net Benefit & New Development - A Case Study of Two Scales.
- Appendix 73: Background Paper 21: Education Capacity
- Appendix 74: Background Paper 22: RLDP Conformity with the Placemaking Charter
- Appendix 75: Background Paper 23: RLDP Conformity with the National Sustainable Placemaking Outcomes.
- Appendix 76: Background Paper 24: Strategic Transport Assessment
- Appendix 77: Statement of Common Ground, BCBC and NRW, Porthcawl Waterfront
- Appendix 78: Statement of Common Ground, BCBC and Welsh Water
- Appendix 79: Statement of Common Ground, BCBC and NPTCBC
- Appendix 80: Statement of Common Ground, BCBC and VoG

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[Appendix 1 – Deposit replacement Local Development Plan Consultation report summary](#)

[Appendix 2 - Replacement Local Development Plan - Written Statement](#)

[Appendix 3 - Replacement Local Development Plan - Proposals Map](#)

[Appendix 4 - Equalities Impact Assessment of the Replacement Local Development Plan \(2022\)](#)

[Appendix 5 - Cwm Taf Morgannwg University Health Board \(CTMUHB\) Response to the Replacement Local Development Plan](#)

[Appendix 6 - Existing LDP \(2013\) Review Report](#)

[Appendix 7 - Replacement LDP Delivery Agreement](#)

[Appendix 8 - Sustainability Appraisal \(SA\) and Strategic Environmental Assessment \(SEA\) Scoping Report](#)

[Appendix 9 - SA - SEA Scoping Report Initial Report Preferred Strategy](#)

[Appendix 10 - Initial Consultation Report](#)

[Appendix 11 - Deposit Consultation Report](#)

[Appendix 11a - Volume 1 - Member of Public - Key Issues](#)

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[Appendix 11c - Volume 3 - Member of Public - Spatial Strategy](#)

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[Appendix 11e - Volume 5 - Member of Public – Active, Healthy, Cohesive and Social Communities](#)

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[Appendix 11g - Volume 7 - Member of Public – Retail](#)

[Appendix 11h - Volume 8 - Member of Public - Renewable Energy](#)

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[Appendix 11k - Volume 11 - Member of Public – Porthcawl and Pyle](#)

[Appendix 11l - Volume 12 - Member of Public - Ogmore and Garw Valley](#)

[Appendix 11m - Volume 13 - Member of Public - Bridgend and Pencoed](#)

[Appendix 11n - Volume 14 - Member of Public - Other Comments](#)

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[Appendix 11p - Volume 16 - Developers and Landowners - Consultation Responses](#)

[Appendix 11q - Volume 17 - Statutory Consultee and Other - Consultation Responses](#)

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[Appendix 29 - Local Housing Market Assessment \(2021\)](#)

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[Appendix 31 - Landscape Character Assessment for Bridgend County Borough \(2013\)](#)

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[Appendix 33 - Health Impact Assessment \(2020\)](#)

[Appendix 34 - Gypsy and Traveller Accommodation Assessment \(2020\)](#)

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[Appendix 36 - Bridgend Destination Management Plan 2018-2022](#)

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[Appendix 38 - Bridgend Strategic Flood Consequences Update \(2022\)](#)

[Appendix 39 - Plan-Wide Viability Assessment \(2021\)](#)

[Appendix 40 - Bridgend Local Biodiversity Plan \(2014\)](#)

[Appendix 41 - Green Wedge Review \(2021\)](#)

[Appendix 42 - SINC Review \(2020\)](#)

[Appendix 43 - Strategic Transport Assessment \(2022\)](#)

[Appendix 44 - Infrastructure Delivery Plan \(2022\)](#)

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[Appendix 50b - Deposit LDP Representations Register Volume 1b](#)

[Appendix 50c - Deposit LDP Representations Register Volume 2](#)

[Appendix 50d - Deposit LDP Representations Register Volume 3](#)

[Appendix 50e - Deposit LDP Representations Register Volume 4](#)

[Appendix 51 - Replacement LDP – Written Statement \(Marked Changes Since Deposit Stage\)](#)

[Appendix 52 - Preferred Strategy Consultation Document \(2019\)](#)

[Appendix 53 - Background Paper 1 - Vision and Objectives](#)

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[Appendix 58 - Background Paper 6 – Retail](#)

[Appendix 59 - Background Paper 7 – Employment](#)

[Appendix 60 - Background Paper 8 - M4 Junction 36](#)

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[Appendix 62 - Background Paper 10 - Compatibility Assessment of LDP Vision, Objectives & Strategic Policies Against Well Being](#)

[Appendix 63 - Background Paper 11 - Covid-19 Policy Review](#)

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[Appendix 70 - Background Paper 18 - Gypsy and Traveller Site Options](#)

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

CAPITAL PROGRAMME UPDATE - QUARTER 2 - 2022-23

1. Purpose of report

1.1 The purpose of this report is to:

- comply with the requirement of the Chartered Institute of Public Finance and Accountancy's (CIPFA) 'The Prudential Code for Capital Finance in Local Authorities' (2017 edition)
- provide an update on the capital programme position for 2022-23 as at 30 September 2022 (**Appendix A**)
- seek approval for a revised capital programme for 2022-23 to 2031-32 (**Appendix B**)
- note the projected Prudential and Other Indicators for 2022-23 (**Appendix C**)

2. Connection to corporate well-being objectives / other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study, and visit, and to ensure that our schools are focused on raising the skills, qualifications, and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** – taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy, and independent lives.
3. **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human, and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

2.2 Capital investment in the Council's assets is a key factor in meeting the Council's well-being objectives as set out in the Council's Corporate Plan.

3. Background

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

3.2 As well as the legislation, the Council manages its Treasury Management and Capital activities in accordance with the following associated guidance:

- CIPFA's Treasury Management in the Public Services: Code of Practice
- CIPFA's The Prudential Code for Capital Finance in Local Authorities
- Welsh Government (WG) revised Guidance on Local Authority Investments

3.3 The Prudential Code for Capital Finance in Local Authorities requires Local Authorities to have in place a Capital Strategy which demonstrates that the Authority takes capital expenditure and investment decisions in line with service objectives and properly takes account of stewardship, value for money, prudence, sustainability, and affordability. To demonstrate that the Council has fulfilled these objectives, the Prudential Code sets out a number of Indicators that must be set and monitored each year. The Council's Capital Strategy, incorporating the Prudential Indicators for 2022-23, was approved by Council on 23 February 2022.

3.4 On 23 February 2022 Council approved a capital budget of £69.979 million for 2022-23 as part of a capital programme covering the period 2022-23 to 2031-32. The programme was last updated and approved by Council on 20 July 2022. This report provides an update on the following:

- Capital Programme monitoring quarter 2 2022-23
- A revised Capital Programme for 2022-23 to 2031-32
- Capital Strategy monitoring
- Prudential and other indicators

4. Current situation/proposal

Capital Programme 2022-23 Quarter 2 update

4.1 This section of the report provides Members with an update on the Council's capital programme for 2022-23 since it was last approved by Council and incorporates any new schemes and grant approvals. The revised programme for 2022-23 currently totals £89.539 million, of which £54.043 million is met from Bridgend County Borough Council (BCBC) resources, including capital receipts and revenue contributions from earmarked reserves, with the remaining £35.496 million coming from external resources, including Welsh Government General Capital Grant. Table 1 below shows the change in the capital programme for each Directorate from the July 2022 (Quarter 1) approved Council position to Quarter 2:

Table 1 – Capital Programme per Directorate 2022-23

Directorate	Approved Council July 2022 £'000	New Approvals / (Reductions) £'000	Virements £'000	Slippage to future years £'000	Revised Budget 2022- 23 £'000
Education & Family Support	17,754	2,851	109	(1,944)	18,770
Social Services and Well-being	3,909	0	30	0	3,939
Communities	69,893	(4,239)	(139)	(4,783)	60,732
Chief Executive's	5,529	0	0	(480)	5,049
Council Wide	1,049	0	0	0	1,049
Total	98,134	(1,388)	0	(7,207)	89,539

- 4.2 Table 2 below summarises the current funding assumptions for the capital programme for 2022-23. The capital resources are managed to ensure that maximum financial benefit for the Council is achieved. This may include the realignment of funding to maximise government grants.

Table 2 – Capital Programme 2022-23 Funding

Capital Resources	£'000
<i>BCBC Resources:</i>	
Capital Receipts	19,518
Earmarked Reserves	17,658
Unsupported Borrowing	6,924
Supported Borrowing	3,953
Other Loans	4,306
Revenue Contribution	1,684
Total BCBC Resources	54,043
<i>External Resources:</i>	
Grants	35,496
Total External Resources	35,496
TOTAL RESOURCES	89,539

4.3 **Appendix A** provides details of the individual schemes within the capital programme, showing the projected spend at 30 September 2022 against the budget available.

4.4 A number of schemes have already been identified as requiring slippage of budget to future years (2023-24 and beyond). At quarter 2 the total requested slippage is £7.207 million, which comprises the following schemes:

Arbed Phase 1 CESP (£3.405 million)

The start of the project is later than anticipated due to delays in receiving funding confirmation from Welsh Government. The projected expenditure in 2022-23 of £0.100 million will be limited to preparatory work, including procurement of the main contractor and survey work. Therefore, £3.405 million is being slipped for use in 2023-24.

Universal Free School Meals (£1.944 million)

In 2021-22 the Council received £1.162 million from Welsh Government for the provision of universal primary free school meals. Welsh Government has awarded the Council with an additional £1.628 million capital funding grant in 2022-23 to support the roll out of universal primary free school meals resulting in a total allocation of £2.790 million. Works have been delayed due to procurement issues. A contractor has now been appointed and it is anticipated works will begin in October Half Term 2022. Projected costs for the works during 2022-23 are £0.846 million, therefore £1.944 million is being slipped for use in 2023-24.

Bridgend Town Heat Network Scheme (£0.850 million)

The procurement of the main contractor has been completed, and a project programme has been produced. The construction phase of the project is expected to extend into Quarter 1 2023-24. Based on the project programme, £0.850 million is being slipped for use in 2023-24.

Parks/Pavilions/Community Centres CAT (£0.528 million)

The Community Asset Transfer (CAT) fund provides capital funding to assist community groups to improve assets post-transfer as and when self-management agreements are finalised. The timings of asset transfers are difficult to predict due to issues such as land registration which can delay completions, therefore £0.528 million is being slipped for use in 2023-24.

Health and Wellbeing Village (£0.480 million)

Following the insolvency of the previous main contractor, the Sunnyside Health and Wellbeing village development is now at the procurement stage. An open tender procedure took place earlier this year but was unsuccessful. Procurement advice indicates that Linc are at liberty to commence direct negotiations with an alternative contractor, and this process will now begin subject to endorsement of the formal procurement report. A completion contractor is therefore likely to be appointed towards the end of 2022 with re-mobilisation on site from January 2023. A contract period has yet to be agreed but it is anticipated that there will be a handover of dwellings mid-2024.

Capital Programme 2022-23 Onwards

- 4.5 Since the last capital report approved by Council in July 2022, there have been a number of new externally funded schemes approved and internally funded schemes which have been incorporated into the capital programme, including:

Universal Free School Meals (£1.628 million)

As mentioned above Welsh Government has awarded the Council an additional £1.628 million to support the roll out of universal primary free school meals. The funding has been provided to purchase/upgrade catering equipment as well as upgrading the existing kitchen and dining facilities. This funding is in addition to the £1.162 million received from Welsh Government in 2021-22, which had already been slipped for use in 2022-23.

Additional Learning Needs (ALN) Capital Grant (£0.930 million)

Welsh Government has awarded the Council £0.930 million to optimise pre-16 learning environments for those with additional learning needs and increase accessibility to promote inclusive practice, support learning and pupil wellbeing. The funding can be used for eligible expenditure to support learners with ALN in both mainstream and special schools.

Coychurch Crematorium (£0.720 million)

An initial budget estimate of £0.550 million for the Flower Court facilities extension was approved by the Coychurch Crematorium Joint Committee at their meeting on 14 June 2019. This was re-approved at the meeting of the Joint Committee on 4 March 2022 and added to the capital programme for 2022-23. The deadline for tender submissions was 17 June 2022, with only one tender submission being received in the sum of £1.270 million. Despite the significant increase in the projected cost of the project, the Joint Committee approved the award of tender at their meeting on 15 July 2022, with the additional budget for the completion of the project being funded from their accumulated surplus.

Maesteg Town Hall (£0.395 million)

The Maesteg Town Hall re-development project has been progressing, albeit with some delays due to current market conditions relating to material supplies and availability of sub-contractors. Since the last Capital programme update, the Council has been successful in securing an additional £395,000 from Welsh Government's Building for the Future programme which could be utilised on essential works that have been identified as part of the construction contract and are currently being reviewed by the project team.

YGG Bro Ogwr Mobile Classroom (£0.270 million)

On 11 March 2021, Welsh Government announced the availability of an additional £30 million Welsh-medium Capital Grant, established in 2018, to support capital projects dedicated to supporting and growing the use of the Welsh language in education. This is on top of the existing allocation announced for Band B of the 21st Century Schools and Colleges Programme. In September 2021, Cabinet gave approval for an expression of interest to be submitted to Welsh Government in respect of the Welsh-medium Capital Grant.

On 15 August 2022, Welsh Government confirmed award of grant funding of £0.270 million in respect of mobile classroom provision at Ysgol Gymraeg Bro Ogwr.

Cwm Taf Nature Network (£0.230 million)

The Cwm Taf Nature Network aims to form a collaboration of organisations in the Cwm Taf Health Board region to manage green infrastructure for the benefit of people, businesses, and communities. The project will be a new way of working that moves our green space management away from being managed for their designations (Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), and Nature Reserve) to being managed as a nature-based solution for improving the health and wellbeing of local residents. The collaboration will manage 20 green spaces across the Cwm Taf Region in line with the Well-being Plans. The scheme will be funded by Welsh Government's Rural Development Programme.

Relocation of Depot Facilities (£0.171 million)

£0.171 million has been added to the programme, funded by an earmarked reserve, in relation to works on Bryncethin Depot roof which are of a capital rather than revenue nature.

Urban Centre Property Enhancement (£0.103 million)

The Council has been awarded £0.103 million from Welsh Government's Transforming Towns 2022 programme to support the leaseholder in refurbishing a long-standing vacant unit within the Rhiw Shopping Centre. The project will focus on delivering a set of physical, commercial, and social improvements. On project completion it is envisaged that the building will be brought back into beneficial use as a hospitality venue, which in turn will increase town centre footfall and vibrancy.

Minor Works (£0.029 million)

An additional £0.029 million has been added to the programme in relation to a range of planned minor works which are of a capital rather than revenue nature so are now included as part of the capital programme. These will be funded from the existing revenue minor works budget.

School Maintenance Grant (£0.023 million)

The budget has been increased by £0.023 million to reflect a revenue contribution received towards the total cost of works.

Fire Precautions and DDA Minor Works (£0.017 million)

The Fire Precautions (£0.015 million) and Disability Discrimination Act (DDA) (£0.002 million) minor works budgets have been increased to reflect revenue contributions received towards the total cost of works.

In addition to the above schemes, the following scheme has been removed from the capital programme and is shown as a negative approval:

Caerau Heat Scheme (£5.904 million)

The capital element of the scheme is no longer progressing following the completion of feasibility work, which showed it was not deliverable within the external funding timescale and budget.

- 4.6 There are a number of other schemes within the Capital Programme that are awaiting confirmation of external funding over the Autumn period. Once approval is known, it may also result in some schemes needing re-profiling. The Capital Programme has not been updated at this time for these schemes and further reports will be brought to Cabinet and Council in due course for approval.
- 4.7 A revised Capital Programme is included as **Appendix B**.

Prudential and Other Indicators 2022-23 Monitoring

- 4.8 In February 2022, Council approved the Capital Strategy for 2022-23, which included the Prudential Indicators 2022-23 to 2024-25 together with some local indicators.
- 4.9 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. To this end, a number of prudential indicators were included within the Capital Strategy and approved by Council. In line with the requirements of the Prudential Code, the Chief Finance Officer is required to establish procedures to monitor performance against all forward-looking prudential indicators.
- 4.10 **Appendix C** details the actual indicators for 2021-22, the estimated indicators for 2022-23 set out in the Council's Capital Strategy and the projected indicators for 2022-23 based on the revised Capital Programme. These show that the Council is operating in line with the approved limits.

Capital Strategy Monitoring

- 4.11 The Capital Strategy also requires the monitoring of non-treasury management investments and other long-term liabilities. The Council does have an existing investment portfolio which is 100% based within the County Borough and primarily the office and industrial sectors. The income streams are generally 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 £5.585 million at 31 March 2022.
- 4.12 The Council has a number of other long-term liabilities which are included within the Capital Strategy, the most significant being the Maesteg School Private Finance Initiative (PFI), for the provision of a Secondary School in Maesteg. This forms a long-term liability for the Council which is £13.902 million at 31 March 2022. This is a 25-year agreement which will end during the 2033-34

financial year. Other long-term liabilities totalling £0.227 million include lease arrangements for the Innovation Centre and the Council's Waste Contract.

5. Effect upon policy framework and procedure rules

- 5.1 As required by Financial Procedure Rule 3.5.3 within the Council's Constitution, "The Chief Finance Officer shall report quarterly to Cabinet and Council with an update on the Capital Strategy and the Prudential Indicators."

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. Projects within the capital programme will be subject to the preparation of Equality Impact Assessments before proceeding. However, it is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. Specifically, the development of a 10-year capital programme, which reflects the Council's affordability in terms of capital receipts and borrowing, supports the principle of sustainability over the long term.

8. Financial implications

- 8.1 The financial implications are outlined in the body of the report.

9. Recommendations

- 9.1 It is recommended that Council
- notes the Council's Capital Programme 2022-23 Quarter 2 update to 30 September 2022 (**Appendix A**)
 - approves the revised Capital Programme (**Appendix B**)
 - notes the projected Prudential and Other Indicators for 2022-23 (**Appendix C**)

Carys Lord
Chief Officer – Finance, Performance and Change
October 2022

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Background documents: None

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	Budget 2022-23 (Council July 2022)	New Approvals / (Reductions)	Virement	Slippage	Revised Budget 2022-23	Total Expenditure To Date	Projected Spend
	£'000	£'000	£'000	£'000	£'000	£'000	£'000

Education & Family Support

21ST CENTURY SCHOOLS BAND B	2,324	-	-	-	2,324	4	2,324
YSGOL BRYN CASTELL	30	-	-	-	30	9	30
MYNYDDCYNFFIGPRIMARYSCHOOL	79	-	-	-	79	0	79
BRYNMENYN PRIMARY	44	-	-	-	44	-	44
LAND PURCHASE BAND B SCHOOLS	678	-	-	-	678	-	678
PENCOED PRIMARY	52	-	-	-	52	-	52
LLANGYNWYD WELSH COMP	50	-	50	-	100	-	100
GATEWAY TO THE VALLEYS SEC SCH	32	-	-	-	32	(5)	32
COITY PRIMARY SCHOOL	44	-	-	-	44	-	44
GARW VALLEY SOUTH PRY PROVIS.	139	-	-	-	139	68	139
PENCOED PRIMARY	53	-	-	-	53	-	53
GARW VALLEY PRIMARY HIGHWAYS	30	-	-	-	30	-	30
PENCOED PRY SCH HIGHWAYS WORKS	56	-	-	-	56	-	56
BRYNMENYN SCHOOL HIGHWAYS WORK	12	-	-	-	12	-	12
ABERCERDIN PRIMARY HUB	287	-	-	-	287	8	287
BRYNTRIRION COMP SIX CLASSROOMS	650	-	-	-	650	22	650
FREE SCHOOL MEALS	1,162	1,628	-	(1,944)	846	2	846
COMMUNITY FOCUSED SCHOOLS	930	-	-	-	930	-	930
MINOR WORKS	345	-	59	-	404	163	404
HERONSBRIDGE SCHOOL	284	-	-	-	284	194	284
SCHOOLS TRAFFIC SAFETY	81	-	-	-	81	7	81
SCHOOLS MODERNISATION	386	-	-	-	386	0	386
EDUCATION S106 SCHEMES	169	-	-	-	169	-	169
SCHOOLS CAPITAL MAINT GRANT	3,632	23	-	-	3,655	719	3,655
WELSH MEDIUM GRANT - BETTWS	484	-	-	-	484	293	484
WELSH MEDIUM GRANT - BRIDGEND	550	-	-	-	550	-	550
WELSH MEDIUM GRANT - OGMORE	797	-	-	-	797	181	797
WELSH MEDIUM GRANT - PORTHCAWL	550	-	-	-	550	-	550
WELSH MEDIUM - HIGHWAYS	100	-	-	-	100	-	100
HIGHWAYS SCHEMES BAND B SCHOOL	3,400	-	-	-	3,400	-	3,400
BRYNTEG COMP ALL WEATHER PITCH	324	-	-	-	324	-	324
ALN CAPITAL GRANT		930	-	-	930	-	930
YG BRO OGWR MOBILE CLASSROOMS		270	-	-	270	-	270
TOTAL Learning	17,754	2,851	109	(1,944)	18,770	1,666	18,770
TOTAL Education & Family Support	17,754	2,851	109	(1,944)	18,770	1,666	18,770

Social Services and Wellbeing

BRYN Y CAE-UPGRADE HFE'S	40	-	-	-	40	-	40
TY CWM OGWR	331	-	-	-	331	2	331
VARIOUS MINOR WORKS	135	-	-	-	135	11	135
TREM Y MOR - ACCOMODATION	4	-	-	-	4	1	4
BAKERS WAY MINOR WORKS	10	-	-	-	10	-	10

	Budget 2022-23 (Council July 2022)	New Approvals / (Reductions)	Virement	Slippage	Revised Budget 2022-23	Total Expenditure To Date	Projected Spend
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
GLAN YR AFON CARE HOME	51	-	-	-	51	-	51
TELECARE TRANSFORMATION	483	-	-	-	483	-	483
CHILDRENS RESIDENTIAL HUB	2,497	-	-	-	2,497	508	2,497
ACCESSIBILITY WORKS HALO/AWEN	11	-	-	-	11	-	11
PORTHCAWL GRAND PAVILION LU	98	-	-	-	98	-	98
BRYNGARW HOUSE	-	-	30	-	30	-	30
COMMUNITY CENTRES	226	-	-	-	226	-	226
BRYNGARW PARK - ACCESS	23	-	-	-	23	19	23
TOTAL Social Services & Wellbeing	3,909	-	30	-	3,939	541	3,939

Communities**Street Scene**

COMMUNITY PLAY AREAS	1,286	-	-	-	1,286	199	1,286
PARKS/PAVILIONS/OTHER CAT	813	-	-	(528)	285	168	285
ABERFIELDS PLAYFIELDS	11	-	-	-	11	-	11
CITY DEAL	3,138	-	-	-	3,138	-	3,138
COASTAL RISK MANAGEMENT P'CAWL	2,528	-	-	-	2,528	1,383	2,528
CORNELLY CEMETERY EXT	279	-	-	-	279	4	279
COYCHURCH CREM WORKS	665	720	-	-	1,385	5	1,385
PORTHCAWL CEMETERY EXT	183	-	-	-	183	1	183
ACCESSIBILITY & SAFETY ROAD	392	-	-	-	392	11	392
REMEDIAL MEASURES - CAR PARKS	135	-	-	-	135	-	135
CIVIL PARKING ENFORCEMENT CAR	38	-	-	-	38	-	38
ULEVT FUND	343	-	-	-	343	254	343
FLEET TRANSITION-ULEV	300	-	-	-	300	-	300
ULEV VEHICLES	320	-	-	-	320	-	320
TRAFFIC SIGNAL REPLACEMENT	250	-	-	-	250	6	250
TONDU WASTE DEPOT UPGRADE FIRE	140	-	-	-	140	-	140
20 MPH DEFAULT SPEED	580	-	-	-	580	12	580
ROAD SAFETY SCHEMES	124	-	-	-	124	56	124
PYLE TO PORTHCAWL ATR PHASE 1	387	-	-	-	387	44	387
PENCOED TECH PARK ACT TRAVEL	3,463	-	-	-	3,463	(44)	3,463
HIGHWAYS STRUCTURAL WORKS	340	-	-	-	340	(11)	340
CARRIAGEWAY CAPITAL WORKS	250	-	-	-	250	12	250
ROAD SAFETY IMPROVEMENTS	500	-	-	-	500	(15)	500
PROW CAPITAL IMP STRUCTURES	52	-	-	-	52	(1)	52
HIGHWAYS MAINTENANCE GRANT	2,000	-	-	-	2,000	(25)	2,000
CARRIAGEWAY & FOOTWAYS RENEWAL	1,500	-	-	-	1,500	221	1,500
REPLACEMENT OF STREET LIGHTING	416	-	-	-	416	56	416
BRIDGE STRENGTHENING A4061	24	-	-	-	24	0	24
COMMUNITIES MINOR WORKS	391	-	200	-	591	5	591
RIVER PROTECTION MEASURES	-	-	-	-	-	(42)	-
PORTHCAWL BUS STATION CCRMETRO	1,900	-	-	-	1,900	2	1,900
PENPRYSG ROAD BRIDGE LU	100	-	-	-	100	-	100
PENPRYSG ROAD BRIDGE	735	-	-	-	735	(5)	735

	Budget 2022-23 (Council July 2022)	New Approvals / (Reductions)	Virement	Slippage	Revised Budget 2022-23	Total Expenditure To Date	Projected Spend
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
SAFE ROUTES - COITY HIGHER	-	-	-	-	-	(6)	-
RESIDENTS PARKING BRIDGEND TC	124	-	-	-	124	5	124
FLEET VEHICLES	1,384	-	-	-	1,384	85	1,384
AHP WASTE	24	-	-	-	24	20	24
HEOL MOSTYN JUNCTION	169	-	-	-	169	(11)	169
S106 HIGHWAYS SMALL SCHEMES	45	-	-	-	45	3	45
TOTAL Streetscene	25,329	720	200	(528)	25,721	2,393	25,721

Regeneration & Development

BRDGND BUS SUP NETWORK	-	-	53	-	53	35	53
CWM TAF NATURE NETWORK	-	230	-	-	230	-	230
BRILLIANT BASICS	65	-	-	-	65	29	65
COSY CORNER (PRIF)	2,675	-	-	-	2,675	245	2,675
ARBED PHASE 1 CESP	3,505	-	-	(3,405)	100	-	100
EU CONVERGANCE SRF BUDGET	436	-	-	-	436	-	436
EWENNY ROAD INDUSTRIAL ESTATE	3,500	-	-	-	3,500	-	3,500
LLYNFI DEVELOPMENT SITE	2,260	-	-	-	2,260	-	2,260
BRIDGEND HEAT SCHEME	3,350	-	-	(850)	2,500	27	2,500
MAESTEG TOWN HALL CULTURAL HUB	3,974	395	-	-	4,369	807	4,369
CAERAU HEAT SCHEME	5,904	(5,904)	-	-	-	-	-
ECONOMIC STIMULUS GRANT (WG)	553	-	(53)	-	500	-	500
URBAN CENTRE PROPERTY ENHANCE	-	103	-	-	103	103	103
PORTHCAWL REGENERATION PROJECT	3,492	-	-	-	3,492	-	3,492
COMM PROP ENHANCEMENT FUND	134	-	-	-	134	-	134
TOWN & COMMUNITY COUNCIL FUND	242	-	-	-	242	35	242
PORTHCAWL THI	124	-	-	-	124	29	124
TOTAL Regeneration & Development	30,214	(5,176)	-	(4,255)	20,783	1,310	20,783

Corporate Landlord

CAPITAL ASSET MANAGEMENT FUND	820	-	-	-	820	-	820
CORP LANDLORD ENERGY EFFIC SAV	390	-	-	-	390	159	390
ENTERPRISE HUB INNOVATION CENT	1,890	-	-	-	1,890	12	1,890
RAVENS COURT	447	-	-	-	447	0	447
DDA WORKS	35	2	290	-	327	43	327
MINOR WORKS	1,400	29	(999)	-	430	-	430
FIRE PRECAUTIONS MINOR WORKS	124	15	100	-	239	59	239
BRYNCETHIN DEPOT FACILITIES	467	171	270	-	908	248	908
NON OPERATIONAL ASSETS	480	-	-	-	480	-	480
WATERTON UPGRADE	8,144	-	-	-	8,144	-	8,144
EVERGREEN HALL	106	-	-	-	106	13	106
INVESTING IN COMMUNITIES	47	-	-	-	47	-	47
Total Corporate Landlord	14,350	217	(339)	-	14,228	534	14,228

TOTAL Communities	69,893	(4,239)	(139)	(4,783)	60,732	4,237	60,732
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Chief Executive

	Budget 2022-23 (Council July 2022)	New Approvals / (Reductions)	Virement	Slippage	Revised Budget 2022-23	Total Expenditure To Date	Projected Spend
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
MANDATORY DFG RELATED EXPEND	1,950	-	-	-	1,950	563	1,950
DISCRETIONARY HOUSING GRANTS	400	-	-	-	400	-	400
HOUSING RENEWAL AREA	218	-	-	-	218	15	218
EMPTY HOMES GRANTS-GRANTS ONLY	300	-	-	-	300	-	300
ENABL-SUP FOR IND LIVING GRANT	270	-	-	-	270	-	270
HEALTH & WELLBEING VILLAGE	480	-	-	(480)	-	-	-
HOMELESSNESS AND HOUSING	530	-	-	-	530	-	530
TOTAL Housing/Homelessness	4,148	-	-	(480)	3,668	579	3,668
ICT INFRA SUPPORT	698	-	-	-	698	299	698
CCTV SYSTEMS REPLACEMENT	427	-	-	-	427	4	427
HWB SCHOOLS IT	56	-	-	-	56	49	56
DIGITAL TRANSFORMATION	200	-	-	-	200	3	200
TOTAL ICT	1,381	-	-	-	1,381	355	1,381
TOTAL Chief Executive	5,529	-	-	(480)	5,049	934	5,049
Council Wide Capital Budgets							
CORPORATE CAPITAL FUND	373	-	-	-	373	-	373
UNALLOCATED	676	-	-	-	676	-	676
	1,049	-	-	-	1,049	-	1,049
GRAND TOTAL	98,134	(1,388)	-	(7,207)	89,539	7,377	89,539

Credit balances under 'Total Expenditure to Date' represent amounts payable and accrued as at 31 March 2022. Payments made during 2022-23 will be set against the credit balances shown

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PRUDENTIAL AND OTHER INDICATORS 2021-22 and 2022-23

The Prudential Indicators are required to be set and approved by Council in accordance with CIPFA's Prudential Code for Capital Finance in Local Authorities. Table 1 shows the 2021-22 actual capital expenditure, the capital programme approved by Council on 23 February 2022 and the latest projection for the current financial year which has incorporated slippage of schemes from 2021-22 together with any new grants and contributions or changes in the profile of funding.

Table 1: Prudential Indicator: Estimates of Capital Expenditure

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
Council Fund services	29.741	69.979	89.059
Investment Properties	-	-	0.480
TOTAL	29.741	69.979	89.539

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or net financing requirement (borrowing, leasing and Private Finance Initiative). The planned financing of the expenditure has been projected as follows:

Table 2: Capital financing

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
External sources	18.152	26.078	34.714
Own resources	1.020	30.993	39.642
Net Financing Requirement	10.569	12.908	15.183
TOTAL	29.741	69.979	89.539

The net financing requirement or 'debt' is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as the Minimum Revenue Provision (MRP). As well as MRP, the Council makes additional voluntary revenue contributions to pay off Prudential or Unsupported Borrowing. The total of these are shown in Table 3 below:-

Table 3: Replacement of debt finance

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
Minimum Revenue Provision (MRP)	2.970	3.187	3.187
Additional Voluntary Revenue Provision (VRP)	3.553	2.476	1.866
Total MRP & VRP	6.523	5.663	5.053
Other MRP on Long term Liabilities	0.801	0.863	0.863
Total Own Resources	7.324	6.526	5.916

The Council's cumulative outstanding amount of debt finance is measured by the Capital Financing Requirement (CFR). This increases with new debt-financed capital expenditure and reduces by the MRP amount within the year. Based on the above figures for expenditure and financing, the Council's estimated CFR is as follows, based on the movement on capital expenditure at quarter 1:

Table 4: Prudential Indicator: Estimates of Capital Financing Requirement

	2021-22 Actual £m	2022-23 Estimate £m	2022-23 Projection £m
Capital Financing Requirement			
Opening CFR excluding PFI & other liabilities	157.404	166.729	161.451
Opening PFI CFR	15.567	14.766	14.765
Total opening CFR	172.971	181.495	176.216
Movement in CFR excluding PFI & other liabilities	4.046	7.245	10.130
Movement in PFI CFR	(0.801)	(0.863)	(0.863)
Total movement in CFR	3.245	6.382	9.267
Closing CFR	176.216	187.877	185.483
Movement in CFR represented by:			
Net financing need for year (Table 2 above)	10.569	12.908	15.183
Minimum and voluntary revenue provisions	(6.523)	(5.663)	(5.053)
MRP on PFI and other long term leases (Table 3)	(0.801)	(0.863)	(0.863)
Total movement	3.245	6.382	9.267

The capital borrowing need (Capital Financing Requirement) has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used

as a temporary measure. This is known as Internal Borrowing. Projected levels of the Council's total outstanding debt, which comprises of borrowing, PFI and Other Long Term Liabilities, are shown below compared with the Capital Financing Requirement:-

Table 5: Prudential Indicator: Gross Debt and the Capital Financing Requirement

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
Debt (incl. PFI & leases)	118.864	123.052	119.394
Capital Financing Requirement	176.216	193.918	185.483

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen, the Council expects to comply with this in the medium term.

The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

Table 6: Prudential Indicators: Authorised limit and operational boundary for external debt in £m

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
Authorised limit – borrowing	170.000	170.000	170.000
Authorised limit – other long term liabilities	30.000	30.000	30.000
Authorised Limit Total	200.00	200.000	200.000
Operational boundary – borrowing	120.000	130.000	130.000
Operational boundary – other long term liabilities	25.000	25.000	25.000
Operational Boundary Limit Total	145.000	155.000	155.000
Total Borrowing and Long Term Liabilities	118.864	123.052	119.394

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The

net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 7: Prudential Indicator: Proportion of financing costs to net revenue stream

	2021-22 Actual £m	2022-23 Estimate (Council Feb 22) £m	2022-23 Projection £m
Capital Financing Central	6.719	7.205	6.806
Other Financing costs	5.500	4.423	3.813
TOTAL FINANCING COSTS	12.219	11.628	10.619
Proportion of net revenue stream	4.49%	4.26%	3.89%

This shows that in 2022-23, it is forecast that 3.89% of our net revenue income will be spent paying back the costs of capital expenditure.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

ANNUAL TREASURY MANAGEMENT OUTTURN REPORT 2021-22

1. Purpose of report

1.1 The purpose of this report is to:

- Comply with the requirement of the Chartered Institute of Public Finance and Accountancy's 'Treasury Management in the Public Services: Code of Practice' (the Code) to report an overview of treasury activities for the preceding financial year.
- Report on the actual Treasury Management Indicators for 2021-22.

2. Connection to corporate well-being objectives / other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

2.2 The Annual Treasury Management Outturn Report is integral to the delivery of all the Council's well-being objectives as the allocation of resources determines the extent to which the well-being objectives can be delivered.

3. Background

3.1 Treasury Management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council is exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

3.2 Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's (CIPFA's) Treasury Management in the Public Services: Code of Practice 2017 edition (the CIPFA Code), which requires the Council to approve a Treasury Management Strategy before the start of each financial year, and, as a minimum, a semi-annual and annual treasury outturn report. 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, 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. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the Welsh Government Guidance.

3.3 In 2017 CIPFA also published an updated version of the Prudential Code for Capital Finance in Local Authorities (the Prudential Code). The updated Prudential Code includes a requirement for Local Authorities to provide a Capital Strategy, which is a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The definition of investments in the revised 2017 CIPFA Code covers all the financial assets of the Council as well as other non-financial assets which the authority holds primarily for financial return. The Council's Capital Strategy 2021-22, complying with CIPFA's requirement, includes the Prudential Indicators along with the 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 both were approved together by Council on 24 February 2021.

3.4 The Council's treasury management advisors are Arlingclose. The current services provided to the Council include:

- advice and guidance on relevant policies, strategies and reports
- advice on investment decisions
- notification of credit ratings and changes
- other information on credit quality
- advice on debt management decisions
- accounting advice
- reports on treasury performance
- forecasts of interest rates
- training courses

4. Current situation/proposal

4.1 Economic Context

4.1.1 The continuing economic recovery from the coronavirus pandemic, together with the war in Ukraine, rising inflation, and higher interest rates were major issues over the 2021-22 financial year. The Bank Base rate was 0.1% at the beginning of the reporting period. April and May 2021 saw the economy gathering momentum as the pandemic restrictions were eased. Despite the improving outlook, market expectations were that the Bank of England would delay interest rate rises until 2022. However, continually rising inflation changed that. UK CPI was 0.7% in March 2021 but thereafter steadily

increased. Initially driven by increases in energy prices and by inflation in sectors such as retail and hospitality which were reopening after the pandemic lockdowns, at that time increases to inflation were believed to be temporary. However, CPI for February 2022 registered 6.2% year on year, up from 5.5% the previous month.

- 4.1.2 The labour market began to tighten and demand for workers grew strongly as employers found it increasingly difficult to find workers to fill vacant jobs. Having peaked at 5.2% in December 2020, unemployment continued to fall and the three months to March 2022 showed the unemployment rate at 3.7% while the employment rate rose to 75.7%.
- 4.1.3 Having increased the Bank Base rate from 0.1% to 0.25% in December 2021, the Bank of England raised it further to 0.5% in February 2022 and 0.75% in March 2022. In its March interest rate announcement, the Monetary Policy Committee (MPC) noted that the invasion of Ukraine had caused further large increases in energy and other commodity prices, with the expectation that the conflict will worsen supply chain disruptions around the world and push CPI inflation to around 8% later in 2022. The Committee also noted that although Gross Domestic Product (GDP) in January 2022 was stronger than expected, consumer confidence had fallen due to the squeeze in real household incomes.

4.2 Revised CIPFA Codes, Updated Public Works Loan Board (PWLB) Lending Facility Advice

- 4.2.1 In August 2021 HM Treasury significantly revised guidance for the PWLB lending facility. Authorities that are purchasing or intending to purchase investment assets primarily for yield, or financial return, will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing. Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, refinancing and treasury management.
- 4.2.2 CIPFA published its revised Prudential Code for Capital Finance and Treasury Management Code on 20 December 2021. The key change in the two codes are around permitted reasons to borrow, knowledge and skills, and the management of non-treasury investments. The Codes will be fully implemented in the 2023-24 financial year. To comply with the Prudential Code authorities must not borrow to invest primarily for financial return. The Prudential Code also states it is not prudent for local authorities to make investment or spending decisions that will increase the Capital Financing Requirement (CFR) unless directly and primarily related to the functions of the authority. Existing commercial investments are not required to be sold, however, authorities with existing commercial investments who expect to need to borrow should review the options for exiting these investments. Unlike the Prudential Code, there is no mention of the date of the initial application in the Treasury Management Code. The Council will follow the same process as the Prudential Code, i.e. delaying changes in reporting requirements to the 2023-24 financial year.

4.3 Treasury Management Outturn 2021-22

4.3.1 The Council has complied with its legislative and regulatory requirements during 2021-22. The TMS 2021-22 was approved by Council on 23 February 2021 with the Half Year Report presented to Council on 20 October 2021. Quarterly reports were also presented to Cabinet, and Governance and Audit Committee for scrutiny, during 2021-22.

4.3.2 A summary of the treasury management activities for 2021-22 is shown in **Appendix A**. The Council's external debt and investment position for 1 April 2021 to 31 March 2022 is shown in Table 1 below, and more detail is provided in **Appendix A** Section 2, Borrowing Strategy and Outturn, and Section 3, Investment Strategy and Outturn. No long-term borrowing was taken out in 2021-22 and no debt rescheduling was undertaken as there were no significant savings to be made. However, should the opportunity arise to reschedule any loans at a preferential rate, this would be done. Favourable cash flows have provided surplus funds for investment and the balance on investments at 31 March 2022 was £84.07 million, with an average interest rate of 0.43%. This was an increase from the balances at 31 March 2021, when the balance held was £51.55 million at a weighted average interest rate of 0.21%. Table 4 in **Appendix A** details the movement of the investments by counterparty types and shows the average balances, interest received, original duration and interest rates for 2021-22.

Table 1: Council's external debt and investment position 1 April 2021 to 31 March 2022

	Principal 01/04/2021 £m	Average Rate 01/04/2021 %	Principal 31/03/2022 £m	Average Rate 31/03/2022 %
External Long Term Borrowing:				
Public Works Loan Board	77.62	4.70	77.62	4.70
Lender's Option Borrower's Option	19.25	4.65	19.25	4.65
Salix Loans	1.64	0.00	2.68	0.00
Total External Borrowing	98.51	4.69	99.55	4.69
Other Long Term Liabilities (LTL):				
Private Finance Initiative (PFI)*	14.77		13.90	
Other LTL	0.69		0.23	
Total Other Long Term Liabilities	15.46		14.13	
Total Gross External Debt	113.97		113.68	
Treasury Investments:				
Debt Management Office	0.00	0.00	30.20	0.54
Local Authorities	48.50	0.22	45.50	0.34
Banks	1.00	0.05	8.37	0.53
Money Market Fund**	2.05	0.02	0.00	0.00
Total Treasury Investments	51.55	0.21	84.07	0.43
Net Debt	62.42		29.61	

* Arrangement for the provision of a Secondary School in Maesteg 13.25 years remaining term

** These funds provide instant access

- 4.3.3 The £19.25 million in Table 1 above relates to Lender's Option Borrower's Option (LOBO) loans which have a maturity date of 2054 though these may be rescheduled in advance of this maturity date. The LOBO rate and term may vary in the future depending on the prevailing rates at one of the bi-annual trigger points (these being July and January) and, therefore, the Council being given the option to accept the increase or repay the loan without incurring a penalty. Although there has been recent interest rate rises, rates are still sufficiently low that it is anticipated that the lender is unlikely to exercise this option in the current low interest rate environment.
- 4.3.4 The Total Other Long Term Liabilities figure of £14.13 million at 31 March 2022 includes £13.90 million for the Council's Private Finance initiative (PFI) arrangement for the provision of a Secondary School in Maesteg. The Other Long Term Liabilities are for the Innovation Centre and Waste Contract.
- 4.3.5 Both the CIPFA Code and Welsh Government (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. The Council's objective when investing money is to strike an appropriate balance between risk and return. Investment decisions are made by reference to the lowest published long-term credit rating from Fitch, Moody's or Standard and Poor's to ensure that this lies within the Councils' agreed minimum credit rating.
- 4.3.6 The Council defines high credit quality as organisations and securities having a credit rating of A- (A3 for Moody's) or higher and the Council does not invest in any organisation below this level. **Appendix B** shows the equivalence table for credit ratings for Fitch, Moody's, and Standard and Poor's and explains the different investment grades.
- 4.3.7 There were no long-term investments (original duration of 12 months or more) outstanding as at 31 March 2022. All investments at 31 March 2022 were short term deposits including instant access and notice accounts.
- 4.4.8 The Treasury Management Code requires the Council to set and report on a number of Treasury Management Indicators. The indicators either summarise the expected activity or introduce limits upon the activity. Details of the estimates for 2021-22 set out in the Council's TMS compared to the actual at year end are shown in **Appendix A** and these show that the Council operated within the approved limits throughout the year.

5. Effect upon policy framework and procedure rules

- 5.1 As required by Financial Procedure Rule 22.3 within the Council's Constitution, all investments and borrowing transactions have been undertaken in accordance with the TMS 2021-22 as approved by Council with due regard to the requirements of the CIPFA's Code of Practice on Treasury Management in the Public Services.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or review of policies, strategies, services and functions. This is an information report therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. As this report is for information and is retrospective in nature it is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

- 8.1 The financial implications are reflected within the report.

9. Recommendations

- 9.1 It is recommended that Council:

- Note the annual treasury management activities for 2021-22.
- Note the actual Treasury Management Indicators for 2021-22 against those approved in the Treasury Management Strategy 2021-22.

Carys Lord
Chief Officer – Finance, Performance and Change
September 2022

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Background documents:

None

APPENDIX A

SUMMARY OF TREASURY MANAGEMENT ACTIVITIES 2021-22 1 APRIL 2021 TO 31 MARCH 2022

1. External Debt and Investment Position

On 31 March 2022, the Council held £99.55 million of external long-term borrowing and £84.07 million of investments. The Council's external debt and investment position for 1 April to 31 March 2022 is shown below in Table 1; more detail is provided in section 3 - Borrowing Strategy and Outturn - and section 4 - Investment Strategy and Outturn. The debt position includes Salix loans which are interest free and were formally show as Long Term Liabilities.

Table 1: External debt and investment position 1 April 2021 to 31 March 2022

	Principal 01/04/2021 £m	Average Rate 01/04/2021 %	Principal 31/03/2022 £m	Average Rate 31/03/2022 %
External Long Term Borrowing:				
Public Works Loan Board	77.62	4.70	77.62	4.70
Lender's Option Borrower's Option	19.25	4.65	19.25	4.65
Salix Loans	1.64	0.00	2.68	0.00
Total External Borrowing	98.51	4.69	99.55	4.69
Other Long Term Liabilities (LTL):				
Private Finance Initiative (PFI)*	14.77		13.90	
Other LTL	0.69		0.23	
Total Other Long Term Liabilities	15.46		14.13	
Total Gross External Debt	113.97		113.68	
Treasury Investments:				
Debt Management Office	0.00	0.00	30.20	0.54
Local Authorities	48.50	0.22	45.50	0.34
Banks	1.00	0.05	8.37	0.53
Money Market Fund**	2.05	0.02	0.00	0.00
Total Treasury Investments	51.55	0.21	84.07	0.43
Net Debt	62.42		29.61	

* Arrangement for the provision of a Secondary School in Maesteg 12.25 years remaining term

** These funds provide instant access

Where a Council finances capital expenditure by debt, it must put aside revenue resources to repay that debt in later years and this amount charged to revenue is called the Minimum Revenue Provision (MRP). The Local Authority (Capital Finance and Accounting) (Amendment) (Wales) Regulations 2008 requires the

Council to produce and approve an annual Minimum Revenue Provision (MRP) Statement before the start of the financial year that details the methodology for the MRP charge and this is detailed in the Council's Capital Strategy. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Council's current strategy is to delay the need to borrow externally by temporarily using cash it holds for other purposes such as earmarked reserves. This is known as internal borrowing. This strategy is prudent as investment returns are low and counterparty risk is relatively high. The CFR is forecast to increase from 2020-21 levels due to the amount of prudential borrowing in the capital programme in future years. The Loans CFR (which excludes PFI & Other Long Term Liabilities) as at 31 March 2022 was £162.31 million as shown in Table 2 below.

The liability benchmark measures the Council's projected net debt requirement plus a short-term liquidity allowance in the form of minimum cash and investment balances. The purpose of the benchmark is to set the level of risk which the Council regards as its balanced or normal position. The liability benchmark, or level of debt, as at 31 March 2022 was £30.62 million, which is lower than the estimate within the Treasury Management Strategy (TMS). Long-term borrowing as at 31 March 2022 was £99.55 million. As the Council has available reserves it can use them to fund capital expenditure in the short term, which is a prudent approach to managing its cash resources. Table 2 below has been produced using actual capital spend and usable reserves for the 2021-22 financial year. The Loans CFR ignores cash balances and may be too high if the authority benefits from long term positive cash flows which this Council does benefit from. The benchmark assumes that cash and investment balances are kept to a minimum level of £10 million at each year-end to maintain sufficient liquidity but minimise credit risk.

Table 2: Liability benchmark

	2020-21 Actual	2021-22 Estimate TMS	2021-22 Actual
	£m	£m	£m
Loans Capital Financing Requirement	158.21	166.35	162.31
Less: Usable reserves	(114.43)	(49.11)	(141.69)
Plus: Actual/Minimum investments	10	10	10
Liability Benchmark	53.78	127.24	30.62

2. Borrowing Strategy and Outturn for 1 April 2021 to 31 March 2022

At 31 March 2022, the Council held £99.55 million of long-term loans. The TMS 2021-22 forecast that the Council would need to borrow £30.37 million in 2021-22 however, as a result of both slippage in the capital programme and an increased level of reserves, the Council did not need to take out new borrowing during the year. Long term borrowing increased, but this was as a result of

schemes funded via Salex interest free borrowing. The amounts are relatively low and have repayment periods of up to 10 years. More detail on forecast capital spend is provided in the Capital Strategy 2021-22 which was approved by Council on 24 February 2021 and the Capital Monitoring outturn report to Council on 20 July 2022.

The Council's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans, should the Council's long-term plans change, is a secondary objective. The major objectives followed in 2021-22 were:

- to minimise the revenue costs of debt
- to manage the Council's debt maturity profile i.e. to leave no one future year with a high level of repayments that could cause problems in re-borrowing
- to effect funding in any one year at the cheapest cost commensurate with future risk
- to monitor and review the level of variable interest rate loans in order to take greater advantage of interest rate movement
- to reschedule debt if appropriate, in order to take advantage of potential savings as interest rates change
- to optimise the use of all capital resources including borrowing, both supported and unsupported, usable capital receipts, revenue contributions to capital and grants and contributions

Given the impact of the Covid-19 pandemic on the economy and public finances in general, as well as on local government funding in particular, and the uncertainty going forward, the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. The ever-increasing uncertainty over future interest rates increases the risks associated with treasury activity. As a result, the Council will take a cautious approach to its treasury management strategy. With short-term interest rates currently much lower than long term rates, it is likely to be more cost effective in the short term to either use internal resources or take out short term loans instead.

The Council's primary objective for the management of its debt is to ensure its long-term affordability. The majority of its loans have therefore been borrowed from the Public Works Loan Board (PWLB) at long term fixed rates of interest, but we will also investigate other sources of finance, such as Welsh Government and local authority loans and bank loans that may be available at more favourable rates. Following the increase in the numbers of local authorities taking out PWLB loans to buy commercial properties for yield, following a UK government consultation HM Treasury issuing 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. Local authorities' Section 151 Officers, or

equivalent, will be required to confirm that capital expenditure plans are current and that the plans are within acceptable use of the PWLB. Whilst this in itself does not preclude the Council from investing in commercial activities, investing in assets for yield would preclude the Council from accessing PWLB borrowing. In December 2021, CIPFA published a new edition of the Prudential Code for Capital Finance in Local Authorities. A significant change to the Code is that, in order to comply with the Code, an authority must not borrow to invest primarily for financial return. It goes further to clarify that *“it is not prudent for local authorities to make any investment or spending that will increase the capital financing requirement, and so lead to new borrowing, unless directly and primarily related to the functions of the authority and where any financial returns are either related to the financial viability of the project in question or otherwise incidental to the primary purpose”*.

The last time the Council took out long term borrowing was £5 million from the PWLB in March 2012. Should there be a need to borrow it is likely to be from the PWLB. For estimate purposes it has been assumed that this would be over 30 years. The Council may also take out short term loans (normally for up to one month) to cover unexpected cash flow shortages. Market conditions have meant that there has been no rescheduling of the Council’s long term borrowing so far this year however, in conjunction with the Council’s Treasury Management advisors Arlingclose, the loan portfolio will continue to be reviewed for any potential savings as a result of any loan rescheduling.

The £19.25 million in Table 1 above relates to Lender’s Option Borrower’s Option (LOBO) loans which have a maturity date of 2054, however these may be re-scheduled in advance of this maturity date. The LOBO rate and term may vary in the future depending upon the prevailing market rates, the lender exercising their option to increase rates at one of the bi-annual trigger points (the trigger dates being July and January) and therefore, the Council being given the option to accept the increase or to repay the loan without incurring a penalty. The lender did not exercise their option on 22 July 2022 and the next trigger point is 22 January 2023. The lender is unlikely to exercise their option in the current low interest rate environment, however, an element of refinancing risk remains. The Council would take the option to repay these loans at no cost if it has the opportunity to do so in the future. The current average interest rate for these LOBO’s is 4.65% compared to the PWLB Loans average interest rate of 4.70%. The premiums payable to renegotiate the Council’s Lender’s Option Borrower’s Option (LOBO) continues to be cost prohibitive.

The Treasury Management indicator shown in Table 3 below is for the Maturity Structure of Borrowing and is set to control the Council’s exposure to refinancing risk with respect to the maturity of the Council’s external borrowing and has been set to allow for the possible restructuring of long term debt where this is expected to lead to an overall saving or reduction in risk. It is the amount of projected borrowing maturing in each period as a percentage of total projected borrowing. The upper and lower limits on the maturity structure of borrowing set out in the TMS 2021-22 and the outturn for 2021-22 are:

Table 3: Treasury Management Indicator Maturity Structure of Borrowing 2021-22

Refinancing rate risk indicator Maturity structure of borrowing 2020-21	TMS 2021-22 Upper limit %	TMS 2021-22 Lower limit %	Actual 31-3-22 %
Under 12 months	50	-	19.67
12 months and within 24 months	25	-	0.32
24 months and within 5 years	25	-	13.10
5 years and within 10 years	40	-	14.12
10 years and within 20 years	50	-	16.24
20 years and above	60	25	36.55

The 19.67% shown in Table 3 above includes the £19.25 million LOBO loans which may be re-scheduled in advance of their maturity date of 2054, as detailed above. The CIPFA Code requires the maturity of LOBO loans to be shown as the earliest date on which the lender can require payment, i.e. the option/call dates in 2022-23, so the maturity date is actually uncertain but is shown in the “Under 12 months” category as per the Code. The balance of the 19.67% are Salix loans.

3. Investment Strategy and Outturn 1 April 2021 to 31 March 2022

Both 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. 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:

- Maintain capital **security**
- Maintain **liquidity** so funds are available when expenditure is needed
- Achieve a **yield** on investments commensurate with the proper levels of security and liquidity

The Annual Investment Strategy incorporated in the Council’s TMS 2021-22 includes the credit ratings defined for each category of investments and the liquidity of investments. The Council’s investments have historically been placed in mainly short-term bank and building society unsecured deposits and local and central government. However, investments may be made with any public or private sector organisations that meet the minimum credit criteria and investment limits specified in the Investment Strategy. The majority of the Council’s surplus cash is currently invested in Money Market Funds and with other local authorities, but the Council will continue to look at investment options in line with the limits detailed in the Investment Strategy. The Council takes into account updated advice from its advisors before making any investment decisions.

The Council holds surplus funds representing income received in advance of expenditure plus balances and reserves and as shown in Table 1 above, the balance on investments at 31 March 2022 was £84.07 million. Table 4 below details these investments by counterparty type. The weighted average investment rate in the period 1 April 2022 to 31 March 2022 was 0.12% (Table 4) and was 0.43% at 31 March 2022 (Table 1 – Total Treasury Investments).

Table 4: Investments Profile 1 April 2021 to 31 March 2022

Investment Counterparty Category	Balance 01 April 2021 (A) £m	Investments raised (B) £m	Investments Repaid (C) £m	Balance 31 March 2022 (A+B-C) £m	Investment income received* Apr 2021-Mar 2022 £'000	Average original duration of the Investment Days	Weighted average investment balance Apr 2021-Mar 2022 £m	Weighted average interest rate Apr 2021-Mar 2022 %
Government DMO	-	323.74	293.54	30.20	9.98	14	13.27	0.08
Local Authorities	48.50	75.00	78.00	45.50	86.34	117	39.63	0.17
Banks (Fixed Maturity)	1.00	36.00	34.00	3.00	7.30	28	2.96	0.14
Banks Instant Access/Notice Period Account	-	134.37	129.00	5.37	0.32	-	7.38	0.07
Building Societies	-	-	-	-	-	-	-	-
Money Market Fund (Instant Access)	2.05	85.07	87.12	-	15.65	-	21.49	0.08
Total/Average	51.55	654.18	621.66	84.07	119.59	66	84.73	0.12

* actual income received in year excluding accruals

The Treasury Management indicator shown below in Table 5 is for Principal Sums Invested for periods longer than a year. Where the Council invests, or plans to invest, for periods longer than a year, an upper limit is set for each forward financial year period for the maturing of such investments. The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of long-term investments. The limit on the long-term principal sum invested to final maturities beyond the period end are set out in the TMS 2021-22.

Table 5: Treasury Management Indicator Principal Sums Invested for periods longer than a year

Price risk indicator	TMS 2021-22 £m	Actual 31 Mar 22 £m
Limit on principal invested beyond financial year end	15	Nil

All investments longer than 365 days (non-specified) will be made with a cautious approach to cash flow requirements and advice from Arlingclose will be sought as necessary.

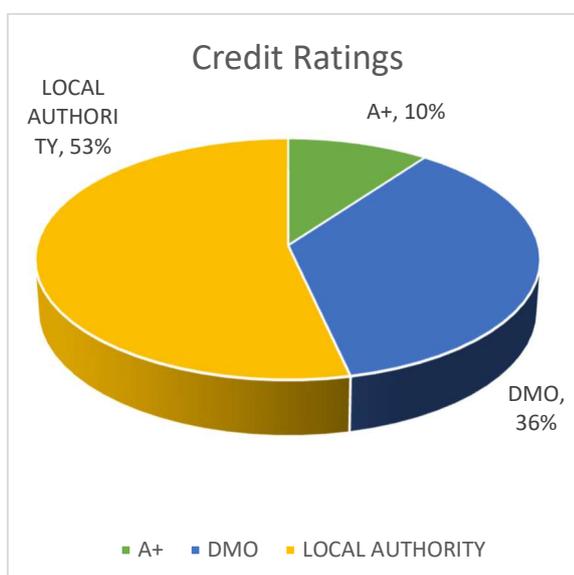
There were no long-term investments (original duration of 12 months or more) outstanding at 31 March 2022. All investments at 31 March 2022 were short term deposits including Government Debt Management Office (DMO), Money Market Funds, Local Authorities, instant access and notice accounts. Table 6 below details these investments by counterparty type based on the remaining maturity period at 31 March 2022:

Table 6: Investments Outstanding Maturity Profile 31 March 2022

Counterparty Category	Instant Access £m	Deposits Maturing Within 1 Month £m	Deposits Maturing Within 2-3 Months £m	Deposits Maturing Within 4-12 Months £m	Total £m
Government DMO		30.20			30.20
Local Authorities		3.00	3.00	39.50	45.50
Banks	5.37	3.00			8.37
Total	5.37	36.20	3.00	39.50	84.07

Investment decisions are made by reference to the lowest published long-term credit rating from a selection of external rating agencies to ensure that this lies within the Council's agreed minimum credit rating. Where available the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be taken into account. **Appendix B** shows the equivalence table for credit ratings for three of the main rating agencies: Fitch, Moody's, and Standard & Poor's, and explains the different investment grades. The Council defines high credit quality as organisations and securities having a credit rating of A- or higher that are domiciled in the UK or a foreign country with a sovereign rating of AA+ or higher.

The pie chart below summarises Table 6 by credit ratings and shows the £84.07 million investments at 31 March 2022 by percentage. Most local authorities do not have credit ratings whilst the remainder of the investments all had a credit rating of A or above. The Debt Management Office (DMO) is the UK sovereign government and rated AA- as at 31 March 2022.



4. Interest Rate Exposures – Borrowing and Investments

The Council is exposed to interest rate movements on its borrowings and investments. Movements in interest rates have a complex impact on the Council depending on how variable and fixed interest rates move across differing financial instrument periods. Short term and variable rate loans expose the Council to the risk of short-term interest rate rises and are therefore subject to the Treasury Management indicator in Table 7 below to manage Interest Rate Exposures.

Table 7: Treasury Management Indicator Interest Rate Exposures

Interest rate risk indicator	Indicator £'000	As at 31 Mar 22 £'000
One year revenue impact of a 1% rise in interest rates	(273)	(521)
One year revenue impact of a 1% fall in interest rates	474	714

This has been set as an **indicator** (not a limit) to measure the net impact over one year on the revenue account of both a 1% rise and a 1% fall in all interest rates for borrowing net of treasury investments. This is calculated at a point in time on the assumption that maturing loans and investments will be replaced at rates 1% higher or lower than they would otherwise have been on their maturity dates and that the treasury investment and borrowing portfolios remain unchanged over the coming year. Interest rates can move by more than 1% over the course of a year, although such instances are rare.

The figures for the 1% fall in interest rates indicator are not the same figures as the 1% rise in interest rates (but reversed) as the borrowing relates to variable LOBO loans where it is assumed that the lender would not exercise their option if there was a fall in interest rates. All other borrowing does not have a rate reset in the next year and is with the PWLB at fixed rates

APPENDIX B

Credit Rating Equivalence Table

	Description	Fitch		Moody's		Standard & Poor's	
		Long	Short	Long	Short	Long	Short
INVESTMENT GRADE	Extremely strong	AAA		Aaa		AAA	
	Very strong	AA+	F1+	Aa1	P-1	AA+	A-1+
		AA		Aa2		AA	
		AA-		Aa3		AA-	
	Strong	A+	F1	A1	P-2	A+	A-1
		A		A2		A	
	Adequate	A-	F2	A3	P-3	A-	A-2
		BBB+		Baa1		BBB+	
		BBB		Baa2		BBB	
	SPECULATIVE GRADE	Speculative	BBB-	F3	Baa3	Not Prime (NP)	BBB-
BB+			Ba1		BB+		
BB			Ba2		BB		
Very speculative		BB-	B	Ba3	Not Prime (NP)	BB-	B
		B+		B1		B+	
		B		B2		B	
Vulnerable		B-	C	B3	Not Prime (NP)	B-	C
		CCC+		Caa1		CCC+	
		CCC		Caa2		CCC	
		CCC-		Caa3		CCC-	
	CC	Ca		CC			
Defaulting	C				C		
	D	D	C		D	D	

Standard & Poor's (S&P), Moody's and Fitch are the three most significant rating agencies in the world. These agencies rate the creditworthiness of countries and private enterprises.

"AAA" or "Aaa" is the highest rating across all three rating agencies and indicates the highest level of creditworthiness. A "D" rating ("C" rating from Moody's) indicates poor creditworthiness of a company or government. A difference is made between short-term and long-term ratings.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR, AND CORPORATE POLICY

JOINT PROTOCOL – MILEAGE RATES

1. Purpose of report

- 1.1 To seek Council approval to adopt the Joint Protocol for Mileage Rates in Local Authorities in Wales as a temporary arrangement.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human, and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The mileage rate is a locally agreed term and condition of employment. Established as part of the Council's Single Status Collective Agreement, the mileage rate for cars at 47p per mile for the first 8,500 miles, was implemented on 1 September 2013.
- 3.2 Both employers and trades unions recognise the impact of the current cost of living crisis on the workforce and the immediate pressures presented because of unprecedented increases in fuel costs.
- 3.3 At a national level, Leaders at the Welsh Local Government Association (WLGA) Executive Board on 17 July 2022, requested the development of a joint protocol, for local authorities to consider for adoption, to temporarily increase mileage reimbursements rates in the short term to address current market volatility in fuel rates.
- 3.4 Meanwhile, representations were made directly by employees and through trade union representatives about the prevailing cost of fuel and the mileage rate paid to employees. It was considered that there was a risk in some service areas that rising costs for work related mileage essential to service delivery would have a negative impact on employees and potential recruitment and retention.
- 3.5 In anticipation of a national protocol on mileage rates, an urgent delegated decision was made on 5 August 2022 to temporarily increase the mileage expenses rate for employees from 47p per mile to 50p per mile, backdated to

take effect from 2 July 2022 (payable with the August salary). It was agreed that the temporary uplift would be reviewed by 30 September 2022, to take account of the cost of fuel, the national position and any other relevant factors.

4. Current situation/proposal

- 4.1 The joint protocol on mileage rates, attached at **Appendix 1**, has been approved by Group Leaders on behalf of the WLGA Executive Board, and shared with the Joint Council for Wales (JCW) Executive, and trade unions have formally agreed the proposal and requested its implementation at the earliest opportunity.
- 4.2 The national protocol is effective from 26 September 2022 which is timely given Council's earlier decision to implement the recommended rate of 50p per mile in the short term, subject to review by 30 September 2022.
- 4.3 The protocol is clear that it is not intended to replace current local arrangements but offers, through mutual employers' and trade unions' agreement, a temporary arrangement that is triggered by an increase in fuel rates that exceed an agreed threshold, the arrangement is similarly removed when fuel rates reduce below that same threshold.

5. Effect upon policy framework and procedure rules

- 5.1 This protocol will temporarily amend the mileage expenses rate as stated in the Single Status Collective Agreement.

6. Equality Act 2010 implications

- 6.1 An initial EIA screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

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

- 7.1 The well-being goals identified in the Act were considered in the preparation of this information report.

Involvement	Consultation has taken place with members of Cabinet, Corporate Management Board, the HR, legal and finance departments, and trade unions.
Long term	Whilst this is a short-term recommendation, it does provide a framework for decision making going forward. Also, options are being considered in relation to the use of electric vehicles in some service areas.
Prevention	The actions being taken are intended to support recruitment and retention in an ever-increasing challenging employment market.
Integration	The actions will apply to all employees and supplements the Council's existing policies.
Collaboration	This protocol has been developed through mutual agreement between local government employers and

8. Financial implications

- 8.1 The full annual cost of implementing this new rate, based on the 2021/2022 levels of work mileage is estimated at £50,000 per annum. This can currently be funded from within existing mileage budgets as a result of lower than usual mileage at the current time. Should mileage increase then this funding availability may be at risk. Most of the reduced mileage is in respect of meetings/training/conferences now being held virtually instead of in-person rather than front line service delivery e.g., social care workers. As there is a move towards more in-person meetings spend on mileage will increase and spend against budgets will be closely monitored.

9. Recommendations

- 9.1 It is recommended that Council:
- approves the adoption of the Joint Protocol for Mileage Rates in Local Authorities in Wales from 26 September 2022 to 31 March 2023;
 - delegates authority to the Chief Executive to approve any extension, should the protocol be extended for a period up to six months.

Kelly Watson
CHIEF OFFICER – LEGAL & REGULATORY SERVICES, HR & CORPORATE
POLICY
October 2022

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Backdown documents: None

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APPROVED**02 September 2022****Version 3****Joint Protocol
Mileage Rates in Local Authorities in Wales**

This is a joint protocol between Leaders of local authorities in Wales, facilitated through the WLGA Executive Board and the trades unions of the Joint Council for Wales, to introduce a measure that provides for a temporary increase in mileage reimbursements costs in the short term to address current market volatility in fuel rates.

The protocol is intended to cover staff directly employed by local authorities in accordance with local policies and is a temporary arrangement through to 31 March 2023 or until there is an increase in the HMRC determined AMAP rate, whichever is the sooner. This protocol will be automatically superseded by any increase in the HMRC AMAP rate.

Introduction

Both employers and trades unions recognise the impact of the current cost of living crisis on the workforce and the immediate pressures presented as a consequence of unprecedented increases in fuel costs.

The agreed rate of reimbursement for mileage rates for local government employees is determined locally by each local authority and the majority of local authorities in Wales adopt the HMRC AMAP rates.

The HMRC AMAP rate provides approved rates for the reimbursement of mileage without incurring tax or national insurance. However, the rate has remained static since 2011/12 and an argument has been presented to the Joint Council for Wales that this has not kept pace with current fuel costs.

This protocol does not replace current local arrangements but offers, through mutual agreement between local government employers and trades unions in Wales, a temporary arrangement that is triggered by an increase in fuel rates that exceed an agreed threshold, the arrangement is similarly removed when fuel rates reduce below that same threshold.

The arrangement, once triggered and until removed, will enable those eligible through existing local authority policies to claim an additional agreed sum per mile up to an agreed maximum, to mitigate against the impact of sustained high fuel costs. The additional payment will be subject to tax and national insurance.

02 September 2022

Version 3

The protocol

The protocol will provide:

1. The agreed sum for reimbursement
2. The threshold at which an increase would come into force
3. An independent reference point to guide decision making
4. The point at which the threshold would need to be breached to trigger an increase or the point at which it would be removed
5. A summary of the threshold, reference point and rate for reimbursement

The agreed sum for reimbursement

The ability to claim an additional payment of 5 pence per mile where tax and NI are paid and 3 pence per mile where tax and NI are not paid, with reimbursement up to a maximum of 50 pence per mile, when an agreed threshold is breached. The ability to claim the additional payment will be withdrawn when the HMRC advisory fuel rate assessment returns below this threshold.

Threshold

The agreed threshold is £1.50 per litre or 15.2 pence per mile.

£1.50 per litre or 15.2 pence per mile as determined by the HMRC Advisory Fuel Rate Assessment, is the point at which the ability to claim the additional payment would be triggered and the point below which it would be removed.

Reference point

The HMRC Advisory Fuel Rates assessment [Advisory fuel rates - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/advisory-fuel-rates) will be used as the reference point.

The HMRC Advisory Fuel rates are different from the AMAP published rates, they are the advisory fuel rates for company car users and are calculated using the prevailing price of fuel on a quarterly basis.

The HMRC Advisory fuel rates are being used in this context as an objective measure to inform the agreed sum for reimbursement, the threshold and trigger points.

02 September 2022

Version 3

Trigger points

The baseline has been set using the rate of reimbursement applied between 1 June 2021 and 31 August 2021 which was 13 pence per mile for a 1401 – 2000 cc vehicle running at 44.9 mpg. This equates to £5.84 per gallon or £1.28 per litre.

A tolerance level above the baseline of circa 15% provides for an upper level of £6.80 per gallon or £1.50 per litre and this is the point at which the trigger would come in and the point at which it would be removed.

That broadly equates to a 2 pence per mile increase above the AMAP rate. The ability to claim an additional 5 pence per mile at this point would, after 20% tax and NI, provide circa 3.5 pence and this would cover any further increases in the price of fuel as published under the HMRC Advisory Fuel Rates assessment of up to 17.9 pence per mile.

Should HMRC Advisory Fuel Rates Assessment reach or exceed a reimbursement of 18 pence per mile then a further review will be undertaken.

Summary

Price of fuel pence per litre	pence per mile (ppm)	Reference point – HMRC Advisory Fuel Rate (ppm) – including date of publication	Agreed sum for reimbursement	Net increase
1.30 (baseline)	13.1	13 (06/21)	Up to 45 ppm	AMAP rate no tax or NI
At or above 1.50 (threshold)	15.2	15 (03/22) 17 (06/22)	Up to 50 ppm	Circa 3.5 ppm after tax and NI
		18	Trigger for a review	To be determined

Application

The increase will apply for all fuel types including electric, hybrid and diesel cars.

02 September 2022

Version 3

Implementation

Implementation will require local authorities to adopt the protocol and apply its provisions as a temporary arrangement within local policies on mileage rates.

Term

This interim protocol will take effect from 26 September 2022 and will expire on 31 March 2023.

It is subject to review and can be amended by joint agreement. This includes the opportunity to reconsider the threshold as a part of any review.

Signed:



On behalf of the WLGA Executive Board

Cllr Anthony Hunt

(Workforce Spokesperson and Chair, Joint Council for Wales)



On behalf of the NJC Trades Unions

Darron Dupre

(Trade Union Side Joint Secretary, Joint Council for Wales)

Date: 23 September 2022

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE MONITORING OFFICER

CONSTITUTION AND CONSTITUTION GUIDE

1. Purpose of report

- 1.1 The purpose of this report is for Council to approve the revised constitution and constitution guides.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
 3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 Section 37 of the Local Government Act 2000 requires Welsh County Councils to prepare and keep up to date a written constitution containing such information as Welsh Ministers may direct, a copy of the Authority's standing orders, a copy of the Authority's code of conduct for Members and such other information as the Authority considers appropriate.
- 3.2 Each County Council has its own individual constitution to reflect that Council's particular circumstances with differences as to the documents it believes appropriate to include in its constitution.
- 3.3 Section 45 of the Local Government and Elections (Wales) Act 2021 (the Act) now requires principal councils to publish a constitution guide which explains in ordinary

language the content of the Council's constitution. The principal councils must also publish their constitution and constitution guide electronically and provide a hard copy on request, either free of charge or at a charge (representing no more than the cost of providing the copy).

4. Current situation/proposal

- 4.1 The All Wales Monitoring Officers' Group, via funding from the Welsh Local Government Association, commissioned Browne Jacobson to draft a new model constitution and a model constitution guide due to provisions coming into force under the Act. A report was presented to Council on 20 January 2021 detailing the main provisions of the Act.
- 4.2 The new model constitution has been considered by each local authority and has become common place. The style of the new constitution is more intelligible to the public and there is less duplication. Whilst the new model contains detailed provisions, adopting the model constitution does not require all of those detailed provisions to be adopted and therefore following a local review by officers, some of the Council's existing detailed provisions concerning procedure rules, codes of conduct and protocols have been retained in order to preserve continuity and retain the valuable work that has been done over the years in reviewing each part of the existing constitution.
- 4.3 Whilst the revised draft constitution (**Appendix 1**) looks quite different from the current version, by its very nature, the document largely comprises the same elements. These include Procedural Rules for Council, the Executive and Scrutiny Committees, Financial Procedure Rules, Contract Procedure Rules and Member Code of Conduct. In reality, the extent of actual changes in terms of how the Council works are quite small as the general view is that significant elements of the current constitution remain "fit for purpose". Consequently, significant elements of the sections governing how the Full Council, the Executive and the Scrutiny Committees operate remain largely the same, if not identical, to the current version.
- 4.4 Attached at **Appendix 2** to this report is a constitution guide based on the Browne Jacobson model guide and adapted to reflect the Council's constitutional arrangements. A guide summarising all the provisions of the constitution is also attached as **Appendix 3**.
- 4.5 The model constitution and guides were considered by the Democratic Services Committee on 7 July 2022 and the Committee recommended that a Working Group be established with support from the Group Manager Legal and Democratic Services to review all aspects of the constitution as part of its improvement journey. **Appendix 4** summarises the issues identified through discussions from the Working Group and sets out a series of recommendations arising from the Group for consideration as a means of improving the Council's good governance. Since the last meeting of the Working Group, it should be noted that further amendments have been made to the Officers' Code of Conduct (Section 20) following consultation with Trade Unions.
- 4.6 A report will be presented to Cabinet on 18 October 2022 seeking approval of the constitution and constitution guide in so far as it relates to the Executive functions.

5. Effect upon policy framework and procedure rules

5.1 The revised constitution will require approval by Cabinet and Council and will be published on the Council's website together with the constitution guide.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

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

8. Financial implications

8.1 There are no financial implications arising from this report.

9. Recommendations

9.1 It is recommended that Council:

- Approve the recommendations of the Democratic Services Committee Working Group (**Appendix 4**);
- Approve the revised constitution (**Appendix 1**) and guide (**Appendix 2&3**) to take effect from 1 December 2022.

K Watson

Chief Officer – Legal and Regulatory Services, HR and Corporate Policy and Monitoring Officer

October 2022

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BRIDGEND COUNTY BOROUGH COUNCIL CONSTITUTION

CONTENTS

SECTION 1.....	10
1. Introduction	10
1.1 Purpose and Content of the Constitution.....	10
1.2 How the Council Operates	10
SECTION 2.....	12
2. Purpose, Definition Interpretation and Amendment of the Constitution	12
2.1 Purpose of the Constitution	12
2.2 Definitions in the Constitution.....	122
2.3 Interpretation of the Constitution	166
2.4 Duty to Monitor and Review the Constitution.....	166
2.5 Protocol for Monitoring and Review of Constitution by Monitoring Officer.....	166
2.6 Changes to the Constitution	16
2.7 Suspension of the Constitution.....	17
2.8 Publication	17
SECTION 3.....	18
3. Getting Information and Getting Involved.....	18
3.1 Getting Information	18
3.2 Getting Involved	19
3.3 Getting Involved – Members	21
SECTION 4.....	23
4. Full Council	23
4.1 Introduction	23
4.2 The Policy Framework	23
4.3 The Single Integrated Plan.....	23
4.4 The Budget	233
4.5 Housing Land Transfer.....	233
4.6 Functions of the Full Council	233

4.7	Membership	255
4.8	Council Meetings	26
4.9	Rules of Procedure and Debate	26
4.10	Council Procedure Rules – Annual Meeting of the Council	26
4.11	Ordinary Meetings.....	27
4.12	Extraordinary Meetings	28
4.13	Time, Place and Duration of Meetings	28
4.14	Notice of and Summons to Meetings.....	29
4.15	Chair of Meeting.....	29
4.16	Quorum.....	29
4.17	Remote Attendance	29
4.18	Questions by the Public	29
4.19	Questions by Members	31
4.20	Motions on Notice	33
4.21	Motions without Notice	34
4.22	Rules of Debate	345
4.23	County Borough Debate.....	38
4.24	Previous Decisions and Motions	38
4.25	Voting	38
4.26	Minutes	39
4.27	Record of Attendance	390
4.28	Exclusion of Public.....	400
4.29	Members’ Conduct.....	400
4.30	Disturbance by Public	400
4.31	Filming and Use of Social Media During Meetings	411
4.32	Electronic Broadcast of Meetings	41
4.33	Suspension and Amendment of Council Procedure Rules	411
4.34	Application to Committees and Sub-Committees	411

SECTION 5.....	42
5. The Cabinet.....	422
5.1 Introduction	42
5.2 Form and Composition of the Cabinet.....	42
5.3 Leader	42
5.4 Deputy Leader	42
5.5 Other CabinetMembers.....	42
5.6 Delegation of Functions	43
5.7 Assistants to the Executive	433
5.8 Rules of Procedure and Debate	43
5.9 CabinetProcedure Rules	44
5.10 How does the Cabinet Operate?	44
5.11 How are Cabinet Meetings Conducted?	45
5.12 Disturbance by the Public, Filming and Use of Social Media	46
5.13 Job sharing by Executive Leaders and Executive Members	47
SECTION 6.....	48
6. The Leader.....	48
6.1 Election.....	48
6.2 Term of Office	48
6.3 Resignation, Dismissal, Disqualification and Suspension	48
6.4 Deputy Leader	48
6.5 Functions and Delegated Authority	48
SECTION 7.....	50
7. Overview and Scrutiny Committees.....	50
7.1 Introduction	50
7.2 Overview and Scrutiny Committees	50
7.3 Role, Scope and Membership	50

7.4	Specific Functions.....	52
7.5	Head of Democratic Services.....	54
7.6	Who May Sit on Overview and Scrutiny Committees?.....	54
7.7	Co-Optees	54
7.8	Education Representatives	55
7.9	Who Chairs?	55
7.10	Role of the Chair and the Overview and Scrutiny Committees	55
7.11	Work Programme.....	55
7.12	Joint Overview and Scrutiny Committees.....	56
7.13	Rules of Procedure and Debate	56
7.14	What will be the Number and Arrangements for Overview and Scrutiny Committees?...57	
7.15	Meetings of the Overview and Scrutiny Committees	57
7.16	Quorum.....	57
7.17	Agenda Items.....	57
7.18	Policy Review and Development.....	57
7.19	Reports from the Overview and Scrutiny Committees	58
7.20	Rights of Members of the Overview and Scrutiny Committees to Documents	58
7.21	Members and Officers Giving Account	58
7.22	Attendance by Others	59
7.23	Call-In	59
7.24	The Party Whip	61
7.25	Procedure at Overview and Scrutiny Committee Meetings.....	61
7.26	Matters within the Remit of more than one Overview and Scrutiny Committee.....	62
SECTION 8.....		63
8.	The Standards Committee.....	63
8.1	Membership	63
8.2	Term of Office	63
8.3	Quorum.....	63

8.4	Voting	63
8.5	Chairing the Committee	63
8.6	Role and Function.....	64
8.7	Annual Report.....	64
8.8	Work Programme.....	65
8.9	Joint Standards Committee.....	65
8.10	Rules of Procedure and Debate	65
SECTION 9.....		66
9.	Regulatory Committees	66
9.1	Regulatory and Other Committees.....	66
9.2	The Governance and Audit Committee	66
9.3	The Democratic Services Committee	66
9.4	Other Committees and Sub-Committees.....	67
9.5	Rules of Procedure and Debate	67
SECTION 10.....		68
10.	Joint Committees.....	68
10.1	Introduction	68
10.2	Arrangements to Promote Wellbeing.....	68
10.3	Joint Arrangements.....	68
10.4	Access to Information.....	68
10.5	Delegation to and from Other Local Authorities.....	69
10.6	Contracting Out.....	69
SECTION 11.....		70
11.	Corporate Joint Committees	70
11.1	Introduction	70
11.2	Corporate Joint Committees.....	70
SECTION 12.....		71
12.	Officers.....	71

12.1	Management Structure.....	71
12.2	Functions of the Chief Executive	72
12.3	Functions of the Monitoring Officer.....	73
12.4	Functions of the Chief Finance Officer	74
12.5	Functions of the Head of Democratic Services.....	75
12.6	Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer, Chief Finance Officer and Head of Democratic Services... ..	77
12.7	Conduct	77
12.8	Employment.....	77
12.9	Officer Employment Procedure Rules	77
SECTION 13.....		83
13.	Finance Contracts and Legal Matters	83
13.1	Financial Management.....	83
13.2	Contracts	83
13.3	Legal Proceedings	83
13.4	Authentication of Documents	83
13.5	Common Seal of the Council.....	84
SECTION 14.....		85
14.	Responsibility for Functions - Summary.....	85
14.1	Who can be Decision Makers?.....	85
14.2	Principles of Decision Making	85
14.4	Other Bodies	86
14.5	Who Decides – Non-Executive Functions?	86
14.6	Who Decides – Executive Functions?	86
14.7	Removal of Delegation.....	87
14.8	Who May Exercise Officer Delegations?	87
SECTION 15.....		114
15.	Access to Information Procedure Rules.....	114
15.1	Scope	114

15.2	Additional Rights to Information	114
15.3	Rights to Attend Meetings	114
15.4	Notices of Meeting	114
15.5	Access to Agenda and Reports Before the Meeting	114
15.6	Supply of Copies.....	114
15.7	Access to Minutes etc after the Meeting.....	115
15.8	Background Papers	115
15.9	Summary of Public's Rights	115
15.10	Exclusion of Access by the Public to Meetings.....	116
15.11	Public Interest Test	118
15.12	Exclusion of Access by the Public to Reports.....	118
15.13	The Forward Work Programme.....	119
15.14	Consultation on Proposals to be Considered by the Cabinet.....	119
15.15	Record of Decisions of the Cabinet.....	120
15.16	Decisions by An Individual Member of the Cabinet	121
15.17	Overview and Scrutiny Committeeand Members' Access to Documents.....	121
15.18	Additional Rights of Access for Members of Overview and Scrutiny Committees	121
SECTION 16.....		123
16.	Budget and Policy Framework Procedure Rules.....	123
16.1	The Framework for Executive Decisions	123
16.2	Process for Developing the Framework	123
16.3	Process for Developing the Budget.....	124
16.4	Decisions Outside the Budget or Policy Framework	124
16.5	Urgent Decisions Outside the Budget or Policy Framework	125
16.6	Virement	125
16.7	In-Year Changes to Policy Framework.....	125
16.8	Call-In of Decisions Outside the Budget or Policy Framework.....	126
SECTION 17.....		128

17. Financial Procedure Rules.....	128
SECTION 18.....	152
18. Contract Procedure Rules.....	152
SECTION 19.....	173
19. Code of Conduct for Members.....	173
SECTION 20.....	193
20. Officers' Code of Conduct.....	193
SECTION 21.....	199
21. Protocol on Member / Officer Relations	199
SECTION 22.....	204
22. Member Role Descriptions	204
Elected Member Role Description.....	204
Leader (and Deputy) Role Description.....	206
Deputy Leader.....	208
Cabinet Member Role Description	208
Chair of the Council Role Description (Mayor)	210
Vice Chair.....	211
Chair of Democratic Services Committee Role Description.....	211
Member of a Democratic Services Committee Role Description	213
Chair of a Regulatory Committee Role Description.....	215
Member of a Regulatory Committee Role Description	216
Chair of Standards Committee Role Description.....	217
Member of a Standards Committee Role Description	218
Chair of Governance and Audit Committee Role Description.....	219
Member of a Governance and Audit Committee Role Description	221
Overview and Scrutiny Chair Role Description	223
Overview and Scrutiny Member Role Description	224
Leader of the Opposition Role Description.....	226

Role of the Deputy Leader of the Opposition	227
Member Champion Purpose and Role.....	227
Member Champion Role Description	228
Elected Member Person Specification	230
Leader Person Specification.....	230
Cabinet Member Person Specification.....	232
Chair of the Council Person Specification (Mayor).....	233
Chair of Regulatory Committee Person Specification	234
Regulatory Committee Member Person Specification.....	234
Scrutiny Chair Person Specification.....	235
Scrutiny Member Person Specification	236
Leader of the Opposition Person Specification	237
Member Champion Person Specification.....	238

CONSTITUTION

SECTION 1

1. INTRODUCTION

1.1 Purpose and Content of the Constitution

- 1.1.1 The Constitution describes the various bodies that make up the Council, their functions, Membership and procedural rules.
- 1.1.2 In Section 3 (Getting Information and Getting Involved) we have provided information for members of the public and Councillors on how you can get information about the Council, and how you can get involved. We hope that this will help people who have an interest in the Council's work, or a particular matter it is dealing with, understand where they can get more information, and how they can contribute to Council activities.
- 1.1.3 You can get a better understanding of what each of the Council's bodies do in Sections 4 to 10 of this Constitution, including Full Council, Cabinet, Overview and Scrutiny Committees, Standards Committee and Regulatory Committees. Section 12 provides information on the management and Officer structures of the Council. Some Officers have a specific duty to ensure that the Council operates within the law and uses resources wisely. Responsibility for functions at Section 14 says which Council bodies, and which Officers, have authority to make which decisions.
- 1.1.4 The procedural rules that apply to the different Council bodies are contained in the sections relating to those bodies, eg Full Council (Section 4), the Cabinet (Section 5) and Overview and Scrutiny (Section 7). You may find these useful if you want to attend a meeting, particularly if you want to be able to ask questions, have a matter discussed, or put your point of view.
- 1.1.5 Sections **Error! Reference source not found.** to 0 have the Codes of Conduct and Protocols which Officers and Members have agreed to comply with. They set the standards of behaviour.
- 1.1.6 The Contents pages at the beginning of this Constitution provide a guide on what is in the Constitution and where you can find it.

1.2 How the Council Operates

- 1.2.1 The Council is comprised of 51 Councillors elected every four years. Each Councillor is democratically accountable to the residents of their electoral division as well as all of those who live in the County Borough of Bridgend. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those that did not vote for them.
- 1.2.2 All Councillors have agreed to follow a Code of Conduct, to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising on the Code of Conduct.

- 1.2.3 All Councillors meet together regularly as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall Policy Framework and set the Budget each year. The Council appoints the Leader of the Council at the annual meeting. The Leader then decides the size and Membership of the Cabinet i.e the role of individual Members of the Cabinet and arrangements for the exercise and delegation of Executive Functions. The Cabinet is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by Law or under this Constitution, together with making decisions within the Budget and Policy Framework set by the Council.

If you need any further help please do not hesitate to contact us at: talktous@bridgend.gov.uk

Whilst the Constitution is very long we hope that you will find it easy to use. We have spent a lot of time trying to make it as easy to follow as is possible with such a long and complex legal document.

You may find it helpful to read this Constitution in conjunction with the Constitution Guide, which is available on the Council's website.

SECTION 2

2. PURPOSE, DEFINITION INTERPRETATION AND AMENDMENT OF THE CONSTITUTION

2.1 Purpose of the Constitution

The purpose of the Constitution is to:

- 2.1.1 enable the Council to provide clear leadership to the Community in partnership with citizens, businesses and other organisations;
- 2.1.2 support the active involvement of citizens in the process of local authority decision making;
- 2.1.3 help Councillors represent their constituents more effectively;
- 2.1.4 enable decisions to be taken efficiently and effectively;
- 2.1.5 create a powerful and effective means of holding decision makers to public account;
- 2.1.6 ensure that no one will scrutinise a decision in which they are directly involved;
- 2.1.7 ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- 2.1.8 provide a means of improving the delivery of services to the community.

2.2 Definitions in the Constitution

- 2.2.1 The Constitution of the Council is this document (Sections 1 to 0).
- 2.2.2 Within the Constitution the following words and phrases have the meaning set out below:

“Budget”	the overall revenue and capital budget approved by Full Council (Section 4);
“Chief Executive”	an Officer who must be appointed by law to carry out certain functions. See Section 12 for more details;
“Chief Officer”	any Officer (other than a person whose duties are solely secretarial or administrative or whose duties are otherwise in the nature of support services) who: <ul style="list-style-type: none">• reports directly to the Chief Executive in respect of all or most of his/her duties; or• the Chief Executive is directly responsible for;
“Constitution Guide”	a document which explains, in ordinary language, the content of this constitution, published by the Council in accordance with section 37 of the Local Government Act 2000;

“Corporate Joint Committee”	corporate bodies, established via regulation, comprising specified principal councils in Wales, for the purpose of enabling strategic planning and delivery at a regional scale. See section 11 for details of the Corporate Joint Committee that the Council is a member of, and the functions that the Corporate Joint Committee will perform;
“Corporate Team”	the senior management body for Officers (Section 12). It includes those Officers designated by the Chief Executive from time to time as Members of the Corporate Team;
“Councillor”	a person elected to the Council to represent an area (called an electoral division) within Bridgend County Borough Council;
“Data Protection Legislation”	the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and all other laws relating to the use, protection and privacy of personal data;
“Deputy Chief Officer”	any Officer (other than a person whose duties are solely secretarial or administrative or whose duties are otherwise in the nature of support services) who reports directly to a Chief Officer in respect of all or most of his/her duties;
“Executive”	the Cabinet or a Member or Members of the Cabinet when exercising Executive Functions;
“Executive Decision”	any decision taken by the Cabinet to exercise or refrain from exercising an Executive Function. It also includes decisions made by persons or Member bodies to whom the Cabinet has delegated Executive Functions to exercise or refrain exercising those functions;
“Executive Function”	<p>(a) Executive Functions are defined by the Local Government Act 2000, subsidiary legislation and associated guidance. Any function that is not exercisable only by Full Council or delegated to another Member body is an Executive Function.</p> <p>(b) Contractual matters, the acquisition and disposal of land and financial support to organisations and individuals are also Executive Functions.</p> <p>It should be noted that Regulatory functions such as planning licensing and building control, are not Executive Functions;</p>
“Forward Work Programme”	the Forward Work Programme is a document which lists all of the decisions that the Council and the Cabinet intend to take and what business the Overview and Scrutiny Committees will be considering and when

	those matters will be discussed. This does not prevent urgent or unforeseen matters being considered;
“Full Council”	the body where all Councillors act to exercise functions of the Council;
“Local Choice Functions”	there are some functions which the Council may treat as being the responsibility of the Cabinet (in whole or in part) or as being non-executive, at its discretion;
“Local Government (Wales) Measure 2011”	referred to as “The Measure”. Legislation introduced, inter alia, to strengthen local democracy, deal with changes to executive arrangements, overview and scrutiny, county councils and Member payments;
“Member”	either a Councillor or a person chosen by the Council to serve on one of its Member Bodies (called “a Co-Opted Member”);
“Member Body”	any of the following: <ul style="list-style-type: none"> • Full Council; • Cabinet ; • an Overview and Scrutiny Committee; • Licensing Committee; • Standards Committee; • Development Control Committee; • Appeals Panel; • Governance and Audit Committee; • Democratic Services Committee; <p>Note - references to Committee also includes Sub-Committee;</p>
“Monitoring Officer”	an Officer who must be appointed by law to carry out certain functions. See Section 12 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 12 for which Officer is the Monitoring Officer;
“Non-Executive Functions”	any function which may only be exercised by Full Council (whether by local choice or as a matter of law) or which is delegated to a Member Body other than the Cabinet;
“Petition Scheme”	a scheme prepared and published pursuant to section 42 of the Local Government and Elections (Wales) Act

2021 (and reviewed from time to time) for the purpose of setting out: -

- how a petition may be submitted to the Council;
- how and when the Council will acknowledge receipt of a petition;
- the steps the Council will take in response to a petition received by it;
- the circumstances (in any) in which the Council may take no further action in response to a petition; and
- how any by when the Council will make available its response to a petition to the person who submitted the petition and to the public.

“Planning Application”

any of the following:

- application for planning permission (including renewal);
- application for approval of reserved matters;
- application for listed building consent;
- application relating to trees;
- proposal to serve an urgent works notice or acquire a listed building in need of repair;
- application for conservation area consent;
- application for advertisement consent;
- application to vary or remove conditions on a planning condition;

“Policy Framework”

See Section 4.2;

“Public Services Board”

the public services board established for the Council’s local authority area under Part 4 of the Well-being of Future Generations (Wales) Act 2015;

“Section 151 Officer”

an Officer who must be appointed by law to carry out certain functions in relation to financial administration. See Section 12 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 12 for which Officer is the Section 151 Officer;

“Service”

one of the services provided by the Council;

“Single Integrated Plan (SIP)”

this is the single plan for the area that reflects the needs of the local population. The SIP builds on and brings together in one document the joint work previously developed through the Community Plan, as well as the Community Safety, Children and Young Peoples and the Health Social Core and Wellbeing Partnership Plan.

2.3 **Interpretation of the Constitution**

- 2.3.1 We have tried to make the Constitution as clear and as easy to understand as possible. Inevitably, people will have different views about what certain passages mean.
- 2.3.2 During meetings, the person chairing or presiding at the meeting may interpret the relevant procedure rules.
- 2.3.3 In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution.

2.4 **Duty to Monitor and Review the Constitution**

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The Section 151 Officer shall be responsible for keeping under review the Financial Procedure Rules set out in Section 0 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. He/she shall report any amendments made to Section 0 to the next available Council meeting for noting.

2.5 **Protocol for Monitoring and Review of Constitution by Monitoring Officer**

A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in this Section. In undertaking this task, the Monitoring Officer may:

- 2.5.1 observe meetings of different parts of the Member and Officer structure;
- 2.5.2 undertake an audit trail of a sample of decisions;
- 2.5.3 record and analyse issues raised with him/her by Members, Officers, the public and other relevant stakeholders; and,
- 2.5.4 compare practices in this Council with those in comparable authorities, or national examples of best practice.

2.6 **Changes to the Constitution**

2.6.1 Approval

Subject to paragraphs 2.6.2 and 2.6.3 below, changes to the Constitution will only be approved by the Full Council after consideration of a proposal by the Monitoring Officer or on the recommendation of the Cabinet.

2.6.2 Minor Changes

If, in the reasonable opinion of the Monitoring Officer, a change is:

- (a) a minor variation; or
- (b) required to be made to remove any inconsistency, ambiguity or typographical correction; or
- (c) required to be made so as to put into effect any decision of the Council or its committees or the Cabinet,

in which case the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect. Such changes shall be reported to the next Full Council meeting for information.

2.6.3 Legislative Change

Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer so decides or the legislation (where relevant) so provides. Such changes shall be reported to the next Full Council meeting for information.

2.7 Suspension of the Constitution

2.7.1 Limit to Suspension

Any of the procedure rules contained in the Constitution may be suspended to the extent permitted within these rules and the law.

2.7.2 Procedure to Suspend

A motion to suspend any Rules will not be moved without notice unless at least one half of the whole number of Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in this Section.

2.8 Publication

- 2.8.1 The Monitoring Officer will ensure that copies of this Constitution are available for inspection at Council offices and on the Council's website.
- 2.8.2 The Monitoring Officer will ensure that copies of the Constitution Guide are available for inspection at Council offices and on the Council's website.
- 2.8.3 The Monitoring Officer will give an electronic copy of this Constitution to each Member of the Council upon delivery to him/her of that individual's declaration of acceptance of office on the Member first being elected to the Council and thereafter ensure that an up to date version is available for inspection and published on the Council's website.
- 2.8.4 The Monitoring Officer will ensure that the Constitution is updated as necessary in accordance with paragraph 2.6.

SECTION 3

3. GETTING INFORMATION AND GETTING INVOLVED

3.1 Getting Information

3.1.1 Information Available to Members of the Public

(a) *When Meetings of the Member Bodies Will Take Place*

A programme of meetings is available by contacting the Council direct or via the website.

(b) *Forward Work Programme*

From the Forward Work Programme, see what decisions will be taken by the Cabinet or Council and what issues the Overview and Scrutiny Committees will be considering and when these matters will be discussed.

(c) *Information Available Prior to a Meeting*

At least three clear days before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection at the offices of the Council and on the website. If an item is added to the agenda later, the revised agenda will be open to inspection from the time when the item is added to the agenda and any report will be made available to the public as soon as it is available and sent to Councillors.

(d) *Information Available at a Meeting*

The Council will make available to members of the public who are physically present at a meeting a reasonable number of copies of the agenda and of the reports for the meeting (save during any part of the meeting to which the public are excluded).

(e) *Information Available After a Meeting*

For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.

(f) *Council's Accounts*

The Public may inspect the Council's accounts and make their views known to the external auditor (sections 29 and 30 Public Audit (Wales) Act 2004). Under the Accounts and Audit (Wales) Regulations 2011, the accounts will be available for public inspection for twenty working days after the date appointed by the auditor.

Information which is confidential or exempt (as defined in paragraphs 15.10.3 and 15.10.4) will not be disclosed to members of the public at any time.

3.1.2 Information Available to Members of the Council

(a) Members can see any information, which is available to a member of the public.

- (b) In addition, a Member may see any information which he or she needs to know in order to fulfil his or her role as a Member of the Council (otherwise known as “need to know”). A Member will not make public information which is confidential or exempt (as defined in Section 15) without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or person(s) or organisation(s) entitled to know it.

3.1.3 Members of an Overview and Scrutiny Committee

A Member of an Overview and Scrutiny Committee may also see any document containing material relating to:

- (a) any business transacted at a meeting of the Cabinet;
- (b) any decision taken by an individual Member of the Cabinet.

An Overview and Scrutiny Committee Member is not be entitled to:

- (c) any document in draft form;
- (d) any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and which is included in the Committee’s Forward Work Programme.

No Member is entitled to see any information relating to a matter in which he or she has a prejudicial interest.

3.1.4 Information Available to Officers

The Monitoring Officer, the Section 151 Officer and the Chief Executive may see any papers or records held by any part of the Council or its Officers. Other Officers may see any information held by the Council provided:

- (a) they need to see the information to do their job; and
- (b) that information is processed lawfully in accordance with the Data Protection Legislation.

3.2 **Getting Involved**

3.2.1 The Council must encourage local people to participate in the making of decisions by the Council. See the Council’s public participation strategy for more information.

3.2.2 Members of the Public

Members of the public can get involved in the following ways:

- (a) *Voting for Councillors*

If they are over 16 years and registered as a local elector with the Council.

- (b) *Suggesting Items of Business for Meetings*

A member of the public can seek to get a matter included in an agenda by:

- (i) asking the Chair of any Member Body to add an item to the agenda; and/or
- (ii) attending a meeting of the body and suggesting that it looks at an issue when it is considering “items of future business relating to the functions of the Member Body”.

(c) *Submitting Petitions*

A member of the public can seek to raise a matter with the Council by submitting a petition in accordance with the Council’s Petition Scheme.

(d) *Taking Part in Meetings*

- (i) Members of the public can come to and speak at any meeting which the Council has resolved should include participation by members of the public. The rules on when you may speak and for how long are contained in Section 4.
- (ii) You can also ask formal questions at meetings of Full Council (Section 4).

(e) *Views of the Public*

Under the arrangements put in place by the Council under section 62 of the Local Government (Wales) Measure 2011, members of the public may bring to the attention of the relevant Overview and Scrutiny Committee their views on any matter under consideration by the relevant Committee. The relevant Overview and Scrutiny Committee must take into account any views brought to their attention under these arrangements.

(f) *When are Meetings Open to the Public?*

Meetings will be open to the public wherever possible. The public must be excluded from meetings whenever it is likely that confidential information will be disclosed. The public may be excluded from meetings where it is likely that exempt information will be disclosed. (See section 15.10 for definition of exempt information and section 15.11 for definition of public interest.)

(g) *Making Comments/Complaints*

- (i) A member of the public may comment or complain about Council services by:
 - (A) contacting their local Councillor;
 - (B) contacting the Member of the Cabinet responsible for the service;
 - (C) contacting the Officer responsible for delivering the service or their manager;
 - (D) using the Council’s complaints procedure;

(E) contacting the Public Services Ombudsman for Wales at 1 Ffordd Yr Hen Gae, Pencoed, CF35 5LJ. Telephone: 0300 790 0203 or via the website: www.ombudsman.wales.

(ii) Comments or complaints can be made about an Officer or Member by:

(A) *Officer*

Contacting the Officer or the Officer's manager.

(B) *Members*

If the complaint is against a Member, then the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales (contact details above).

3.3 **Getting Involved – Members**

Members can get involved by:

3.3.1 **Suggesting Items of Business for the Agenda**

As a Member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following rights:

(a) Member bodies in Column A can request that Member bodies in Column B consider or reconsider an issue.

Column A	Column B
Overview and Scrutiny Committees	Cabinet

(b) Any Member can submit a notice of motion to Council (Section 4) and also ask questions (Section 4).

3.3.2 **Participating in Meetings**

Members of the Council are entitled to attend any formal meeting of the Council, its committees or sub-committees or the Cabinet.

(a) Members of the Council may attend and speak at any meetings where they are a Member of that body. Where they are not a Member of that body, their attendance and right to speak is at the discretion of the Chair of the body.

(b) Members of the Cabinet have a special role to play within the Council. They are entitled to exercise any Executive Function provided the Executive Function has been delegated to them by the Leader of the Council.

3.3.3 **Comments and Complaints**

(a) Members may comment, subject to restrictions in the Code of Conduct for Members on any aspect of Council business by:

- (i) talking to Officers;
- (ii) talking to the Leader or Members of the Cabinet;
- (iii) talking to the Chair of an Overview and Scrutiny Committee.

(b) If a Member wishes to complain about an:

- (i) Officer

The procedure set out in the Protocol on Member/Officer Relations may be used.

- (ii) Member

The procedure set out in Appendix 3 to Section **Error! Reference source not found.** may be followed.

SECTION 4

4. FULL COUNCIL

4.1 Introduction

The Full Council is a formal meeting of all Councillors. The Full Council is required by law to take certain important decisions including setting the Council's Budget and council tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions not the responsibility of the Cabinet. It will carry out some functions itself, but others will be delegated to Committees or named Officers.

4.2 The Policy Framework

The Policy Framework means the plans, schemes and strategies not to be the sole responsibility of the Executive in accordance with current legislation.

4.3 The Single Integrated Plan

This replaces four of the existing plans and strategies which formed part of the Policy Framework, namely the Community Strategy, the Children and Young People's Plan, the Health, Social Care and Wellbeing Strategy and the Community Safety Partnership Plan.

4.4 The Budget

The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See Section 16 for how the Council can change the Policy Framework or Budget referred to it for approval by the Cabinet.)

4.5 Housing Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Welsh Ministers for approval of a programme of disposal of land used for residential purposes where approval is required under section 32 or 43 of the Housing Act 1985.

4.6 Functions of the Full Council

Only the Full Council will exercise the following functions:

- 4.6.1 adopting and changing the Constitution;
- 4.6.2 approving or adopting the Single Integrated Plan, Policy Framework, the Budget and any application to the Welsh Ministers in respect of any Housing Land Transfer;
- 4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 15 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a

manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the Budget;

- 4.6.4 appointing and removing the Leader;
- 4.6.5 agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;
- 4.6.6 performing the corporate joint committee functions set out in Section 11 of this Constitution, including the making of a corporate joint committee application and the giving of consent to corporate joint committee regulations being made;
- 4.6.7 changing the name of the area or conferring the title of freedom of the Borough;
- 4.6.8 making or confirming the appointment of the Chief Executive; and other Chief Officers;
- 4.6.9 making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills;
- 4.6.10 all Local Choice Functions set out in Section 14 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- 4.6.11 all matters which by law must be reserved to the Council. For example, appointing the Chair of the Democratic Services Committee, approving the appointment or dismissal of the Chief Executive, determining the level (and any change in the level) of remuneration to be paid to a Chief Officer and approving the pay policy statement;
- 4.6.12 appointing representatives to outside bodies unless the appointment has been delegated by the Council;
- 4.6.13 approving, reviewing and amending the Council's Petition Scheme;
- 4.6.14 consulting local people, other persons carrying on a business in the Council's area, the officers of the Council and every trade union which is recognised by the Council about the extent to which the Council is meeting its performance requirements;
- 4.6.15 preparing an annual report on the extent to which the Council has met its performance requirements;
- 4.6.16 making arrangements for a panel performance assessment and responding to the panel's report;
- 4.6.17 reviewing, approving and amending the Council's wellbeing objectives in accordance with section 9 of the Well-being of Future Generations (Wales) Act 2015 and the accompanying statutory guidance issued by the Welsh Government;
- 4.6.18 considering Chief Executive reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021, within 3 months of them being made;

4.6.19 considering annual reports received from the Standards Committee, within 3 months of them being made; and

4.6.20 keeping under review the extent to which:

- (a) it is exercising its functions effectively;
- (b) using its resources economically, efficiently and effectively; and
- (c) its governance arrangements are effective for securing the matters set out in a) and b) above.

4.7 **Membership**

4.7.1 All Members of the Council shall be Members of Full Council.

4.7.2 Substitution is not possible at meetings of the Council.

4.7.3 **Chairing the Council**

- (a) The Councillor elected annually by the Council as its chair will be called the "Mayor".
- (b) The Mayor will cease to be Mayor if they resign, are dismissed by a vote of Full Council, cease to be a Member of the Council, or are unable to act as a Member of the Council. They continue to act as Mayor after an election until their successor has been appointed.

4.7.4 **Role and Function of the Mayor**

The Mayor of the Council and in his/her absence, the Deputy Mayor will have the following roles and functions:

(a) *Ceremonial Role*

The Mayor of the Council:

- (i) is the civic leader of Bridgend County Borough Council;
- (ii) promotes the interests and reputation of the Council and Bridgend County Borough as a whole and acts as an ambassador for both; and
- (iii) undertakes civic, community and ceremonial activities and fosters community identity and pride.

(b) *Responsibilities of the Mayor*

- (i) to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;
- (ii) to preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors and the interests of the community;
- (iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members

who are not on the Cabinet are able to hold the Cabinet and Committee Chair to account;

- (iv) to promote public involvement in the Council's activities;
- (v) to be the conscience of the Council; and
- (vi) to attend such civic and ceremonial functions as the Council and he/she determines appropriate;

4.8 **Council Meetings**

There are three types of Council meeting:

- 4.8.1 the annual meeting;
- 4.8.2 ordinary meetings; and
- 4.8.3 extraordinary meetings.

4.9 **Rules of Procedure and Debate**

The Council Procedure Rules contained in the Sections below will apply to meetings of the Full Council.

4.10 **Council Procedure Rules – Annual Meeting of the Council**

4.10.1 **Timing and Business**

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in May. The annual meeting will:

- (a) elect a person to preside if the Mayor and Deputy Mayor of the Council is not present;
- (b) elect the Mayor of the Council;
- (c) elect the Deputy Mayor of the Council;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Mayor and/or the Chief Executive;
- (f) Elect the Leader of the Council;
- (g) to agree the number of Members to be appointed to the Cabinet;
- (h) the Leader to inform Council of the number of Members to be appointed to the Cabinet and announce the Deputy Leader from those Members appointed to the Cabinet and Members to portfolio;
- (i) appoint the Overview and Scrutiny Committees, a Standards Committee and such other committees and sub-committees as the Council considers

appropriate to deal with matters which are neither reserved to the Council nor are Executive Functions (as set out in Section 14 of this Constitution);

- (j) agree the scheme of delegations or such part of it as the Constitution determines it is for the Council to agree (as set out in Section 14 of this Constitution);
- (k) approve a programme of ordinary meetings of the Council for the year; and
- (l) consider any business set out in the notice convening the meeting.

4.10.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council meeting will:

- (a) decide which committees and sub-committees to establish for the municipal year;
- (b) decide the size and terms of reference for those committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) make appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

4.11 Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. The order of business at ordinary meetings will be as follows:

- 4.11.1 elect a person to preside and exercise the powers of the Mayor at the meeting if the Mayor and Deputy Mayor are not present;
- 4.11.2 approve the minutes of the last meeting;
- 4.11.3 receive any declarations of interest from Members;
- 4.11.4 receive any announcements from the Mayor, Chief Executive, the Leader or any Members of the Cabinet;
- 4.11.5 receive a report from the Leader and receive questions and answers on the report;
- 4.11.6 receive a report from the Cabinet and receive questions and answers on the report;
- 4.11.7 receive reports from the Council's committees and receive questions and answers on those reports;
- 4.11.8 receive reports about and receive questions and answers on the business of joint arrangements and external organisations;

- 4.11.9 consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework, Single Integrated Plan and reports of the Overview and Scrutiny Committee;
- 4.11.10 consider motions; and
- 4.11.11 deal with questions from Members in accordance with Rule 4.19;
- 4.11.12 receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Mayor are relevant to the business of the meeting.

4.12 **Extraordinary Meetings**

4.12.1 Calling Extraordinary Meetings

The Monitoring Officer may call Council meetings in addition to ordinary meetings. Those listed below may request the Monitoring Officer to call additional Council meetings:

- (a) the Council by resolution;
- (b) the Mayor of the Council;
- (c) the Chief Executive;
- (d) the Section 151 Officer;
- (e) any five Members of the Council if they have signed a requisition presented to the Mayor of the Council and he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.12.2 Business

The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc, except that the Mayor may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.13 **Time, Place and Duration of Meetings**

4.13.1 Time and Place of Meetings

- (a) The time and place of meetings will be determined by the Monitoring Officer and notified in the summons.
- (b) Where the meeting is to be conducted in accordance with the Council's arrangements for multi-location meetings, the summons will also include details of how to access the meeting by remote means.

4.14 **Notice of and Summons to Meetings**

The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 15. At least three

clear days before a meeting, the Monitoring Officer will send a summons signed by him/her to every Member of the Council. The summons will give the date, time and place of each meeting and, where meetings are conducted in accordance with the Council's arrangements for multi-locations meetings, details of how to access the meeting by remote means. The summons will also specify the business to be transacted and will be accompanied by such reports as are available.

4.15 **Chair of Meeting**

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to committee and sub-committee meetings, references to the Mayor should instead be read as references to the chair of that committee or sub-committee.

4.16 **Quorum**

- 4.16.1 The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Mayor counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.17 **Remote Attendance**

- 4.17.1 Members will be regarded as present at a meeting where they attend that meeting by remote means in accordance with the Council's arrangements for multi-location meetings providing that they can speak to, hear and be heard by, other attendees at the meeting.
- 4.17.2 For the purposes of section 4.17.1, attendance "by remote means" means attendance in a different physical location to that of other participants and participating through an online meeting platform.

4.18 **Questions by the Public**

4.18.1 **General**

- (a) Members of the public may ask questions of Members of the Cabinet at ordinary meetings of the Council other than the first ordinary meeting following the annual meeting in a year of ordinary elections of councillors to the Council.
- (b) The total time allocated for questions by the public should be limited to thirty minutes.

4.18.2 **Order of Questions**

Questions will be asked in the order notice of them was received, except that the Mayor may group together similar questions.

4.18.3 **Notice of Questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday ten working

days before the day of the meeting. Each question must give the name and address of the questioner.

4.18.4 Number of Questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

4.18.5 Scope of Questions

The Monitoring Officer may reject a question if it:

- (a) is not about a matter for which the Council has a responsibility, or which affects the County Borough;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (d) requires the disclosure of confidential or exempt information.

4.18.6 Record of Questions

- (a) The Monitoring Officer will keep a record of each question in a form that enables them to be made available for public inspection and will immediately send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection.
- (b) Copies of all questions will be circulated to all Councillors and will be made available to the public attending the meeting.

4.18.7 Asking the Question at the Meeting

The Mayor will invite the questioner to put the question to the Councillor named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

4.18.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds set out in Rule 4.18.5 above.

4.18.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Councillor to whom it was to be put, will be dealt with by a written answer.

4.18.10 Reference of Question to the Cabinet or a Committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

4.19 Questions by Members

4.19.1 On Reports of the Cabinet or Committees

A Member of the Council may ask the Leader or the Chair of a Committee any question without notice directly arising from an item of the report of the Cabinet or a Committee, when that item is being received or is under consideration by the Council.

4.19.2 Questions on Notice at Full Council

Except at the annual meeting or the allocated budget meeting, and subject to Rule 4.19.4, a Member of the Council may ask:

- (a) the Mayor;
- (b) a Member of the Cabinet;
- (c) the chair of any committee or sub-committee;

a question on any matter in relation to which the Council has powers or duties or which affects the County Borough of Bridgend, as an item of business after the consideration of reports.

4.19.3 Questions on Notice at Committees and Sub-Committees

Subject to Rule 4.19.4, a Member of a committee or sub-committee may ask the chair of it a question on any matter in relation to which the Council has powers or duties or which affects the County Borough and which falls within the terms of reference of that committee or sub-committee, as an item of business prior to any reports.

4.19.4 Notice of Questions

A Member may ask a question under Rule 4.19.2 or 4.19.3 if either:

- (a) they have given at least ten clear working days' notice in writing of the question to the Monitoring Officer; or
- (b) the question relates to urgent matters, they have the consent of the Mayor or Member to whom the question is to be put and the content of the question is given to the Monitoring Officer by 10:00am on the day of the meeting in the case of an afternoon meeting or by 1:00pm on the working day preceding the day of the meeting in the case of a morning meeting.

4.19.5 Maximum Number of Questions

A Member may ask only one question under Rule 4.19.2 or 4.19.3 except with the consent of the Mayor of the Council, committee or sub-committee.

4.19.6 Order of Questions

Questions of which notice has been given under Rule 4.19.2 or 4.19.3 will be listed on the agenda in the order determined by the Mayor of the Council, committee or sub-committee.

4.19.7 Content of Questions

Questions under Rule 4.19.2 or 4.19.3 must, in the opinion of the Mayor:

- (a) contain no expressions of opinion;
- (b) relate to matters on which the Council has or may determine a policy;
- (c) not relate to questions of fact.

4.19.8 Response

An answer may take the form of:

- (a) a direct oral answer at the meeting;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated within ten working days to the questioner.

4.19.9 Supplementary Question

A Member asking a question under Rule 4.19.2 or 4.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

4.19.10 Length of Speeches

A Member asking a question under Rule 4.19.2 or 4.19.3 and a Member answering such a question may speak for no longer than three minutes unless the Mayor consents to a longer period.

4.19.11 Time Allowed for Questions at Council Meetings

- (a) The time allowed for consideration of questions submitted under Rule 4.19.2 shall not, without the consent of the Council, exceed thirty minutes.
- (b) Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

4.20 Motions on Notice

4.20.1 Notice

Except for motions which can be moved without notice under Rule 4.21 and in cases of urgency, written notice of every motion, must be delivered to the Monitoring Officer no later than 10:00am on the tenth working day before the

Council meeting at which it is to be considered. Motions received will be kept in a form that enables them to be made available for public inspection.

4.20.2 Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

4.20.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the County Borough.

4.20.4 Motion to Remove the Leader

- (a) A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of councillors which is at least equivalent to 15% of the total number of councillors on the Council and which includes councillors from at least two political groups. See Section 6.3.2.
- (b) In order for such a motion to be carried it must have the support of at least two thirds of those Members voting and present at the time the question was put.
- (c) A motion to remove the Leader cannot be moved more than once in any rolling twelve month period.

4.20.5 One Motion per Member

No Member may give notice of more than one motion for any Council meeting, except with the consent of the Mayor.

4.20.6 Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Council, exceed thirty minutes. At the conclusion of the speech being delivered at the expiry of five minutes (or such longer period to which the Council has consented) from the commencement of the Council's consideration of the first such motion, the Mayor shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

- (a) if the speech to be concluded is a speech proposing a motion, the Mayor shall allow the motion to be formally seconded (without comment);
- (b) if the speech to be concluded is a speech moving an amendment, the Mayor shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his right of reply; and
- (c) otherwise, the Mayor shall allow the mover of the motion to exercise his right of reply.

Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Council and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

4.21 **Motions without Notice**

The following motions may be moved without notice:

- 4.21.1 to appoint a Chair of the meeting at which the motion is moved;
- 4.21.2 in relation to the accuracy of the minutes;
- 4.21.3 to change the order of business in the agenda;
- 4.21.4 to refer something to an appropriate body or individual;
- 4.21.5 to appoint a committee or Member arising from an item on the summons for the meeting;
- 4.21.6 to receive reports or adoption of recommendations of committees or Officers and any resolutions following from them;
- 4.21.7 to withdraw a motion;
- 4.21.8 to amend a motion;
- 4.21.9 to proceed to the next business;
- 4.21.10 that the question be now put;
- 4.21.11 to adjourn a debate;
- 4.21.12 to adjourn a meeting;
- 4.21.13 to suspend a particular Council Procedure Rule;
- 4.21.14 to exclude the public and press in accordance with the Access to Information Procedure Rules;
- 4.21.15 to not hear further a Member named under Rule 4.29.3 or to exclude them from the meeting under Rule 4.29.4; and
- 4.21.16 to give the consent of the Council where its consent is required by this Constitution.

4.22 **Rules of Debate**

4.22.1 **No Speeches until Motion Seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

4.22.2 **Right to Require Motion in Writing**

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him before it is discussed.

4.22.3 Secunder's Speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

4.22.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order and no speech may exceed five minutes without the consent of the Mayor.

4.22.5 When a Member may Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he last spoke;
- (c) if his first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

4.22.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add wordsas long as the effect of 4.22.6(a)(ii) to 4.22.6(a)(iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been decided.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.

- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.22.7 Alteration of Motion

- (a) A Member may alter a motion of which he has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

4.22.8 Withdrawal of Motion

A Member may withdraw a motion which he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

4.22.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his amendment.

4.22.10 Motions which may be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;

- (g) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- (h) to not hear further a Member named under Rule 4.29.3 or to exclude them from the meeting under Rule 4.29.4.

4.22.11 Closure Motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member;
 - (i) to proceed to the next business;
 - (ii) to act that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he will put the procedural motion to the vote. If it is passed, he will give the mover of the original motion a right of reply before putting his motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.22.12 Point of Order

A point of order is a request from a Member to the Mayor to rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the Rule or law and the way in which he considers it has been broken. The ruling of the Mayor on the matter will be final.

4.22.13 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

4.23 **State of the County Borough Debate**

4.23.1 Calling of Debate

If called, a County Borough debate can be held quarterly on a date and in a form to be agreed with the Mayor.

4.23.2 Form of Debate

The Leader and Leaders of the political groups will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. Democratic Services should be notified of the topic and relevant invitees four weeks in advance of the proposed meeting.

4.23.3 Chairing of Debate

The debate will be Chaired by the Mayor.

4.23.4 Results of Debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area which work in active partnership with the Council and considered by the Leader in proposing the Budget and Policy Framework to the Council for the coming year.

4.24 **Previous Decisions and Motions**

4.24.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least five Members, except in the case of new information becoming available.

4.24.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least five Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.25 **Voting**

4.25.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present at the time the question was put.

4.25.2 Mayor's Casting Vote

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

4.25.3 Method of Voting

Unless a recorded vote is demanded under Rule 4.25.4 the Mayor will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

4.25.4 Recorded Vote

If a Member present at the meeting demands it and it is seconded, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

4.25.5 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

4.25.6 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person. The Mayor's casting vote will not apply.

4.26 **Minutes**

4.26.1 Signing the Minutes

The Mayor will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

4.26.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

4.26.3 Form of Minutes

Minutes will contain all motions and amendments in the form and order the Mayor put them.

4.27 **Record of Attendance**

All Members physically present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance. All Members attending a meeting by remote means must confirm their attendance to Democratic Services before the conclusion of every meeting.

4.28 **Exclusion of Public**

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 15 of this Constitution or Rule 4.30 (Disturbance by Public).

4.29 **Members' Conduct**

4.29.1 **Speaking at Meetings**

When a Member speaks at Full Council he/she must address the meeting through the Mayor. If more than one Member signifies their intention to speak, the Mayor will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

4.29.2 **Mayor Speaking**

When the Mayor speaks during a debate, any Member speaking at the time must stop.

4.29.3 **Member not to be Heard Further**

If a Member persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

4.29.4 **Member to Leave the Meeting**

If the Member continues to behave improperly after such a motion is carried, the Mayor may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

4.29.5 **General Disturbance**

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he / she thinks necessary.

4.30 **Disturbance by Public**

4.30.1 **Removal of Member of the Public**

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room or their removal from the online platform by which they are accessing the meeting from another location.

4.30.2 **Clearance of Part of Meeting Room**

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

4.30.3 Clearance of Online Meeting Platform

If there is a general disturbance on the online meeting platform, the Mayor may call for the online meeting platform to be temporarily suspended.

4.31 **Filming and Use of Social Media During Meetings**

Filming and use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting.

4.32 **Electronic Broadcasts of Meetings**

Ordinary meetings of the Council will be broadcast live electronically on the Council's website so that members of the public not in attendance at the meeting can see and hear the proceedings. Copies of the meeting will be available for six months after the meeting.

4.33 **Suspension and Amendment of Council Procedure Rules**

4.33.1 Suspension

All of these Council Rules of Procedure except Rule 4.20.5, 4.25.5 and 4.26.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting. Rule 4.20.5 can only be suspended by motion on notice and the motion must have the support of at least two thirds of those Members present and voting.

4.33.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

4.34 **Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of Full Council. None of the rules apply to meetings of the Cabinet. Only Rules 4.13 to 4.16, 4.19 to 4.22, 4.24 to 4.34 (but not Rule 4.29.1) apply to meetings of committees and sub-committees.

SECTION 5

5. THE CABINET

5.1 Introduction

The Cabinet is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by Law or under this Constitution.

5.2 Form and Composition of the Cabinet

The Cabinet will consist of:

5.2.1 the Leader of the Council (the "Leader"); and

5.2.2 at least two but not more than nine other Councillors appointed to the Cabinet by the Leader subject to the provisions outlined at 5.13.

5.3 Leader

5.3.1 Election

The Leader will be a Councillor elected to the position of Leader by the Council.

5.3.2 Term of Office

The Leader is appointed on an annual basis at the annual meeting of the Council.

5.3.3 Role of the Leader

The Leader will Chair meetings of the Cabinet and determine the portfolios of Members of the Cabinet. Further information is contained in Section 6.

5.4 Deputy Leader

5.4.1 The Leader will appoint a Deputy Leader to act as Leader in the Leader's absence and may also if he/she thinks fit remove the Deputy Leader from Office at any time.

5.4.2 The Deputy Leader may exercise all of the functions of the Leader where the position is vacant or where the Leader is absent or otherwise unable to act.

5.5 Other Cabinet Members

Other Cabinet Members will be Councillors elected to the position of Cabinet Member by the Leader. Each Cabinet Member shall hold office until:

5.5.1 he/she resigns from that office; or

- 5.5.2 he/she is removed from that office by the Leader upon such notice (if any) as the Leader considers appropriate; or
- 5.5.3 he/she ceases to be a Councillor.

The Leader may at any time appoint a Cabinet Member to fill any vacancies.

5.6 **Delegation of Functions**

The Leader may exercise Executive Functions himself/herself or may otherwise make arrangements to delegate responsibility for their discharge. The Leader may delegate Executive Functions to:

- 5.6.1 the Cabinet as a whole;
- 5.6.2 a Committee of the Cabinet (comprising executive Members only);
- 5.6.3 an individual Cabinet Member;
- 5.6.4 a joint committee;
- 5.6.5 another local authority or the executive of another local authority;
- 5.6.6 a delegated Officer.

5.7 **Assistants to the Executive**

- 5.7.1 Other Councillors may, from time to time, be designated by the Leader as Assistants to the Executive. Such Councillors will not be:
 - (a) a Member of the Cabinet
 - (b) The Chairman and Vice-Chairman of the Council
- 5.7.2 Assistants to the Executive will not participate in Executive Decision making, but may work closely with a Cabinet Member. He/she will not be a Member of an Overview and Scrutiny Committee relating to the specific responsibilities of the Cabinet Member he/she is assisting or any other areas to which they are assigned.
- 5.7.3 An Assistant to the Executive may support the Cabinet Member through the delegation of tasks as agreed for his/her area of responsibility, including attending/chairing meetings; speaking/opening events; reading and commenting on papers; meeting Officers; agreeing press releases/comments and carrying out interview; representative the Council on appropriate groups. An Executive Support Member will not, however, have delegated powers and will not be entitled vote at Cabinet Meetings or Cabinet Committee Meetings nor deputise for the Cabinet Member when the Cabinet Member is called to appear at an Overview and Scrutiny Committee.
- 5.7.4 Assistants to the Executive will be entitled to attend, and speak at, any meeting of the Cabinet or a committee of the Cabinet.

5.8 **Rules of Procedure and Debate**

The proceedings of the Cabinet shall take place in accordance with the Executive Procedure Rules in Section 5.10 below.

5.9 **Cabinet Procedure Rules**

5.10 **How does the Cabinet Operate?**

Following the annual meeting the Monitoring Officer, in consultation with the Leader will prepare and submit for approval a Cabinet Scheme of Delegations setting out the delegations of Executive Functions, including, where the principle has been approved as part of the Council's Executive Arrangements the delegated authority of each Member of the Cabinet, and thereafter keep this under review and submit updates to the Scheme as appropriate. In addition, the Leader has powers under s.15(4) of the Local Government Act 2000 to discharge personally or to arrange for discharge under others' delegated powers any Executive functions not covered by the Scheme of Delegations for the time being.

5.10.1 **Sub-Delegation of Executive Functions**

- (a) Where the Cabinet, a committee of the Cabinet or an individual Member of the Cabinet is responsible for an Executive Function, they may delegate further to joint arrangements or an Officer.
- (b) Unless the Leader directs otherwise, a committee of the Cabinet to whom functions have been delegated by the Leader may delegate further to an Officer.
- (c) Where Executive Functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

5.10.2 **Conflicts of Interest**

- (a) Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members
- (b) If any Member of the Cabinet has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members.
- (c) If the exercise of an Executive Function has been delegated to a committee of the Cabinet, an individual Member or an Officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members.

5.10.3 **Cabinet Meetings – When and Where?**

The frequency and timing of meetings of the Cabinet will be determined by the Leader. The Cabinet will meet at the Council's main offices or another location. The Council's arrangements for multi-location meetings apply to meetings of the Cabinet.

5.10.4 Public or Private Meetings of the Cabinet?

The Cabinet will hold its meetings in public, except in the circumstances set out in the Access to Information Procedure Rules in Section 15, for example where confidential or exempt information is being discussed.

5.10.5 Quorum

- (a) The quorum for a meeting of the Cabinet shall be one quarter of the total number of members of the Cabinet or three, whichever is the larger including the Leader or Deputy Leader.
- (b) The quorum for a meeting of a committee of the Cabinet shall be a quarter of the total number of Members of the committee or three, whichever is the larger.

5.10.6 Remote Attendance

- (a) Members will be regarded as present at a meeting of the Cabinet or a committee of the Cabinet where they attend that meeting by remote means in accordance with the Council's arrangements for multi-location meetings providing that they can speak to, and be heard by, other attendees at the meeting.
- (b) For the purposes of section 5.10.8, attendance "by remote means" means attendance in a different physical location to that of other participants and participating through an online meeting platform.

5.10.7 How are Decisions to be Taken by the Cabinet?

- (a) Executive Decisions made by the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in Section 15 of this Constitution.
- (b) Where Executive Decisions are delegated to a committee of the Cabinet, the rules applying to Executive Decisions taken by them shall be the same as those applying to those taken by the Cabinet as a whole.

5.11 How are Cabinet Meetings Conducted?

5.11.1 Who Presides?

The Leader will preside at any meeting of the Cabinet or its committees at which he is present. In his absence, the Deputy Leader will preside. In his/her absence, then a person appointed to do so by those present shall preside.

5.11.2 Who May Attend?

These details are set out in the Access to Information Procedure Rules in Section 15 of this Constitution. See also Section 3 in relation to Member participation in meetings.

5.11.3 What Business?

At each meeting of the Cabinet the following business will be conducted:

- (a) consideration of the minutes of the last meeting;
- (b) declarations of interest, if any;
- (c) matters referred to the Cabinet (whether by Overview and Scrutiny Committees or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Sections 7 and 16 of this Constitution;
- (d) consideration of reports from Overview and Scrutiny Committees;
- (e) consideration of reports from Cabinet Committees;
- (f) reports from Officers of the Authority.

5.11.4 Consultation

All reports to the Cabinet from any Member of the Cabinet or an Officer on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of consultation undertaken with stakeholders and with the Overview and Scrutiny Committees and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

5.11.5 Who can put Items on the Cabinet Agenda?

- (a) The Leader will decide upon the schedule for meetings of the Cabinet. He/she may put any matter on the agenda of any Cabinet meeting whether or not authority has been delegated to the Cabinet, a committee of it or any Member or Officer in respect of that matter.
- (b) Any Member of the Cabinet may require the Monitoring Officer to make sure that an item is placed on the agenda of the next available meeting of the Cabinet for consideration.
- (c) The Chief Executive, the Monitoring Officer and/or the Chief Financial Officer may include an item for consideration on the agenda of a Cabinet meeting and may require that such a meeting be convened in pursuance of their statutory duties.
- (d) In other circumstances, where any two of the Chief Executive, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision they may jointly include an item on the agenda of a Cabinet meeting. If there is no meeting to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be considered at which the matter will be considered.

5.12 Disturbance by the Public, Filming and Use of Social Media

- 5.12.1 The provisions in Council Procedure Rules in Section 4.30 in relation to disturbance by the public apply to meetings of the Cabinet.

5.12.2 The provisions in Council Procedure Rules in Section 4.31 relating to filming and use of social media apply to meetings of the Cabinet.

5.13 Job sharing by Executive Leaders and Executive Members

5.13.1 Any election or appointment to the Cabinet (including the Leader) may include the election of two or more Councillors to share office.

5.13.2 Where two or more Members have been elected or appointed to share the same office on the Cabinet the maximum number of members of the Cabinet, including the Leader, will be:

(a) 12, where at least two of the members have been elected or appointed to share office; or

(b) 13, where at least three of the members have been elected or appointed to share office.

5.13.3 The members of the Cabinet who share the same office will have one vote between them in respect of any matter on which they have a right to vote because they are a member of the Cabinet.

5.13.4 Where any meeting is attended by more than one of the members who share the same office and those members are attending in their capacity as a member of the Cabinet, they together count only as one person for the purpose of determining whether the meeting is quorate.

SECTION 6

6. THE LEADER

6.1 Election

6.1.1 The Leader will be elected by Full Council.

6.1.2 The Leader will usually be elected on an annual basis at the Annual Council meeting. However, where the post of Leader becomes vacant the Leader will be elected at the next meeting of the Full Council.

6.2 Term of Office

The Leader is appointed on an annual basis at the annual meeting of the Council.

6.3 Resignation, Dismissal, Disqualification and Suspension

6.3.1 The Leader may resign the position of Leader by writing to the Mayor.

6.3.2 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rules below.

6.3.3 The Leader shall cease to be Leader if he/she is suspended or disqualified as a Councillor, or, for other such reasons, cannot fulfil the role of Leader.

6.3.4 The Leader will cease to be Leader upon death or upon suffering any disability which will, or is likely to, prevent them from undertaking the role of Leader for a period of three months or more.

6.4 Deputy Leader

6.4.1 Appointment

The Leader may designate one of the Members of the Cabinet as Deputy Leader.

6.4.2 Duties of the Deputy Leader

The Deputy Leader may exercise all the functions of the Leader where the position is vacant or where the Leader is absent or is otherwise unable to act.

6.4.3 Removal from Office

The Leader may, if he/she think fit, remove the Deputy Leader from office at any time.

6.5 Functions and Delegated Authority

6.5.1 Membership of the Cabinet

The Leader appoints and dismisses the Members of the Cabinet subject only to their being a minimum of two, and a maximum of nine, Members of the Cabinet (not counting the Leader) at any time. This number may be increased pursuant to section 5.13.2(b) in the event of a job share to 13.

6.5.2 Role of the Leader

The Leader will chair meetings of the Cabinet and determine the portfolios of Members of the Cabinet.

6.5.3 The Cabinet Scheme of Delegations

The Monitoring Officer, in consultation with the Leader, will prepare and submit for approval a Cabinet Scheme of Delegations setting out the delegations of Executive Functions, including where the principle has been approved as part of the Council's Executive arrangements, the delegated authority of each member of the Cabinet and thereafter keep this under review and submit updates to the Scheme, as appropriate. In addition, the Leader has powers under section 15(4) of the Local Government Act 2000 to discharge personally or to arrange for discharge under other delegated powers, any Executive Functions not covered by the Scheme for the time being.

6.5.4 Meetings of the Cabinet

Subject to the requirement to publish notice of each meeting three clear days before it takes place, the Leader can call meetings of the Cabinet at such times and places as he/she chooses.

6.5.5 Chairing Cabinet Meetings

The Leader shall chair Cabinet meetings. In the Leader's absence the Deputy Leader will chair. If the Deputy Leader is not available the Cabinet will appoint a Member of the Cabinet to Chair the meeting on their behalf by informing the Proper Officer of the person chosen subject to quorum.

6.5.6 Acting as one of the Council's Representatives on the Public Services Board

- (a) The Leader shall be one of the Council's two representatives at meetings of the Public Services Board.
- (b) The Leader may designate another member of the Cabinet to attend a meeting of the Public Services Board in their absence. The Leader shall designate the Deputy Leader to attend in their absence unless the Deputy Leader is also not available in which case the Leader shall designate another Member of the Cabinet.

6.5.7 Acting as the Council member of the South East Wales Corporate Joint Committee

The Leader shall be the Council member of the South East Wales Corporate Joint Committee. Where the Leader is unable to discharge their functions in respect of the Corporate Joint Committee, the Council shall appoint another member of the Cabinet to discharge those functions on behalf of the Council.

6.5.8 Appointments of Representatives on Outside Bodies

The Leader has authority to appoint representatives of the Council on outside bodies where those outside bodies relate to Executive Functions of the Council.

SECTION 7

7. OVERVIEW AND SCRUTINY COMMITTEES

7.1 Introduction

7.1.1 The Council is required by Law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. Overview and Scrutiny Committees should be powerful committees that can contribute to the development of Council policies and also hold the Cabinet to account for its decisions. Another key part of the overview and scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.

7.1.2 Overview and scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. Overview and Scrutiny Committees should not shy away from the need to challenge and question decisions and make constructive criticism.

7.2 Overview and Scrutiny Committees

In order to achieve this, the Council have appointed four Overview and Scrutiny Committees which between them will:

7.2.1 review or scrutinise decisions made, or actions taken, in connection with the discharge of any of the Council's functions whether by the Cabinet or another part of the Council;

7.2.2 make reports or recommendations to the Council or the Cabinet in connection with the discharge of any functions;

7.2.3 review or scrutinise decisions made, or actions taken, by the Public Services Board;

7.2.4 consider any matter which affects the Council's area or its inhabitants; and

7.2.5 exercise the right to call in for reconsideration decisions made but not yet implemented by the Cabinet and Officers.

7.3 Role, Scope and Membership

The role, scope and Membership of the Overview and Scrutiny Committees are described in the table below:

Committee and Membership	Role and Scope
Corporate Overview and Scrutiny Committee Twelve County Borough Councillors (for consideration of Education matters to include 5 Education Representatives).	<ul style="list-style-type: none">• To consider the service provision, planning, management and performance relating to corporate performance and governance;• To consider policies, protocols and plans relating to corporate performance and governance;• To co-ordinate the recommendations from each Overview and Scrutiny Committee upon

Committee and Membership	Role and Scope
	<p>the draft annual MTFS, including the budget savings proposals and comments upon the consultation process;</p> <ul style="list-style-type: none"> • To scrutinise the performance and budget monitoring of all Directorates in the achievement of the corporate priorities; • To consider reports regarding any recommendations made by the Public Service Board Scrutiny Panel regarding the performance of Bridgend's Public Service Board (PSB) in accordance with the Wellbeing of Future Generations (Wales) Act 2015 and Guidance; • To scrutinise the Community Safety Partnership and its constituent bodies in respect of their community safety roles in accordance with the Crime and Disorder guidance; • To consider the Council's Corporate Plan and monitor progress against the Corporate Priorities; • To develop and implement a Forward Work Programme for the Committee having regard to the Council's Corporate Priorities and Risk Management Framework and have oversight and coordination of the Forward Work Programmes for the Overview and Scrutiny Committees.
<p>Subject Overview and Scrutiny Committee 1 (Education themed but not exclusive to)</p> <p>Twelve County Borough Councillors (For consideration of education matters to include 5 Education Representatives).</p>	<ul style="list-style-type: none"> • To consider the service provision, planning, management and performance relating to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee; • To consider policies, protocols and plans relating to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee; • To contribute to the annual MTFS budget consultation process in relation to the relevant subject area; • To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management Framework and subject to oversight and coordination by the Corporate Overview and Scrutiny Committee.
<p>Subject Overview and Scrutiny Committee 2 (Social Services and Wellbeing themed but not exclusive to)</p>	<ul style="list-style-type: none"> • To consider the service provision, planning, management and performance relating to the relevant subject area prioritised and allocated

Committee and Membership	Role and Scope
<p>Twelve County Borough Councillors (For consideration of education matters to include 5 Education Representatives).</p>	<p>by the Corporate Overview and Scrutiny Committee;</p> <ul style="list-style-type: none"> • To consider policies, protocols and plans relating to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee; • To contribute to the annual MTFS budget consultation process in relation to the relevant subject area; • To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management Framework and subject to oversight and co-ordination by the Corporate Overview and Scrutiny Committee.
<p>Subject Overview and Scrutiny Committee 3</p> <p>Twelve County Borough Councillors (For consideration of education matters to include 5 Education Representatives).</p>	<ul style="list-style-type: none"> • To consider the service provision, planning, management and performance relating to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee; • To consider policies, protocols and plans relating to the relevant subject area prioritised and allocated by the Corporate Overview and Scrutiny Committee; • To contribute to the annual MTFS budget consultation process in relation to the relevant subject area; • To propose items for the Forward Work Programme having regard for the Council's Corporate Priorities and Risk Management Framework and subject to oversight and coordination by the Corporate Overview and Scrutiny Committee.

7.4 **Specific Functions**

7.4.1 Policy Development and Review

The Overview and Scrutiny Committees may:

- (a) assist the Council and the Cabinet in the development of its Budget and Policy Framework by in depth analysis of policy issues;
- (b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (c) question Members of the Cabinet and/or Committees and Chief Officers from the Council about their views on issues and proposals affecting the area;

- (d) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working; and
- (e) consider the impact of policies to assess if they have made a difference.

7.4.2 Scrutiny

The Overview and Scrutiny Committees may:

- (a) review and scrutinise the decisions by and performance of the Cabinet and/or Committees and Council Officers in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) question Members of the Cabinet and/or Committees and Chief Officers from the Council about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or project;
- (d) make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committees and local people about their activities and performance; and
- (f) question and gather evidence from any person (with their consent).

7.4.3 Scrutiny of the Public Services Board

The Corporate Overview and Scrutiny Committee has the additional functions of overseeing the work of the Public Service Board in accordance with the Wellbeing of Future Generations (Wales) Act 2015. The Committee designate this responsibility to the Public Service Board Scrutiny Panel to be able to carry out the following functions:

- (a) review or scrutinise decisions made, or other action taken, by the Public Services Board;
- (b) review or scrutinise the Public Services Board's governance arrangements;
- (c) make reports or recommendations to the Public Services Board with respect to the board's functions or governance arrangements;
- (d) consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly; and
- (e) copy reports to the Public Services Board regarding the board's functions and governance arrangements to: -
 - (i) the Welsh Ministers;

- (ii) the Future Generations Commissioner for Wales; and
 - (iii) the Auditor General for Wales.
- (f) require one or more of the attendees at the Public Services Board, or anyone designated by such a person, to attend a meeting of the Public Services Board Scrutiny Panel and provide it with explanations of such matters as it may specify.

7.4.4 The Membership of the Scrutiny Panel is determined annually by the nomination of three Members from the Corporate Overview and Scrutiny Committee, one Member from each of the Subject Overview and Scrutiny Committees and invitees from counterpart representatives that sit on the Public Service Board. Any recommendations made by the Panel are presented to the Corporate Overview and Scrutiny Committee for approval prior to submission to the Board.

7.4.5 Annual Report

The Scrutiny Annual Report will be considered and endorsed by the Corporate Overview and Scrutiny Committee before being reported to Full Council on their work with recommendations for the coming year and amended working methods if appropriate.

7.5 **Head of Democratic Services**

One of the roles of the Head of Democratic Services under section 8 of The Measure is to promote the role of the Council's Overview and Scrutiny Committees and to promote support and guidance to Council Members and Officers generally about the functions of the Overview and Scrutiny Committees.

7.6 **Who May Sit on Overview and Scrutiny Committees?**

All Councillors except Members of the Cabinet and Assistants to the Executive may be Members of the Overview and Scrutiny Committees. However, no Member may be involved in scrutinising on decisions in which he has been directly involved.

7.7 **Co-Optees**

Each Overview and Scrutiny Committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees subject to the number of co-opted members on the Committee shall not exceed one third of the total membership of the Committee. In exercising or deciding whether to exercise a co-option, the Authority must, under section 76 of The Measure, have regard to guidance given by the Welsh Ministers and comply with directions given by them.

Co-optees' membership may be for:

- (1) the life of the Committee;
- (2) until such time as it is terminated by the Council, upon the recommendation of the Committee; or
- (3) for the purposes of a particular review or performance monitoring exercise.

7.8 **Education Representatives**

The Overview and Scrutiny Committee considering education matters shall include in its Membership voting representatives of religious faiths and of parent governors, as required by law and guidance from Senedd Cymru:

- (1) One Church in Wales representative
- (2) One Roman Catholic Church representative
- (3) Three parent governor representatives (one from a primary school, one from a secondary school and one from a special school)

A Co-opted Member of an Overview and Scrutiny Committee or sub-committee will be entitled to vote at a meeting of the Committee or sub-committee on any matter which relates to any education functions which are the responsibility of the Cabinet and which falls to be decided at the meeting; but will not otherwise be entitled to vote.

7.9 **Who Chairs?**

The arrangements included in sections 66-75 of the Local Government (Wales) Measure 2011 will be followed for appointing persons to chair Overview and Scrutiny Committees.

7.10 **Role of the Chair and the Overview and Scrutiny Committees**

7.10.1 The Chairs will liaise with the Cabinet and supervise the Work Programme and identify suitable priority areas for Scrutiny.

7.10.2 In summary, therefore, the Chair will:

- (a) meet regularly to monitor Work Programmes;
- (b) liaise with the Cabinet on issues affecting the Scrutiny Work Programme.

7.11 **Work Programme**

At the beginning of the municipal year each Overview and Scrutiny Committee will be asked to identify issues for consideration during the year, using pre-determined criteria which emphasises the need to consider issues such as impact, risk, performance, budget and community perception when identifying topics for investigation. These items will be presented to the Corporate Overview and Scrutiny Committee for prioritisation and designation to each Overview and Scrutiny Committee. There is an understanding that the Work Programme will remain flexible and be revisited at each meeting of the Corporate Overview and Scrutiny Committee to consider all potential items and reprioritise with input from all the Committees.

7.11.1 Meetings of the Overview and Scrutiny Committees shall be called by the Monitoring Officer and may be required to do so by the Chair of the relevant Overview and Scrutiny Committee or by any five members of the Committee.

7.11.2 Extraordinary meetings may be called from time to time in order to deal with call-ins (Section 7.23) where the Chair of an Overview and Scrutiny Committee and the Monitoring Officer agree it is necessary for that Overview and Scrutiny Committee to consider the called in decision before the Committee's next programmed meeting.

7.12 **Joint Overview and Scrutiny Committees**

Under section 58 of The Measure, regulations may be made to permit or require two or more local authorities to appoint a joint Overview and Scrutiny Committee. This is set out in the Local Authorities (Joint Overview and Scrutiny) (Wales) Regulations 2013.

7.13 **Rules of Procedure and Debate**

The Overview and Scrutiny Procedure Rules will apply to meetings of the Overview and Scrutiny Committees.

7.14 **What will be the Number and Arrangements for Overview and Scrutiny Committees?**

7.14.1 The Council will have four Overview and Scrutiny Committees set out in the table in Section 7.3 and will appoint to them as it considers appropriate from time to time. The Committees may appoint smaller groups to carry out detailed examination of particular topics for report back to them. Such groups may be appointed for a fixed period on the expiry of which they shall cease to exist.

7.14.2 The terms of reference of the various Overview and Scrutiny Committees will be as set out in the table in Section 7.3.

7.14.3 Each Subject Overview and Scrutiny Committee will be Chaired by a Chair appointed from the membership of that Overview and Scrutiny Committee. The Chair of the Corporate Overview and Scrutiny Committee will be appointed from one of the Chairs of the Subject Overview and Scrutiny Committees in accordance with the political balance rules:

- (a) there will be cross party Membership of all Overview and Scrutiny Committees;
- (b) the Overview and Scrutiny Committees shall undertake the following:
 - (i) investigate or review a particular matter in depth and without delay, reporting their conclusions and making any recommendations to the Council or Cabinet as appropriate;
 - (ii) conduct research, community (and other) consultation for the purposes of analysing issues and developing where appropriate; possible options, through liaison with the area/community partnerships;
 - (iii) consider and report on mechanisms to encourage and enhance community participation in the development of service delivery options;
 - (iv) question Cabinet Members and Officers about their views and actions on issues and proposals affecting the County Borough;
 - (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
 - (vi) question and gather evidence from any person (with his/her consent) whilst conducting investigative and reporting processes.

7.15 **Meetings of the Overview and Scrutiny Committees**

The Council may determine a cycle of meetings for the Overview and Scrutiny Committees. If the Council do not set the cycle, each such Committee shall determine their own cycle of meetings. The Chair may change the date or cancel meetings, or call additional meetings as they consider necessary to deal with the Committee's work programme. A meeting of an Overview and Scrutiny Committee may be called by the Chair or by the Monitoring Officer, if he/she considers it necessary or appropriate.

7.16 **Quorum**

The quorum for an Overview and Scrutiny Committee shall be a quarter of all Members of the Committee or 3 Members whichever is greater.

7.17 **Agenda Items**

7.17.1 Any Member of a particular Overview and Scrutiny Committee shall be entitled to give notice to the Monitoring Officer that he wishes an item relevant to the functions of the that Committee to be included on the agenda for the next available meeting. Ten working days' notice of the item should be given to the Monitoring Officer together with sufficient information to enable the Officer to advise about the nature and purpose of the item.

7.17.2 On receipt of such a request, so long as it is an appropriate matter to be considered, the Monitoring Officer will ensure that it is included on the next available agenda.

7.17.3 An Overview and Scrutiny Committee shall also respond, as soon as their work programme permits, to requests from the Council and/or the Cabinet to review particular areas of Council activity. Where they do so, the particular Overview and Scrutiny Committee shall report their findings and any recommendations back to the Cabinet and/or Council. The Council and/or the Cabinet shall consider the report of the Overview and Scrutiny Committee within one month of receiving it.

7.18 **Policy Review and Development**

7.18.1 The role of the Overview and Scrutiny Committees in relation to the development of the Council's Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules in Section 15.

7.18.2 In relation to the development of the Council's approach to other matters not forming part of its Budget and Policy Framework, an Overview and Scrutiny Committee may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.

7.18.3 An Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

7.19 **Reports from the Overview and Scrutiny Committees**

- 7.19.1 All formal reports from the Overview and Scrutiny Committees will be submitted to the Monitoring Officer for consideration by the Cabinet (if the proposals are consistent with the existing Budget and Policy Framework), or to the Council as appropriate (eg if the recommendation would require a departure from or a change to the agreed Budget and Policy Framework).
- 7.19.2 If an Overview and Scrutiny Committee cannot agree on one single final report to the Council or Cabinet as appropriate, one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.
- 7.19.3 The Council or Cabinet shall consider the report of an Overview and Scrutiny Committee within one month of it being submitted to the Monitoring Officer.

7.20 **Rights of Members of the Overview and Scrutiny Committees to Documents**

- 7.20.1 In addition to their rights as Councillors, Members of the Overview and Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Section 15 of this Constitution.
- 7.20.2 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committees as appropriate depending on the particular matter under consideration.

7.21 **Members and Officers Giving Account**

- 7.21.1 The Overview and Scrutiny Committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any Member of the Cabinet, the Chief Executive and/or any senior Officer to attend before it to explain in relation to matters within their remit:

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance

and it is the duty of those persons to attend if so required.

- 7.21.2 For this purpose, senior Officer includes any Chief Officer, deputy Chief Officer and other appropriate senior Officer. Where there are concerns about the appropriateness of the Officer who should attend, the relevant Chief Officer shall discuss this with the appropriate Overview and Scrutiny Chair or Vice Chair with a view to achieving consensus.
- 7.21.3 Where any Member or Officer is required to attend an Overview and Scrutiny Committee under this provision, the Chair of that Committee will inform the Monitoring Officer. The Monitoring Officer shall inform the Member or Officer, if necessary in writing, giving at least five working days' notice of the meeting at which he or she is required to attend (unless agreed otherwise). Any notice will state the nature of the item on which he or she is required to attend to give

account and whether any papers are required to be produced for the Committee.

7.21.4 Where the account to be given to an Overview and Scrutiny Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.

7.21.5 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in consultation with the Member or Officer arrange an alternative date for attendance.

7.22 **Attendance by Others**

An Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 7.211 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and shall invite such people to attend.

7.23 **Call-In**

7.23.1 **Rules**

- (a) Where a decision is made by the Cabinet, an individual Member of the Cabinet or a Committee of the Cabinet or under joint arrangements, the decision shall be published by the Monitoring Officer, including where possible by electronic means, and shall be available at the main offices of the Council as soon as reasonably practicable after being made. All Members of the Overview and Scrutiny Committees will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless an Overview and Scrutiny Committee objects to it and calls it in for review.
- (c) During that period the Monitoring Officer shall call-in a decision for scrutiny by an Overview and Scrutiny Committee if so requested in the specified format by any three Members of an Overview and Scrutiny Committee and a Scrutiny Chair and, shall then notify the decision taker of the call-in. He/she shall call a meeting of an Overview and Scrutiny Committee on such a date as he/she may determine, where possible after consultation with all Scrutiny Chairs, and in any case within five clear working days of the decision to call-in (only in exceptional circumstances will the Chairs consider extending this time limit).
- (d) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker they shall then reconsider within a further seven clear working days, amending the decision or not, before adopting a final decision.

- (e) If following an objection to the decision, an Overview and Scrutiny Committee does not meet within the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny Committee meeting, or the expiry of that further five working day period (or agreed extended period), whichever is the earlier.
- (f) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - (i) an Overview and Scrutiny Committee may only call-in a total of six decisions per year;
 - (ii) three Members of an Overview and Scrutiny Committee and a Chair are needed for a decision to be called in;
 - (iii) once a Member has signed a request for call-in under this paragraph, he/she may not do so again until the period of three months has expired;
 - (iv) No Education Co-opted Members may request a decision be called in.
- (g) The Monitoring Officer may veto any request for call-in if it falls outside the remit of this scheme and/or:
 - (i) It is not clear which decision is being called-in;
 - (ii) The decision is exempt from call-in on account of the urgency provisions as outlined below;
 - (iii) The call-in request provides too little information to enable the Scrutiny Committee Members or the decision maker to adequately prepare for the call-in meeting;
 - (iv) The decision being called-in, or broadly the same decision, has been called in during the last six months;
 - (v) The call-in request is trivial or without substantial merit.

Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.

7.23.2 Call-In and Urgency

- (a) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet, Cabinet Committee, Cabinet Member or Officer is urgent and not subject to call-in. A decision will be urgent and not subject to call-in if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or other public interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. Consultation will be sought of all Chairs of the Overview and Scrutiny Committees to agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. The agreement of one Chair is sufficient for

the matter to be treated as urgent. In the absence of all Chairs the Mayor or the Deputy Mayor's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent should be required. Decisions taken as a matter of urgency must be reported at the next available meeting of the Council, together with the reasons for urgency.

- (b) The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.

7.24 **The Party Whip**

If a Member of an Overview and Scrutiny Committee is subject to a party whip in respect of an issue to be considered by it, that Member must declare the existence of the whip and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

7.25 **Procedure at Overview and Scrutiny Committee Meetings**

7.25.1 An Overview and Scrutiny Committee shall consider the following business:

- (a) minutes of the last meeting;
- (b) declarations of interest;
- (c) consideration of any matter referred to that Overview and Scrutiny Committee for a decision in relation to call in of a decision;
- (d) responses of the Cabinet to reports of that Overview and Scrutiny Committee;
- (e) the business otherwise set out on the agenda for the meeting.

The Rules of Procedure at an Overview and Scrutiny Committee will be the same as the Council Procedure Rules except that the Chair of the meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting whether as Members of an Overview and Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.

7.25.2 An Overview and Scrutiny Committee may ask people to attend to give evidence or answer questions about any items on their agenda. Meetings should be conducted in accordance with the following principles:

- (a) that the business be conducted fairly and all Members of the Overview and Scrutiny Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- (b) that those assisting by giving evidence be treated with respect and courtesy;
- (c) that the business be conducted as efficiently as possible.

7.25.3 Following any investigation or review, an Overview and Scrutiny Committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

7.26 **Matters within the Remit of more than one Overview and Scrutiny Committee**

Where a matter for consideration by an Overview and Scrutiny Committee also falls within the remit of one or more other Committees, the decision as to which Committee will consider it will be resolved by the respective Chairs or, if they fail to agree, the Chair of the Corporate Overview and Scrutiny Committee.

8. **THE STANDARDS COMMITTEE**

Composition

8.1 **Membership**

The Standards Committee is composed of eight Members. Its Membership includes:

- 8.1.1 Five “independent” Members, who are not either a Councillor or an Officer or the spouse of a Councillor or an Officer of this Council or any other relevant Authority as defined by the Local Government Act 2000, appointed in accordance with the procedure set out in the Standards Committees (Wales) Regulations 2001 (as amended);
- 8.1.2 Two Councillors other than the Leader and not more than one Member of the Executive; and
- 8.1.3 One Community Council Member.

8.2 **Term of Office**

- 8.2.1 Independent Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term.
- 8.2.2 Members of local authorities who are Members of the Standards Committee will have a term of office until the next ordinary local government election following their appointment. They may be reappointed for one further consecutive term.

8.3 **Quorum**

A meeting of the Standards Committee shall only be quorate when:

- 8.3.1 at least three Members, including the Chairperson, are present; and
- 8.3.2 at least half the Members present (including the Chairperson) are Independent Members.

8.4 **Voting**

Independent Members and Community Council Members will be entitled to vote at meetings.

8.5 **Chairing the Committee**

- 8.5.1 Only an Independent Member of the Standards Committee may be the Chair.
- 8.5.2 The Chair and Vice Chair will be elected by the Members of the Standards Committee for whichever is the shortest period of:
 - (i) not less than four years or no more than six years; or
 - (ii) until the term of office of the Independent Member comes to an end.

8.6 **Role and Function**

The Standards Committee will have the following roles and functions:

- 8.6.1 promoting and maintaining high standards of conduct by Councillors and co-opted Members of the Authority;
- 8.6.2 assisting the Councillors and co-opted Members to observe the Members' Code of Conduct;
- 8.6.3 advising the Council on the adoption or revision of the Members' Code of Conduct;
- 8.6.4 monitoring the operation of the Members' Code of Conduct;
- 8.6.5 advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct;
- 8.6.6 to monitor the operation of the Council's Whistleblowing Policy;
- 8.6.7 to grant dispensations from the prohibitions contained in the Members' Code of Conduct in accordance with the Regulations;
- 8.6.8 Consider reports submitted by the Public Ombudsman for Wales and the Council's Monitoring Officer;
- 8.6.9 monitoring compliance by leaders of political groups on the Council with their duties to promote and maintain high standards of conduct by the members of the group;
- 8.6.10 Advising, training or arranging to train leaders of political groups on the Council about matters as outlined in 8.6.9.

8.7 **Annual Report**

- 8.7.1 As soon as possible after the end of each financial year, the Standards Committee must make an annual report to the Council.
- 8.7.2 The annual report must include: -
 - (a) a description of how the Standards Committee has discharged its functions;
 - (b) a summary of any reports and recommendations that were referred to the Standards Committee under Chapter 3 of Part 3 of the Local Government Act 2000;
 - (c) a summary of the actions that the Standards Committee has taken following consideration of the reports and recommendations referred to in (b) above;
 - (d) a summary of any notices that were given to the Standards Committee under Chapter 4 of Part 4 of the Local Government Act 2000;
 - (e) the Standards Committee's assessment of the extent to which leaders of political groups on the Council have complied with their duties to promote and maintain high standards of conduct by members of their group and to

cooperate with the Standards Committee in the exercise of the Standards Committee's functions;

- (f) any recommendations which the Standards Committee considers it appropriate to make to the Council about any matter which falls within the Committee's functions.

8.8 **Work Programme**

The Committee will prepare a work programme, which will be reviewed and approved by the Committee.

8.9 **Joint Standards Committee**

The Council may establish a joint standards committee with one or more local authorities for the purpose of discharging the statutory functions of the Standards Committee.

8.10 **Rules of Procedure and Debate**

8.10.1 The Council Procedure Rules at Section 4 will apply to the meetings of the Standards Committee Members.

8.10.2 When considering the conduct of individual Councillors, the procedures outlined in Appendix 3 to Section **Error! Reference source not found.** will apply.

SECTION 9

9. REGULATORY COMMITTEES

9.1 Regulatory and Other Committees

The Council will appoint the Committees to discharge the functions set out in Section 14 of this Constitution.

9.2 The Governance and Audit Committee

9.2.1 The Council will appoint a Governance and Audit Committee to discharge the functions described in Section 14 of this Constitution and in accordance with sections 81-87 of The Measure.

9.2.2 The Committee shall comprise of two-thirds Councillor Members and one-third members who are not a Member of the Council (lay members). No more than one member of the Committee may be a member of the Cabinet (which Cabinet Member must not be the Leader) or an Assistant to the Executive, although the Committee may have no Cabinet Members or Assistants to the Executive among its membership.

9.2.3 The Council shall appoint Members to the Audit Committee in accordance with the political balance rules.

9.2.4 The Chair of the Audit Committee and Deputy Chair are appointed by it. The person appointed Chair of the Audit Committee must be a lay member. The person appointed as Deputy Chair cannot be a Member of the Cabinet or an Assistant to the Executive.

9.2.5 A meeting of the Audit Committee is to be chaired:

(a) by the Chair of the Audit Committee, or

(b) if the Chair of the Audit Committee is absent, by the Deputy Chair.

(c) If both the Chair of the Audit Committee and the Deputy Chair are absent, the Committee may appoint a member of the Committee who is not a member of the Council's Cabinet, or an Assistant to the Cabinet, to chair the meeting.

9.2.6 Members of the Audit Committee may vote on any matter from the Committee.

9.3 The Democratic Services Committee

9.3.1 The Council will appoint a Democratic Services Committee to discharge the functions described in Section 14 of this Constitution.

9.3.2 The Committee shall comprise of Councillor Members but no more than one Member of the Cabinet (which Cabinet Member must not be the Leaders).

9.3.3 The Council shall appoint Members to the Democratic Services Committee in accordance with the political balance rules.

9.3.4 The Chair of the Democratic Services Committee is appointed by Full Council and must not be the Cabinet Member.

9.4 **Other Committees and Sub-Committees**

9.4.1 The Council will appoint such other Committees as it considers appropriate to the exercise of its functions. These will include a Development Control Committee and Licensing Committee.

9.4.2 Any Committee appointed by the Council may at any time appoint additional Sub-Committees and panels throughout the year. The terms of reference and delegation of powers to them shall be explicit and within the appointment Committees terms of reference.

9.5 **Rules of Procedure and Debate**

9.5.1 The Council Procedure Rules in Section 4 will apply, except as set out in paragraph 9.5.2 below.

9.5.2 A meeting of the Development Control Committee shall only be quorate when at least half of the total number of members of the Committee, rounded to the nearest whole number, are present.

SECTION 10

10. JOINT COMMITTEES

10.1 Introduction

There are a number of circumstances where the Council or the Cabinet is entitled to carry out certain functions jointly with another local authority.

10.2 Arrangements to Promote Wellbeing

The Cabinet in order to promote the economic, social, or environmental wellbeing of its area may:

- 10.2.1 enter into arrangements or agreements with any person or body;
- 10.2.2 co-operate with, or facilitate or co-ordinate the activities of any person or body; and
- 10.2.3 exercise on behalf of that person or body any functions of that person or body.

10.3 Joint Arrangements

- 10.3.1 The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not Executive Functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- 10.3.2 The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Executive Functions. Such arrangements may involve the appointment of joint committees with these other local authorities. Except as set out below, or as permitted or required by Law, the Cabinet may only appoint Cabinet Members to such joint committees and those Members need not reflect the political composition of the Council as a whole.
- 10.3.3 The Cabinet may appoint Members to a Joint Committee from outside the Cabinet where the Joint Committee has functions for only part of the area of the Council and that area is smaller than two fifths of that local authority, by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is Member for an electoral division contained within the area. Political balance requirements do not apply to such appointments.
- 10.3.4 When considering whether to establish a joint committee, the Council and the Cabinet shall have regard to any guidance issued by the Welsh Ministers about establishing joint committees and the circumstances in which it is appropriate to do so.

10.4 Access to Information

- 10.4.1 The Access to Information Procedure Rules in Section 15 apply.

10.4.2 If all the Members of a Joint Committee are Members of the Cabinet in each of the participating authorities, then its access to information regime is the same as that applied to the Cabinet.

10.4.3 If the Joint Committee contains Members who are not on the Cabinet of any participating authority, then the Access to Information Rules in part VA of the Local Government Act 1972 (as amended) will apply.

10.5 **Delegation to and from Other Local Authorities**

10.5.1 The Council can delegate Non-Executive Functions to another local authority or, where those functions are the responsibility of the executive of another local authority, to that executive.

10.5.2 The Cabinet can delegate Executive Functions to another local authority or the executive of another local authority in certain circumstances.

10.5.3 The decision whether or not to accept such a delegation from another local authority is reserved to the Full Council.

10.6 **Contracting Out**

The Council (in respect of Non-Executive Functions) and the Cabinet (in respect of Executive Functions) may contract out to another body or organisation functions:

10.6.1 which may be exercised by an Officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994; or

10.6.2 under contracting arrangements where the Contractor acts as the Council's Agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

SECTION 11

11. CORPORATE JOINT COMMITTEES

11.1 Introduction

Corporate joint committees may be established: -

11.1.1 at the instigation of the Welsh Ministers, to undertake the Council's transport, strategic planning, economic development and/or improving education functions; or

11.1.2 at the instigation of the Council, to undertake any of the Council's functions.

11.2 Corporate Joint Committees

11.2.1 The Council may, jointly with one or more other local authorities make a joint committee application to the Welsh Ministers, asking them to consider making regulations under section 72 of the Local Government and Elections (Wales) Act 2021 establishing a corporate joint committee to exercise a function of those authorities or the economic wellbeing function in relation to the principal areas of those authorities.

11.2.2 The Council shall not make such an application unless and until it has consulted: -

- (a) local people in the Council's area;
- (b) community councils in the Council's area;
- (c) the Public Services Board;
- (d) every trade union which is recognised (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992) by the Council; and
- (e) such other persons as the Council considers appropriate.

11.2.3 The Council may, jointly with all other local authorities for the principal areas in a corporate joint committee's area, make an application to the Welsh Ministers asking them to consider making regulations under section 80 of the Local Government and Elections (Wales) Act 2021 to amend or revoke joint committee regulations which establish a corporate joint committee of which the Council is a member.

11.2.4 The Council may not exercise the power in section 11.2.3 to ask the Welsh Ministers to amend corporate joint committee regulations so as to omit or modify a function which relates to the Council's transport, strategic planning, economic development or improving education functions.

SECTION 12

12. OFFICERS

12.1 Management Structure

12.1.1 General

The Full Council may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

12.1.2 Chief Officers

The Full Council will engage persons for the following posts, who will be designated Chief Officers, which designation includes persons acting temporarily in such capacity:

Post	Functions and Areas of Responsibility
Chief Executive	<ul style="list-style-type: none">• Overall corporate management and operational responsibility including overall management responsibility for all Officers.• Principal adviser to the Council on general policy.• The provision of professional and impartial advice to all parties in the decision making process to the Cabinet, to Overview and Scrutiny Committees, the Full Council and other Committees).• Together with the Monitoring Officer, responsibility for a system of record keeping for all the Authority's decisions (executive or otherwise).• Representing the Council on partnership and external bodies (as required by statute or the Council).• Service to the whole Council, on a politically neutral basis.
Corporate Director Communities	Management and overall responsibility for taking the lead role in strategy and policy development in respect of and ensuring effective service co-ordination of the following services: regeneration and development, neighbourhood services.
Corporate Director Education and Family Support	Management and overall responsibility for taking the lead role in strategy and policy development in respect of and ensuring effective service co-ordination of the following services: family support, learning.
Corporate Director Social Services and Wellbeing and	Management and overall responsibility for taking the lead role in strategy and policy development in respect of and ensuring effective co-ordination of the following services: wellbeing, safeguarding.

Post	Functions and Areas of Responsibility
Director of Social Services	
Chief Officer - Legal and Regulatory Services, HR and Corporate Policy	Legal and Democratic Services, Member Support Services, Democratic Services, Registrars, Shared Regulatory Services, Land Charges. Employee Relations, Organisation and Employee Development, Health and Safety, Equal Opportunities. Corporate Policy.

12.1.3 Chief Executive, Monitoring Officer and Chief Finance Officer

The Council will designate the following posts as shown:

Post	Designation
Chief Executive	Chief Executive
Chief Officer – Legal and Regulatory Services, Human Resources and Corporate Policy.	Monitoring Officer
Chief Officer – Finance, Performance and Change	Chief Finance Officer / Section 151 Officer
Democratic Services Manager	Head of Democratic Services

Such posts will have the functions described in Sections 12.2 to 12.5.

12.2 **Functions of the Chief Executive**

12.2.1 Discharge of Functions by the Council

- (a) Section 4 of the Local Government and Housing Act 1989 imposes a duty on authorities to designate one of their officers as Chief Executive. The Chief Executive will report to Full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Staff required for the discharge of functions, the organisation of the authority's staff and the appointment and proper management of the authority's staff.
- (b) The Chief Executive must keep the following matters under review:
 - (i) the manner in which the exercise by the Council of its different functions is co-ordinated;
 - (ii) the council's arrangements in relation to—

- (A) financial planning,
- (B) asset management, and
- (C) risk management;
- (iii) the number and grades of staff required by the Council for the exercise of its functions;
- (iv) the organisation of the Council's staff;
- (v) the appointment of the Council's staff; and
- (vi) the arrangements for the management of the Council's staff (including arrangements for training and development).

12.2.2 If the Chief Executive considers it appropriate to do so, they must make a report to the Full Council setting out their approach to these matters. As soon as possible after preparing a report, the Chief Executive must arrange for a report to be sent to each Member of the Council.

12.2.3 Acting as one of the Council's Representatives on the Public Services Board

The Chief Executive shall be one of the Council's two representatives at meetings of the Public Services Board.

12.2.4 Restrictions on Functions

The Chief Executive may not be the Monitoring Officer or the Head of Democratic Services but may hold the post of Chief Finance Officer if a qualified accountant.

12.3 Functions of the Monitoring Officer

These are set out in section 5 of the Local Government and Housing Act 1989 as amended.

12.3.1 Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.

12.3.2 Ensuring Lawfulness and Fairness of Decision Making

After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to the Full Council or to the Cabinet in relation to any Function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

12.3.3 Supporting the Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

12.3.4 Receiving Reports

The Monitoring Officer will receive and act on reports made by the Public Services Ombudsman for Wales and decisions of the case tribunals.

12.3.5 Conducting Investigations

The Monitoring Officer will conduct investigations into matters referred by the Public Services Ombudsman for Wales and make reports or recommendations in respect of them to the Standards Committee.

12.3.6 Proper Officer for Access to Information

The Monitoring Officer will ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

12.3.7 Advising whether decisions of the Cabinet are within the Budget and Policy Framework

The Monitoring Officer will, in conjunction with the Chief Finance Officer, advise whether decisions of the Cabinet are in accordance with the Budget and Policy Framework.

12.3.8 Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to the Councillors.

12.3.9 Restrictions on Posts

The Monitoring Officer cannot be the Chief Finance Officer or the Chief Executive.

12.4 **Functions of the Chief Finance Officer**

These are set out in section 6 of the Local Government and Housing Act 1989.

12.4.1 Ensuring Lawfulness and Financial Prudence of Decision Making

After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the Full Council or to the Cabinet in relation to an Executive Function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

12.4.2 Administration of Financial Affairs

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

12.4.3 Contributing to Corporate Management

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

12.4.4 Providing Advice

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.

12.4.5 Give Financial Information

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.4.6 Advising whether Decisions of the Cabinet are within the Budget and Policy Framework

The Chief Finance Officer will, in conjunction with the Monitoring Officer, advise whether decisions of the Cabinet are in accordance with the Budget and Policy Framework.

12.4.7 Restrictions on Posts

- (a) The Chief Finance Officer cannot be the Monitoring Officer or the Head of Democratic Services.
- (b) The Chief Finance Officer must be a member of one or more of the following professional bodies: -
 - (i) the Institute of Chartered Accountants in England and Wales;
 - (ii) the Chartered Association of Certified Accountants;
 - (iii) the Chartered Institute of Public Finance and Accountancy;
 - (iv) the Chartered Institute of Management Accountants; or
 - (v) any other body of accountants established in the United Kingdom and for the time being approved by the Welsh Ministers for this purpose.

12.5 Functions of the Head of Democratic Services

These are set out in section 9 of The Measure. The functions of the Head of Democratic Services are:

- 12.5.1 to provide support and advice to the Authority in relation to its meetings, subject paragraph 12.5.10;
- 12.5.2 to provide support and advice to committees of the Authority (other than the committees mentioned in paragraph 12.5.5) and the members of those committees, subject to paragraph 12.5.10;

- 12.5.3 to provide support and advice to any joint committee which a local authority is responsible for organising and the members of that committee, subject to paragraph 12.5.10;
- 12.5.4 to promote the role of the Authority's Overview and Scrutiny Committees;
- 12.5.5 to provide support and advice to:
- (a) the Authority's Overview and Scrutiny Committees and the members of those Committees; and
 - (b) the Authority's Democratic Services Committee and the members of that committee;
 - (c) to provide support and advice in relation to the functions of the Authority's Overview and Scrutiny Committees to each of the following:
 - (i) members of the Authority;
 - (ii) members of the executive of the Authority;
 - (iii) officers of the Authority;
- 12.5.6 to provide support and advice to each member of the Authority in carrying out the role of member of the Authority, subject to paragraph 12.5.11;
- 12.5.7 to make reports and recommendations in respect of any of the following:
- (a) the number and grades of staff required to discharge democratic services functions;
 - (b) the appointment of staff to discharge democratic services functions;
 - (c) the organisation and proper management of staff discharging democratic services functions;
- 12.5.8 such other functions as may be prescribed by law.
- 12.5.9 Restrictions on Posts
- The Head of Democratic Services cannot be the Chief Executive, or the Chief Finance Officer.
- 12.5.10 The function of providing advice about whether or how the Authority's functions should be, or should have been exercised, only applies to advice concerning the functions of the Overview and Scrutiny Committees and Democratic Services Committee.
- 12.5.11 Advice to a Member does not include advice in connection with their role as an executive Member and does not include advice about a matter being or to be considered at a meeting (other than a meeting of an Overview and Scrutiny Committee or Democratic Services Committee).

12.6 **Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer, Chief Finance Officer and Head of Democratic Services**

The Council will provide the Chief Executive, the Monitoring Officer, the Chief Finance Officer and the Head of Democratic Services with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.7 **Conduct**

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in this Constitution.

12.8 **Employment**

The recruitment, selection and dismissal of Officers will comply with the Officer Employment Rules set out below.

12.9 **Officer Employment Procedure Rules**

1. Interpretation

- (1) "Chief Officer" means:
Chief Executive
Corporate Director – Education and Family Support
Corporate Director - Communities;
Corporate Director – Social Services and Wellbeing;
Solicitor to the Council and Monitoring Officer;
Chief Finance Officer / Section 151 Officer.

2. Declarations

- (1) The Authority will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Authority; or of the partner of such persons;
- (a) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by him/her.
- (2) Seeking support for appointment: -
- (a) Subject to sub-paragraph (c) below, the Authority will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Authority. The content of this sub-paragraph will be included in any recruitment information;
- (b) Subject to sub-paragraph (c) below, no Councillor will seek support for any person for any appointment with the Authority;
- (c) Nothing in sub-paragraphs (a) and (b) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment.

3. Appointments

- (1) The Authority must take the steps set out in sub-paragraph (2) where it proposes to appoint a Chief Officer, and the remuneration which it proposes to pay to the Chief Officer is £100,000 or more per annum;
- (2) The steps are to:
 - (a) draw up a statement specifying–
 - (i) the duties of the officer concerned, and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
 - (b) make arrangements for the post to be publicly advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.
- (3) Where sub-paragraph (1) applies, the Authority is not required to take the steps set out in sub-paragraph (2) (b) if it proposes to appoint the chief officer for a period of no longer than 12 months.
- (4) (a) Where a post has been advertised as provided in paragraph 2(b), the Authority must–
 - (i) interview all qualified applicants for the post, or
 - (ii) select a short list of such qualified applicants and interview those included on the short list.

(b) Where no qualified person has applied, or if the Authority decide to re-advertise the appointment, the Authority may make further arrangements for advertisement in accordance with paragraph 2(b).

4. Appointment of Chief Officers and Heads of Service

- (1) The Authority will appoint Chief Officers, Heads and Service and the Head of Democratic Services.
- (2) Where a committee, sub-committee or officer is discharging, on behalf of the Authority, the function of the appointment of an officer designated as the Chief Executive, the Authority must approve that appointment before an offer of appointment is made. The power to approve the appointment of the Chief Executive must be exercised by the Authority itself and accordingly section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to the exercise of that power.
- (3) Where a committee or a sub-committee of the Authority is discharging, on behalf of the authority, the function of the appointment of a Chief Officer, a Deputy Chief Officer, Head of Service or Head of Democratic Services –
 - (a) at least one member of the executive must be a member of that committee or sub-committee; and
 - (b) not more than half of the members of that committee or sub-committee are to be members of the executive of the Authority.

- (4) The Authority must determine the level, and any change in the level, of the remuneration to be paid to a Chief Officer.

5. Appointment of Assistants to Political Groups

The appointment of assistants to political groups shall be made in accordance with the wishes of the political groups concerned.

6. Appointment of Officers other than Chief Officers and Heads of Service

The function of appointment of members of staff of the Authority, other than Chief Officers, Deputy Chief Officers, Heads of Service and the Head of Democratic Services, must be discharged, on behalf of the Authority, by the officer designated as the Chief Executive or by an officer nominated by the Chief Executive.

Nothing in the above paragraph prevents a person from serving as a member of any committee or sub-committee established by the Authority to consider an appeal by another person against any decision relating to the appointment of that other person as a member of staff of the Authority.

7. Disciplinary Action and Dismissal

(1) Chief Officers and Heads of Service

(a) Disciplinary action against and dismissal of Chief Officers, Deputy Chief Officers, Heads of Service, and Head of Democratic Services must be discharged by the Authority.

(b) Where a committee, sub-committee or officer is discharging, on behalf of the Authority, the function of the dismissal of an officer designated as the Chief Executive, the Authority must approve that dismissal before a notice of dismissal is given. The power to approve the dismissal of the Chief Executive must be exercised by the Authority itself and accordingly section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to the exercise of that power.

(c) Where a committee or a sub-committee of the Authority is discharging, on behalf of the authority, the function of the dismissal of Chief Officers, Deputy Chief Officer, Heads of Service or Head of Democratic Services-

(i) at least one member of the executive must be a member of that committee or sub-committee; and

(ii) not more than half of the members of that committee or sub-committee are to be members of the executive of the Authority.

(2) Chief Executive, Monitoring Officer, Chief Finance Officer

(a) No disciplinary action (other than action to which paragraph (c) applies) in respect of the Chief Executive, or its Monitoring Officer, its Chief Finance Officer, its Head of Democratic Services or any other officer referred to in paragraph (b) may be taken by the Authority, or by a committee, a sub-committee, a joint committee on which the Authority is represented or any other person acting on behalf of the Authority, other than in accordance with a recommendation in a report made by a designated independent person under regulation 9 of the Local Authorities (Standing Orders) (Wales) Regulations 2006 (investigation of alleged misconduct).

(b) An officer in relation to whom disciplinary action is proposed where-

- (i) the officer was, but at the time of the proposed disciplinary action no longer is, an officer referred to in (a) and;
- (ii) the alleged misconduct or, as the case may be, the reason for the proposal for dismissal, occurred during the period when the officer was an officer referred to in paragraph (a).

(c) The action to which this paragraph applies is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; provided such suspension is on full pay and terminates no later than the expiry of two months beginning on the day on which the suspension takes effect.

(3) Officers other than Chief Officers, Heads of Service and Head of Democratic Services

The function of dismissal of, and taking disciplinary action against a member of staff of the Authority other than Chief Officers, Deputy Chief Officers, Heads of Service and the Head of Democratic Services must be discharged, on behalf of the Authority, by the officer designated as the Chief Executive or by an officer nominated by the Chief Executive.

(b) Paragraph (a) does not apply to the dismissal of, or disciplinary action against, an officer in relation to whom disciplinary action is proposed-

(i) who was, but at the time of the proposed disciplinary action no longer is, a Chief Officer, Deputy Chief Officer, Head of Democratic Services, and (ii) where the alleged misconduct, or, as the case may be, the reason for the proposal for dismissal occurred during the period when the officer was an officer referred to in (i).

(c) Nothing in paragraph (a) prevents a person from serving as a member of any committee or sub-committee established by the relevant Authority to consider an appeal by a member of staff of the relevant Authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

8. Chief Executive, Monitoring Officer, Chief Finance Officer, Head of Democratic Services - Investigation of alleged misconduct

(1) Where it appears to the Authority that an allegation of misconduct which may lead to disciplinary action has been made against a relevant officer, the authority must appoint a committee ("an investigation committee") to consider the alleged misconduct. A 'relevant officer' for this purpose is-

(a) the Chief Executive;

(b) its Monitoring Officer; or

(c) its Chief Finance Officer,

(d) its Head of Democratic Services or

(e) an officer who was, but at the time the investigation committee is appointed no longer is, an officer referred to in sub-paragraphs (a) to (d) where the alleged misconduct occurred during the period when the officer was an officer referred to in those sub-paragraphs.

(2) The investigation committee must:

(a) consist of a minimum of 3 members of the Authority;

(b) be politically balanced in accordance with section 15 of the Local Government and Housing Act 1989 Act; and must, within 1 month of its appointment, consider the allegation of misconduct and decide whether it should be further investigated.

(3) For the purpose of considering the allegation of misconduct, the investigation committee:

(a) may make such enquiries of the relevant officer or any other person it considers appropriate;

(b) may request the relevant officer or any other person it considers appropriate to provide it with such information, explanation or documents as it considers necessary within a specified time limit; and

(c) may receive written or oral representations from the relevant officer or any other person it considers appropriate.

(4) Where it appears to the investigation committee that an allegation of misconduct by the relevant officer should be further investigated, it must appoint a person ("the designated independent person") for the purpose of paragraph 7(2)(a).

(5) The designated independent person who is appointed—

(a) must be such person as may be agreed between the Authority and the relevant officer within 1 month of the date on which the requirement to appoint the designated independent person arose; or

(b) where there is no such agreement, must be such person as is nominated for the purpose by the Welsh Ministers.

(6) The designated independent person—

(a) may direct—

(i) that the Authority terminate any suspension of the relevant officer;

(ii) that any such suspension is to continue after the expiry of the period referred to in paragraph 7 (2) (b);

(iii) that the terms on which any such suspension has taken place are to be varied in accordance with the direction; or

(iv) that no steps (whether by the Authority or any committee, sub-committee or officer acting on behalf of the authority) by way of disciplinary action or further disciplinary action against the relevant officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made under sub-paragraph (d);

(b) may inspect any documents relating to the conduct of the relevant officer which are in the possession of the authority, or which the Authority has power to authorise the designated independent person to inspect;

(c) may require any member or member of staff of the Authority to answer questions concerning the conduct of the relevant officer;

(d) must make a report to the Authority–

(i) stating an opinion as to whether (and, if so, the extent to which) the evidence obtained supports any allegation of misconduct against the relevant officer; and

(ii) recommending any disciplinary action which appears appropriate for the Authority to take against the relevant officer, and

(e) must no later than the time at which the report is made under sub-paragraph d), send a copy of the report to the relevant officer.

(7) Subject to paragraph (8), the relevant officer and the Authority must, after consulting the designated independent person, attempt to agree a timetable within which the designated independent person is to undertake the investigation.

(8) Where there is no agreement under paragraph (7), the designated independent person must set a timetable as that person considers appropriate within which the investigation is to be undertaken.

(9) The Authority must consider the report prepared under paragraph (6) (d) within 1 month of receipt of that report.

(10) The Authority must pay reasonable remuneration to a designated independent person appointed by the investigation committee and any costs incurred by, or in connection with, the discharge of functions under this regulation.

SECTION 13

13. FINANCE CONTRACTS AND LEGAL MATTERS

13.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in Section 0 of this Constitution.

13.2 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules set out in Section 0 of this Constitution.

13.3 Legal Proceedings

13.3.1 The Monitoring Officer is authorised to institute, defend, participate in or settle any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Council or in any case where the Monitoring Officer considers that such action is necessary to protect the Council's interests.

13.3.2 The Monitoring Officer has delegated powers to authorise Officers to appear in court on the Council's behalf.

13.4 Authentication of Documents

13.4.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Monitoring Officer or other person authorised by him/her, unless any enactment or otherwise authorises or requires, or the Council has given requisite authority to some other person.

13.4.2 Every contract not exceeding £500,000 in amount or value shall be made in writing in a form approved by the Monitoring Officer, such form being the Form of Tender. Subject to the Contracts Procedure Rules, such contracts must be signed by the Appropriate Chief Officer or by an officer in writing authorised to approve on behalf of the Appropriate Chief Officer.

13.4.3 In addition to any other person who may be authorised by resolution of the Council, the Proper Officer for the purposes of authentication of documents under the Local Government Acts shall be:

- (a) the Chief Executive;
- (b) the Monitoring Officer ;
- (c) any Chief Officer of the Council concerned with the matter to which the document relates; or,
- (d) any Officer authorised in writing by such Chief Officer.

13.5 **Common Seal of the Council**

13.5.1 Common Seal

- (a) The Common Seal of the Council shall be kept in a safe place in the custody of the Monitoring Officer.
- (b) A decision of the Council, including decisions under delegated powers, will be sufficient authority for sealing any document necessary to give effect to the decision.

13.5.2 Sealing and Execution of Documents

- (a) The Monitoring Officer shall have authority to affix the Common Seal and execute under Seal any deed or document.
- (b) The Monitoring Officer shall have authority to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.
- (c) This function can be delegated further by the named person.

13.5.3 Record of Sealing of Documents

Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the Monitoring Officer and consecutively numbered in a book to be provided for the purpose.

SECTION 14

14. RESPONSIBILITY FOR FUNCTIONS - SUMMARY

The purpose of this Section of the Constitution is to set out who is responsible for making the various decisions in the Council.

14.1 Who can be Decision Makers?

Under this constitution, there are a number of different decision makers:

- 14.1.1 Full Council;
- 14.1.2 a Committee or Sub-Committee of the Council;
- 14.1.3 the Executive Leader;
- 14.1.4 the Cabinet;
- 14.1.5 a Committee of Cabinet;
- 14.1.6 an individual Cabinet Member;
- 14.1.7 a Joint Committee;
- 14.1.8 a Corporate Joint Committee;
- 14.1.9 an Officer.

The Council will issue and keep up to date a record of which individual has responsibility for particular types of decisions. This record is set out in Section 14 of this Constitution.

14.2 Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:

- 14.2.1 proportionately (ie the action must be proportionate to the desired outcome);
- 14.2.2 due consideration and the taking of professional advice from Officers;
- 14.2.3 respect for human rights;
- 14.2.4 a presumption in favour of openness;
- 14.2.5 clarity of aims and desired outcomes;
- 14.2.6 consideration of any alternative options; and
- 14.2.7 the giving and recording of reasons for the decision and the proper recording of these reasons.

14.3 Functions fall into the following categories:

14.3.1 Functions of the Full Council

The Council is the supreme decision making body and may, with some exceptions, exercise any of the functions vested in the Council by Law. It may also delegate many of those functions to a Committee, Sub-Committee or Officer. The functions of the Full Council are set out in Section 4.

14.3.2 Non-Executive Functions

These are functions which, by law, may not be the responsibility of the Cabinet. In some cases, only the Full Council meeting may take the decision. In other cases, the Council may delegate the responsibility for taking the decision to a Committee or an Officer.

14.3.3 “Local Choice” Functions

There are some functions which the Council may treat as being the responsibility of the Cabinet (in whole or in part) or as being non-executive, at its discretion.

14.3.4 Executive Functions

All other functions are Executive Functions.

14.4 **Other Bodies**

14.4.1 Advisory Bodies

The Council and/or the Leader can also set up Advisory Committees and Joint Advisory Committees.

14.4.2 Overview and Scrutiny Committees

Overview and Scrutiny Committees are responsible for the overview and scrutiny function. They cannot exercise other functions and make decisions.

14.4.3 Officer Delegations

Officer delegations are published in the Scheme of Delegation of Functions, available on the Council’s website.

14.5 **Who Decides – Non-Executive Functions?**

14.5.1 The Council may decide whether to delegate Non-Executive Functions to a committee, sub-committee, delegated Officer or joint committee.

14.5.2 Where a non-Executive Function has been delegated to a committee, the committee may further delegate to a sub-committee or delegated Officer.

14.5.3 Where a non-Executive Function has been delegated to a sub-committee, the sub-committee may further delegate to a delegated Officer.

14.6 **Who Decides – Executive Functions?**

The Leader may decide whether to delegate Executive Functions to a committee of the Cabinet, an individual Cabinet Member, a delegated Officer or a joint committee.

14.7 **Removal of Delegation**

- 14.7.1 Where a function has been delegated, the body that delegated the function may withdraw the delegation generally or in any particular case, and may exercise the function itself.
- 14.7.2 Where a function has been delegated, the decision maker is not required to exercise the delegation and may refer any particular matter to the body that made the delegation or any other body that has power to exercise the function.

14.8 **Who May Exercise Officer Delegations?**

Where a function has been delegated to an Officer(s) (“delegated Officer(s)”), the decision may be taken in the name of (but not necessarily personally by) such delegated Officer(s) (“authorised Officer(s)”) in accordance with arrangements made from time to time by such delegated Officer(s) for this purpose. The Officer with delegated powers can only delegate to a third party if that Officer is given delegated powers to “delegate on” that decision making.

APPENDIX 1 TO SECTION 14

Non-Executive Functions

Member Body	Membership	Functions
Appeals Panel	Chairperson and/or Vice Chairperson together with one or two County Borough Councillors drawn on a rota basis from a panel of ten County Borough Councillors.	To hear and determine appeals under the following policies and procedures of the Council: <ul style="list-style-type: none"> • Disciplinary; • Grievance; • Management of Absence; • Dignity at Work; • Capability; • Redundancy and Redeployment
Appointments Committee	The Appointments Committee is comprised of 8 Elected Member representatives: <ul style="list-style-type: none"> • Leader (Chairperson) • Deputy Leader • Cabinet Member (of relevant portfolio to the post) • 2 x Bridgend County Independent Members • 2 x Democratic Alliance Members • 1 x Labour Member 	<ol style="list-style-type: none"> 1. To undertake the appointment process of JNC officers (other than the Chief Executive). 2. To undertake the appointment process of the Chief Executive and recommend to full Council an appointable candidate(s). <p>Substitution of Appointments Committee Members is permissible but only for the whole of an appointments process.</p> <ol style="list-style-type: none"> 3. To facilitate the JNC Determination and JNC Appeals panels. These will comprise of 3 members with the Leader or Deputy Leader chairing the panel supported by 2 other members of the committee. <p>The JNC Panels cannot be substituted and must be comprised from the original membership of the Appointments Committee.</p>

Member Body	Membership	Functions
Governance and Audit Committee	8 County Borough Councillors and 4 Lay Members.	<ul style="list-style-type: none"> • Review, scrutinise and issue reports and recommendations in relation to the Council's financial affairs, • Review, scrutinise and issue reports and recommendations on the appropriateness of the Council's risk management, internal control, arrangements to secure value for money and corporate governance arrangements. • To consider the report on the annual risk assessment, any interim reports and the Corporate Risk Management Policy. • Oversee the Council's internal and external audit arrangements (including the performance of external providers of Internal Audit) and review its financial statements. • To approve the Internal Audit Charter. • To approve the risk-based internal audit plan and to approve significant interim changes to the risk-based internal audit plan. • To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years. • To consider and approve the Head of Internal Audit's annual report and opinion, a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements. • To consider and approve reports from Internal Audit on the adequacy of internal control.

Member Body	Membership	Functions
		<ul style="list-style-type: none"> • To consider and approve reports dealing with the management and performance of the providers of internal audit services. • To consider reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale and approve necessary remedial action. • To identify issues from the Annual Improvement Report by Audit Wales. • To identify areas for examination by Internal and External Audit. • To be responsible for ensuring effective scrutiny of the Treasury Management function and policies, in accordance with the Treasury Statement and Treasury Management Indicators. • To maintain an overview of the Council's Constitution in respect of Contract and Finance Procedure Rules. • To review any issue referred to it by the Chief Executive Officer, the Monitoring Officer and the Section 151 Officer. • To monitor the Council's Anti-Fraud and Bribery Strategy, Anti-Money Laundering Policy and Anti-Tax Evasion Policy. • To review and approve the Council's Annual Governance Statement and Code of Corporate Governance. • To assess the Council's compliance with its own and other published standards and controls. • To review and approve the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the

Member Body	Membership	Functions
		<p>financial statements or from the audit that need to be brought to the attention of the Council.</p> <ul style="list-style-type: none"> • To consider and approve the External Auditor's report in relation to those charged with governance on issues arising from the audit of the accounts. • To review and consider reports from the External Auditor on the Council's performance, financial probity and corporate governance and providing the opportunity for direct discussion with the auditor on these. • To receive reports from the External Regulators as appropriate. • To attend relevant training sessions in accordance with the Members Training programme e.g. Treasury Management. • To review and assess the Council's ability to handle complaints effectively; • To make reports and recommendations in relation to the Council's ability to handle complaints effectively; • To review the Council's draft self-assessment report on its performance and, if deemed necessary, make recommendations for changes to the conclusions; <ul style="list-style-type: none"> • To receive the Council's self-assessment report in respect of a financial year as soon as reasonably practicable after the end of that financial year; • At least once during the period between two consecutive ordinary elections of councillors to the Council, consider the panel performance assessment report into

Member Body	Membership	Functions
		<p>which the Council is meeting its performance requirements;</p> <ul style="list-style-type: none"> • To receive and review the Council's draft response to the report of the panel performance assessment and, if deemed necessary, make recommendations for changes to the statements made in the draft response; • To consider the assurance framework, including partnerships and collaboration arrangements; • To support the ethical framework of the Council
Democratic Services Committee	11 County Borough Councillors	<ol style="list-style-type: none"> 1. To designate an officer as the Head of Democratic Services, 2. To review the adequacy of provision of staff, accommodation and other resources to discharge democratic services functions, and 3. To make reports and recommendations to Council, at least annually, in relation to such provision. 4. At the request of the Council, review any matter relevant to the support and advice available to members of the Council, and the terms and conditions of office of those members. 5. To make reports and recommendations to the Council following a review.
Democratic Services Sub-Committee	3 County Borough Councillors that are members of the Committee	<p>A Panel constituted under The Family Absence for Members of Local Authorities (Wales) Regulations 2013</p> <ol style="list-style-type: none"> a) Determine a complaint made by a Member

Member Body	Membership	Functions
		<p>regarding cancellation of family absence by the authority</p> <p>b) The Sub-Committee may confirm a decision made or substitute its own decision as to the Member's entitlement to a period of family absence in accordance with the 2013 Regulations.</p> <p>c) Determine a complaint made by a Member on maternity absence or parental absence regarding a decision made by the chair of the authority as to the Member attending any meeting or performing any duty;</p> <p>d) The Sub-Committee may confirm the decision of the chair of the authority or substitute its own decision as to the Member attending any meeting or performing any duty;</p> <p>e) The decision of the Sub-Committee is final.</p>
Development Control Committee	18 County Borough Councillors	<ol style="list-style-type: none"> 1. To make recommendations to the Council in respect of Departure Applications which the Committee are minded to approve and Applications which accord with Council policy which the Committee are minded to refuse; 2. To determine applications for planning permission including applications by the Council for deemed planning permission other than Departure Applications which the

Member Body	Membership	Functions
		<p>Committee are minded to approve and Applications which accord with Council policy which the Committee are minded to refuse;</p> <p>3. To deal with all matters relating to or arising under the regulations for the time being in force governing the control of advertisements;</p> <p>4. To authorise the service of notices and the making of orders in accordance with the powers conferred upon the Council as local planning authority by Parts III, IV, VI, VII, VIII and XIII of the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>5. To discharge the Council's functions pursuant to Part I, Chapters II, III, IV and VI, Part II, Sections 72-75, Part III and Part IV of the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>6. To discharge the Council's functions pursuant to the Planning (Hazardous Substances) Act 1990;</p> <p>7. To deal with all matters relating to or arising under the regulations for the time being in force governing European Nature Conservation Sites;</p> <p>8. To discharge the Council's functions under the Building Regulations;</p> <p>9. To be responsible for:</p>

Member Body	Membership	Functions
		<ul style="list-style-type: none"> a) The making of Tree Preservation Orders; b) The confirmation of Tree Preservation Orders in respect of which there are no subsisting objections or representations; c) The determination of all applications for consent under confirmed Tree Preservation Orders; d) The making of observations on tree felling licences proposed to be granted by National Resources Wales; e) The determination of applications under the Woodland Grant Scheme; <p>10. To approve design briefs and advice notes relating to the control of development;</p> <p>11. To accept tenders for the execution of work, the performance of services or the supply of goods or materials in connection with the exercise of the functions of the Committee;</p> <p>12. To exercise those functions relating to town and country planning and development control specified:</p> <ul style="list-style-type: none"> (a) In column (1) of Schedule 1 to the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001; and <p>In Regulations 2(2), 2(3) or 2(4) of those Regulations; which are not specified in paragraphs 1 to 11 above, unless the responsibility for exercising any of those functions has been delegated by the Council</p>

Member Body	Membership	Functions
		to any other committee, sub-committee, panel or other body.
Rights of Way Sub-Committee	6 County Borough Councillors (plus one observer from each: Ramblers' Association; the British Horse Society; and a Footpath Secretary).	<ol style="list-style-type: none"> 1. To approve the making of applications for and the making, modification or variation of orders relating to rights of way in pursuance of any provision contained in the following enactment (or any statutory modification, re-enactment or amendment thereof): Town and Country Planning Act 1990; 2. To confirm, where the Council has power to do so, any proposed Order made in accordance with paragraph 1 above to which there are no objections or in respect of which any objections made are withdrawn; 3. Where the Council does not have power to determine any proposed Order to refer the proposed Order to such determining body (i.e. the National Assembly for Wales, the Magistrates' Court or the County Court) as is appropriate in the circumstances.
The Licensing Committee	14 County Borough Councillors	<p>To determine from time to time any standard conditions applicable to and detailed policies governing the issue of the following licences, permits and consents; to determine the amount of the fees to be charged from time to time in respect of those licenses, permits and consents; and to determine objections in relation to proposed fee revisions:</p> <ol style="list-style-type: none"> a) Hackney Carriage and Private Hire Vehicle Licences, Drivers'

Member Body	Membership	Functions
		<p>Licences and Operators' Licences;</p> <p>b) Licences for Pleasure Boats and Vessels;</p> <p>c) Street Trading Licences and Consents;</p> <p>d) Sex Establishments;</p> <p>e) Street Collections;</p> <p>f) House to House Collections;</p> <p>g) Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.</p> <p>h) Section 26(1)(bb) of the Marriage Act 1949, (as amended)</p> <p>To prescribe guidelines, conditions, limitations or restrictions governing the grant of applications for Hackney Carriage and Private Hire Vehicle Drivers' Licences by Council officers under the power delegated to them;</p> <p>To resolve to designate any street within the County Borough under the street trading provisions contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and to deal with any matter arising there from, including licence and consent issues.</p>

Member Body	Membership	Functions
The Licensing Sub-Committee	Two Panels sitting on a rota basis each consisting of seven county borough councillors, and chaired by the Chairperson and Vice Chairperson of the Licensing Committee	<p>To hear and determine applications and to deal with all detailed matters (including the suspension and revocation of licences) relating to:</p> <ul style="list-style-type: none"> a. Hackney Carriage and Private Hire Vehicle Licences, Drivers' Licences and Operators' Licences; b. Licences for Pleasure Boats and Vessels; c. Street Trading Licences and Consents; d. Sex Establishments; e. Street Collections; f. House to House collections; <p>To determine any matters in relation to the Drivers Awareness Course for Hackney Carriage and Private Hire Vehicle Drivers, including the making of any charges deemed appropriate.</p> <p>To determine all applications in respect of both designated grounds and regulated stands and grounds under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.</p> <p>To hear and determine applications for the grant or renewal of approvals of premises for the solemnisation of marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949, (as amended) or to revoke such</p>

Member Body	Membership	Functions
		<p>approvals, in circumstances in which the Council Officer to whom the power to determine such applications, or to revoke such approvals, has been delegated has declined to exercise the delegated power.</p>
<p>The Licensing Act 2003 Committee</p>	<p>14 County Borough Councillors</p>	<p>All matters relating to the discharge by the licensing authority of its licensing functions under the Licensing Act 2003 other than any function conferred by section 5 in respect of its statement of licensing policy;</p> <p>All matters relating to the discharge by the Licensing Authority of its licensing functions under the Gambling Act 2005 other than any function conferred by section 349 in respect of its statement of Licensing Policy and section 166 in respect of a resolution not to issue a casino license.</p>
<p>The Licensing Act 2003 Sub-Committee(s)</p>	<p>Ad-hoc panels of 3 Licensing Act 2003 Committee members sitting on a rota basis chaired by the Chairperson or Vice-Chairperson of the Licensing Act 2003 Committee or in their absence a member of the panel to be elected as chairperson for that meeting</p>	<p>To hear and determine or make decisions (as appropriate) under the Licensing Act 2003 regarding the following matters:</p> <ul style="list-style-type: none"> (a) Applications for personal licences (if police objection); (b) Applications for personal licences with unspent convictions; (c) Applications for premises licences/club premises certificates (if relevant representation made); (d) Applications for provisional statements (if relevant representation made); (e) Applications to vary premises licences/club premises certificates (if

Member Body	Membership	Functions
		<p>relevant representation made);</p> <p>(f) Applications to vary designated premises supervisor (if police objection);</p> <p>(g) Applications for transfer of premises licence (if police objection);</p> <p>(h) Applications for interim authorities (if police objection);</p> <p>(i) Applications to review premises licences/club premises certificate;</p> <p>(j) Whether to object when the authority is a consultee and not the relevant authority considering an application;</p> <p>(k) Determination of police objections (counter notices) to temporary event notices;</p> <p>(l) Revocations of licences where convictions come to light.</p> <p>2. To determine applications received in respect of the Legislative Reform (Minor variations to Premises Licences and Club Premises Certificates) Order 2009.</p> <p>3. To determine applications received in respect of the</p>

Member Body	Membership	Functions
		<p>Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009.</p> <p>4. To hear and determine or make decisions (as appropriate) under the Gambling Act 2005 regarding the following matters:</p> <ul style="list-style-type: none"> (a) Applications for Premises Licence; (b) Application for variation of Premises License; (c) Application for transfer of Premises Licence; (d) Application for Provisional Statement; (e) Review of Premises License; (f) Application for Club Gaming / Club Machine permit; (g) Cancellation of Club Gaming / Club Machine permit; (h) Cancellation of Licensed Premises Gaming Machine permit; (i) Consideration of temporary use notice; (j) Decision to give counter notice to a temporary use notice; (k) Decision to refuse application for small lottery registration; (l) Decision to disapply s282 - automatic entitlement to gaming machines in licensed premises.

Member Body	Membership	Functions
		Other matters where the Council Officer to whom the power to determine or revoke has been delegated declines to exercise the delegated power.
Town and Community Council Forum	Nineteen County Borough Councillors and one Town and Community Councillor representing each Town and Community Council	To consult with representatives of Town and Community Councils within the County Borough on matters of mutual interest.

The Committees set out above may from time to time add to or alter those delegations, as appropriate, within their functional responsibilities.

Certain functions have been delegated to Officers. Details of those delegations can be found in the Scheme of Delegation of Functions on the Council's website.

APPENDIX 2 TO SECTION 14

Responsibility for Executive Functions

The Leader is responsible for discharge of Executive Functions and may delegate those functions as set out in Section 5 of this Constitution.

The Leader has allocated portfolios (lead responsibilities) for particular Executive Functions among individual Member of the Cabinet. Normally, decisions will be taken collectively by the Cabinet but individual Cabinet Members can make decisions within their portfolios which they consider to be urgent to protect the interest of the Council, subject to prior consultation with the appropriate Chief Officer(s) and, where necessary, other Cabinet Members. If there is uncertainty as to whether a matter falls within a particular portfolio, the Leader will make a determination as to which is the relevant Cabinet Member. The Leader can make urgent decisions in the absence of the appropriate portfolio holder.

The table below indicates how the Leader has allocated particular Executive Functions by a Committee of Cabinet:

Member Body	Membership	Functions.
Equalities Committee	17 elected members, 7 of whom are Cabinet members and have voting rights.	<ul style="list-style-type: none">▪ To ensure that appropriate equality and Welsh language policies and procedures are in place to fulfil the Authority's statutory duties.▪ To consider and make recommendations to Cabinet on proposals from the Corporate Equality Management Group on the development and implementation of the Authority's Corporate Equality Scheme and Welsh language Scheme.▪ To monitor and review community and employee involvement in the development and implementation of the Corporate Equality Scheme.▪ To request and receive information and statistical monitoring reports about the authority's workforce related to those groups of people protected by anti-discrimination

		<p>legislation, (including: gender, marital status, age, race, disability, Welsh language, religion, belief and sexual orientation).</p> <ul style="list-style-type: none"> ▪ To monitor and assess the Authority's performance against the Equality Improvement Framework. ▪ To report annually to Cabinet on the Authority's progress against the objective set out in the Corporate Equality Scheme and Welsh language scheme in line with the Wales Programme for Improvement. ▪ To make recommendations to Cabinet for improvement in performance in fulfilment of the Authority's statutory duties.
Corporate Parenting	12 elected members, 7 of whom are Cabinet members and have voting rights.	<ul style="list-style-type: none"> ▪ To ensure that Looked After Children are seen as a priority by the whole of the Authority and by the Children and Young People's Partnership. ▪ To seek the views of Children and Young People in shaping and influencing the parenting they receive. ▪ To determine appropriate policies, opportunities and procedures. ▪ To monitor and evaluate the effectiveness of the Authority in its role as corporate parent against Welsh Assembly guidance.

		<ul style="list-style-type: none"> ▪ To approve the Permanence Policy in relation to Looked After Children. ▪ To approve individual Statements of Purpose for the service areas of Fostering, Adoption and Children's Homes. ▪ To receive information specifically relating to Looked After Children and the Authority's Corporate Parenting Role. ▪ To approve the Placement Strategy. ▪ To approve Support Plans and Recruitment Campaigns for Foster Parents. ▪ To approve Schemes in relation to work experience, training and apprenticeships for Looked After Children and former Looked After Children. ▪ To approve increases in allowances which can be funded within existing budgets and amendments to the method of assessing financial support relating to Looked After Children. • To approve Residential Reviews relating to Looked After Children
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APPENDIX 3 TO SECTION 14

RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Functions	Member Body	Membership	Delegation of Functions
Section 6 (Coal-mining operations: Performance bonds).	Council, through the Development Control Committee	18 County Borough Councillors	Delegated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 8 (Council to be trust corporation).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director – Education and Family Support (see Schemes of Delegation of Functions).
Section 9 (Access for fire brigade).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 10 (Dust, etc., from building operations).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 11 (Dust from the movement of coal).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 12 (Cost of weatherproofing walls).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).

Functions	Member Body	Membership	Delegation of Functions
Section 13 (Retaining walls).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 14 (Plans, etc., of new sewers).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 15 (Seizure of stray animals).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council (see Schemes of Delegation of Functions).
Section 16 (Expenses of executing demolition orders).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 17 (Prohibition of parking of certain vehicles in residential streets).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 18 (Restriction on use of dustbins, etc.).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 19 (Repair of walls, etc., of yards).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to the Solicitor to the Council (see Schemes of Delegation of Functions).

Functions	Member Body	Membership	Delegation of Functions
Section 22 (Protection of seashore and adjoining land from pollution).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 23 (Power to employ lifeguards).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director – Social Services and Wellbeing (see Schemes of Delegation of Functions).
Part V (Porthcawl Harbour).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director – Communities (see Schemes of Delegation of Functions).
Section 67(1) of, and Schedule 18 to, the School Standards and Framework Act 1998 (Making of arrangements for appeals against exclusion of pupils).	Council	51 County Borough Councillors.	None.
Section 94(1) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (Making of arrangements for admission appeals).	Council	51 County Borough Councillors.	None.
Section 95(2) of, and Schedule 25 to, the School Standards and Framework Act 1998 (Making of arrangements regarding appeals by governing bodies).	Council	51 County Borough Councillors.	None.
Section 20 of the Police Act 1996 (Making of	Council	51 County Borough Councillors.	None.

Functions	Member Body	Membership	Delegation of Functions
arrangements for questions on police matters at Council meetings).			
Paragraphs 2 to 4 of Schedule 2 to the Police Act 1996 (Making of appointments to police authorities).	Council	51 County Borough Councillors.	None.
Any function relating to contaminated land.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council (see Schemes of Delegation of Functions).
Any function relating to the control of pollution or the management of air quality.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council (see Schemes of Delegation of Functions).
The service of an abatement notice in respect of a statutory nuisance.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council(see Schemes of Delegation of Functions).
Passing of resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 shall apply to the authority's area.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	None.
Inspection of the Authority's area to detect any statutory nuisance.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council(see Schemes of Delegation of Functions).
Investigation of a complaint as to the existence of a statutory nuisance.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Solicitor to the Council(see Schemes of Delegation of Functions).

Functions	Member Body	Membership	Delegation of Functions
Section 330 of the Town and Country Planning act 1990 (Obtaining of information as to interests in land).	Council	51 County Borough Councillors.	Delegated to Corporate Director - Communities (see Schemes of Delegation of Functions).
Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (Obtaining of particulars of persons interested in land).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities and the Solicitor to the Council(see Schemes of Delegation of Functions). Functions).
Making of agreements for the execution of highway works.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director - Communities (see Schemes of Delegation of Functions).
The appointment of any individual: (a) To any office other than an office in which he/she is employed by the Council; (b) To any body other than: (i) the Council; (ii) a joint committee of two or more authorities; or c) a committee or sub-committee of such a body, and the revocation of any such appointment.	Cabinet (in respect of appointments to offices or bodies discharging or performing any role in connection with functions which are the responsibility of the Cabinet); otherwise the Council	Leader, Deputy Leader and four other County Borough Councillors (Cabinet); otherwise 51 County Borough Councillors (Council).	None.
Power to make payments or provide other benefits in cases of maladministration etc.	Council	51 County Borough Councillors.	None.

Functions	Member Body	Membership	Delegation of Functions
Discharge of any function by an authority acting as a harbour authority.	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Allocated to Corporate Director – Communities (see Schemes of Delegation of Functions)
Licensing Functions in accordance with: Part 2 of the Licensing Act 2003 except Section 6	Council	51 County Borough Councillors	None
The functions contained in sections 25 and 26 of the Highways Act 1980 (Creation of Highways).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Specified functions allocated to the Corporate Director - Communities (see Schemes of Delegation of Functions).
The functions contained in sections 116, 117, 118, 118ZA, 118A, 118B, 118C, 119, 119ZA, 119A, 119B, 119C, 119D, 120, 121B of the Highways Act 1980 (Stopping up and diversion of Highways).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Specified functions allocated to the Corporate Director - Communities (see Schemes of Delegation of Functions).
The functions contained in sections 130, 139, 140, 140A, 142, 147, 147ZA, 149, 169, 171, 171A, 172, 173, 178, 179, 180 of the Highways Act 1980 (Lawful and unlawful interference with Highways and Streets).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Specified functions allocated to the Corporate Director - Communities (see Schemes of Delegation of Functions).
The functions contained in section 34 of the Wildlife and Countryside Act	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Specified functions allocated to the Corporate Director - Communities (see Schemes of

Functions	Member Body	Membership	Delegation of Functions
1981 (Limestone pavement orders).			Delegation of Functions).
The functions contained in section 53 of the Wildlife and Countryside Act 1981 (Duty to keep definitive map and statement under continuous review).	Cabinet	Leader, Deputy Leader and four other County Borough Councillors.	Specified functions allocated to the Corporate Director - Communities (see Schemes of Delegation of Functions).
Functions in respect of gambling under sections 29, 30, 166, 212, 284, 304, 346, 349, 350 and Part 5 of Schedule 11 of the Gambling Act 2005.	Council	51 County Borough Councillors.	Specified functions allocated to the Licensing Committee and to the Solicitor to the Council(see Constitution and Schemes of Delegation of Functions).
To determine all appeals against decisions made by or on behalf of the Authority except where there is other specific statutory requirement.	Council	51 County Borough Councillors.	To the Appeals Panel Chairperson and/or Vice Chairperson together with one or two County Borough Councillors drawn on a rota basis from a panel of ten County Borough Councillors.
Functions in respect of the calculation of council tax base in accordance with any of the following— (a) the determination of an item for T in section 33(1) and 44(1) of the Local Government Finance Act 1992; (b) the determination of an amount for item TP in sections 34(3),	Council	51 County Borough Councillors	None

Functions	Member Body	Membership	Delegation of Functions
<p>45(3) 48(3) and 48(4) of the Local Government Finance Act 1992;</p> <p>(c) the determination of an amount required for determining an amount for the item mentioned in paragraph (a) or (b) above.</p>			
<p>The functions set out in the Scrap Metal Dealers Act 2013.</p>	<p>Cabinet</p>	<p>Leader, Deputy leader and four other County Borough Councillors.</p>	<p>Specified functions allocated to the Solicitor to the Council (see Schemes of Delegation of Functions).</p>

SECTION 15

15. ACCESS TO INFORMATION PROCEDURE RULES

15.1 Scope

These rules apply to all meetings of the Council, the Cabinet, Overview and Scrutiny Committee, the Standards Committee, and Regulatory Committees.

15.2 Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

15.3 Rights to Attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules.

15.4 Notices of Meeting

15.4.1 Unless a meeting is convened at short notice, the Council will give at least three clear days' notice of any meeting by posting details of the meeting on its website.

15.4.2 Where the meeting or part of the meeting is open to the public and is held wholly through remote means, the notice must include details of the time of the meeting, and how to access it.

15.4.3 Where the meeting or part of the meeting is open to the public and is held partly through remote means, the notice must include details of the time and place of the meeting and how to access it.

15.4.4 Where the meeting is not open to the public and is held partly through remote means or not held through remote means, the notice must include details of the time and place of the meeting and the fact that it is not open to the public.

15.4.5 Where the meeting is not open to the public and is held through remote means only, the notice must include details of the time of the meeting, the fact that it is being held through remote means only and the fact that it is not open to the public.

15.5 Access to Agenda and Reports Before the Meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office and on its website at least three clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the designated Officer shall make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection from the time the item was added to the agenda.

15.6 Supply of Copies

The Council will supply copies of:

15.6.1 any agenda and reports which are open to public inspection;

15.6.2 any further statements or particulars necessary to indicate the nature of the items in the agenda; and

15.6.3 if the Monitoring Officer thinks fit, copies of any other documents supplied to Councillors in connection with an item

to any person either electronically or on payment of a charge for postage and any other printing and handling costs.

15.7 **Access to Minutes etc after the Meeting**

The Council will make available either electronic or hard copies of the following for a period of six years after the date of a meeting:

15.7.1 the minutes of the meeting or record of decisions taken by the Cabinet, excluding any part of the minutes of proceedings when the meeting was not open to the public because exempt or confidential information was being considered;

15.7.2 a summary of any proceedings not open to the public, where the minutes open to inspection would not provide a reasonably fair and coherent record;

15.7.3 the agenda for the meeting;

15.7.4 reports relating to items when the meeting was open to the public.

15.8 **Background Papers**

15.8.1 List of Background Papers

The Officer preparing the report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information as defined in Rule 15.10.

15.8.2 Public Inspection of Background Papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

15.9 **Summary of Public's Rights**

A written summary of the public's rights to attend meetings and to inspect and copy documents will be kept at, and made available to the public at the Civic Offices, Angel Street, Bridgend, CF31 4WB and published on the Council's website.

15.10 Exclusion of Access by the Public to Meetings

15.10.1 Confidential Information – Requirement to Exclude Public

- (a) The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that confidential information would be disclosed.

15.10.2 Exempt Information – Discretion to Exclude Public

- (a) The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that exempt information would be disclosed.
- (b) Where the meeting will determine any person’s civil rights or obligations, or adversely affect their possessions, article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public, unless a private hearing is necessary for one of the reasons specified in article 6.

15.10.3 Meaning of Confidential Information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

15.10.4 Meaning of Exempt Information

Exempt information means information falling within the following seven categories (subject to any condition):

Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

No.	Category of Exempt Information	Condition
1.	Information relating to any individual.	Public interest test applies (see below).
2.	Information which is likely to reveal the identity of an individual.	Public interest test applies (see below).
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under: <ul style="list-style-type: none">• The Companies Act 1985;• The Friendly Societies Act 1974;• The Friendly Societies Act 1992;

No.	Category of Exempt Information	Condition
		<ul style="list-style-type: none"> • The Industrial and Provident Societies Acts 1965 to 1978; • The Building Societies Act 1986; or • The Charities Act 1993. Public interest test applies (see below).
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Welsh Minister or a Minister of the Crown and employees of, or office holders under, the authority.	Public interest test applies (see below).
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	
6.	Information which reveals that the authority proposes: <ul style="list-style-type: none"> • to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or • to make an order or direction under any enactment. 	Public interest test applies (see below).
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. Public interest test applies (see below). <i>(In relation to a meeting of a Standards Committee, or a Sub-Committee of a Standards Committee, which is convened to consider a matter referred under the provisions of section 70(4) or (5) or 71(2) of the Local Government Act 2000):</i> 7A Information which is subject to any obligations of confidentiality.	Public interest test applies (see below).

No.	Category of Exempt Information	Condition
	<p>7B Information which relates in any way to matters concerning national security.</p> <p>7C The deliberations of a Standards Committee or of a Sub-Committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.</p>	

15.11 **Public Interest Test**

15.11.1 Information which:

- (a) falls within any of paragraphs 1 to 4, 6 and 7 above; and
- (b) is not prevented from being exempt by virtue of the “qualifications” above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

15.11.2 The starting point is that there is a general public interest in release and the public authority has to decide whether in any particular case it would serve the interest of the public better to either disclose or withhold the information.

15.11.3 There is no legal definition of what the public interest is, but the following have been identified as some of the relevant considerations:

- (a) There is a distinction between public interest and what merely interests the public.
- (b) Does it further the understanding of and participation in the public debate of issues of the day?
- (c) Does it promote accessibility and transparency by public authorities for decisions taken by them or in the spending of public money?
- (d) Does it allow individuals and companies to understand decisions made by public authorities affecting their lives?
- (e) Does it bring to light information affecting public health and public safety?

15.12 **Exclusion of Access by the Public to Reports**

If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which, in his or her opinion, relate to items during which, in accordance with Rule 15.10, the meeting is likely not to be open to the public. Such reports will be marked “Not for

Publication”, together with the category of information likely to be disclosed and if applicable, why it is in the public interest it is considered that the information should not be disclosed.

15.13 The Forward Work Programme

15.13.1 Period of Forward Work Programme

The Forward Work Programme will be prepared by the Monitoring Officer to cover a period of four months except when ordinary elections of Councillors occur, in which case the forward work programme will cover the period up to the date of the elections. The forward work programme will be updated quarterly.

15.13.2 Contents of Forward Work Programme

- (a) The Forward Work Programme will contain matters which the Cabinet, Overview and Scrutiny Committees and Full Council are likely to consider. It will contain information on:
- (i) the timetable for considering the Budget and any plans forming part of the Policy Framework and requiring Council approval, and which body is to consider them;
 - (ii) the timetable for considering any plans, policies or strategies which are the responsibility of the Cabinet;
 - (iii) any individual matters on which the Cabinet intends to consult in advance of taking a decision, and the timetable for consultation and decision;
 - (iv) the work programme of the Overview and Scrutiny Committees, to the extent that it is known.
- (b) The Forward Work Programme will be published at least fourteen days before the start of the period covered. The Monitoring Officer will publish a notice in at least one newspaper circulating in the area, stating that the Forward Work Programme has been published and giving details of where it may be consulted or obtained.

15.14 Consultation on Proposals to be Considered by the Cabinet

15.14.1 At least four weeks should be permitted in the Forward Work Programme for consultation with the Overview and Scrutiny Committees where a matter is to be considered by the Cabinet and is not urgent (as defined below) or confidential or exempt (as defined in paragraph 15.10).

15.14.2 A matter may be considered urgent where the events to which it is addressed were unforeseen at the time that the last Forward Work Programme was produced and a decision is required within four weeks.

15.14.3 A decision can only be treated as urgent if the decision taker (if an individual) or the Chair of the body making the decision obtains the agreement of the Chair of the relevant Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chair of the relevant Overview

and Scrutiny Committee, or if the Chair of the Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor or, in his/her absence, the Deputy Mayor will suffice. Any decisions taken under this urgency procedure will be recorded as having been taken in the absence of consultation in the decision record.

15.15 **Record of Decisions of the Cabinet**

15.15.1 The Decision Record

- (a) A written record will be made of every Executive Decision made by the Cabinet and its Committees (if any) and by individual Cabinet Members, and Joint Committees and Joint Sub-Committees whose Members are all Members of a local authority executive.
- (b) This decision record will include a statement, for each decision, of:
 - (i) the decision made;
 - (ii) the date the decision was made;
 - (iii) the reasons for that decision;
 - (iv) any personal interest declared;
 - (v) any dispensation to speak granted by the Authority's Standards Committee;
 - (vi) any consultation undertaken prior to the decision.

15.15.2 Preparing the Decision Record

- (a) The Monitoring Officer or his or her representative shall attend any meeting of the Cabinet, a Committee of the Cabinet or a Joint Committee or joint Sub-Committee where all its Members are Members of a local authority Executive, and shall, as soon as reasonably practicable after the meeting, produce a decision record.
- (b) Where an individual Cabinet Member has made any Executive Decision:
 - (i) that Member shall as soon as reasonably practicable instruct the Chief Executive to produce a decision record; and
 - (ii) the decision shall not be implemented until that decision record has been produced, subject to paragraph (c) below.
- (c) Where the date by which an Executive Decision made by an individual Cabinet Member must be implemented makes compliance with (b)(b)(ii) above impracticable, the decision may be implemented if the decision maker has the agreement of
 - (i) the Chair of the relevant Overview and Scrutiny Committee; or
 - (ii) if there is no such person or that person is unable to act, the Mayor;
or

- (iii) if there is none of the above then the Deputy Mayor,
that the making of the decision is urgent and cannot reasonably be deferred.

15.16 Decisions by An Individual Member of the Cabinet

An individual Cabinet Member may only make a decision within the terms of the Scheme of Delegation of Functions for the time being in force. The Cabinet Member will comply with the procedural requirements of the Scheme of Delegation of Functions. The decision recording rules in paragraph 15.15 will apply.

15.17 Overview and Scrutiny Committee and Members' Access to Documents

15.17.1 Rights of Access

Subject to paragraph 15.17.2 below, Overview and Scrutiny Committees will be entitled to access to any document which is in the possession or control of the Cabinet or its Committees and which contains material relating to:

- (a) any business transacted at a meeting of the Cabinet or its Committees; or
- (b) any decision taken by an individual Member of the Cabinet.

15.17.2 Limit on Rights

Overview and Scrutiny Committee will not be entitled to any part of a document that contains:

- (a) confidential or exempt information; or
- (b) advice provided by a political advisor or assistant

unless that information is relevant to an action or decision that is being reviewed or scrutinised or any review contained in a programme of work of the Committees.

15.18 Additional Rights of Access for Members of Overview and Scrutiny Committees

15.18.1 Rights of Access

All Members will be entitled (except where a Member has a prejudicial interest in any matter) to inspect any document which is in the possession or under the control of the Cabinet or its Committees and contains material relating to any business transacted at a meeting of a decision making body of the Council or by an individual Member of the Cabinet.

15.18.2 Limitation on Rights

A Member will not be entitled to any part of a document where:

- (a) it would disclose exempt information falling within paragraphs 12 to 18 of Part 4 of Schedule 12A of the Local Government Act 1972; or
- (b) it would disclose advice of a political advisor or assistant.

15.18.3 Nature of Rights

These rights of a Member are additional to any other right he/she may have.

SECTION 16

16. BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

16.1 The Framework for Executive Decisions

The Council will be responsible for the adoption of its Budget and Policy Framework as set out in Section 4. Once a Budget or a Policy Framework is in place, it will be the responsibility of the Cabinet to implement it.

16.2 Process for Developing the Framework

- 16.2.1 The Cabinet will publicise by including it in the Forward Work Programme a timetable for making proposals to the Council for the approval of the Budget, and its arrangements for consultation upon its initial Budget proposals. The Chairpersons of the Overview and Scrutiny Committees will also be notified of the initial Budget process. The consultation period shall be not less than four weeks. If an Overview and Scrutiny Committee wishes to respond to the Cabinet in that consultation process then it may do so. At the end of the consultation period and in accordance with the published timetable, the Cabinet will draw up firm proposals having regard to the responses to that consultation.
- 16.2.2 The Cabinet, following detailed reports from respective Chief Officers, (following appropriate consultation with stakeholders, including any response from the Corporate Overview and Scrutiny Committee) will present to Council at the earliest opportunity, proposed plans, policies and the associated annual budgets. This will be done allowing adequate time for Council to deal with the matter and, if needed, refer the matter back to the Cabinet for further consideration.
- 16.2.3 The Council will consider the proposals of the Cabinet and may adopt them, amend them, refer them back to the Cabinet for further consideration, or substitute its own proposals in their place (see 16.2.4 below). In considering the matter, the Council shall have before it the Cabinet's proposals and any related report from an Overview and Scrutiny Committee.
- 16.2.4 Any amendments to the proposals of the Cabinet to be proposed by Members at Council may not be considered by Council unless notice of the proposed amendment has been given to the Monitoring Officer and Chief Finance Officer in writing and signed by the proposer and seconder no later than 10:00am at least three clear working days before the date of the Council meeting. Any amendment will only be acceptable if it proposes a budget which balances overall income with expenditure for the coming year. The source of funding any proposals must be robust and defined and accepted as such by the Chief Finance Officer.
- 16.2.5 The Council's decision will be publicised and a copy shall be given to the Leader. The notice of decision shall be dated and shall state either that the decision shall be effective immediately (if the Council accepts the Cabinet's proposals without amendment) or (if the Cabinet's proposals are not accepted without amendment), that the Council's decision will become effective on the expiry of five working days after the publication of the notice of decision, unless the Leader objects to it in that period.

- 16.2.6 If the Leader objects to the decision of the Council, he/she shall give written notice to the Chief Executive to that effect, prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection. Where such notification is received, the Chief Executive shall convene a further meeting of the Council to reconsider its decision and the decision shall not be effective pending that meeting.
- 16.2.7 The Council meeting must take place within five working days of the receipt of the Leader's written objection. At that Council meeting, the decision of the Council shall be reconsidered in the light of the objection, which shall be available in writing for the Council.
- 16.2.8 The Council shall, at that meeting, make its final decision on the matter on the basis of a simple majority. The decision shall be made public and shall be implemented immediately.

16.3 Process for Developing the Budget

- 16.3.1 The Cabinet will follow the process set out in the Financial Procedure Rules in Section 0 of the Constitution. In addition the following process shall apply to the development of the Budget:
- (a) The Cabinet will publicise a timetable for making proposals to the Council for the adoption of the Budget, and its arrangements for consultation after publication of the initial proposals. The Chair of the Corporate Overview and Scrutiny Committee will also be notified.
 - (b) At the end of the consultation period, the Cabinet will draw up firm proposals having regard to the responses to the consultation. If the Overview and Scrutiny Committee wishes to respond to the Cabinet in that consultation process then it may do so. The Overview and Scrutiny Committee shall report to the Cabinet on the outcome of its deliberations.
- 16.3.2 The Cabinet will take any response from the relevant Overview and Scrutiny Committee account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the Cabinet's response.
- 16.3.3 Once the Cabinet has approved the firm proposals, it will refer them at the earliest opportunity to the Council.

16.4 Decisions Outside the Budget or Policy Framework

- 16.4.1 Subject to the provisions of paragraph 16.6 (Virement) the Cabinet, committees of the Cabinet, individual Members of the Cabinet or any Officers or joint arrangements discharging Executive Functions may only take decisions which are in line with the Budget and Policy Framework. If any of these bodies or persons wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget approved by Full Council, then that decision may only be taken by the Council, subject to paragraph 16.5 below.
- 16.4.2 If the Cabinet, committees of the executive, individual Members of the Cabinet or any Officers or joint arrangements discharging Executive Functions want to make such a decision, they shall take advice from the Monitoring Officer and/or

the Chief Finance Officer as to whether the decision they want to make would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget.

- 16.4.3 If the advice of either of those Officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 16.5 (urgent decisions outside the Budget and Policy Framework) shall apply.

16.5 **Urgent Decisions Outside the Budget or Policy Framework**

- 16.5.1 The Cabinet, a committee of the Cabinet, an individual Member of the Cabinet or Officers or joint arrangements discharging Executive Functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the budget approved by Full Council if the decision is a matter of urgency. However, the decision may only be taken:

- (a) if it is not practical to convene a quorate meeting of the Full Council; and
- (b) if the Chair of the relevant Overview and Scrutiny Committee agrees that the decision is a matter of urgency.

- 16.5.2 The reasons why it is not practical to convene a quorate meeting of Full Council and the Chair of the relevant Overview and Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of the relevant Overview and Scrutiny Committee the consent of the Mayor and in the absence of both the Deputy Mayor of the Council will be sufficient.

- 16.5.3 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

16.6 **Virement**

Steps taken by the Cabinet, a committee of the Cabinet, individual Members of the Cabinet or Officers or joint arrangements discharging Executive Functions to implement Council policy, shall not exceed those budgets allocated to each budget head. In the event that virement across budget heads or budgets becomes necessary or desirable, it shall be carried out in accordance with the Financial Procedure Rules in Section 0 of this Constitution.

16.7 **In-Year Changes to Policy Framework**

The responsibility for agreeing the Budget and Policy Framework lies with the Council and decisions by the Cabinet, a committee of the Cabinet, an individual Member of the Cabinet or Officers or joint arrangements discharging Executive Functions must be in line with it. No changes to any policy or strategy which make up the Policy Framework may be made by those bodies or individuals except those changes:

- 16.7.1 which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;

- 16.7.2 necessary to ensure compliance with the law, ministerial direction or government guidance;
- 16.7.3 in relation to the Policy Framework in respect of a plan, policy or strategy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration;
- 16.7.4 which relate to policy in relation to schools, where the majority of school governing bodies agree with the proposed change; or
- 16.7.5 for which provision is made within the relevant budget or policy.

16.8 Call-In of Decisions Outside the Budget or Policy Framework

- 16.8.1 Where the relevant Overview and Scrutiny Committee is of the opinion that an Executive Decision is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's Budget, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer.
- 16.8.2 In respect of functions which are the responsibility of the Cabinet, the Monitoring Officer's report and/or Chief Finance Officer's report shall be to the Cabinet with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the Monitoring Officer's or Chief Finance Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the relevant Overview and Scrutiny Committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.
- 16.8.3 If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, the relevant Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within ten working days of the request by the Overview and Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer. The Council may either:
 - (a) endorse a decision or proposal of the Executive Decision taker as falling within the existing Budget and Policy Framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all councillors in the normal way; or
 - (b) amend the Council's Budget or the plan, policy or strategy concerned to encompass the decision or proposal of the body or individual responsible for that Executive Function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all councillors in the normal way; or
 - (c) where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, and does not amend the existing Budget or the plan, policy or strategy concerned to accommodate it, require the Cabinet to reconsider the matter

in accordance with the advice of either the Monitoring Officer or Chief Finance Officer.

SECTION 17

FINANCIAL PROCEDURE RULES

Introduction

What are Financial Procedure Rules?

Financial Procedures provide the framework for managing the Council's financial affairs. They are supported by more detailed specific guidance and procedure notes in a range of areas. The procedures identify the financial responsibilities of the Full Council, the Cabinet and Officers.

Why are they important?

- (a) To conduct its business effectively, the Council needs to ensure that sound financial management arrangements are in place and that they are strictly adhered to in practice. Part of this process is the establishment of Financial Procedures which set out the financial responsibilities of the Council. These procedures have been devised as a control to help the Council manage its financial matters properly in compliance with all necessary requirements.
- (b) Good, sound financial management is a key element of the Council's Corporate Governance framework which helps to ensure that the Council is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.
- (c) Good financial management secures value for money, controls spending, ensures due probity of transactions and allows decisions to be informed by accurate accounting information.
- (d) Good financial management requires secure and reliable records and systems to process transactions and information and substantiate the effective use of public money.
- (e) Financial Procedures should not be seen in isolation, but rather as part of the overall regulatory framework of the Council as set out in this Constitution.

Who do Financial Procedures apply to?

- (f) Financial Procedures apply to every Member and Officer of the Council and anyone acting on its behalf. Members and Officers have a general responsibility for taking reasonable action to provide for the security and use of the resources and assets under their control, and for ensuring that the use of such resources and assets is legal, is consistent with Council policies and priorities, is properly authorised, provides value for money and achieves best value.
- (g) Separate financial procedures have been incorporated into the Council's Financial Scheme for Schools and relate to those matters where decisions have been delegated to school governing bodies.
- (h) These Financial Procedures shall apply in relation to any partnership for which the Council is the accountable body, unless the Council expressly agrees otherwise.

- (i) Failure to observe Financial Procedures may result in action under the Council's disciplinary procedures.

Who is responsible for ensuring that they are applied?

- (j) Chief Officers and Heads of Service are ultimately responsible to the Council for ensuring that Financial Procedures are applied and observed by his/her staff and contractors providing services on the Council's behalf and for reporting to the Chief Finance Officer any known or suspected breaches of the procedures.
- (k) The Chief Finance Officer is responsible for maintaining a continuous review of the Financial Procedures and submitting any additions or changes necessary to the Council for approval. The Chief Finance Officer is also responsible for reporting, where appropriate, breaches of the Financial Procedures to the Council and/or to the Cabinet Members.
- (l) The Chief Finance Officer is responsible for issuing advice and guidance to underpin the Financial Procedures which Members, Chief Officers and others acting on behalf of the Council are required to follow.
- (m) Where any Chief Officer considers that complying with Financial Procedures in a particular situation might conflict with the achievement of value for money or the principles of Best Value or the best interests of the Council, he/she shall raise the issue with the Chief Finance Officer who will, if he/she considers necessary and appropriate, seek formal approval from the Council for a specific waiver of the procedures, or an amendment to the procedures themselves.

Section A - Financial Control

1. General

1.1 For the purposes of these Rules:

- (a) "the Chief Executive Officer" means the officer designated by the Council as Head of Paid Service under Section 4 of the Local Government & Housing Act 1989.
- (b) "the Chief Finance Officer" means the officer designated by the Council as the officer responsible for the administration of its financial affairs under Section 151 of the Local Government Act 1972.
- (c) "Chief Officer" means any of the following:
- The Chief Executive Officer;
 - The Corporate Director - Social Services and Wellbeing;
 - The Corporate Director - Education and Family Support;
 - The Corporate Director - Communities;
 - Chief Officer – Legal and Regulatory Services, Human Resources and Corporate Policy.
 - Chief Officer – Finance, Performance and Change.
- (d) "the Monitoring Officer" means the officer designated as such by the Council under Section 5 of the Local Government & Housing Act 1989.

- (e) "the Cabinet" means the Executive established under Part II of the Local Government Act 2000.
 - (f) "Cabinet Member" means the Leader and any of the members of the Cabinet.
 - (g) "Budget Head" means the budget for a particular service/services.
 - (h) Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender include the feminine and vice versa.
- 1.2 A Chief Officer may nominate any suitably qualified officer in their Directorate to undertake any of the duties placed upon him or exercise any power granted to him by these Rules.
- 1.3 Each Chief Officer shall consult with the Chief Finance Officer on any matter which is liable to materially affect the finances of the Council before any commitment is incurred and before reporting thereon to the Cabinet or the Council.
- 1.4 (a) Chief Officers shall be responsible for bringing these Financial Procedure Rules to the attention of staff and for ensuring the observance of these Rules throughout their respective Directorates;
- (b) Staff who fail to observe these Rules may be subject to disciplinary action.
- 1.5 Each Chief Officer shall be responsible for the accountability of staff, and the security, custody and control of all other resources including plant, buildings, materials, cash and stores appertaining to their individual Directorates in accordance with the procedures agreed with the Chief Finance Officer.
- 1.6 Each Chief Officer shall have a duty to endeavour to maximise the value for money obtained in running the activities within their purview.
- 1.7 Each Chief Officer shall have a duty to consult the Chief Finance Officer if he has reason to believe that any matter within their purview may result in:
- (a) The Council incurring expenditure in excess of its approved budget;
 - (b) The Council incurring expenditure for which it has no statutory power to incur;
 - (c) The Council failing to comply with the financially related provisions of any relevant European and UK legislation;
 - (d) The Council failing to comply with the financially related provisions of any code of practice adopted by the Council.
- 1.8 Whenever any matter arises which involves or is thought to involve irregularities concerning cash, stores or other property of the Council or held on trust by the Council, the Chief Officer concerned shall notify the Chief Finance Officer who shall take such steps as he considers necessary by way of investigation and report.
- 1.9 Each Chief Officer shall have a duty to inform the Chief Finance Officer and the Monitoring Officer if he suspects that the Council or its officers are exceeding the Council's statutory powers.
- 1.10 No Chief Officer may recommend to the Council or the Cabinet that expenditure be incurred or any other action taken on the assumption that sufficient statutory power is provided by either

Sections 137 of the Local Government Act 1972 and Section 2 of the Local Government Act 2000, without prior approval of the Chief Finance Officer and the Monitoring Officer.

- 1.11 The Chief Finance Officer in consultation with the Monitoring Officer shall be authorised to vary from time to time any amount included in the Rules, but any alteration shall be reported to the next meeting of Council.
- 1.12 Separate Financial Regulations shall be issued by the Chief Finance Officer for use by the Council's schools, drawing on, and supplementing this document, as appropriate.

2. Accounting Systems

- 2.1 All accounting procedures and accounting records of the Council and its Officers shall be subject to the approval of the Chief Finance Officer.
- 2.2 All accounts and accounting records of the Council shall be compiled by, or under the direction of, the Chief Finance Officer.
- 2.3 The following principles shall be observed in the allocation of accounting duties:
 - (a) The duties of providing information regarding sums due to or from the Council and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them;
 - (b) Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of these transactions.
- 2.4 A Chief Officer shall be responsible for the financial management and audit of any private fund entrusted to him as part of their duties and will apply regulations to such funds as stipulated by the Chief Finance Officer.
- 2.5 Notwithstanding the duties of a Chief Officer in Rule 2.4, the Chief Finance Officer shall have the right to audit any private fund at any time.
- 2.6 For the purposes of these Rules "private fund" shall mean any fund in the management of which a Chief Officer of the Council is concerned and which may affect any person or property for which the Council has a responsibility, notwithstanding that contributions towards such fund shall have been made by another party other than the Council.

3. Budgeting and budgetary control

3.1 Council's Budget

- 3.1.1 The Budget shall be approved by the Council in accordance with the Budget and Policy Framework Procedure Rules (Section 16);
- 3.1.2 In referring the Cabinet's Budget Proposals to Council the proper officer will forward to the Council a report of the Chief Finance Officer incorporating the recommendations of the Cabinet and detailing for approval of the Council:
 - (a) a probable out-turn for the current year;

- (b) a revenue budget for the forthcoming year detailing the Budget Heads over which that budget is allocated to specific services and service programme areas;
- (c) a forward indication of the medium term financial strategy which will comprise the revenue budget for the first year and indicative budgets for the subsequent three years and a capital budget for the forthcoming year incorporating a capital programme of at least three years, but no more than ten years;
- (d) an assessment of any major financial risks which may impact on the budget;
- (e) an analysis of reserves and balances and movements over the forthcoming financial year;
- (f) the proposed increase in fees and charges for the forthcoming year;
- (g) a recommendation of the level of Council Tax to be levied for the forthcoming year.

3.1.3 The detailed form of the Budget will be determined by the Chief Finance Officer within the general direction of the Council and Cabinet after consultation with Chief Officers.

3.2 **Amendments to the agreed budget (virements and technical adjustments)**

- 3.2.1. Each Chief Officer shall have the authority to incur expenditure on any activity under their control up to the amounts specified in respect of that activity in the revenue or capital budgets approved by the Council for the financial year, unless directed otherwise by the Chief Finance Officer.
- 3.2.2 Each Chief Officer, subject to the agreement of the Chief Finance Officer, may approve virements between specific revenue Budget Heads which do not amend any individual Budget Head by more than £100,000 from that approved by the Council. The relevant Chief Officer and Chief Finance Officer must jointly report to Cabinet on any virements which amend individual Budget Heads by more than £100,000.
- 3.2.3 Cabinet may, following a report of the appropriate Chief Officer in consultation with the Chief Finance Officer, approve virements between individual revenue Budget Heads which do not amend any individual budget head by more than £500,000 from that approved by the Council.
- 3.2.4 All approved virements over £100,000 must be reported to the Council for information as soon as reasonably practicable after their approval.
- 3.2.5 Any variations to the capital programme, other than those permitted under paragraphs 3.4.7 and 3.4.9, shall require the approval of the Council following a report of the Chief Finance Officer after taking into consideration the recommendations of the Cabinet.
- 3.2.6 All proposals for revenue and capital budget virements that exceed the above limits will need to be approved by the Council on receipt of a report of the appropriate Chief Officer in consultation with the Chief Finance Officer following consideration by the Cabinet. Virement proposals must also be approved by the Council if they:
 - a) imply a change in a plan, policy or strategy which would be contrary to the existing policy framework;

- b) have a major operational impact on existing service provision;
- c) are contrary to or not wholly in accordance with the Budget;
- d) imply any additional revenue commitment in future years.

3.2.7 There are also technical adjustments to budgets as a result of the Council adhering to the Code of Practice on Local Authority Accounting. These could include, but are not limited to, the reallocation of budgets and spend for central support services to other areas within the Council or the allocation of capital charges across the Council. These are not subject to the authorisation limits of budget virements and the Chief Finance Officer or nominated representative can authorise these.

3.3 Budgetary control

- 3.3.1 The Chief Finance Officer shall provide each Chief Officer with regular information relating to income and expenditure under each approved budget head and any other relevant information available. Each Chief Officer shall be responsible for ensuring control of expenditure and income against the approved budget (attention is drawn to Rule 6.1).
- 3.3.2 A Chief Officer in consultation with the Cabinet Member responsible for the function in respect of which the service is provided will be expected to manage their services within the approved cash limited budget and to provide the Chief Finance Officer with such information as is required to facilitate and monitor budgetary control. A Chief Officer or Cabinet Member may not incur expenditure or forego income if this will result in the approved budget being exceeded.
- 3.3.3 A Chief Officer may delegate responsibility for management of budgets within their control to other senior officers within their Directorate. Such delegation shall be within defined parameters and shall be recorded in writing as determined by the Chief Finance Officer.
- 3.3.4 At year end, consideration will be given to the overall financial position of the Council including the final outturn, any accrued Council Tax income, the Council's reserve levels and any new pressures or risks that need to be provided for. At that time, in line with the Council's Reserves and Balances Protocol, a Chief Officer will be invited to submit earmarked reserve requests to meet any specific unfunded one-off expenditure that they expect to arise in the following financial year and these will be considered by the Chief Finance Officer in the context of the Directorate outturn position as well as that of the Council as a whole. Chief Officers will be notified of successful earmarked reserves.
- 3.3.5 Any over-spending against budget may be carried forward at the discretion of the Chief Finance Officer, either against the specific directorate or Council wide budgets. In no circumstances should this provision be seen as giving a Chief Officer power to overspend against approved budgets. Any such overspend will be treated as a breach of the Financial Procedure Rules and the respective Chief Officer held accountable. No Chief Officer or Cabinet Member may budget for a deficit. Where a net overspending occurs this will be a first call on the following year's budget, unless the Chief Finance Officer gives approval to meet this from usable reserves.
- 3.3.6 Urgent expenditure not included in any budget approval may only be incurred with the approval of the Chief Finance Officer.

- 3.3.7 The cash limited budget for a Chief Officer only relates to the “controllable” elements of their budget and excludes, amongst other things:
- Central capital charges
 - Central support service charges
 - Centrally controlled office accommodation budgets
 - Joint Committee precepts and levies

3.4 Capital programme

- 3.4.1 As part of the budget process the Chief Finance Officer or appropriate Cabinet Member will annually present to the Council a capital programme which shall include:
- (a) those capital expenditure items proposed to commence during the next three years as a minimum;
 - (b) an estimate of the capital costs of those schemes together with the associated proposed funding.
- 3.4.2 Schemes for which external funding has been approved will be added to the capital programme once the funding has been accepted and included in the next capital programme report to Council.
- 3.4.3 A Chief Officer, before submitting a scheme for inclusion in the capital programme, shall satisfy himself that the scheme is in line with the Council’s Capital Strategy, and that:
- (a) land purchases, design planning consents and relevant studies are sufficiently advanced to ensure that the proposed year of start of a scheme is feasible;
 - (b) the level of expenditure envisaged is realistic, following a full feasibility assessment, and taking into account the Chief Finance Officer’s forecast of capital resources available and the ability of each service directorate to meet the consequential costs resulting from prudential borrowing, if applicable, and any on-going maintenance costs;
 - (c) each scheme in the programme has been fully appraised to ensure it is the most economic method of satisfying an identified need.
- 3.4.4 The Capital Programme upon approval by the Council shall:
- (a) confer authorisation upon the Chief Officer concerned to take steps to enable design work to be completed and land to be acquired in due time;
 - (b) form the basis of the annual capital estimates.
- 3.4.5 The inclusion of any item in the approved capital estimates shall not confer authority to incur any expenditure (except on design work and land acquisition) until:
- (a) all necessary statutory approvals have been obtained;
 - (b) any external funding contribution to the project has been secured; and

- (c) a tender or quotation has been received and accepted in accordance with the Contract Procedure Rules, which does not exceed that part of the total cost included in the capital estimate in respect of the main contract work for the project by more than 10% or £100,000, whichever is lower.
- 3.4.6 If the tender or quotation exceeds the criteria in 3.4.5(c) above, its acceptance will be subject to the approval of the Chief Finance Officer, in consultation with the Cabinet Member(s) responsible for the function in respect of which the decision is required, to a diversion of money from other approved schemes within the appropriate Chief Officer's control sufficient to meet any additional cost to be borne within the first year.
- 3.4.7 Chief Officers shall monitor both the progress of schemes and the totality of capital expenditure with the aim of avoiding under or overspending against the approved capital estimates. Should such a situation appear likely a Chief Officer in conjunction with the Chief Finance Officer shall recommend to the Council the remedial action necessary to accelerate or retard existing schemes within the approved capital programme.
- 3.4.8 Remedial action which necessitates the retardation or deletion of a scheme within the first year of the programme shall be subject to the prior approval of the Council based on a joint report of the Chief Finance Officer and Chief Officer.
- 3.4.9 The Chief Finance Officer shall give Chief Officers information relating to actual payments made for each scheme in such detail and at such time as arranged between them in order that they may carry out their responsibilities under paragraph 3.4.7.
- 3.4.10 The capital programme includes an annual allocation for capital minor works. Allocation of this funding to individual schemes is the responsibility of the Corporate Landlord Group (or its successor) and approval on individual schemes will not be sought from Council insofar as the overall funding allocated to schemes does not exceed the funding agreed by Council in the capital programme for that financial year.
- 3.4.11 Any additional capital expenditure from within the capital programme for new or existing schemes which, for reasons of urgency, cannot await the next meeting of Council, may only be incurred with the approval of the Chief Executive Officer in consultation with the Chief Finance Officer, subject to a maximum value of £100,000, under the Scheme of Delegation of Functions, Scheme B1 paragraph 2.2.
- 3.4.12 Urgent expenditure not included in any budget approval, which needs to be agreed prior to the next meeting of Council, may only be incurred with the approval of the Chief Finance Officer. Any such decision requires approval by either the Chief Executive Officer or Solicitor to the Council under the Scheme of Delegation of Functions, Scheme B1 paragraph 2.1.

3.5 Capital Strategy

- 3.5.1 The Chief Finance Officer will be responsible for preparing a Capital Strategy for submission to Council for approval prior to the start of each financial year. The Strategy must demonstrate that capital expenditure and investment decisions are in line with service objectives and properly take account of stewardship, value for money, prudence, sustainability and affordability.
- 3.5.2 The Capital Strategy will need to comply with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA)'s Prudential Code for Capital Finance in Local

Authorities. It will incorporate the Prudential Indicators that will need to be approved by Council.

- 3.5.3 The Chief Finance Officer shall report quarterly to Cabinet and Council with an update on the Capital Strategy and the Prudential Indicators.

4. Internal audit

- 4.1 The Chief Finance Officer shall have a duty to maintain an effective internal audit of the Council's operations in order to review, evaluate and test the adequacy of the Council's systems of internal control as contributions to the proper, economic, efficient and effective use of resources.

- 4.2 The Chief Finance Officer shall have the responsibility to review, appraise and report to Council, the Governance and Audit Committee, Cabinet, Cabinet Member, or Chief Officer as appropriate upon:

4.2.1 The soundness, adequacy and application of financial and other related operations of the Council.

4.2.2 The extent of compliance with, and financial effect of, established policies, plans and procedures.

4.2.3 The extent to which the Council's assets and interests are accounted for and safeguarded from losses of all kinds arising from:

(a) fraud and other offences;

(b) waste, extravagance, poor value for money or other cause.

4.2.4 The suitability and reliability of financial and other related management data developed within the Council.

- 4.3 The Chief Finance Officer or an authorised representative of the Chief Finance Officer shall have the authority to require any officer to:

4.3.1 Provide access to any Council premises or land under their control. Where sites are in the possession of a contractor or subject to any tenancy or licence to occupy, such entry will be governed by the conditions of the contract or other legal agreement.

4.3.2 Produce any records, documents and correspondence in their possession.

4.3.3 Provide explanations of matters arising from an audit.

4.3.4 Produce and account for any cash, stores or other Council property under their control.

- 4.4 The Chief Finance Officer shall have the authority to request the immediate suspension from duty of any officers who:

(a) they have reasonable grounds to suspect of misappropriation of Council funds or other property;

(b) they believe present a threat of further misappropriation or hindering of any investigation.

4.5 Notwithstanding the duty of the Chief Finance Officer for the control and direction of Internal Audit, it shall be the duty of the Chief Internal Auditor to report direct to the Chief Executive Officer and to the Cabinet Member for Resources on any matter in which the Chief Finance Officer appears to be personally involved.

5. Contracts of building, construction or engineering work

5.1 Contracts for the execution of capital works shall only be entered into for those schemes which are included in the approved Capital Programme.

5.2 Each Chief Officer will maintain contract registers showing for each contract under their control which has a value greater than £50,000:

- (a) the contract sum;
- (b) the value of any extras or variations to the contract;
- (c) the amounts and dates of any instalments made;
- (d) the amount of any retentions held or bonds taken under any contract;
- (e) the balance outstanding to the Contractor.

5.3 Payments to contractors on account of contracts shall be made only on a certificate issued by the responsible officer.

5.4 When authorising any extra or variation to a contract the appropriate Chief Officer shall:

- (a) estimate the cost of the variation;
- (b) issue written instructions to the Contractor to carry out the work, except in cases of urgency where a Chief Officer may issue verbal instructions but shall confirm them in writing as soon as possible, but in any case within 7 days; and
- (c) ensure that such variation is in accordance with the Council's Contract Procedure Rules.

5.5 The Chief Finance Officer may, at their discretion, decide to audit the final account of a contract, before certifying the final payment.

5.6 Claims from contractors in respect of matters not clearly within the terms of any existing contract shall be referred to the Solicitor to the Council for consideration of the Council's legal liability and, where necessary, to the Chief Finance Officer for financial consideration before a settlement is reached.

5.7 Each Chief Officer shall as soon as practical report to Cabinet the total of extras or variations to any contract which exceeds 10% of the original contract sum, or £100,000 whichever is the greater.

5.8 If the final account of any contract has not been agreed within eighteen months of the completion of works, then the Chief Officer controlling that contract shall report to the Cabinet on the outstanding items. Any report under this regulation shall include a comparison of the final or likely cost with the original contract sum together with reasons for any differences.

6. Orders for work, goods and services

6.1 Each Chief Officer has a duty to issue official orders for all works and services to be carried out, and all goods supplied, within their Directorate with the exception of:

- (a) public utilities;
- (b) periodical payments;
- (c) petty cash purchases;
- (d) purchases made using Purchasing Cards;
- (e) works, goods and services subject to formal written contracts, or excepted from this requirement by the Chief Finance Officer.
- (f) Framework contracts.

Before issuing official orders, Officers authorising them must be satisfied that there is provision in the estimates and that the Contract Procedure Rules have been complied with.

6.2 Each official order shall be in a form prescribed and approved by the Chief Finance Officer and shall include:

- (a) a description of the works, goods and services ordered;
- (b) the name and address of the supplier;
- (c) an estimate of the cost;
- (d) the financial code to which the cost is to be charged;
- (e) name of the authorising officer.

6.3 Verbal orders may only be placed in exceptional circumstances the details of which must be confirmed by e-mail or other appropriate means on the same day and confirmed by written official order within 3 working days.

6.4 Electronic orders will be treated in the same way as other official orders. Changes to on-line authorising officers shall be notified to the Chief Finance Officer immediately.

7. Leasing

7.1 The Chief Finance Officer shall be responsible for making leasing arrangements for the use of buildings, plant, vehicles and equipment. No officer other than the Chief Finance Officer may enter into any type of leasing arrangements unless agreed in writing or delegated by the Chief Finance Officer.

7.2 Due to complex capital accounting requirements regarding expenditure in relation to leases, all leases, hire, rental, hire purchase agreements, deferred purchase agreements and other

arrangements where the use of an asset is being acquired without the ownership of it must be referred to the Chief Finance Officer.

- 7.3 Provision within revenue estimates to cover the annual costs of leasing should be made only following consultation with the Chief Finance Officer.

8. Grant Funding and Third Party Funding

8.1 It is essential that proper management of external funding or grants received, or funding awarded by the Council, is undertaken in order to safeguard the financial position of the Council and also to maximise the benefits to service delivery from the receipt of these additional funds.

8.2 The Council has a Grants Management Policy which all Chief Officers and their staff must adhere to in order to ensure the proper management of grant funding and other internal and external funds. Failure to comply could result in funding being withheld by the funding body or recovered at a later date. Any failure to comply with the Grants Management Policy, which results in funding being reduced to the Council, may be reported to Governance and Audit Committee, and any shortfall in the funding borne by the responsible directorate.

Section B - Expenditure and Income

9. Payment of accounts

9.1 Excluding payments in the form of petty cash from imprest accounts, the preferred method of payment of money due from the Council shall be by automated transfers from the Council's bank accounts overseen by the Chief Finance Officer.

9.2 The Chief Finance Officer shall be the authorised signatory of any joint bank account opened in the name of the Council and any other party and will be responsible for the payment of any cheques from that joint bank account.

9.3 Each Chief Officer is responsible for examining, verifying and authorising invoices and any other payment vouchers or accounts arising from sources in their Directorate including the use of purchasing cards. Authorised officers can discharge this responsibility on behalf of the Chief Officer. Each Chief Officer will supply the names and specimen signatures for authorised officers together with authorisation limits to the Chief Finance Officer and will need to confirm the list on an annual basis.

9.4 The Chief Finance Officer, in consultation with a Cabinet Member, can give approval for payment in advance of goods or services in exceptional circumstances and on request from a Chief Officer.

9.5 Before authorising an account, the authorising officer shall be satisfied that:

- (a) the work, goods or services to which the account relates have been received, carried out, examined and approved;
- (b) the invoice satisfies VAT regulations and that prices, extensions, calculations, trade discounts, other allowances and credits are correct;
- (c) the relevant expenditure has been properly incurred and is within the relevant estimate provision;

- (d) the financial code to which the expenditure is to be charged is correct and sufficient budget is available;
 - (e) the account or invoice indicates the official order number relating to the goods or services provided, or if there is no such order the reason for the omission unless it relates to services not subject to orders such as care contracts;
 - (f) appropriate entries have been made in inventories, stores records or stock books as required;
 - (g) the account has not been previously passed for payment and is a proper liability of the Council;
 - (h) in the case of accounts for the supply of public utility services and other periodic payments, relevant expenditure, and where appropriate, units of energy consumed, have been entered in records approved by the Chief Finance Officer.
- 9.6 Accounts authorised manually should be passed for payment to the Chief Finance Officer, unless alternative arrangements have been specifically agreed with the Chief Finance Officer. All payments should be processed within 30 days.
- 9.7 Where payments are electronically uploaded into the financial system via a feeder file, appropriate controls, including standardising of files and validity checks, are put in place to ensure their integrity. For any new feeder files, Internal Audit will be asked to review and give assurance on the process for authorisation before use.
- 9.8 For the Council to reclaim VAT on individual payments, the Council is required under VAT Regulations to obtain the supplier's VAT registration number and invoice to be addressed to Bridgend County Borough Council.
- 9.9 The Chief Finance Officer shall set down procedures for the retention of financial documentation. Such documentation must not be disposed of without the specific approval of the Chief Finance Officer. All invoices shall be retained for at least 6 years plus the current financial year. In the case of invoices relating to grant claims, these must be kept until after the grant claim has been audited even if this exceeds 6 years. It is the responsibility of the Chief Officer of the grant to ensure the correct retention period is maintained. The same retention periods apply to electronic copies of all original invoices.
- 9.10 Changes to on-line authorising officers shall be notified to the Chief Finance Officer immediately.
- 9.11 Each Chief Officer shall, no later than a date specified at the financial year end, notify the Chief Finance Officer of any outstanding expenditure relating to the previous financial year to be accrued in the Statement of Accounts.

10. Imprest accounts

- 10.1 Where appropriate, the Chief Finance Officer shall provide imprest accounts for such officers of the Council as may need them for the purpose of defraying petty cash and other expenses. Such accounts shall be maintained in accordance with the notes of guidance issued to imprest holders by the Chief Finance Officer.
- 10.2 Where appropriate, the Chief Finance Officer shall open an account with the Council's bankers for use by the imprest holder, who shall not deliberately cause the account to be overdrawn. Any prolonged overdrawn balance on an imprest holder's bank account shall be reported to

the Chief Finance Officer. Where an officer holds a cheque book in respect of any account he must ensure that it is securely stored and all cancelled cheques are crossed and retained with the counterfoils of the original cheque book.

- 10.3 Any officer responsible for an imprest account shall be personally responsible for making good any deficiencies in that account.
- 10.4 No income received on behalf of the Council may be paid into an imprest account but must be dealt with in accordance with paragraph 15.3.
- 10.5 Except as otherwise agreed between the Chief Finance Officer and the Chief Officer concerned, payments out of the accounts shall be limited to petty disbursements and shall not include sums due to any tradesman with whom the Council has an account for the supply of goods and services, nor any account for goods exceeding in value a sum to be agreed from time to time by the Chief Finance Officer nor travelling expenses other than those of a casual nature.
- 10.6 An officer responsible for an imprest shall on a regular basis as specified by the Chief Finance Officer, or at any other time if so requested, provide a certified statement as to the state of the account.
- 10.7 Whenever an officer who is an imprest holder leaves the employment of the Council, or ceases to be entitled to hold an imprest advance, the officer shall account to the Chief Finance Officer for the amount advanced to him.

11. Purchasing Cards

- 11.1 Where appropriate, a purchasing card will be issued to support the current Purchase to Pay invoice process and should not be considered as a replacement mechanism to bypass the formal requisition and approval process. Expenditure shall be made in accordance with the purchasing card guidelines.
- 11.2 Each card has an individual monthly expenditure limit, individual transaction limit and restricted category types for expenditure. The cardholder will be making financial commitments on behalf of the Council and will be responsible for obtaining value for money in accordance with Contract Procedure Rules and Corporate Contracts.
- 11.3 Except, as otherwise agreed with the Chief Finance Officer, payments by purchasing card shall be limited to approved disbursements and shall not include sums due to any tradesman with whom the Council has an account. Where appropriate, invoices should be paid via the Financial System. Travelling expenses, such as train fares, can be pre-booked and paid with the purchasing card, however, the purchasing card cannot be used to reimburse travelling expenses nor subsistence expenses other than those of a casual nature.
- 11.4 The cardholder is responsible for updating the Barclaycard Spend Management system with costing, VAT and narrative details of the expenditure in a timely manner and in accordance with the purchasing card guidelines.
- 11.5 Whenever a member of staff who is a purchasing card holder leaves the employment of the Council, or ceases to be entitled to hold a purchasing card, the member of staff must return the purchasing card immediately on cessation of entitlement to the Corporate Procurement Manager for cancellation. Any replacement member of staff who requires a purchasing card must apply for a new card via the Corporate Procurement Manager.

- 11.6 Any person holding a purchasing card shall be personally responsible to notify the Corporate Procurement Manager of any unauthorised / unrecognised spend made on the card. The cardholder shall be personally responsible for making good any unauthorised spend that they incur on the card.
- 11.7 Where appropriate, the Chief Finance Officer shall provide a purchasing card enabled for cash withdrawal to give services access to cash for the purpose of defraying petty expenditure. Such cards shall be maintained in accordance with the notes of guidance to card holders issued by the Corporate Procurement Manager. There is an administration charge for cash withdrawals. Detailed records of monies withdrawn, spending of this money, including VAT amount and costing information, must be kept and be available for examination on request.
- 11.8 Except as otherwise agreed with the Chief Finance Officer, payments out of the cash withdrawn from the bank by purchasing card shall be limited to petty disbursements and shall not include sums due to any tradesman with whom the authority has an account, nor travelling expenses, nor subsistence expenses other than those of a casual nature.
- 11.9 A person responsible for the cash balance held shall, if so requested, give to the Chief Finance Officer certification as to the state of the funds.
- 11.10 Whenever a member of staff who is a cash balance administrator leaves the employment of the authority, or ceases to be entitled to administer the cash balance, the member of staff shall repay to the Chief Finance Officer the unexpended cash balance of the withdrawn amount, or shall transfer monies, records and vouchers relating to the account to the new cash administrator. When a purchasing card holder leaves, the card in their name must be returned to the Corporate Procurement Manager for cancellation and a new card applied for via the Corporate Procurement Manager unless the new cash administrator is not to be allocated a purchasing card.
- 11.11 Any person holding a cash balance obtained by a purchasing card cash withdrawal shall be personally responsible for making good any deficiencies in that account.

12. Construction Industry Scheme (CIS) – Tax Deduction

- 12.1 For certain types of construction work, the Council is obliged by HMRC's Construction Industry Scheme to deduct tax at source from sub-contractor payments, at the appropriate rate, from the invoiced amount. Those CIS sub-contractors paid under deduction must have the labour/material split shown on the invoice and entered into the Financial System. Further guidance can be obtained from the Purchase Ledger Team in Finance.

13. Salaries, wages and Members' allowances

- 13.1 The payment of all salaries, wages, allowances, expenses or other emoluments to all employees or members shall be made by, or under arrangements approved and controlled by, the Chief Finance Officer.
- 13.2 Each Chief Officer shall notify the Chief Finance Officer as soon as possible and in the prescribed form, of all matters affecting the payment of such emoluments and in particular:
- (a) appointments, resignations, dismissals, suspensions, secondments, and transfers;
 - (b) absences from duty for sickness or other reason, apart from approved leave with pay;
 - (c) changes in remuneration, other than normal increments and pay awards;

- (d) information necessary to maintain records of service for superannuation, income tax, national insurance etc.;
- (e) any failure to comply with Council or statutory regulations.

13.3 Appointments of all employees shall be made in accordance with the regulations of the Council and the approved establishment, gradings and rates of pay.

13.4 All time records and other pay documents shall be in a form prescribed or approved by the Chief Finance Officer and shall be certified by or on behalf of the Chief Officer. The names of the officers authorised to certify such records shall be sent to the Chief Finance Officer by each Chief Officer together with specimen signatures and shall be amended on the occasion of any change. Changes to on-line authorising officers shall be notified to the Chief Finance Officer immediately.

13.5 No payments to staff may be made other than through the normal payroll system without the specific approval of the Chief Finance Officer. In particular, casual staff must be recorded on the payroll.

13.6 Where an Officer is hiring or engaging a staff member who is not on the Council payroll there is a legal requirement to determine whether it is the responsibility of the Council to deduct tax and national insurance at source, in accordance with the requirements of the Social Security Contributions (Intermediaries) Regulations 2000, as amended (IR35).

14. Officers fees, travelling and subsistence allowances

14.1 All claims for payment of fees, car allowances, subsistence allowances and travelling expenses shall be submitted, duly certified, in a format approved by the Chief Finance Officer, to the appropriate Chief Officer in accordance with the timetable set down by the Chief Finance Officer. A record of all officers authorised to approve such records shall be sent to the Chief Finance Officer together with specimen signatures and shall be amended on the occasion of any change. This applies to both manual and electronic expenses systems.

14.2 The certification by, or on behalf of, the Chief Officer shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred, the vehicle used had appropriate insurance cover, the necessary receipts of expenditure retained and that the fees and allowances are properly payable by the Council.

14.3 Claims submitted more than three months after the expenses were incurred must be accompanied by a letter of explanation for the delay and shall be paid only with the express approval of the Chief Finance Officer who shall refer the matter to Cabinet if necessary.

14.4 All claims for payment of incidental expenses such as removal, lodging and disturbance allowances and training course fees etc. shall be made on the appropriate form and shall be in accordance with the appropriate scheme approved by the Council.

15. Banking arrangements and cheques

15.1 All arrangements with the Council's bankers shall be made by or under arrangements approved by the Chief Finance Officer, who shall be authorised to operate such bank accounts as considered necessary.

15.2 All cheques shall be ordered only on the authority of the Chief Finance Officer who shall make proper arrangements for their safe custody, including cheque books issued automatically by the bank.

- 15.3 Any such bank account opened in respect of monies held on behalf of the Council shall be arranged in consultation with or under the direction of the Chief Finance Officer. The Chief Finance Officer shall maintain a list of authorised signatories, along with specimen signatures, for all such accounts. Any change in signatory shall be reported to the Chief Finance Officer immediately.
- 15.4 No Standing Orders or Direct Debits from the Council's bank accounts shall be set up unless arranged in consultation with or under the direction of the Chief Finance Officer. The Chief Finance Officer shall maintain a list of all officers authorised to set up Direct Debits and Standing Orders.
- 15.5 The Chief Finance Officer shall be authorised to:
- (a) nominate officers empowered to authorise payment out of these bank accounts;
 - (b) negotiate charges with the Council's bankers.
- 15.6 The Chief Finance Officer will be responsible for ensuring that there are adequate controls in place to ensure that all payment methods, whether physical or electronic, have appropriate authorisations, approvals and signatures as necessary.
- 15.7 The Chief Finance Officer shall ensure that appropriate arrangements are in place to facilitate the monthly reconciliation of the Council's Bank Accounts.

16. Income

- 16.1 Each Chief Officer will be responsible for the prompt and accurate billing, collection and banking of all income due to the Council in connection with the Directorate's activities, except where in the interests of efficiency or security it is agreed with the Chief Finance Officer that all or part of the duties should be discharged by some other Chief Officer.
- 16.2 Except as agreed between the Chief Finance Officer and the Chief Officer concerned, all receipt books and other such items shall be ordered and supplied to Directorates by the Chief Finance Officer, who shall be satisfied as to the arrangements for their control.
- 16.3 In carrying out this function, each Chief Officer shall ensure that any officer of the staff engaged in the collection of money:
- (a) maintains a record of receipts and bankings in a form approved by the Chief Finance Officer;
 - (b) pays without delay any money collected either:
 - i) to the approved officer;
 - ii) to a security firm employed by the Chief Finance Officer for this purpose; or
 - iii) to one of the Council's main bank accounts or via outlets of the nominated collector(s) as agreed by the Council.
 - (c) makes no deduction from monies collected, except with the specific and exceptional approval of the Chief Finance Officer;
 - (d) ensures income is correctly coded onto the financial system nominated by the Chief Finance Officer and satisfies VAT regulations;

- (e) makes good any shortfalls in cash collected and identifies any surpluses;
- (f) in the case of cheques received, enters on any paying-in slips details with the cheque or provides supporting evidence and a reference to the related debt.

16.4 Personal cheques shall not be cashed out of the money held on behalf of the Council.

16.5 Outstanding debts which are found to be irrecoverable may be written off by the Chief Finance Officer, except where it is considered that there are matters of principle or policy which should be referred to the Cabinet.

16.6 Any officer holding a cash float shall be personally responsible for making good any deficiencies in that account.

16.7 Where an officer takes cash for works, goods or services that is either:

- i. in excess of the level stipulated within the Council's Anti-Money Laundering Policy; or
- ii. where there is anything suspicious regarding, but not limited to, multiple use of high denomination notes, multiple and frequent disaggregation of payment of a higher value outstanding debt;

then the officer must report it immediately to the Money Laundering Reporting Officer (MLRO) in accordance with the Policy.

17. Fees and Charges

17.1 The Council has a Fees and Charging Policy to support the Medium Term Financial Strategy. It is intended to provide a consistent and co-ordinated approach to charging across the Council, setting out the key principles for charging and for reviewing charges and must be adhered to by all Chief Officers and their staff.

17.2 When setting charges, there is recognition that where possible, the full cost of the service should be recovered. However, there is also a recognition that in some instances, there will be a conscious decision not to fully charge or a statutory charge or limit set, and the remaining cost will be met by the Council Tax payer.

17.3 In line with the Medium Term Financial Strategy, a review of fees and charges should be undertaken at least annually and any new or increased charges must receive approval from Cabinet or delegated authority under the Scheme of Delegation, Scheme A paragraph 1.6. Where a proposal is made not to increase charges in a financial year, approval must be sought from the appropriate Chief Officer and Chief Finance Officer.

18. Value Added Tax

18.1 The Chief Finance Officer shall establish appropriate systems of control for the proper accounting of Value Added Tax (VAT) inputs and outputs. The Chief Finance Officer will produce and distribute a VAT guidance document to all Directorates and schools to enable officers to comply with HMRC VAT regulations.

Section C - Security and Assets

19. Security

- 19.1 The Chief Finance Officer shall have overall responsibility to the Council for security of Council property.
- 19.2 Each Chief Officer shall be responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, title deeds, securities, etc. under their custody.
- 19.3 Maximum limits for cash holdings shall be agreed with the Chief Finance Officer.
- 19.4 Every transfer of official money from one member of staff to another will be evidenced in the records of the Directorate concerned by the signature of the receiving officer.
- 19.5 Keys to safes and similar receptacles for the safeguarding of money or other valuables are to be carried on the person of those responsible; the loss of any such keys must be reported to the Chief Finance Officer.

20. Data Protection

- 20.1 The Council's Data Protection Officer shall be responsible for undertaking the tasks set out in Section 71 of the Data Protection Act 2018 and Article 39 of the UK GDPR.
- 20.2 Each officer shall be responsible for maintaining proper security, privacy and compliance with the Data Protection Act 2018 and UK GDPR in respect of information held.
- 20.3 Each Chief Officer shall have a duty to notify the Data Protection Officer of any computer system in their Directorate which holds personal data .
- 20.4 Each Chief Officer shall have a duty to ensure the safekeeping and prevention of improper use of any information held in the Directorate, regardless of the media on which it is held.
- 20.5 The Chief Finance Officer, or an authorised representative of the Chief Finance Officer, shall have access to all computer systems and records and may require and receive such explanations as are necessary, for the purposes of the Data Protection Act 2018 and UK GDPR.
- 20.6 The security of financial systems, e.g. use of passwords, shall be maintained by adhering to instructions issued by the Chief Finance Officer and in line with the ICT Code of Conduct.

21. Stocks and stores

- 21.1 Each Chief Officer shall be responsible for the custody of the stocks and stores in the Directorate and shall have a duty to:
 - (a) ensure that stocks are adequate but not excessive for the purpose envisaged;
 - (b) maintain accurate and up to date records of such stocks and stores and ensure that a stocktake is undertaken at year end and the certificate is submitted to Finance;
 - (c) provide the Chief Finance Officer with such information as he requires in relation to stores for accounting, costing and financial records.
- 21.2 A Chief Officer shall arrange for periodical test examinations of stocks by persons other than storekeepers and shall ensure that all stocks are checked at least once in every year. Any

surpluses or deficiencies revealed by such periodical test examinations shall be reported to the Chief Finance Officer and, after consultation with the Chief Officer, the Chief Finance Officer will decide what action to take.

- 21.3 Losses due to theft of stocks shall be reported to the Chief Finance Officer as soon as possible and, where found to be irrecoverable, shall be written off.
- 21.4 In all other instances write offs need the consent of the Chief Finance Officer following the submission of a report by the Chief Officer outlining the reasons for write off.

22. Investments, borrowings and trust funds

- 22.1 The Council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA)'s Code of Practice on Treasury Management in the Public Services.
- 22.2 The Chief Finance Officer will be responsible for preparing and presenting an annual Treasury Management Strategy to the Governance and Audit Committee prior to submission to Council for approval in advance of the start of each financial year. The Strategy must include a Borrowing Strategy, Investment Strategy and set the Council's Treasury Management Indicators for the forthcoming financial year.
- 22.3 All investment and borrowing transactions shall be undertaken in accordance with the Treasury Management Strategy with due regard to the requirements of CIPFA's Code of Practice on Treasury Management in the Public Services.
- 22.4 All investments of money under its control shall be made in the name of the Council. Any borrowing activity must have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities and the Code of Practice on Treasury Management in the Public Services.
- 22.5 The Chief Finance Officer shall report quarterly to the Cabinet, summarising borrowing and investment activity and indicating compliance with any statutory or Council approved guidelines together with a half yearly and an annual report to Council.
- 22.6 The Chief Finance Officer, or an agent nominated by the Chief Finance Officer, will be the Council's Registrar of loan instruments and shall maintain records of all borrowing of money by the Council.
- 22.7 The Chief Finance Officer will have a duty to ensure a proper, efficient and effective mix of borrowing and investments.
- 22.8 The Governance and Audit Committee is responsible for ensuring effective scrutiny of the Treasury Management policies and practices. The Committee will review the Annual Report on Treasury Management as well as the Treasury Management Strategy. The Committee will make any recommendations for improvements on treasury management to the Chief Finance Officer and raise any concerns that the Council is exceeding its legal powers with the Monitoring Officer.

23. Inventories

- 23.1 Each Chief Officer shall be responsible for the plant, vehicles, machinery, equipment, tools, furniture and other non-consumable property in the Directorate and shall have a duty to:
 - (a) maintain an up to date inventory of such goods;

- (b) carry out an annual physical check on goods listed in the inventory;
- (c) as far as is practicable see that such goods are marked as Council property;
- (d) ensure that such goods are not removed or used except in accordance with the ordinary course of the Council's business.

23.2 Every transfer of items contained in the inventory from one establishment to another shall be evidenced in the records of the establishment concerned by the signature of the receiving officer.

24. Insurances

24.1 The Chief Finance Officer shall have a duty to:

- (a) affect adequate insurance cover in accordance with the Council's Insurance Strategy contained in the Risk Management Policy. He will arrange insurance for losses which would have a significant impact on budgets and the provision of services, where it must be bought by law and where the insurance provides additional benefits which enable an activity to take place;
- (b) promptly claim any insurance loss the Council has suffered and liaise with the Council's Insurers to settle any claim brought by another party, if it is assessed that the Council has a legal liability to do so;
- (c) ensure that sums insured and limits of indemnity are regularly reviewed;
- (d) maintain comprehensive records of insurance including policy documents and understand what coverage they provide;
- (e) employ the services of a professional insurance broking company who can provide expert advice;
- (f) only transfer risks to Insurance Companies which are financially strong;
- (g) comply with the "duty of fair presentation" contained in the Insurance Act 2015. The Council must disclose to its Insurers all information, facts and circumstances which are, or ought to be, known to it, which are material to the risk. A material circumstance is one which would influence the judgement of a prudent Underwriter in considering whether to provide insurance and, if so, on what basis and cost.

24.2 A Chief Officer will have a duty to:

- (a) promptly notify the Chief Finance Officer of any new risks, insurable assets or liabilities which are required to be insured under the Insurance Strategy.;
- (b) promptly notify the Chief Finance Officer in writing of any loss, liability, damage or any event likely to lead to a claim and where appropriate inform the Police;
- (c) promptly provide any information required by the Chief Finance Officer or the Council's Insurers to progress a claim;
- (d) assist the Chief Finance Officer to comply with the "duty of fair presentation contained in the Insurance Act 2015 by disclosing all relevant information.

24.3 The Chief Finance Officer shall review of all insurances at least annually, in consultation with other Chief Officers as appropriate.

24.4 No indemnity shall be given in the name of the Council without the prior approval of the Chief Finance Officer.

25. Prevention of Theft, Fraud and Corruption

25.1 The Chief Finance Officer is responsible for advising on effective systems of internal control to prevent fraud and corruption.

25.2 The Chief Finance Officer is responsible for developing, maintaining and implementing an Anti-Fraud and Bribery Policy. If a Chief Officer suspects any irregularities concerning cash, stores or other property of the Council or held on trust by the Council, they will notify the Chief Finance Officer who will take such steps as considered necessary by way of investigation and report.

25.3 The Chief Finance Officer is responsible for developing, maintaining and implementing an Anti-Money Laundering Policy. The key message of this Policy is to make staff aware of their responsibilities and if they suspect that money laundering activity may be taking place or proposed, they must disclose those suspicions to the Council's Money Laundering Reporting Officer who is the Chief Finance Officer.

25.4 The Council employs a corporate Senior Fraud Investigator, so should any fraud or irregularity be identified, whilst it would still be reported to the 'Chief Finance Officer' initially, certain matters may be referred to the Senior Fraud Investigator for investigation where appropriate.

25.5 The Chief Finance Officer is also responsible for developing, maintaining and implementing the Anti-Tax Evasion Policy. The policy addresses the prevention of tax evasion and will provide a coherent and consistent approach for all employees and any person who performs services for and on behalf of Bridgend County Borough Council.

25.6 All Chief Officers are responsible for ensuring compliance with the Anti-Fraud and Bribery Policy, Anti-Money Laundering Policy and the Anti-Tax Evasion Policy and with systems of internal control.

26. Estates

26.1 The Chief Executive Officer shall maintain a register and appropriate records detailing all properties owned by the Council including:

- (a) purpose for which held;
- (b) location, extent, and plan reference;
- (c) particulars of nature of interest held;
- (d) purchase details;
- (e) rents payable;
- (f) particulars of tenancies granted.

26.2 The Chief Finance Officer will maintain an asset register of all Council assets.

26.3 Where land and/or buildings are found to be surplus to requirements the responsible Chief Officer shall, as soon as possible, submit a report to the appropriate Cabinet Member for appropriate action in accordance with the Schemes of Delegation.

27. Asset Disposal

27.1 Directors are responsible for ensuring that all property assets which are surplus to requirements are referred to the Corporate Landlord section, who will determine the appropriate action to be taken in conjunction with Directorates. In accordance with the Council's disposal strategy the following shall be considered:

- restrictions relating to the ownership of the asset;
- opportunities for using the asset elsewhere in the Council;
- market opportunities;
- appropriate use of tendering procedures for disposal;
- fairness in the disposal process;
- asset security;
- the costs of disposal in relation to the expected income.

27.2 All assets, including assets declared surplus where disposal is proposed must be notified to the Chief Finance Officer for approval and appropriate action in accordance with the Council's disposal strategy and Scheme of Delegation of Functions.

27.3 All assets, whether land, property, buildings, vehicles, plant or equipment, must be notified to the Capital Accountant to ensure their disposal is accurately recorded on the Council's Asset Register in a timely manner, and as soon after disposal as possible.

28. Protection of private property

28.1 The Chief Officer shall in any known case where steps are necessary to prevent or mitigate loss of or damage to moveable property, prepare in a form agreed with the Chief Finance Officer, an itemised inventory in each case prepared in the presence of two officers.

28.2 All valuables such as jewellery, watches and other small articles of a similar nature and documents of title deposited with the Council for safe custody shall be recorded in a form agreed by the Chief Finance Officer.

28.3 All monies deposited with the Council for safekeeping shall be dealt with in accordance with guidelines agreed by the Chief Officer and the Chief Finance Officer.

28.4 Where a Chief Officer is required as part of their duties to hold in trust any property, valuables or cash belonging to a third party he should do so in accordance with guidelines agreed with the Chief Finance Officer.

29. Risk Management

29.1 The Chief Finance Officer is responsible for preparing the Council's Risk Management Strategy and its promotion throughout the Council and for advising of strategic, financial and operational risks.

29.2 Chief Officers shall be responsible for the identification, classification and control of all risks falling within their areas of responsibility. The risks identified shall be incorporated into a Departmental Risk Register, and any risks that exceed the Council's risk threshold shall be

notified to the Chief Finance Officer for incorporation into the Risk Register, which shall be subject to periodic review at no more than annual intervals.

- 29.3 Chief Officers shall take responsibility for risk management within their areas of responsibility, having regard to advice from the Chief Finance Officer and other specialist Officers (e.g. crime prevention, fire prevention, health and safety), and shall undertake regular reviews of risk within their own Directorates.

SECTION 18

CONTRACT PROCEDURE RULES

1. Interpretation

In these Contract Procedure Rules:-

"Appropriate Body" means the Cabinet, and any committee, panel or other body to which power has been delegated to accept tenders for Contracts of the category for which tenders are to be or have been invited.

"Appropriate Chief Officer" means whichever of the following is responsible in any particular case for inviting tenders or placing an official order:-

Chief Executive
Chief Officer Legal and Regulatory Services, Human Resources and Corporate Policy and Monitoring Officer
Corporate Director – Education and Family Support
Corporate Director – Social Services and Wellbeing
Corporate Director – Communities.

This definition also includes any Officer to which functions have been delegated under the Council's Scheme of Delegation of Functions.

"Cabinet" means the executive body of the Council established in accordance with Part II of the Local Government Act 2000.

"Cabinet Functions" means the functions for which the Cabinet is responsible.

"Cabinet Members" means the leader and the members of the Cabinet.

"Chief Audit Officer" means the Head of Audit Service for the Council.

"Chief Finance Officer" means the nominated Section 151 Officer under the Local Government Act 1972 for the time being having statutory responsibility for the administration of the Council's financial affairs.

"Community Benefits" shall include any benefit to the local community which does not directly positively impact on the operation of the Council. This can include the provision of additional facilities/resources or the training of primarily inactive people through programmes which may include apprenticeships. "Core" benefits are those which are directly related to the purpose of the Contract and can be measured as an outcome. "Non-Core" benefits are those which are not essential in the delivery of the service and will not be assessed as part of the tender evaluation process.

"Contract" means any form of contract or agreement entered into by the Council with any other party for the supply of goods, services or works, or any combination thereof.

"Contractor" means any person or organisation that undertakes a Contractual relationship with the Council.

"Contract Value" means the total value of the Contract over the whole term of the Contract. If there is no total price then the value of the Contract is to be calculated on the expected aggregate spend over the four year period, if there is no fixed term for the Contract. In the case where there is a Contract term but no total price then the value of the Contract is to be calculated on the expected expenditure over the whole Contract period, in accordance with the Regulations. All Contract values are exclusive of VAT.

“Corporate Contracts Register” means a live database of contracts let by the Council.

“Corporate Procurement Manager” means the lead Officer for the Corporate Procurement Unit, who has functional responsibility for the delivery of Procurement strategy and guidance.

“Council” means Bridgend County Borough Council.

“Data Protection Legislation” means (i) the UK GDPR and any applicable national implementing Law, as amended from time to time; (ii) the Data Protection Act 2018 to the extent that it relates to processing of personal data and privacy; and (iii) all applicable Law about the processing of personal data and privacy.

“EU” means the European Union.

“Form of Tender” means a covering document signed by the tenderer to indicate that it understands the tender and accepts the terms and conditions and other requirements of participating in the exercise a copy of which can be found on the Corporate Procurement Page.

“Framework Agreement” means an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing Contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.

“Internal Providers” means an organisation managed, funded and staffed by the Council, which provides a service to various directorates and schools as its core business.

“Legal Requirements” means all UK and Welsh law that governs and or relates to the procurement of goods, services and works and the letting of concession contracts.

“Monitoring Officer” means the officer for the time being designated as such under Section 5 of the Local Government and Housing Act 1989.

“Most Economically Advantageous Tender” (MEAT) means criterion which enables the Council to take account of criteria that reflect qualitative, technical and sustainable aspects of the tender submission as well as price when reaching an award decision

“Parties” means collectively the Council and any other party or more than one party entering into a Contract or agreement.

“Pre-tender Client Information Sheet” means a document that requires completion by the client before going out to tender or to obtain quotations unless a Cabinet Report has been approved a copy of which can be found on the Corporate Procurement Page.

“Regulations” means the Public Contract Regulations 2015;

“Trade Journal” means a newspaper or journal circulating among such persons or bodies as undertake Contracts of the category for which tenders are to be invited.

“UK GDPR” means the UK General Data Protection Regulation.

Words importing the singular shall include the plural and vice versa.

Any reference to any statutory provision shall include reference to any statutory modification amendment or re-enactment thereof and any subordinate legislation made under them.

2. Compliance with Contract Procedure Rules and Relevant European and UK Legislation

2.1 Every Contract shall:

- (a) Comply with the Council's Constitution, including in particular the Financial Procedure Rules, the Scheme of Delegation of Functions and these Contract Procedure Rules;
- (b) Comply with all relevant statutory provisions including in particular, but not limited to, the Local Government Act 1988 Part II, the Local Government (Contracts) Act 1997, the Local Government Act 1999 Part I, and the Regulations;
- (c) Achieve Most Economically Advantageous Tender;
- (d) Be consistent with the highest standards of integrity, having regard to the Bribery Act 2010 and the Competition Act 1998;
- (e) Ensure fairness in allocating public Contracts;
- (f) Comply with all Legal Requirements;
- (g) Comply with the Equality Act 2010;
- (h) Comply with the Modern Slavery Act 2015;
- (i) Comply with relevant employment legislation;
- (j) Support the Council's corporate and departmental aims and policies and comply with any Council policy;
- (k) Comply with Data Protection Legislation;
- (l) Apply the Welsh Government approved approach as standard to Supplier selection;
- (m) Be procured in accordance with all procurement planning guidance issued by the Corporate Procurement Manager.

2.2 For the avoidance of doubt, the Appropriate Chief Officer shall ensure that where the estimated Contract Value or amount of a proposed Contract (or series of Contracts) is likely to be equal to or to exceed the thresholds set by the Legal Requirements for Contracts, then the tendering procedures to be adopted must be in accordance with the Regulations, and any statutory provision relating thereto.

2.3 Contracts for the procurement of works, goods or services may be subdivided into lots where appropriate and in accordance with the Regulations but lots should not be used where the result would be the avoidance or effect the application of the Contract Procedure Rules.

2.4 The procurement of goods, services and works shall not be artificially over estimated or underestimated which would result in either the avoidance of the Contract Procedure Rules or which would affect the application of the Contract Procedure Rules.

2.5 It shall be a condition of any contract between the Council and any person (not being an Officer of the Council) who is required to supervise a Contract on the Council's behalf that, in relation to the Contract, they shall comply with the requirements of these Contract Procedure Rules and the Council's Financial Procedure Rules.

- 2.6 The Monitoring Officer with the agreement of the Chief Finance Officer may issue procurement guidance or protocols, and all Chief Officers and any person who is required to supervise a Contract on behalf of the Council shall have due regard to any such guidance or protocol.
- 2.7 The use of the Council's in-house services and Internal Providers is not covered by or subject to these Contract Procedure Rules. Any contract subsequently let by the in-house services and Internal Providers to sub-contractors will be let in accordance with these Contract Procedure Rules.
- 2.8 Any failure by officers to comply with any of the provisions of these Contract Procedure Rules or associated guidance adopted by the Council may result in disciplinary action.
- 2.9 Appropriate authority must be in place before any procurement is carried out on behalf of the Council.
- 2.10 Any dispute regarding the interpretation of these Contract Procedure Rules shall be referred to the Chief Officer Legal and Regulatory Services, Human Resources and Corporate Policy, for resolution in consultation with the Corporate Procurement Manager.
- 2.11 These Contract Procedure Rules deal only with procurements conducted under the Regulations. Where a procurement is required to be conducted under the Concession Contracts Regulations 2016 and the Utilities Contracts Regulations 2016, authority must be sought from the Appropriate Body by way of an exemption to these Contract Procedure Rules in order to conduct such a procurement pursuant to Rule 3.1.7.

3. Exemptions and Waiver

Exemptions to the Contract Procedure Rules

- 3.1 The Contract Procedure Rules do not apply to the situations set out in Rules 3.1.1 to 3.1.7.
 - 3.1.1 For the acquisition or disposal of land, unless it involves a development agreement which would require a tender process.
 - 3.1.2 In the case of professional arrangements in accordance with Regulation 10 of the Regulations between the Councils Solicitor and Counsel or external Solicitors, the Chief Officer Legal and Regulatory Services, Human Resources and Corporate Policy, and Monitoring Officer will not be expected to comply with the requirements of this Rule when instructing and briefing Counsel or Solicitors. The Chief Officer Legal and Regulatory Services, Human Resources and Corporate Policy and Monitoring Officer will make arrangements to ensure that a record is kept of all such instructions or briefs together with a record of Counsel's/ Solicitors fees.
 - 3.1.3 For the carrying out of security works where the publication of documents in accordance with the tendering procedure could prejudice the security of the work to be done, provided the method of tendering has been approved by the Appropriate Body.
 - 3.1.4 Employment Contracts which make an individual a direct employee of the Council.
 - 3.1.5 Contracts between entities within the public sector as prescribed in Regulation 12 of the Regulations, including those Contracts where Regulation 12 would be applicable if the Contract Value was not below the financial thresholds specified in or by the Regulations, provided the arrangement has been approved by the Appropriate Body.

- 3.1.6 In an emergency situation in which injury or damage to persons or property is threatened in which case the Appropriate Chief Officer may take any necessary action but must report the circumstances and the action taken to the next meeting of the Appropriate Body.
- 3.1.7 Where a procurement is required to be conducted under the Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016, provided the use of the Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016 has been approved by the Appropriate Body.

Waivers

- 3.2 Waiver from obtaining quotations or tendering will only apply to the criteria listed in Rules 3.2.1 to 3.2.12 below and any waiver must be obtained, either:
- (a) in respect of any new Contract from the Appropriate Body where the value of the Contract exceeds £100,000; or
 - (b) in respect of any new Contract in accordance with the Council's Scheme of Delegation of Functions where the value of the Contract does not exceed £100,000.
- 3.2.1 Where no quotes or tenders have been received in response to the Council's procedure for obtaining competitive offers. This is to include the open procedure, restricted procedure, competitive dialogue, competitive procedure with negotiation, innovative partnerships procedures where procurement falls within the scope of the Regulations.
- 3.2.2 The Contract involved is purely for the purpose of research, experiment, study or development under the conditions stated in the Regulations.
- 3.2.3 The works/goods/services can be provided only by a particular economic operator for any of the following reasons:—
- (i) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance,
 - (ii) competition is absent for technical reasons,
 - (iii) the protection of exclusive rights, including intellectual property rights,
- but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.
- 3.2.4 Extreme urgency brought about by events unforeseeable by the Council and in accordance with the strict conditions contained in the Regulations.
- 3.2.5 New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions contained in the Regulations, subject to approval in accordance with Rule 3.5.
- 3.2.6 A Contract awarded to the successful tenderer or one of them after a design contest.
- 3.2.7 For supplies quoted and purchased on a commodity market.

- 3.2.8 For the purchase of supplies on particularly advantageous terms from a Supplier which is definitely winding up its business activities, or from the receivers or liquidators of an insolvency, bankruptcy, an arrangement with creditors or a similar procedure.
- 3.2.9 In the case of Contracts for services entered into in pursuance of powers under the National Health Service and Community Care Act 1990, the Children Act 1989, Children's (Leaving Care) Act 2000 and Social Services and Wellbeing (Wales) Act 2014 for the benefit of an individual client, the Corporate Director Social Services and Wellbeing, insofar as it is consistent with the law, will make appropriate arrangements for provision.
- 3.2.10 Where a tendering procedure is prescribed by legislation.
- 3.2.11 Contracts which can only be performed by a statutory undertaker.
- 3.2.12 Where goods, services and works are procured by another public body on behalf of the Council or through collaborative arrangements awarded via the National Procurement Service or the Regional Delivery Group or by the Council through a Contract properly let by another such organisation, then those organisations Procurement / Contract Procedure Rules will apply subject to compliance with European Union and Procurement Law of England and Wales.

Modifications to existing Contracts and Framework Agreements

- 3.3. Contracts and frameworks agreements may be modified without the requirement for a new procurement procedure in accordance with Rules 3.3.1 to Rules 3.3.6:
- 3.3.1 Where the modifications in a Contract or Framework Agreement have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which may include price revision clauses or options, provided that such clauses:
- (a) state the scope and nature of possible modifications or options as well as the conditions under which they may be used, and
 - (b) do not provide for modifications or options that would alter the overall nature of the Contract or the Framework Agreement;
- 3.3.2 Subject to Rule 3. 4 and Rule 3.5 where the modification(s) in a Contract or Framework Agreement is for additional works, services or supplies by the original Contractor that have become necessary and were not included in the initial procurement, and where a change of Contractor:
- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and
 - (ii) would cause significant inconvenience or substantial duplication of costs for the Council,
- provided that any increase in price does not exceed 50% of the value of the original Contract;

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.3.3 Where all of the following conditions are fulfilled:

- (i) the need for modification has been brought about by circumstances which the Council having been duly diligent could not have foreseen;
- (ii) the modification does not alter the overall nature of the Contract;
- (iii) any increase in price does not exceed 50% of the value of the original Contract or Framework Agreement.

For the purpose of the calculation of the price the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.3.4 Where a new Contractor replaces the one to which the Council had initially awarded the Contract as a consequence of:

- (i) an unequivocal review clause or option in conformity with Rule 3.3.1, or
- (ii) universal or partial succession into the position of the initial Contractor, following corporate restructuring, including takeover, merger, acquisition or insolvency, of another economic operator that fulfils the criteria for qualitative selection initially established, provided that this does not entail other substantial modifications to the Contract and is not aimed at circumventing the application of the Regulations.

3.3.5 Where the modifications, irrespective of their value, are not substantial. A modification shall be considered substantial where one or more of the following conditions is met:

- (i.) the modification renders the Contract or the Framework Agreement materially different in character from the one initially concluded; or
- (ii.) the modification introduces conditions which, had they been part of the initial procurement procedure, would have—
 - (a) allowed for the admission of other candidates than those initially selected,
 - (b) allowed for the acceptance of a tender other than that originally accepted, or
 - (c) attracted additional participants in the procurement procedure;
- (iii.) the modification changes the economic balance of the Contract or the Framework Agreement in favour of the Contractor in a manner which was not provided for in the initial Contract or Framework Agreement;
- (iv.) the modification extends the scope of the Contract or Framework Agreement considerably;
- (v.) a new Contractor replaces the one to which the Contracting authority had initially awarded the Contract in cases other than those provided for in Rule 3.3.4

3.3.6 Where the value of the modification is below both of the following values:—

- (i) the relevant applicable financial thresholds contained in the Regulations, and
- (ii) 10% of the initial Contract Value for service and supply Contracts and 15% of the initial Contract Value for works Contracts,

provided that the modification does not alter the overall nature of the Contract or Framework Agreement.

Where several successive modifications are made, the value shall be the net cumulative value of the successive modifications and the updated figure shall be the reference figure when the Contract includes an indexation clause.

3.4 Where several successive modifications are made:—

- (a) the limitations imposed by the proviso at the end of Rule 3.3.2 and by Rule 3.3.3 (iii) shall apply to the value of each modification; and
- (b) such successive modifications shall not be aimed at circumventing the Regulations.

3.5 Where the Council has modified a Contract in accordance with Rule 3.3.2 or Rule 3.3.3 the Council is required to send a notice to that effect, in accordance with Regulation 51 of the Regulations for publication. Such a notice shall contain the information set out in Regulation 72.4 of the Regulations.

3.6 Approval to any modification of an existing Contract or Framework Agreement must be obtained, either:

- (a) from the Appropriate Body where the value of the modification of a Contract or Framework Agreement exceeds £100,000; or
- (b) in accordance with the Council's Scheme of Delegation of Functions where the value of the modification of a Contract or Framework Agreement does not exceed £100,000.

Notification of Waiver and Modification

3.7 If the Appropriate Chief Officer is seeking from the Appropriate Body a waiver from the Council's Contract Procedure Rules under Rule 3.2 or a modification to an existing Contract or Framework Agreement under Rule 3.3, the report to the Appropriate Body shall set out the reason for requiring the waiver or modification and the Contract Procedure Rule(s) from which the waiver or modification is required. The report shall include a legal and financial statement and shall highlight any future commitments (whether or not of a financial character) which the proposed Contract might entail.

3.8 Where the value of any waiver or modification does not exceed £100,000, the reasons for requiring the waiver or modification must be approved by the Corporate Procurement Manager, and recorded in accordance with the Scheme of Delegation of Functions.

3.9 Where a waiver is sought by the Appropriate Chief Officer in respect of obtaining quotations or tendering, the report to the Appropriate Body or record of the decision under the Council's Scheme of Delegation of Functions shall in addition to the requirements of Rules 3.7 and 3.8

justify the use of an alternative method of selection so that propriety, value for money and compliance with Legal requirements can be demonstrated.

- 3.10 Purchasing arrangements made for the Council by the Corporate Procurement Manager do not constitute exceptions as such, because they are made under the full provisions of these Rules.
- 3.11 Correct use of these arrangements, as advised by the Corporate Procurement Manager will be sufficient to ensure officers meet their responsibilities for compliance. Such arrangements are mandatory and include, but are not limited to:
 - 3.11.1 Purchasing Frameworks endorsed for use by the Council, where items are specified and costed and the option of a Direct Award has been provided for.i.e. no requirement to undertake a further mini competition.
 - 3.11.2 Collaborative procurement arrangements undertaken by, or in consultation with the Corporate Procurement Manager.
 - 3.11.3 Electronic systems and catalogues endorsed for use by the Council in procurement.
- 3.12 The Appropriate Chief Officer must ascertain whether there is a Framework Agreement approved by the Corporate Procurement Manager for use by the Council. Where a Framework Agreement is available, it must be used in accordance with the guidance provided by the Corporate Procurement Manager.
- 3.13 Any joint procurement arrangements with other local authorities and or public sector bodies including membership or use of any consortia must be approved by the Corporate Procurement Manager.
- 3.14 Established framework and consortia arrangements endorsed by the Corporate Procurement Manager for use by the Council shall be mandatory except where there is an applicable waiver or exemption, a copy of which shall be sent to the Corporate Procurement Manager.
- 3.15 Contracts to be awarded on the basis of a Framework Agreement must be in conformity with the Regulations. Where it is necessary to run a further mini competition, any subsequent mini-competition must be in accordance with the terms of the original Framework Agreement (except for the requirement to advertise and those stages in the procurement that are not applicable to a framework).
- 3.16 These Contract Procedure Rules do not apply to Contracts let by school or college governing bodies acting in accordance with their approved schemes of delegation or contract procedure rules.

4. Delegated Authority to Enter into Contracts

- 4.1 Each Chief Officer has been allocated the following functions under Scheme B2 of the Council's Scheme of Delegation of Functions (Functions delegated to Chief Officers without consultation and call-in) which shall be exercised where any proposed Contract administered by their Directorate/Office has an estimated value not exceeding £1,000,000.00:
 - (a) To authorise the invitation of tenders;
 - (b) To accept the Most Economically Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.

- 4.2 Each Cabinet Member has been allocated the following functions under Scheme A of the Council's Scheme of Delegation of Functions (Cabinet Functions delegated to Individual Cabinet Members) which shall be exercised where any proposed Contract falling within the Cabinet Member's portfolio has an estimated value exceeding £1,000,000.00 but not exceeding £5,000,000.00:
- (a) To authorise the invitation of tenders;
 - (b) To accept the Most Economically Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.
- 4.3 Where the estimated value of any proposed Contract exceeds £5,000,000.00, the authority to do any of the following shall be sought from the Appropriate Body:
- (a) To authorise the invitation of tenders;
 - (b) To accept the Most Economically Advantageous Tender received and enter into a Contract and any further deeds and documents which are supplemental to the Contract.

5. Declaration of Interest

- 5.1 No member, employee or agent of the Council shall improperly use their position to obtain any personal or private benefit from any procurement entered into by the Council.
- 5.2 Members and employees of the Council shall comply with the requirements of Section 117 of the Local Government Act 1972, the Bribery Act 2010, and the Officers and Members' Code of Conduct set out in the Constitution in respect of the declaration of interests in Contracts with the Council.
- 5.3 Such interests must be declared to the Monitoring Officer for inclusion in the appropriate registers
- 5.4 Officers must complete a conflict of interest form and declaration of interest form prior to participating in any tender exercise and a copy can be found on the Corporate Procurement Page.

6. Selective Tendering, Invitation of Tenders and Quotations

- 6.1 Subject to any overriding Legislative Requirements, all procurements shall be invited in accordance with either Rules 7, 8 or 9.
- 6.2 The appropriate service budget holder shall prepare the relevant part of the Pre-tender Client Information Sheet for all invitations to tender and quotations and submit that to the Corporate Procurement Manager for approval.
- 6.3 A record of tenders and quotations shall be maintained by the Chief Officer Legal and Regulatory Services, Human Resources and Corporate Policy and Monitoring Officer, on the Corporate Contracts Register.
- 6.4 In the case of procurements that are required to be undertaken in accordance with the Regulations, the advice of the Corporate Procurement Manager must be sought at the outset and at all subsequent stages of the procurement process, and the Pre-Tender Client Information Sheet must be completed. The Regulations will take precedence over the Contract Procedure Rules.

- 6.5 The value of a procurement means the estimated total monetary value over its full duration, including any extension options. Where there is no fixed term for the Contract, the value of the Contract shall be taken to be the estimated value of the Contract over a period of four years. No procurement may be artificially split to avoid compliance with these Contract Procedure Rules and Legal Requirements. This Rule shall, however, not be construed as to avoid the requirements relating to “lots” under the Regulations.
- 6.6 For works Contracts all Contractors must be registered and verified on Constructionline. Constructionline show the Contractors and categories which have been pre-assessed with a recommended contract value. The recommended contract value is based on a financial risk assessment and is the maximum limit of work that must be placed with a Contractor without additional safeguards.
- 6.7 The basis of selection for companies on Constructionline shall be by way of rotation and/or the suitability of Contractors to undertake the project. Reasons for such choice must be recorded

Quotations

- 6.8 The invitation to submit quotations must include the specification, terms and conditions and evaluation criteria/weightings.
- 6.9 A reasonable time must be allowed for Suppliers to return bids. Unless otherwise dictated by urgency, a minimum time period of not less than 14 days must be allowed for the return of quotations.
- 6.10 In accordance with the requirements of the Scheme of Delegation of Functions a record shall be kept by the Appropriate Chief Officer in the prescribed form. In any case in which at least three alternative written offers or quotations were not obtained, the Appropriate Chief Officer shall record the reasons why it was considered impracticable to do so. This should then be recorded on the Corporate Contracts Register.

Tenders

- 6.11 All of the invitation to tender documentation, including specification, evaluation criteria/weightings, must be approved by the Corporate Procurement Manager.
- 6.12 A minimum time period of not less than 14 days must be allowed for the return of tenders, except where the tender is subject to the Regulations in which case the time periods specified in the Regulations are applicable.
- 6.13 For all Contracts the Council must consider how what is proposed to be procured might improve the economic, social and environmental and cultural well-being of the area and how, in conducting the procurement process, it might act with a view to securing that improvement. The Council must consider the sustainable development principles and the well-being objectives that the Council has adopted in accordance with the Well-being of Future Generations (Wales) Act 2015. Guidance on delivering social value through procurement is available on the Corporate Procurement Page on the Intranet.
- 6.14 Where appropriate the Council will need to include Community Benefits clauses to maximise the benefits that such clauses can bring. Where Community Benefits are included in any tender issued by the Council, this must be mentioned in the tender advertisement, indicating whether they are Core or Non-Core.

6.15 Every written Contract shall include clauses in a form approved by the Monitoring Officer relating to the following matters as a minimum.

- 6.15.1 Data Protection;
- 6.15.2 Freedom of Information;
- 6.15.3 Modern Slavery;
- 6.15.4 Bribery and Corruption;
- 6.15.5 Equalities and Human Rights;
- 6.15.6 Welsh Language Standards;
- 6.15.7 Audit.

Template provisions for the aforementioned matters can be found on the Corporate Procurement Page on the Intranet.

6.16 Where a relevant specification issued by the British Standards Institution is current at the date of the tender all Council specifications shall require as a minimum that the goods and materials used in the execution of the Contract shall be in accordance with that specification or an equivalent.

6.17 The Council is a signatory to the UK Steel Charter. The Appropriate Chief Officer must consider whether fulfilment of any of the steps contained within the Charter are applicable to the Contract being procured and if so liaise with the Corporate Procurement Manager to ensure that appropriate provisions are contained within the procurement documents. A copy of the UK Steel Charter can be found on the Corporate Procurement Intranet page.

6.18 The Council is a signatory to the Welsh Government Code of Practice – Ethical Employment in the Supply Chain. The Appropriate Chief Officer must ensure that employment practices are considered as part of the procurement process and liaise with the Corporate Procurement Manager to ensure that appropriate provisions are contained within the procurement documents. A copy of the Welsh Government Code of Practice – Ethical Employment in the Supply Chain can be found on the Corporate Procurement Intranet page.

6.19 The Council has adopted the principles contained within the Welsh Government Policy on Project Bank Accounts. The Appropriate Chief Officer must consider whether payment through a project bank account (PBA) is appropriate for any construction or infrastructure Contract (or other Contract with a significant sub-contracting supply chain) of over 6 months duration and valued at £2 million or more and where there are sub-contracting opportunities valued at 1% or more of the contract value. The use of payment through a PBA for such Contracts will be required unless there are compelling reasons not to do so. The use of payment through a PBA must be applied to all construction and infrastructure projects and any other appropriate contracts valued at £2m or more which are part or fully funded by Welsh Government where the terms of such funding require a PBA to be applied.

7. Thresholds and Advertising Requirements

7.1 Thresholds for procurement do not apply to existing Framework Agreements endorsed for use by the Council.

7.2 Thresholds for all goods & services (except works Contracts) and advertising requirements are as follows and are set out in the Summary of Advertising (a copy of which can be found on the Corporate Procurement Page).

7.2.1 Up to £5,000 it is necessary only to demonstrate that value for money is being achieved, unless any grant funding conditions dictate otherwise.

- 7.2.2 Over £5,000 to £25,000 Minimum of 3 quotes to be requested from businesses preferably registered on Sell2Wales, unless any grant funding conditions dictate otherwise. All quotes must be conducted electronically.
- 7.2.3 Over £25,000 to £100,000 all requirements to be openly advertised on Sell2Wales where practical and providing it represents best value for money. A minimum of three quotations must be invited when following a restricted procedure or when an advert has not been issued, unless any grant funding conditions dictate otherwise. All quotes must be conducted electronically.
- 7.2.4 Over £100,000 to the Regulations thresholds, requirements must be tendered, and advertised on Sell2Wales (as a minimum). Where the restricted procedure is used a minimum of five tenders must be invited, unless any grant funding conditions dictate otherwise. All tenders must be conducted electronically.
- 7.2.5 Above the Regulations threshold, requirements must be tendered and advertised on Find a Tender, together with such other advertising as directed by the Corporate Procurement Manager. All tenders must be conducted electronically.
- 7.3 Thresholds for Works Contracts and advertising requirements are as follows and are set out in the Summary of Advertising (a copy of which can be found on the Corporate Procurement Page):
- 7.3.1 Contract Up to £5,000 it is necessary only to demonstrate that value for money is being achieved, using contractors with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline unless any Grant conditions dictate otherwise.
- 7.3.2 Over £5,000 to £25,000 quotations are to be requested from a minimum of three prospective Tenderers with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline, unless any grant conditions dictate otherwise. Where the minimum number of Tenderers required through Constructionline are not available, the Corporate Procurement Unit will put an advertisement on Sell2Wales for the requirement. All quotes must be conducted electronically.
- 7.3.3 Over £25,000 to £250,000 quotations are to be requested from a minimum of five prospective Tenderers with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline, the minimum number of Tenderers required through Constructionline are not available, the Corporate Procurement Unit will put an advertisement on Sell2Wales for the requirement. All quotes must be conducted electronically.
- 7.3.4 Over £250,000 to the Regulations thresholds requirements must be tendered and advertised on Sell2Wales, unless any grant funding conditions dictate otherwise. All tenders must be conducted electronically.
- 7.3.5 Above the Regulations thresholds, requirements must be tendered and advertised on Find a Tender, together with such other advertising as directed by the Corporate Procurement Manager. All tenders must be conducted electronically.
- 7.4 Where it is considered appropriate to use additional advertising e.g. specialist requirements, they should be placed in one or more of the following:
- A local newspaper.

- Trade Journal.

7.5 Where additional advertisements have been placed as outlined in Rule 7.4 the advertisement shall:

- Specify details of the Contract into which the Council wishes to enter.
- Invite persons or bodies interested to apply for permission to tender.
- Specify a time limit of not less than 14 days within which such applications or tenders are to be received by the Council, except where legislation or funding conditions dictates a different time period. Indicate the criteria and weighting to be used to select Tenderer and award the Contract, unless this is specified in the ITT.

8. Pre-Tender Market Research and Consultation

8.1 The Council may conduct market consultation prior to the issue of any Tender. This may involve seeking or accepting advice from the market. This advice can be used in the planning and conducting of the procurement process as long as it does not distort competition or violate the principles of non-discrimination and transparency.

9. Procurement by Consultants

9.1 Where the Council uses consultants to act on its behalf in relation to any procurement, then the Appropriate Chief Officer shall ensure that the consultants carry out any procurement in accordance with these Contract Procedure Rules.

9.2 All decisions must be made in accordance with the Council's Scheme of Delegation of Functions.

9.3 No consultant shall make any decision on whether to award a Contract or who a Contract should be awarded to. The Appropriate Chief Officer shall ensure that the consultant's performance in relation to procurement is in accordance with these Contract Procedure Rules and legislation.

9.4 Where the Council uses consultants to act on its behalf in relation to any procurement the consultant must declare any potential conflict of interest that may arise to the relevant Appropriate Chief Officer prior to the commencement of the procurement process or at such time that the Contractor becomes aware of such a potential conflict of interest.

9.5 Where the Appropriate Chief Officer considers that such a conflict of interest is significant the consultant shall not be allowed to participate in the procurement process.

10. Other Procurement Procedures

10.1 The use of the negotiated procedure without prior publication, innovative partnerships, competitive procedure with negotiation and competitive dialogue as defined in the Regulations, can only be used in exceptional circumstances as directed by the Chief Finance Officer and with prior consultation with the appropriate Cabinet Member and the Monitoring Officer.

10.2 The use of reserved, concessionary contracts and dynamic purchasing systems may only be used following consultation and prior approval by the Corporate Procurement Manager.

11. Naming Products Sub-Contractors and Suppliers

- 11.1 The principle of non-discriminatory and equal treatment is undermined by the naming of products, Suppliers or sub-Contractors. Equivalentents are nearly always able to be specified and will be advertised with the wording “or equivalent” where possible.
- 11.2 Where the Council has determined that a particular type of product or provision of service will be stipulated as an essential requirement of a Contract then this must be approved by the Appropriate Chief Officer following consultation with the Corporate Procurement Manager.

12. Electronic Tendering

- 12.1 An electronic quote and tender facility now supersedes the use of paper tenders in line with the Regulations. All electronic quotes and tenders must be issued using a portal approved by the Corporate Procurement Manager. All relevant staff must be fully trained in the use of the system and set up to use the facility by the Corporate Procurement Manager.
- 12.2 For all quotes and tenders issued, the awarded Contract must be uploaded to the Corporate Contracts Register on the approved portal.
- 12.3 An advertisement must be placed in accordance with Rule 7. Any advert placed on sell2wales must alert prospective bidders to the requirement and the need to register on the approved etenderwales portal. The advert should state that bidders must have JAVA to access the etenderwales portal and respond electronically.
- 12.4 All correspondence between the Council and bidders must be concluded via the approved portal to maintain a defined audit trail. Under no circumstances must email correspondence outside the portal be used. Any verbal communication specific to the quote or tender must only be communicated through the relevant category specialist and must be confirmed via the portal. All clarification questions must be broadcast to all prospective bidders, where applicable i.e. not commercially sensitive.
- 12.5 The requirements for the submissions of bids must be set out in the Invitation to Tender (ITT) document issued to bidders via the portal. This will specify the return date and time, which will normally be 12 noon on the agreed date. The time and date when bidders upload their completed documents onto the system is recorded and forms part of an audit record.
- 12.6 Any late bids submitted will be recorded by the system and must be disqualified. A report will be required from the system administrator of the portal that there has been no system malfunction if a bidder challenges the disqualification.
- 12.7 Tenders must be opened electronically in accordance with Rule 14.

13. Submission and Custody of Tenders and Quotations

- 13.1 Where tenders are invited in accordance with these Contract Procedure Rules or otherwise as determined by the Appropriate Body, the requirements for submission of tenders shall be set out in the invitation to tender document.
- 13.2 Electronic tenders and quotes are held in the approved portal and are inaccessible until the specified closing date and time.

14. Opening of Electronic Tenders

- 14.1 Quotations or tenders for requirements having an estimated value or amount of £5,000 and not exceeding £100,000 shall be opened via the approved portal at the same time in the presence of one officer from the corporate procurement team, this is to include the technical and commercial envelope.
- 14.2 Tenders for Contracts having an estimated value or amount over £100,000 and not exceeding £1,000,000 shall be opened at the same time in the presence of two officers, one designated by the Monitoring Officer and the other an officer from the corporate procurement team, this is to include the technical and commercial envelope.
- 14.3 Tenders, including the technical and commercial envelope, having an aggregated estimated value or amount exceeding £1,000,000 shall be opened at the same time in the presence of the Monitoring Officer or their nominated representative and two further officers usually an officer from Democratic Services and an officer from the corporate procurement team.
- 14.4 All tenders opened in accordance with rule 14 shall include the Technical and Commercial envelope within the approved portal.
- 14.5 A record shall be kept of all tenders and quotations received through the approved portal approved by the Monitoring Officer, including any reasons for disqualification.

15. Amendment of Tenders

- 15.1 If an error is identified in the invitation to tender documentation before the closing date for the return of tenders, all Tenderers shall be appraised of the error and invited to adjust their tenders.
- 15.2 If an error in the invitation to tender documentation is identified after the closing date for the return of tenders, but prior to opening of tenders, all Tenderers shall be given details of the error and afforded the opportunity of withdrawing the tender or submitting an amended tender.
- 15.3 Except as provided in this Rule 15, a tender may not be amended by the Tenderer after it has been received unless examination of it reveals errors or discrepancies which would affect the tender figure in an otherwise successful tender, in which case:
 - 15.3.1 If the error is not arithmetical the Tenderer shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the tender, or
 - 15.3.2 If the error is arithmetical the Appropriate Chief Officer shall correct the error(s) provided that, apart from these genuine arithmetic error(s), no other adjustment revision or qualification is permitted.

16. Post-Tender Negotiation and Clarification

- 16.1 Where procurement is conducted pursuant to the Regulations through either the open, restricted, innovative partnerships or competitive dialogue procedures, no post-tender negotiations are permitted. Any negotiation in respect of the competitive procedure with negotiation must comply with the requirements of the Regulations.
- 16.2 The responsible officer may seek clarification from tenderers where appropriate in consultation with the Corporate Procurement Manager.

- 16.3 Where procurements do not exceed the Regulations thresholds the Appropriate Chief Officer may authorise negotiations in exceptional circumstances, following the opening of tenders and before acceptance, subject to compliance with any legislative requirements, and only when:
- (a) Amendments have been made to any relevant specification since the invitation of tenders, which could not have been foreseen at the invitation stage, or
 - (b) The volume of goods, works or services required by the Council has substantially increased or decreased since the invitation of tenders, or
 - (c) Only one tender has been received, or
 - (d) Tender prices exceed financial targets predetermined by the Council, the Cabinet or the appropriate Committee,

In all instances, the possibility of such negotiations must have been indicated in the invitation to tender.

- 16.4 Negotiations shall be conducted in a manner which treats all Tenderers equally and is non-discriminatory and transparent at all times during the procurement process, and a full record of the negotiations shall be made by the Appropriate Chief Officer which shall include the names of the officers involved, minutes of all meetings and copies of all relevant correspondence and other documents.

17. Evaluation of Tenders

- 17.1 The Appropriate Chief Officer shall examine tenders in accordance with predetermined evaluation criteria.
- 17.2 In respect of all tenders the tender criteria shall be Most Economically Advantageous Tender (which can be the lowest/highest price only where appropriate) and the evaluation criteria shall as a minimum be listed in the Invitation To Tender documentation in order of importance. Any particular scoring or weighting attributable to any criteria and sub-criteria must be clearly stated. In addition, the criteria must be strictly observed and remain unchanged at all times throughout the Contract award procedure.

18. Acceptance and Award of Tenders

- 18.1A Contract shall only be awarded subject to the tender evaluation criteria specified in the invitation to tender document.
- 18.2 Tenders for Contracts having an estimated value exceeding £5,000,000 may be invited and accepted only by the Appropriate Body unless the power to do so has been specifically allocated or delegated to the appropriate Cabinet Member or Appropriate Chief Officer.
- 18.3 No tender relating to a Contract to which Sections 2 to 9 of the Local Government (Contracts) Act 1997 apply, shall be accepted without the approval of the Monitoring Officer.
- 18.4 Before a tender is accepted other than for the sale of goods the Appropriate Chief Officer must obtain the Chief Finance Officer's confirmation that the Tenderer's financial standing is satisfactory, unless the Tenderer has already been approved using the prequalification of the tender process.
- 18.5 The award of any Contract shall be in accordance with the Regulations and any other Legal Requirements.

- 18.6 If the award of any Contract is subject to the Regulations then there shall be a standstill period of at least ten calendar days between the communication of the decision of the intention to award the Contract being notified to those parties who were selected to tender, or who applied to be selected to tender, and the entering into of that Contract.
- 18.7 Standstill letters issued as part of a tender process under the Regulations must not be issued prior to confirmation of award in accordance with the Council's constitution.
- 18.8 Feedback to unsuccessful tenderers must be included in the standstill letters and must include the characteristics and relative advantages of the tender selected. For Contracts subject to the Regulations, the requirements of the Regulations must also be complied with.
- 18.9 Where a tender above the Regulations threshold has been tendered and advertised on Sell2Wales, the Council shall publish a Contract Award Notice on Sell2Wales which will also be included on Find a Tender, as soon as possible after the decision to award and in any event no later than 30 calendar days after the date of award of the Contract.
- 18.10 All correspondence notifying evaluation outcomes must be communicated through the approved portal

19. Letters of Intent

- 19.1 Letters of Intent shall only be used with the agreement of the Chief Officer Legal and Regulatory Services, HR and Corporate Policy and Monitoring Officer and only in very exceptional circumstances.
- 19.2 Where the terms and conditions of the Contract are not fully agreed no Contractor shall be allowed on site to begin preliminary works until a full risk assessment has been carried out by the Appropriate Chief Officer as to possible implications to the Council by the Contractor being allowed to start on site before the Contract terms and conditions have been finalised.

20. Execution of Contracts

- 20.1 Every Contract not exceeding £500,000 in amount or value shall be in writing in a form approved by the Monitoring Officer such form being the Form of Tender. However, the Form of Tender should not be used in the following situations and a formal Contract must be entered into:
 - (a) where the appropriate Directorate has assessed the level of risk associated with the Contract and it deems the level of risk to be high; or
 - (b) where the Contract must be executed under seal.

The Form of Tender must be issued as part of the tender and must be signed and returned by the bidder. On contract award the signed Form of Tender must be issued with the award letter, signed by either the Appropriate Chief Officer of the Monitoring Officer, or another officer authorised in writing to sign on behalf of the Appropriate Chief Officer or the Monitoring Officer. Both Parties are to keep a signed Form of Tender.

- 20.2 Every Contract, including frameworks which exceeds £500,000 in amount or value shall be referred to the Solicitor for the Council for approval.
- 20.3 Contracts in writing or official orders not exceeding £500,000 in amount or value may be signed either by the Appropriate Chief Officer or by an officer in writing authorised to approve on behalf of the Appropriate Chief Officer.

- 20.4 Every Contract for Works (other than Framework Agreements) exceeding £1,000,000 shall require a performance bond and for Contracts below this limit the Appropriate Chief Officer shall determine the necessity for a Performance Bond based on an assessment of risk for that Contract. A Surety shall be approved by the Chief Finance Officer.
- 20.5 A risk assessment shall be conducted for all service Contracts to determine the necessity for a performance bond. The approval of the Chief Finance Officer is required where a performance bond is not deemed necessary for service Contracts in excess of £1,000,000 in value.
- 20.6 Contracts not exceeding £500,000 may be signed electronically except in the following situations:
- (a) where the appropriate Directorate has assessed the level of risk associated with the Contract and it deems the level of risk to be high; or
 - (b) where the Contract must be executed under seal.
- The use of electronic signature must be in accordance with the procedure set down by the Corporate Procurement Manager.

21. Assignment and Novation

- 21.1 Any Contract subject to potential assignment or novation must be referred to the Monitoring Officer at the earliest possible instance.

22. Termination of Contracts

- 22.1 For any Contract, or part thereof, exceeding £100,000 in value, early termination shall be approved by the Appropriate Chief Officer in consultation with the Monitoring Officer and the Chief Finance Officer and must be in accordance with the termination provisions set out in the Contract. Contracts of a lesser value may be terminated early by agreement prior to the expiry date or in accordance with the termination provisions set out in the Contract.

23. Financial Limits

- 23.1 With the exception of the financial limit specified in Rule 20, which may be varied only by the Council, the financial limits specified in these Contract Procedure Rules or any of them may be varied at any time by the Chief Finance Officer in consultation with the Monitoring Officer, but any alterations shall be reported to the next meeting of the Council.

24. Record and Document Retention and Control

- 24.1 A full report of all Contracts awarded should be written and kept electronically. (A checklist of what the report should contain can be found on the Corporate Procurement Page.)
- 24.2 A full record of all documents used including the Delegated Power to invite and accept, any other internal approvals, should be scanned and uploaded into the approved portal or procurements 'o' drive against the specific Contract reference number.
- 24.3 All Contracts under seal i.e. Deeds (inc. Tenders) must be retained for a minimum of 12 years after the term of the Contract has expired. Contracts which have not been sealed must be

retained for a minimum of 6 years after the term of the Contract has expired, unless a longer period is required by legislation or grant conditions.

- 24.4 Unsuccessful tender and pre-qualifying documents which have been accepted for tender purposes will be retained for a minimum period of 2 years after the start of the Contract within the approved portal.
- 24.5 Any tender which is rejected or disqualified at the time of opening will be notified via the approved portal.
- 24.6 All request for quotations must be retained for a minimum period of 2 years after the term of the Contract has expired.
- 24.7 Where Contracts are subject to the Regulations, they must also comply with the record, document retention and control requirements of the Regulations.

25. Contract Management

- 25.1 A Contract must not start until the Contract has been signed or sealed by both parties and dated. Directorates must allow time for this in their forward work plan.
- 25.2 Within ten calendar days of the start of the Contract, the directorate must add the details of the Contract onto the Corporate Contracts Register and record all the required information within etender wales.

These details must be maintained and updated as and when required to do so. Officers should contact the Corporate Procurement Manager if training is required.
- 25.3 The Directorate shall be the Contract manager for the Contracts for which they are responsible for up to the Regulations threshold, but may authorise another officer to have day-to-day responsibility for managing the Contract. For Contracts over the Regulations threshold, the directorate must appoint a dedicated Contract manager with appropriate skills and experience.
- 25.4 The Contract manager is responsible for:
 - (a) Managing the Contract and ensuring that it is carried out in accordance with its terms and conditions;
 - (b) Monitoring the Contractor's performance and carrying out mid-Contract reviews to determine ongoing value for money;
 - (c) Ensuring that the Contractor maintains the insurance policies required by the Contract; and
 - (d) Keeping a record of all payments, claims, monitoring, changes and certificates under the Contract.
- 25.5 The Contract manager must consult the Monitoring Officer for consideration of the Council's legal position:
 - (a) Before any Contract is to be terminated or suspended; or
 - (b) In the event of a claim for payment not clearly within the terms and conditions of Contract.

26. Corporate Contracts Register

- 26.1 The Corporate Contracts Register is held within the approved portal and all quotations and tenders conducted must be created into a Contract. It is the responsibility of each Directorate to create and maintain their own Contracts within the portal.

26.2 It is the responsibility of each Directorate to update the register following a quotation or tender process within the approved portal.

26.3 Any officer that requires training must contact the corporate procurement unit.

27. Review and Amendment of Contract Procedure Rules

27.1 The Corporate Procurement Manager shall continually review these Contract Procedure Rules and shall undertake a formal review at least every three years.

27.2 With the exception of Rule 23.1 the Monitoring Officer shall have authority to make alterations of a minor nature or such as are required to be enacted immediately to ensure compliance with statutory obligations. Any minor changes will be reported to the next meeting of the Council.

SECTION 19

19. CODE OF CONDUCT FOR MEMBERS

Part 1 - Interpretation

1.—(1) In this code —

“co-opted member” (“*aelod cyfetholedig*”) in relation to a relevant authority, means a person who is not a member of the authority but who —

is a member of any committee or sub-committee of the authority, or

is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

“meeting” (“*cyfarfod*”) means any meeting —

(a) of the relevant authority,

of any executive or board of the relevant authority,

of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint-committee of any executive or board of the authority, or

where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committee and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

“member” (“*aelod*”) includes, unless the context requires otherwise, a co-opted member;

“registered society” means a society, other than a society registered as a credit union, which is-

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“register of members’ interests” (“*cofrestr o fuddiannau’r aelodau*”) means the register established and maintained under section 81 of the Local Government Act 2000;

“relevant authority” (“*awdordod perthnasol*”) means—

(b) a county council,

a county borough council,

a community council,

a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,

a National Park authority established under section 63 of the Environment Act 1995;

“you” (“*chi*”) means you as a member or co-opted member of a relevant authority; and

“your authority” (“*eich awdurdod*”) means the relevant authority of which you are a member or co-opted member.

(1) In relation to a community council _

“proper officer” (“*swyddog prifol*”) means an officer of the Council within the meaning of section 270(3) of the Local Government Act 1972; and

“standards committee” (“*pwyllgor safonau*”) means the standards committee of the county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

Part 2 - General Provisions

2.(1) Save where paragraph 3(a) applies, you must observe this code of conduct —

- (a) whenever you conduct the business, or are present at a meeting, of your authority;
- (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
- (c) whenever you act, claim or act or give the impression you are acting as a representative of your authority; or
- (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

- (a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
- (b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
- (b) show respect and consideration for others;
- (c) not use bullying behaviour or harass any person; and
- (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) prevent any person from gaining access to information to which that person is entitled by law.

6.(1) You must —

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
- (c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;
- (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
- (b) use, or authorise others to use, the resources of your authority —
 - (i) imprudently;
 - (ii) in breach of your authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.

8. You must —

- (a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —
 - (i) the Chief Executive;
 - (ii) the authority's chief finance officer;
 - (iii) the authority's monitoring officer;
 - (iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must —

- (a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

Part 3 - Interests

Personal Interests

- 10(1)** You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- (2)** You must regard yourself as having a personal interest in any business of your authority if —
- (a) it relates to, or is likely to affect —
 - (i) any employment or business carried on by you;
 - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
 - (aa) public authority or body exercising functions of a public nature;
 - (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
 - (cc) body whose principal purposes include the influence of public opinion or policy;
 - (dd) trade union or professional association; or
 - (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;
- (x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Note: Subparagraph (b) is omitted.

- (c) a decision upon it might reasonably be regarded as affecting —
 - (xi) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
 - (xii) any employment or business carried on by persons as described in 10(2)(c)(i);
 - (xiii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;
 - (xiv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (xv) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management, to a greater extent than the majority of—
 - (aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence

and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

- (2) Where you have a personal interest in any business of your authority and you make-
 - (a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or
 - (b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

- (a) details of the personal interest;
- (b) details of the business to which the personal interest relates; and
- (c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

- (a) relates to —
 - (i) another relevant authority of which you are also a member;
 - (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
 - (iii) a body to which you have been elected, appointed or nominated by your authority;
 - (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;

- (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;
- (b) relates to —
 - (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
 - (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
 - (iv) the functions of your authority in respect of an allowance or payment made in accordance with the Provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;
- (c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.
- (3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in subparagraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14 (1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

- (a) withdraw from the room, chamber or place where a meeting considering the business is being held—
 - (i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or
 - (ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
- (b) not exercise executive or board functions in relation to that business;
- (c) not seek to influence a decision about that business;

- (d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
 - e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.
- (2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) when submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

- (3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —
 - (a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or
 - (b) you have the benefit of a dispensation provided that you —
 - (i) state at the meeting that you are relying on the dispensation; and
 - (ii) before or immediately after the close of the meeting give written notification to your authority containing —
 - (aa) details of the prejudicial interest;
 - (bb) details of the business to which the prejudicial interest relates;
 - (cc) details of, and the date on which, the dispensation was granted; and
 - (dd) your signature.
- (4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

Part 4 - The Register of Members' Interests

14.

Registration of Personal Interests

15 (1) Subject to sub-paragraph (4), you must, within 28 days of—

- (a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or
 - (b) your election or appointment to office (if that is later), register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.
- (2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

- (3) Subject to sub-paragraph (4) you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's monitoring officer, or in the case of a community council to your authority's proper officer.
- (4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).
- (5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.
- (6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

Sensitive information

16 (1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality material benefit or advantage.

APPENDIX 1 TO SECTION ERROR! REFERENCE SOURCE NOT FOUND.

Conduct of Members – The Principles

1. SELFLESSNESS

Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

2. HONESTY

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

3. INTEGRITY AND PROPRIETY

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

4. DUTY TO UPHOLD THE LAW

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

5. STEWARDSHIP

In discharging their duties and responsibilities Members must ensure that their authority's resources are used both lawfully and prudently.

6. OBJECTIVITY IN DECISION-MAKING

In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

7. EQUALITY AND RESPECT

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sex, sexual orientation, marital status, age or religion, and show respect and consideration for others.

8. OPENNESS

Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

9. **ACCOUNTABILITY**

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

10. **LEADERSHIP**

Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

APPENDIX 2 TO SECTION ERROR! REFERENCE SOURCE NOT FOUND.

Protocol - Standard of Conduct Expected by Members

This protocol sets out the standards of conduct expected from Members within Bridgend County Borough Council in dealing with each other. It should be read in conjunction with the Members Code of Conduct and the Member/Officer Protocol. It adds to these documents and does not detract from them.

Members are expected to:

1. PUBLIC BEHAVIOUR

- 1.1 show respect to each other;
- 1.2 not to make personal abusive comments about each other;
- 1.3 not to publish anything insulting about each other;
- 1.4 not to make malicious allegations against each other;
- 1.5 not to publish or spread any false information about each other;
- 1.6 show respect to diversity and equality;

2. BEHAVIOUR IN MEETINGS

- 2.1 behave with dignity;
- 2.2 show respect to the Chair and obey his/her decisions;
- 2.3 not to use indecent language nor make racial remarks or remarks which prejudice any section of society;

3. CONFIDENTIALITY

- 3.1 keep the confidentiality of exempt papers and any other documents which are not public;
- 3.2 not to release confidential information to the press or the public;
- 3.3 not to use confidential information for purposes other than intended;

4. LOCAL MEMBERS

- 4.1 work with Members of adjoining electoral divisions for the benefit of the locality;
- 4.2 if dealing with any matter relating to another electoral division:
 - 4.2.1 explain to anyone seeking assistance that he/she is not the local Member;
 - 4.2.2 inform the local Member, unless it would lead to a breach of confidentiality.

APPENDIX 3 TO SECTION ERROR! REFERENCE SOURCE NOT FOUND.

Procedure for Dealing with Allegations made against Councillors and referred to the Standards Committee

1. INTRODUCTION

This document sets out the procedure that the Council's Standards Committee will follow where it is required to make decisions about the conduct of Councillors following investigations by the Public Services Ombudsman for Wales or the Council's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations. If there is any conflict between this document and any statutory requirements then those statutory requirements will prevail.

2. INTERPRETATION

In this procedure:

- 2.1 the "Act" means the Local Government Act 2000;
- 2.2 the "Council" means Bridgend County Borough Council;
- 2.3 the "Code of Conduct" means the code of conduct for members adopted by the Council or the community councils within the Council's area in 2008 in accordance with section 51 of the Act, including any revisions;
- 2.4 the "Complainant" means any person who made any allegation which gave rise to the investigation;
- 2.5 the "Investigating Officer" means the person who conducted an investigation into any alleged breach of the Code of Conduct and produced the investigation report, being either the Ombudsman (or a person acting on his or her behalf) or the Monitoring Officer;
- 2.6 an "investigation report" means a report on the outcome of an investigation into any alleged breach of the Code of Conduct produced either by the Ombudsman under s71(2) of the Act or by the Monitoring Officer under the Regulations;
- 2.7 the "Member" means any person who is the subject of an investigation into any alleged breach of the Code of Conduct;
- 2.8 the "Monitoring Officer" means the officer for the time being appointed by the Council under section 5 of the Local Government and Housing Act 1989;
- 2.9 the "Ombudsman" means the Public Services Ombudsman for Wales;
- 2.10 the "Regulations" means the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 as amended;
- 2.11 the "Standards Officer" means the officer for the time being appointed by the Council to support the work of the Standards Committee.

3. SUMMARY OF THE PROCEDURE

- 3.1 Under section 69 of the Act, the Ombudsman may investigate any alleged breach of the Code of Conduct by Members or Co-Opted Members (or former Members or co-opted Members) of the Council or a community council in the Council's area.

- 3.2 Under section 70(4) of the Act, where the Ombudsman ceases such an investigation before it is completed, he/she may refer the matters which are the subject of the investigation to the Monitoring Officer. The Monitoring Officer will then investigate matters in accordance with the Regulations before reporting and, if appropriate, making recommendations to the Standards Committee.
- 3.3 Alternatively, under section 71(2) of the Act, where the Ombudsman decides after investigating that it is appropriate, he/she will produce a report on the outcome of the investigation and send it to the Monitoring Officer and the Council's Standards Committee. The Monitoring Officer will then consider the report of the Ombudsman in accordance with the Regulations, before, if appropriate, making recommendations to the Standards Committee.
- 3.4 The Standards Committee will then make an initial determination either:
- 3.4.1 that there is no evidence of any failure to comply with the Code of Conduct; or
- 3.4.2 that the Member should be given the opportunity to make representations, either orally or in writing.
- 3.5 Where the Member is given an opportunity to make representations, the Standards Committee will convene a hearing to consider any response made by the Member and it must determine under regulation 9(1) of the Regulations either that:
- 3.5.1 there is no evidence of any failure to comply with the Code of Conduct and that therefore no action needs to be taken;
- 3.5.2 the Member has failed to comply with the Code of Conduct but that no action needs to be taken in respect of that failure;
- 3.5.3 the Member has failed to comply with the Code of Conduct and should be censured; or
- 3.5.4 the Member has failed to comply with the Code of Conduct and should be suspended or partially suspended from being a member or co-opted Member of his/her authority for a period not exceeding six months
- and take any such action accordingly.

4. **INVESTIGATIONS BY THE MONITORING OFFICER (REFERRALS UNDER SECTION 70(4) OF THE ACT)**

- 4.1 Where the Ombudsman ceases his/her investigation before it is completed and refers the matters which are the subject of the investigation to the Monitoring Officer under section 70(4) of the Act, the Monitoring Officer must:
- 4.1.1 conduct and investigation; and
- 4.1.2 report, and if appropriate, make recommendations to the Council's Standards Committee.
- 4.2 The Monitoring Officer will investigate in accordance with the Regulations and may follow such procedures as he or she considers appropriate in the circumstances of the case.
- 4.3 After concluding an investigation, the Monitoring Officer must:

4.3.1 produce a report on the findings of his or her investigation and, if appropriate, may make recommendations to the Standards Committee;

4.3.2 send a copy of the report to the Member; and

4.3.3 take reasonable steps to send a copy of the report to the Complainant.

4.4 The Standards Committee will consider the Monitoring Officer's report and any recommendations in accordance with the procedure set out below.

5. **INVESTIGATIONS BY THE OMBUDSMAN (REFERRALS UNDER SECTION 71(2) OF THE ACT)**

5.1 Where the Ombudsman completes his or her investigation and sends a report to the Monitoring Officer and the Council's Standards Committee under section 71(2) of the Act, the Monitoring Officer must consider the Ombudsman's report and, if appropriate, make recommendations to the Council's Standards Committee.

5.2 The Standards Committee will consider the Ombudsman's report together with any recommendations made by the Monitoring Officer in accordance with the procedure set out below.

6. **THE FIRST MEETING OF THE STANDARDS COMMITTEE - INITIAL DETERMINATION**

6.1 After the Monitoring Officer has:

6.1.1 produced an investigation report in accordance with paragraph 4.3; or

6.1.2 considered the Ombudsman's investigation report in accordance with paragraph 5.1

he/she will arrange for a meeting of the Standards Committee to be convened as soon as possible and for a copy of the investigation report, together with the Monitoring Officer's recommendations (if any), to be sent to each of the members of the Standards Committee.

6.2 Notice of the time and place of the meeting will be given in accordance with Part VA of the Local Government Act 1972 as amended by the Standards Committees (Wales) Regulations 2001.

6.3 If the investigation report is produced by the Ombudsman, the Monitoring Officer will advise the Standards Committee. If the investigation report is produced by the Monitoring Officer, the Standards Officer or some other suitably qualified person will advise the Standards Committee.

6.4 The business of the Standards Committee meeting will be limited to considering the investigation report and the Monitoring Officer's recommendations (if any) and to making an initial determination either:

6.4.1 that there is no evidence of any failure to comply with the Code of Conduct; or

6.4.2 that the Member should be given the opportunity to make representations,

either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the Code of Conduct.

7. **AFTER THE FIRST MEETING OF THE STANDARDS COMMITTEE**

- 7.1 Where the Standards Committee decides that there is no evidence of any failure to comply with the Code of Conduct, the Standards Officer will accordingly notify the Member, the Complainant and the Ombudsman.
- 7.2 Where the Standards Committee decides that the Member should be given the opportunity to make representations, the Standards Officer will notify the Member of the Committee's decision and the procedure which the Committee proposes to adopt to receive and consider any representations that he or she may wish to make.

8. **PREPARING FOR THE HEARING TO CONSIDER THE MEMBER'S REPRESENTATIONS**

- 8.1 The Standards Officer, in consultation with the Chair of the Standards Committee, will write to the Member to propose a date for a hearing to consider any representations that the Member may wish to make and to ask the Member to respond in writing within 14 days to confirm whether he/she:
- 8.1.1 is able to attend the hearing;
 - 8.1.2 wants to make representations, whether orally or in writing and if so, to include any written representations in his or her response;
 - 8.1.3 disagrees with any of the findings of fact in the investigation report, and if so, which matters he or she disagrees with and the reasons for any disagreements;
 - 8.1.4 wants to appear before the Committee in person or be represented at the hearing by a solicitor, barrister or any other person, in accordance with his/her right under the Regulations;
 - 8.1.5 wants to give evidence to the Standards Committee, either orally or in writing;
 - 8.1.6 wants to call relevant witnesses to give evidence to the Standards Committee;
 - 8.1.7 wants any part of the meeting to be held in private;
 - 8.1.8 wants any part of the investigation report or other relevant documents to be withheld from the public
- 8.2 The Standards Officer will notify the Investigating Officer of the proposed hearing date and ask whether he or she will be attending the hearing.
- 8.3 The Standards Officer will send a copy of the Member's response under paragraph 8.1 to the Investigating Officer and will ask him/her to confirm in writing within seven days whether he/she:
- 8.3.1 has any comments on the Member's response;
 - 8.3.2 wants to be represented at the hearing;
 - 8.3.3 wants to call relevant witnesses to give evidence to the Standards Committee;
 - 8.3.4 wants any part of the meeting to be held in private; and
 - 8.3.5 wants any part of the investigation report or other relevant documents to be withheld from the public.

- 8.4 The Standards Officer will write to the members of the Committee, the Member and the Investigating Officer at least two weeks before the hearing to:
- 8.4.1 confirm the date, time and place for the hearing;
 - 8.4.2 summarise the allegation;
 - 8.4.3 outline the main facts of the case that are agreed;
 - 8.4.4 outline the main facts which are not agreed;
 - 8.4.5 note whether the Member or the Investigating Officer will attend or be represented at the hearing;
 - 8.4.6 list those witnesses, if any, who will be asked to give evidence;
 - 8.4.7 enclose the investigation report, any relevant documents, the Member's response and any further response from the Investigating Officer; and
 - 8.4.8 outline the proposed procedure for the meeting.

9. **POWERS OF THE STANDARDS COMMITTEE**

- 9.1 The Standards Committee may, in accordance with the requirements of natural justice, conduct the meeting in the manner it considers most suitable to the clarification of the issues before it and generally to the just handling of the proceedings. It must so far as appears to it appropriate seek to avoid formality and inflexibility in its proceedings. The Standards Committee will decide factual evidence on the balance of probabilities.
- 9.2 The Member or the Investigating Officer may be represented or accompanied whether or not legally qualified but if in any particular case the Standards Committee is satisfied that there is a good reason, it may refuse to permit a particular person to assist or represent a party at the hearing.
- 9.3 The Standards Committee may take legal advice from a Council officer appointed for this purpose at any time during the meeting or while they are considering the outcome. The substance of any legal advice given to the Committee will be shared with the Member and the Investigating Officer if they are present.
- 9.4 Where appropriate, and in accordance with the Regulations, the Standards Committee has power to censure the Member, or suspend or partially suspend the Member for a period not exceeding six months.

10. **PROCEDURE AT THE HEARING**

- 10.1 The hearing will be held in public unless the Standards Committee is persuaded that there is a good reason to exclude the public.
- 10.2 The procedure at the meeting shall be as set out below, subject to the Chair making such changes as he or she thinks fit in order to ensure a fair and efficient hearing.
- 10.3 **Introduction**

The Chair of the Standards Committee will introduce those persons present and will explain the manner and order of proceedings

10.4 **First Stage - Preliminary Procedural Issues**

The Standards Committee will then resolve any issues or disagreements about how the hearing should continue, which have not been resolved during the prehearing process.

10.5 **Second Stage - Making Findings of Fact**

The Standards Committee will then consider whether or not there are any significant disagreements about the facts contained in the investigation report.

10.5.1 If there is a disagreement as to the facts:

- (a) the Investigating Officer, if present, will be invited to make any necessary representations to support the relevant findings of fact in the investigation report;
- (b) the Investigating Officer may call any necessary supporting witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Member an opportunity to challenge any evidence put forward by any witness called by the Investigating Officer;
- (c) the Member will then be invited to make representations to support his or her version of the facts;
- (d) the Member may call any necessary witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Investigating Officer an opportunity to challenge any evidence put forward by any witness called by the Member.

10.5.2 At any time, the Standards Committee may question any of the people involved or any of the witnesses.

10.5.3 If the Member disagrees with any relevant fact in the investigation report, without having given prior notice of the disagreement, he or she must give good reasons for not mentioning it before the hearing. If the Investigating Officer is not present, the Standards Committee will consider whether or not it would be in the public interest to continue in his or her absence. After considering the Member's explanation for not raising the issue at an earlier stage, the Committee may then:

- (a) continue with the hearing, relying on the information in the investigation report;
- (b) allow the Member to make representations about the issue, and invite the Investigating Officer to respond and call any witnesses, as necessary; or
- (c) postpone the hearing to arrange for appropriate witnesses to be present, or for the Investigating Officer to be present if he or she is not already.

10.5.4 At the conclusion of the representations as to matters of fact, the Standards Committee will retire to deliberate in private on the representations, after which the Chair of the Standards Committee will announce their findings of fact.

10.6 **Third Stage - Deciding whether the Member has failed to comply with the Code**

- 10.6.1 The Standards Committee will then consider whether, based on the facts it has found, the Member has failed to comply with the Code.
- 10.6.2 The Standards Committee will invite the Investigating Officer to make representations as to whether or not, based on the facts the Committee has found, the Member has failed to comply with the Code of Conduct.
- 10.6.3 The Standards Committee will invite the Member to respond to the representations of the Investigating Officer and to make representations as to whether or not, based on the facts the Committee has found, he or she has failed to comply with the Code of Conduct.
- 10.6.4 The Standards Committee may, at any time, question anyone involved on any point they raise in their representations.
- 10.6.5 The Member will be invited to make any final relevant points.
- 10.6.6 The Standards Committee will retire to deliberate in private on the representations and decide whether or not the Member has failed to comply with the Code of Conduct, after which the Chair of the Standards Committee will announce their findings.

10.7 **Fourth Stage - Action to be Taken**

- 10.7.1 If the Standards Committee decides that the Member has not failed to comply with the Code of Conduct, it will formally record that there is no evidence of any failure by the Member to comply with the Code of Conduct and that therefore no action needs to be taken.
- 10.7.2 If the Standards Committee decides that the Member has failed to comply with the Code of Conduct it will invite the Member and the Investigating Officer to make representations as to:
 - (a) whether or not the Committee should apply a sanction; and
 - (b) what form any sanction should take.
- 10.7.3 The Standards Committee will retire to deliberate in private on the representations and decide either that:
 - (a) no action needs to be taken in respect of the failure to comply with the Code of Conduct;
 - (b) the Member should be censured; or
 - (c) the Member should be suspended or partially suspended from being a member or Co-Opted Member of his or her authority for a period not exceeding six months,after which the Chair of the Standards Committee will announce their decision.
- 10.7.4 After making a decision the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision (including details of the Member's right of

appeal) to the Member, the Complainant and the Ombudsman as soon as reasonably practicable.

11. FAILURE TO MAKE REPRESENTATIONS / ATTEND THE HEARING

- 11.1 If the Member fails to make representations, the Standards Committee may:
 - 11.1.1 unless it is satisfied that there is sufficient reason for such failure, consider the investigation report and make a determination in the Member's absence; or
 - 11.1.2 give the Member a further opportunity to make representations.
- 11.2 If a party fails to be present or represented at a hearing, the Standards Committee may, if it is satisfied that the party was duly notified of the hearing and that there is no good reason for such absence:
 - 11.2.1 hear and decide the matter in the party's absence; or
 - 11.2.2 adjourn the hearing.

12. ILLNESS OR INCAPACITY

If the Standards Committee is satisfied that any party is unable, through physical or mental sickness or impairment, to attend the hearing and that the party's inability is likely to continue for a long time, the Standards Committee may make such arrangements as may appear best suited, in all the circumstances of the case, for disposing fairly of the matter.

13. SUSPENSION

A period of suspension or partial suspension will commence on the day after:

- 13.1 the expiry of the time allowed to lodge a notice of appeal to an appeals tribunal under the Regulations (ie within 21 days of receiving notification of the Standards Committee's determination);
- 13.2 receipt of notification of the conclusion of any appeal in accordance with the Regulations;
- 13.3 a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the Regulations,

whichever occurs last.

14. REFERRAL BY AN APPEALS TRIBUNAL

- 14.1 Where the Standards Committee determines that the Member has failed to comply with the Code of Conduct, the Member may appeal against the determination to an appeals tribunal drawn from the Adjudication Panel for Wales.
- 14.2 An appeals tribunal may endorse the decision of the Standards Committee, refer a matter back to it recommending it impose a different penalty, or overturn the decision.
- 14.3 If:
 - 14.3.1 the Standards Committee determines that the Member failed to comply with the Code of Conduct;

14.3.2 the Member appeals to an appeals tribunal drawn from the Adjudication Panel for Wales; and

14.3.3 the said tribunal refers the matter back to the Standards Committee with a recommendation that a different penalty be imposed,

the Standards Committee shall meet as soon as reasonably practicable to consider the recommendation of the appeals tribunal and will determine whether or not it should uphold its original determination or accept the recommendation.

14.4 After making its determination the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision to the Member, the Complainant, the Ombudsman and the president of the Adjudication Panel for Wales as soon as reasonably practicable.

15. **PUBLICATION OF THE STANDARDS COMMITTEE'S REPORT**

15.1 The Standards Committee will cause to be produced within 14 days after:

15.1.1 the expiry of the time allowed to lodge a notice of appeal under the Regulations, or

15.1.2 receipt of notification of the conclusion of any appeal in accordance with the Regulations, or

15.1.3 a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the Regulations,

whichever occurs last, a report on the outcome of the investigation and send a copy to the Ombudsman, the Monitoring Officer, the Member and take reasonable steps to send a copy to the Complainant.

15.2 Upon receipt of the report of the Standards Committee, the Monitoring Officer shall:

15.2.1 for a period of 21 days publish the report on the Council's website and make copies available for inspection by the public without charge at all reasonable hours at one or more of the Council's offices, where any person shall be entitled to take copies of, or extracts from, the report when made so available;

15.2.2 supply a copy of the report to any person on request if he or she pays such charge as the Council may reasonably require, and

15.2.3 not later than seven days after the report is received from the Standards Committee, give public notice, by advertisement in newspapers circulating in the area and such other ways as appear to him or her to be appropriate, that copies of the report will be available as provided by paragraphs 15.2.1 and 15.2.2 above, and shall specify the date (being a date not more than seven days after public notice is first given) from which the period of 21 days will begin.

16. **COSTS**

The Standards Committee has no power to make an award of any costs or expenses arising from any of its proceedings.

SECTION 20

OFFICERS' CODE OF CONDUCT

Introduction

The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. The role of such employees is to serve their employing authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity. The organisation strives to maintain the highest standards of employee conduct and ethical behaviour in all its operations and when managing our supply chain. This Code of Conduct outlines the existing rules and conditions of service which apply to all council employees and is designed to provide clear guidance to assist employees in their day to day work.

Every employee has a responsibility to conduct themselves in their private lives in a manner that does not compromise their position in the workplace or put themselves in a position where their job, or the Council's interests and their own personal interests conflict.

All employees of the Council must have due regard and uphold the standards and behaviours expected of this Code and all other policies, protocols and procedures of the Council. Reference should also be made to Nolan's Seven Principles of Public Life. All employees of the Council are required to observe and uphold the standards of the Code and all policies and procedures of the Council. Failure to meet the standards and requirements of this Code may result in disciplinary action against an employee or action for breach of their employment contract with the Council. Further advice or guidance can be accessed from Human Resources or Legal Services. In addition to this Code, those employees who have professional memberships or registration will also need to adhere to specific professional codes of conduct, e.g. [Social Care Wales](#) / [Education Workforce Council](#).

This Code of Conduct applies to all Council employees with the exception of teachers, for whom alternative arrangements will apply. The issues covered in this document will affect some more than others.

1. Standards

1.1 Local Government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected, through the procedures set out in the Council's [Whistleblowing Policy](#), and without fear of recrimination, to bring to the attention of the appropriate level of management any irregularity or deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

2. Disclosure of Information

2.1 The Council is committed to open government and the law requires that certain types of information must be available to members, auditors, government department, service users and the public.

2.2 Employees should ensure that the individual or personal circumstance of clients and users of Council services are treated confidentially. Information should not be released to anyone other than an individual who is entitled to receive it or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

- 2.3 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee which does not belong to the Council should not be divulged by the employee without the prior approval, except where such disclosure is required or sanctioned by the law.
- 2.4 The Council has policies which provide guidance on disclosing or maintaining information which can be found [here](#). E-learning resources are also available for staff to access.
- 2.5 The use of non-corporate communications channels, such as personal emails or WhatsApp should not be used for official business, however, if this cannot be avoided then employees/members must ensure that all official information on non-corporate communication channels is transferred promptly onto official systems. The information contained within such communication channels would be within the scope for Freedom of Information requests.
- 2.6 Erasing, destroying or concealing information with the intention of preventing its disclosure following receipt of a formal request for information is a criminal offence under section 77 of the Freedom of Information Act 2000. This offence can apply to both a public authority and to any person who is employed by, is an officer of, or is subject to the direction of the authority. For example, where information that a request covers is knowingly treated as not held because it is in a non-corporate communications channel, this may count as concealment intended to prevent the disclosure of information. The person concealing the information may be liable to prosecution.

3. Safeguarding

- 3.1 All employees should be alert to the possibility of abuse and have an understanding of their roles and responsibilities when working with adults or children at risk and the requirement for reporting concerns.
- 3.2 It is not the responsibility of any one employee to determine whether abuse has taken place or if an individual is at risk of harm, however, employees do have a responsibility to report if there are concerns.
- 3.3 The Corporate Safeguarding policy provides information on how to report a concern about a child or adult at risk. As well as general information and resources on safeguarding.

4. Political Neutrality

- 4.1 Employees serve the Council as a whole. It follows they must serve all councillors and not just those of the administration and must ensure that the individual rights of all councillors are respected.
- 4.2 It will also be a requirement of some employees' job role to advise political groups. If this is the case it must be done in ways which do not compromise their political neutrality.
- 4.3 Certain employees will be in politically restricted roles and they will be subject to restrictions enforced by legislation.
- 4.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

- 4.5 Those roles that are identified as being politically restricted will be reviewed by the Corporate Management Board and detailed within an employee's Written Statement of Particulars subject.

5. Relationships

5.1 Councillors

For some employees, their role is to give advice to councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government, more detail can be found in the protocol on Member Officer Relations.

5.2 The Local Community and Citizens

- 5.2.1 Employees should always remember their responsibilities to the public and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the Council's policies.

5.3 Contractors

- 5.3.1 All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process.

- 5.3.2 Employees who engage or supervise contracts or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the line manager, who will notify the service Group Manager.

5.4 Separation of Roles during tendering

- 5.4.1 Employees involved in the tendering process and dealing with contractors should be clear on the specification of client and contractor roles within the Council. Senior employees who have both a client and contractors responsibility must be aware of the need for accountability and openness.

- 5.4.2 Employees who are involved as part of the evaluation panel for a tender process must complete and return to the procurement officer a Confidentiality Undertaking Form and a Conflict of Interest Declaration form. These are available on the [Procurement intranet page](#)

- 5.4.3 All employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

- 5.4.4 Employees who are privy to confidential information on tenders technical or commercial information for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

- 5.4.5 Employees who have an existing or potential interest in a company that may bid for a tender should inform the appropriate manager and withdraw from the tender process, including any preparation of tender documentation.

- 5.4.6 Employees should be especially careful to ensure that no special favour is shown to current or former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

5.4.7 Employees that engage or supervise contractors / suppliers or have an official relationship with contractors / suppliers and have previously had or currently have a relationship in a private or domestic capacity should declare to their line manager.

6 Appointments and Other Employment Matters

6.4 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant or have a close personal or familial relationship with a candidate.

6.5 Similarly, employees should not be involved in decisions relating to discipline, promotion for any other employee who they have a close personal or familial relationship.

7 Investigations by Monitoring Officers

7.4 When a Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 an employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

8 Outside Commitments (Secondary Employment)

8.4 Employees are required to obtain authorisation to take any secondary employment. All employees should be clear about their contractual obligations and should not take secondary employment or become involved in any other activity, whether paid or not, which conflicts with the Council's interest. An employee's obligations when proposing to pursue secondary employment are covered in the [Secondary Employment protocol](#).

8.5 Employees should seek advice on the ownership of intellectual property of copyright created during their employment.

9 Personal Interests and Opinions

9.4 The Council accepts that every employee has a right to their own opinion but should not allow any private or personal interests to affect how they do their job or make decisions.

9.4.3 Whilst it is accepted that in the workplace employees may discuss various matters and interest, they should ensure that any such discussions are amicable, respectful and do not express opinions that may contravene the Equality Act 2010.

9.4.4 An employee must not in their official or personal capacity:

- Allow their personal interests to conflict with the Council's requirements; or
- Use their position improperly to confer an advantage or disadvantage on any person.

9.4.5 Employees are required to declare any potential conflict of interest if they have a connection with any business or organisation (including voluntary bodies) which deals with the council and impacts on their role. This can be declared using the [Declaration of Personal Interests form](#) and returned to the Head of Service / Corporate Director for their acknowledgement. If employees are unsure about a potential conflict of interest, they must speak with their line manager.

9.4.6 Employees should declare to an appropriate manager their membership of any organisation, not open to the public without formal membership, if that membership could result in a conflict with the business of the Council.

9.4.7 Every employee has a responsibility to conduct themselves in their private lives in a manner that does not compromise their contractual obligations or are detrimental to the interests or reputation of the Council. An employee should not put themselves in a position where their role and the council's interest conflict.

9.4.8 Employees must not undertake private or personal work of any description in working hours or in the office unless the employee has received specific permission by their manager/supervisor.

9.4.9 The Council requires all employees to notify their Corporate Director / Head of Service without delay of any criminal investigation, charge or caution imposed upon them, with the exception of minor driving offences if their role does not include the use of a car.

9.5 Social Media

9.5.3 Employees must never publish or disclose any information on any form of social media site, about the Council which is not already in the public arena. Where employees have access to the internet as part of their role they are not permitted to access social networking sites such as Facebook, Twitter or similar. Please refer to the [ICT Code of Conduct](#) and [Social Media Protocol](#) for more information.

9.6 Financial Interests

9.6.3 Employees must declare to the Monitoring Officer, Section 151 Officer or publicly whenever they are present at any meeting of the Authority (whenever an Officer and a Member are present) any financial or non-financial interests which could conflict with the Council's interest.

9.7 Alcohol and Drug misuse

9.7.3 Employees have a responsibility to ensure that they attend work free from the consumption and influence of alcohol and/or substances. Employees must not return to or engage in formal council business following any consumption of alcohol and/or substances. This excludes hospitality and civic engagements when not returning to council business. For more detail on this issue please refer to the [Alcohol and Substance Misuse Protocol](#)

10 **Equality Issues**

10.4 All employees should ensure that legislation relating to equality issues are complied with. All members of the local community, customers and employees have a right to be treated with fairness, equity and dignity. The Council is fully committed to ensuring no individual suffers harassment or is treated unfavourably on the basis of any of the protected characteristics included within the Equality Act 2010.

11 **Corruption**

Employees should ensure that they are fully conversant with the [Anti-Fraud & Bribery Policy](#) and should report any suspicious activity to the Monitoring / Section 151 Officer.

11.4 Employees must report to their Chief Officer if anyone approaches them, which seems to them, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract.

12 **Use of Financial Resources**

12.4 All employees involved in financial activities and transactions on behalf of the Council, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders for works, grounds or services must follow the Council Financial Procedure Rules. Details on financial procedures and systems can be found [here](#).

12.5 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

13 Gifts & Hospitality

13.4 Employees should not accept any significant personal gifts in the course of their duties, unless the item(s) are insignificant items of modest values (up to £25) such as mugs, calendars, pens, diaries or other simple items of office equipment for use in council offices.

13.5 If item(s) are over £25 employees should complete the [officer's declaration form](#) and forward to the Monitoring Officer within 28 days of receiving the gift/hospitality.

13.6 Employees should not acquire materials, labour or plant at cost, trade or discount prices from or through a contractor employed by the Council.

13.7 Employees should only accept offers of hospitality if there is a genuine need to receive or impart information or represent the council in the community. Offers to attend purely social or sporting functions should be accepted only when the council should be seen to be represented. They should be properly authorised and recorded.

13.8 Acceptance by employees of hospitality through attendance at relevant conferences, seminars and courses is acceptable where it is clear the hospitality is corporate rather than personal, where consent is given by or on behalf of the council and where purchasing decisions are not compromised.

13.9 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the council may be taking affecting those providing the hospitality.

13.10 In all cases gifts/hospitality refused and accepted should be entered and retained on the Council's register. The Monitoring Officer will maintain a register recording details of gifts and hospitality offered to employees. Employees are to notify the Monitoring Officer within 28 days of the offer being made using the [Gifts and Hospitality Form](#). Authorisation will be considered for the acceptance of the gift or hospitality. All relevant details will be added to the register which shall be available for public inspection and subject to annual inspection by the Council's Audit service.

14 Review of the Code

14.4 The operation of the Code will be evaluated from time to time and will be subject to review as necessary.

15 Compliance

15.4 Any breach of the requirements set out within the code of conduct policy may lead to disciplinary action and could lead to dismissal.

SECTION 21

PROTOCOL ON MEMBER / OFFICER RELATIONS

Introduction

- 1.1 The purpose of this Protocol is to guide Members and Officers of Bridgend County Borough Council in their relations with one another in such a way as to ensure the smooth running of the Council.
- 1.2 Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It seeks simply to offer guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.3 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.
- 1.4 It also seeks to reflect the principles underlying the respective Codes of Conduct which apply to Members and Officers. The shared object of these codes is to enhance and maintain the integrity (real and perceived) of local government and the Codes, therefore, demand very high standards of personal conduct.
- 1.5 The National Assembly for Wales issued a Code of Conduct for Qualifying Employees of Relevant Authorities. This covers all the Council's employees. Paragraph 4 of the Code is reproduced below:

“Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis.”

The Council's own Code of Conduct for Officers contains similar wording.

- 1.6 In line with the reference in the Code to “mutual respect” it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position.
- 1.7 A Member should not raise matters relating to the conduct or capability of an Officer at meetings held in public. This is a long-standing tradition in public service. An Officer has no means of responding to such criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or have any concern about the conduct or capability of an Officer, and fails to resolve it through direct discussion with the Officer, they should raise the matter with the relevant Chief Officer. The Chief Officer will then look into the facts and report back to the Member. If the Member continues to feel concern, s/he should then report the facts to the Chief Executive who will look into the matter afresh. Any action taken against an Officer in respect of a complaint, will be in accordance with the provisions of the Council's Disciplinary Policy and Procedure.
- 1.8 Where an Officer feels that s/he has not been properly treated with respect and courtesy they should raise the matter with the Chief Officer or the Chief Executive as appropriate, especially if they do not feel able to discuss it directly with the Member concerned. In these circumstances the Chief Officer or Chief Executive will take appropriate action either by approaching the individual Member and/or the relevant group leader.

2. Officer Advice to Members and Party Groups

2.1 It must be recognised by all Officers and Members that in discharging their duties and responsibilities, Officers serve the Council as a whole and not exclusively any political group, combination of groups or any individual Member of the Council.

2.2 Paragraph 4 of the Council's Code of Conduct for Members and Co-opted Members states that:

"Members:

(a)

(b) must not do anything which compromises, or which is likely to compromise, the impartiality of the authority's employees."

Similarly, paragraph 4 (Political Neutrality) of the Council's Code of Conduct for Officers states as follows:

"Employees serve the Council as a whole. It follows they must serve all councillors and not just those of the administration and must ensure that the individual rights of all councillors are respected.

It will also be a requirement of some employees' job role to advise political groups. If this is the case it must be done in ways which do not compromise their political neutrality.

Certain employees will be in politically restricted roles and they will be subject to restrictions enforced by legislation.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work".

2.3 There is now statutory recognition for party groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant Council decision making body. Officers may properly be called upon to support and contribute to such deliberations by party groups but must at all times maintain political neutrality. All Officers must, in their dealings with political groups and individual Members, treat them in a fair and even-handed manner.

2.4 The support provided by Officers can take many forms ranging from a briefing meeting with Cabinet Members or a Chairperson prior to a meeting of the Cabinet, a Committee or other decision making body to a presentation to a full party group meeting. Whilst in practice such Officer support is likely to be in most demand from whichever party group is for the time being in control of the Council, such support should be available to all party groups.

2.5 Certain points must, however, be clearly understood by all those participating in this type of process, Members and Officers alike. In particular:

2.5.1 Officer support must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if Officers are not expected to be present at meetings or parts of meetings, when matters of party business are to be discussed;

2.5.2 Party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions

reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such; and

- 2.5.3 Similarly, where Officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the Council, the Cabinet, the relevant Committee or other decision making body when the matter in question is considered.
- 2.6 Special care needs to be exercised whenever Officers are involved in providing information and advice to a party group meeting which includes persons who are not Members of the Council. Such persons are not bound by the Code of Conduct for Members and Co-opted Members (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons Officers may not attend and give advice at such a group meeting.
- 2.7 Officers must respect the confidentiality of any party group discussions at which they are present in the sense that they should not relay the content of any such discussion to another party group.
- 2.8 Whilst any Member may ask a relevant Chief Officer or the Chief Executive for written factual information about a Directorate or service, such requests must be reasonable and not seek information relating, for instance, to case work. Requests will be met subject to any overriding legal considerations (which will be determined by the Monitoring Officer, or if the recipient of any request considers the cost of providing the information requested or the nature of the request to be unreasonable). If that is the case, s/he will raise the matter with the Chief Executive who will discuss the issue with the relevant group leader(s).
- 2.9 Where a Member requests factual information (usually written) from an Officer as set out in paragraph 2.8 above, that information will also be supplied to the appropriate Cabinet Member or Chairperson of the appropriate Committee and relevant Officers.
- 2.10 Where a Member requests policy advice (usually oral) that advice will not be supplied to the relevant Cabinet Member or Chairperson of the appropriate Committee without the consent of the requesting Member.
- 2.11 In relation to Budget proposals:
- (a) the Cabinet shall be entitled to confidential discussions with Officers regarding options and proposals. These will remain confidential until the Cabinet's Budget proposals are published; and
 - (b) the opposition groups shall also be entitled to confidential discussions with Officers to enable them to formulate alternative Budget proposals. These will remain confidential until determined by the respective opposition groups or until published whichever is the earlier.
- 2.12 It must not be assumed by any party group or Member that any Officer is supportive of any plan, policy or strategy developed because of that Officer's assistance in the formulation of that plan, policy or strategy.
- 2.13 Any particular cases of difficulty or uncertainty in this area of Officer advice to party groups should be raised with the Chief Executive who will discuss them with the relevant group leader(s).

3. Support Services to Members and Party Groups

- 3.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, transport etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity or for private purposes.

4. Members' Access to Information and to Council Documents

- 4.1 Members are free to approach any Directorate of the Council to ask for information in accordance with paragraph 2.8. This right extends to such information, explanation or advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be made to the Director or another senior Officer of the Directorate concerned.
- 4.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
- 4.3 Further and more detailed information regarding Members rights to inspect Council documents is contained in the Access to Information Procedure Rules in Section 15 of this Constitution and Members may obtain advice on their rights from the Council's Monitoring Officer.
- 4.4 Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided i.e. in connection with the proper performance of the Member's duties as a Member of the Council.

5. Relationships between Officers and Cabinet Members/Chairpersons

- 5.1 It is clearly important that there should be a close working relationship between Cabinet Members, Chairpersons of Committees etc. and the Officers who report to or interact with the Cabinet and Committees etc. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Officer's ability to deal impartially with other Members and other party groups.
- 5.2 It must be recognised that in some situations an Officer will be under a professional duty to submit a report. Similarly, a Director or other senior Officer will always be fully responsible for the contents of any report submitted in his/her name. This means that any such report may be amended only where the amendment reflects the professional judgement of the author of the report. This is to be distinguished from a situation where there is a value judgement to be made. Any issues arising between a Cabinet Member or a Chairperson and a Director or other Senior Officer in this area should be referred to the Chief Executive for resolution in conjunction with the Monitoring Officer.

6. Correspondence

- 6.1 Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to appear in the name of a Member, but this should be the exception rather than the norm. Letters which, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

7. Site Visits / Meetings with Members

- 7.1 The ability of Officers to undertake duties free from political pressure prevails over any provisions which enable Member meetings and site visits to take place. As part of the operational role of the Directorates, Officers will arrange and undertake various meetings or site visits that will assist in the development of recommendations for senior officers or elected Members. It is not always appropriate that these meetings be attended by Elected Members and it is at the discretion of the responsible Officer to determine the merits of inviting either the Local Elected Members or an Elected Member with a particular responsibility or interest in the site or issues relating to that site.
- 7.2 It is recognised that there are occasions when Members need to meet with officers and the electorate or other third parties and attend site visits to carry out their legitimate role as Ward Councillors. Officers will attend site visits as are necessary for the performance of their duties and will, often separate to this function, ensure that Member meetings and site visits are available to Members.
- 7.3 The Development Control Committee has determined that for Planning purposes, only local members can request a site visit. This is usually restricted to sites within the Members own Ward and occasionally sites close to boundaries between wards where the impact of any development may affect an adjacent ward
- 7.4 Elected members will be invited to meetings and site visits when these are requested by individuals such as Assembly Members or Members of Parliament. These requests are likely to have an impact on the ward or areas of responsibility of the Elected Member.

SECTION 22

MEMBER ROLE DESCRIPTIONS

Elected Member Role Description

Accountabilities

- (a) To Full Council.
- (b) To the electorate of their ward.

Role Purpose and Activity

(c) *Representing and Supporting Communities*

- (i) To represent ward interests.
- (ii) To be an advocate for the Council in the ward and communities they serve.
- (iii) To be a channel of communication to the community on council strategies, policies, services and procedures.
- (iv) To represent individual constituents and local organisations, undertaking casework on their behalf and serving all fairly and equally.
- (v) To liaise with executive members, other council members, council officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported.
- (vi) To promote tolerance and cohesion in local communities.

(d) *Making Decisions and Overseeing Council Performance*

- (i) To participate in Full Council meetings, reaching and making informed and balanced decisions, and overseeing performance.
- (ii) To participate in informed and balanced decision making on committees and panels to which they might be appointed.
- (iii) To adhere to the principles of democracy and collective responsibility in decision making.
- (iv) To promote and ensure efficiency and effectiveness in the provision of council and other public services.

(e) *Representing the Council (Subject to Appointment)*

- (i) To represent the Council on local outside bodies as an appointee of the Council.
- (ii) To represent the Council on local partnership bodies, promoting common interest and co-operation for mutual gain.
- (iii) To represent and be an advocate for the Council on national bodies and at national events.

(f) *Internal Governance, Ethical Standards and Relationships*

- (i) To promote and support good governance of the Council and its affairs
To provide community leadership and promote active citizenship.
- (ii) To promote and support open and transparent government.
- (iii) To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- (iv) To adhere to the Member's Code of Conduct, the Member/Officer Protocol and the highest standards of behaviour in public office.

(g) *Personal and Role Development*

To participate in opportunities for development provided for members by the authority.

Values

To be committed to the values of the Council and the following values in public office:

- (h) openness and transparency;
- (i) honesty and integrity;
- (j) tolerance and respect;
- (k) equality and fairness;
- (l) appreciation of cultural difference;
- (m) sustainability.

Leader and Deputy Role Description

Accountabilities

- (a) To Full Council.
- (b) The Public.

Role Purpose and Activity

- (c) *Providing Political Leadership to the Council*
 - (i) To be a political figurehead for the Council; to be the principal political spokesperson for the Council.
 - (ii) To provide leadership in building a political consensus around council policies.
 - (iii) To form a vision for the Council and community.
 - (iv) To provide strong, clear leadership in the co-ordination of policies, strategies and service delivery.
- (d) *Appointing the Cabinet*
 - (i) To designate the appropriate portfolios.
 - (ii) To appoint appropriate elected members to each portfolio.
 - (iii) To allocate cabinet members to roles with regard to their abilities.
 - (iv) To designate the Deputy Leader.
- (e) *Representing and Acting as Ambassador for the Authority*
 - (i) To represent the Authority to a high standard. Provide a strong, competent and eloquent figure to represent the Authority both within the County and at external bodies.
 - (ii) To represent the Authority on the WLGA coordinating committee and the WLGA regional partnership board.
 - (iii) To represent the Authority on the Public Services Board.
 - (iv) To be the Council member on the Corporate Joint Committee
 - (v) To provide leadership and support local partnerships and organisations.
 - (vi) To represent the Authority in regional and national bodies as appropriate.
- (f) *Providing Leadership within the Portfolio*

To fulfil the role of a portfolio holder, having regard to the role purpose and activities, and role specification of an executive member.

- (g) *Managing and Leading the Work of the Cabinet and Chairing Meetings*
 - (i) To ensure the effective running of the Cabinet by managing the Forward Work Programme and ensuring its continuing development.
 - (ii) To ensure the work of the Cabinet meets national policy objectives.
 - (iii) To advise and mentor other cabinet members in their work.
 - (iv) To chair meetings of the Cabinet in line with the Constitution.
 - (v) In the Leader's absence the Deputy Leader should fulfil this role.
- (h) *Participating in the Collective Decision Making of the Cabinet*
 - (i) To work closely with other cabinet members to ensure the development of effective council policies and the budgetary framework for the Council, and the delivery of high quality services to local people.
 - (ii) To accept collective responsibility and support decisions made by the Cabinet once they have been made.
- (i) *Working with Officers to Lead the Organisation*
 - (i) To liaise with the Chief Executive, and other appropriate officers, on a regular basis.
 - (ii) To work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.
- (j) *Leading Partnerships and Community Leadership*
 - (i) To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities.
 - (ii) To negotiate and broker in cases of differing priorities and disagreement.
 - (iii) To act as a leader of the local community by showing vision and foresight.
- (k) *Internal Governance, Ethical Standards and Relationships*
 - (i) To promote and support good governance of the Council and its affairs.
 - (ii) To provide community leadership and promote active citizenship.
 - (iii) To promote and support open and transparent government.
 - (iv) To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.

- (v) To adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

Values

To be committed to and demonstrate the following values in public office:

- (l) openness and transparency;
- (m) honesty and integrity;
- (n) tolerance and respect;
- (o) equality and fairness;
- (p) appreciation of cultural difference;
- (q) sustainability;
- (r) inclusive leadership;
- (s) consensus building.

Deputy Leader

To fulfil the duties of the Leader in his or her absence.

To assist the Leader in specific duties as required.

Cabinet Member Role Description

Accountabilities

- (a) To the Leader.
- (b) To the Cabinet (through collective responsibility).
- (c) To Full Council.

Role Purpose and Activities

- (d) *Providing Portfolio Leadership*
 - (i) To give political direction to officers working within the portfolio.
 - (ii) To gain the respect of officers within the portfolio; provide support to officers in the implementation of portfolio programmes.
 - (iii) To provide leadership in the portfolio.
 - (iv) To liaise with the appropriate scrutiny chair and receive scrutiny reports as required.
 - (v) To be accountable for choices and performance in the portfolio.

- (vi) To have an overview of the performance management, efficiency and effectiveness of the portfolio.
 - (vii) To make Executive Decisions within the Portfolio.
- (e) *Contributing to the Setting of the Strategic Agenda and Work Programme for the Portfolio*
- (i) To work with officers to formulate policy documents both strategic and statutory. Ensure that the political will of the majority is carried to and through the Cabinet.
 - (ii) To provide assistance in working up and carrying through a strategic work programme both political and statutory. Carry out consultations with stakeholders as required. Make sure that the portfolio's Forward Work Programme is kept up to date and accurate.
- (f) *Providing Representation for the Portfolio*
- To provide a strong, competent and persuasive figure to represent the portfolio. Be a figurehead in meetings with stakeholders.
- (g) *Reporting and Accounting*
- (i) To report as appropriate to the Leader, Full Council, Cabinet, appropriate chair of scrutiny, regulatory bodies and the media.
 - (ii) To be the principal political spokesperson for the portfolio.
 - (iii) To appear before scrutiny committees in respect of matters within the portfolio.
- (h) *Taking an Active Part in Cabinet Meetings and Decision Making*
- (i) To show an interest in and support for the portfolios of others.
 - (ii) To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.
- (i) *Leading Partnerships and Community Leadership*
- (i) To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities.
 - (ii) To negotiate and broker in cases of differing priorities and disagreement.
 - (iii) To act as a leader of the local community by showing vision and foresight.
- (j) *Internal Governance, Ethical Standards and Relationships*
- (i) To promote and support good governance of the Council and its affairs.
 - (ii) To provide community leadership and promote active citizenship.

- (iii) To promote and support open and transparent government.
- (iv) To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- (v) To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

Values

To be committed to the values of the Council and the following values in public office:

- (k) openness and transparency;
- (l) honesty and integrity;
- (m) tolerance and respect;
- (n) equality and fairness;
- (o) appreciation of cultural difference;
- (p) sustainability;
- (q) inclusive leadership.

Mayor Role Description

Accountabilities

Full Council.

Role Purpose and Activity

- (n) *Acting as a symbol of the Council's democratic authority*
 - (i) As the ceremonial head of the Council, to be non-political and uphold the democratic values of the Council.
 - (ii) To represent the Council at civic and ceremonial functions.
- (o) *Chairing Council Meetings*
 - (i) To preside over meetings of the Council, so that its business can be carried out efficiently.
 - (ii) To ensure the Council conducts its meetings in line with the Council's Standing Orders.
- (p) *Upholding and Promoting the Council's Constitution*

To ensure the Constitution is adhered to and, if necessary, to rule on the interpretation of the Constitution.

(q) *Internal Governance, Ethical Standards and Relationships*

- (i) To promote and support good governance of the Council and its affairs.
- (ii) To provide community leadership and promote active citizenship.
- (iii) To promote and support open and transparent government.
- (iv) To support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- (v) To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

(r) *Work Programming*

To prepare and manage an annual work programme for the Council to meet its legal obligations (eg setting the budget and the council tax and making appointments).

Values

To be committed to the values of the Council and the following values in public office:

- (s) openness and transparency;
- (t) honesty and integrity;
- (u) tolerance and respect;
- (v) equality and fairness;
- (w) appreciation of cultural difference;
- (x) sustainability.

Vice Chair

To fulfil the duties of the Chair in his or her absence.

To assist the Chair in specific duties as required.

Chair of Democratic Services Committee Role Description

Accountabilities

To Full Council.

Role Purpose and Activity

(a) *Providing Leadership and Direction*

- (i) To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.

- (ii) To lead the committee in its role in:
 - (A) designating the Head of Democratic Services;
 - (B) keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, ensuring that these are adequate;
 - (C) make annual reports to the full council in relation to the above;
 - (D) appointing sub committees and chairs of sub-committees to undertake functions delegated by the committee;
 - (E) considering reports prepared by the Head of Democratic Services;
 - (F) developing the Authority's member support and development strategy;
 - (G) ensuring that members have access to a reasonable level of training and development as described in the Authority's member development strategy and the Wales Charter for Member Support and Development;
 - (H) ensuring that the budget for member development is sufficient;
 - (I) ensuring that members have access to personal development planning and annual personal development reviews;
 - (J) work with the member support and development champion where relevant to promote the role of members and necessary support and development.
 - (iii) To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.
- (b) *Promoting the Role of the Democratic Services Committee*
- (i) To act as an ambassador for the DS committee, facilitating understanding of the role.
 - (ii) To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
 - (iii) To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings.
- (c) *Internal Governance, Ethical Standards and Relationships*
- (i) To develop the standing and integrity of the committee and its decision making.
 - (ii) To understand the respective roles of members, officers and external parties operating within the Democratic Services Committee's area of responsibility.

- (iii) To promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

- (d) openness and transparency;
- (e) honesty and integrity;
- (f) tolerance and respect;
- (g) equality and fairness;
- (h) appreciation of cultural differences;
- (i) sustainability.

Member of a Democratic Services Committee Role Description

Accountabilities

- (a) To Full Council.
- (b) To the Chair of the Democratic Services Committee.

Role Purpose and Activity

- (c) Understanding the Nature of the Governance and Audit Committee:
 - (i) To be aware of and effectively undertake the role of the committee in:
 - (A) designating the Head of Democratic Services;
 - (B) keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, ensuring that these are adequate;
 - (C) make annual reports to the full council in relation to the above;
 - (D) appointing sub committees and chairs of sub-committees to undertake functions delegated by the committee;
 - (E) considering reports prepared by the Head of Democratic Services;
 - (F) developing the Authority's member support and development strategy;
 - (G) ensuring that members have access to a reasonable level of training and development as described in the member development strategy and the Wales Charter for Member Support and Development;
 - (H) ensuring that the budget for member development is sufficient;

- (l) ensuring that members have access to personal development planning and annual personal development reviews.
- (d) To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
- (e) To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee.
- (f) Participating in Meetings and Making Decisions
 - (i) To participate effectively in meetings of the Democratic Services Committee.
 - (ii) To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.
- (g) Internal Governance, Ethical Standards and Relationships
 - (i) To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements.
 - (ii) To promote and support good governance by the Council.
 - (iii) To understand the respective roles of members, officers and external parties operating within the Democratic Services Committee's area of responsibility.

Values

To be committed to the values of the Council and the following values in public office:

- (h) openness and transparency;
- (i) honesty and integrity;
- (j) tolerance and respect;
- (k) equality and fairness;
- (l) appreciation of cultural difference;
- (m) sustainability.

Chair of a Regulatory Committee Role Description

Accountabilities

- (a) To Full Council.
- (b) To the members of the regulatory committee.

Role Purpose and Activity

- (c) Providing Leadership and Direction
 - (i) To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
 - (ii) To ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process.
 - (iii) To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.
 - (iv) To delegate actions to sub committees as appropriate
- (d) Promoting the Role of the Regulatory Committee and Quasi-Judicial Decision Making
 - (i) To act as an ambassador for the regulatory committee, facilitating understanding of the role.
 - (ii) To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
 - (iii) To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings.
- (e) Internal Governance, Ethical Standards and Relationships
 - (i) To develop the standing and integrity of the committee and its decision making.
 - (ii) To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility.
 - (iii) To promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

- (f) openness and transparency;
- (g) honesty and integrity;

- (h) tolerance and respect;
- (i) equality and fairness;
- (j) appreciation of cultural differences;
- (k) sustainability.

Member of a Regulatory Committee Role Description

Accountabilities

- (a) To Full Council.
- (b) To the Chair of the regulatory committee.

Role Purpose and Activity

- (c) Understanding the Nature of the Regulatory Committee and Quasi-Judicial Decision Making
 - (i) To be aware of the quasi-judicial nature of regulatory committee decision making.
 - (ii) To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
 - (iii) To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee.
- (d) Participating in Meetings and Making Decisions
 - (i) To participate effectively in meetings of the regulatory committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making.
 - (ii) To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.
- (e) Internal Governance, Ethical Standards and Relationships
 - (i) To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements.
 - (ii) To promote and support good governance by the Council.
 - (iii) To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility.

Values

To be committed to the values of the Council and the following values in public office:

- (f) openness and transparency;
- (g) honesty and integrity;
- (h) tolerance and respect;
- (i) equality and fairness;
- (j) appreciation of cultural difference;
- (k) sustainability.

Chair of Standards Committee Role Description

Accountabilities

To Full Council.

Role Purpose and Activity

- (a) Providing Leadership and Direction
 - (i) To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
 - (ii) To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice on the Code of Conduct.
 - (iii) To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.
 - (iv) To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
 - (v) To lead the committee in its role in:
 - (A) promoting and maintaining high standards of conduct by Councillors and co-opted members;
 - (B) assisting the Councillors and co-opted members to observe the Members' Code of Conduct;
 - (C) advising the Council on the adoption or revision of the Members' Code of Conduct;
 - (D) monitoring the operation of the Members' Code of Conduct;
 - (E) advising, training or arranging to train Councillors, co-opted members on matters relating to the Members' Code of Conduct;

- (F) granting dispensations to Councillors and co-opted members on dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales;
- (G) the exercise of these functions in relation to community councils and the members of those community councils.

Values

To be committed to the values of the council and the following values in public office:

- (b) openness and transparency;
- (c) honesty and integrity;
- (d) tolerance and respect;
- (e) equality and fairness;
- (f) appreciation of cultural differences;
- (g) sustainability.

Member of a Standards Committee Role Description

Accountabilities

- (a) To Full Council.
- (b) To the Chair of the Standards Committee.

Role Purpose and Activity

- (c) Understanding the nature of the Standards committee and effectively fulfilling its functions by:
 - (i) promoting and maintaining high standards of conduct by Councillors and co-opted members;
 - (ii) assisting the Councillors and co-opted members to observe the Members' Code of Conduct;
 - (iii) advising the Council on the adoption or revision of the Members' Code of Conduct;
 - (iv) monitoring the operation of the Members' Code of Conduct;
 - (v) advising, training or arranging to train Councillors, co-opted members on matters relating to the Members' Code of Conduct;
 - (vi) granting dispensations to Councillors and co-opted members on dealing with any reports from a case tribunal or interim case tribunal,

and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.

- (d) To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
- (e) To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee.
- (f) Participating in Meetings and Making Decisions
 - (i) To participate effectively in meetings of the Standards committee.
 - (ii) To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.
- (g) Internal Governance, Ethical Standards and Relationships
 - (i) To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements.
 - (ii) To promote and support good governance by the Council.
 - (iii) To understand the respective roles of members, officers and external parties operating within the Standards committee's area of responsibility.

Values

To be committed to the values of the Council and the following values in public office:

- (h) openness and transparency;
- (i) honesty and integrity;
- (j) tolerance and respect;
- (k) equality and fairness;
- (l) appreciation of cultural difference;
- (m) sustainability.

Chair of Governance and Audit Committee Role Description

Accountabilities

- (a) To Full Council.

Role Purpose and Activity

- (b) Providing Leadership and Direction

- (i) To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.
 - (ii) To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
 - (iii) To agree the agendas for Governance and Audit Committee meetings.
 - (iv) To lead the committee in its role in:
 - (A) reviewing and scrutinising the authority's financial affairs;
 - (B) making reports and recommendations in relation to the authority's financial affairs;
 - (C) reviewing and assessing the risk management, internal control and corporate governance arrangements of the authority;
 - (D) making reports and recommendations to the authority on the adequacy and effectiveness of those arrangements;
 - (E) overseeing the authority's internal and external audit arrangements;
 - (F) reviewing the financial statements prepared by the authority and approving them when powers are delegated;
 - (G) developing relationships with internal and external auditors and the Authority's Monitoring Officer;
 - (H) developing a Forward Work Programme designed to deliver the governance and audit committees functions;
 - (I) reviewing and self-assessing the performance of the Committee and its members; and
 - (J) reviewing and making recommendations in relation to the self-assessment report pursuant to section 91 of the Local Government and Elections (Wales) Act 2021.
- (c) Promoting the Role of the Governance and Audit Committee
- (i) To act as an ambassador for the governance and audit committee, facilitating understanding of the role.
 - (ii) To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.
 - (iii) To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in the audit process.
- (d) Internal Governance, Ethical Standards and Relationships

(i) Understanding the financial risks associated with corporate governance; being satisfied that the authorities assurance statements including the annual governance statement reflects the risk environment and any activities required to improve it.

ii) To develop the standing and integrity of the committee and its decision making.

(iii) To understand the respective roles of members, officers and external parties operating within the governance and audit committee's area of responsibility.

(iv) To promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

(e) openness and transparency;

(f) honesty and integrity;

(g) tolerance and respect;

(h) equality and fairness;

(i) appreciation of cultural differences;

(j) sustainability.

Member of a Governance and Audit Committee Role Description

Accountabilities

(a) To Full Council.

(b) To the Chair of the Governance and Audit Committee.

Role Purpose and Activity

(c) Understanding the role of the Governance and Audit Committee and undertaking its functions:

(i) reviewing and scrutinising the authority's financial affairs;

(ii) making reports and recommendations in relation to the authority's financial affairs;

(iii) reviewing and assessing the risk management, internal control and corporate governance arrangements of the authority;

(iv) making reports and recommendations to the authority on the adequacy and effectiveness of those arrangements;

(v) overseeing the authority's internal and external audit arrangements;

- (vi) reviewing the financial statements prepared by the authority.
- (d) To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
- (e) To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee.
- (f) Participating in Meetings and Making Decisions
 - (i) To participate effectively in meetings of the governance and audit committee; questioning and seeking clarification on matters falling within the committee's remit.
 - (ii) To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.
- (g) Internal Governance, Ethical Standards and Relationships
 - (i) Understanding the financial risks associated with corporate governance; being satisfied that the authorities assurance statements including the annual governance statement reflects the risk environment and any activities required to improve it.
 - (ii) To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements.
 - (iii) To promote and support good governance by the Council.
 - (iv) To understand the respective roles of members, officers and external parties operating within the governance and audit committee's area of responsibility.

Values

To be committed to the values of the Council and the following values in public office:

- (h) openness and transparency;
- (i) honesty and integrity;
- (j) tolerance and respect;
- (k) equality and fairness;
- (l) appreciation of cultural difference;
- (m) sustainability.

Overview and Scrutiny Chair Role Description

Accountabilities

- (a) Full Council.
- (b) The Public.

Role Purpose and Activity

- (c) Providing Leadership and Direction
 - (i) To provide confident and effective management of the member team.
 - (ii) To promote the role of overview and scrutiny within and outside the council, liaising effectively both internally within the council and externally with the Council's partners.
 - (iii) To demonstrate an objective and evidence based approach to overview and scrutiny.
 - (iv) To evaluate the impact and added value of overview and scrutiny activity and identify areas for improvement.
- (d) Managing the Work Programme
 - (i) To develop a balanced work programme of the committee which includes pre decision scrutiny, policy development and review, investigative scrutiny, and holding the executive to account including performance monitoring.
 - (ii) To ensure the programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues.
 - (iii) To ensure that the work programme is delivered.
 - (iv) To report on progress against the work programme to Council, and others as appropriate.
 - (v) To liaise with officers, other members and community representatives to resource and deliver the work programme.
- (e) Effective Meeting Management
 - (i) To set agendas containing clear objectives and outcomes for the meeting.
 - (ii) To manage the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to.
 - (iii) To ensure that the necessary preparation is done beforehand To ensure that all participants have an opportunity to make an appropriate contribution.

- (f) Community Leadership
 - (i) To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.
 - (ii) To build understanding and ownership of the overview and scrutiny function within the community.
 - (iii) To identify relevant community based issues for scrutiny.
 - (iv) To promote the full involvement of external stakeholders for example, service users expert witnesses and partners in scrutiny activity.
- (g) Involvement and Development of Committee Members
 - (i) To encourage effective contributions from all committee members in both committee and task and finish groups.
 - (ii) To assess individual and collective performance within the committee and facilitate appropriate development.
 - (iii) To champion the importance of learning and development.

Values

To be committed to the values of the Council and the following values in public office:

- (h) openness and transparency;
- (i) honesty and integrity;
- (j) tolerance and respect;
- (k) equality and fairness;
- (l) appreciation of cultural difference;
- (m) sustainability.

Overview and Scrutiny Member Role Description

Accountabilities

- (a) Chair of the appropriate Overview and Scrutiny Committee.
- (b) Full Council.
- (c) The public.

Role Purpose and Activity

To participate fully in the activities of the Overview and Scrutiny Committee, the development and delivery of its work programme and any associated task and finish groups.

- (d) Reviewing and Developing Policy
 - (i) To assist in the creation, development, improvement and refinement of council policy.
 - (ii) To challenge policies on a sound basis of evidence for example against legislation or local political priority.
 - (iii) To assess impact of existing policy.
- (e) Holding the Executive to Account, Monitoring Performance and Service Delivery
 - (i) To monitor the performance of internal and external providers against standards and targets including questioning of executive and senior officers over time.
 - (ii) To contribute to the identification and mitigation of risk.
 - (iii) To investigate and address the causes of poor performance.
 - (iv) To evaluate the validity of Executive Decisions and challenging decisions through call in where appropriate.
- (f) Promoting the Work of Overview and Scrutiny
 - (i) To promote the role of overview and scrutiny within and outside the council, developing effective internal and external relationships.
 - (ii) To demonstrate an objective and evidence based approach to overview and scrutiny.
 - (iii) To add value to the decision making and service provision of the authority through effective scrutiny.
- (g) Community Leadership
 - (i) To use scrutiny as a means to address community issues and engage the public.
 - (ii) To encourage stakeholders to participate in the work of the authority To develop locally viable and acceptable policy solutions.
 - (iii) To build a dialogue around priorities, objectives and performance, among communities and stakeholders.
- (h) Meeting Participation
 - (i) To make adequate and appropriate preparation for meetings through research and briefings.
 - (ii) To participate in a proactive, informed and effective manner taking account of the Code of Conduct, Standing Orders and other constitutional requirements.

Values

To be committed to the values of the Council and the following values in public office:

- (i) openness and transparency;
- (j) honesty and integrity;
- (k) tolerance and respect;
- (l) equality and fairness;
- (m) appreciation of cultural difference;
- (n) sustainability.

Leader of the Opposition Role Description

Accountabilities

To the nominating group within the constitution.

Role Purpose and Activity

- (a) Providing Political Leadership for an Opposition Group
 - (i) To be a political figurehead for the opposition group; to be the principal political spokesperson for the Council's opposition.
 - (ii) To provide leadership in the constructive challenge of the Council's policies.
 - (iii) To constructively challenge the vision for the Council and community where appropriate.
 - (iv) To provide strong, clear leadership in the co-ordination of alternative policies, strategies and service delivery.
- (b) Representing the Authority's Opposition
 - (i) To represent the Opposition Group to a high standard; providing a strong, competent and eloquent figure to represent the opposition within the Authority.
 - (ii) To represent the Council on external bodies.
- (c) Internal Governance, Ethical Standards and Relationships
 - (i) To promote and support good governance of the Council and its affairs.
 - (ii) To provide community leadership and promote active citizenship.
 - (iii) To promote and support open and transparent government.

- (iv) To promote, support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- (v) To promote, support and adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

Values

To be committed to and demonstrate the following values in public office:

- (d) openness and transparency;
- (e) honesty and integrity;
- (f) tolerance and respect;
- (g) equality and fairness;
- (h) appreciation of cultural difference;
- (i) sustainability;
- (j) inclusive leadership;
- (k) consensus building.

Role of the Deputy Leader of the Opposition

To fulfil the duties of the Leader in his or her absence.

To assist the Leader in specific duties as required.

Member Champion Purpose and Role

What are Member Champions?

- (a) Member Champions exist to provide a voice for traditionally underrepresented groups, or issues which need to be kept at the forefront of council business although they may not be the responsibility of any individual or committee.
- (b) Member Champions, (sometimes called lead members) are elected members who in addition to their other council responsibilities make sure that the issue or group that they are championing are taken into account when council policy is being developed and decisions are made. Members act as champions in areas such as children, homelessness, equalities, older people, young people, scrutiny, member support and development, health improvement and anti-poverty. There is a statutory role for a lead member of children's and young people's services with a responsibility for over-seeing the arrangements made under sections 25 and 26 of the 2004 Children Act.
- (c) Guidance on undertaking the role with regard to the subject knowledge that members need is sometimes available from the outside bodies associated with the issue being championed for example the toolkit for older peoples' champions from the LGA. Otherwise they will be reliant on their authority for

guidance in the subject they lead on and also their role as lead member in this area.

What do they do?

Typically, the lead member will:

- (d) make sure that their area of interest is taken into account when developing policy or making decisions;
- (e) ask questions about performance and resourcing for the area;
- (f) raise the profile of the area and make the authority aware of good practice;
- (g) engage with external bodies who work in the area;
- (h) engage with other officers and members in relation to the role;
- (i) engage with community groups with an interest/stake in the area;
- (j) report action to the council.

How does their role fit within the Corporate Structure?

- (k) This will vary according to the area/issue that is being championed and how the authority functions. There is potential for confusion and overlap between the role of the member champion and those of the relevant executive member or overview and scrutiny members. The champion role itself could be undertaken by either the relevant executive member or a non-executive member.
- (l) It is therefore important that members and officers work together to agree roles and action for the area being championed and that there are mechanisms for lead members to report on their activities. It is helpful for the authority to draft a protocol which sets out what powers champions have and do not have, such as whether or not they are able to make decisions on behalf of the authority. Similarly, the appointment of champions varies between authorities, and includes appointments being made by full council meetings or by the leader.

The Role Description

It is difficult to create a role description that fits with the different roles expected of champions and how they operate in the different authorities' structures. The following is a generic model which will require local adaptation, particularly to reflect the difference that may exist between a statutory role, one undertaken by an executive member and a non-executive lead.

Member Champion Role Description

Accountabilities

To Full Council.

Role Purpose and Activities

(a) Within the Council

- (i) To promote the interest being championed within the Council's corporate and service priorities.
- (ii) To promote the needs of the client group represented in the interest to the decision makers within the council.
- (iii) To work with the decision makers in the Council to establish strategies/ policies/work plans connected with the interest.
- (iv) To maintain an awareness of all matters connected with the interest.
- (v) To contribute to good practice and the continuous improvement of services and functions related to the interest.
- (vi) To engage with members in matters related to the interest such as attending Overview and Scrutiny/Cabinet /Full Council meetings etc.
- (vii) Raising awareness of and taking a lead role in the development of all members and officers in relation to the interest.

(b) In the Community

- (i) To raise the profile of the interest in the community.
- (ii) To engage with citizens and community groups in matters related to the interest.
- (iii) To lead and support local initiatives related to the interest.

Values

To be committed to the values of the Council and the following values in public office:

- (c) openness and transparency;
- (d) honesty and integrity;
- (e) tolerance and respect;
- (f) equality and fairness;
- (g) appreciation of cultural difference;
- (h) sustainability;
- (i) inclusive leadership.

Elected Member Person Specification

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Representing and Supporting Communities

- (a) Good advocacy skills.
- (b) Interpersonal skills.
- (c) Integrity and the ability to set aside own views and act impartially.
- (d) The ability to present relevant and well-reasoned arguments.
- (e) Good communication skills.

Making Decisions and Overseeing Council Performance

- (f) Knowledge and understanding of meetings law, rules and conventions.
- (g) An understanding of strategic, policy and service contexts for decisions.
- (h) The ability to challenge ideas and contribute positively to policy development.

Representing the Council (Subject to Appointment)

- (i) Good public speaking skills.
- (j) Good presentation skills.
- (k) The ability to persuade others and act with integrity.

Internal Governance, Ethical Standards and Relationships

- (l) An understanding of the roles of officers, members and different agencies.
- (m) Respect for, and desire to work with, different groups and individuals.
- (n) Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol.
- (o) A knowledge and commitment to the values of the Council.

Personal and Role Development

- (p) An ability to assess personal and role development needs.
- (q) Desire and skills to participate in development.

Leader Person Specification

To fulfil his or her role as laid out in the role description, an effective leader requires:

Providing Political Leadership to the Council

- (a) Knowledge of community strengths, areas of improvement and key issues.
- (b) An understanding of the relationship between national and local politics.
- (c) Have a good strategic awareness of issues facing the Council.
- (d) An understanding of the Council's strategy, policies and operations.

Appointing the Cabinet*

- (e) An understanding of the rules for the appointment of Cabinet Members.
- (f) An ability to recognise talent amongst members.
- (g) An ability to negotiate the most advantageous appointments within and across political groups.
- (h) To appraise, guide and mentor senior members.

Representing and Acting as Ambassador for the Authority

- (i) High level communication skills to communicate to the media, local community and wider audience.
- (j) Good public speaking skills.

Providing Leadership within the Portfolio

The skills necessary for a cabinet member to fulfil their role.

Managing and Leading the work of the Cabinet and Chairing Meetings of the Cabinet

- (k) An understanding of the Cabinet procedure rules.
- (l) Skills to Chair meetings, including encouraging participation from all members.
- (m) A knowledge and understanding of national policy objectives.
- (n) An overview of the work being carried out by cabinet members.

Participating in the Collective Decision Making of the Cabinet

The ability to constructively challenge decisions and suggest alternatives.

Working with Officers to Lead the Organisation

An understanding of the roles and responsibilities of the Chief Executive and other officers.

Leading Partnerships and Community Leadership

- (o) Adaptive leadership skills.

- (p) Negotiation and brokerage skills.
- (q) Creative and lateral thinking skills; the ability to see ahead and be predictive.

Internal Governance, Ethical Standards and Relationships

- (r) An understanding of the roles of officers, members and different agencies.
- (s) Respect for, and desire to work with, different groups and individuals.
- (t) Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol.
- (u) A knowledge and commitment to the values of the Council.

Cabinet Member Person Specification

To fulfil his or her role as laid out in the role description, an effective Cabinet Member requires:

Portfolio Leadership

- (a) An understanding of the Council's strategy, policies and operations.
- (b) Leadership skills.

Contributing to the setting of the Strategic Agenda and Work Programme for the Portfolio

- (c) The ability to present to others.
- (d) The ability to exercise strategic awareness and judgement.
- (e) Knowledge of relevant issues and who to involve in decision making.
- (f) The ability to persuade others.
- (g) Knowledge of Council and national objectives.

Providing Representation for the Portfolio

- (h) Public speaking skills.
- (i) Good presentation skills.

Reporting as Appropriate

High level communication skills.

Taking an Active Part in Cabinet Meetings and Decisions

- (j) The ability to constructively challenge decisions and suggest alternatives.
- (k) The knowledge, confidence and ability to contribute to discussion and resolution of cross cutting and collective issues.

Leading Partnerships and Community Leadership

- (l) Adaptive leadership skills.
- (m) Negotiation and brokerage skills.
- (n) Creative and lateral thinking skills; the ability to see ahead and be predictive.

Internal Governance, Ethical Standards and Relationships

- (o) An understanding of the roles of officers, members and different agencies.
- (p) Respect for, and desire to work with, different groups and individuals.
- (q) Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol.
- (r) A knowledge and commitment to the values of the Council.

Mayor Person Specification

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Acting as a Symbol of the Council's Democratic Authority

- (a) Good public speaking skills.
- (b) An in-depth understanding of role of Chair.

Chairing Council Meetings

- (c) Skills to chair meetings, to ensure business is carried out effectively and all those attending participate.
- (d) An understanding of the Council's Standing Orders.

Upholding and Promoting the Council's Constitution

- (e) An understanding of the Council's Constitution.
- (f) An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution.

Internal Governance, Ethical Standards and Relationships

- (g) An understanding of the roles of officers, members and different agencies.
- (h) Respect for, and desire to work with, different groups and individuals.
- (i) Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol.
- (j) A knowledge and commitment to the values of the Council.

Work Programming

The ability and discipline to plan and manage work programmes.

Chair of Regulatory Committee Person Specification

To fulfil his or her role as set out in the role description, an effective regulatory committee chair requires:

Providing Leadership and Direction

- (a) Ability to conduct meetings to ensure that applicants feel that they have been dealt with fairly and fully even if their application is refused.
- (b) Understanding of the Council's role and ability to ensuring that stake holders are aware of that role.
- (c) Communication skills Knowledge of local issues.
- (d) Ability to manage the work of the committee.
- (e) Ability to support and develop necessary skills in fellow members of the committee.

Promoting the Role of the Regulatory Committee and Quasi-Judicial Decision Making

- (f) Understanding and appreciation of the regulatory framework.
- (g) Ability to inspire and enthuse committee members for the work of the committee.
- (h) Integrity and the ability to set aside own views and act impartially.
- (i) Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them.

Internal Governance, Ethical Standards and Relationships

- (j) Knowledge and understanding of the Code of Conduct(s) and protocols.
- (k) Knowledge of and commitment to the values of the Council.

Regulatory Committee Member Person Specification

To fulfil his or her role as laid out in the role/job description, an effective member of a regulatory committee requires the following:

Understanding the Nature of the Regulatory Committee and Quasi-Judicial Decision Making

- (a) Integrity and the ability to set aside own views and act impartially.
- (b) Knowledge of law, policy and procedures for that regulatory/quasi-judicial area.

- (c) Maintenance of knowledge.
- (d) Objectivity and judgement.

Participating in Meetings and Making Decisions

- (e) Ability to listen and to consider and respect the views of other contributors.
- (f) Good public speaking skills.
- (g) Good advocacy skills.

Internal Governance, Ethical Standards and Relationships

- (h) Knowledge and understanding of the Code of Conduct(s) and protocols.
- (i) Knowledge of and a commitment to the values of the Council.

Scrutiny Chair Person Specification

To fulfil his or her role laid out in the role description an effective Scrutiny Chair requires:

Providing Leadership and Direction

- (a) Understanding of council role and functions.
- (b) Understanding of role of scrutiny, terms of reference for the committee, role of chair, and other aspects of the democratic arrangements.
- (c) Understanding of member support functions. Understanding of council priorities and risks Ability to develop work programmes.
- (d) Understanding of community issues.
- (e) Objectivity.
- (f) Negotiation and consensus building.
- (g) Ability to build constructive and 'critical friend' relationships with the Executive.

Managing the Work Programme

- (h) Ability to manage projects and resources.
- (i) Ability to manage people.
- (j) Ability to prioritise.
- (k) Ability to report progress to different groups in different styles.

Effective Meeting Management

- (l) Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements.

- (m) Ability to chair meetings effectively, managing the agenda and progressing business.
- (n) Ability to facilitate effective discussions.
- (o) Ability to listen and question effectively.

Community Leadership

- (p) Understanding of the community leadership role.
- (q) Knowledge of local issues and expectations.
- (r) Ability to work effectively with all members of the community and build understanding and ownership of scrutiny.
- (s) Knowledge of the individuals and organisations in the community especially those traditionally excluded.

Involving and Developing of Committee Members

- (t) Understanding of the role and skills of the scrutiny committee and its individuals.
- (u) Ability to support members and the committee in assessing their performance.
- (v) Ability to identify any training and development needs and Champion and participate in appropriate learning and development.

Scrutiny Member Person Specification

To fulfil his or her role as laid out in the role description, an effective scrutiny member requires:

Participating Fully in the Activities of the Scrutiny Function

- (a) Full understanding of the scrutiny remit and role, and terms of reference for their own committee and others.
- (b) Understanding of member support functions.
- (c) Willingness to work within the guidance of the chair.
- (d) Willingness to undertake training as necessary.

Reviewing and Developing Policy

- (e) Knowledge of and ability to evaluate existing policy.
- (f) Understanding of best practice.
- (g) Understanding of national and local legislative and policy context.

Monitoring Performance and Service Delivery and Holding the Executive to Account

- (h) Understanding of the Wales Programme for Improvement (WPI) and associated risk assessment arrangements.
- (i) Understanding of the principles and practice of performance management.
- (j) Understanding of council's performance management arrangements.
- (k) Ability to analyse data and challenge performance.
- (l) Understanding of arrangements for call in.

Promoting the Work of Scrutiny

- (m) Ability to negotiate and build consensus.
- (n) Ability to act objectively and on the basis of evidence.

Community Leadership

- (o) An understanding of the community leadership role.
- (p) Knowledge of local issues and expectations.
- (q) Ability to work effectively with all members of the community and build understanding and ownership of scrutiny.
- (r) Knowledge of the individuals and organisations in the community especially those traditionally excluded.

Meeting Participation

- (s) Ability to interpret information and data from a range of sources.
- (t) Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements.
- (u) Ability to participate in meetings including effective listening, questioning and speaking.

Leader of the Opposition Person Specification

To fulfil his or her role as laid out in the role description, an effective leader of the opposition requires:

In Providing Political Leadership for the Opposition Group

- (a) Knowledge of community strengths, areas of improvement and key issues.
- (b) An understanding of the relationship between national and local politics.
- (c) Have a good strategic awareness of issues facing the Council.
- (d) An understanding of the Council's strategy, policies and operations.

- (e) An ability to challenge different strategies, policies and operations.

In Representing the Authority's Opposition

- (f) High level communication skills to communicate to the media, local community and wider audience.
- (g) Good public speaking skills.
- (h) Creative and lateral thinking skills; the ability to see ahead and be foresighted.
- (i) Leadership skills.

Internal Governance, Ethical Standards and Relationships

- (j) An understanding of the roles of officers, members and different agencies
Respect for, and willingness to work with, different groups and individuals.
- (k) A thorough knowledge and understanding of the Code of Conduct and Member/Officer Protocol.
- (l) A knowledge of and commitment to the values of the Council.

Member Champion Person Specification

Within the Council

- (a) Understanding of the area of interest being championed in terms of council strategies and policy, good practice, improvement and national agendas and the needs of the client group.
- (b) Ability to engage with a range of members and officers around the area of interest and listening to requirements.
- (c) Ability to advocate on behalf of the area of interest within the council.

In the Community

- (d) Understanding of the needs of the community in relation to the interest
- (e) Ability to engage with citizens and community groups in matters related to the interest.
- (f) Ability to lead and support local initiatives related to the interest.
- (g) Ability to represent the position of the council to the community in relation to the interest.

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Appendix 2

Guide to the Constitution of Bridgend County Borough Council

Introduction

The constitution

The Council is made up of different individuals and bodies, who work together to deliver the Council's functions. The Council's constitution describes the different people and bodies that make up the Council, their functions, and the procedure rules that govern how those bodies work together to deliver services.

It is intended to: -

- enable the Council to make decisions efficiently and effectively;
- support you to participate in decisions that affect you;
- help Councillors to represent their constituents more effectively; and
- enable you to hold the Council to account.

One of the main aims of the constitution is to set out clearly what you can expect from the Council, and what you can do if your expectations are not met.

This guide

This guide is designed to help you to understand how the Council makes decisions and works to deliver services in your area and how you can get involved. It provides an overview of the Council's constitution and explains key sections of the constitution in clear and simple language.

It may also be of use to those organisations that work with the Council to deliver services in the Council's area.

The first part of this guide explains why the constitution is important and how it is reviewed and updated.

It aims to answer questions such as: -

- *Why does the Council have a constitution?*
- *How can I get a copy of the constitution?*
- *Who is responsible for keeping the constitution up to date?*

The second part of this guide explains how the Council is structured. It describes the Council's democratic bodies as well as how decisions are made and by whom.

It explains the functions of the Council, its Cabinet and its committees, and which body of the Council is responsible for particular policies and decisions.

It aims to answer questions such as: -

- *What does my local Councillor do?*
- *What does the Council do?*
- *What happens at Council meetings?*
- *How does the Council make decisions?*
- *How can I find out what the Council decided about an issue that affects me?*
- *What does the Cabinet do?*
- *How does the Cabinet make decisions?*
- *How are decisions scrutinised?*
- *Who is responsible for upholding standards and holding Councillors to account for their conduct?*
- *What do the Council's committees do?*
- *What does the Development Control committee do?*
- *Who is responsible for governance, audit and risk management?*
- *Who is responsible for upholding local democracy?*
- *What does the licensing committee do?*

The third part of this guide explains the roles and responsibilities of elected members and paid officers of the Council. It describes the jobs they do, and how they work together to deliver the Council's functions and priorities. It also explains the codes of conduct that govern councillors' and officers' conduct and the standards of behaviour that you can expect from them.

It aims to answer questions such as: -

- *What does the Mayor do?*
- *What does the Leader do?*

- *What happens if the Leader is unable to perform their duties?*
- *My Councillor is a member of the Cabinet, what does this mean?*
- *How are members of the Cabinet supported?*
- *What does the Chief Executive do?*
- *What responsibilities does the Monitoring Officer have?*
- *Who is responsible for ensuring that the Council's democratic policies and procedures are complied with?*
- *How should Councillors behave?*
- *How should Officers behave?*
- *Are there any special requirements when Councillors or Officers decide planning applications?*
- *How can I complain about the behaviour of a Councillor?*
- *How do I report concerns about the conduct of a paid Officer of the Council?*

The fourth part of this guide provides a summary of the key policies and procedures that govern how the Council carries out certain functions.

It aims to answer questions such as: -

- *Where can I find the Council's key plans and strategies?*
- *How is the Council's policy framework decided?*
- *How does the Council set its budget?*
- *Can decisions be taken that do not comply with the budget or policy framework?*
- *Can money be moved from one budget head to another once the budget has been adopted?*
- *What other policies and procedures govern how the Council manages its budget?*
- *Are there any restrictions on how the Council buys in goods and services?*

- *How does the Council enter into contracts and agreements?*

The final part of this guide explains how you can engage with, and get involved in, your Council and local democracy. It explains how your councillors are elected, how you can contact your councillor, raise questions and speak at meetings, and how you can use petitions to raise issues that are important to you with the Council.

It aims to answer questions such as: -

- *What is the Council doing to engage with local people?*
- *Can I send a petition to the Council?*
- *How can I find out when meetings of the Council and its committees and bodies are taking place?*
- *How can I find out what will be discussed at a particular meeting?*
- *How can I find out when an issue I am concerned about will be decided?*
- *Can I ask a committee or body of the Council to look into a particular issue?*
- *Can I attend meetings of the Full Council?*
- *Can I attend other meetings?*
- *Can I speak at a meeting?*
- *Can I ask a question at a meeting?*
- *How can I find out what the Council decided?*
- *Can I view the Council's accounts to understand how my council tax is spent?*

Signposts to the most relevant sections of the constitution and to additional resources available on the Council's website are provided throughout this guide to enable you to read more on a particular topic if you wish.

If there is anything in this guide which is unclear, or anything is missing, please let us know so we can improve it.

Part 1 The constitution

The constitution governs the way in which the Council, Councillors and officers working at the Council work together to deliver the Council's functions. It ensures that everyone at the Council acts lawfully, fairly and appropriately and that the Council's functions are performed properly and effectively.

 Section 2.1 of the constitution explains the purpose of the constitution.

You can obtain a copy of the constitution from the Council's offices and view it on the Council's website. A copy of the constitution must also be provided to each Councillor when they are elected to the Council.

 You can access the Council's constitution on the Council's website.

 Section 2.8 of the constitution explains where, when and how the constitution must be published.

The Monitoring Officer is responsible for maintaining and reviewing the constitution. The Monitoring Officer is also responsible for deciding how the constitution should be understood and applied. You can read more about the Monitoring Officer's role in Part 4 of this guide.

The Full Council is responsible for agreeing the constitution. Once the constitution has been agreed, it can only be changed by the Full Council. Usually, changes to the constitution are recommended to the Full Council by the Monitoring Officer.

In some circumstances, the Monitoring Officer may make changes to the constitution. For example, where there is a change in the law that affects the constitution, or where a minor change is needed to clarify a provision in the constitution that is unclear.

 Sections 2.4 to 2.6 of the constitution explain how the constitution is agreed and how it can be changed.

The constitution also governs how meetings of the Council and its committees should be conducted. The person chairing a meeting will be responsible for ensuring that the constitution is followed during that meeting.

 Key words and phrases are defined and explained in section 2.2 of the constitution.

Part 2 The Council's democratic structures

The Council is made up of Councillors who are elected every five years to represent people living in different parts of the Council's area (referred to in the constitution as 'electoral wards').

Councillors are responsible for everyone living in the Council's area, but they have a special duty to people living in their ward.



Section 1.2 of the constitution provides an overview of how individual Councillors work together as the Council.

All Councillors meet together regularly as the Full Council. The Full Council is responsible for setting the Council's budget, policy priorities and overall policy framework.

At the start of every year, the Full Council will elect one Councillor as its Mayor. The Mayor is responsible for chairing meetings of the Full Council and ensuring that decisions are taken properly and in accordance with the rules.

You can read more about these roles in Part 3 of this guide.

The Council appoints or elects a Leader (who may be the leader of the largest political group or coalition of political groups). Individual councillors may also be appointed to the Cabinet by the Leader. The Leader will generally appoint councillors from their own political group to the Cabinet, although they may appoint councillors from any political group to the Cabinet. Members of the Cabinet are responsible for specific policy areas, commonly referred to as portfolios. Where responsibility for a particular work area or function is given to a member of the Cabinet, it is described in the constitution as being delegated to that person.

The Cabinet meets regularly to take collective decisions on those aspects of the Council's work which the Cabinet is responsible for.

Some of the Council's functions are carried out by committees. Committees are small groups of Councillors that meet together to carry out certain of the Council's regulatory and scrutiny functions. Subject to some exceptions, committees comprise councillors from each political group in the same proportion as they are represented on the Full Council.

Until recently all council meetings (whether of the Full Council, the Cabinet or a committee or sub-committee) had to take place in person and only those councillors who were physically present at the meeting could participate in discussions and vote. Councils are now able to meet using video conferencing software. Meetings may either be "remote" (where all councillors are in different places) or "hybrid" (where some people are present in one place, and others are in different places). Even if all

the people who are participating in a meeting choose to be physically present, the Council must ensure that there is the option to join the meeting remotely.

The Full Council may engage such paid staff (referred to as officers) as it considers necessary. The Cabinet, Full Council and committees may delegate functions to officers. Further information on delegations can be found in the officers' scheme of delegations.

You can read more about these structures in the following sections of this Part of the guide.

Councillors

Councillors are elected by the people living in a particular ward to represent them on the Council. However, Councillors are also accountable to the wider community and must act in the best interests of everyone living in the Council's area.

If you want to raise an issue with the Council and are not sure who to contact, you may wish to contact your Councillor to ask for help.



You can find out who your local Councillor is and their contact details on the Council's website.

All Councillors are members of the Full Council, and they may also be members of one or more of the Council's members bodies (such as the Cabinet or a committee). Where Councillors act as a member of a particular Council body, they are referred to in the constitution as 'Members'.



This is explained more fully in the list of definitions in section 2.2.2 of the constitution.

Councillors have certain rights that are set out in the constitution, which enable them to raise issues and make representations on your behalf.

For example, Councillors may: -

- see any information which they need in order to fulfil their role as a member of the Council;
- attend any meeting of the Council, its committees or the Cabinet;
- speak at any meeting of any Council body which they are a member of;
- with the permission of the chair, speak at any meeting of any Council body (even if they are not a member of that body);
- talk to the Leader, or members of the Cabinet or Council officers about any aspect of Council business; and
- raise complaints.



Councillors' rights to information are set out in section 3 of the constitution.



Councillors' rights to participate in Council proceedings are set out in section 3.3 of the constitution.

Councillors may also raise questions at meetings of the Full Council and the Council's committees and sub-committees, submit motions to the Full Council and call-in decisions.

 The rules surrounding how these rights are exercised are set out in sections 4.19 to 4.21 and 7.29 of the constitution.

 You can read more about the role of elected Councillors and the qualities that make a good Councillor in the role description (in the constitution) and the person specification (in the constitution).

Full Council



Section 4 of the constitution governs the Full Council.

What does the Full Council do?

The law requires that certain important decisions are taken by all Councillors meeting together as the Full Council. These are referred to in the constitution as functions of the Full Council. The Council may decide that other non-executive functions should be carried out by the Full Council too. These are referred to in the constitution as local choice functions because the Council has a choice about which person or body should carry them out.



Section 14 of the constitution explains the different types of functions that are carried out by the Council and which part of the Council is responsible for carrying them out.

The Full Council is responsible for, amongst other things: -

- agreeing the constitution, and any changes to the constitution;
- setting the Council's budget;
- developing the Council's single integrated plan (which explains how the Council will deliver its legal duties in areas such as health and social care, children and young people and community safety);
- agreeing key plans and strategies (referred to in the constitution as the 'policy framework');
- reviewing and reporting on the Council's performance;
- electing the Leader and the Mayor; and
- appointing the Chief Executive and other Chief Officers.



All of the functions of the Full Council are listed in section 4.6 of the constitution.

Meetings of the Full Council are chaired by the Mayor. They are responsible for ensuring that meetings are conducted in accordance with the constitution and that decisions are made properly, fairly and lawfully.

You can read more about the role of the Mayor in Part 3 of this guide.

What happens at meetings of the Full Council?

The Full Council will meet early in each financial year to elect Councillors to particular positions on the Council, to appoint Councillors to outside bodies and to establish committees and working groups to carry out the Council's business during the year. This is known as the annual meeting.

 The timing of the annual meeting and the issues to be decided at that meeting are described in the council procedure rules in section 4.10 of the constitution.

At the annual meeting, the Council will also decide how often all Councillors should meet together as the Full Council. These regular meetings of the Full Meetings are known as ordinary meetings.

 Ordinary meetings are carried out in accordance with the council procedure rules in section 4.11 of the constitution.

In some circumstances, it may be necessary for the Full Council to meet before its next scheduled meeting to discuss an issue that is particularly urgent or important. This is known as an extraordinary meeting of the Council.

 The process by which an extraordinary meeting may be called and the issues that may be discussed there are set out in section 4.12 of the constitution.

The Full Council is responsible for deciding when and where meetings of the Full Council will be held. The Head of Democratic Services must notify Councillors of this by issuing them with a summons.

The Head of Democratic Services is also responsible for ensuring that the public are told about meetings of the Full Council, by publishing a notice in advance of each meeting. The notice must include certain information such as the date and time of the meeting, where it will be held and how you can access the meeting remotely using video conferencing.

You can read more about participating in meetings of the Council in part 4 of this guide.

 Section 4.13 and 4.14 of the constitution govern meeting arrangements and notice requirements.

How does the Full Council make decisions?

Meetings of the Full Council are carried out in accordance with an agreed set of rules that are designed to ensure that debates are conducted fairly and efficiently, and that every Councillor has the ability to raise questions and to make comments on the public's behalf.

 The rules of debate are set out in section 4.22 of the constitution.

Decisions are made by Councillors casting votes for or against a particular decision (referred to in the constitution as a motion). Councillors may also propose amendments (changes) to a particular motion, which must then be voted on.

Historically, votes were conducted by a show of hands, with Councillors asked to raise their hand to indicate whether they were voting for or against a particular motion, or whether they wished to abstain (i.e. to vote neither for nor against the motion). Councils now use a range of methods including electronic voting pads for meetings where Councillors are physically present and in-built electronic voting functions on video conferencing platforms where meetings are conducted remotely or in a hybrid format.

Decisions will usually require a simple majority of those present voting for a particular motion. In other words, more Councillors must vote for a motion than against it. Where a vote is tied once all Councillors have voted, the Mayor will have a second, casting vote.

Councillors may request a recorded vote on a particular issue. In a recorded vote, the Councillors voting for and against a particular motion, and those abstaining, will be written down and recorded in the minutes of the meeting. Councillors may also request that their individual vote on a particular motion is recorded in the minutes.

 The Council's voting arrangements are set out in section 4.25 of the constitution.

Does every Councillor need to be present before a decision can be taken?

Not every Councillor needs to vote on every decision. In fact, in some circumstances it may not be appropriate for a Councillor to vote on a particular issue (for example, where they have a personal interest in a decision). You can read more about this in part three of this guide.

However, in order for the Council to make a lawful decision a minimum number of Councillors must be present at a meeting. The minimum number of Councillors that must be present at a meeting is referred to in the constitution as the quorum for that meeting.

 Section 4.16 of the constitution sets out the minimum number of Councillors that must be present so the Full Council can make a decision.

Are meetings recorded?

Meetings of the Full Council are broadcast live on the Council's website.

A record of each meeting will be kept in the form of minutes. The minutes will contain a record of the motions that were put to the meeting, and the decisions that were taken. They will also record who was present at the meeting.

The minutes of a meeting of the Full Council will be agreed by the next meeting of the Council and published on the Council's website in accordance with the Council's access to information procedure rules.

The Council also publishes a record of the decisions taken at every meeting of the Full Council, the Cabinet and at committee and sub-committee meetings within seven days of the meeting taking place.

If you want to find out what the Council decided about an issue that affects you, you can read the minutes or the record of decisions for the meeting where that issue was discussed.



Information on the Council's broadcasting arrangements can be found in section 4.32 of the constitution and on the Council's website.



Information on minutes can be found in section 4.26 of the constitution.



The access to information procedure rules can be found in section 15 of the constitution.



Minutes of meetings and records of decisions are available on the Council's website.

The Cabinet

The Cabinet is made up of the Leader and individual Councillors appointed to the Cabinet by the Leader.

 Sections 5.2 and 5.5 of the constitution explain the composition of the Cabinet and how Councillors are appointed to the Cabinet.

The role of Leader and any role on the Cabinet may be carried out by two or more Councillors on a job-share basis.

 Section 5.13 of the constitution explains the job-sharing arrangements for members of the Cabinet.

What does the Cabinet do?

The Leader is responsible for carrying out the Council's executive functions. However, in practice the Leader cannot personally carry out every one of these functions, so the Leader delegates responsibility for certain functions to the Cabinet, to members of the Cabinet, to officers of the Council or to another bodies.

Each year, the Leader decides which functions to delegate to whom. This is known as the Council's scheme of delegation.

 Sections 5.6 and 5.10.1 to 5.10.3 of the constitution explain how functions are delegated by the Leader.

 The Council's scheme of delegation can be found on the Council's website.

Meetings of the Cabinet

The Leader will decide when the Cabinet will meet, and for how long. They will also chair meetings of the Cabinet.

The constitution prescribes certain matters that must be considered at every meeting of the Cabinet. Additionally, the Leader, members of the Cabinet and certain Chief Officers may require that an item of business is added to the meeting agenda.

Meetings of the Cabinet are carried out in accordance with the rules of procedure and debate set down in the constitution.

 The rules of procedure and debate of the Cabinet are set out in sections 5.8 to 5.10 of the constitution.



Section 5.11 of the constitution governs how meetings of the Cabinet are conducted.

How does the Cabinet make decisions?

The Cabinet is obliged to consult with individual Councillors and with certain committees before it makes certain decision on matters that are not urgent.

The Cabinet is also required by law to consult with the public in advance of taking certain decisions. Even where legislation does not require public consultation, as a matter of good practice the Cabinet may also consult the public in advance of taking other significant decisions. Where the Cabinet undertakes public consultation, the Cabinet must have regard to the consultation responses received when taking their decision.



These consultation requirements are explained in section 15.14 of the consultation.

The Cabinet must keep a record of every decision it makes, including every decision made by an individual member of the Cabinet and the Cabinet's committees.



Section 15.15 of the constitution sets down the requirements for the Cabinet's record of decisions.



You can read the minutes of meetings of the Cabinet on the Council's website.

Why does the Council have committees and what do they do?

The law requires the Council to establish committees for the purpose of carrying out certain legal functions of the Council.

The Council may also decide to establish other committees and working groups for the purpose of assisting the Council to conduct its business efficiently and effectively.

What do the Council's scrutiny committees do?

Overview and Scrutiny Committee

The Overview and Scrutiny Committee is responsible for holding the Cabinet and other bodies of the Council to account.

The Overview and Scrutiny Committee can: -

- review and scrutinise decisions made by the Cabinet and other parts of the Council;
- make reports and recommendations to the Council or to the Cabinet; and
- make proposals regarding changes to the Council's policies and procedures.

 The functions of the Overview and Scrutiny Committee are set out in sections 7.2, 7.4, 7.10 and 7.19 of the constitution.

Members of the Overview and Scrutiny Committee must be told about meetings of other Council bodies. They have special rights to see Council documents.

The Overview and Scrutiny Committee may also require any member of the Cabinet or any senior paid officer of the Council to attend a meeting of the committee to explain a decision that they have taken or their performance.

 The Overview and Scrutiny Committee's rights and powers are described in sections 7.22 to 7.25 of the constitution.

 The rules around membership of the Overview and Scrutiny Committee, the conduct of committee meetings and the carrying out of the functions are committee are set out in section 7 of the constitution.

Standards Committee

The Standards Committee is responsible for promoting high standards of conduct by Councillors, including by advising and training Councillors on the councillor code of conduct and advising the Council on changes to that code.



The functions of the Standards Committee are set out in sections 8.6 to 8.8 of the constitution.

The Standards Committee is also responsible for investigating alleged breaches of the councillor code of conduct and censuring members who are found to have failed to comply with that code.



The procedure for dealing with allegations made against Councillors is set out in the constitution.

The Standards Committee comprises a mixture of Councillors and independent members (who cannot be members or paid officers of the Council or related to members or paid officers of the Council).

Councillors are appointed to the Committee in accordance with the political balance rules (which ensure that the political make-up of the committee reflects the political make-up of the Council).



You can read more about the Standards Committee in section 8 of the constitution.

What do the Council's regulatory and other committees do?

Development Control Committee

The Council is responsible for operating the planning system in its area. This involves preparing local development plans and local planning policies (which govern development in the Council's area) and managing development (by granting or refusing permission for new development).

The Council will appoint individual Councillors to the Committee and agree terms of reference for, and the delegation of powers to, the Committee to enable it to discharge those functions.



You can read more about the Council's Committee in section 9.4 of the constitution.



You can also read more about the Council's planning functions on the Council's website.

Licensing Committee

The Council is responsible for deciding whether to grant licences for a wide range of different businesses, services and activities in its area. The Council's licensing functions are delegated to the Council's Licensing Committee.

The Council will appoint individual Councillors to the Licensing Committee and agree terms of reference for, and the delegation of powers to, the Licensing Committee to enable it to discharge those functions.



You can read more about the Council's Licensing Committee in section 9.4 of the constitution.



You can also read more about the Council's licensing functions on the Council's website.

Governance and Audit Committee

The Governance and Audit Committee advises the Full Council, the Cabinet and their respective committees and members on matters relating to good governance, financial oversight, risk management and complaints.

The Governance and Audit Committee monitors the effectiveness of the Council's rules and procedures for ensuring that the Council acts lawfully, responsibly and that it is accountable to the public (referred to in the constitution as the Council's governance systems and internal controls). The committee is also responsible for ensuring that the Council's decisions and finances are audited in accordance with

agreed procedures. Lastly, the Governance and Audit Committee must review and comment upon the Council's own corporate self-assessment reports.

The Governance and Audit Committee comprises a mixture of Councillors and lay members (who are not members of the Council). Councillors are appointed to the Committee in accordance with the political balance rules (which ensure that the political make-up of the committee reflects the political make-up of the Council).

 Section 9.2 of the constitution explains the Council's arrangements for the Governance and Audit Committee.

 The constitution explains the functions of the Governance and Audit Committee.

Democratic Services Committee

The Democratic Services Committee is responsible for appointing the Head of Democratic Services, keeping under review the provision of resources to the Head of Democratic Services and supporting non-executive members of the Council.

The Democratic Services Committee is made up of Councillors, though there are limits to the number of Cabinet members who can sit on the Democratic Services Committee. Councillors are appointed to the Committee in accordance with the political balance rules (which ensure that the political make-up of the committee reflects the political make-up of the Council).

 Section 9.3 of the constitution explains the Council's arrangements for the Democratic Services Committee.

 The constitution explains the functions of the Democratic Services Committee.

What are joint committees?

The Council may carry out some of its functions jointly with one or more other local authorities in Wales, and with other public bodies. The Council may decide to do this where, for example, the Council considers that it could better promote the economic, social or environmental wellbeing of people living in its area by coordinating its activities with other local authorities, bodies or people.

The Council can establish a joint committee with other local authorities, bodies or people and delegate decisions and functions to that joint committee. By allowing decisions to be taken by a joint committee, the Council can ensure that decisions can be coordinated between all authorities and bodies represented on the committee.

The Cabinet may also establish joint arrangements with one or more local authorities in Wales for the purpose of jointly exercising executive functions together with those authorities.



Section 10.3 of the constitution governs the circumstances in which the Council or Cabinet may enter into joint arrangements with other authorities and bodies.

The Council and the Cabinet may also delegate or contract out particular functions to another local authority or to another body or organisation.



Sections 10.5 to 10.6 of the constitution explain the Council's delegations and contracting out arrangements.

The South East Wales Corporate Joint Committee

The South East Wales Corporate Joint Committee is made up of the Leaders of the constituent Councils, who may decide to co-opt other executive members or partner representatives as appropriate.

The Council must work together with other members of the Corporate Joint Committee when it performs these functions.

The Corporate Joint Committee was established under regulations made by the Welsh Ministers. Consequently, many of the rules and standards that apply to the Corporate Joint Committee are set down in regulations, rather than in the constitution.



You can read more about the Corporate Joint Committee arrangements in section 10 of the constitution.

Part 3 Roles and responsibilities

What roles do Councillors perform?

In the constitution you can find information about the roles that Councillors may perform on the Council.

These include: -

- Leader and Deputy Leader;
- Mayor and Deputy Mayor;
- Member of the Cabinet;
- Assistant to the Executive;
- Elected Member (Councillor);
- Chair and / or member of the Democratic Services Committee;
- Member of the Governance and Audit Committee;
- Chair and / or member of the Overview and Scrutiny Committee;
- Member of the Standards Committee;
- Chair and / or member of a regulatory committee;
- Leader of the Opposition and Deputy Leader of the Opposition; and
- Member Champion.

In the constitution you will also find information about the roles played by senior paid officials of the Council, including the Chief Executive, the Monitoring Officer, the Chief Finance Officer and the Head of Democratic Services.

This part of the guide provides more information about these important roles.

Mayor and Deputy Mayor

The Mayor and Deputy Mayor are elected by the Full Council every year.



The procedures that govern the election of the Mayor and the Deputy Mayor and their resignation or dismissal are set out in section 4.7.3 of the constitution.

The Mayor is responsible for: -

- promoting and upholding the constitution;
- presiding over meetings of the Full Council;
- ensuring that meetings of the Full Council are quorate and conducted in accordance with the Council's procedure rules; and
- ensuring that decisions are taken in accordance with the constitution.

The Mayor is also the civil leader of the Council. They are responsible for promoting the interests and reputation of the Council and for carrying out civic, community and ceremonial activities.

The Deputy Mayor performs the Mayor's functions in their absence.



You can read more about the role and functions of the Mayor and the Deputy Mayor in section 4.7.4 of the constitution.



The role description for the Mayor can be found in the constitution.



The role description for the Deputy Mayor can be found in the constitution.



The person specification for the Mayor can be found in the constitution.

Leader and Deputy Leader

The Leader is elected by the Full Council.

The Deputy Leader is appointed by the Leader to exercise the Leader's functions in their absence.

 The arrangements governing the election of the Leader and the appointment of the Deputy Leader are set out in sections 6.1 to 6.4 of the constitution.

The Leader is responsible for appointing Councillors to the Cabinet and for allocating specific policy areas and responsibilities (portfolios) to members of the Cabinet.

The Leader is also responsible for preparing a scheme describing which functions are to be carried out by which members of the Cabinet (this is referred to in the constitution as the Cabinet scheme of delegation).

 See section 6.5 of the constitution for more information.

The Leader also chairs meetings of the Cabinet.

The Leader will act as the Council member of the South East Wales Corporate Joint Committee and the Council's representative on the Public Services Board.

The Leader may appoint other members of the Council to sit on other outside bodies.

 See sections 6.5.6 to 6.5.8 of the constitution for more information.

 The role description for the Leader can be found in the constitution.

 The role description for the Deputy Leader can be found in the constitution.

 The person specification for the Leader can be found in the constitution.

Member of the Cabinet

Members of the Cabinet are responsible for: -

- taking decisions regarding issues that fall within their area of responsibility;
- playing an active role in Cabinet meetings and decision making;
- contributing to the development of the Council's forward work programme and to policies and procedures in their area of responsibility;
- providing political leadership to the Council's paid officers on matters they are responsible for;
- reporting to the Full Council, the Leader, the Cabinet and others on the performance of services which they are responsible for; and
- participating in the Council's scrutiny processes and procedures, including by explaining decisions they have made and the performance of functions within their area to the Overview and Scrutiny Committee.



You can read more about members of the Cabinet in section 5.5 of the constitution.



The role description for members of the Cabinet can be found in the constitution.



The person specification for members of the Cabinet can be found in the constitution.

Assistant to the Executive

Assistants to the Executive support members of the Cabinet by taking on certain tasks and responsibilities on their behalf. They may attend meetings, prepare reports, review papers and draft comments for the member they support.

Assistants to the Executive are not members of the Cabinet and cannot vote at Cabinet Meetings or Cabinet Committee Meetings. However, they are entitled to attend and to speak at meetings of the Cabinet and its committees.



You can read more about Assistants to the Executive in section 5.7 of the constitution.

What roles do paid officers of the Council perform?

The elected members of the Council are supported by paid officers of the Council, who are accountable to the Council and responsible for delivering services to the public in

accordance with the policies and procedures agreed by the Full Council, the Cabinet and their committees and bodies.

The **Chief Executive** has overall corporate and operational responsibility for the work of the Council and for all paid officers of the Council.

 The Chief Executive's role and responsibilities are described in sections 12.1.2 and 12.2 of the constitution.

The **Monitoring Officer** is responsible for ensuring lawfulness and fairness in the Council's decision making, maintaining and upholding the constitution, receiving reports of alleged breaches of the Council's duties and obligations and conducting investigations into such allegations.

 The Monitoring Officer's role and responsibilities are described in section 12.3 of the constitution.

The **Head of Democratic Services** is responsible for advising the Council, its committees and individual Councillors, on the proper discharge of the Council's democratic functions and responsibilities.

 The Head of Democratic Services' role and responsibilities are described in section 12.5 of the constitution.

The **Chief Finance Officer** is responsible for ensuring that the Council makes lawful and financially prudent decisions. They are also responsible for the administration of the Council's financial affairs and providing advice to Councillors on the Council's budgetary and other financial procedures.

 The Chief Finance Officer's role and responsibilities are described in sections 12.4 and 17 of the constitution.

The Council also employs a number of other Chief Officers as listed in the constitution.

Chief Officers are each accountable to the Council for the financial management and administration of those services and activities allocated to them in accordance with the Council's policies.

 The roles and responsibilities of Chief Officers are described in the constitution.

 The processes by which officers are recruited, appointed, disciplined and dismissed are set out in section 12.9 of the constitution.

How should Councillors and Officers behave?

Councillors should comply with the Members' Code of Conduct

Councillors are expected to uphold the highest standards of personal and professional conduct. Those standards are described in the Code of Conduct for Members.

The Code of Conduct for Members is intended to help and guide Councillors in maintaining appropriate standards of conduct when serving their community. In turn, it provides reassurance to the public and helps build their trust in, and respect for, their local representatives.

The Code of Conduct for Members is based upon the 7 Principles of Public Life, which were first set out in the 1995 Nolan Report on Standards in Public Life. Three additional principles were added in the local government principles in Wales.

The Code of Conduct for Members is consistent with, and provides for the practical application of, these principles.

➤ **Selflessness**

Members must act solely in the public interest. They must never use their position as members to improperly confer an advantage on themselves or to improperly confer an advantage or disadvantage on others.

➤ **Honesty**

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

➤ **Integrity and propriety**

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

➤ **Duty to uphold the law**

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

➤ **Stewardship**

In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently.

➤ **Objectivity in decision-making**

In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

➤ **Equality and respect**

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sex, sexual orientation, marital status, age or religion, and show respect and consideration for others.

➤ **Openness**

Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

➤ **Accountability**

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

➤ **Leadership**

Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.



You can read the Code of Conduct for Members in full in the constitution.

Councillors are expected to ensure that they understand their obligations under the Code and act in a way which shows that they are committed to meeting the high standards of conduct that are expected of them. However, Councillors are provided with training when they are first appointed, and on a regular basis, to support them to comply with the Code of Conduct for Members.

Officers should comply with the Officers' Code of Conduct

Paid officers of the Council are responsible for serving the council by providing advice to Councillors, implementing the Council's policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

The public is entitled to expect the highest standards of conduct from all those who work for the Council. The Code of Conduct for Officers outlines the rules and conditions of service which apply to the Council's employees. It is designed to provide clear guidance to assist them in their day to day work and to allow the public to understand what they can expect when they interact with a Council employee.



You can read the Code of Conduct for Officers in full in the constitution.

How should Councillors and Officers work together?

Councillors and Officers have different roles, responsibilities and accountabilities, but it is imperative that they work effectively together to perform the Council's functions and to deliver services to residents living in the Council's area.

The Protocol on Member and Officer Relations is designed to clarify the respective roles and responsibilities of Councillors and Officers and to guide them in their dealings with one another. It explains what Councillors and Officers can reasonably expect from one another and how they should work together to achieve their common purpose.

Councillors are entitled to express political views and to support the policies of the party or group to which they belong. Conversely, officers are expected to carry out the Council's business in a politically impartial way and many are restricted from engaging in political activity. The protocol therefore explains how officers can support the policy deliberations by political groupings, while remaining politically neutral.



You can read the Protocol on Member and Officer Relations in full in the constitution.

How can I complain about a Councillor?

Section 3.2.2.(g) of the constitution explains how you can submit comments or complaints about the Council's services.

If you wish to complain about a Councillor, then you should contact either the Council's Monitoring Officer or the Public Services Ombudsman for Wales.



The Council's complaints process provides more information about how to complain. It is available on the Council's website.



You can find the Monitoring Officer's contact details on the Council's website.



You can find out more about how to complain to the Public Services Ombudsman for Wales on their website:

<https://www.ombudsman.wales/how-to-complain/>

How can I complain about a service provided by the Council?

If you have a complaint about the Council, its employees or the services it provides you make a complaint via the Council's complaints process which can be found on the Council's website.

Part 4 Policies and procedures

The Council's key plans and strategies (the policy framework)

Where can I find the Council's key plans and strategies?

The Full Council is responsible for setting the Council's key plans and strategies, which together form the Council's policy framework.

 The plans and strategies which form the Council's policy framework are listed in section 4.2 of the constitution.

 Individual plans and strategies are published on the Council's website.

Additionally, the Council's single integrated plan brings together the Council's plans and strategies for: communities; children and young people; health social care and wellbeing; and community safety.

 You can read more about the single integrated plan in section 4.3 of the constitution.

 The Council's single integrated plan is published on the Council's website.

How is the Council's policy framework decided?

The Cabinet is responsible for consulting with relevant stakeholders, considering any reports or recommendations made by the Council's Overview and Scrutiny Committees and working with the Council's Chief Officers to develop a draft policy framework.

Once the Cabinet has developed a draft policy framework, it will be considered by a meeting of the Full Council. The Full Council may decide to adopt the policy framework, make changes to it, refer it back to the Cabinet so that further work can be done on it, or substitute its own policy framework for the draft prepared by the Cabinet.

If the Full Council decides to adopt the policy framework then it shall take effect immediately. If the Full Council amends the policy framework then the Leader has an opportunity to object to the amendments and to reconvene the Full Council to reconsider the policy framework.

Once adopted, the Cabinet, their committees, individual Councillors and the Council's paid officers are bound to act in accordance with the policy framework.



The process by which the Full Council adopts a policy framework is described in section 16.2 of the constitution.

Budget setting and financial management

How does the Council set its budget?

The Full Council is responsible for agreeing the Council's budget, and for agreeing changes to the Council's budget once it has been formally adopted.

The Council's budget is in two parts: -

- the revenue budget provides for day to day operating costs and expenditure like staff salaries, rent, and the ongoing costs of providing services.
- the capital budget provides for one-off costs like a major road improvement scheme, or the purchase or construction of a new car park.

The Cabinet, in consultation with the Chief Finance Officer, is responsible for developing initial proposals for the Council's budget and consulting over these.

Once this consultation has been completed, the Cabinet is responsible for preparing a final budget proposal for consideration by the Full Council.

The Full Council may adopt the budget without making any changes, amend the budget, or ask the Cabinet to reconsider it before adopting it.



The process by which the Full Council adopts its budget is described in sections 16.3.1 and 17 of the constitution.

Decisions outside the budget or policy framework

Can decisions be taken that do not comply with the budget or policy framework?

The Full Council may decide to make changes to the policy framework.

Other bodies and individuals may only take decisions that do not comply with the policy framework in a limited number of exceptional circumstances, which are set out in the constitution. For example, where an urgent decision must be taken to safeguard the Council's interests and it is not possible to arrange a meeting of the Full Council in time.

However, the Council's overview and scrutiny committee may decide to refer such decisions to the Full Council for further consideration (this is referred to in the constitution as calling-in the decision).

 The Council's arrangements for urgent decisions which do not comply with the policy framework are set out in section 16.5 of the constitution.

 Section 16.7 of the constitution describes the limited circumstances in which bodies or individuals other than the Full Council may make changes to the policy framework.

 The overview and scrutiny committee's powers are described in section 16.8 of the constitution.

Can money be moved from one budget head to another once the budget has been adopted?

During the year the Cabinet and Chief Officers may need to transfer budgets from one service area to another to reflect changed service needs or priorities in order to deliver the Council's policy framework within the financial limits set by the Council.

 The mechanism by which the Cabinet and Chief Officers may move money between budget heads is set out in the constitution.

What other policies and procedures govern how the Council manages its budget?

The Council is bound by a number of different financial rules and procedures that govern how the Council's spending is planned, committed, reviewed and audited.

 The Council's detailed financial procedure rules are set out in section 17 of the constitution.

Are there any restrictions on how the Council buys in goods and services?

The Council can enter into contracts to purchase goods and services in much the same way as any other person or organisation. However, the Council must comply with the contract procedure rules in the constitution when it does so.

The purpose of the contract procedure rules is to ensure that the Council complies with relevant legal requirements and secures the most economically advantageous (best value) goods and services for taxpayers.

If you regularly sell goods or services to the Council then you may wish to familiarise with these rules and procedures.

 The Council's contract procedure rules are set out in the constitution.

How does the Council enter into contracts and agreements?

The rules and procedures that govern how agreements, contracts and deeds are authorised and executed on behalf of the Council are set out in section 13 of the constitution.

Part 5 How can I get involved?

How is the Council engaging with local people to encourage them to participate in local democracy?

The Council will publish a public participation strategy which explains how it will encourage local people to participate in the Council's decision-making processes. The Council's public participation strategy describes how the Council will:

- promote awareness of the Council's functions;
- promote awareness of how people can become a Councillor and what the role entails;
- facilitate access to information about decisions made, or to be made, by the Council;
- promoting arrangements by which people may make representations to the Council about decisions it has made or will make in the future;
- ensure that the public's views are brought to the attention of its Overview and Scrutiny Committee[s]; and
- promote awareness amongst Councillors of the benefits of using social media to communicate with local people.

The Council also engages with local people through citizen panels and surveys and consultations around specific policies and services. These may be initiated by the Council, service departments within the Council or through the work of the Council's committees or sub-committees.

Can I send a petition to the Council?

Yes, you can submit petitions to the Council using the Council's petition scheme. The Council is obliged by law to operate a petition scheme, which sets out: -

- how a petition can be submitted to the Council;
- how and when the Council will acknowledge receipt of a petition;
- the steps the Council will take in response to a petition; and
- how and when the Council will make available its response to a petition to the person who submitted the petition and to the public.

 You can read more about submitting a petition to the Council in section 3.2.2.(c) of the constitution.

 The Council publishes details of its petition scheme on its website.

How can I find out when meetings of the Council and its committees and bodies are taking place?

The Council publishes notices of meetings of the Full Council and its committees.

 You can find out more about notice requirements in sections 3.1.1, 4.14 and 15.4 of the constitution.

 The Council publishes notices of meetings, and a programme of upcoming meetings, on its website.

How can I find out what will be discussed at a particular meeting?

The Council will publish agendas for meetings, together with any background papers and reports in advance of the meeting taking place.

Hard copies of agendas and background papers and reports will also be available at the meeting for those members of the public who wish to attend in person.

 You can find out more the information that is made publicly available in advance of a Council meeting in sections 15.5 and 15.8 of the constitution.

 The Council publishes meetings agendas and supporting documents and reports on its website.

How can I find out when an issue I am interested in will be decided?

The Council publishes a forward work programme, which sets out what decisions will be taken by the Full Council, the Cabinet and what issues the Overview and Scrutiny Committee will be considering, and when these matters will be discussed.

 You can find out more about the Council's forward work programme in sections 3.1.1 and 15.13 of the constitution.

 The Council publishes its forward work programme on its website.

Can I ask a committee or body of the Council to look into a particular issue?

You can ask the chair of a particular body to add an item to the agenda for a future meeting, or attend a meeting and ask that body to look at an issue when it is considering items of future business.

Can I observe meetings of the Full Council?

Yes, members of the public can come to observe meetings of the Full Council so long as they are being held in public.

Meetings of the Full Council are also broadcast live on the Council's website so you can watch them in real time remotely if you wish to do so.

The public will only be excluded from meetings whenever it is likely that confidential information would be disclosed to them if they were able to attend. The Council may also exclude the public from a meeting, or part of a meeting, where exempt information would be disclosed. Exempt information includes information that relates to a particular individual or their financial or business affairs, information that is legally privileged or information relating to the prevention, investigation or prosecution of a crime, or other information specified in the constitution.

If you interrupt a meeting of the Council, then you are likely to be warned by the Mayor about causing a disturbance. If you continue to disturb the meeting, then you may be removed.

-  The rules around excluding the public from meetings are set out in sections 15.10 of the constitution.
-  The Council's obligations to broadcast meetings of the Council are set out in section 4.32 of the constitution.
-  The rules around disturbance by members of the public are set out in section 4.30 of the constitution.

Can I observe other meetings?

Yes, members of the public can come to observe any meeting which the Council has resolved should be held in public.

-  Your right to attend meetings of the Council's Cabinet, the council's committees and other bodies are described in section 15.3 of the constitution.

Can I speak at a meeting?

Members of the public can speak at any meeting which the Council has resolved should include participation by members of the public.

Can I ask a question at a meeting?

You can ask formal questions of members of the Cabinet at meetings of the Full Council.

However, you may only ask a question if you have given the designated officer (also called the “proper officer”), who is often the Monitoring Officer notice in writing (including by email) that you wish to raise a question in advance of the meeting taking place.

You may only ask one question, but if you cannot attend the meeting then you may nominate someone to attend the meeting and ask the question on your behalf.

Time for questions is limited, and questions are permitted in the order in which they were notified to the proper officer, who is often the Monitoring Officer. If time for questions runs out before you are able to ask your question, then you will be provided with a written answer to your question instead.

 You can read more about asking a question in section 4.18 of the constitution.

How can I find out what the Council decided?

The Council publishes the agenda, reports and the minutes of meetings once they have been agreed. These papers are available for inspection by the public for a minimum of six years from the date of the meeting. The background papers are available to the public for at least four years. You may also be able to view webcast recordings of many meetings.

The Council also has arrangements in place for publishing written records of decisions taken by the Cabinet and the Council’s committees and other bodies.

 You can read about the Council’s arrangements for publishing minutes of meetings in section 15.7 of the constitution.

 You can read about the Council’s arrangements for publishing a written record of decisions taken by the Cabinet, the Council’s committees and individual members of the Cabinet in section 15.15 of the constitution.

 You can read meeting minutes, reports and agendas on the Council’s website.

Can I view the Council’s accounts to understand how my council tax is spent?

Yes. The Council is required to publish its accounts and to make them available for inspection by the public. You may raise questions of concerns about the Council’s accounts with the Council or with the Council’s external auditor.

 You can find out more about how to view and comment on the Council’s accounts in sections 3.1.1 of the constitution.

Appendix 3**A GUIDE TO THE CONSTITUTION OF BRIDGEND COUNTY BOROUGH COUNCIL**

CONTENTS	WHAT IT DOES....
SECTION 1 – Introduction	This sets the scene for what the Constitution is, and how it operates. It contains brief notes about the Constitution and how the Council operates.
SECTION 2 – Purpose, Definition, Interpretation and Amendment of the Constitution	Establishes the primacy of the Constitution, and sets out its purpose.
SECTION 3 – Getting information and Getting involved	Sets out how citizens of Bridgend can interact with the Council.
SECTION 4 – Full Council	Defines the roles and decisions which are reserved to Full Council, and the types of meetings Council can have.
SECTIONS 5 AND 6 – Cabinet and the Leader	Defines the role of the Executive, its decision making powers, and deals with appointments to, and removal from, the Executive.
SECTION 7 – Overview and Scrutiny Committees	Defines the scope and work of the Overview and Scrutiny committees.
SECTION 8 – Standards Committee	Defines the scope and work of the Standards Committee, and sets out its composition and terms of reference.
SECTION 9 – Regulatory Committees	Allows the Council to establish other committees.

SECTIONS 10 AND 11 – Joint Committees and Corporate Joint Committees	Allows the Council to form joint arrangements with other authorities or other bodies.
SECTION 12 – Officers	Establishes the primacy of the Chief Executive, and defines the roles and responsibilities of the Monitoring Officer and Chief Finance Officer. Provides the Senior Management Structure. Establishes the rules for the recruitment and dismissal of officers.
SECTION 13 – Finance, Contracts and Legal Matters	Establishes the basis for the Council’s Standing Orders and the execution of documents.
SECTION 14 – Responsibility for Functions	Sets the parameters for, and principles of, decision making in the Council and provides guidance on the types of decisions to be recorded under Regulations.
SECTION 15 – Access to Information Rules	Establishes the rules for the publication or withholding of information.
SECTION 16 – Budget and Policy Framework Procedure Rules	Establishes the rules for the annual budget setting process, and for in-year changes to the budget.
SECTION 17 – Financial Procedure Rules	Incorporates the Bridgend County Borough Council Financial Procedure Rules as part of the Constitution.
SECTION 18 – Contract Procedure Rules	Incorporates the Bridgend County Borough Council Contract Procedure Rules as part of the Constitution.
SECTION 19 – Code of Conduct for Members	Sets the standards for Member conduct towards Citizens, Officers and Members.
SECTION 20 – Officers’ Code of Conduct	Sets the standards for Officer conduct and neutrality, and limits on outside working.
SECTION 21 – Protocol on Member / Officer Relations	Provides guidance on the interaction between Members and Officers, and their respective roles.

SECTION 22 – Member Role Descriptions

Sets out role descriptions and person specifications.

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Democratic Services Committee Working Group

This appendix summarises the issues identified through discussions from the Working Group and sets out a series of recommendations arising from the Group for consideration by Cabinet and Council as a means of improving the Council's good governance regime.

Section 2

2.1.5 – “The purpose of the Constitution is to create a powerful and effective means of holding decision makers to public account”.

A Member of the Group wished to make this more explicit, by what means are decision makers held to account.

Section 3

Getting Information and Getting Involved.

The Group queried how the public can get more involved without having to look in the constitution. The Group Manager Legal and Democratic Services advised that under the new legislation the Council is required to have a Public Participation Strategy. Members welcomed this and asked for it to come to the Democratic Services Committee as a future item. It was suggested that social media is also used to make the public aware of the constitution guide / read easy avenues and public involvement.

Section 4

A query was raised regarding 4.6.12 and appointing representatives to outside bodies. The Group Manager advised that a report was presented to Cabinet following the Annual Meeting outlining the representatives appointed to outside bodies.

Clarification was sought in relation to 4.6.18 “*considering Chief Executive reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021*”. The Group Manager advised that this relates to the Council's arrangements in relation to financial planning, asset management, risk management and staffing.

4.23 State of the County Borough Debate: following clarification from the Group Manager it was confirmed that such debates will continue.

Section 5

5.13 – Job Sharing by Executive Leaders and Executive Members.

The Group queried whether both Members can then attend meetings. The Group Manager advised that where any meeting is attended by more than one of the members who share the same office, they together count only as one person for the purpose of determining whether the meeting is quorate and they will have one vote between them on any matter which they have a right to vote.

Proposed amendments to the draft constitution

4.31 – Filming and Use of Social Media During Meetings

Members expressed concern regarding the use of filming and social media during committee meetings. It was felt that there was no reason to film during a meeting as the proceedings

are now available via webcast or streamlined live in the case of full Council. They proposed that 4.31 therefore be amended as follows:

Draft constitution	Proposed wording
“Filming and the use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting”.	“Filming is not permitted and the use of social media is discouraged during meetings to ensure there is no disturbance to the conduct of the meeting”.

4.19 Questions by Members

Supplementary Question

The Group noted that the draft constitution only allows one supplementary question from the Member asking a question. It was proposed that any one other Member should be allowed to ask one supplementary question without notice arising directly out of the original question or reply and the Mayor will invite the questioner.

It is proposed that an insertion be added at 4.19.9 as follows:

Draft constitution	Proposed wording
“A member asking a question under Rule 4.19.2 or 4.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply”.	“A member asking a question under Rule 4.19.2 or 4.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. Any one Member may ask one supplementary question without notice, of the Member to whom the first question was asked”.

4.19.6 Order of Questions

The Group expressed concerns regarding the current arrangements where questions are asked in the order notice of them was received and considered whether efficiencies could be made. The Group were committed to ensuring fairness and inclusivity were at the forefront in the process and noted the research undertaken by the Democratic Services Manager into the submission of Questions on Notice amongst neighbouring local authorities and practices varying.

The Group proposed that the allocation should be based on political balance calculations but a point of ambiguity was noted that solo Independent councillors who do not sit in a political group recognised by Council would be excluded and then not entitled to ask questions. It was therefore recommended that solo Independent Members also be allocated a question.

It is proposed that 4.19.6 be amended to:

Draft constitution	Proposed wording
<p>“Questions of which notice has been given under Rule 4.19.2 or 4.19.3 will be listed on the agenda in the order determined by the Mayor of the Council, committee or sub-committee”.</p>	<p>“Questions of which notice has been given under Rule 4.19.2 or 4.19.3 will be listed on the agenda in order of political groups in proportion to their representation on the Council followed by those Members who are not members of any political group recognised by the Council.</p> <p><i>In the first round, each political group shall be entitled to ask one question. Any Members who are not members of a political group recognised by the Council shall be entitled to ask one question each (in the order notice of them was received).</i></p> <p><i>This order will continue for subsequent rounds”.</i></p>

4.19.8 Response

The Working Group requested that replies to written Questions remain and be sent electronically to Members the day prior to the meeting of full Council to give Members sufficient time to prepare supplementary questions. The replies are then recorded in the minutes of that Council meeting so that members of the public have access to the reply.

The Group therefore proposed that 4.19.8 be amended to reflect the current Constitution:

Draft constitution	Proposed wording
<p>“ An answer may take the form of:</p> <ul style="list-style-type: none"> (a) a direct oral answer at the meeting; (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or (c) where the reply cannot conveniently be given orally, a written answer circulated within ten working days to the questioner”. 	<p><i>“A written answer to the question shall be made available by 5:00pm the day before the meeting and shall be made available to the public. The written answer may be read out in the order under Rule 4.19.6”.</i></p>

Constitution Guide

The Group welcomed the Guide as it provides an overview of the Constitution and explains key sections in clear and simple language. The Group recommended that it should also be posted on social media with the aim of making it easier for members of the public to understand how local government functions.

Minor “cosmetic” amendments were proposed to the Guide:

Page 11

- Outside bodies – worth cross referencing 4.10.2 to show the list of outside bodies.
- Make mention of the Modern Gov app / website as a way of accessing meeting papers.

Page 13

- Reiterate use of Modern Gov as a tool for accessing minutes etc.

Page 14

- Make mention of the various Cabinet Committees (e.g. Corporate Parenting).

Page 16

- Brief outline of which subject areas each Overview and Scrutiny Committee covers.

Page 18

- Brief explanation of the difference between the Licensing Committee and the Licensing Act 2003 Committee.

Page 19

- Brief mention of the Appointments Committee, Town and Community Council Forum and Appeals Panel.

Page 25

- Worth clarifying that Assistants to the Executive have to be serving councillors themselves.

Page 36

- Further detail about how members of the public can directly ask a committee / Council to look into a particular issue, and also being able to do so through their local councillor, or any other councillor.

Page 37

- List those meetings which allow members of the public to speak (e.g. Development Control Committee), and how they should go about arranging.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE MONITORING OFFICER

APPOINTMENT OF THE CHIEF EXECUTIVE'S APPRAISAL PANEL

1. Purpose of report

- 1.1 To approve the appointment of Members to a Panel responsible for the appraisal and performance review of the Chief Executive.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
 3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 On 19 May 2010 Council established an Appraisal Panel in order to conduct the annual appraisal and performance review of the Chief Executive.
- 3.2 A revision to the membership of the Appraisal Panel is required following the 2022 Local Government Elections to ensure that the Appraisal Panel reflects the political make-up of the Council and the involvement of all political groups.

4. Current situation/proposal

4.1 It is proposed that appointments to this Panel be made in preparation for the appraisal and performance review of the Chief Executive, which is proposed to be held on 3 November 2022 at 2.00pm.

4.2 It is proposed that the Panel is comprised of the following Members:

- The Leader
- The Deputy Leader
- A Labour Representative
- The Leader / Representative of Bridgend County Independents
- The Leader / Representative of Democratic Alliance Group

5. Effect upon policy framework and procedure rules

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

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for noting only, it is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 There are no financial implications.

9. Recommendations

9.1 It is recommended that Council appoints a Panel responsible for the appraisal and performance review of the Chief Executive comprising of the Members outlined at paragraph 4.2;

9.2 Note that the date of the meeting will be 3 November 2022 at 2.00pm.

Kelly Watson

CHIEF OFFICER, LEGAL AND REGULATORY SERVICES, HUMAN RESOURCES AND CORPORATE POLICY AND MONITORING OFFICER

October 2022

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Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE MONITORING OFFICER

REVIEW OF POLITICAL BALANCE – CHANGES TO COMMITTEE MEMBERSHIP

1. Purpose of report

1.1 The purpose of this report is to:

- advise Council of the outcome of the adjusted political balance of the Authority resulting from Councillor Steven Easterbrook being elected at the recent by-election in the Bridgend Central Ward;
- seek approval of the revised political balance;
- approve the allocation of seats to political groups in accordance with political balance rules, as set out in the Appendix to the report and approve the changes to the membership of the Committees as outlined in paragraph 4.1 of this report.

2. Connection to corporate well-being objectives / other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

3.1 The Council is required by legislation and the provisions of Part 4 of the Rules of Procedure (Council Procedure Rules) of the Constitution, to undertake arrangements which will continue to facilitate and carry out the decision-making processes of the Authority. On 18 May 2022, at its Annual Meeting, Council approved the political balance and made appointments to Committees to reflect the political make-up of the Authority at that time.

3.2 There has been a recent change to the membership of political groups, whereby Councillor Steven Easterbrook (Bridgend County Independents) was elected in the recent by-election for the Bridgend Central Ward.

3.3 The change outlined in paragraph 3.2 above, has therefore affected the overall political balance on Committees.

4. Current situation/proposal

4.1 In view of paragraph 3.3 above, the following changes to Committee memberships is required, in accordance with a provision of the Local Government Act 1972:-

- 1. Town and Community Council Forum – Democratic Alliance Group to lose a seat, Bridgend County Independents to gain a seat.**
- 2. Development Control Committee – An Independent Member to lose a seat, Bridgend County Independents to gain a seat.**

4.2 Following the review of political balance, the membership of committees has been updated to reflect the composition of Council accordingly. The updated political balance figures taking into account the above are shown within the attached Appendix to the report.

4.3 The Group Leaders of the Bridgend County Independents and the Democratic Alliance together with Councillor Aspey, have been consulted on these changes and are in agreement with them. Both the above Group Leaders have also been asked to announce at the meeting of Council on 19 October 2022, the changes required as detailed in paragraph 4.1.

5. Effect upon policy framework and procedure rules

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

6. Equality Impact 2010 Implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

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

8. Financial Implications

8.1 There are no financial implications arising from this report.

9. Recommendations

9.1 That Council:-

- (1) Notes the outcome of the revised political balance of the Authority resulting from changes to the membership of political groups following the recent election of Councillor Steven Easterbrook at the by-election in the Bridgend Central Ward;
- (2) Approves the revised political balance (of the Council);
- (3) Approves the revised allocation of seats to political groups and in respect of Councillor Aspey in accordance with political balance rules as set out in the Appendix to this report and the resulting recommended changes to the membership of the Committees, as outlined in paragraph 4.1 of the report.

K Watson
Chief Officer Legal, HR and Corporate Policy and Monitoring Officer
October 2022

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Background documents: None.

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Committee	Total	Labour			Bridgend County Independents			Democratic Alliance			Conservative		
		No	%	Change	No	%	Change	No	%	Change	No	%	Change
Appeals	12	6	50.00		3	25.00		2	16.67			0.00	
Appointments Committee	8	4	50.00		2	25.00		2	25.00			0.00	
Governance and Audit Committee	8	4	50.00		2	25.00		2	25.00			0.00	
Democratic Services Committee	11	5	45.45		3	27.27		1	9.09			0.00	
Development Control Committee	18	9	50.00		5	27.78	+1	3	16.67		1	5.56	
Licensing Committee & Act 2003 Committee	14	7	50.00		3	21.43		2	14.29		1	7.14	
Town & Community Council Forum	19	10	52.63		5	26.32	+1	2	10.53	-1		0.00	
Scrutiny 1	12	6	50.00		3	25.00		2	16.67			0.00	
Scrutiny 2	12	6	50.00		3	25.00		2	16.67			0.00	
Scrutiny 3	12	6	50.00		3	25.00		2	16.67		1	8.33	
Corporate	12	7	58.33		3	25.00		2	16.67			0.00	
Totals	138	70	50.72		35	25.36		22	15.94		3	2.17	
Councillors	51	26	50.98		13	25.49		8	15.69		1	1.96	
Variation as %			-0.26			-0.13			0.26			0.21	
Variation as Seats(1% = 1.66 seats)	1.66		-0.15			-0.08			0.15			0.13	

Committee	Total	Independent			Independent			Independent		
		JH Tildesley			S Aspey			R Smith		
		No	%	Change	No	%	Change	No	%	Change
Appeals	12	1	8.33			0.00			0.00	
Appointments Committee	8		0.00			0.00			0.00	
Governance and Audit Committee	8		0.00			0.00			0.00	
Democratic Services Committee	11		0.00		1	9.09		1	9.09	
Development Control Committee	18		0.00			0.00	-1		0.00	
Licensing Committee & Act 2003 Committee	14		0.00			0.00		1	7.14	
Town & Community Council Forum	19	1	5.26			0.00		1	5.26	
Scrutiny 1	12	1	8.33			0.00			0.00	
Scrutiny 2	12		0.00		1	8.33			0.00	
Scrutiny 3	12		0.00			0.00			0.00	
Corporate	12		0.00			0.00			0.00	
Totals	138	3	2.17		2	1.45		3	2.17	
Councillors	51	1	1.96		1	1.96		1	1.96	
Variation as %			0.21			-0.51			0.21	
Variation as Seats(1% = 1.66 seats)	1.66		0.13			-0.31			0.13	

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF OFFICER - LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY

INFORMATION REPORT FOR NOTING

1. Purpose of report

- 1.1 The purpose of this report is to inform Council of the Information Report for noting that has been published since its last scheduled meeting.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-

- **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 At a previous meeting of Council, it was resolved to approve a revised procedure for the presentation to Council of Information Reports for noting.

4. Current situation/proposal

4.1 Information Report

The following Information Report has been published since the last meeting of Council:-

<u>Title</u>	<u>Date Published</u>
Urgent Delegated Decisions	13 October 2022

4.2 Availability of Document

The document has been circulated to Elected Members electronically via Email and placed on the Bridgend County Borough Council website. The document is available from the above date of publication.

5. Effect upon policy framework and procedure rules

- 5.1 This procedure has been adopted within the procedure rules of the Constitution.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

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

8. Financial implications

8.1 There are no financial implications regarding this report.

9. Recommendation

9.1 That Council acknowledges the publication of the document listed in this report.

K Watson

Chief Officer Legal and Regulatory Services, HR and Corporate Policy

October 2022

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Background documents: None.

BRIDGEND COUNTY BOROUGH COUNCIL

INFORMATION REPORT TO COUNCIL

19 OCTOBER 2022

REPORT OF THE CHIEF OFFICER - LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY

URGENT DELEGATED DECISIONS

1. Purpose of report

- 1.1 The purpose of this report is to report to Council delegated decisions executed as a matter of urgency under Scheme A 1.1 of the Scheme of Delegation of Functions.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
 3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 Decisions taken as a matter of urgency must be reported to Council in accordance with Paragraph 19 of the Overview & Scrutiny Procedure Rules which are to be found at Part 4 of the Constitution.

4. Current situation/proposal

- 4.1 The urgent decisions taken and therefore by-passing the call-in procedure (as set out in paragraph 18 of Part 4 Rules of Procedure within the Constitution), are summarised below:-

Scheme A 1.1

CMM-TE-22-061 – Agree principles of a Joint Working Agreement (JWA) with Monmouthshire County Council and to enter into the JWA, in relation to the extension of the Bus Emergency Scheme, to continue funding to bus operators.

CMM-PS-21-135 – In order to purchase land at Brackla Industrial Estate for Council use.

CMM-ED-22-080 – To secure funding for Electric Vehicle (EV) Charger Installations so that Bridgend County Borough Council can pursue de-carbonising its fleet.

5. Effect upon policy framework and procedure rules

5.1 This report has no effect on the Council's policy framework and procedure rules.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

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

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

8. Financial implications

8.1 There are no financial implications relating to the report.

9. Recommendation

9.1 It is recommended that Council notes the report.

K Watson

Chief Officer - Legal and Regulatory Services, HR and Corporate Policy & Monitoring Officer

October 2022

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Senior Democratic Services Officer - Committees

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Background documents: The Council's Scheme of Delegation (of Functions)

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