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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

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Annwyl Cyngorydd,

#### **CABINET**

Cynhelir Cyfarfod Cabinet yn Siambr Cyngor, Swyddfeydd Dinesig, Stryd Yr Angel, Penybont Ar Ogwr yn O Bell trwy Timau Microsoft ar **Dydd Mawrth, 15 Tachwedd 2022 am 14:30.**

#### **AGENDA**

1. Ymddiheuriadau am absenoldeb  
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant  
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 28  
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 18/10/2022
4. Gwasanaeth Eiriolaeth Rhanbarthol ac Ymweld Annibynnol i Blant a Phobl Ifanc 29 - 32
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19.	<u>Materion Brys</u> I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â pharagraff 2.4 (e) o'r Rheolau Trefn y Cabinet yn y Cyfansoddiad.	

Nodyn: Bydd y cyfarfod cael ei recordio i'w drosglwyddo drwy wefan y Cyngor. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk) neu ffoniwch 01656 643147 / 643148.

Yn ddiffuant

**K Watson**

Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol

#### **Dosbarthiad:**

Cynghowrwyr  
JC Spanswick  
N Farr  
W R Goode

Cynghorwyr  
J Gebbie  
HJ David  
HM Williams

Cynghorwyr  
JPD Blundell

CABINET - DYDD MAWRTH, 18 HYDREF 2022

COFNODION CYFARFOD Y CABINET A GYNHALIWDYD O BELL TRWY TIMAU  
MICROSOFT/YN CYNGOR SIAMBR, SWYDDFEYDD DINESI DYDD MAWRTH, 18 HYDREF  
2022, AM 14:30

## Presennol

Y Cyngorydd HJ David – Cadeirydd

JC Spanswick  
JPD Blundell

N Farr

J Gebbie

HM Williams

## Ymddiheuriadau am Absenoldeb

W R Goode

## Swyddogion:

Carys Lord	Prif Swyddog - Cyllid, Perfformiad a Newid
Claire Marchant	Cyfarwyddwr Corfforaethol - Gwasanaethau Cymdeithasol a Lles
Janine Nightingale	Cyfarwyddwr Corfforaethol - Cymunedau
Kelly Watson	Prif Swyddog – Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio
Julie Ellams	Swyddog Gwasanaethau Democrataidd - Pwyllgorau
Mark Shephard	Prif Weithredwr
Mark Galvin	Uwch Swyddog Gwasanaethau Democrataidd - Pwyllgorau
Lindsay Harvey	Cyfarwyddwr Corfforaethol – Addysg a Chymorth i Deuluoedd
Michael Pitman	Swyddog Gwasanaethau Democrataidd – Pwyllgorau

## 38. DATGAN BUDDIANT

Dim

## 39. CYMERADWYO'R COFNODION

### PENDERFYNWYD:

Cymeradwyo bod cofnodion cyfarfod y Cabinet a gynhaliwyd ar 19 Gorffennaf 2022 yn gywir.

## 40. ADFYWIO GLANNAU PORTHCRAWL: NEILLTUO TIR YM MHARC GRIFFIN A SANDY BAY

Cyflwynodd y Cyfarwyddwr Corfforaethol Cymunedau adroddiad yn hysbysu'r Cabinet ynghylch y sylwadau a gafwyd mewn ymateb i'r hysbyseb am y bwriad i neilltuo tir ym Mharc Griffin a Sandy Bay i gefnogi Cynllun Adfywio Glannau Porthcawl. Gofynnodd y Cyfarwyddwr Corfforaethol Cymunedau hefyd i'r Cabinet ystyried y sylwadau a gafwyd o ganlyniad i'r hysbysiadau cyhoeddus ac ymatebion y swyddogion i'r sylwadau hynny, ac i'r Cabinet roi cymeradwyaeth i fwrw ymlaen â'r gwaith o neilltuo tir ym Mharc Griffin a Sandy Bay i ddibenion cynllunio, fel yr oedd wedi'i amlinellu'n goch ar y Cynllun Neilltuo, er mwyn hwyluso cyflawniad Cynllun Adfywio Glannau Porthcawl.

Eglurodd y Cyfarwyddwr Corfforaethol Cymunedau gefndir y cynigion gan gynnwys manylion yr ymgynghoriadau a gynhaliwyd. Amlinellodd y tir i'w neilltuo a'r broses o neilltuo, a thrafod angen y cyhoedd am y defnydd presennol a'r defnydd cynllunio arfaethedig. Eglurodd sut yr aethpwyd ati i hysbysebu'r bwriad i neilltuo'r tir, ac amlinellodd y sylwadau a gafwyd a sylwadau'r swyddogion mewn ymateb i'r materion a godwyd. Eglurodd y byddai angen ystyried yr holl ystyriaethau ariannol fesul prosiect, ac y byddai adroddiadau pellach yn cael eu dwyn yn ôl i'r Cabinet a/neu'r Cyngor mewn

cysylltiad ag unrhyw gynllun yn y dyfodol i waredu/neu ddatblygu'r tir a fyddai'n cael ei neilltuo a'r ardal adfywio ehangach.

Diolchodd yr Aelod Cabinet Cymunedau i'r Cyfarwyddwr Corfforaethol a'r swyddogion am yr adroddiad ac am esbonio'r broses. Ychwanegodd fod ymweliad wedi cael ei gynnal â'r safle dan sylw yn ddiweddar, gyda Chynghorwyr eraill a swyddogion Nid oedd hyn golygu lleihau'r man agored a cholli Parc Griffin ond, yn hytrach, creu estyniad i ddyblu'r hyn a oedd yno'n bresennol. Roedd yr ardal ochr yn ochr â Maes Parcio Hi Tide, yr hen Monster Park, yn adnodd nad oedd yn cael ei gynnal ar hyn o bryd. Byddai'r ardal honno'n datblygu i fod yn rhan o Barc Griffin, ac o gymorth i gydymffurfio â Deddf Llesiant Cenedlaethau'r Dyfodol. Roedd rhai mân newidiadau i'r cynlluniau gwreiddiol, ac un o'r newidiadau hynny oedd creu llwybr hir llinol ar hyd Llyn Halen, a oedd mor hir a 2 gae pêl droed. Ychwanegodd ei fod yn edrych ymlaen i weld y canlyniad terfynol.

Eiliodd y Dirprwy Arweinydd yr adroddiad ac ychwanegodd ei bod yn edrych ymlaen i weld cynlluniau manylach. Nid oedd yn deall peth o'r data technegol yn y cyfoeth o wybodaeth a oedd yn cael ei ddarparu i'r Aelodau Cabinet, a chan aelodau o'r cyhoedd a oedd yn gwrthwynebu neilltuo'r tir. Roedd hi'n falch o allu cymryd rhan yn y daith gerdded ac o allu dychmygu'r ardal. Ar ôl cael negeseuon e-bost a oedd yn gwrthwynebu'r cynlluniau yn unig, roedd hi'n falch o weld bod rhai preswylwyr yn eu cefnogi. Roedd Porthcawl yn edrych yn arbennig o flêr, ac nid oedd rhyw lawer o arian wedi cael ei fuddsoddi yno ers blyneddau lawer, felly i sicrhau bod Porthcawl yn parhau i fod yn gyrchfan i ymwelwyr, ac i sicrhau hyfywedd Porthcawl ym mhob tywydd am flynyddoedd i ddod, roedd y cynnig hwn yn wirioneddol dda.

Ychwanegodd yr Arweinydd fod hyn yn rhan o gyfres o ddatblygiadau ym Mhorthcawl a bod y gwaith ar Bromenâd y Dwyrain eisoes wedi cael effaith gadarnhaol ar ymddangosiad yr ardal.

Diolchodd yr Aelod Cabinet ar gyfer Adnoddau i'r Cyfarwyddwr Corfforaethol am y cyflwyniad maith a chynhwysfawr. Roedd yn cydnabod y negeseuon e-bost niferus a oedd wedi dod i law yn gwrthwynebu'r cynigion, ac ychwanegodd nad oedd wedi darllen unrhyw beth yn y negeseuon hynny a fyddai'n effeithio ar ei benderfyniad. Gofynnodd am eglurhad ynghylch y gwahaniaeth rhwng yr awdurdod lleol fel tîrffeddiannwr a'r Awdurdod Cynllunio Lleol. Gofynnodd hefyd a oedd unrhyw hawl i apelio yn erbyn y penderfyniad y byddent yn ei wneud. Atebodd y Cyfarwyddwr Corfforaethol Cymunedau, yn rhan o Ddeddf Llywodraeth Leol 1972, y gallent neilltuo tir fel Cyngor, ac nad oedd unrhyw hawl i apelio yn erbyn y penderfyniad hwnnw. O ran statws yr awdurdod fel tîrffeddiannwr ac Awdurdod Cynllunio Lleol, fel tîrffeddiannwr byddai'n ofynnol iddo sicrhau cymeradwyaeth ar gyfer cais cynllunio manwl, yn yr un modd ag unrhyw dirffeddiannwr arall.

Diolchodd yr Aelod Cabinet dros Adfywio i'r Cyfarwyddwr Corfforaethol a'i thîm am yr adroddiad. Roedd y cynllun gyffrous, gan fod lluo o gyfleoedd i breswylwyr lleol, o ran addewid am swyddi a gweithgareddau hamdden.

Gofynnodd yr Arweinydd am gadarnhad bod y cyd-destun cynllunio wedi'i sefydlu ar gyfer y ddau safle, nid yn unig yn y Cynllun Datblygu Lleol cyfredol hwn, ond hefyd yn y Cynllun Datblygu Unedol blaenorol. Cadarnhaodd y Cyfarwyddwr Cymunedau Corfforaethol fod hyn yn gywir.

Ychwanegodd yr Arweinydd ei fod yn ymwybodol eu bod wedi ymateb i'r ymgynghoriad cyhoeddus ar fannau agored cyhoeddus, a bod y llwybr glan môr llinellol yn ychwanegiad ac yn ganolbwynt i'r datblygiad. Cadarnhaodd fod sesiwn wedi'i threfnu ar gyfer y cadeiryddion craffu perthnasol a'u bod yn gwerthfawrogi'r diddordeb a'r mewnbwn gan yr aelodau lleol.



**PENDERFYNWYD:** Bod y Cabinet:

- wedi ystyried y sylwadau a gafwyd mewn ymateb i'r hysbyseb ynghylch y cynnig i neilltuo tir ym Mharc Griffin a Sandy Bay ac ymatebion y swyddogion i'r sylwadau hynny a nodir yn Atodiad 5.
- yn cymeradwyo neilltuo'r tir ym Mharc Griffin a Sandy Bay a amlinellir yn goch ar y Cynllun Neilltuo (Atodiad 1) i ddibenion cynllunio.

**41. GALW PENDERFYNIAD Y CABINET I MEWN: GWASANAETH AILGYLCHU A GWASTRAFF AR ÔL 2024**

Cyflwynodd Cadeirydd y Pwyllgor Trosolwg a Chraffu Corfforaethol (PTChC) ganfyddiadau ac argymhellion y PTChC gerbron y Cabinet, o'r cyfarfod a gynhaliwyd ar 30 Mehefin 2022, yn dilyn penderfyniad 4 Aelod Craffu i alw penderfyniad y Weithrediaeth i mewn yng nghyswllt: Y Gwasanaeth Ailgylchu a Gwastraff ar ôl 2024.

Ar ôl i'r Pwyllgor archwilio'r penderfyniad, a chynnal trafodaethau manwl â'r Aelod Cabinet dros Gymunedau a'r Swyddogion a wahoddwyd, penderfynodd y Pwyllgor na fyddai'r Penderfyniad yn cael ei gyfeirio'n ôl i'w ailystyried gan y Cabinet, ond gwnaeth yr Argymhellion canlynol i'r Cabinet:

- a) Os caiff y contract Gwastraff ei ystyried unrhyw bryd yn y dyfodol, y dylid cyflwyno hynny gerbron y Pwyllgor Trosolwg a Chraffu ar adeg briodol, fel bo modd craffu cyn gwneud penderfyniad a chynnig mewnbwn effeithiol i unrhyw benderfyniad a wneir. Gofynnodd y Pwyllgor i hyn gynnwys unrhyw gyngor arbenigol a gomisiynwyd ar gyfer model gwasanaeth gwastraff y dyfodol, cyn cyfeirio ymlaen i'r Cabinet, fel y crybwyllwyd ym mharagraff 9.5 o adroddiad y Cabinet;
- b) O hyn allan, bod ystyriaeth a thrafodaeth lawn ac agored ynghylch mesurau wrth gefn yn ogystal ag astudiaeth fanylach o opsiynau eraill posibl ar gyfer darparu'r gwasanaeth gwastraff;
- c) Bod yr opsiynau eraill a ystyriwyd wrth i'r Cabinet ddod i'r penderfyniad cyfredol i gael contract gwastraff byrdymor o 2024 hyd 2026, yn cael eu cyhoeddi i'r cyhoedd, er mwyn sicrhau proses cwbl agored a thryloyw.

Diolchodd yr Aelod Cabinet dros Gymunedau i'r Cadeirydd a'r Pwyllgor Craffu am gynnal trafodaeth a dadl agored ynghylch dyfodol y gwasanaeth. Roedd yn croesawu craffu cyn penderfynu - gallai hynny fod o gymorth i sicrhau penderfyniadau gwell yn y tymor hir.

Eglurodd y Dirprwy Arweinydd nad oedd yn anghytuno ag unrhyw beth a ddwedwyd, ac ychwanegodd y byddai angen i'r Cabinet fod yn fwy agored gyda'i gwestiynau. Yr oedd wedi gofyn y cwestiynau hynny, ond nid oedd wedi gwneud hynny mewn fforwm cyhoeddus.

Roedd yr Arweinydd yn croesawu mewnbwn y PTChC a'i drafodaethau cynhwysfawr, a fyddai'n ddefnyddiol ac yn sail iddynt adeiladu arni yng nghamau nesaf y datblygiad.

Cytunodd Cadeirydd y PTChC i fynegi diolch wrth aelodau'r pwyllgor.

**PENDERFYNWYD:**

Bod y Cabinet wedi ystyried argymhellion y Pwyllgor Trosolwg a Chraffu Corfforaethol, fel yr amlinellwyd ym mharagraff 4.1 yr adroddiad, ac yn cytuno i roi ymateb ysgrifenedig i'r Pwyllgor.

42. **CYNNIG I GYFLWYNO GWAHARDDIAD AR ROI ANIFEILIAID BYW FEL GWOBRAU AR DIR Y CYNGOR A THROSOLWG O WAITH I SICRHAU SAFONAU UCHEL O RAN IECHYD A LLES ANIFEILIAID AR DRAWS Y FWRDEISTREF SIROL**

Cyflwynodd Pennaeth y Cydwasanaethau Rheoleiddio adroddiad er mwyn cyflwyno gwaharddiad ar roi anifeiliaid byw fel gwobrau ar yr holl dir sy'n eiddo i Gyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr, a rhoddodd drosolwg i'r Cabinet o waith y Cydwasanaethau Rheoleiddio i sicrhau safonau uchel o ran iechyd a Lles Anifeiliaid ar draws y Fwrdeistref Sirol.

Amlinellodd Pennaeth y Cydwasanaethau Rheoleiddio gylch gwaith y tîm ac egluro bod y Gwasanaeth yn cydweithio'n agos â'r Gymdeithas Frenhinol er Atal Creulondeb i Anifeiliaid (RSPCA) a phartneriaid eraill i sicrhau'r canlyniadau gorau posibl i anifeiliaid, a hynny'n aml mewn amgylchiadau heriol. Roedd yr RSPCA yn cynnal ymgyrchoedd rheolaidd i godi ymwybyddiaeth ynghylch sefyllfa anifeiliaid. Un o'r ymgyrchoedd hynny a oedd wedi ennyn cryn ddiddordeb ymhlith y cyhoedd oedd y ffaith bod anifeiliaid, pysgod aur fel arfer, yn dal i gael eu rhoi i bobl fel gwobrau mewn ffeiriau a digwyddiadau eraill ar draws y wlad. Dim ond drwy newid yn y gyfraith y gellid sicrhau gwaharddiad llwyr ar yr arferiad, ond roedd yr RSPCA yn apelio ar i Gynghorau yng Nghymru wahardd rhoi anifeiliaid fel gwobrau ar unrhyw dir sy'n eiddo i'r Cyngor. Byddai hynny'n sicrhau na fyddai lles yr anifeiliaid hynny'n cael ei beryglu, yn codi ymwybyddiaeth y cyhoedd ynghylch y broblem ac yn arwain y ffordd i ddod â'r arferiad i ben. Drwy gyflwyno gwaharddiad, byddai'r Cyngor yn ymuno â nifer o awdurdodau lleol eraill yng Nghymru, gan gynnwys Caerffili, Casnewydd, Wrecsam a Bro Morgannwg, lle'r oedd rhoi anifeiliaid byw fel gwobrau ar dir sy'n eiddo i'r cyhoedd wedi'i wahardd.

Diolchodd yr Aelod Cabinet dros Addysg i Bennaeth y Cydwasanaethau Rheoleiddio a'i thîm am y gwaith yr oeddent wedi'i wneud. Roedd nifer o breswylwyr wedi cysylltu ag ef ynglŷn â hyn ac roedd yn falch o weld y cynnig yn cael ei gyflwyno.

Awgrymodd y Dirprwy Arweinydd y dylid cynnwys amod ychwanegol, sef ein bod ni fel Cyngor yn sicrhau bod ein preswylwyr yn deall mai nhw sy'n gyfrifol am blismona hyn, a bod angen ymateb fel cymuned gyfan i'r broblem.

Cytunodd y Cabinet i dderbyn yr amod ychwanegol.

**PENDERFYNWYD:** Bod y Cabinet:

- Yn nodi gwaith y Cydwasanaethau Rheoleiddio i sicrhau safonau uchel o ran iechyd a lles anifeiliaid yn cael eu cynnal ar draws y fwrdeistref sirol.
- Yn nodi ac yn cefnogi ymgyrch yr RSPCA i wahardd yr arferiad o roi anifeiliaid byw fel gwobrau.
- Yn cymeradwyo cyflwyno gwaharddiad ar roi anifeiliaid byw fel gwobrau ar yr holl dir sy'n eiddo i Gyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr.
- Yn cytuno y dylid sicrhau bod preswylwyr yn cael gwybod ei bod hi'n ddyletswydd arnyn nhw i blismona'r gwaharddiad, a bod angen ymateb fel cymuned gyfan.

43. **ADRODDIAD BLYNYDDOL Y CYDWASANAETHAU RHEOLEIDDIO 2021-22**

Cyflwynodd Pennaeth y Cydwasanaethau Rheoleiddio Adroddiad Blynyddol y Cydwasanaethau Rheoleiddio ar gyfer 2021-22 i'w nodi. Esboniodd gefndir y Cytundeb Cydweithio a oedd yn sail i waith y Cydwasanaethau Rheoleiddio a Phwyllgor y Cydwasanaethau Rheoleiddio. Yn unol â'r Cytundeb Cydweithio, roedd yn ofynnol i'r

Cydwasanaethau lunio Adroddiad Blynyddol a oedd yn trafod perfformiad gweithredol ac ariannol y gwasanaeth yn y flwyddyn gynt. Roedd Adroddiad Blynyddol y Cydwasanaethau Rheoleiddio ar gyfer 2021-2022 yn edrych yn ôl ar y seithfed flwyddyn yng ngweithrediad y Cydwasanaeth. Roedd yn amlinellu perfformiad yn ystod blwyddyn ariannol 2021-22, y cynnydd a wnaed wrth gyflawni'r amcanion a nodwyd yng Nghynllun Busnes y Cydwasanaethau Rheoleiddio, a chrynodeb o'r cyfrif refeniw a'r datganiad o wariant cyfalaf.

Amlinellodd Pennaeth y Cydwasanaethau Rheoleiddio yr agweddau allweddol ar berfformiad gweithredol ar draws y rhanbarth, ac yn benodol yng Nghyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr.

Cynigiodd y Dirprwy Arweinydd i nodi'r adroddiad, ac ychwanegodd ei bod yn falch o gael gwybod yn uniongyrchol am waith a gyflawnwyd gan gydweithwyr y Cydwasanaethau Rheoleiddio. Roedd un o phreswylwyr ei hardal yn un o'r rhai yr effeithiwyd arno gan adeiladwr. Nid oedd y preswylwyr yn gwybod bod hyn ar gael iddynt, a dylid gwneud mwy i'w hyrwyddo er mwyn amddiffyn preswylwyr. Roedd hi'n debygol y byddai hyn yn effeithio ar nifer cynyddol o bobl sy'n agored i niwed o hyn ymlaen, yn enwedig wrth iddynt geisio arbed costau drwy ddefnyddio masnachwyr twyllodrus.

Cadarnhaodd yr Arweinydd y byddai adroddiad dilynol yn cael ei gyflwyno i'r Cabinet i'w hysbysu ynghylch y cynnydd diweddaraf a gwneud penderfyniadau ynghylch y camau nesaf yn gysylltiedig â'r parth gweithredu ynghylch ansawdd yr aer. Cyfeiriodd at y defnydd o'r ap sŵn, sef menter newydd a oedd yn mynd o nerth i nerth. Roedd yn galluogi preswylwyr i recordio sŵn - technoleg a oedd yn cael ei chroesawu.

**PENDERFYNWYD:** Bod y Cabinet yn nodi Adroddiad Blynyddol y Cydwasanaethau Rheoleiddio ar gyfer 2021-22.

#### **44. HUNANASESIAD CORFFORAETHOL**

Cyflwynodd y Prif Weithredwr adroddiad yn rhoi'r wybodaeth ddiweddaraf am hunanasesiad corfforaethol y Cyngor, fel sy'n ofynnol yn Neddf Llywodraeth Leol ac Etholiadau (Cymru) 2021, ac yn gofyn am gymeradwyaeth y Cabinet ar gyfer yr adroddiad hunanasesu a oedd ynghlwm yn Atodiad 1, i'w gyflwyno i'r Cyngor i'w gymeradwyo ar 19 Hydref 2022.

Eglurodd y Prif Weithredwr fod y broses a adroddwyd gerbron y Pwyllgor Llywodraethu ac Archwilio ym mis Mehefin, ac a gyflwynwyd i aelodau'r panel Asesu Perfformiad Corfforaethol ym mis Mehefin a Gorffennaf, bellach wedi'i chwblhau. Roedd y canfyddiadau a'r dyfarniadau wedi'u cydgasglu mewn un adroddiad syml, hygyrch. Yn unol â chanllawiau Llywodraeth Cymru (LIC) a Chymdeithas Llywodraeth Leol Cymru (CLILC), roedd yr adroddiad hunanasesu a'r asesiad llesiant blynyddol wedi'u cyfuno i greu un ddogfen a oedd wedi'i chynnwys yn Atodiad 1. Hon oedd blwyddyn gyntaf y broses hunanasesu ac wrth iddynt symud ymlaen byddai'n esblygu ac yn gwella. Hon oedd blwyddyn olaf y Cynllun Corfforaethol cyfredol a gallai cyfle godi i ddiweddarau rhai o'r amcanion llesiant yn y dyfodol.

Diolchodd y Dirprwy Arweinydd i'r Rheolwr Polisi Corfforaethol a Materion Cyhoeddus am fynd â'r Cabinet drwy'r ddogfen. Roedd hon yn broses wahanol a dylai fod yn haws i'r preswylwyr ei deall.

Cytunodd yr Arweinydd y byddai lle i wella yn y dyfodol. Roeddent wedi edrych ar yr hyn yr oedd awdurdodau eraill yn ei wneud a byddent yn adrodd yn ôl ar arfer da. Byddai

cyfnod hwy o ymgysylltu yn y dyfodol. Ychwanegodd mai hunanasesiad ar adeg benodol oedd hwn, sef Mawrth 2022, ac y gallai llawer ddigwydd mewn ychydig fisoedd.

**PENDERFYNWYD:** Bod y Cabinet yn cefnogir adroddiad hunanasesu corfforaethol 2021-22 a oedd wedi'i gynnwys yn Atodiad 1, i'w gyflwyno i'r Cyngor i'w cymeradwyo ar 19 Hydref 2022.

**45. ADOLYGU TARGEDAU'R CYNLLUN CORFFORAETHOL AR GYFER 2022-23**

Cyflwynodd y Prif Weithredwr adroddiad yn gofyn i'r Cabinet gymeradwyo'r newidiadau arfaethedig i dargedau'r Cynllun Corfforaethol ar gyfer 2022-23 fel yr amlinellwyd yn Atodiad A yr adroddiad, cyn eu cyflwyno i'r Cyngor i'w cymeradwyo ar 19 Hydref 2022.

Yn rhan o'r broses gymeradwyo ar gyfer y Cynllun Corfforaethol ar ei newydd wedd, esboniodd y Prif Weithredwr fod y Cyngor yn y cyfnod adfer ar ôl COVID-19, a bod cydnabyddiaeth o'r ffaith bod hynny'n dal i effeithio ar y cylch cynllunio, gan ei gwneud hi'n fwy heriol gosod targedau ar gyfer 2022-23 mewn rhai achosion. Cytunodd y Cyngor fod angen dull hyblyg o osod targedau'r cynllun corfforaethol er mwyn sicrhau bod y broses o gynllunio busnes yn gadarn ac effeithiol. Eglurodd fod atodiad A yr adroddiad yn nodi'r newidiadau arfaethedig i dargedau'r Cynllun Corfforaethol, a phe baent yn cael eu cefnogi gan y Cabinet a'u cymeradwyo gan y Cyngor, byddent yn cael eu cyhoeddi ar ffurf atodiad i'r Cynllun Corfforaethol cyfredol.

Cefnogodd y Dirprwy Arweinydd yr adroddiad a gofynnodd i'r Cyfarwyddwr Gwasanaethau Cymdeithasol am rywfaint o esboniad ynghylch pam bod targedau wedi'u gostwng, yn enwedig mewn ymateb i'r tîm adnoddau cymunedol. O ran y tîm adnoddau cymunedol, atebodd Cyfarwyddwr y Gwasanaethau Cymdeithasol drwy ddweud bod gweithgarwch wedi gostwng yn ystod COVID, ac mai canlyniad hynny oedd gostyngiad yng nghanran y bobl yr oedd eu hanghenion gofal wedi gostwng. Ar ôl ailalluogi, roeddent wedi gweld cynnydd yn nifer y bobl nad oedd ganddynt anghenion gofal ar ôl bod drwy'r gwasanaeth ailalluogi. Roedd hon yn enghraifft allweddol a ddangosai pam nad oedd rhai o'r targedau o fewn y cynllun yn ddefnyddiol iawn. Gallai fod yn ddefnyddiol edrych ar fesurau mwy ystyrlon yn y dyfodol, a oedd yn rhoi'r darlun cyfan.

Cyfeiriodd yr Aelod Cabinet Cymunedau at y pwynt ynghylch datgarboneiddio a chynaliadwyedd amgylcheddol, a'r gwaith rhagorol a oedd yn digwydd yn y maes hwnnw. Pwysleisiodd y dylai'r targedau a osodir fod yn heriol. Dylai'r targed o 30% ar gyfer ailgylchu fod yn fwy heriol, gan eu bod eisoes wedi cyrraedd 40.7% ar gyfer 21/22. Awgrymodd newid y targed i 40%.

Ar ôl ailystyried, eglurodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol nad oedd y targedau yr oeddent yn bwriadu eu gosod yn gysylltiedig â chyflogaeth, addysg a hyfforddiant i'r rhai sy'n gadael gofal yn ddigon uchelgeisiol. Roedd rhywfaint o nerfusrwydd ynghylch gosod targedau uwch gan fod heriau'n bodoli'n gysylltiedig â data yn y maes hwn. Roedd Bwrdd Gwella Canlyniadau i Blant wedi cael ei sefydlu, a oedd yn elwa ar gynghorydd annibynnol, ac ar ôl ailystyried, nid oedd y targedau'n ddigon uchelgeisiol. Roedd y cyflawniadau gwirioneddol yn uwch na'r targed a chynigiodd y dylid newid yr adroddiad er mwyn anelu i gyflawni'r hyn yr oeddent wedi'i wneud yn y flwyddyn gynt o leiaf.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo targedau diwygiedig y Cynllun Corfforaethol ar gyfer 2022-2023, fel y nodir yn Atodiad A yr adroddiad, (yn amodol ar y newidiadau i'r targedau a gynigiwyd gan Gyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant a'r Cyfarwyddwr

Corfforaethol Cymunedau), a'u hargymell i'w cymeradwyo gan y Cyngor ar 19 Hydref 2022.

46. **SEFYDLU BWRDD CYNGHORI GYDAG AWEN I GEFNOGI CYFEIRIAD STRATEGOL A DATBLYGIAD PARTNERIAETHAU YM MHEN-Y-BONT AR OGWR**

Cyflwynodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant adroddiad a ofynnai am gymeradwyaeth y Cabinet i sefydlu ymagwedd Bwrdd Cyngori i gefnogi'r gwaith llywodraethu a phartneriaeth ag Awen drwy Weithred i Amrywio'r cytundeb partneriaeth.

Esboniodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant gefndir y bartneriaeth ag Awen. Yn sgil llwyddiant y bartneriaeth ac er mwyn sicrhau gwell cysondeb rhwng sefydliadau wrth gynllunio'n strategol, eglurodd ei bod hi'n adeg briodol i wella effeithiolrwydd y trefniadau ac i sicrhau bod gan aelodau a swyddogion y Cyngor gysylltiad gwell â'r cytundeb partneriaeth ag Awen.

Eglurodd Cyfarwyddwr Corfforaethol Gwasanaethau Cymdeithasol a Llesiant fod y partneriaid wedi dod i'r casgliad y byddai ymagwedd grŵp cyngorol o gymorth i gynyddu deialog a thryloywder, ymgysylltu â gwaith cynllunio strategol a oedd yn ymwneud yn benodol â Phen-y-bont ar Ogwr, adolygiad o gynnydd a pherfformiad, cyfleoedd i adnabod a rhannu heriau a phroblemau, a hefyd i sicrhau ffocws a datblygiad parhaus. Roedd Cylch Gwaith drafft wedi'i gynnwys yn Atodiad 1 er gwybodaeth, a byddai'n cael ei adolygu a'i ffurfioli yng nghyfarfod cyntaf y Bwrdd Cyngori.

Diolchodd yr Aelod Cabinet dros Adfywio i Gyfarwyddwr y Gwasanaethau Cymdeithasol am yr adroddiad cynhwysfawr. Roedd hyn yn syniad gwych ac roedd gweithio gyda Halo wedi dangos iddynt sut y gallai partneriaeth dda weithio.

Eiliwyd yr adroddiad gan y Dirprwy Arweinydd a phwysleisiodd mai'r hyn a oedd yn wirioneddol bwysig i'w nodi oedd maint y defnydd drwy gydol y pandemig a'r gefnogaeth yr oeddent yn ei rhoi'n gyson i breswylwyr. A ninnau ar ddechrau argyfwng costau byw, roedd angen rhoi trefniadau llywodraethu ar waith.

Pwysleisiodd yr Arweinydd mai'r cynnig oedd cynnwys Cadeirydd Pwyllgor Trosolwg a Chraffu 3, sef y pwyllgor perthnasol, ar Fwrdd y Bartneriaeth. Roedd y trefniant hwn yn adlewyrchu trefniant Bwrdd Cyngori Halo ac yn fodel llwyddiannus yr oeddent wedi seilio'r bartneriaeth hon arno.

PENDERFYNWYD: Bod y Cabinet:

- yn cymeradwyo'r newid arfaethedig i ymagwedd Bwrdd Cyngori, er mwyn rhoi cefnogaeth well i'r bartneriaeth a threfniant y contract cyfredol, ac i hysbysu Awen ynghylch y newid cytunedig;
- yn penderfynu ar gynrychiolaeth y Bwrdd Cyngori
- yn dirprwyo awdurdod i Gyfarwyddwr y Gwasanaethau Cymdeithasol a Llesiant i negodi a chytuno ar delerau terfynol y Weithred Amrywio, ac i drefnu i gyflawni'r Weithred Amrywio ar ran y Cyngor, yn amodol ar arfer yr awdurdod dirprwyedig hwnnw mewn ymgynghoriad â Phrif Swyddog y Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol a'r Prif Swyddog - Cyllid, Perfformiad a Newid.

47. **DARPARU GOFAL A CHYMORTH YN Y SEFYDLIAD DIOGEL**

Cyflwynodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant adroddiad a roddai'r newyddion diweddaraf i'r Cabinet ynghylch yr angen i newid y trefniadau gofal a chymorth i garcharorion ag anghenion cymwys yn CEM Parc, er mwyn cyflawni dyletswydd y Cyngor i ddiwallu anghenion yn unol â Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Roedd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant hefyd yn hysbysu'r Cabinet y byddai'r Gyfarwyddiaeth Gwasanaethau Cymdeithasol a Llesiant yn gofyn am gymeradwyaeth y Cabinet:

- i drosglwyddo'r gofal a chymorth a ddarperir ar hyn o bryd gan G4S Health Services (UK) Ltd i'r Cyngor, gan nodi y byddai staff G4S presennol yn cael eu trosglwyddo drwy TUPE (Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth)) ac
- i adolygu'r trefniadau'r contract presennol â G4S ac ymrwymo i gytundeb diwygiedig neu gytundeb newydd.

Esboniodd Cyfarwyddwr y Gwasanaethau Cymdeithasol a Llesiant gyfrifoldebau'r Awdurdod, fel sy'n ofynnol yn Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014. O fis Rhagfyr 2022, esboniodd y byddai Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg (BIP CTM) yn cynnig darpariaeth uniongyrchol ar gyfer anghenion iechyd y boblogaeth o garcharorion yn CEM Parc. Fodd bynnag, byddai dyletswydd o hyn i ddarparu/gomisiynu'r elfen gofal cymdeithasol o fewn y carchar. Ni allai'r BIP ddarparu gofal cymdeithasol rheoledig heb ymrwymo i gytundeb partneriaeth ffurfiol â'r Cyngor; ac er bod darpariaeth integredig yn parhau i fod yn opsiwn dymunol posibl ar gyfer y dyfodol, roedd y dyddiad cau ar gyfer trosglwyddo'r darpariaeth gofal yn golygu nad oedd modd mynd ar drywydd yr opsiwn hwnnw ar hyn o bryd. Roedd hi'n annhebygol y gellid bodloni'r terfyn amser, gan nad oedd y BIP ar hyn o bryd yn ddarpariaeth gofal cofrestredig i ddibenion Deddf Rheoleiddio ac Arolygu Gofal Cymdeithasol (Cymru). Nid oedd y Cyngor yn gallu comisiynu cwmni gofal cartref annibynnol i ddarparu'r gofal hwn oherwydd y cyfyngiadau yn CEM Parc fel y nodwyd mewn adroddiad blaenorol i'r Cabinet ar 26 Gorffennaf 2016. Roedd yr adroddiad hwnnw'n cydnabod yr anawsterau o ran darparu gwasanaethau yn y carchar, a rhoddodd y Cabinet gymeradwyaeth ar gyfer hepgoriad, o dan y Rheolau Gweithdrefn Contractau, o'r gofyniad i ofyn am dendrau cystadleuol ar gyfer darparu gofal a chymorth yn CEM Parc, gan mai ond un sefydliad oedd â'r gallu technegol i ddarparu'r gwasanaeth.

Eglurodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol a Llesiant mai'r unig opsiwn ymarferol oedd ar gael a fyddai'n galluogi'r Cyngor i gyflawni ei ddyletswydd statudol oedd i'r Cyngor gymryd cyfrifoldeb uniongyrchol am y gwasanaeth gofal cymdeithasol a ddarperir ar hyn o bryd gan G4S Health Services (UK) Ltd. Byddai trefniadau'r contract presennol rhwng y Cyngor a G4S yn cael eu hadolygu. Ychwanegodd fod trafodaethau cychwynnol wedi'u cynnal â'r Adran Adnoddau Dynol a chynigiwyd y byddai'r staff gofal presennol a gyflogir gan G4S ar hyn o bryd yn cael eu trosglwyddo drwy TUPE (Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth)) i'r Cyngor gan olygu bod modd cadw gwybodaeth a sgiliau presennol. Byddai ymgynghoriad ar drosglwyddo yn cael ei gynnal â'r gweithwyr, ynghyd â dadansoddiad o'r goblygiadau o ran strwythur presennol y staff, cyn y dyddiad cytunedig ar gyfer trosglwyddo'r gwaith. Byddai'r ymgynghoriad yn gyfle i'r gweithwyr yr effeithir arnynt godi unrhyw faterion, canfod atebion a chael cyfle i gyfrannu at y penderfyniadau.

Roedd y Dirprwy Arweinydd yn cefnogi'r cynnig, a gofynnodd i'r swyddogion fyfyrar ar yr amgylchiadau, gan ddweud y dylai'r Cabinet fod wedi cael gwybod am hyn yn llawer cynt, fel na fyddent bellach yn y sefyllfa hon. Roedd y Dirprwy Arweinydd yn bwriadu ysgrifennu llythyr at LIC oherwydd byddai poblogaeth y carchar yn creu cynnydd yn y galw am wasanaethau. Nid oedd yr arian yn cael ei roi drwy gyllid grant mwyach, ac

roedd pob Cyngor yn derbyn setliad y Grant Cynnal Refeniw, waeth a oedd ganddo sefydliadau diogel ai peidio.

Gofynnodd y Dirprwy Arweinydd am y ddarpariaeth gwasanaeth dros nos. Nid rhwng 7am a 10pm yn unig yr oedd angen gofal a chymorth. Gofynnodd sut yr oeddent yn ymdopi heb unrhyw ddarpariaeth gwasanaeth dros nos.

Roedd yr Arweinydd yn cefnogi syniad y Dirprwy Arweinydd i ysgrifennu at Lywodraeth Cymru, gan fod y cyfrifoldeb hwn wedi'i drosglwyddo i'r awdurdod o ganlyniad uniongyrchol i ddeddfwriaeth a wnaed yng Nghymru. Roedd y cyfrifoldeb hwnnw'n tyfu gan fod y boblogaeth yn heneiddio, ac roedd demograffeg y boblogaeth yn y sefydliad diogel yn wahanol i'r boblogaeth honno yn rhannau eraill yng Nghymru, ac yn fwy tebygol o gynnwys carcharorion hŷn ag anghenion gofal.

Atebodd Cyfarwyddwr Corfforaethol y Gwasanaethau Cymdeithasol drwy ddweud eu bod fel gwasanaeth yn gweithio drwy'r gwersi i'w dysgu ac yn myfyrio ar yr hyn a oedd wedi digwydd, ond bod hwn yn faes gwasanaeth cymhleth nad oedd llawer o awdurdodau lleol wedi gorfod yn ymwneud ag ef. Roeddent ar hyn o bryd yn gweithio ar yr adnoddau dros nos i sicrhau bod ganddynt adnoddau digonol i ddiwallu'r anghenion hynny a chyflawni eu dyletswyddau tuag at y boblogaeth honno o garcharorion, o dan y Ddeddf Gwasanaethau Cymdeithasol a Llesiant. Roedd yr adroddiad yn manylu ar y mathau o gyflyrau yr oedd carcharorion yn eu profi tra'r oeddent yn byw yn y sefydliad diogel hwnnw. Roedd hi'n barod i roi cefnogaeth broffesiynol i'r Dirprwy Arweinydd, drwy gynnig pwyntiau i sylw Llywodraeth Cymru.

**PENDERFYNODD** y Cabinet:

- Nodi'r wybodaeth yn yr adroddiad a chyfrifoldebau'r Cyngor o dan Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;
- Cymeradwyo trosglwyddo'r ddarpariaeth gofal a chymorth yn CEM Parc i'r Cyngor, gan nodi'r goblygiadau o ran TUPE, fel yr amlinellwyd ym mharagraff 4.10 yr adroddiad.
- Dirprwyo awdurdod i'r Cyfarwyddwr Gwasanaethau Cymdeithasol a Llesiant, mewn ymgynghoriad â'r Prif Swyddog - Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol a'r Swyddog Adran 151, i barhau â'r trafodaethau â G4S a chwblhau ac ymrwmo i gytundeb diwygiedig neu newydd â G4S.

48. **CANLYNIAD HYSBYSIAD CYHOEDDUS I AGOR DARPARIAETH AR GYFER DISGYBLION AG ANGHENION DYSGU YCHWANEGOL, GAN SEFYDLU CANOLFAN ADNODDAU DYSGU I DDISGYBLION AG ANHWYLDERAU AR Y SBECTRW AWTISTIG YN YSGOL GYNRADD TREMAEN.**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn hysbysu'r Cabinet ynghylch canlyniad yr hysbysiad cyhoeddus am y cynnig i agor darpariaeth ar gyfer disgyblion ag anghenion dysgu ychwanegol (ADY), gan sefydlu canolfan adnoddau dysgu (CAD) ar gyfer disgyblion ag anhwylderau ar y sbectrw awtistig (ASA) yn Ysgol Gynradd Tremaen.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr (CBSP) wedi mabwysiadu ymagwedd ragweithiol drwy gomisiynu adolygiad cynllunio strategol o ddarpariaeth ar gyfer anghenion dysgu ychwanegol yn 2020. Un o'r meysydd a nodwyd ar gyfer darpariaeth ychwanegol oedd Cyfnod Allweddol 2 ar gyfer plant ag ASA. Nodwyd bod angen agor CAD ychwanegol i blant ag ASA. Roedd gwaith wedi dechrau i addasu Ysgol Gynradd Tremaen drwy'r

grant cyfalaf Cynnal a Chadw Ysgolion, a fyddai'n caniatáu'r gofod angenrheidiol i agor CAD ASA.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod yr hysbysiad cyhoeddus statudol wedi'i gyhoeddi ar 30 Mehefin 2022, ac mai'r dyddiad cau ar gyfer gwrthwynebu oedd 27 Gorffennaf 2022. Cadarnhaodd na chafwyd unrhyw wrthwynebiad yn ystod y cyfnod rhybudd statudol, ac roedd modd felly i'r Cabinet wneud penderfyniad ynghylch gweithredu'r cynnig. Esboniodd y goblygiadau ariannol, fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Ni chafwyd unrhyw wrthwynebiadau, ac roedd yn hapus i gymeradwyo'r adroddiad.

Cytunodd yr Arweinydd fod hyn yn newyddion da iawn i'r gymuned, ac y byddai'r ystafell ddosbarth newydd yn agor yn nhymor y gaeaf.

**PENDERFYNODD:** Y Cabinet

- nodi na chafwyd unrhyw wrthwynebiad yn ystod cyfnod yr hysbysiad cyhoeddus; a
- chymeradwyo gweithredu'r cynnig gan bennu dyddiad agor yn nhymor yr hydref 2022.

49. **RHAGLEN MODERNEIDDIO YSGOLION - YSGOL GYNRADD COETY - CANIATÂD I DDECHRAU YMGYNGHORIAD STATUDOL**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn gofyn am gymeradwyaeth y Cabinet i gychwyn proses ymgynghori statudol mewn perthynas â newid rheoledig i ehangu Ysgol Gynradd Coety i fod yn ysgol 2.5 dosbarth mynediad gyda blwyddyn feithrin ac ynddi 88 o leoedd cyfwerth ag amser llawn. O gymeradwyo'r cynnig, byddai'n dod i rym o ddechrau tymor y gwanwyn 2025.

Er mwyn ymateb i'r galw am leoedd yn Ysgol Gynradd Coety, esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod swyddogion wedi cynnal arfarniad o opsiynau a ddangosai fod angen cynyddu ddarpariaeth yn yr ysgol. Arweiniodd yr arfarniad at nodi opsiwn a ffafir ar ffurf estyniad deulawr a fyddai'n cynnwys pedair ystafell ddosbarth, ac ar 15 Mehefin 2022 cafwyd cymeradwyaeth y Cyngor i gynnwys y cynllun yn y rhaglen gyfalaf.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y byddai'r cynnig yn arwain at gynyddu capasiti Ysgol Gynradd Coety o 420 i 520 o leoedd i ddisgyblion 4 i 11 oed (hynny yw, ysgol 2.5 dosbarth mynediad). Nifer derbyn cyhoeddus yr ysgol ar ôl yr ehangu fyddai 75. Hefyd, o ganlyniad i'r datblygiad, byddai cyfle i gynyddu'r ddarpariaeth feithrin bresennol o 76 o leoedd cyfwerth ag amser llawn i 88 o leoedd cyfwerth ag amser llawn. Ar gyfer y cynnig i ehangu Ysgol Gynradd Coety, ychwanegodd fod angen i'r awdurdod lleol wneud addasiad rheoledig o dan God Trefniadaeth Ysgolion 2018. Roedd yn ofynnol cynnal ymarfer ymgynghori llawn â rhanddeiliaid, gan gynnwys corff llywodraethu'r ysgol, staff, rhieni, disgyblion a phartion eraill â buddiant. Byddai'r ddogfen ymgynghori yn nodi goblygiadau'r cynnig ac yn dilyn y cyfnod hwn o ymgynghori, byddai adroddiad pellach ar ganlyniad yr ymgynghoriad yn cael ei gyflwyno i'r Cabinet i ystyried canlyniad y broses honno. Byddai angen i'r Cabinet wedyn benderfynu a ddylid awdurdodi cyhoeddi rhybudd statudol. Pe bai rhybudd o'r fath yn cael ei gyhoeddi, byddai'n gofyn am wrthwynebiadau ffurfiol yn ystod y cyfnod statudol o 28 diwrnod.



Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd hyn yn newyddion gwych i Ysgol Gynradd Coety a phreswylwyr Coety a Pharc Derwen. Dyma oedd y cam cyntaf yn y broses, a byddent yn cydweithio'n agos â'r gymuned a'r Aelodau a Chorff Llywodraethu'r Ysgol i sicrhau bod yr ysgol hon yn addas i bawb.

Yn ogystal â'r broses statudol o ymgynghori ynghylch ysgolion, ychwanegodd yr Arweinydd fod proses gynllunio statudol hefyd a fyddai'n gyfle i'r gymuned roi adborth. Roedd argaeledd mannau yn yr awyr agored eisoes yn fater a oedd wedi codi, a byddai hyn yn cael ei ystyried yn rhan o'r broses.

Mynegodd y Dirprwy Arweinydd bryderon ynghylch recriwtio staff i'r disgyblion ag anghenion dysgu ychwanegol, a gofynnodd sut y byddai'r broses honno'n cael ei rheoli. Atebodd yr Aelod Cabinet dros Addysg drwy ddweud bod staffio yn her yn yr holl ysgolion, ac mai un o'r heriau yn Ysgol Gynradd Coety yn arbennig oedd canfod staff ar gyfer y ddarpariaeth brecwast. Roedd llawer o waith yn mynd rhagddo i recriwtio, a hefyd wrth wneud defnydd mwy hyblyg o staff ar draws lleoliadau. Cadarnhaodd eu bod yn gweithio ar hyn, ond yn wynebu cryn her.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo dechrau proses ymgynghori statudol i wneud addasiad rheoledig i ehangu Ysgol Gynradd Coety i fod yn ysgol 2.5 dosbarth mynediad, gyda darpariaeth feithrin cyfwerth ag 88 o leodd amser llawn o ddechrau tymor y gwanwyn 2025.

50. **CANLYNIAD YR HYSBYSIAD CYHOEDDUS I AGOR DARPARIAETH AR GYFER DISGYBLION AG ANGHENION DYSGU YCHWANEGOL, GAN SEFYDLU CANOLFAN ADNODDAU DYSGU I DDISGYBLION AG ANAWSTERAU DYSGU CYMEDROL YN YSGOL CYNWYD SANT**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn hysbysu'r Cabinet ynghylch canlyniad yr hysbysiad cyhoeddus am y cynnig i agor darpariaeth ar gyfer disgyblion ag anghenion dysgu ychwanegol (ADY), gan sefydlu canolfan adnoddau dysgu (CAD) ar gyfer disgyblion ag anawsterau dysgu cymedrol (ADC) yn Ysgol Cynwyd Sant.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr (CBSP) wedi mabwysiadu ymagwedd ragweithiol drwy gomisiynu adolygiad cynllunio strategol o ddarpariaeth ar gyfer anghenion dysgu ychwanegol yn 2020. Un o'r meysydd a nodwyd ar gyfer darpariaeth ychwanegol oedd Cyfnod Allweddol 2 i blant ag ADC sy'n mynychu darpariaeth cyfrwng Cymraeg. Nodwyd bod angen agor CAD i blant ag ADC a oedd yn mynychu ysgolion cyfrwng Cymraeg. Roedd gwaith adeiladu wedi'i gynllunio ar gyfer adeilad nad oedd yn cael ei ddefnyddio yn Ysgol Cynwyd Sant. Byddai hynny'n darparu'r gofod y byddai ei angen ar gyfer y CAD ADC. Roedd hyn yn cael ei gyllido drwy'r grant cyfalaf Cynnal a Chadw Ysgolion.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod yr hysbysiad cyhoeddus statudol wedi'i gyhoeddi ar 30 Mehefin 2022, ac mai'r dyddiad cau ar gyfer gwrthwynebu oedd 27 Gorffennaf 2022. Cadarnhaodd na chafwyd unrhyw wrthwynebiad yn ystod cyfnod yr hysbysiad statudol, ac roedd modd felly i'r Cabinet wneud penderfyniad ynghylch gweithredu'r cynnig.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd hyn yn newyddion gwych i'r Awdurdod ac i Ysgol Cynwyd Sant ac yn cryfhau'r ymrwymiad i addysg cyfrwng Cymraeg.

Roedd yr Arweinydd yn croesawu'r cynnydd yn gysylltiedig â hyn, ac yn nodi'r gefnogaeth a gafwyd gan gymuned yr ysgol. Roedd yn edrych ymlaen i weld y ddarpariaeth yn agor yn nhymor y gaeaf.

**PENDERFYNWYD:** Bod y Cabinet

- yn nodi na chafwyd unrhyw wrthwynebiad yn ystod cyfnod yr hysbysiad cyhoeddus. ac
- yn cymeradwyo gweithredu'r cynnig.

51. **PENODI LLYWODRAETHWYR AWDURDOD LLEOL**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn gofyn am gymeradwyaeth y Cabinet i benodi llywodraethwyr awdurdod lleol i'r cyrff llywodraethu ysgolion a restrir ym mharagraff 4.1 yr adroddiad.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd, ar gyfer y saith lle gwag presennol i lywodraethwyr awdurdod lleol yn y chwe ysgol yn y tabl, fod pob ymgeisydd yn bodloni'r meini prawf cymeradwy i'w penodi'n llywodraethwr awdurdod lleol, ac nad oedd cystadleuaeth am y swyddi gwag hyn. Yn unol â hynny, argymhellodd y penodiadau. Fodd bynnag, ers cyhoeddi'r adroddiad fe'i hysbyswyd nad oedd y Cyng. Alex Williams bellach yn dymuno cael ei ystyried ar gyfer swydd llywodraethwr awdurdod lleol yn Ysgol Gyfun Pencoed. Gan hynny, argymhellwyd i'r Cabinet y dylid cymeradwyo'r penodiadau a nodir ym mharagraff 4.1 ac eithrio'r Cynghorydd Alex Williams.

Diolchodd yr Aelod Cabinet Addysg i'r aelodau o'r cyhoedd a'r Aelodau a oedd wedi cynnig eu henwau. Roedd llawer o leoedd gwag o hyd mewn ysgolion lleol ac erfyniodd ar i eraill ymgeisio am y swyddi pwysig hyn.

Diolchodd yr Arweinydd i'r Cyng. Alex Williams am ei gyfraniad yn Ysgol Gyfun Pencoed.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo'r penodiadau a nodir ym mharagraff 4.1 yr adroddiad, yn amodol ar ddileu'r Cyng. Alex Williams ar gyfer Ysgol Gyfun Pencoed.

52. **RHAGLEN MODERNEIDDIO YSGOLION - CANLYNIAD HYSBYSIAD STATUDOL YSGOL HERONSBRIDGE**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn hysbysu'r Cabinet ynghylch canlyniad yr hysbysiad statudol a gyhoeddwyd ar gyfer adeilad newydd Ysgol Heronsbridge, ac yn gofyn am gymeradwyaeth i newid dyddiad gweithredu'r cynnig i ddechrau tymor y gwanwyn 2026, ac yn gofyn am gymeradwyaeth i gyhoeddi ac anfon llythyr penderfyniad, fel y rhagnodir yng Nghod Trefniadaeth Ysgolion 2018 (y Cod).

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd gefndir y cynnig, ac egluro bod yr adroddiad ymgynghori, yn dilyn cymeradwyaeth y Cabinet ar 14

Mehefin 2022, wedi cael ei gyhoeddi ar wefan y Cyngor a'r rhanddeiliaid wedi cael gwybod am hynny. Daeth cyfnod yr hysbysiad statudol i ben ar 27 Gorffennaf 2022, ac ni chafwyd unrhyw sylwadau yn erbyn y cynnig. Eglurodd fod adolygiad manwl wedi cael ei gynnal o'r rhaglen gyflawni ar gyfer yr ysgol newydd, a chyngor wedi'i dderbyn gan ymgynghorwyr mewnol ac allanol ynghylch hynny. Oherwydd natur arbenigol yr ysgol, byddai angen digon o amser i gynnal ymgynghoriad ystyrlon, gan gynnal rhaglen strwythuredig i ymgysylltu â rhanddeiliaid, gan gynnwys y corff llywodraethu, staff a disgyblion. Roedd yn hanfodol ysgol a chydweithwyr lechyd gael mewnbwn yn y cam pwysig hwn o'r broses. Gan hynny, dylid newid y dyddiad agor a gynigiwyd ar gyfer yr ysgol newydd i ddechrau tymor y gwanwyn 2026, er mwyn caniatáu amser o fewn y rhaglen i ymgysylltu mewn modd priodol â rhanddeiliaid. Ychwanegodd fod yr awdurdod lleol wedi ymgynghori â Chorff Llywodraethu Ysgol Heronsbridge ynghylch y newid arfaethedig, ac roedd y Cadeirydd wedi cadarnhau bod y dyddiad diwygiedig wedi'i dderbyn. Ar yr un pryd, fodd bynnag, pwysleisiodd pa mor bwysig oedd defnyddio'r cyfnod ymgynghori estynedig i ymgysylltu â rhanddeiliaid i sicrhau y byddai'r adeilad newydd yn gwneud cyfiawnder â'r disgyblion a'r Fwrdeistref Sirol. Dywedodd y Cadeirydd fod y corff llywodraethu yn disgwyl y gorau i'w ddisgyblion, ac roedd hynny i ddechrau'n golygu cynnal ymgynghoriad manwl a'r holl rhanddeiliaid yn y cam dylunio cyn dechau'r gwaith adeiladu.

Roedd gofyn i'r Cabinet nawr ystyried canlyniad y broses statudol a phenderfynu a ddylid gweithredu'r cynnig. Gallai'r Cabinet naill ai benderfynu derbyn, gwrthod neu addasu'r cynnig.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd yn newyddion gwych bod hyn yn symud ymlaen ar y cyd â'r Pennaeth, y Corff Llywodraethu, y rhieni a'r disgyblion fel ei gilydd.

Ychwanegodd yr Arweinydd fod yr achos o blaid hyn yn gryf, a bod angen taer am adeilad llawer mwy i'r ysgol. Byddent yn sicrhau bod y dyluniad o'r ansawdd uchaf, ac yn edrych ar arfer gorau ledled Cymru. Yr oedd newydd ymweld â Thŷ Hafan a oedd wedi elwa'n ddiweddar ar waith moderneiddio ac estyniad. Roedd hyn yn gyfle gwirioneddol i ystyried yr amgylchedd yr oeddent wedi'i greu yno i blant ag anghenion cymhleth.

Gofynnodd yr Aelod Cabinet dros Gymunedau a fyddai modd trefnu i'r Cabinet ymweld â'r ddarpariaeth gyfredol, fel y gallent werthfawrogi'r diffygion yn llawn, a sicrhau bod y ddarpariaeth newydd yn bodloni'r anghenion dan sylw.

Cadarnhaodd yr Aelod Cabinet dros Addysg eu bod ar ganol ystyried dyddiad ar gyfer ymweliad.

**PENDERFYNWYD:** Bod y Cabinet:

- yn nodi canlyniad yr hysbysiad statudol a gyhoeddwyd i wneud addasiadau rheoledig i Ysgol Heronsbridge er mwyn cynyddu nifer y disgyblion y mae'r ysgol yn darparu ar eu cyfer i 300 ac adleoli'r ysgol o'i leoliad presennol ar Heol Ewenni, Pen-y-bont ar Ogwr i Fferm yr Ynys (Island Farm), Pen-y-bont ar Ogwr;
- am newid dyddiad gweithredu'r cynnig i ddechrau tymor y gwanwyn 2026; ac
- yn cymeradwyo cyhoeddi ac anfon llythyr penderfyniad, fel sy'n ofynnol yn y Cod.

**53. RHAGLEN MODERNEIDDIO YSGOLION - YSGOL HERONSBRIDGE, CAFFAEL**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn gofyn am gymeradwyaeth y Cabinet ar gyfer y strategaeth caffael i ddylunio ac adeiladu'r ysgol newydd; yn gofyn am gymeradwyaeth y Cabinet i fwrw ymlaen â'r broses gaffael; yn hysbysu'r Cabinet y bydd yn derbyn adroddiad yn y dyfodol ynghylch canlyniad arfarniad o opsiynau mewn perthynas â darpariaeth breswyl a seibiannol y Gyfarwyddiaeth Gwasanaethau Cymdeithasol a Llesiant; ac yn hysbysu'r Cabinet y byddai adroddiad yn cael ei gyflwyno iddo yn y dyfodol cyn dyfarnu'r prif gontract adeiladu, yn nodi'r sefyllfa o ran costau a chyllideb y prosiect.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd gefndir y cynigion ac wedyn egluro'r sefyllfa gyfredol ac amlinellu'r opsiynau amrywiol. Esboniodd y byddai swyddogion o'r Gyfarwyddiaeth Gwasanaethau Cymdeithasol a Llesiant yn gweithio gyda'r Gyfarwyddiaeth Addysg a Chymorth i Deuluoedd wrth ddylunio'r ysgol newydd, i ystyried opsiynau gyda chostau cysylltiedig i adleoli'r gwasanaeth preswyl a seibiannol ochr yn ochr â'r ysgol newydd. Byddai adroddiad yn cael ei roi ar ganlyniad y broses hon yn un o gyfarfodydd nesaf y Cabinet. Gan mai proses dau gam fyddai'r gwaith dylunio ac adeiladu, ychydig o gostau a fyddai'n cael eu creu yn gysylltiedig â dylunio, ac ni fyddai unrhyw ymrwymiad i fwrw ymlaen i'r ail gam. Atgoffodd y Cabinet fod yr Adran Landlord Corfforaethol ar ganol caffael safle Fferm yr Ynys ar gyfer yr ysgol arfaethedig. Roedd hi'n bwysig nodi bod elfen o risg yn gysylltiedig â'r broses hon. Pe na bai'r pryniant hwn yn mynd rhagddo, byddai'r mater yn cael ei adrodd yn un o gyfarfodydd y Cabinet yn y dyfodol, gan ofyn am gymeradwyaeth i roi'r gorau i'r cynnig fel yr oedd wedi'i gyhoeddi. Heblaw am yr uchod, argymhelliad y Bwrdd oedd y dylid cychwyn y broses o ddylunio'r ysgol newydd, a'i chynnal ar yr un pryd â chwblhau pryniant y safle.

Amlinellodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol a daeth i'r casgliad y byddai'n rhaid defnyddio arian o gyllidebau refeniw'r Cyngor i dalu unrhyw ffioedd/costau dylunio ofer yn gysylltiedig â'r datblygiad. Eglurodd fod y goblygiadau ariannol wedi'u nodi yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Dywedodd mai dyma'r gwariant cyfalaf mwyaf i'r Cyngor ei ysgwyddo erioed, ac roedd yn fenter enfawr. Ar ôl cymeradwyo'r adroddiad blaenorol, eu cyfrifoldeb hwy oedd sicrhau bod yr ysgol yn barod i ddisgyblion cyn gynted ag a oedd yn bosibl.

Ar ôl cwrdd â phreswylwyr presennol Harwood House, dywedodd y Dirprwy Arweinydd fod y llety yn gyfyngedig. Byddai'r galw am y cyfleuster hwn yn cynyddu, a byddai lleoli'r cyfan gyda'i gilydd yn golygu y gellid sicrhau mwy o integreiddio rhwng gwasanaethau.

Gallai'r Arweinydd weld eu bod yn amlwg wedi gorfod rhoi ystyriaeth ofalus i effaith sylweddol pwysau chwyddiant ar y diwydiant adeiladu. Roedd hyn yn wahanol i brosiectau blaenorol lle bu'r prisiau'n fwy sefydlog. Roedd hon yn ffordd deg a thryloyw o nodi costau ychwanegol wrth iddynt godi, ac roedd yn cefnogi'r dull hwn o gaffael.

**PENDERFYNWYD:** Bod y Cabinet:

- yn cymeradwyo'r strategaeth a ffafrir ar gyfer caffael, fel y nodwyd ym mharagraffau 4.2, 4.3 a 4.16 mewn perthynas â phenodi tîm dylunio a phrif gontractwr ar gyfer Ysgol Heronsbridge;
- yn rhoi cymeradwyaeth i fwrw ymlaen â'r broses gaffael;
- yn nodi y byddai'r Cabinet yn cael adroddiad yn y dyfodol ar ganlyniad yr arfarniad o opsiynau mewn perthynas â darpariaeth

breswyl a seibiannol y Gyfarwyddiaeth Gwasanaethau Cymdeithasol a Llesiant; ac

- yn nodi y byddai'r Cabinet yn cael adroddiad yn y dyfodol cyn dyfarnu'r prif gontract adeiladu, yn nodi'r sefyllfa o ran costau a chyllideb y prosiect.

**54. RHAGLEN MODERNEIDDIO YSGOLION - CANLYNIAD HYSBYSIAD STATUDOL YSGOL GYMRAEG BRO OGWR**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn hysbysu'r Cabinet am ganlyniad yr hysbysiad statudol a gyhoeddwyd mewn perthynas ag Ysgol Gymraeg (YG) newydd Bro Ogwr, yn gofyn am gymeradwyaeth i weithredu'r cynnig o ddechrau tymor yr hydref 2025, ac yn gofyn am gymeradwyaeth i gyhoeddi ac anfon llythyr penderfyniad, fel y rhagnodir yng Nghod Trefniadaeth Ysgolion 2018 (y Cod).

Rhoddodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd gefndir y cynnig ac eglurodd fod y Cabinet, ym mis Mehefin 2022, wedi cael gwybod am ganlyniad y broses ymgynghori statudol ac wedi cymeradwyo cyhoeddi'r adroddiad ymgynghori a'r hysbysiad statudol yn gysylltiedig â'r cynnig. Cyhoeddwyd yr hysbysiad statudol ar 30 Mehefin 2022 am gyfnod o 28 diwrnod, gan wahodd unrhyw un i wrthwynebu'n ffurfiol mewn ysgrifen yn ystod y cyfnod hwn.

Daeth yr hysbysiad statudol i ben ar 27 Gorffennaf 2022, ac fe gafwyd un neges e-bost ynghylch agosrwydd y safle presennol at y safle arfaethedig newydd ar Ffordd Cadfan, ac yn holi ynghylch gofynion teithio llesol a theithiau dysgwyr. Ni chafwyd unrhyw wrthwynebiad, ac roedd gofyn i'r Cabinet bellach roi ystyriaeth lawn i ganlyniad y broses a phenderfynu a ddylid gweithredu'r cynnig ai peidio.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd yr adroddiad hwn eto'n cynrychioli newyddion da, a'r ysgol gynradd hon fyddai'r fwyaf o unrhyw iaith yn y Fwrdeistref, ac yn gam pwysig ymlaen er mwyn tyfu'r Gymraeg.

Dywedodd yr Aelod Cabinet dros Gymunedau ei fod yn hynod falch o gael eilio'r adroddiad hwn ar sail ei leoliad ar safle tir llwyd.

**PENDERFYNWYD:**

Bod y Cabinet:

- yn nodi canlyniad yr hysbysiad statudol a gyhoeddwyd i wneud addasiad rheoledig i ehangu Ysgol Gymraeg Bro Ogwr i ysgol 2.5 dosbarth mynediad, gyda darpariaeth feithrin a fyddai'n cynnwys 90 o leoedd cyfwerth ag amser llawn, yn ogystal â dosbarth arsylwi ac asesu 8 lle ar dir oddi ar Ffordd Cadfan;
- yn penderfynu gweithredu'r cynnig o ddechrau tymor yr hydref 2025; ac
- yn cymeradwyo cyhoeddi ac anfon llythyr penderfyniad, fel sy'n ofynnol yn y Cod.

**55. GOFAL PLANT CYFRWNG CYMRAEG - TREF PEN-Y-BONT AR OGWR**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn manylu ar ganlyniad y broses gwerthuso opsiynau ar gyfer sicrhau darpariaeth gofal plant cyfrwng Cymraeg i ardal Tref Pen-y-bont ar Ogwr ac

yn gofyn am gymeradwyaeth i gydleoli'r ddarpariaeth gofal plant cyfrwng Cymraeg ar gyfer ardal tref Pen-y-bont ar Ogwr ag Ysgol Gymraeg (YG) Bro Ogwr.

Rhoddodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd amlinelliad o gefndir yr adroddiad, ac esboniodd fod Swyddogion wedi ystyried rhestr hir o safleoedd yn ardal Tref Pen-y-bont ar Ogwr, ar sail eu haddasrwydd a'u lleoliad i ddatblygu'r cyfleuster gofal plant. Roedd tîm y prosiect wedi ystyried y safleoedd posibl ac wedi penderfynu mai'r opsiwn a fyddai'n cael ei ffafrio ar gyfer y ddarpariaeth gofal plant cyfrwng Cymraeg fyddai ei chydleoli ag YG Bro Ogwr. Pe bai'r cynnig i ehangu YG Bro Ogwr i greu darpariaeth 2.5 dosbarth mynediad ar safle Ffordd Cadfan ym Mracla yn mynd rhagddo, byddai'r ddarpariaeth gofal plant yn rhan annatod o'r ysgol, ond gyda mynediad ar wahân i'r rhan honno o'r adeilad. Roedd ymgorffori'r ddarpariaeth yn yr adeilad newydd yn cynnig arbedion maint. Pe na bai'r cynnig am yr ysgol newydd yn mynd ragddo, gellid lleoli'r ddarpariaeth ar safle presennol YG Bro Ogwr. Fodd bynnag, byddai angen adeiladu cyfleuster gofal plant ar wahân y gellid ei leoli ar yr ardal o laswellt gyferbyn i brif fynedfa'r ysgol. Byddai cydleoli'r ddarpariaeth gofal plant cyfrwng Cymraeg â'r ysgol gynradd cyfrwng Cymraeg yn annog cysylltiadau pontio ardderchog ac yn hyrwyddo'r Gymraeg, drwy gael darpariaeth drwy'r holl flynyddoedd yn yr un lleoliad. Adroddwyd canlyniad yr arfarniad o opsiynau a gynhaliwyd gan dîm y prosiect gerbron y Bwrdd Rhaglen Strategol Moderneiddio Ysgolion, a chytunodd y Bwrdd ar yr opsiwn a ffafrir ac a argymhellir yn yr adroddiad hwn.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd yr adroddiad hwn yn ategu'r adroddiad blaenorol, ac fel y nodwyd eisoes, byddai'n galluogi cysylltiadau pontio ardderchog.

Dywedodd yr Arweinydd fod dwsin o safleoedd o leiaf wedi cael eu hystyried, ond mai prif fantais y safle hwn oedd ei fod yn galluogi pontio llyfn o'r blynyddoedd cynnar i addysg gynradd.

**PENDERFYNWYD:** Bod y Cabinet yn cymeradwyo cydleoli darpariaeth gofal plant cyfrwng Cymraeg ar gyfer ardal Tref Pen-y-bont ar Ogwr ag YG Bro Ogwr.

56. **MODERNEIDDIO YSGOLION, GORLLEWIN PEN-Y-BONT AR OGWR - NEWID DYDDIAD AGOR YSGOL CYFRWNG SAESNEG**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad a ofynnai am gymeradwyaeth y Cabinet i gymeradwyo Opsiwn A (rhaglen gyflawni ddangosol ) fel y rhaglen a ffafrir er mwyn darparu'r ysgolion, ac i newid dyddiad agor cynlluniedig ysgol cyfrwng Saesneg newydd Gorllewin Pen-y-bont ar Ogwr i fis Medi 2024.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd gefndir yr adroddiad, gan ddweud bod y Cabinet wedi cymeradwyo cyflwyno Cam 1 Model Cydfuddiannol 'Cais am Brosiect Newydd' i Lywodraeth Cymru ar 14 Medi 2021. Roedd Gleeds wedi ailystyried y rhaglen ac roedd ei raglen ddangosol diwygiedig wedi'i hatodi (Atodiad 1), ac yn dangos dau opsiwn amgen er mwyn darparu'r ysgolion newydd.

Amlinellodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y 2 opsiwn. Ac ystyried bod dyddiadau'r rhaglen ddiwygiedig bellach yn wahanol iawn i'r rhai a ddarparwyd yn wreiddiol ac a gyhoeddwyd wedi hynny yn yr hysbysiad statudol, byddai angen i'r Cabinet ystyried yr opsiynau a oedd wedi'u nodi ym mharagraff 4.2 yr adroddiad, a phenderfynu a ddylid newid y dyddiad gweithredu, fel sy'n ofynnol yng Nghod Trefniadaeth Ysgolion 2018. Yn yr achos hwn, roedd Gleeds (sef y cwmni rheoli prosiect a benodwyd gan Lywodraeth Cymru ar gyfer yr holl gynlluniau Model Cydfuddiannol) wedi darparu'r rhaglenni diwygiedig gan y byddai gweithredu'r cynigion ar y dyddiadau a gyhoeddwyd yn wreiddiol yn afresymol o anodd.

Cadarnhaodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd yr ymgynghorwyd â chyrrff llywodraethu'r ysgolion yr oedd hyn yn effeithio'n uniongyrchol arnynt (Ysgol Gynradd Afon y Felin, Ysgol Gynradd Corneli ac Ysgol y Ferch o'r Sgêr) ynghylch newid dyddiad gweithredu'r cynllun i ad-drefnu ysgolion cyfrwng Saesneg i fis Medi 2024, ac roedd yr ymateb yn gefnogol.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Credai mai dyma oedd y cam cywir. Byddai opsiwn A yn eu galluogi i adeiladu'r ysgolion a'u hagor ar yr un pryd, ac ni fyddai'r naill ysgol yn cael ei thrin yn wahanol o gwbl i'r llall. Roedd yr Aelodau Lleol a'r cyhoedd yn falch dros ben o weld y cynlluniau hyn yn dwyn ffrwyth.

Ychwanegodd yr Arweinydd fod hyn yn fuddsoddiad a oedd yn cael ei groesawu yn narpariaeth ysgolion cynradd Corneli.

**PENDERFYNWYD:** Bod y Cabinet:

- a. Yn cymeradwyo Opsiwn A fel y rhaglen a ffafirir er mwyn darparu'r ysgolion; a
- b. Am newid dyddiad agor cynlluniedig ysgol gynradd cyfrwng Saesneg newydd Gorllewin Pen-y-bont ar Ogwr i fis Medi 2024.

**57. ASESIAD DIGONOLRWYDD GOFAL PLANT 2021-2022**

Cyflwynodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd adroddiad yn hysbysu'r Cabinet am ganlyniadau'r Asesiad Digonolrwydd Gofal Plant (ADGP), ac y gofyn am gymeradwyaeth ar gyfer y Dadansoddiad o Fylchau a'r Cynllun Gweithredu i'w cyflwyno i Lywodraeth Cymru yn rhan o ADGP 2021-2022.

Esboniodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd ei bod hi'n ofynnol yn ôl y rheoliadau i gyflwyno ADGP llawn a Chynllun Gweithredu i Lywodraeth Cymru bum mlynedd ar ôl yr asesiad cyntaf. Roedd y Ddeddf yn ei gwneud yn ofynnol i awdurdodau lleol sicrhau, hyd y bo'n rhesymol ymarferol, darpariaeth gofal plant a oedd yn ddigonol i fodloni gofynion rhieni yn eu hardal, i'w galluogi i ddechrau gweithio neu aros yn eu gwaith; neu dderbyn addysg neu hyfforddiant lle gellid disgwyl yn rhesymol i hynny fod o gymorth iddynt gael gwaith.' Roedd y dadansoddiad o fylchau (Atodiad 1 yr adroddiad) yn crynhoi prif ganlyniadau'r ADGP, yn nodi bylchau mewn darpariaeth ar draws y fwrdeistref sirol, ac yn llywio'r cynllun gweithredu pum mlynedd (Atodiad 2 yr adroddiad).

Dywedodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd fod Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr yn bodloni ei ddyletswydd statudol i ddarparu gofal

plant digonol i deuluoedd a oedd yn gweithio. Fodd bynnag, roedd yr ADGP wedi canfod bylchau yn y ddarpariaeth gofal plant ac yn yr wybodaeth a oedd ar gael. Roedd y bylchau hyn yn cyd-fynd â'r rhai a nodwyd gan Dîm Gofal Plant yr awdurdod lleol, a oedd yn meddu ar gyfoeth o wybodaeth weithredol ac arbenigedd yn y sector gofal plant. Roedd y dadansoddiad bylchau yn sail i'r cynllun gweithredu pum mlynedd a byddai'n llywio'r blaenoriaethau a nodwyd gan Dîm Blynnyddoedd Cynnar a Gofal Plant yr awdurdod lleol, gan sicrhau bod yr awdurdod lleol yn parhau i gyflawni ei ddyletswydd statudol.

Eglurodd y Cyfarwyddwr Corfforaethol Addysg a Chymorth i Deuluoedd y goblygiadau ariannol fel yr amlinellwyd yn yr adroddiad.

Diolchodd yr Aelod Cabinet dros Addysg i'r Cyfarwyddwr Corfforaethol Addysg a'r swyddogion am yr adroddiad. Roedd hwn yn adroddiad rheolaidd a luniwyd yn rhan o'r ddyletswydd statudol tuag at sicrhau Gofal Plant Digonol. Er nad oedd dyraniad CBSP wedi'i gadarnhau hyd yma, byddai'r arian yn dod i'r amlwg i gefnogi'r bylchau a oedd wedi'u nodi.

Eiliodd y Dirprwy Arweinydd yr adroddiad a chytuno bod hwn yn gynnig hael iawn gan Ben-y-bont ar Ogwr i'r preswylwyr. Roedd ganddi bryderon ynghylch yr elfen cyllid grant. Roedd Llywodraeth Cymru wedi rhoi cyllid grant i'r awdurdod am 3 i 5 mlynedd, ond nid oedd y cyllid hwn yn hirdymor, a sut oeddent am sicrhau darpariaeth wedi hynny? Roedd angen i Lywodraeth Cymru roi syniad o'r amserlen, a sut y byddent yn ei gynnwys yn y Grant Cynnal Refeniw. Ychwanegodd ei bod yn hapus i ysgrifennu at Lywodraeth Cymru i fynegi'r pryderon hyn.

Dywedodd yr Arweinydd fod hwn yn fuddsoddiad i'w groesawu gan Lywodraeth Cymru ac y dylem ganfod beth oedd y graddfeydd amser a'r gofynion cyn gynted ag a oedd yn bosibl. Gallai hwn fod yn swm mawr o arian y byddai angen ei ddefnyddio o fewn cyfnod byr.

**PENDERFYNWYD:**

Bod y Cabinet yn cymeradwyo'r dadansoddiad o fylchau a'r cynllun gweithredu (a oedd wedi'u cynnwys yn atodiadau 1 a 2 yr adroddiad) i'w cyflwyno i Lywodraeth Cymru yn rhan o Asesiad Digonolrwydd Gofal Plant 2021-2022.

**58. MONITRO CYLLIDEB 2022-23 - RHAGOLYGN REFENIW CH 2**

Cyflwynodd y Prif Swyddog - Cyllid, Perfformiad a Newid adroddiad a oedd yn rhoi'r wybodaeth ddiweddaraf i'r Cabinet am sefyllfa ariannol refeniw'r Cyngor ar 30 Medi 2022. Esboniodd gefndir yr adroddiad ac egluro bod amcanestyniadau'r gyllideb yn cael eu hadolygu'n rheolaidd a'u hadrodd gerbron y Cabinet bob chwarter, yn rhan o'r Fframwaith Rheoli Perfformiad. Roedd y gallu i sicrhau gostyngiadau cytunedig i'r gyllideb hefyd yn cael ei adolygu'n barhaus a'i adrodd gerbron y Cabinet yn rhan o'r broses hon.

Cyfeiriodd y Prif Swyddog - Cyllid, Perfformiad a Newid at gyllideb refeniw net y Cyngor a'r gwariant diwedd blwyddyn rhagamcanol ar gyfer 2022-23, fel y dangoswyd yn Nhabl 1 yr adroddiad. Esboniodd mai'r sefyllfa gyffredinol a ragwelir ar 30 Medi 2022 oedd gorwariant net o £3.433 miliwn, a oedd yn cynnwys gorwariant net o £6.098 miliwn ar gyfarwyddiaethau a thanwariant net o £2.665 miliwn ar gyllidebau'r Cyngor cyfan.

Eglurodd y Prif Swyddog - Cyllid, Perfformiad a Newid oblygiadau'r gostyngiad sylweddol i gronfa Galedi LIC a'r ceisiadau i Lywodraeth Cymru yn gysylltiedig â Covid.



Rhoddodd y newyddion diweddaraf i'r Cabinet ynghylch trosglwyddiadau cyllidebol ac addasiadau technegol, ac effaith chwyddiant ar gyflogau a phrisiau. Yn ystod y misoedd diwethaf roedd y Cyngor wedi wynebu costau ychwanegol nid yn unig o ganlyniad i'r pandemig, ond costau cynyddol hefyd o ganlyniad i Brexit, effaith y rhyfel yn yr Wcráin, a chynnydd mewn chwyddiant nas gwelwyd ers dros ddegawd.

Rhoddodd y Prif Swyddog - Cyllid, Perfformiad a Newid amlinelliaid o'r cynigion ar gyfer lleihau'r gyllideb, gostyngiadau cyllidebol y flwyddyn gynt a gostyngiadau yn y gyllideb ar gyfer 2022-23. Rhoddodd grynoded o'r sefyllfa ariannol ar gyfer pob prif faes gwasanaeth a'r amrywiadau mwyaf sylweddol, ac adolygiad o'r cronfeydd wrth gefn a glustnodwyd.

Adroddodd y Prif Swyddog - Cyllid, Perfformiad a Newid mai dyma'r tro cyntaf yn ei gyrfa mewn llywodraeth leol iddi orfod adrodd am bwysau cyllidebol mor sylweddol yn ystod y flwyddyn. Roedd hi am sicrhau'r Cabinet bod y pwysau hyn yn cael eu hadlewyrchu ledled Cymru, ac nad oeddent y unigryw i Ben-y-bont ar Ogwr. Roedd pwysau sylweddol bellach ar gyllideb eleni, ac ychwanegodd eu bod yn monitro hyn o hyd ac y byddent yn dychwelyd gydag adroddiadau diweddarau a'r sefyllfa'r gyllideb. Yn yr hinsawdd economaidd bresennol, roedd pethau'n newid o'r naill ddiwrnod i'r nesaf, felly roeddent yn monitro'r sefyllfa'n agos iawn.

Dywedodd yr Aelod Cabinet dros Adnoddau fod y sefyllfa wedi troi'n ddifrifol iawn, a'i fod yn sicr nad oedd wedi gweld rhagolygon ariannol fel hyn o'r blaen. Yn ei holl flynyddoedd yn ymateb i'r cyni ariannol, nid fu'r cyni hwnnw mor ddifrifol â'r heriau o'u blaen heddiw.

Eiliodd y Dirprwy Arweinydd yr adroddiad, ond nid oedd yn hapus ynghylch sefyllfa'r gyllideb ym Mhen-y-bont ar Ogwr. Roedd hi am godi ymwybyddiaeth yr Aelodau ynghylch y Gyfarwyddiaeth Gwasanaethau Cymdeithasol a Llesiant, gan dynnu sylw'n arbennig at y ffaith bod yr holl amcanestyniadau cyfredol yn dangos y byddai ganddi orwariant o £7.499 miliwn erbyn diwedd y flwyddyn ariannol. Roedd y gorwariant mewn meysydd fel anableddau dysgu, cyfleoedd dydd a gofal preswyl i bobl hŷn, iechyd meddwl, cyfarpar gofal cartref, ac addasiadau ar gyfer anableddau dysgu. Roedd gorwariant eisoes yn yr holl feysydd hyn, ac roedd rhan o hynny'n deillio o'r galw am y gwasanaethau, gan fod y gwasanaethau'n seiliedig ar alw. Roedd yr her o'n blaenau yn sylweddol ac roedd angen i'r awdurdod godi ymwybyddiaeth y preswylwyr ynghylch hyn. Roedd hi'n bryderus iawn ynghylch sut y byddent yn gallu darparu'r gwasanaeth yn y dyfodol, a sut y byddent yn mynd ati i amddiffyn y preswylwyr a oedd yn fwyaf agored i niwed. Roedd angen i bob aelod, waeth beth fo'u hymlyniad gwleidyddol, godi hyn gyda'u pleidiau gan fod angen iddynt lloïo San Steffan ynghylch y canlyniadau.

Ychwanegodd yr Arweinydd fod pob un awdurdod lleol yn wynebu'r rhagolygon ariannol hyn. Roedd gorwariant sylweddol o filiynau o bunnoedd yn ystod y flwyddyn, a dim dewisiadau hawdd. Ychwanegodd y byddent yn ceisio sicrhau'r arbedion hynny yr oeddent wedi ymrwymo i'w sicrhau ac yn ystyried unrhyw opsiynau neu offer a oedd ar gael iddynt i sicrhau arbedion pellach. Fel yr oedd yr Aelod Cabinet dros Adnoddau wedi'i ddweud yn barod, roeddent eisoes wedi sicrhau dros £60 miliwn o arbedion a thoriadau dros y blynyddoedd cynt. Nid oedd yr arbedion a oedd yn dal i'w sicrhau yn ddigonol i gau'r bwlch.

**PENDERFYNWYD:**

Bod y Cabinet yn nodi rhagolygon y sefyllfa referniw ar gyfer 2022-23.

**59. DIWEDDARIAD AR Y RHAGLEN GYFALAF CH2 2022-23**

Cyflwynodd y Prif Swyddog - Cyllid, Perfformiad a Newid adroddiad a oedd yn rhoi'r

newyddion diweddaraf ynghylch sefyllfa'r rhaglen gyfalaf ar gyfer 2022-23 ar 30 Medi 2022 (Atodiad A), ac yn gofyn am gytundeb y Cabinet i gyflwyno adroddiad i'r Cyngor i gymeradwyo rhaglen gyfalaf ddiwygiedig ar gyfer 2022-23 hyd 2031-21 (Atodiad B), ac yn gofyn i'r Cabinet nodi rhagolygon y Dangosyddion Darbodus a Dangosyddion Eraill ar gyfer 2022-23 (Atodiad C).

Esboniodd y Prif Swyddog Cyllid, Perfformiad a Newid gefndir yr adroddiad a rhoi diweddariad ynghylch

Rhaglen Gyfalaf y Cyngor ar gyfer 2022-23 ers iddi gael ei chymeradwyo diwethaf gan y Cyngor

, gan gynnwys unrhyw gynlluniau neu gymeradwyaeth ar gyfer grantiau newydd.

Cyfeiriodd at dabl 1 yn yr adroddiad a oedd yn dangos y newid i raglen gyfalaf pob

Cyfarwyddiaeth rhwng sefyllfa gymeradwy'r Cyngor ym mis Gorffennaf 2022 (Chwarter 1) a Chwarter 2. Roedd Tabl 2 y rhoi crynodeb o ragdybiaethau cyllid cyfredol y rhaglen gyfalaf ar gyfer 2022-23. Roedd nifer o gynlluniau eisoes wedi'u nodi fel rhai a lle byddai angen llithro'r gyllideb i'r blynnyddoedd nesaf (2023-24 a thu hwnt). Nododd y Prif Swyddog - Cyllid, Perfformiad a Newid y cynlluniau a oedd yn creu'r llithriant hwnnw o £7.207 miliwn.

Amlinellodd y Prif Swyddog Cyllid, Perfformiad a Newid y cynlluniau newydd wedi'u cyllido'n allanol a gymeradwywyd, a'r cynlluniau wedi'u cyllido'n fewnol a oedd wedi'u hymgorffori yn y rhaglen gyfalaf. Rhoddodd y newyddion diweddaraf am waith monitro dangosyddion darbodus a dangosyddion eraill yn 2022-23 a gwaith monitro'r strategaeth cyfalaf.

Dywedodd yr Aelod Cabinet dros Adnoddau fod rhywfaint o newyddion gwell yn yr adroddiad hwn, gan gynnwys cyllid grant ychwanegol gan Lywodraeth Cymru yr oeddent yn ddiolchgar iawn amdano. Y gobaith nawr oedd y gallent fwrw ymlaen â'r cynlluniau a amlinellwyd yn Atodiad A o fewn y gyllideb.

Ychwanegodd yr Arweinydd fod cyllid wedi'i ddarparu ar gyfer ystafell ddosbarth symudol ychwanegol ym Mro Ogwr yn ychwanegol at y cynllun i ailddatblygu'r ysgol, gan fod galw mawr iawn am leoedd. Roedd hyn yn eu galluogi i gynnig lleoedd ynghynt na'r hyn a gynlluniwyd. Croesawodd hefyd y cyllid ar gyfer y cynllun Gwella Eiddo Canol Trefi er mwyn gwneud defnydd o'r newydd o eiddo a oedd wedi bod yn wag ers tro byd, ar ben Canolfan Siopa Rhiw.

**PENDERFYNWYD:** Bod y Cabinet:

- Yn nodi'r diweddariad i Chwarter 2 Rhaglen Gyfalaf y Cyngor ar gyfer 2022-23 hyd 30 Medi 2022 (Atodiad A yr adroddiad);
- Yn cytuno y dylid cyflwyno'r Rhaglen Gyfalaf ddiwygiedig (Atodiad B) i'w chymeradwyo gan y Cyngor;
- Yn nodi rhagolygon y Dangosyddion Darbodus a Dangosyddion Eraill ar gyfer 2022-23 (Atodiad C)

**60. RHEOLI TRYSORLYS - CHWARTER 1 2022-23**

Cyflwynodd y Prif Swyddog - Cyllid, Perfformiad a Newid adroddiad ar ragamcan o'r Dangosyddion Rheoli Trysorlys ar gyfer 2022-23. Esboniodd gefndir yr adroddiad a rhoi diweddariad ynghylch y sefyllfa gyfredol fel y nodwyd yn yr adroddiad. Ychwanegodd fod y Cod Rheoli Trysorlys yn ei gwneud yn ofynnol i'r Cyngor bennu nifer o Ddangosyddion Rheoli Trysorlys ac adrodd arnynt. Roedd manylion yr amcangyfrifon ar gyfer 2022-23 wedi'u nodi yn Strategaeth Rheoli Trysorlys y Cyngor, yn erbyn rhagamcanion cyfredol, wedi'u dangos yn Atodiad A. Dangosai'r rhain fod y Cyngor yn gweithredu'n unol â'r terfynau cymeradwy.

Rhoddodd y Prif Swyddog - Cyllid, Perfformiad a Newid ychydig o fanylion ychwanegol am y 2 fuddsoddiad o £8 miliwn gyda Chyngor Thurrock mewn ymateb i'r pryderon a godwyd o sawl tu ynghylch a ddylent fod yn buddsoddi yn y Cyngor ai peidio, gan ei fod yn profi problemau ar hyn o bryd. Rhoddodd sicrwydd i'r Cabinet fod y ddau fuddsoddiad wedi'u gwneud yn unol â'r Strategaeth Rheoli Trysorlys, a hefyd yn unol â'r rhestrau benthycia a oedd wedi'u hargymell gan y Rheolwr Trysorlys a chynghorwyr allanol. Cafwyd cyngor ynghylch benthycia i Gyngor Thurrock yn achos y ddau fuddsoddiad, a gwnaed y buddsoddiadau hynny cyn y cafwyd unrhyw newid i'r cyngor ynghylch y Cyngor hwnnw. Roeddent wedi buddsoddi gyda'r Cyngor hwnnw ers blyneddau ac roedd y Cyngor bob amser wedi ad-dalu ar amser ac yn unol â'r cytundebau a sefydlwyd. Ychwanegodd fod Cyngor Swydd Essex bellach wedi'i benodi i rôl Comisiynydd ac Arolygydd Gwerth Gorau yn Thurrock, a olygai mai Cyngor Swydd Essex a oedd bellach yn rheoli materion ariannol Cyngor Thurrock. Roedd Cyngor Swydd Essex wedi cadarnhau y byddai Thurrock yn ad-dalu'r holl arian a fuddsoddiwyd iddo, a phe bai angen, byddai'n benthycia drwy'r Bwrdd Benthyciadau Gwaith Cyhoeddus, i gymryd lle'r buddsoddiadau hynny. Roedd sicrwydd wedi'i roi bod y ddau fuddsoddiad yn ddiogel, ac y byddent yn derbyn yr arian hwnnw'n ôl. Yr ail fater oedd ei bod hi ar hyn o bryd yn anodd iawn rhagweld sut y byddai'r fini-gyllideb ddiweddaraf yn effeithio ar y Cyngor, a beth oedd ei heffaith ar y marchnadoedd. Roedd yr hyn a oedd yn digwydd mewn marchnadoedd cenedlaethol a byd-eang yn dylanwadu'n fawr ar waith rheoli trysorlys, felly byddent yn monitro hynny, ac roedd y cyfraddau llog a oedd yn cael eu cynnig am fuddsoddiadau'n cynyddu, felly byddai'r arian yn gweithio ychydig caletach i'r awdurdod. Pe bai cyfraddau'n codi'n uwch na'r disgwyl, ychwanegodd y byddent yn adolygu'r benthyciadau a oedd ganddynt, yn derbyn cyngor allanol ac yn adrodd gerbron y Cabinet cyn dod i benderfyniad terfynol.

Diolchodd yr Aelod Cabinet Adnoddau i'r Prif Swyddog Cyllid, Perfformiad a Newid am esbonio sut roedd y broses rheoli trysorlys yn gweithio. Roedd yn elfen hollbwysig ym mhroses ariannol unrhyw awdurdod lleol, ac roeddent yn derbyn cyngor ariannol arbenigol annibynnol. Roeddent yn aml yn derbyn cyllid gan Lywodraeth Cymru cyn bod angen ei dynnu i lawr, ac yn gwneud y defnydd gorau o'r cyllid hwnnw.

Er mwyn bod mor dryloyw ac agored ag a oedd yn bosibl, esboniodd y Prif Weithredwr ei bod hi'n bwysig iawn bod enghraifft Thurrock wedi'i chrybwyll. Roedd pob awdurdod lleol yn buddsoddi eu harian, weithiau am gyfnod byr gan wybod y byddai arnynt ei angen cyn hir, ond am gyfnod byr roedd hi'n gwneud synnwyr ei fuddsoddi yn rhywle arall, gan greu enillion. Nid oedd yn y lle hwnnw fel arian y gellid ei wario, gan ei fod eisoes wedi'i ymrwymo i ddiben gwahanol, ar ffurf cronfa wedi'i chlustnodi.

Pwysleisiodd yr Arweinydd eu bod hefyd yn defnyddio'r asiantaethau statws credyd, Standard and Poor's, Moody's a Fitch - cwmnïau â chydabyddiaeth ryngwladol, ac roedd cryn ystyriaeth yn cael ei rhoi i'r asiantaethau hynny wrth benderfynu ymhle i roi arian.

**PENDERFYNWYD:**

Bod y Cabinet yn nodi gweithgareddau rheoli trysorlys y Cyngor ar gyfer 2022-23 ar gyfer y cyfnod 1 Ebrill 2022 hyd 30 Mehefin 2022, a'r Dangosyddion Rheoli Trysorlys a ragamcanwyd ar gyfer 2022-23.

**61. ADRODDIAD ALLDRO BLYNYDDOL RHEOLI TRYSORLYS 2021-22**

Cyflwynodd y Prif Swyddog Cyllid, Perfformiad a Newid adroddiad ar y Dangosyddion Rheoli Trysorlys gwirioneddol ar gyfer 2021-22. Rhoddodd amlinelliad o gefndir yr adroddiad a'r sefyllfa bresennol, gan gynnwys cyd-destun economaidd eu gweithgarwch rheoli trysorlys y llynedd. Yn ystod y flwyddyn, cafodd y Cod Darbodus ar gyfer Cyllid

Cyfalaf, a Rheoli Trysorlys eu diweddaru. Golygai hynny na allent bellach fenthycu i fuddsoddi er mwyn creu enillion ariannol yn bennaf. Yn ystod y flwyddyn ddiwethaf, roeddent wedi cydymffurfio â gofynion deddfwriaethol a rheoleiddiol mewn perthynas â rheoli trysorlys, ac roedd manylion y gweithgareddau wedi'u dangos yn yr adroddiad. Ar ddiwedd mis Mawrth 2022, balans y buddsoddiadau a oedd yn cael eu dal gan Ben-y-bont ar Ogwr oedd £84 miliwn, a oedd yn cynnydd yn y balans o gymharu â'r flwyddyn gynt.

**PENDERFYNWYD:** Bod y Cabinet:

1. Yn nodi'r gweithgareddau rheoli trysorlys blynyddol ar gyfer 2021-22.
2. Yn nodi'r Dangosyddion Rheoli Trysorlys gwirioneddol ar gyfer 2021-22 yn erbyn y rhai a gymeradwywyd yn y Strategaeth Rheoli Trysorlys 2021-22.

**62. CYMERADWYAETH I DENDRO POLISIÂU YSWIRIANT BLYNYDDOL**

Cyflwynodd y Prif Swyddog - Cyllid, Perfformiad a Newid adroddiad yn gofyn am gymeradwyaeth i symud ymlaen i dendro am ddyfynbrisiau cystadleuol ar gyfer polisiâu yswiriant blynyddol y Cyngor, a oedd i'w hadnewyddu ar 31 Mawrth 2023. Gwerth blynyddol cyfredol y polisiâu yswiriant blynyddol oedd £1,038,326.85. Cyfanswm gwerth dangosol Cytundeb Hirdymor pum mlynedd oedd £5,191,634.25. Ychwanegodd y byddai adroddiad pellach ar ganlyniad goblygiadau ariannol y broses dendro ar gyfer y polisiâu yswiriant blynyddol yn cael ei gyflwyno gerbron y Cabinet i'w ystyried ymhellach.

Roedd yr Aelod Cabinet dros Adnoddau yn cefnogi'r adroddiad.

**PENDERFYNODD:** Y Cabinet

1. gymeradwyo dechrau'r broses dendro ar gyfer yr holl bolisiâu yswiriant blynyddol, i gychwyn ar 31 Mawrth 2023, ar gyfer Cytundeb Hirdymor hyd at bum mlynedd o hyd.
2. nodi y byddai adroddiad pellach yn cael ei gyflwyno ar ganlyniad y broses dendro ar gyfer caffael y polisiâu yswiriant, ac yn gofyn am gymeradwyaeth y Cabinet i ddyfarnu contract o ganlyniad i'r broses honno.

**63. Y CYFANSODDIAD A CHANLLAW'R CYFANSODDIAD**

Cyflwynodd y Swyddog Monitro adroddiad a ofynnai am gymeradwyaeth y Cabinet ar gyfer fersiwn ddiwygiedig y cyfansoddiad a chanllaw'r cyfansoddiad, mewn perthynas â swyddogaethau'r Weithrediaeth, cyn eu cyflwyno i'r Cyngor llawn.

Eglurodd y Swyddog Monitro fod Adran 37 o Ddeddf Llywodraeth Leol 2000 yn ei gwneud yn ofynnol i Gynghorau Sir Cymru lunio a diweddaru cyfansoddiad ysgrifenedig a oedd yn cynnwys gwybodaeth a oedd yn unol ag unrhyw gyfarwyddyd gan Weinidogion Cymru, copi o reolau sefydlog yr Awdurdod, copi o god ymddygiad Aelodau'r Awdurdod a gwybodaeth arall a fyddai'n cael ei hystyried yn briodol gan yr Awdurdod. Roedd Adran 45 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (y Ddeddf) bellach yn ei gwneud yn ofynnol i brif gynghorau gyhoeddi canllaw i'r cyfansoddiad a oedd yn esbonio cynnwys cyfansoddiad y Cyngor mewn iaith syml. Roedd yn rhaid i'r prif gynghorau hefyd gyhoeddi eu cyfansoddiad a chanllaw'r cyfansoddiad yn electronig a darparu copi

caled ohono, ar gais, naill ai'n rhad ac am ddim neu am bris penodol (nad oedd yn fwy na'r gost o ddarparu'r copi).

Er bod y cyfansoddiad drafft diwygiedig (Atodiad 1) yn ymddangos yn dra gwahanol i'r fersiwn gyfredol, eglurodd y Swyddog Monitro fod y ddogfen i raddau helaeth yn cynnwys yr un elfennau ag a oedd wedi'u hamlinellu yn yr adroddiad. Roedd canllaw'r cyfansoddiad wedi'i gynnwys yn atodiad 2 yr adroddiad. Roedd canllaw yn crynhoi holl ddarpariaethau'r cyfansoddiad hefyd wedi'i gynnwys yn Atodiad 3 yr adroddiad. Cafodd y cyfansoddiad a'r canllawiau enghreifftiol eu hystyried gan y Pwyllgor Gwasanaethau Democrataidd ar 7 Gorffennaf 2022, ac argymhellodd y Pwyllgor y dylid ffurfio Gweithgor gyda chefnogaeth y Rheolwr Grŵp Gwasanaethau Cyfreithiol a Democrataidd i adolygu pob agwedd ar y cyfansoddiad. Diolchodd y Swyddog Monitro i'r Rheolwr Grŵp, Gwasanaethau Cyfreithiol a Democrataidd am ei gwaith yn gwirio'r cyfansoddiad fesul llinell i sicrhau ei fod yn briodol i'r Cyngor. Ychwanegodd fod atodiad 4 yn rhoi crynodeb o'r materion a nodwyd drwy drafodaethau'r Gweithgor, ac yn cynnig cyfres o argymhellion i'w hystyried yn deillio o waith y Grŵp, er mwyn gwella trefniadau'r Cyngor i lywodraethu'n dda. Pe bai'r Cabinet o blaid cymeradwyo argymhellion y Gweithgor a'r cyfansoddiad i'r graddau yr oeddent yn ymwneud â swyddogaethau'r Weithrediaeth, gellid gweithredu'r cyfansoddiad a'r canllaw yn dilyn cymeradwyaeth y Cyngor Llawn, fel eu bod yn weithredol o 1 Rhagfyr 2022.

Diolchodd y Dirprwy Arweinydd i'r Rheolwr Grŵp, Gwasanaethau Cyfreithiol a Democrataidd a'r Swyddog Monitro am ysgrifennu'r cyfansoddiad, yn enwedig yr atodiadau, mewn ffordd symlach.

Cadarnhaodd y Swyddog Monitro mai gweithgor trawsbleidiol oedd y gweithgor.

Diolchodd yr Arweinydd i'r gweithgor am ei waith caled a'i gyfraniadau.

**PENDERFYNODD:** Y Cabinet

1. Gymeradwyo argymhellion y Gweithgor Gwasanaethau Democrataidd i'r graddau y maent yn ymwneud â swyddogaethau'r Weithrediaeth (Atodiad 4 yr adroddiad y cyfeiriwyd ato);
2. Cymeradwyo'r cyfansoddiad diwygiedig (yn Atodiad 1) a chanllaw'r cyfansoddiad (Atodiad 2 a 3) mewn perthynas â swyddogaethau'r Weithrediaeth;
3. Nodi y byddai adroddiad yn cael ei gyflwyno i'r Cyngor ar 19 Hydref 2022 yn gofyn am gymeradwyaeth i fabwysiadu'r cyfansoddiad a'r canllaw diwygiedig o 1 Rhagfyr 2022.

64. **ATAL RHEOLAU GWEITHDREFN GONTRACTAU'R CYNGOR A DYFARNU CONTRACT I GYFLENWI GWEITHWYR DROS DRO**

Cyflwynodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol adroddiad yn gofyn am gymeradwyaeth i roi trefniadau dros dro ar waith ar gyfer contract y cyngor i ddarparu gweithwyr dros dro, ac i atal rhannau perthnasol Rheolau Gweithdrefn Gontractau'r Cyngor mewn perthynas â'r gofyniad i aildendro'r contract.

Esboniodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, AD a Pholisi Corfforaethol fod y contract am weithwyr dros dro yn rhoi sgiliau a phrofiad allweddol i'r Cyngor mewn amrywiaeth o amgylchiadau lle nad oedd yn bosibl recriwtio ar sail barhaol. Gallai hyn fod oherwydd prinder sgiliau yn y farchnad, angen brys i lenwi swydd

oherwydd absenoldeb wedi'i gynllunio neu heb ei gynllunio a galw tymhorol neu gyllid byrdymor. Roedd y contract presennol gyda'r asiantaeth gweithwyr dros dro yn weithredol drwy'r Gwasanaeth Caffael Cenedlaethol, a byddai'r contract hwnnw'n dod i ben ar 10 Tachwedd 2022, heb unrhyw bosibilrwydd o'i estyn am gyfnod pellach.

Eglurodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol fod Llywodraeth Cymru ar hyn o bryd yn datblygu cytundeb fframwaith newydd y Gwasanaeth Caffael Cenedlaethol. Nod y cytundeb fyddai diwallu anghenion awdurdodau lleol yng Nghymru gan gydnabod yr heriau recriwtio a wynebwr mewn llywodraeth leol a'r angen cynyddol am weithwyr asiantaeth mewn rhai ardaloedd. Er mwyn caniatáu amser i gaffael ar gyfer y cytundeb fframwaith newydd hwn, ac i'r cyngor gynnal ei ymarfer ei hun, gofynnwyd am barhau â'r contract presennol. Byddai cyfnod o hyd at 18 mis yn galluogi'r cyngor i archwilio fframweithiau proffesiynol penodol yn ogystal â fframwaith y GCC ac i ystyried unrhyw ddatblygiadau cenedlaethol eraill o ran caffael gweithwyr asiantaeth. Er mwyn sicrhau parhad a gwybodaeth y darparydd presennol, cynigiwyd bod y Cabinet yn atal rhan berthnasol o Reolau Gweithdrefn Gontractau'r Cyngor, sy'n ei gwneud yn ofynnol i gynnal ymarfer caffael cystadleuol. Yn lle hynny cynigiwyd dyfarnu'r contract i'r darparydd cyfredol, yn seiliedig ar drefniadau'r contract cyfredol hyd 10 Mai 2024, gyda dewis i ymestyn ar sail adolygiadau chwe-misol er mwyn sicrhau cymaint o hyblygrwydd ag a oedd yn bosibl.

Cynigiodd y Dirprwy Arweinydd yr adroddiad wedyn esbonio bod ganddi rai pryderon ynghylch staff asiantaeth. Roedd Llywodraeth Cymru wedi cyfleu'n glir fod angen iddynt weithredu mesurau diogelu ariannol ar gyfer gweithwyr asiantaeth. Credai fod gweithlu CBSP o dan anfantais oherwydd y dull o dalu staff asiantaeth, ond roedd hi'n fodlon cynnig yr adroddiad fel mesur dros dro.

Roedd yr Arweinydd yn croesawu'r dull cenedlaethol a amlinellwyd gan Lywodraeth Cymru ac yn cydnabod y byddai'n cymryd amser i gyflawni hynny. Yn y cyfamser, roedd angen trefnu i sicrhau gweithwyr dros dro a oedd yn hanfodol er mwyn i'r awdurdod allu gweithredu.

**PENDERFYNWYD:** Bod y Cabinet:

1. Yn cymeradwyo parhau â'r cyflenwad o weithwyr dros dro, fel bo modd cynnal adolygiad llawn a phroses dendro sy'n cydymffurfio'n llwyr â'r gofynion.
2. Yn atal rhannau perthnasol o Reolau Gweithdrefn Gontractau'r Cyngor yn gysylltiedig â'r gofyniad ynghylch aildendro'r contract arfaethedig; a
3. Yn awdurdodi'r Rheolwr Grŵp Adnoddau Dynol a Datblygu Trefniadol i ymrwmo i contract ar gyfer Cyflenwi Gweithwyr Dros Dro hyd 10 Mai 2024.

65. **BLAENRAGLENNI GWAITH Y CABINET, Y CYNGOR A'R PWYLLGORAU TROSOLWG A CHRAFFU**

Cyflwynodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol adroddiad yn gofyn i'r Cabinet gymeradwyo eitemau i'w cynnwys ar Flaenraglen Waith y Cabinet ar gyfer cyfnod 1 Tachwedd 2022 hyd 28 Chwefror 2023, ac i'r Cabinet nodi Blaenraglenni gwaith y Cyngor a'r Pwyllgorau Trosolwg a Chraffu ar gyfer yr un cyfnod.

Cynigiodd y Dirprwy Arweinydd y dylid cymeradwyo'r adroddiad, a holodd ynghylch yr amseru - roedd hi'n ymwybodol bod y rhaglen waith wedi newid y llynedd oherwydd dyddiadau setliad y gyllideb. Gofynnodd a oedd hyn wedi cael ei ystyried eleni.

Atebodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol drwy ddweud bod ansicrwydd o hyd ynghylch dyddiadau, gan y byddai'r setliad yn hwyr. Yn y Cyfarfod Cyffredinol Blyneddol, dirprwywyd awdurdod i'r Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol i newid unrhyw ddyddiadau pe bai angen hynny os oedd y setliad yn hwyr.

Cyfeiriodd yr Arweinydd at y sefyllfa bresennol wrth graidd llywodraeth y DU, a'r rhagolygon ariannol ar gyfer cyllid cyhoeddus a oedd yn newid bron bob dydd. Yr hyn a oedd yn drist oedd y sgil-ffeithiau difrifol iawn i gyllid pob awdurdod lleol yn y wlad, gan gynnwys Cymru, oherwydd byddai canlyniadau i'r penderfyniadau a oedd yn cael eu gwneud, a byddai'r penderfyniadau hynny'n sicr o effeithio ar y gyllideb, ac nid oedd unrhyw sicrwydd ynghylch cynllunio a sefydlogrwydd ariannol.

Nododd yr Aelod Cabinet dros Addysg y gellid bod angen newid dyddiadau'r gyllideb, ac awgrymodd y gallai Cadeiryddion y Pwyllgorau Craffu ddechrau meddwl am eitemau a chynllunio ymlaen llaw.

Nododd yr Aelod Cabinet dros Gymunedau fod rhaglen waith Pwyllgor Craffu 3 yn dangos bod yr adroddiad ar gyfer cyfarfod 14 Tachwedd 2022 eto i'w gadarnhau. Ychydig iawn o amser yr oedd hyn yn ei roi i'r Gyfarwyddiaeth lunio adroddiad.

Cytunodd yr Arweinydd fod hwn yn bwynt da ac y dylid ei godi gyda'r Cadeirydd Craffu a'r Cyfarwyddwr Corfforaethol.

**PENDERFYNWYD:** Bod y Cabinet:

1. Yn cymeradwyo Blaenraglen Waith y Cabinet ar gyfer y cyfnod 1 Tachwedd 2022 hyd 28 Chwefror 2023 yn Atodiad 1 yr adroddiad;
2. Yn nodi Blaenraglenni Gwaith y Cyngor a'r Pwyllgorau Trosolwg a Chraffu ar gyfer yr un cyfnod â'r uchod, y naill yn Atodiad 2 a'r llall yn Atodiad 3 yr adroddiad.

**66. ADRODDIAD GWYBODAETH I'W NODI**

Hysbysodd y Prif Swyddog Gwasanaethau Cyfreithiol a Rheoleiddiol, Adnoddau Dynol a Pholisi Corfforaethol y Cabinet fod un adroddiad er gwybodaeth wedi cael ei gyhoeddi ers y cyfarfod diwethaf a drefnwyd, sef Llythyr Blyneddol yr Ombwdsmon 2021 i 2022. Cafodd yr adroddiad hwn a'r llythyr eu cyflwyno i'r Pwyllgor Llywodraethu ac Archwilio yn ddiweddar. Gofynnodd i'r Cabinet nodi peth o'r data yn yr adroddiad. Cafwyd 55 o gwynion yn erbyn yr awdurdod, ac roedd hynny'n cymharu â 31 yn 2020 hyd 2021. Yn ei Lythyr Blyneddol, awgrymodd yr Ombwdsmon, fod cwynion am gyrff cyhoeddus wedi'u hatal yn ystod y pandemig a bod eu niferoedd wedi cynyddu yn dilyn hynny. Roedd y ffigur ar gyfer 2021/2022 yn cynrychioli 0.37 o gwynion wedi'u derbyn fesul 1000 o breswylwyr, ac o blith y cwynion hynny, ymyrrodd yr Ombwdsmon yn saith o'r achosion, setlwyd pump drwy weithio gyda'r Ombwdsmon, a datryswyd un achos yn gynnar.

Cynigiodd y Dirprwy Arweinydd yr adroddiad a gofynnodd am ryw syniad o gynnwys y cwynion, yn enwedig mewn perthynas â'r gwasanaethau cymdeithasol ac addysg.

Esboniodd Prif Swyddog y Gwasanaethau Cyfreithiol a Rheoleiddiol, AD a Pholisi Corfforaethol fod dadansoddiad cryno wedi'i atodi i'r adroddiad, ac yn ogystal â hynny, y byddai adroddiad blyneddol yn cael ei gyflwyno i'r Pwyllgor Llywodraethu ac Archwilio ym mis Ebrill ac ynddo ragor o fanylion.

Cadarnhaodd yr Arweinydd fod nifer y cwynion a gafwyd yn gyson â chyfartaledd Cymru. Bu cynnydd yn nifer y cwynion ynghylch cod ymddygiad Cyngorwyr Tref a Chymuned ac yn y rhan fwyaf o achosion nid oedd angen gweithredu. Awgrymodd yr Arweinydd y dylid ystyried cryfder y gŵyn i weld a oedd ffordd arall o ymdrin â'r sefyllfa.

**PENDERFYNWYD:** bod y Cabinet yn cydnabod cyhoeddi'r ddogfen a nodwyd yn yr adroddiad

67. **EITEMAU BRYD**

Dim

68. **GWAHARDD Y CYHOEDD**

**DATRYSWYD:** O dan Adran 100A (4) o Ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, caiff y cyhoedd eu heithrio o'r cyfarfod wrth ystyried yr eitem ganlynol o fusnes gan ei bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 12 o Ran 4 a Pharagraff 21 o Ran 5 o Atodlen 12A i'r Ddeddf.

Ar ôl cymhwyso'r prawf budd y cyhoedd, penderfynwyd, yn unol â'r Ddeddf y cyfeirir ati uchod, i ystyried yr eitem ganlynol yn breifat, gyda'r cyhoedd wedi'u heithrio o'r cyfarfod, gan yr ystyriwyd bod budd y cyhoedd mewn cynnal yr esemptiad, ym mhob amgylchiad sy'n ymwneud â'r eitem, yn gorbwyso budd y cyhoedd wrth ddatgelu'r wybodaeth.

69. **CYMERADWYO COFNODION EITHRIEDIG**

**PENDERFYNWYD:** Cymeradwyo bod cofnodion cyfarfod y Cabinet a gynhaliwyd ar 19 Gorffennaf 2022 yn gywir.

Daeth y cyfarfod i ben am 7:00pm



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING REGIONAL ADVOCACY AND INDEPENDENT VISITING SERVICE FOR CHILDREN AND YOUNG PEOPLE

#### 1. Purpose of report

1.1 The purpose of this report is to seek approval to:

- extend the Inter-Authority Agreement (IAA) with Rhondda Cynon Taf County Borough Council (RCT) and Merthyr Tydfil County Borough Council by 12 months (with the option to extend by a further 12 months), to continue the delivery of the regional service for Independent Professional Advocacy (IPA) and Independent Visiting (IV); and
- suspend the Council's Contract Procedure Rules (CPRs) in respect of the proposed extension of the Professional Advocacy (IPA) and Independent Visiting (IV) service contract with Tros Gynnal Plant (TGP) Cymru.

#### 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 Bridgend County Borough Council (BCBC) holds a statutory duty under Part 10 of the Social Services and Wellbeing (Wales) Act 2014, to provide an Independent Professional Advocacy (IPA) and Independent Visiting (IV) service for eligible children and young people, notably Care Experienced Children, Children in Receipt of Care and Support and those in Child Protection.

3.2 Welsh Government has introduced a 'National Approach' to children's advocacy which requires local authorities to commission a regional service, utilising the Welsh Government (WG) tool which assists with calculating capacity and associated costs for local/regional independent professional advocacy.

- 3.3 In 2019, a procurement exercise – which was led by RCT and supported by BCBC officers – appointed an independent advocacy provider Tros Gynnal Plant (TGP) Cymru awarding a two year contract, with an optional extension for a further two years, which is due to cease on 1<sup>st</sup> April 2023.
- 3.4 The region (involving all 3 local authorities) entered into an Inter-Authority Agreement (IAA) to work together and offer support to the service provider to deliver the service fully, where this arrangement will also cease when the contract expires in April 2023.

#### **4. Current situation/proposal**

- 4.1 Prior to undertaking the original tender exercise, Welsh Government had developed a 'range and level' tool, which is an integral component to the commissioning process. The WG tool is currently under review and, as yet, there is no guidance nor timescales provided by WG on when the updated tool will be made available. Without the review being complete, it will not be possible to effectively carry out an informed re-commissioning exercise.
- 4.2 The lead contracting authority (RCT) have recommended delaying re-commissioning for a period of 12 months, whilst awaiting further information and guidance from WG. Both the contract and the regional IAA is due to expire in April 2023 and there is no option to extend further. To extend the service contract, RCT are proposing the direct award of a short term contract to the same service provider on the same terms as the existing contract. Cabinet approval is therefore being sought to extend the regional IAA beyond the original term, from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, with the option to extend by a further 12 months, depending on the outcome of the review and development of a revised WG 'range and level' tool and to suspend the requirements of the Councils CPRs to approve the proposed direct award.
- 4.3 Cabinet needs to be aware that in taking forward this action, the Council is exposed to the risk of potential challenge from other providers. The Council's CPRs ensure that procurement exercises are lawful and carried out in compliance with Public Procurement Law, in particular the Public Contract Regulations 2015. This report proposes the approval of the extension of the existing agreement without any competition which breaches the requirements of the Public Contract Regulations 2015 and therefore requires Cabinet's approval to set aside the Council's CPRs. The risk of challenge is not possible to quantify, however given the need to continue service provision the Council may take the view that the potential for challenge is one it is prepared to accept.
- 4.4 Maintaining this provision via TGP Cymru for a twelve-month period (which may need to be extended by a further 12 months, pending the production of the revised WG tool) would ensure continuity of service for children and children's social care staff. Relationships have been built and enhanced locally and regionally over the past four years and have led to positive working relationships being established.
- 4.5 During the extension period (2023/24 and possibly 2024/25, if required), a re-tender exercise (led by RCT) will be undertaken to appoint a provider through a competitive procurement process.

#### **5. Effect upon policy framework and procedure rules**

- 5.1 This report is requesting a suspension of the Council's CPRs, but no amendment to the CPRs is being sought.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, 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 A summary of the Well-being of Future Generations (Wales) Act 2015 assessment is listed below:

<b>Long-term</b>	Children and families are enabled to take control and responsibility for the care and protection without intervention from the local authority. Children remain in the care of the families and are supported by their carers to reach their full potential.
<b>Prevention</b>	The focus of the service is to prevent children becoming looked after by the local authority and to remain in the care of their immediate or wider family where it is safe to do so.
<b>Integration</b>	The service is a multi-agency partnership where integration is key to good service delivery arrangements.
<b>Collaboration</b>	Collaboration is a key approach of the service and involves children, young people, parents, carers, wider family members and professionals to ensure the safety of children and families.
<b>Involvement</b>	Participation and engagement arrangements will be strengthened as part of this working arrangement.

## **8. Financial implications**

- 8.1 All local authorities make a financial contribution towards the total cost of the regional service, which is based on actual service delivered. The current budget within BCBC's Children's Services is a total of £102,150 per annum, which is made up of £77,170 core budget, and an annual contribution from Welsh Government totaling £24,980, which is a figure derived from the WG range and level tool.
- 8.2 Extending the current arrangements will result in minimum financial risk to BCBC, as the rates submitted by TGP as part of the tender process will still be applicable during the extension period.

## **9. Recommendations**

- 9.1 It is recommended that Cabinet give approval to:
- 9.1.1 extend the Inter-Authority Agreement (IAA) with Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council by 12 months, with the option to extend by a further 12 months, depending on the outcome of the review and development of a revised WG 'range and level' tool; and

- 9.1.2 suspend the Council's CPRs in respect of the proposed extension of the Professional Advocacy (IPA) and Independent Visiting (IV) service contract with Tros Gynnal Plant (TGP) Cymru.

**Claire Marchant**

**CORPORATE DIRECTOR – SOCIAL SERVICES AND WELLBEING**

October 2022

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**Background documents:** None

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CORPORATE DIRECTOR SOCIAL SERVICES AND WELLEING SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2021/22

#### 1. Purpose of report

- 1.1 The purpose of this report is to present to Cabinet the 2021/22 Annual Report on social services representations and complaints as required by Welsh Government guidance. The Annual Report is attached at **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**:

- **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 Members will be aware that there is a requirement for Local Authorities to have in place procedures for considering any representations or complaints made in relation to the discharge of their Social Services functions. This Annual Report relates to Social Services representations and complaints received that have been handled in accordance with the revised Welsh Government Complaint Guidelines "A Guide to Handling Complaints and Representations by Local Authority Social Services" which came into effect on 1<sup>st</sup> August 2014. The guidance supports the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. The Regulations introduced a new two stage process which replaced the previous three stages and also brings the process for Social Services into line with the NHS Complaints Procedure.
- 3.2 The key elements of the Social Services Representations and Complaints Procedure are:-

- Stage 1 complaints to be responded to within 5 working days of the date of resolution (10 working days permitted to achieve resolution).
- The timescale permitted to complete Stage 2 independent complaint investigations is 25 working days.
- To make links with other Directorates of the Authority, the NHS and the Care Inspectorate Wales to provide a 'seamless' complaints service.
- Monitor performance of complaints handling, learning from complaints and using this learning to improve services for everyone who uses them.

Where complainants have exhausted the complaints procedure, the complainant has the right to refer their concern for consideration by the Public Services Ombudsman for Wales.

- 3.3 Members will note from the Annual Report that strong emphasis is placed not just upon complaints, but also on the comments and compliments received from service users which gives a balanced view. The services are keen to learn from the information gathered and use this to inform future service developments and any service improvements.
- 3.4 The Annual Report also contains statistics relating to complaints addressed in accordance with the Authority's Corporate Complaints Procedure, together with information relating to the fact that the majority of complaints are addressed and resolved informally (prior to reaching Stage 1 of the complaints procedure). This important and significant work ensures that concerns are resolved quickly and efficiently and prevents complainants from being subjected to using the formal complaints procedure unnecessarily.
- 3.5 Statistical information relating to the processing of Member Referrals is provided in the Annual Report. The Representations and Complaints Procedure does not preclude the right of an individual to approach their local Councillor, Assembly Member or Member of Parliament who all undertake an important role in handling concerns and queries that individual constituents may have. Member Referrals can range from comments and queries to complaints.
- 3.6 The Annual Report also includes information arising from a cross-section of the feedback generated from user/carer engagement exercises undertaken by a range of service areas.

#### **4. Current Situation / Proposal**

- 4.1 The 2021/2022 report contains statistical information in relation to the representations and complaints received during the year for both Adult Social Care and Children's Social Care.
- 4.2 The number of representations (complaints, comments and compliments) received during the reporting period is broken down as follows:

16	Statutory Stage 1 and Stage 2 Complaints
2	Corporate Complaints
55	Concerns resolved pre-complaints procedure

1	Public Services Ombudsman
170	Compliments / Comments

This is a significant reduction in the overall number of complaints received; 74 in 2021/22 compared to 123 in 2020/21 and 233 in 2019/20. The report also shows a reduction in the number of compliments received compared to the previous reporting periods; 170 compliments received in 2021/22, compared to 206 in 2020/21, and 96 in 2019/20. Complaints staff continue to encourage all staff across the Directorate to record and log all compliments received.

4.3 Statistics reflect that the Directorate has continued to achieve an early resolution for complainants. The number of complaints resolved by this approach in 2021/22 was 55. In comparison to previous years, this was 98 in 2020/21 and 201 in 2019/20. Therefore, although there has been a reduction in the number of complaints in 2021/22 the early resolution figures continue to represent a high percentage; 74% of the total number of complaints received in the reporting period. The emphasis continues to be to focus on swift and effective complaints handling in a local citizen centred way.

- 4.4 During 2021/2022, 1 complaint was investigated by the Public Service Ombudsman regarding a lack of support from the Fostering Service.
- 4.5 During 2021/2022 2 cases were addressed by the Corporate Complaints procedure: all to Children's Social Care, with no complaints relating to Adults Social Care or Business/Finance support services.
- 4.6 During 2021/2022 a total of 16 complaints were addressed in accordance with the Statutory Complaints Procedure by Social Services equating to 22% of all complaints received. Of the 16, 11 were dealt with at Stage 1 and 5 at Stage 2. It is important to note that of the 5 Stage 2 complaints reported during 2021/22, 4 related to Stage 1 complaints received prior to the reporting year. Of the 11 Stage 1 complaints received during the year, 3 have progressed to Stage 2. As Stage 2 is the formal investigation stage requiring the appointment of an Independent Investigator; the figures suggest that there may be a higher level of complexity of those cases that proceed through the formal process.
- 4.7 There is an emphasis on taking forward lessons learned from complaints within service areas. In this reporting period this included developing and rolling out guidance for staff, improving documentation, and reviewing systems and processes.
- 4.8 The number of Member Referrals received for both Adult and Children's Social Care during the reporting period was 181, broken down as follows:
- Adult Social Care – 118
  - Children's Social Care – 63
- 4.9 As referred to in paragraph 3.6, there is a wide range of feedback from people who use social care services which is used to inform service development. The Annual Report details various examples of responses and feedback received for a range of services across the Directorate.

- 4.10 Independent advocacy support services across Children's and Adult Social Care continues to be a priority, and the Annual Report provides details of advocacy activity across both service areas, together with some comments and detail of some outcomes achieved.
- 4.11 The majority of the work carried out within the Social Services Representations and Complaints Procedure is undertaken in consultation with Legal Services and there is a strong working relationship between the social services complaints staff, legal services and corporate complaints staff .

## **5. Effect upon policy framework and procedure rules**

- 5.1 There is no effect upon the policy framework and procedure rules arising from this report.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, 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.
- 6.2 Complainants are welcome to submit complaints in the Welsh language; complaints leaflets are bilingual. The complaint forms are bilingual and are available for use by complainants.
- 6.3 There have been no complaints received in relation to equality issues during the reporting period.

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

- 7.1 The implementation of the duties and responsibilities under the Social Services and Wellbeing (Wales) Act 2014 (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. Promoting the right of an individual to be involved in the development and provision of support and services, to encourage feedback and to enable a person to make a complaint about the support or services they receive contributes to ensuring the Authority works 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** – the SSWBA focuses on sustainable prevention and well-being outcomes for the future, and a focus on early intervention, prevention of complaints escalation, and a ‘lessons learned’ approach, continues to be a priority.
- **Prevention** – there is a focus on early intervention and response to complaints received in order to avoid escalation and ensure as far as possible that an early preventative resolution is achieved.
- **Integration** - the implementation of the SSWBA requires Local Authorities to work with partners. In addition, one of the key elements to the Social Services Complaints Procedure would be to ensure links are made with other Directorates of the Authority, the NHS, and the Care Inspectorate Wales in order to provide a ‘seamless’ complaints service.
- **Collaboration** – there is a focus on linking in with other parts of the organisation and relevant partners, in terms of providing a consistent and thorough response to complaints made, and to ensure responses are responded to in a consistent way.
- **Involvement** - the key stakeholders are the people who use social care. There is considerable engagement with key stakeholders which includes focus groups, surveys, feedback forms, member referrals, as well as the complaints process.

## **8. Financial implications**

8.1 There are no financial implications associated with this report.

## **9. Recommendation**

9.1 It is recommended that Cabinet approve the Annual Report on social services representations and complaints for 2021/22 in **Appendix 1**.

Claire Marchant

**CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING**

November 2022

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## **Background documents:**

None

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**BRIDGEND COUNTY BOROUGH  
COUNCIL**

**SOCIAL SERVICES  
REPRESENTATIONS AND  
COMPLAINTS**

**ANNUAL REPORT  
2021 / 2022**

***November 2022***

**SOCIAL SERVICES  
REPRESENTATIONS AND COMPLAINTS 2021/22**

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2. Summary of the statutory complaints procedure
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## 1. INTRODUCTION

This report covers the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 and relates to representations and complaints received by the Social Services and Wellbeing Directorate regarding services and support provided by Adult Social Care and Children's Social Care.

Social Services Authorities are required to maintain a procedure for considering complaints and representations (comments and compliments). Any member of the public, including a child who has received or was entitled to receive a service from Social Services may make a complaint. The purpose of this report is to provide a review and statistical analysis of the complaints, comments and compliments received by Social Services during the reporting period.

This is the seventh Annual Report relating to representations and complaints received by the Directorate which have been handled in accordance with the revised Welsh Government Complaint Guidelines "A Guide to Handling Complaints and Representations by Local Authority Social Services" which came into effect on 1<sup>st</sup> August 2014. The guidance supports the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. The Regulations introduced a two-stage process which replaced the previous three stages and also brings the process for Social Services into line with the NHS Complaints Procedure.

## 2. SUMMARY OF THE STATUTORY COMPLAINTS PROCEDURE

**"A guide to handling complaints and representations by Local Authority Social Services" (Welsh Government).**

**Stage 1 – Local Resolution:** As with the previous guidelines, particular emphasis is placed upon swift resolution of the majority of complaints. An offer to discuss the complaint with the complainant must therefore be made to attempt to resolve matters. This discussion must take place within 10 working days of the date of acknowledgement of the complaint. Where this approach leads to mutually acceptable resolution, the Local Authority must write to the complainant with details of the terms of the resolution within 5 working days of the date on which the complaint or representation was resolved.

**Stage 2 – Formal Investigation:** Appointment of an Independent Investigator is made and, as with the previous guidelines an Independent Person must also be appointed to oversee the investigation process (complaints relating to Children's services). Collaborative arrangements have now been established (on a reciprocal basis) with neighbouring Local Authorities to share details of Independent Investigating Officers and Independent Persons able to undertake investigations.

The investigation must be completed, and a full written response issued to the complainant within 25 working days. Where this is not possible, the Authority must write to the complainant to explain the reason for the delay and ensure the response is issued as soon as possible and no later than 6 months from the date of receipt of the complaint.

### **3. THE PUBLIC SERVICES OMBUDSMAN FOR WALES**

Where complainants have exhausted the complaints procedure, the complainant has the right to refer their concern for consideration by the Public Services Ombudsman for Wales.

The Public Services Ombudsman for Wales provides an external independent service for the purpose of considering complaints made by members of the public in relation to all Local Authority services, including Social Services. The Public Services Ombudsman also has jurisdiction to examine and determine complaints of injustice as a result of maladministration on the part of the Local Authority.

The Ombudsman will normally require complainants to have sought redress, in the first instance, via the Local Authority's complaints procedure prior to accepting and investigating a complaint of maladministration on the part of the Local Authority.

During 2021/2022, the Ombudsman progressed 1 complaint to investigation.

The complaint investigated by the Public Service Ombudsman was regarding a lack of support from the Fostering Service. The Ombudsman found a lack of clarity on complainant's status as a Foster Carer and a failure to putting anything in place to maintain the fostering arrangement, such as the "When I am Ready" (WIR) Scheme. The complainant was also dissatisfied with the handling of their complaint. This complaint was upheld, and the Council apologised to the complainant for the failings identified and paid financial redress of £8,500 each in recognition of the impact that those failings. A review has since been undertaken on pathway planning and pathway planning training is in place for relevant staff since January 2022.

The Ombudsman also recommended a review of its approach to commissioning Independent Investigators and quality control in the scrutinising of commissioned reports. The complaints department have since undertaken work to expand previously limited pool of Independent Investigating Officers, so the Authority is in a better position to commission investigators with the most suitable skills and experience. The Independent complaint reports are scrutinised to ensure they meet the expected standard.

Collaborative arrangements have also been established (on a reciprocal basis) with neighbouring Local Authorities to share details of Independent Investigating Officers and Independent Persons able to undertake investigations. This has enabled the Council to expand our pool of quality Investigators.

### **4. MEMBER REFERRALS**

The Representations and Complaints Procedure does not preclude the right of an individual to approach their Local Councillor, Assembly Member or Member of Parliament. They undertake an important role in handling concerns and queries that individual constituents may have. Collectively, these are called Member Referrals and can range from comments and queries to complaints.

If an Elected Member considers it to be inappropriate to deal with a concern, the matter can be referred for consideration under the Complaints Procedure. With effect from 2017, only those referrals received from Elected Members have been recorded by Democratic Services. Cabinet Members may liaise with Assembly

Members and Members of Parliament to complete referrals but this data is no longer recorded.

During 2021/22, Member referrals were received as follows:-

**Table 1**

<b>2021/2022</b>	<b>Number of Referrals</b>
Wellbeing: Adult Social Care and Wellbeing	118
Wellbeing: Children's Social Care	63
<b>Total</b>	<b>181</b>

## **5. ENGAGEMENT AND FEEDBACK**

In addition to receiving comments and compliments from service users and their relatives/carers, the Directorate also issues a range of feedback questionnaires from across service areas. A cross-section of the feedback generated from user/carer feedback surveys undertaken during 2021/2022 is set out below:-

Adult Social Care:

**The Homecare** survey is forwarded to all people who have accessed a Local Authority Domiciliary Care Service and have an active Care and Support Plan.

Between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022, **95** surveys were distributed, **33** were returned completed. This is a **34.7%** response rate, which is a rise from the response rate of 25.3% in the previous year.

General comments provided include:

Very helpful. Always polite and pleasant.
All of the carers are very friendly and thoughtful, always very happy and they cheer my mother up a lot.
All my wife's carers are very good. They are always really polite and caring. They are a credit to BCBC. Thank you all
They are always polite and helpful.
All carers are polite and very good at their jobs.

**The Bridgestart** service provides short term (up to 6 weeks) personal care to service users in their homes.

Comments provided include:

The girls have treated me like a queen, and I am very grateful.
I spoke to X, she named you as a very caring and attentive.

**Bridgend Day Services** support adults with a learning disability and older people living with frailty and dementia, with the main aims of the service being:

- Skill development & skill maintenance for the person
- Support the social aspect of friendships and relationships
- Respite for families and carers

These services are provided across a number of venues including specialist provision at Bridgend Resource Centre and local services in Bridgend, Pyle and Sarn. Comments in respect of these venues include:

### **The Bridgend Resource Centre**

Everyone in Bridgend Resource Centre had made me feel welcome during my transition to adult services.
---

[Christmas Card] BRC team 'fantastic', Thank you for all the support and for looking after my son.
--

A Father commented verbally on how friendly the staff were and he was impressed his daughter settled in so quickly.
---

Thank you for help with the dom care calls and the high energy of the Resource centre staff during my visit.
--

### **Ty Pen Y Bont**

You've done a great job and we thank you for that.
--

[Card & £250 donation] Thank you for everything. You are a brilliant team
---

[Christmas Card] Thank you all so much for your help and support under such difficult circumstances. Hopefully 2022 will see a more positive outcome in overcoming this terrible virus.
---

I must say how impressed I've been with the running of Ty Pen in recent times. Its a real pleasure to visit and say hello to everyone. The current management team have made huge improvements. The staff are very positive and proactive and can't do enough to help the clients and families. Its very reassuring when we leave H with them knowing she is in such good hands.
--

**The Common Access Point (CAP) team** acts as the single point of access to integrated health and social care services for adults in Bridgend. Providing access to information, advice, signposting, as well as proportionate support and assistance, when required, to people, their families and carers, as well as to professionals, to enhance outcomes for individuals.

Comments received about the service include:

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

Honestly thank you so much you did everything you could to find out what is happening, and you got back to me before the weekend which we really appreciate, have a lovely weekend pet.
---



It's nice to know people like you care love and I am grateful that people like you are about.
It was nice to have someone call them back when arranged and do what they said they were going to do.
I didn't know what to do or what to ask for and I was very embarrassed, but I want to say thank you so much for being so kind and helping me.

Children's Social Care:

**Foster Wales Bridgend** is divided into two teams: **General Fostering & Placements** and **Kinship & Permanence teams**. These teams provide a range of foster case placements for children and young people who are looked after by Bridgend County Borough council. This includes long and short-term kinship care arrangements and short break services for children with disabilities. They also provide assessments and support Special Guardians.

Comments received regarding these services include:

As you're aware we've had a very challenging few days trying to resolve a placement issue for a very complex YP open to our team. Thankfully we have moved forward with this now however I just wanted to pass on how helpful and supportive A has been in working with us on this issue. She has been working tirelessly on this for the past 2 days linking in with other professionals, providers and agencies. It demonstrates her excellent knowledge of services and resources along with her relationships with other professionals in securing these for children and young people. A has been very young person focused throughout.
B, she is the best and has been by my side throughout
We would like to thank C for all the support and also D for their support. C has been an outstanding supervising social worker and the reason we feel we can continue with the challenging young people that often come to us.
I felt that it was a lifeline I couldn't have done without.
I just wanted to bring to your attention that carer for X informed me this week that the recent support that E has offered to the placement was invaluable, she said that it really helped the male carer and they both felt more reassured and confident after the meeting
Couldn't fault a thing. F and G - BCBC need more staff like them.

The **Child Disability & Transition Team** safeguard and provide a range of support to disabled children and young people and their families including those going through the process of transition into adulthood.

Comments received about these services include:

I'd like to thank you for all the hard work you have done for X in the time you have known her, and you have made a massive positive difference in her life. All the best in your new role we both hope you enjoy it!
thank you very much for the wonderful weekly activity you arranged for X and his new friends during the Summer holidays. It was incredibly valuable for

<p>him. It gave him some independence and opportunity - just like children without disabilities have - to hang out with young people in his age and ability bracket. In his words: he met his friends and made new friends, enjoyed cooking, and making things and sharing his interests on the YouTube mini-programmes, really enjoyed going to Cardiff for the day on the train and playing mini golf - but the golf clubs were too small for his height! He hopes he can do it next summer holidays too. This summer club gave him space and company and a real understanding of his needs - and met his needs for his social development and growth. We are very grateful for this opportunity for him and hope that something like this is operating next summer as well - in fact all school holidays! The summer club is something which we would gladly pay for him to access.</p>
<p>H has done some brilliant work with this young man, and it is lovely to see this recognised by fellow professionals as well as the family</p>
<p>... Having a social worker is great and we have nothing but praise for J 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.</p>

## **Adult Social Care - Statutory Independent Professional Advocacy (IPA)**

### Providers

BCBC commissions a 'Hub & Spoke' service model for Bridgend which includes:

- Advocacy Contact Hub: PromoCymru
- Specialist Learning Disability Provider (statutory and non-statutory): People First Bridgend
- Specialist Communications/Accessible Support Provider: Mental Health Matter Wales

### Performance Data

The Advocacy Hub continued to receive circa 60 connected contacts per quarter with a total of 209 contacts in the year, which were triaged and referred to the most appropriate support service. This approach ensures that only those eligible for statutory IPA are then referred through to that service, and non-statutory or other services which may be more appropriate are contacted to ensure the best service is accessed.

236 individuals were recorded with statutory IPA support across the services, receiving support for a total of 458 individual issue-based cases. This was a rise from the 212 individuals connected and supported in the previous year, the drop in the previous year mainly being due to the impact of the COVID-19 pandemic. The total number of individuals supported in this reporting period has almost been brought up to pre-pandemic levels (246 individuals supported in 2019-20).

Around 50 individuals received non-statutory Learning Disability advocacy support during this reporting period.

The levels of face-to-face contact have still been affected by the COVID-19 pandemic, but ongoing support continued through the period with no issues or concerns to note.

In addition, People First Bridgend were able to support with a comprehensive engagement for around 100 people with a Learning Disability living in commissioned supported living placements in Bridgend. This process ensured the voice of those individuals was captured within tender documents, putting them at the centre of the commissioning process.

Mental Health Matters Wales also operate complementary community advocacy services in addition to those commissioned by Bridgend County Borough Council. No data is available for those additional services.

## **Children's Social Care – Statutory Independent Professional Advocacy (IPA)**

### Provider

Tros Gynnal Plant (TGP) – is an established and long-standing advocacy provider in Bridgend area, under a regional contract for Cwm Taf Morgannwg, contract led by Rhondda Cynon Taf County Borough Council.

### Active Offers

37 active offer meetings were held during the reporting period. This is a slight drop from the 41 active offers made in the previous year and is modest in comparison to the number of eligible young person's entering the system. This has been identified as an area for further improvement and Children's Services continue to work closely with TGP in respect of ensuring active offers and issue-based advocacy uptake is increased. This has included inviting TGP to all team meetings for case management teams to enhance knowledge of the support that advocacy services can offer. Team Managers continue to be reminded of the need to promote advocacy within their teams. Independent Reviewing Officers are reinforcing the need for the active offer to be made by Social Workers at each review. A practice note has also been sent to staff to highlight the requirement to promote advocacy. TGP are undertaking targeted awareness to increase the take up of advocacy services among care experienced young people and care leavers in Bridgend. There is also a plan in place to recruit a dedicated Independent Visiting Coordinator with an aim to promoting and growing the Independent Visiting service across Bridgend.

### Issue-based Advocacy (IBA)

204 IBA cases were opened during the reporting period; with 197 cases closed and 7 cases remaining open at the end of the period. This is a small rise from the 192 issue-based advocacy cases opened in the previous year. The level of issue-based advocacy service in Bridgend has been consistently high over a number of years in Bridgend. Young people have been effectively supported and continue to have access to an advocacy service that supports their voice. The three most prominent issues during the reporting period were as follows;

- Support at meetings.
- Placement issues.
- Contact issues.

Support at meetings is the most prominent support request by a significant margin.

## 6. STATISTICAL INFORMATION 2021/2022

### Number of Representations Received and Timescales

**Table 2**

<b>Total Number of Representations Received Statutory Complaints Procedure – April 2021 to March 2022</b>		
<b>Complaints</b>	<b>Adult Social Care</b>	<b>Children's Social Care</b>
Informal (resolved prior to invoking the formal complaints procedure)	8	47
Stage 1	3	8
Stage 2	3	2
Public Services Ombudsman for Wales	0	1
Corporate	0	2
<b>Total Complaints</b>	<b>74</b>	
<b>Compliments</b>	<b>Adult Social Care</b>	<b>Children's Social Care</b>
	114	56
<b>Total Compliments</b>	<b>170</b>	

**Timescales** : Of the 11 stage 1 complaints received, during the year, 55% (6) were responded within the timescale of 15 working days of receipt during this reporting period. Whilst this was a drop from the 100% reported in 2020/21 it is important to note that of the 11, 73% (8) were resolved at stage 1 and did not escalate to stage 2.

The focus in 2022/23 is to ensure that timeliness as well as resolution has a focus in the service. In order to improve on the Authority's adherence to prescribed timescales resilience is being built into the complaints team through the review of a vacant post to ensure there is capacity to deputise for the Complaints Officer when they are on leave.

### **Overall Analysis**

#### *Early Resolution of Complaints*

In line with the Welsh Government Guidance "A guide to handling complaints and representations by Local Authority social services" Bridgend County Borough Complaints Department, wherever possible, focuses on early resolution of complaints. **74%** of complaints were resolved informally during this reporting period (pre the complaints procedure). Although this is slightly lower than the 79% of complaints resolved informally in 2020/21, the high percentage overall continues to reflect the Directorate's commitment to achieving the early resolution for complainants.

Some of the feedback comments received in relation to complaint staff members involvement with complainants in terms of discussion to understand the nature of complaints and support early resolution is as follows:

"Thank you for your prompt action and support."
"You are a star!"
"Many thanks X. Supportive as usual."

### *Complaint Outcomes (Statutory)*

In-line with Welsh Government guidance on "A guide to handling complaints and representations by local authority social services" complaints resolved at Stage 1 are only closed by mutual consent, with all parties confirming that a resolution has been agreed. The three most common themes at Stage 1 during this reporting period were:

- Poor communication
- Level of support
- Staff conduct

Stage 2 complaints are investigated by an Investigating Officer (IO) independent from the council. Complaints relating to children's services must also be overseen by an Independent Person (IP).

The outcome of Stage 2 complaints resolved within the reporting year are as follows:

**Table 3**

<b>Complaint Outcomes (St. 2 – Statutory Complaints Procedure)</b>			
<b>Outcome</b>	<b>Adult Social Care</b>	<b>Children's Social Care</b>	<b>Total</b>
Not Upheld	2	0	<b>2</b>
Partially Upheld	0	2	<b>2</b>
Upheld	0	0	<b>0</b>
Ongoing	1	0	<b>1</b>
<b>Total</b>	<b>3</b>	<b>2</b>	<b>5</b>

Some of the issues that were upheld following independent investigation were as follows:

- 1. The Council has failed in its obligation to follow its own *Concerns and Complaints Policy* and outlined timeframes.**

The Local Authority acknowledged the delay and apologised to the complainant for failing to adhere to the prescribed timescale. This was unfortunately due to a lack of workforce capacity at the time.

The Council has since been working on building additional resilience into the Complaints team to recruit and retain staff, so complaints are responded to within the prescribed timescales. The department is currently recruiting an additional member of staff to deputise the Complaints Officer when on leave and support with the Council's adherence to the *Concerns and Complaints Policy*.

Collaborative arrangements have also since been established between the new Complaints Officer and neighbouring Local Authorities to share details of Independent Investigating Officers and Independent Persons. This has enabled the department to expand the pool of quality Investigators.

**2. Direct payment hours were split between two siblings, which did not allow suitable provision for one sibling's more complex needs and deprived the second sibling of the hours he needed.**

In this case, complainants were given separate Social Workers for the siblings. Separate Care and Support assessments were carried out for both children and both children received Direct Payments in their own right.

**3. Delays in receiving reports and notes of meetings.**

The Local Authority agreed that the standard of service and communications were not as good as they should have been at all times. An apology was offered to the complainant for the delay they experienced.

## **NATURE OF COMPLAINTS**

The nature of all complaints received to the directorate varied, and included:

**Table 4**

<b>Themes of complaints received 2021/22</b>	<b>Percentage %</b>
Level of Support	28%
Staff Conduct	24%
Poor Communication	21%
Issue with Assessment	13%
Request for Financial Reimbursement	6%
Safeguarding Concerns*	4%
Delay with Assessment	3%
Data Breach**	2%

*\* Further information on complaints regarding safeguarding concerns can be found below. Complaints regarding safeguarding concerns are addressed in line with the necessary safeguarding procedures.*

*\*\*Complaints regarding a breach of personal data were reported to the Council's Data Protection Officer in line with UK GDPR processes.*

### **Complaints regarding safeguarding concerns**

During this reporting period, **4** complaints highlighted safeguarding concerns that the complaint believed not to have been addressed appropriately by Social Services via the Wales Safeguarding Procedures. Two of these complaints were resolved informally and two were investigated at Stage 1 of the complaints process.

Three of these complaints were not upheld and the Council gave full details of the actions taken following the safeguarding concern being raised.

One complaint (investigated at Stage 1) identified that process was not followed. An apology was given to the complainant along with actions taken to avoid this happening again. Since the concern was raised, the department has created learning opportunities/group supervisions with the team discussing live cases to ensure processes are fully understood and decisions made are appropriate. The case was also put forward in peer supervision to support improvements across the team through learning.

## 7. HOW COMPLAINTS WERE RESOLVED AND LESSONS LEARNED

A variety of methods were used to resolve complaints, including:-

- Liaison by the complaints officers with senior managers to identify/agree immediate/informal resolution.
- Meetings by senior officers with complainants to discuss/resolve their concerns.
- Liaison with other Local Authorities ensuring coordinated and cohesive responses.
- Provision of explanation of reasons for decisions (verbal and/or written).
- Provision of an apology (written), where appropriate.
- Corrective actions, e.g. change of decisions, review of procedures;
- Reassessment (independent).
- Advocacy services/support.
- Independent investigation.
- Strengthening the links with Learning and Development to incorporate the lessons learned into the further development of staff training.

Key lessons learned during 2021/22 were as follows:-

**Table 5**

<b>Service Area</b>	<b>Lessons Learned/Actions Implemented</b>
<b>Children's Social Care</b> Foster Service Documentation	A review on Pathway planning documentation was undertaken in December 2021. This was following the findings from the investigation by The Ombudsman and his Professional Adviser's comments.
<b>Children's Social Care</b> Foster Service Training	Pathway planning training has become available for Independent Reviewing Officers since January 2022. This addresses the Local Authorities responsibilities under the statutory framework, human rights considerations and implications for practice when working with young people who are leaving or have recently left its care. This area of improvement was recommended by The Ombudsman following the findings from his complaint investigation.

<p><b>Children's Social Care</b></p> <p>Foster Carer Payments</p>	<p>Policies in relation to foster carer payments now clearly outline allowances and fees payable to mainstream and kinship foster carers. The Foster Service implemented a new Fostering Financial Policy in March 2022, which details allowances payable to all of BCBC's Foster Carers. The new policy is dated and includes a date by which it should be reviewed, as recommended by an Independent Investigating Officer.</p>
<p><b>Social Services Complaints</b></p> <p>Timeliness of Complaints</p>	<p>An Independent Investigating Officer has recommended that the Local Authority should take the opportunity to summarise why the Welsh Government's timescales for completing complaint investigations at Stages 1 and 2 were not met for a complaint against Adult Services.</p> <p>This was a result of workforce capacity, the Council's prioritisation of the response to Coronavirus which impacted on timeliness and a shortage in Investigating Officers.</p> <p>The Council has since started work on building additional resilience into the Complaints Team to ensure complaints and resolutions are responded within a timely manner.</p> <p>Collaborative arrangements have also been established (on a reciprocal basis) with neighbouring Local Authorities to share details of Independent Investigating Officers and Independent Persons able to undertake investigations. This has enabled us to expand our pool of quality Investigators.</p>

### **Welsh Language Standards**

There have been no complaints received during this reporting period that have been communicated via the medium of Welsh.

To ensure compliance with the requirements of the Welsh Language Standards all complaints publicity material, including leaflets and the complaints website have been translated and are readily available in Welsh and English.

### **Compliments**



Compliments are regarded as important information which can be used to identify and learn from good practice. All compliments are therefore recorded centrally and details provided in management reports. As mentioned above, 117 compliments were received during 2021/22 compared to 206 the previous year. Please find a selection of the compliments received for 2021/22 below:-

**Table 6**

<b>Compliments - Adult Social Care:</b>
“...I must say how impressed I've been with the running of Ty Pen in recent times. It's a real pleasure to visit and say hello to everyone. The current Management team have made huge improvements. The staff are very positive and proactive and can't do enough to help the clients and families. It's very reassuring when we leave X with them knowing she is in such good hands....”
“...I haven't had the pleasure of meeting you as I live in “X”, but my Mum keeps me updated and always mentions how wonderful and extremely helpful you have been. I would like to take this opportunity to thank you, so very much for your persistence and success in achieving what you did...”
“...We were so impressed and truly grateful that our mother feels a worthy member of society once again...”
“...I just wanted to pen a quick but nevertheless huge ‘thank you’ to you in relation to the support you have provided to the Day Services Team over the past few weeks. A number of my team have commented on your efficiency and equally your professionalism which has most certainly been underscored – however, just as noticeable is how helpful and friendly you have been in providing that assistance so promptly. I am copying A and B into this email because I think the service you have provided to this team has been outstanding. Thank you so much...”
“...First of all, please accept my thanks for returning my call and your assistance. I should like to take this opportunity to give praise to the two ladies from your emergency response team who were called to my husband on the evening of X. My husband was stuck between the lower part of the wheelchair; myself and two others were unable to lift him out of there. The ladies who arrived, took seconds to dismantle the footrests off the wheelchair and free my husband without causing him any injury. They then proceeded to attend to him and were very efficient, helpful, considerate and comforting to him and to myself. They decided that it seemed as if my husband had had a stroke and telephoned for an ambulance from my house telling them it was a suspected stroke. Unfortunately the ambulance took almost fourteen hours to arrive and is currently in hospital. He has suffered a stroke to his left side. Please pass on my grateful thanks to the two ladies from your team who attended upon my husband...”
“...Just a ‘little’ thank you off Mum and I for all the help, understanding, kindness and love you’ve shown us this year. I could not have survived without you and Dan-Y-Graig. You really are a superstar...”
“...I would like to take this opportunity to thank all the staff at Ty Pen Y Bont who were so accommodating of X’s attendance at the centre. I know she really enjoyed her days with you and it was a real lifeline for the family following the sudden onset of her rapidly progressive condition...”
“...wanted to pass her compliments to the T&R Team. She has appreciated the support that we have provided throughout the year, particularly with the welfare calls. In particular, X wanted to also thank C, who she has said has been wonderful, she appreciated the advice and support that C has offered. X said that C provided useful contact numbers for when she goes away...”

“...I didn’t know what to do or what to ask for and I was very embarrassed, but I want to say thank you so much for being so kind and helping me...”
<b>Compliments – Children Social Care:</b>
“...We would like to thank D for all the support and also E for their support. D has been an outstanding supervising social worker and the reason we feel we can continue with the challenging young people that often come to us...”
“...As H’s work was a model of how social work should be – approaching a case with an open mind...”
“...Just wanted to add my appreciation. This has been so complex for years, you caught it at the eleventh hour which I know hasn’t been easy. But sometimes the results are worth the challenge and X is very happy at the outcome and it’s thanks to you. I’m sure this has been a challenging one for you too, so thank you for your diligence and your support...”
“...I felt that it was a lifeline I couldn't have done without...”
“...I would like to take this opportunity to thank everyone who has worked with X over the last few years...”
“...I'm X's biological mother to say J has been a joy and pleasure to have been in mine and my daughter life these last 10 years is an understatement words cannot begin to describe the way she has been, she always goes the extra mile she fights with whoever she needs to make sure my daughter has everything she needs and deserves. I am proud to say she isn't just my daughter's formal social worker but also, she is my friend...”
“...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...”
“...pleasure to read and to note that there is very good management of the case of “X” by H... case is very complex...aware that there is a very high level of work that is needed since last LAC review, and she has achieved so much by completing many tasks before today’s LAC Review...did praise E in the LAC Review on her commitment and her management of the case to those in attendance...”

## 8. CUSTOMER FEEDBACK – THEIR EXPERIENCE OF THE COMPLAINTS PROCEDURE

The rate of return by complainants of completed questionnaires has been very poor historically, the service only received one response 2016/17 and two responses in 2015/16. Therefore, the focus since 2018/19 has been on the outcome of the complaint, as opposed to the experience of using the complaints procedure.

Questionnaires will be reintroduced in 2022/23 to try to gain customer feedback on the experience of the complainant’s experience of the complaint’s procedure.

## 9. ACHIEVEMENTS IN 2021/2022

- Fewer complaints were received overall for the period 2021/22 compared to 2020/21. There was a reduction from 16 to 10 in the number of Stage 1 formal complaints handled in the period compared to 2020/21, and a decrease in the number of Stage 2 complaints from 9 to 5.
- Complaints staff have continued to work closely with complainants and managers to aim to resolve complaints locally and as swiftly as possible. This

is reflected in the high number of complaints resolved at the pre-complaints stage (**Table 2**).

## **10. OBJECTIVES FOR 2022/2023**

- Continue to encourage and work with managers/staff to support early resolution of complaints and representations, where possible.
- Review current data collection arrangements that support the understanding of the Directorate's performance around the Complaints Process. This will include, re-evaluating how we can continue to develop the use of the Welsh Community Care Information System (WCCIS) to report on complaints; initial work has begun on this area.
- During 2021/22 the Council experienced difficulties in appointing suitably experienced Independent Investigating Officers in a timely way. Work is being undertaken to further develop the pool of investigators. A new Complaints Officer came into post in April 2022 and has developed relationships with neighbouring Local Authorities, in order to share information on good quality Investigating Officers. This has supported the service to identify and appoint 2 new Investigating Officers to further support the timely resolution of complaints at Stage 2.
- Review in-house policies and procedures that support the complaints process. This will be followed by the formulation of a training plan to ensure:
  - All current staff are aware of any changes made and have a clear understanding of their roles and responsibilities within the process.
  - Complaint's training is an integral aspect of the induction of new starters across the Directorate.
- Build additional resilience into the Complaints Team to ensure complaints and resolutions are responded within a timely manner. The Department is currently in the process of appointing a revised post within the Team to support the Complaints Officer to ensure there is a deputising function when the officer is on leave and support effective performance reporting and analysis.

## **11. EQUALITIES**

A screening for equality impact has been carried out in relation to the representation and complaints procedure. There is no negative impact on the protected equality characteristics.

There have been no complaints in relation to equality impacts received during the reporting period in relation to the Social Services Representations and Complaints Procedure.

**Report prepared for Claire Marchant  
Statutory Director of Social Services  
By the Compliments and Complaints Resolution Manager**

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

#### COUNCIL TAX PREMIUMS - LONG TERM EMPTY HOMES AND SECOND HOMES

### 1. Purpose of report

#### 1.1 The purpose of this report is to:

- provide information to Cabinet on the discretionary powers that the Council has to charge higher amounts of Council Tax (a premium) on long term empty homes and second homes, as provided for by the Housing (Wales) Act 2014.
- seek approval from Cabinet to initiate a consultation exercise on the proposed use of these powers in respect of long term empty homes and second homes.
- seek approval from Cabinet to bring back the results of the consultation exercise in order for Cabinet to determine a way forward for recommendation to full Council.

### 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 Council tax collected from local residents makes up approximately 27% of the funding for the Council's net revenue budget, which supports the achievement of all of the Council's well-being objectives.

### 3. Background

#### 3.1 From 1st April 2017, Councils in Wales have been able to charge higher amounts (a

premium) of up to 100% on top of the standard rate of council tax on long-term empty homes and second homes. The legislative changes were made by the Housing (Wales) Act 2014 and the powers given to Councils are discretionary. Whether to charge a premium on long term empty homes or second homes (or both) is therefore a decision to be made by each Council, and must be made by full Council.

3.2 Welsh Government (WG) has provided guidance to support local authorities in determining whether or not to charge a premium, and have provided a range of factors which can help local authorities in making that decision, including:

- Numbers and percentages of long-term empty homes or second homes in the area;
- Distribution of long-term empty homes or second homes and other housing throughout the authority and an assessment of their impact on property values in particular areas;
- Potential impact on local economies and the tourism industry;
- Patterns of demand for, and availability of, affordable homes;
- Potential impact on local public services;
- Potential impact on the local community;
- Other measures that are available to authorities to increase housing supply;
- Other measures that are available to authorities to help bring empty properties back into use.

3.3 The discretion given to local authorities to charge a premium is intended to be a tool to help local authorities to:

- \* bring long-term empty homes back into use to provide safe, secure and affordable homes; and
- \* support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

3.4 In February 2019 Council resolved to remove the discretionary discount on empty homes, and approved a new level of 100% Council Tax payable for specified categories of property which have been empty for more than 6 months. No consideration was given as part of that decision to charge a premium on empty homes. With regards to second homes, the Council has not awarded a discount on these types of properties since April 2000, neither has it charged a premium.

3.5 The Welsh Government guidance outlines a number of exceptions where premiums cannot be charged on empty homes and second homes, and more detail is available on each one within the guidance:

<b>Classes of Dwelling</b>	<b>Definition</b>	<b>Application</b>
Class 1	Dwellings being marketed for sale – time-limited for one year	Long Term Empty Homes and Second Homes
Class 2	Dwellings being marketed for let – time-limited for one year	
Class 3	Annexes forming part of, or being treated as part of, the main dwelling	
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	
Class 5	Occupied caravan pitches and boat moorings	Second Homes
Class 6	Seasonal homes where year-round occupation is prohibited	
Class 7	Job-related dwellings	

#### 4. Current situation/proposal

##### **Premiums for Long Term Empty homes**

- 4.1 A long-term empty dwelling is defined as a dwelling, which is both **unoccupied** and **substantially unfurnished** for a continuous period of at least **one year**.
- 4.2 In determining the length of time a dwelling has been empty, no account can be taken of any period before 1st April 2016. In addition, the furnishing or occupation of a dwelling for one or more periods of six weeks or less during the year will not affect its status as a long-term empty dwelling. In other words, a person cannot alter a dwellings status as a long-term empty dwelling by taking up residence or installing furniture for a short period.
- 4.3 Where a Council makes a determination to charge a premium on long-term empty dwellings, it may specify different percentages (originally up to 100 per cent but from 1st April 2023 this can be up to a maximum of 300 per cent) for different dwellings based on the length of time that they have been empty.
- 4.4 Should the Council determine to charge a premium on this type of property then notice of the decision must be published at the minimum in a local newspaper, but it is recommended that this is published more widely, within 21 days of that decision. However, there is no requirement for the Council to provide a prescribed period of notice before charging a premium. The Council would write to each home owner once a decision is made, to advise them of the forthcoming change thereby providing as much advance notice as possible. In terms of timing, given that council tax bills are issued towards the end of February/beginning of March, there is sufficient time available to undertake a consultation for the 2023-24 financial year, to enable Council to take a decision and advertise that decision before the council tax bills are issued.
- 4.5 The Welsh Government Stats Wales website shows the following position across Wales (2022-23) in terms of those authorities that charge an empty property

premium, plus the percentage premium applied and the number of properties affected:

	<b>Long Term Empty Homes Premium</b>				
	<b>25%</b>	<b>50%</b>	<b>75%</b>	<b>100%</b>	<b>Total</b>
Isle of Anglesey	0	0	0	324	<b>324</b>
Blaenau Gwent	0	0	0	0	<b>0</b>
Bridgend	0	0	0	0	<b>0</b>
Caerphilly	0	0	0	0	<b>0</b>
Cardiff	0	826	0	0	<b>826</b>
Carmarthenshire	0	0	0	0	<b>0</b>
Ceredigion	579	0	0	0	<b>579</b>
Conwy	0	398	0	0	<b>398</b>
Denbighshire	0	516	0	0	<b>516</b>
Flintshire	0	588	0	0	<b>588</b>
Gwynedd	0	0	0	1019	<b>1019</b>
Merthyr Tydfil	0	0	0	0	<b>0</b>
Monmouthshire	0	0	0	0	<b>0</b>
Neath Port Talbot	0	0	0	0	<b>0</b>
Newport	0	0	0	0	<b>0</b>
Pembrokeshire	129	89	0	246	<b>464</b>
Powys	0	665	0	0	<b>665</b>
Rhondda Cynon Taf	0	0	0	0	<b>0</b>
Swansea	0	0	0	1079	<b>1079</b>
Torfaen	0	0	0	0	<b>0</b>
Vale of Glamorgan	0	0	0	0	<b>0</b>
Wrexham	0	260	0	0	<b>260</b>
<b>Total Wales</b>	<b>708</b>	<b>3342</b>	<b>0</b>	<b>2668</b>	<b>6718</b>

- 4.6 Bridgend's latest data (October 2022) shows there are 701 long-term empty homes in the County Borough. The table below provides additional information in relation to the distribution of these properties across the communities of Bridgend and the length of time that these properties have stood empty.



Parish	12-18mths	18-24mths	2-3yrs	3-5yrs	5-10yrs	> 10yrs	Total over 12 months
Brackla	5	1	3	5	2	5	21
Bridgend	15	8	14	19	15	11	82
Cefn Cribwr	3	0	2	1	2	4	12
Coity Higher	6	6	6	6	4	2	30
Coychurch Higher	0	0	0	1	1	0	2
Coychurch Lower	2	1	0	1	3	0	7
Cynffig	4	3	5	0	5	5	22
Garw	18	5	5	4	17	5	54
Laleston	3	8	4	1	6	3	25
Llangynwyd Lower	0	1	0	1	0	0	2
Llangynwyd Middle	4	0	2	1	2	2	11
Maesteg	31	16	27	15	35	33	157
Merthyrmaur	0	0	1	0	1	0	2
Newcastle Higher	4	4	1	1	3	1	14
Ogmore Valley	15	7	7	13	25	18	85
Pencoed	3	5	6	4	6	3	27
Porthcawl	20	18	14	20	25	21	118
St Brides Minor	1	1	5	2	4	2	15
Ynysawdre	5	5	0	1	3	1	15
<b>Total</b>	<b>139</b>	<b>89</b>	<b>102</b>	<b>96</b>	<b>159</b>	<b>116</b>	<b>701</b>

- 4.7 Bridgend's Empty Property Strategy was approved by Cabinet in December 2019. The purpose of the Strategy was to seek to reduce empty properties across the County Borough and help contribute towards increasing the availability of housing for sale or for rent. A proposal to charge a council tax premium on empty properties is in line with the aims of this Strategy.

### **Premiums for Second Homes**

- 4.8 A second home is defined as a dwelling that is not a person's sole or main residence and is substantially furnished. These dwellings are referred to in the Local Government Finance Act (LGFA) 1992 as dwellings occupied periodically but they are commonly referred to as "second homes".
- 4.9 The Welsh Government Stats Wales website also shows the following position across Wales (2022-23) in terms of those authorities that charge a council tax premium on second homes, plus the percentage premium applied and the number of properties affected:

	Second Homes Premium				
	25%	50%	75%	100%	Total
Blaenau Gwent	0	0	0	0	<b>0</b>
Bridgend	0	0	0	0	<b>0</b>
Caerphilly	0	0	0	0	<b>0</b>
Cardiff	0	0	0	0	<b>0</b>
Carmarthenshire	0	0	0	0	<b>0</b>
Ceredigion	1642	0	0	0	<b>1642</b>
Conwy	1050	0	0	0	<b>1050</b>
Denbighshire	0	384	0	0	<b>384</b>
Flintshire	0	177	0	0	<b>177</b>
Gwynedd	0	0	0	3746	<b>3746</b>

	Second Homes Premium				
	25%	50%	75%	100%	Total
Isle of Anglesey	0	2149	0	0	<b>2149</b>
Merthyr Tydfil	0	0	0	0	<b>0</b>
Monmouthshire	0	0	0	0	<b>0</b>
Neath Port Talbot	0	0	0	0	<b>0</b>
Newport	0	0	0	0	<b>0</b>
Pembrokeshire	0	0	0	3794	<b>3794</b>
Powys	0	1074	0	0	<b>1074</b>
Rhondda Cynon Taf	0	0	0	0	<b>0</b>
Swansea	0	0	0	1284	<b>1284</b>
Torfaen	0	0	0	0	<b>0</b>
Vale of Glamorgan	0	0	0	0	<b>0</b>
Wrexham	0	0	0	0	<b>0</b>
<b>Total Wales</b>	<b>2692</b>	<b>3784</b>	<b>0</b>	<b>8824</b>	<b>15300</b>

- 4.10 Currently Bridgend County Borough Council has 72 properties which are classed as second homes that pay a 100% charge. Of these, approximately 74% are owned by people who do not live in Bridgend County Borough. Under the Local Government Finance Act 1992, in order for a premium to apply to dwellings occupied periodically (second homes), a billing authority must make its first determination under section 12B **at least one year** before the beginning of the financial year to which the premium relates. This means that in order to charge a premium from 1st April 2024, a billing authority must make a determination before 1st April 2023.
- 4.11 Where a Council makes a determination to charge a premium on second homes, this can be up to a maximum of 300 per cent from April 2023.

### **Consultation Process**

- 4.12 Prior to determining whether or not to charge a premium on long term empty homes and/or second homes, a local authority must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations. In line with the WG guidance, a local authority should consider engagement and consultation with key stakeholders, including the local electorate, before taking a decision as to whether or not to charge the premium.
- 4.13 It is proposed that a 4 week public consultation process be undertaken on this proposal, which will include the Council writing directly to the owner of every empty home and second home to invite their feedback. The results of the consultation will be brought back to Cabinet and Council in January 2023.

### **Proposed Premium**

- 4.14 It is proposed that a premium of 100% be charged on both long term empty homes and second homes for an initial period of 2 years, with a proposal that this be increased to 200% from year 3. This will be the basis of a public consultation.

- 4.15 Following the consultation, should Council agree to charge a premium on long term empty homes and second homes, it is proposed that the premium for long term empty homes is introduced and effective from 1st April 2023, while the premium for second homes would be effective from 1st April 2024 (in line with the requirements of the Act).

## **5. Effect upon policy framework and procedure rules**

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

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, 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. However, this will be further considered as part of the consultation exercise.

## **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 proposals support the sustainable development principle by seeking to support an increase in the supply of affordable housing and enhancing the sustainability of local communities

## **8. Financial implications**

- 8.1 The charging of a 100% premium on long-term empty dwellings and second homes would raise additional revenue through council tax collection. This is estimated at a maximum of £1 million (based on the full year impact of a 100% premium, once both premiums are implemented (April 2024), and based on the current 97.5% collection rate at average Band D council tax rates). However, this is unlikely to be the case, given the likely much lower collection rates for these types of properties, the need to identify and apply the exceptions set out in paragraph 3.5, and the fact that around 17% of properties have been empty for over 10 years and for these properties there are often problems in determining ownership / responsibility for payment.
- 8.2 In line with the WG guidance, the local authority is permitted to retain any additional funds generated by implementing the premium. Authorities are encouraged to use any additional revenue generated to help meet local housing needs, in line with the policy intentions of the premiums. It is proposed that the extra funding generated would support the Council's Empty Property Strategy and Homelessness Strategy, and will be used to support budget pressures in these areas through the Medium Term Financial Strategy.

## **9. Recommendations**

- 9.1 Cabinet is recommended to note the report and:

- agree to initiate a consultation exercise on the proposed use of these powers in respect of long term empty homes and second homes.
- agree to bring back the results of the consultation exercise in order for Cabinet to make a recommendation to full Council.

Carys Lord  
**Chief Officer – Finance, Performance and Change**  
November 2022

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**Background Documents:** Welsh Government 'Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales' January 2016

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

##### TREASURY MANAGEMENT – HALF YEAR REPORT 2022-23

### 1. Purpose of report

#### 1.1 The purpose of this report is to:

- update Cabinet on the mid-year review and half year position for treasury management activities and treasury management indicators for 2022-23.
- highlight compliance with the Council's policies and practices.

### 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 Treasury Management is integral to the delivery of all of the Council's well-being objectives as the allocation of resources determines the extent to which the well-being objectives can be delivered. Prudent Treasury Management arrangements will ensure that investment and borrowing decisions made by officers on behalf of the Council contribute to smarter use of financial resources and hence assist in the achievement of the Council's well-being objectives.

### 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. Scrutiny of the Council's Treasury Management Strategy (TMS) and policies is delegated to the Governance and Audit Committee.

- 3.2 Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's (CIPFA) 'Treasury Management in the Public Services: Code of Practice' 2017 Edition (the TM Code) which requires the Council to approve a Treasury Management Strategy before the start of each financial year. The CIPFA Code also requires the Council to set a number of Treasury Management Indicators, which are forward looking parameters and enable the Council to measure and manage its exposure to treasury management risks, and these are included throughout this report. In addition, the Welsh Government (WG) issued revised Guidance on Local Authority Investments in November 2019 that requires the Council to approve an Investment Strategy before the start of each financial year. 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 The Prudential Code for Capital Finance in Local Authorities (the Prudential Code) requires Local Authorities to determine 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 covers all the financial assets of the Council as well as other non-financial assets which the authority holds primarily for financial return. However, a significant change in the Prudential Code is that, in order to comply with the Code, an authority must not borrow to invest primarily for financial return. The Code does not require existing commercial investments, including property, to be sold, however it does set out that authorities who have a need to borrow should review options for exiting their financial investments for commercial purposes. The Council's Capital Strategy 2022-23, complying with CIPFA's requirement, includes the Prudential Indicators along with details regarding the Council's non-treasury investments. The Capital Strategy and Treasury Management Strategy should be read in conjunction with each other as they are interlinked as borrowing and investments are directly impacted upon by capital plans and were approved together by Council on 23 February 2022.
- 3.4 The Council's treasury management advisors are Arlingclose Ltd. 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 The Council has complied with its legislative and regulatory requirements during the period 1 April to 30 September 2022.

- 4.2 A summary of the treasury management activities for April 2022 – September 2022 is shown at table 1 in **Appendix A**. Since the start of the financial year the Council has had surplus funds for investment. The balance on investments at 30 September 2022 has decreased from £102.2 million in Quarter 1, to £98.45 million as a result of day to day cash movements, with an average rate of interest of 0.88%.
- 4.3 Other than Salix interest-free borrowing for specific energy saving schemes, the Council has not taken long-term borrowing since March 2012. The TMS approved for 2022-23 included an assumption that the Council would need to borrow £9.36 million during the year, based on the Council holding £76 million usable reserves that it could use in the short term to finance expenditure. These figures were based on the assumption that the Council's reserves would reduce by £11.04 million from balances held at 31 March 2021. However, as a result of slippage in the Capital Programme 2021-22, the amount of reserves needed to be drawn down to fund the capital programme in 2021-22 was significantly lower than anticipated. In addition, the Council received £20.6 million from the Welsh Government Hardship Fund during 2021-22, which was more than had been anticipated during the year, as well as further additional grants from Welsh Government in the final quarter of 2021-22 which enabled the Council to set aside £27.62 million in additional reserves in 2021-22. However, it is important to note that while the use of usable reserves in lieu of new borrowing is prudent, it is a short-term position and as the reserves are used for specific projects it will become necessary to borrow in the future to finance capital expenditure. Based on the current capital programme and the expected use of reserves allocated therein, it is expected that there will not be a requirement for new long-term borrowing in 2022-23. Details on forecast capital spend is provided in the Capital Strategy 2022-23 which was approved by Council on 23 February 2022 and the 2021-22 Capital Programme Outturn and Quarter 1 Monitoring reported to Council 20 July 2022.
- 4.4 Restructuring of the debt portfolio, and in particular the Lender Option Borrower Option (LOBO) loans has been previously considered. The LOBOs have two trigger points during the year at which point the lender may consider offering the Council the option to repay the loan without penalty. While interest rates are low the lender is not likely to exercise that option however, this may change as interest rates continue to rise. Any renegotiation or early repayment of the LOBO by the Council would result in a premium payable by the Council. At current rates the premium would outweigh the savings achievable however the Council will continue to review its long-term lending and would take the option to repay these loans if it has the opportunity and it is cost effective to do so.
- 4.5 Table 4 in section 4 of **Appendix A** details the movement of the investments by counterparty types and shows the average balances, investment income received, average original duration and weighted average interest rates from April 2022 to September 2022.
- 4.6 The TM 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 2022-23 set out

in the Council's TMS, against current projections, are shown in **Appendix A** and these show that the Council is operating in line with the approved limits.

- 4.7 The Council defines high credit quality as organisations and securities having a credit rating of A- or higher and **Appendix B** shows the equivalence table for credit ratings for Fitch, Moody's and Standard & Poor's and explains the different investment grades.

## **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 Treasury Management Strategy 2022-23 as approved by Council with due regard to the requirements of 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 the 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 the report is for information only 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 Cabinet:
- note the Council's treasury management activities for 2022-23 for the period 1 April 2022 to 30 September 2022 and the projected Treasury Management Indicators for 2022-23.



**Carys Lord**  
**Chief Officer – Finance, Performance and Change**  
**November 2022**

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**Background documents:**

None

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## APPENDIX A

### SUMMARY OF TREASURY MANAGEMENT ACTIVITIES 2022-23 1 APRIL TO 30 SEPTEMBER 2022

#### 1. External Debt and Investment Position

On 30 September 2022, the Council held £99.94 million of external long-term borrowing and £98.45 million of investments. The Council's external debt and investment position for 1 April to 30 September 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:

**Table 1: External debt and investment position 1 April 2022 to 30 September 2022**

	<b>Principal</b> <b>01/04/2022</b> <b>£m</b>	<b>Average</b> <b>Rate</b> <b>01/04/2022</b> <b>%</b>	<b>Principal</b> <b>30/09/2022</b> <b>£m</b>	<b>Average</b> <b>Rate</b> <b>30/09/2022</b> <b>%</b>
<b>External Long Term Borrowing:</b>				
Public Works Loan Board	77.62	4.70	77.62	4.70
Lender's Option	19.25	4.65	19.25	4.65
Borrower's Option	2.68	0.00	3.07	0.00
Salix Loans				
<b>Total External Borrowing</b>	<b>99.55</b>		<b>99.94</b>	
<b>Other Long Term Liabilities (LTL):</b>				
Private Finance Initiative (PFI)*	14.77		14.33	
Other LTL	0.39		0.31	
<b>Total Other Long Term Liabilities</b>	<b>15.16</b>		<b>14.64</b>	
<b>Total Gross External Debt</b>	<b>114.71</b>		<b>114.58</b>	
<b>Treasury Investments:</b>				
Debt Management Office	30.20	0.54	29.00	1.14
Local Authorities	45.50	0.37	52.00	0.54
Banks	8.37	0.53	6.95	0.93
Money Market Fund***	0.00	0.00	10.50	1.16
<b>Total Treasury Investments</b>	<b>84.07</b>	<b>0.43</b>	<b>98.45</b>	<b>0.88</b>
<b>Net Debt</b>	<b>30.64</b>		<b>16.13</b>	

\* (PFI) arrangement for the provision of a Secondary School in Maesteg 11.5 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 2021-22 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) is at the half year position estimated to be £171.35 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 forecast liability benchmark, or level of debt estimated for 31 March 2023 is £76.83 million, which is lower than the estimate within the TMS. The current level of long-term borrowing is £99.94 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 estimates of capital spend and forecasts on usable reserves for the current 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 to maintain sufficient liquidity but minimise credit risk.

**Table 2: Liability benchmark**

	<b>2021-22 Actual</b>	<b>2022-23 Estimate TMS</b>	<b>2022-23 Projection</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Loans Capital Financing Requirement	162.31	180.02	171.35
Less: Usable reserves	(141.69)	(76.29)	(104.52)
Plus: actual/minimum investments	10	10	10
<b>Liability Benchmark</b>	<b>30.62</b>	<b>113.73</b>	<b>76.83</b>

## **2. External Context**

The ongoing conflict in Ukraine has continued to put pressure on global inflation and the economic outlook for UK and world growth remains weak. Towards the end of the period there was some uncertainty in the markets following the then Chancellor's fiscal plan. The economic backdrop during the April to September period continued to be characterised by high oil, gas and commodity prices, ongoing high inflation and its impact on consumers' cost of living, no imminent end in sight to the Russia-Ukraine hostilities and its associated impact on the supply chain, and China's zero-Covid policy.

The Bank of England, Federal Reserve and the European Central Bank all increased interest rates over the period and committed to fighting inflation, even when the consequences were, in all likelihood, recessions in those regions.

UK inflation remained extremely high. Annual headline Consumer Price Index (CPI – which excludes housing costs) hit 10.1% in July, the highest rate for 40 years, before falling modestly to 9.9% in August and then returning to 10.1% in September. Retail Prices Index (RPI – including mortgage interest payments) registered 12.3% in both July and August increasing in September to 12.6%. The energy regulator, Ofgem, increased the energy price cap by 54% in April, while a further increase in the cap from October, which would have seen households with average energy consumption pay over £3,500 per annum, was dampened by the UK government stepping in to provide around £150 billion of support to limit bills to £2,500 annually until 2024, although it has since been announced it will end in April 2023.

The Bank of England's official Bank Rate was 0.75% at the start of the financial year. At the next two meetings of the Monetary Policy Commission it was decided to raise it each time by a further 0.25%, before following that with further increases of 0.50% in both August and September. This has increased the rate to 2.25%. The Committee noted that domestic inflationary pressures are expected to remain strong and so given ongoing strong rhetoric around tackling inflation further Bank Rate rises should be expected.

Bank of England policymakers noted that any resulting inflationary impact of increased demand would be met with monetary tightening, raising the prospect of a much higher Bank Rate and consequential negative impacts on the housing market.

## **3. Borrowing Strategy and Outturn for 1 April to 30 September 2022**

At 30 September 2022, the Council held £99.94 million of long-term loans as part of its strategy for funding previous years' capital programmes. The TMS 2022-23 forecast that the Council would need to borrow £9.36 million in 2022-23. However, currently it is anticipated that the Council will not need to take out new borrowing during the year 2022-23, although this will be dependent on the progress of the Capital Programme expenditure and the use of available funding set aside for earmarked reserves during the remainder of the year.

More detail on forecast capital spend is provided in the Capital Strategy 2022-23 which was approved by Council on 23 February 2022 in conjunction with the Capital Annual Outturn 2021-22 and the Quarter 2 Capital Monitoring 2022-23 reported to Council on 19 October 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. Therefore the major objectives to be followed in 2022-23 are:

- 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

The impact of the Covid-19 pandemic and ongoing conflict in Ukraine are still continuing to make a defined imprint on the economy, public finances in general, as well as on local government funding in particular. With 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 strategy. At present interest rates are rising rapidly and as there is uncertainty at the level at which rates will level out, it is likely to be more beneficial 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, a UK government consultation by HM Treasury issued revised lending terms for PWLB borrowing by local authorities in November 2020. As a condition of accessing the PWLB, local authorities will be asked to confirm that there is no intention to buy investment assets primarily for yield in the current or next two

financial years. 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 Council has a number of energy schemes which are funded via Salix interest free loans. These loans are required to be repaid between 7 and 10 years. Excluding these loans the last time the Council took out long term borrowing was £5 million from the PWLB in March 2012. Should the need to borrow materialise as expected it is likely that we would look to borrow 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 Ltd, 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 didn't exercise their option on 22 July 2022 and the next trigger point is 22 January 2023. The lender is unlikely to exercise their option during low interest rate environments, however, an element of refinancing risk remains given the current economic climate and increasing interest rates. The Council would likely 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 LOBOs 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 at present.

The Treasury Management indicator shown in Table 3 below is for the Maturity Structure of Borrowing and is set for the forthcoming financial year 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 2022-23 and the projections for 2022-23 are:

**Table 3: Treasury Management Indicator Maturity Structure of Borrowing 2022-23**

Refinancing rate risk indicator Maturity structure of borrowing	TMS 2022-23 Upper limit %	TMS 2022-23 Lower limit %	Projection 31-3-23 %
Under 12 months	50	-	19.87
12 months and within 24 months	25	-	-
24 months and within 5 years	25	-	12.47
5 years and within 10 years	40	-	13.45
10 years and within 20 years	50	-	16.64
20 years and above	60	25	37.57

The 19.87% shown in Table 3 above relates to the £19.25 million LOBO loans which may be re-scheduled in advance of their maturity date of 2054, as detailed in the paragraph 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.

#### **4. Investment Strategy and Position 1 April to 30 September 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 2022-23 are to:

- 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 2022-23 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 with other Local Authorities, Central Government (DMO) and in Money Market Funds, but the Council will continue to look at investment options in line with the limits detailed in the Investment Strategy. Arlingclose Ltd constantly stress tests the financial institutions on its recommended counterparty list and as a result, removing or in some cases adding back some previously removed on its recommended list for unsecured deposits and revising the credit rating, outlook and recommended deposit period for a number of others. 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 30 September 2022 was £98.45 million. Table 4 below details these investments by counterparty type. The average investment rate in the period 1 April to 30 September 2022 was 0.88%.

**Table 4: Investments Profile 1 April to 30 September 2022**

Investment Counterparty Category	Balance 01 April 2022 (A) £m	Investments raised (B) £m	Investments Repaid (C) £m	Balance 30 September 2022 (A+B-C) £m	Investment income received** Apr-Sep 2022 £'000	Average original duration of the Investment Days	Weighted average investment balance Apr-Sep 2022 £m	Weighted average interest rate Apr-Sep 22 %
Government DMO	30.20	217.90	219.10	29.00	146.08	26	32.62	1.14
Local Authorities	45.50	31.00	24.50	52.00	53.05	298	45.22	0.54
Banks (Fixed Maturity)	3.00	12.00	12.00	3.00	13.32	49	3.00	1.34
Banks Instant Access/Notice Period Account	5.38	47.85	49.28	3.95	13.77	-	7.38	0.76
Building Societies				-		-		
Money Market Fund (Instant Access)		38.00	27.50	10.50	108.40	-	21.80	1.17
<b>Total/Average</b>	<b>84.08</b>	<b>346.75</b>	<b>332.38</b>	<b>98.45</b>	<b>334.62</b>	<b>93</b>	<b>110.02</b>	<b>0.88</b>

\* 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 2022-23.

**Table 5: Treasury Management Indicator Principal Sums Invested for periods longer than a year**

Price risk indicator	TMS 2022-23 £m	Projection 31-3-23 £m
Limit on principal invested beyond financial year end	15	5

All investments longer than 365 days (non-specified) will be made with a cautious approach to cash flow requirements and advice from Arlingclose Ltd will be sought as necessary.

There is only 1 long-term investment (original duration of 12 months or more) outstanding at 30 September 2022. This is with Medway Council and is repayable on 25 July 2024. All other investments at 30 September 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 30 September 2022:

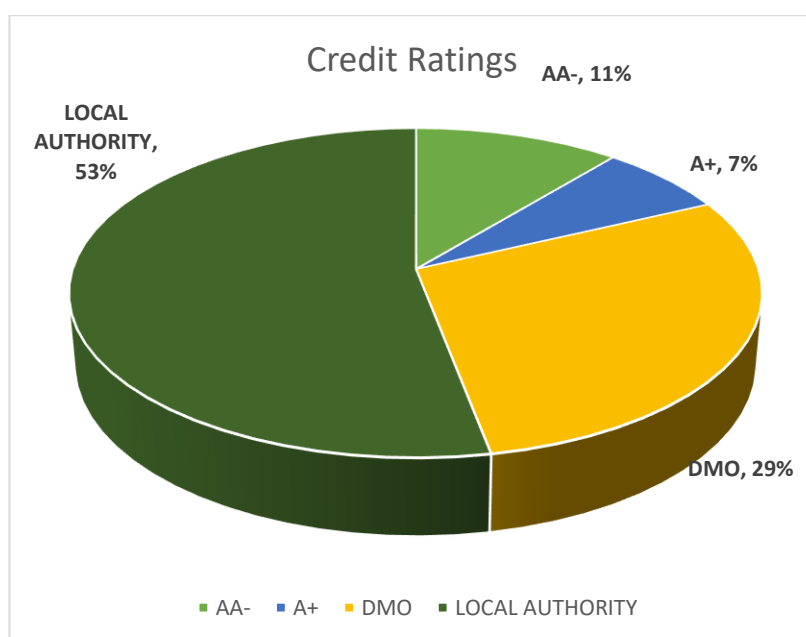
**Table 6: Investments Outstanding Maturity Profile 30 September 2022**

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	Deposits Maturing Over 12 Months £m	Total  £m
Government DMO	0.00	0.00	29.00	0.00	0.00	29.00
Local Authorities	0.00	0.00	0.00	47.00	5.00	52.00
Banks	0.95	0.00	3.00	3.00	0.00	6.95
Money Market Fund	10.50	0.00	0.00	0.00	0.00	10.50
<b>Total</b>	<b>11.45</b>	<b>0.00</b>	<b>32.00</b>	<b>50.00</b>	<b>5.00</b>	<b>98.45</b>

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 £98.45 million investments at 30 September 2022 by percentage. Most Local Authorities do not have credit ratings and the £10.5 million invested with AA-rated MMF's were on an approved counterparty by Arlingclose Ltd, whilst the remainder of the investments all had a credit rating of A or above.



## 5. 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 30.9.22 £'000
One year revenue impact of a 1% rise in interest rates	(537)	(786)
One year revenue impact of a 1% fall in interest rates	726	978

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 and since April 2022 interest rates have increased by 1.5% with further increases anticipated. The council has benefitted from additional investment income as rates have risen.

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

**Table 8: Interest Expenditure & Receipts**

A comparison of interest expenditure against income for the period 1 April to 30 September is shown below:

	2021-22 £'000	2022-23 £'000
Interest expenditure payable on long term borrowing*	2,273	2,273
Interest income received in period	(69)	(335)
<b>Net interest cost</b>	<b>2,204</b>	<b>1,938</b>

\* Estimated as at 30 September 2022. Actual payments may occur after this date.

## 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	
		A-		A3		A-	
	Adequate	BBB+	F2	Baa1	P-3	BBB+	A-2
		BBB		Baa2		BBB	
		BBB-		Baa3		BBB-	
SPECULATIVE GRADE	Speculative	BB+	B	Ba1	Not Prime (NP)	BB+	B
		BB		Ba2		BB	
		BB-		Ba3		BB-	
	Very speculative	B+		B1		B+	C
		B		B2		B	
		B-		B3		B-	
	Vulnerable	CCC+	C	Caa1		CCC+	C
		CCC		Caa2		CCC	
		CCC-		Caa3		CCC-	
		CC		Ca		CC	
	Defaulting	C	D			C	D
		D		C		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 CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

### RE-DEVELOPMENT OF MAESTEG TOWN HALL

#### 1 Purpose of report

- 1.1 The purpose of the report is to seek approval from Cabinet to modify the Maesteg Town Hall re-development construction works contract in accordance with rules 3.3.2 and 3.3.3 of the Council's Contract Procedure Rules, and to update Cabinet with delays to the programme timescales.

#### 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**:-

- **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.
- **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** – 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 Maesteg Town Hall is a grade II listed building located within a conservation area. It occupies a prominent position in Maesteg Town Centre and is a focal point for arts and community activity in the Llynfi valley. The venue hosts a programme of professional and amateur performances and provides rehearsal and meeting space for many local groups and organisations. Bridgend County Borough Council (the Authority), in partnership with Awen Cultural Trust, are redeveloping the Town

Hall into a cultural community venue to support the social and economic regeneration of the town and wider valley communities.

- 3.2 On 21<sup>st</sup> January 2020 Cabinet delegated authority to the Head of Operations - Community Services, in consultation with the Section 151 Officer and the Chief Officer - Legal, HR and Regulatory Services, to enter into a construction contract with Knox and Wells Ltd to undertake the re-development of Maesteg Town Hall.
- 3.3 On 18<sup>th</sup> February 2020, by delegated power referenced CMM-PRU-20-08, the Head of Operations – Community Services approved entering into the construction contract with Knox and Wells Ltd with an initial contract value of £6,199,387. Knox and Wells Ltd commenced their Works contract for the Maesteg Town Hall Re-development in March 2020.
- 3.4 On 27<sup>th</sup> October 2020, by urgent delegated power referenced CMM-PPU-20-31, the Cabinet member for Education and Regeneration agreed to the modification of the Maesteg Town Hall re-development construction works contract to include additional works and services by the contractor, such as the complete refurbishment of the iconic clock tower, and delegated authority to the Head of Operations- Community Services to approve further modifications to the contract, which resulted in the uplift of the value of the contract to £7,027,011.

#### **4 Current situation/proposal**

- 4.1 The works started on site in March 2020, just 2 weeks before the national lockdown due to the Covid-19 pandemic. Whilst works were able to continue to some degree during this period, delays to date have been unavoidable due to a number of factors including; a reduced workforce because of pandemic working restrictions and staff self-isolation requirements; difficulty in securing materials and sub-contractors as a result of pandemic closures and changes in the economic climate; Contamination to areas of the site covered by original structures. None of these could have been foreseen at the outset.
- 4.2 There has also been a previous decision taken by the authority to add additional works into the contract to refurbish the clock tower, roof cupolas and south annex roof, at additional cost and time to the programme. The decision to undertake these works has significantly enhanced the project and safeguarded these elements. It has also minimised the risk of having to return to site and renovate at a later date. These significant milestones have now been completed, but have inevitably caused a significant delay to the original programme
- 4.3 During the restoration of this magnificent Grade II, 141 year old building, further discoveries have now been made, beyond those identified above, which require further additional works to be undertaken to conclude the project. These works include remedying extensive dry rot which is still being uncovered, and widespread lime plastering works, along with smaller elements across the building. Due to the nature of the historic building these could not have been revealed at design stages without significant intrusive and destructive works. As



such, these discoveries are unforeseen from when the works were specified, and the contract procured.

- 4.4 The extent of these discoveries over the course of the project have resulted in a delay to the overall project timescales. The detail of a revised programme is being confirmed with the contractor which takes account of the unforeseen works above. At this stage it is anticipated that the project will be completed in Summer 2023.
- 4.5 It has also meant that there is an increase in project costs over the current contract limit of £7,027,011. Therefore, in order to enable the construction to proceed without further delay and to prevent a stop to the works, authorisation was required to modify the contract to include the anticipated and any further unforeseen elements. This would increase the works contract value to a limit of £7,708,418.
- 4.6 It must be made clear however, that the request to increase the works contract still falls within the Capital financial envelope for the Maesteg Town Hall Re-development and within the Council approved Capital Programme, therefore no further monies are required to support this request.
- 4.7 Cabinet authorisation was required for this contact sum uplift, however due to the urgency and to prevent additional delay a proposal was made to approval the uplift via Delegated Powers. However, agreement could not be reached and as an alternative an Officer Delegated Power for £94,164.67 (CMM-PRU-35 amended) was signed by the Corporate Director Communities in consultation with the Cabinet member for Regeneration . The Officer Delegated Power was actioned to enable only the lime plaster works to continue for a very short interim period to prevent the Authority incurring additional financial penalties and further delay to the completion of the project.
- 4.8 Cabinet are now being asked to authorise the uplift to the works contract value to a limit of £7,708,418, so that the additional works identified can be undertaken to complete the project.
- 4.9 Rule 3.3.2 of the Council's Contract Procedure Rules provides that procured contracts may be modified without the requirement for a new procurement procedure where the modification 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:
- 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
  - 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;

- 4.10 As set out above the proposed modification is for additional works and services by the original contractor that have become necessary and were not included in the initial procurement. It would not be feasible to procure another contractor to go onto the site to carry out those works and services while the current contractor's equipment, installations and staff occupy the site and attempting to do so would cause significant inconvenience and substantial duplication of costs for the Council. The modification does not increase the value of the contract in excess of 50% of the original contract value.
- 4.11 Rule 3.3.3 of the Council's Contract Procedure Rules provides that procured contracts may be modified without the requirement for a new procurement procedure where all of the following conditions are fulfilled:
- The need for modification has been brought about by circumstances which the Council having been duly diligent could not have foreseen;
  - the modification does not alter the overall nature of the Contract;
  - any increase in price does not exceed 50% of the value of the original Contract or Framework Agreement.
- 4.12 As set out above the need for the modification has been brought about by discoveries of additional works requirements which could not have reasonably been foreseen when the works were originally specified. The modification does not alter the overall nature of the contract. It entails the provision of additional works of a similar nature provided on the same terms as originally procured. The modification does not increase the value of the contract in excess of 50% of the original contract value.
- 4.13 In accordance with rule 3.5 of the Council's Contract Procedure Rules, if Cabinet approve the modification, this will be referred to the Corporate Procurement Team to comply with any applicable notice requirements.
- 4.14 The decision to approve the modification of the contract needs to be made to allow activity to continue on the site. Any further delay to the programme would potentially create a greater financial uplift to the project in the form of contractor preliminaries and may extend the re-opening of the town hall further.
- 4.15 In addition, due to associated external funding grant awards, especially the European Regional Development Fund and associated terms and conditions, the Council is at an increased risk of grant clawback if work activity on site halts and the project cannot be delivered in line with grant approvals. Together these potential implications would seriously prejudice the interests of the Council

## **5 Effect upon policy framework and procedure rules**

- 5.1 There is no effect on the Council's policy framework and procedure rules.

## **6 Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected

characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this proposal. The proposed scheme will develop full disabled access to the Town Hall for the first time. The project as a whole will ensure that there is a positive impact on the equalities agenda.

## **7 Well-being of Future Generation (Wales) Act 2015 implications**

7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is below:

- Long Term: The regeneration of the Town Hall will drive local prosperity, providing local employment opportunities and offering better environments to promote the health and well-being of those who live, work and visit town centres in the long term.
- Prevention: By improving the Town Hall it will strengthen the existing economic assets of not just the Town Hall but surrounding businesses while diversifying its economic base. Converting underutilised commercial space into economically productive property also helps boost the profitability of the town centre.
- Integration: The project will focus on delivering a set of physical, commercial and social improvements through re-developing an iconic Grade II listed building which in recent years has been under used. The project will generate employment opportunities; provide a prominent and suitable arena for commercial, learning and cultural use and help sustain Maesteg Town Centre and increase town centre footfall.

Collaboration: The Authority will be undertaking a partnership approach to deliver positive enhancement to a key site that will include for repair, restoration and extension of a prominent listed building. The Authority, in partnership with our cultural services providers Awen Cultural Trust, have carefully developed the project through a combination of consultation and community engagement, technical testing and development.

- Involvement: Investing in a community offers a means to connect with local stakeholders. Strong, resilient communities will reinforce the regional and Welsh culture which is a key feature in promoting visitors and tourists to the area. Increased visitor numbers to the Town Hall will help to make the Cardiff Capital Region a more prosperous environment.

## **8 Financial implications**

8.1 The request to increase the works contract falls within the Capital financial envelope for the Maesteg Town Hall Re-development within the Council approved Capital Programme, due primarily to additional external funding that has been secured (£250,000 Transforming Town grant – reported to Council in

July 2022, and £395,000 WG Building for the Future programme – reported to Council Oct 2022). Therefore, no further monies are required to support the request to increase the contract value.

## **9 Recommendation**

### **9.1 Cabinet is recommended to:**

Authorise the modification of the Maesteg Town Hall re-development construction works contract to include additional works and services by the contractor which have and continue to be necessary since the initial procurement and increase the contract value to £7,708,417 in accordance with rules 3.3.2 and 3.3.3 of the Council's Contract Procedure Rules.

Note the delays in the project timescales and that a revised timetable is being developed with the contractor as part of on-going discussion.

**Janine Nightingale**

## **CORPORATE DIRECTOR – COMMUNITIES**

**8 November 2022**

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**Background documents:** None

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### REPLACEMENT LOCAL DEVELOPMENT PLAN DELEGATED AUTHORITY

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek Cabinet's agreement to provide officers with delegated authority to act on behalf of the Council should the Inspector propose changes arising out of the examination of the soundness of any aspect of the Replacement Local Development Plan (RLDP) during the examination hearing sessions.

#### 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**:
- **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 Cabinet will be aware that the RLDP was approved for submission to Welsh Government and Planning and Environment Decisions Wales (PEDW) for independent Examination in Public (EiP) by Council at its meeting on 19th October 2022. Following the Council meeting officers submitted the RLDP, along with the supporting background papers and technical evidence based studies on 25<sup>th</sup> October 2022.
- 3.2 The next key stage in the RLDP's progress is the EiP. This will be conducted by an Inspector appointed by PEDW and will consist of a series of hearing sessions. The agenda for the hearing sessions will be set by the Inspector once they have considered the RLDP and all supporting documentation. The examination will be held in public and anyone who has made a representation seeking a change to the RLDP has the right to appear and be heard.
- 3.3 The overall length of the examination will depend on the complexity of issues the Inspector deems to be worthy of examination. Experience indicates that a full LDP examination can take up to 6 months, but a substantially shorter timeframe is likely if the scope of issues is limited in nature. Initial communication with PEDW has indicated that the hearing sessions will be conducted on-line and commence during the week of 22<sup>nd</sup> January 2023, but this will be confirmed by the appointed Inspector. Once confirmed, all dates will be advertised on the Council's Examination website.

- 3.4 Officers will be present at all hearing sessions and a critical factor in ensuring that the EiP runs as efficiently as possible relates to the appropriate level of delegated authority being afforded to officers to agree to changes that are proposed by the Inspector as and when they arise during the examination hearings. The ability for officers to be able to agree to the principle of proposed changes is strongly advised by both PEDW and the Welsh Government.

#### **4. Current situation/proposal**

- 4.1 During the course of the hearing sessions, the Inspector will lead a discussion on the issues they feel need clarifying to determine the soundness of the RLDP. If necessary, at the end of each hearing session, the Inspector will confirm with officers any actions they need to take in response to soundness issues raised during the discussion (e.g. to make specific changes to RLDP policies, or to clarify matters in relation to the evidence base). Lists of 'action points' will be published on the Examination website. In addition, officers will be required to maintain a schedule of consequential 'Matters Arising Changes' (MACs) which they propose to make to the RLDP to address the action points.
- 4.2 It should be particularly noted by Cabinet that any changes being proposed will be generated by the Inspector and all that the Inspector will be seeking from Council is an agreement in principle for the proposed change.
- 4.3 In whatever way that agreement in principle is considered and made, it would not disenfranchise either local members or local residents as all changes that emanate from examination hearing sessions must be published as MACs following the hearing sessions and then be the subject of a formal 6 week public consultation exercise, to allow comments to be made and submitted to the Inspector. Further hearing sessions may result depending on the outcome of the response to this consultation.
- 4.4 To provide Members with further reassurance, it is clearly not the Council's position or that of officers that the RLDP needs to change. The recommendation agreed at the meeting of Council on 19th October 2022 was that, following consideration of representations made to the Deposit LDP, no significant changes are proposed as the plan remains 'sound' and is capable of being examined as such and adopted.
- 4.5 This is therefore the stance that officers will take at the EiP. It would only be in the instance that, having discussed the evidence relating to a particular matter at an examination session, that Council would be put in the position by the Inspector that the plan may need to change to remain sound. It is for these (at present hypothetical) situations that delegated authority is required to appropriately respond to the Inspector, in order to maintain the efficient running of the examination.
- 4.6 Delegated authority is therefore sought for the Corporate Director Communities and Group Manager Planning and Development Services (or in her/his absence and for operational expediency, exercised by the Strategic Planning and Transportation Manager and the Strategic Planning Team Leader) to allow them to agree, in principle, to the action points proposed by the Inspector and to propose the appropriate MACs to address them. Clearly any change proposed by the Inspector of any significance, cannot be agreed to in principle by officers without reference to

Cabinet. Further guidance would be provided by the Inspector if such a change was considered necessary.

- 4.7 A key point to reiterate for Members in relation to changes that may emanate from the examination process is that they will be Inspector driven and that any changes which are proposed, as 'MACs', will be subject to a separate, 6-week public consultation process, once the initial round of hearing sessions is completed. There will therefore be ample opportunity for Members and the wider community to respond to any proposed changes as part of this formal consultation.

## **5. Effect upon policy framework and procedure rules**

- 5.1 Town and Country Planning Act (Local Development Plan) (Wales) Regulations 2005 (Regulation 23) as amended requires the Council to publish a formal notice of the examination of the RLDP.

## **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. There are no direct equalities implications associated with this report.
- 6.2 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 (EIA) Screening of the RLDP was carried out on 30<sup>th</sup> 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. The recommendation of the full EIA is to continue with the Deposit Plan in its current form as no negative impacts are identified.
- 6.3 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 it's policies have a positive impact on people living in socio-economic disadvantage or contain measures to ensure that any negative impact is mitigated.

## **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 Sustainability Appraisal (SA) process and reflected in the use of the local well-being goals in framing the strategic objectives and the strategic policies.

## **8. Financial implications**

- 8.1 The RLDP preparation process including the EiP is funded through the RLDP budget.

## **9. Recommendation**

- 9.1 That Cabinet agree that delegated authority as described in Paragraph 4.6 of this report be given to the Corporate Director Communities and Group Manager Planning and Development Services or in their absence the Strategic Planning and Transportation Manager and the Strategic Planning Team Leader, to agree amendments to the RLDP as part of the Examination process and to propose the appropriate Matters Arising Changes to address those amendments.

Janine Nightingale

**CORPORATE DIRECTOR COMMUNITIES**

15 November 2022

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### **Background documents:**

None



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

#### BRIDGEND BIODIVERSITY DUTY PLAN, 2022-2025

#### 1. Purpose of report

- 1.1. The purpose of this report is to update Cabinet on the Bridgend Biodiversity and Ecosystem Resilience Progress Report, 2018-21 and to seek Cabinet approval for the adoption of the Bridgend Biodiversity Duty Plan, 2022-25 and the implementation of resulting actions.

#### 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** – 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 The Environment (Wales) Act 2016 introduced an enhanced biodiversity and ecosystem resilience duty (the Section 6 Duty) for all public authorities in Wales. The duty requires that public bodies must seek to:

*'maintain and enhance biodiversity, so far as consistent with the proper exercise of their functions and in doing so promote the resilience of ecosystems.'*

- 3.2 As required by the Environment (Wales) Act 2016, Bridgend County Borough Council (the Council) prepared and published its first plan, entitled the Biodiversity and Ecosystems Resilience Forward Plan (BER Plan), setting out how it would meet this duty and detailing the approach and actions to be taken. The BER Plan was approved by Cabinet on 24 April 2018, for the period 2018 to 2022. The legislation also requires the Council to report on implementation of the BER Plan every three years, demonstrating compliance with the Section 6 Duty.

- 3.3 Delivery of the BER Plan in response to the Section 6 Duty is the responsibility of the Council as a whole. There are a number of Council activities which are of relevance for biodiversity, however, it should be noted that other Council activities

may well meet the legislative requirements of the Section 6 Duty. Whilst responsibility for advice, support and collation of reporting data for the BER Plan has been delegated to the Economy Natural Resource and Sustainability Team, which sits within the Communities Directorate, responsibility for delivering against the BER Plan sits with the Council as a whole.

- 3.4 In contributing to the BER Plan targets, and recognising its duties to protect and enhance biodiversity, the Council recently became a signatory to the Edinburgh Declaration which demonstrates the commitment of subnational authorities across the world to deliver for nature and will inform the fifteenth meeting of the Conference of Parties (COP15) negotiations at the Phase 2 meeting at the end of 2022.

#### **4. Current situation/proposal**

- 4.1 A review has been carried out of the Council's delivery against the BER Plan 2018-21. This review included a series of workshops with relevant departments throughout the Council. As part of the workshops, each of the actions set out in the BER Plan were reviewed, providing the opportunity for multiple departments to collectively inform progress in delivery, whilst also providing feedback on challenges in delivery and opportunities for improved ways of working.

- 4.2 The outcome of the review has been presented as the Bridgend Biodiversity and Ecosystem Resilience Progress Report, 2018-21 and can be seen at **appendix 1**. The review identified many examples of positive action for biodiversity and ecosystem resilience, however, it also set out a number of recommendations for improvements in delivery, to be addressed in the updated version of the plan to be known as the Biodiversity Duty Plan, 2022-2025.

- 4.3 Some key achievements made in the delivery against the BER Plan include:

- **Project Delivery** – there are a number of regional and landscape scale projects that have been delivered in Bridgend County Borough which make a significant contribution to the Council's delivery of its Section 6 Duty. These include:
  - (i) biodiversity enhancement activities at the disused coal washery site at the Ogmore Washeries, Ogmore Vale, which has resulted in new priority species being identified on site, such as the Brown Banded Carder bee; and
  - (ii) the Dunes 2 Dunes project which formed a collaboration of nature reserve managers, volunteers and landowners to sustainably manage the habitats along the coastline of Bridgend County Borough.
- **Internal Engagement and Collaborative Working** – there is evidence of positive engagement between the Council's Countryside Team and many other Council departments, leading to good examples of BER Plan outcomes being delivered through collaborative working. An example of this is the establishment of the Public Service Board (PSB) Asset Board which is a delivery vehicle for the Council's Well-being Plan, focusing on the environment and community engagement and benefit. Another good example is the established, positive working relationship with the Council's Planning Department, with examples provided of biodiversity requirements being positively supported throughout the Planning process.

- **Awareness Raising and Engagement** – there are dedicated and well-resourced biodiversity pages on the Council's website which provide engaging and detailed information on places to visit, how to get involved with volunteering and events, fact sheets and signposting to relevant organisations and websites.

4.4 Some of the key challenges that have been identified in delivering against the BER Plan include:

- Progress on some actions has been limited, however this didn't necessarily mean there has been no progress in these areas of work, rather that the actions themselves were challenging in the way they were worded. Recommendations for revision of the BER Plan include a review of these actions, to ensure they deliver the best outcome for biodiversity with the available resources.
- Whilst there are positive examples throughout many departments of collaborative working with the Countryside Team and embedding of biodiversity requirements into their functions, such processes are not formalised and are reliant on existing working relationships. Similarly, there is little evidence of delivery against the BER Plan being monitored or reported at a corporate level. This increases the risk of a biodiversity issue being missed, particularly if there is a change in personnel or new activity being undertaken.
- The Countryside Team is a relatively small team which results in there being limited scope to increase the level of ecological support that is available for the Council. Ongoing delivery against the BER Plan, especially if efforts are to be made to embed a consistent approach to meeting the Section 6 Duty, requires a review of current staff resources with a view to increasing capacity, subject to funding being identified.

4.5 An updated version of the plan, the Bridgend Biodiversity Duty Plan 2022-25, which can be seen at **appendix 2**, has been developed and includes new and revised actions which address the above recommendations and further actions and activities to safeguard and enhance biodiversity and its resilience throughout Bridgend County Borough. It provides an enhanced organisational approach to the BER Plan within the context of a wider delivery system for BER Plan outcomes in the County Borough. The actions within the BER Plan have been developed and agreed with relevant departments and a lead department for each action has been identified to ensure clarity on who is responsible for delivering and reporting against each action. There are also actions which relate to the Biodiversity Champion and will be supported by the Countryside Team. Further detail can be found in **appendix 2**.

3.6 A monitoring process is being developed and will include a guidance pack to be accessed by all Council employees via the Intranet. Annual reporting by all relevant departments will be a requirement, and this information will be collated by the Biodiversity Policy and Management Officer to inform the implementation report to Welsh Government every three years, as well to monitor delivery against the actions and identifying any support or training requirements. Further detail can be found in **appendix 2**.

## 5. Effect upon policy framework and procedure rules

- 5.1 There is no effect upon the Council's policy framework or procedure rules as a result of this report.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this proposal.

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

- 7.1 The Wellbeing 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 Council should work to deliver wellbeing 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 – the Bridgend Biodiversity Duty Plan 2022-25 sets out long term goals and actions to safeguard biodiversity and prevent, and reverse, decline in species and habitats.
- Prevention – actions within the Bridgend Biodiversity Duty Plan 2022-25 will help to prevent biodiversity decline.
- Integration – the responsibility of delivering against the Bridgend Biodiversity Duty Plan 2022-25 sits with the Council as a whole. This is set out within this updated plan with relevant actions for each service area.
- Collaboration – the Bridgend Biodiversity Duty Plan 2022-25 will be delivered by the Council as a whole and encourages collaboration with external partners and stakeholders to ensure biodiversity is considered and protected wherever possible.
- Involvement – the Bridgend Biodiversity Duty Plan 2022-25 will provide a responsive and preventative approach to how biodiversity is considered and integrated into Council functions. This will be achieved through effective partnership working with partners such as wildlife and environmental organisations, charities, schools, and volunteers, as well as service areas cross-Council.

## **8. Financial implications**

- 8.1 There are no additional direct financial implications beyond existing service budgets across the Council that are associated with the Bridgend Biodiversity Duty Plan 2022-25. However, each action has measures identified to assist with monitoring against the delivery of that action. Some of these measures may be dependent on or enhanced if or when external resources are available and will need to be assessed on an action by action basis.

## **9. Recommendations**

- 9.1 It is recommended that Cabinet note the Bridgend Biodiversity and Ecosystem Resilience Progress Report, 2018-21 (**appendix 1**) and approve the adoption of the Bridgend Biodiversity Duty Plan, 2022-2025 (**appendix 2**).

**Janine Nightingale**  
**Corporate Director Communities**  
**28 October 2022**

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**Background documents:**  
N/A

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# BRIDGEND BIODIVERSITY AND ECOSYSTEM RESILIENCE PROGRESS REPORT

2018-2022



Catrin Evans  
Consultancy

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## 1. Introduction

### 1.1 Legislative Requirements

The Environment (Wales) Act, 2016, introduced an enhanced **biodiversity and ecosystem resilience duty** (the Section 6 Duty) for all public authorities in Wales. The duty requires that public authorities must seek to

*maintain and enhance biodiversity, so far as consistent with the proper exercise of their functions,  
and in so doing promote the resilience of ecosystems.*

As required by the legislation, Bridgend County Borough Council (the Council) prepared, and published, a plan, setting out how it would meet this duty, i.e., what it proposed to do to maintain and enhance biodiversity and promote ecosystems resilience. This plan, the **Bridgend Biodiversity and Ecosystems Resilience (BER) Forward Plan**<sup>1</sup> (the Plan) was approved by Cabinet on 24<sup>th</sup> April, 2018. It laid out the approach, and actions, to be taken by the Council to meet the requirements of the Environment (Wales) Act, for the period 2018 to 2022.

The Plan structure was guided by the Nature Recovery Action Plan for Wales<sup>2</sup>, which laid out 6 objectives to support aims to reverse the decline of biodiversity in Wales. Plan actions were categorised into themes, based on these objectives, outlining the Council's commitment to:

- Embed biodiversity into ways of working
- Safeguard and improve management of important species and habitats
- Restore degraded habitats and undertake habitat creation
- Tackle key pressures which lead to habitat and species loss and fragmentation
- Improve the evidence base for biodiversity
- Ensure governance is in place to support delivery of the Sect. 6 Duty
- Increase community understanding in, and action, for biodiversity and ecosystem resilience.

#### Biodiversity and Ecosystem Resilience (BER)

The capacity for an ecosystem to withstand pressures or demands, whilst still functioning as an ecosystem. Generally influenced by diversity, extent, condition and connectivity.

<sup>1</sup><https://democratic.bridgend.gov.uk/documents/s15257/180424%206%20Biodiversity%20and%20Ecosystems%20Resilience%20Forward%20Plan%202018-2022.pdf>

<sup>2</sup> NRAP – the National Biodiversity Strategy and Action Plan for Wales. See <https://gov.wales/nature-recovery-action-plan>

The legislation requires that each public authority must publish a report every three years on what they have done to comply with the duty. In order to meet this requirement, the Council commissioned Catrin Evans Consultancy to carry out an independent review of delivery against the BER Forward Plan, and the Sct. 6 Duty, for the period 2018 to December 2021. This report outlines the findings of that review, alongside initial recommendations for a revised Forward Plan.

## 1.2 Governance

### Corporate Responsibility

Responsibility for delivery of the Sct. 6 Duty lies with Bridgend County Borough Council as an organisation. As outlined in the BER Forward Plan, implementation of the Plan is overseen by the Council's Corporate Management Board, with facilitation the responsibility of the Corporate Director for Communities. The Countryside Team, within the Economy and Natural Resources Section, are lead for biodiversity and advisors to the Council on Plan implementation and how to meet Sct. 6 requirements.

Implementation of the Plan is subject to scrutiny by Cabinet, and the Progress Report will be presented accordingly, alongside recommendations for the revised Forward Plan.

### Review Process

An assessment of progress against delivery of actions within the Plan, and in meeting the Sct. 6 Duty, was carried out by direct engagement with relevant departments throughout the Council. In total, 26 individuals, representing 16 teams, provided input to the review process between October and December, 2021. This was carried out by a combination of virtual group workshops and individual meetings. The findings of these sessions have been collated, and are presented in detail in Sct. 4 of this report, alongside recommendations for future delivery. An overview of the key outcomes is presented in Sct. 3.

## 2. Background

### 2.1 Bridgend County Borough Council

Bridgend County Borough Council is the governing body for Bridgend County Borough (hereafter referred to as Bridgend), in South Wales. Bridgend has a wealth of biodiversity, with coastal habitats of international significance, ancient woodlands, river valleys and wetland habitats. The Nature Recovery Plan for Bridgend identifies the biodiversity that is important to Bridgend, providing further detail on the pressures, risks

and opportunities that exist for biodiversity and ecosystem resilience, therefore providing an evidence base that supports delivery of the BER Forward Plan.

## 2.2 Broader Context

The state of nature is increasingly making headlines due to the alarming rate of biodiversity decline, with growing recognition that biodiversity should be given equal priority and urgency as that given to climate change. The Senedd has already declared a Nature Emergency, whilst there are calls for Local Authorities to demonstrate their intent to take action to halt biodiversity loss by signing up to The Edinburgh Declaration. The role of a Local Authority is broad, and therefore there are significant opportunities to support national efforts to reverse biodiversity decline and enhance ecosystem resilience.

### Natural Resources Policy and Area Statements

The Senedd's Natural Resources Policy sets out the key challenges and opportunities in Wales in relation to our natural environment. These are transposed into regional priorities, risks and opportunities, through production of the Area Statements. Bridgend falls within the South-Central Area Statement, which identifies 'building resilient ecosystems' as one of its key themes.

### Well-being and Corporate Plans

The value of biodiversity in underpinning society is recognised in the Well-being of Future Generations Act, which puts in place a 'sustainable development principle' and identifies seven well-being goals, which public bodies must work to achieve. Whilst 'A Resilient Wales' is most directly related to a healthy and biodiverse natural environment, biodiversity undoubtedly supports each of the well-being goals, through the multi-functional benefits that it provides. An overview of how activities have contributed to the well-being goals is outlined in Appendix 1.

#### A Resilient Wales

'A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change'

The Bridgend Public Services Board Well-being Plan sets out 4 objectives, including the ambition to enable 'Healthy Choices in a Healthy Environment'. The Council's Corporate Plan identifies its own well-being objectives, including a need for 'Smarter use of Resources', which introduced targets for delivery of biodiversity schemes in the 2020/21 revision. Clearly, the Well-being and Corporate Plans both recognise the important of the natural environment at the heart of its delivery, whilst delivery against the BER Forward Plan will ultimately deliver against these broader, corporate plans.

### 3. Key Outcomes

Detail of the progress made in delivery against the Sct. 6 Duty is outlined in Sct. 4. Action Report, however an overview of the key achievements, and challenges faced, are detailed below.

#### 3.1 Key Achievements

##### Project Delivery

There are a number of regional and landscape projects that have been delivered in Bridgend, which make a significant contribution to the Council's delivery of its Sct 6 Duty. Project delivery has been greatly enhanced by the supporting role provided by the REACH Team, which has provided additional expertise in grant funding and project delivery. These include:

##### Digital Shepherd Project

The project included piloting of grazing tracking collars and activities to raise awareness on conservation grazing and to promote responsible behaviour around livestock and use of the countryside. A new web-based resource pack for schools was created, providing lesson plans and activities from Foundation Phase through to Key Stage 5, and can be found at [www.bridgendreach.org.uk/digital-shepherd-resources](http://www.bridgendreach.org.uk/digital-shepherd-resources).



Community Engagement Activities, Dune 2 Dunes © BCBC



Brown Banded Carder Bee © BCBC

##### Ogmore Washeries

Biodiversity enhancement activities at Ogmore Washeries, a disused coal washery in the Ogmore Valley, included habitat creation and scrub clearance for invertebrates, resulting in a new priority species being identified on site, the Brown Banded Carder Bee. Additional enhancements included native tree planting, laying of wildflower turf, installation of a bee post for solitary bees and bird and bat boxes. The work was funded from the Welsh Government's Local Places for Nature Fund, whilst additional funding to improve access and interpretation will also provide the opportunity for increased access to, and understanding of, nature.

##### Dune 2 Dunes – See Case Study 1



## Case Study 1 – Dunes 2 Dunes

The Dunes 2 Dunes project formed a collaboration of nature reserve managers, volunteers and landowners to sustainably manage the habitats along Bridgend's coastline. Positive engagement with the golf clubs was a key element, successfully delivering a new partnership with these landowners. The clubs have demonstrated an ongoing commitment to sustainable management practices, with two clubs achieving GEO certification, an international ecolabel for golf facilities.



Figure 1 Dry Stone Walling © BCBC



Figure 2 Bee Identification Training © BCBC

Volunteer training provided opportunities to learn skills such as dry stone walling (See Figure 1), habitat management and species identification (See Figure 2), raising the profile of scarce species such as Shrill Carder Bee. Visitor experience and access have been improved by project activities, whilst dune management and enhancement works are already demonstrating positive outcomes for biodiversity, with records of the critically endangered, and legally protected, Fen Orchid increasing from approximately 400 to over 4000 over the course of the project.

The project was funded by the Welsh Government Sustainable Management Scheme, to a total of £312K. Additional project legacy has been secured through the Plantlife Green Links project, the NHLF and EU LIFE funded Dynamic Dunes and EU LIFE and Welsh Government funded Sands for Life Projects.

Further detail on the project can be viewed on the Dunes 2 Dunes Celebration Film on [YouTube](#).

## Internal Engagement and Collaborative Working

There is evidence of positive engagement between the Countryside Team and many departments, leading to good examples of BER outcomes being delivered through collaborative working.

Of particular note is the establishment of the **PSB Asset Board**, which is a delivery vehicle for the Well-being Plan, focusing on the environment, community engagement and benefit. It has provided opportunities for new collaborations and provided an avenue for awareness raising and engagement on biodiversity. The Board aims to work together to improve the quality and extent of natural resources and is able to demonstrate good examples of project delivery and activities which support BER outcomes.

There is an established, and extremely positive, working relationship with Planning, with examples provided of biodiversity requirements being positively supported through the decision-making process and appropriate policies within the Local Development Plan.

The value of biodiversity as an educational resource is recognised, and the adaptive approach taken to the discovery of a bat roost during planning work for developments at Penyfai Church in Wales Primary School provides a positive example of how biodiversity constraints can be turned into positive outcomes. See Case Study 2.

Management of green space and highways as wildflower meadows has been taken on by Greenspaces and Highways, with a regime of two cuts per season of identified areas, allowing wildflowers to set seed.

## Case Study 2 – Penyfai Church in Wales Primary

Plans were in place to build a new school for Penyfai Church in Wales Primary, replacing the existing building, which included a detached boiler house. Ecological surveys identified a bat maternity roost in the boiler house, which made use of connecting hedgerows as commuting routes.

Following identification of the maternity roost, the boiler house was not demolished as originally intended, and was refurbished to support the roost, incorporating 'Bat-House' design features. This included modifications to the access points and the provision of new independent heating to replicate the previous heat-leakage conditions, as the existing plant was de-commissioned with the old school demolition. Additionally, the hedge line was maintained/reinforced as far as possible and where this wasn't possible was replanted to reinforce the commuting corridor.

CCTV was installed within the roost to observe the bats and as an educational tool.

Green Infrastructure Schemes have been designed and delivered by the Strategic Regeneration Team. An example of such is the GI Enhancement Strategy for Bridgend Town Centre, which included a GI audit, GI project proposals and action plan, and a best practice GI design specification resource that can be utilised to inform future schemes within the County Borough's town centres.

### Awareness Raising and Engagement

There are dedicated, and well resourced, biodiversity pages on the Bridgend Council website, providing engaging and detailed information on places to visit, how to get involved, fact sheets and signposting to relevant organisations and websites. The series of 'How to' leaflets (See 'How to Build a Bug Hotel'), produced by the PSB Asset Board, provides a range of activities that can be carried out by the public. The nature and well-being section of the website is a welcome approach of bringing together features of interest for biodiversity and well-being. See [www.bridgend.gov.uk/residents/nature-and-well-being](http://www.bridgend.gov.uk/residents/nature-and-well-being).



Bridgend Green Network has been established, comprising a range of organisations and individuals as a central resource for promoting volunteering, joint working and the dissemination of information and good practice. The network was established with Plantlife, and has facilitated knowledge exchange and training, however is currently only funded to March, 2023.

### Case Study 3 – Hedgehog Packs



Photo by Alexas Fotos on Unsplash

Residents were invited to apply for a hedgehog pack, which provided an information sheet, self-assembly hedgehog house, a hole fence plate to allow hedgehogs to move between gardens, and a recording sheet. The project also provided an opportunity to raise awareness on the decline of hedgehogs, share facts on their ecology and provide tips on how to help them. There was high interest in the project and 50 packs were very quickly taken up by local residents, each of which were required to meet certain criteria to ensure their gardens were suitable for the introduction of hedgehog friendly features.

Funding for the project was provided by Local Nature Partnership Cymru.



### Local Nature Reserves

There are 5 LNRs within Bridgend, with Frog Wood Pond LNR having been extended and Bedford Park declared as a new LNR in 2021. There are good examples of partnership working to achieve management of the sites, including support from Llais y Goedwig. Volunteer support is provided by woodland groups for Craig y Parcau and Tremains Wood LNRs, both providing vital support in achieving the management plan aims of the site. See Case Study – Craig Y Parcau LNR River Walk, detailing access works carried out in 2018, in partnership with Bridgend Town Council, Keep Wales Tidy and Natural Resources Wales.

#### Case Study 4 – Craig y Parcau LNR River Walk

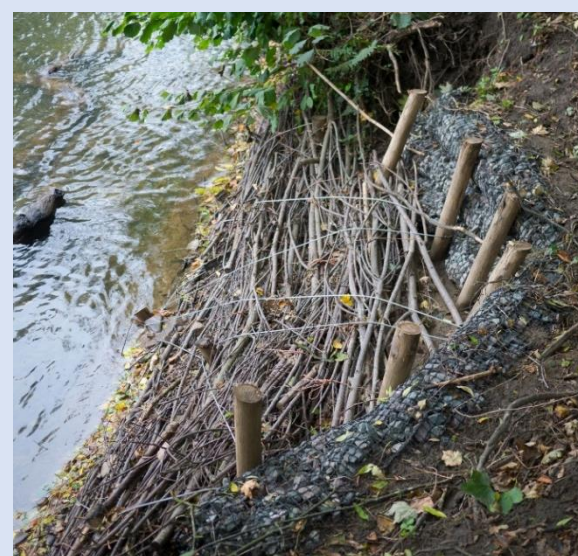
Erosion of the bank along the River Ogmore had undermined the riverside path, affecting access to the LNR. A scheme was designed to reinstate the path, utilising soft engineering techniques for river bank restoration, using large woody debris, brush faggots and rock rolls.



*Image A: Original path © BCBC*



*Image B: Reinstated path © BCBC*



*Image C: Bank reinstatement © BCBC*

The images above show the path prior to works (Image A), clearly showing how the path has been lost to erosion. Image B shows the path following reinstatement, whilst Image C demonstrates how silt has been trapped in the brush following a flooding event. This silt will build up over time, supporting revegetation and reforming of the river bank.



### 3.2 Challenges / Issues

Progress on some actions has been limited, however this didn't necessarily mean that there had been no progress in these areas of work, rather that the actions themselves were challenging in the way they were worded. Recommendations for revision of the Plan will include a review of these actions, to ensure they deliver the best outcome for biodiversity with the available resources.

Generally, there are positive examples throughout many departments of collaborative working with Countryside, and embedding of biodiversity requirements into their functions. However, such processes are typically not formalised and are reliant on existing working relationships. Similarly, there is little evidence of delivery against this Plan being monitored, or reported, at a corporate level. Whilst these don't indicate a failure by the Council in delivery of its Sct 6 Duty, it does increase the risk of a biodiversity issue being missed, particularly if there is a change in personnel or new activity being undertaken.

There isn't currently a system for pulling together biodiversity records into a system that can be shared with Countryside colleagues. Ecological assessments are recommended prior to work being carried out, however it would be beneficial to supplement this process by the collation of records into a system that can systematically be accessed by all Countryside staff. This will support the need to build the evidence base for biodiversity in Bridgend, whilst also increasing resilience and providing continuity in the event of staff absence.

It's noted that the Countryside Team is a relatively small team, resulting in there being limited scope to increase the level of ecological support that is available for the Council. Outputs which support delivery of the Sct. 6 Duty is supplemented by project delivery carried out by the REACH team, however this additional staff resource is currently time limited. Ongoing delivery against the Forward Plan, especially if efforts are to be made to embed a consistent approach to meeting the Sct. 6 Duty, would require a review of the current staff resources with a view to increasing capacity.

The cessation of involvement in Kenfig NNR can be considered a reduction in the Council's contribution to securing Bridgend's biodiversity resource, particularly given the loss of knowledge and skills that would have supported site management. However, it's hoped that this will be a short-term loss only, particularly given the level of protection that is afforded to the site.

## 4. Action Report

This section provides a progress update against each action that was set out in the Forward Plan for 2018-22. Additional queries have also been addressed where relevant, informed by reporting guidance issued by the Senedd subsequent to development of the Plan.

Individual actions will be reviewed for the revised Plan. Where significant changes, deletions or additions are recommended, these proposed changes are reflected here. Where there are gaps in delivery, or recommendations for improvement, these will be reflected in the appropriate section or as part of final recommendations in Sect. 5.

### 4.1 EMBED

BCBC activities which aim to ensure BER is considered in the way that it operates, delivers services and makes decisions

Action		Progress	Recommendations
<b>Capacity Development</b>			
1	Develop communications approach on BER outcomes to staff, members, communities and partners.	<p>There isn't a formalised approach in place however there are a number of positive examples of BER outcomes being communicated, in particular to the broader public and to partners, as detailed for action 2, below. Partner communication is achieved through established networks, such as the Bridgend Local Nature Partnership mailing list and Bridgend Green Network Facebook page (of which Bridgend Council is a partner).</p> <p>In terms of internal communications, much of this is achieved through the PSB Asset Board, which brings together departments and PSB partners who have a role to play in management of natural resources.</p>	<p>Whilst there are excellent examples of communication initiatives in place, particularly so for external partners, internal communications are less well-established. Future communications activities should have an increased focus on internal and member communication, to ensure BER requirements are understood across the Council. Furthermore, BER messages would benefit from being embedded into broader, corporate communications, and work being undertaken in development, and delivery, of the Decarbonisation Strategy (A Route Map to Net Zero, 2030), reinforcing the message that climate change and</p>

			biodiversity decline need to be tackled together.
2	Support awareness raising and capacity building in relation to BER through community ambassadors, knowledge exchange sessions, training events and BER web-based material.	<p><b>Internal:</b> There is general awareness of the need to address BER within the Council, with levels of engagement with Countryside varying between sections. Awareness raising and capacity building of internal colleagues has generally been achieved through dialogue and engagement, supplemented by ad hoc training where opportunities have arisen, or where specific needs have been identified. These have included topics such as protected species (in particular in relation to bats), sustainable urban drainage or invasive species. Dissemination of information is generally manager led, often as a result of external communications or feedback from regional meetings, such as the Planning Officers Society for Wales (POSW).</p> <p><b>External awareness raising and capacity building:</b> The Council biodiversity webpages are well resourced, providing information on places to visit, how to get involved, fact sheets and signposting to relevant organisations and websites. The nature and well-being section of the website brings together features of interest for biodiversity and well-being. See <a href="http://www.bridgend.gov.uk/residents/nature-and-well-being">www.bridgend.gov.uk/residents/nature-and-well-being</a>. Targeted projects include the Urban Hedgehog Resource Packs, funded by LNP Cymru, which encourage Bridgend residents to help and think about nature and wildlife, which included provision of a hedgehog house. See Case Study 3.</p> <p>Bridgend Green Network has been established, comprising a range of organisations and individuals as a central resource for promoting volunteering, joint working and the dissemination of information and good practice. The network was established with Plantlife, and has</p>	<p>It's recommended that future action is categorised to target groups, to ensure most important audiences are captured in awareness raising activities, to include:</p> <p>Staff: maintaining engagement where it exists, and broadening engagement into new areas. In order to take a consistent approach with new staff, a basic level of knowledge of BER requirements and points of contact could be included as a corporate induction e-learning module.</p> <p>Elected members: the Council would benefit from more regular, or formalised, engagement or awareness raising with elected members, tying in to established member training programmes.</p> <p>External: The Green Network is a valuable resource, providing a framework for knowledge sharing, engagement and action. The network is currently facilitated by Plantlife, however there are notable benefits to Bridgend Council in ensuring its continuity, and efforts should be made to secure funding / resources to maintain this function beyond March, 2023. Additionally,</p>

		<p>facilitated knowledge exchange and training, however is currently only funded to March, 2023. Tree ambassadors were developed through Single Revenue Grant funding, however lack of funding has resulted in this scheme becoming inactive. The Local Nature Partnership is a network of interested individuals and organisation, with the aim of reconnecting people with nature, but have not met recently due to Covid.</p>	<p>whilst recognising that online meetings don't suit all people, efforts should be made to re-establish meetings with the Local Nature Partnership, and the resources to support both networks could be considered simultaneously. The Nature Partnership is an important function, providing expertise, knowledge and evidence on the biodiversity status for Bridgend, which underpins delivery of the BER Forward Plan.</p>
<b>Corporate landlord and Community Asset Transfer</b>			
3	Investigate options to include BER outcomes as part of Community Asset Appraisal	<p>Transfer or disposal of assets is generally carried out in consultation with Countryside, with measures put in place to maintain or protect areas with biodiversity value, either through the use of conditions on leases, or by halting proposals due to biodiversity constraints on the site.</p>	<p>Formalise an approach to ensure measures are consistent for all activities, building on the positive relationship that is already in place. This could include inclusion of BER outcomes in the Packs of Information to accompany any asset transfer, and taking a proactive approach to inclusion of enhancement opportunities.</p>
4	Support BER through the delivery of the 2021 Asset Plan	<p>The 2021 Asset Plan provides the overriding strategy for management of Council assets, and is shortly to be updated for the 2022-2030 Asset Management Plan. Biodiversity and Ecosystem Resilience requirements are not explicitly addressed in the Plan however there is positive engagement with Countryside and there are a number of examples of positive outcomes being achieved through delivery of the Asset Plan, as detailed for Action 3.</p>	<p>The 2022-2030 Asset Management Plan is currently in development and initial discussions have identified an opportunity to embed BER outcomes into the Plan itself, alongside decarbonisation requirements. Whilst engagement between Corporate Landlord and Countryside is already established, the process to ensure consistent consideration of BER should be formalised and recognised within this Plan.</p>

<b>Corporate functions</b>			
5	Research options to develop an integrated plan for managing BCBC land holdings through the Corporate Landlord approach which includes objectives and actions for BER outcomes.	The Corporate Landlord approach is in place, with specified responsibilities delegated to key sections, but overall responsibility remaining with Corporate Landlord. The approach to asset management is addressed within the Asset Management Plan. Where works required may impact on biodiversity, Countryside would be consulted.	Actions 3, 4 and 5 to be incorporated, to embed BER Outcomes into the Asset Management Plan and standard working practices in management of assets.
6	Provide evidence to assist with considerations of: 1) Financial and well-being implications of loss/enhancement of biodiversity 2) External challenge on risk register 3) Whole life costing approaches Incorporating BER into programme and project management approaches	1) There is increased awareness and understanding of the well-being benefit from access to green space, of which biodiversity is an integral element. Increasingly, PSB activity is focusing on the links between biodiversity and health, and there has been a targeted approach to promote social prescribing and access to such activities. A Health Impact Assessment workshop was carried out in 2019 which further reinforced the value of greenspace for health, in particular children and young people. 2) Biodiversity is not currently identified on the risk register; there has been no external challenge to the risk register 3) Whole life costing approach has been considered for some schemes, but not as a matter of course, and there is no corporate approach for doing so and there has been no indication that this is likely to change. Where it has been considered, although there hasn't been a specific focus on incorporating BER outcomes, these have been addressed as part of normal planning activities for these schemes.	Whilst it is important that BER is integrated into services and working practice throughout the Council, it would be more beneficial for future action to focus on developing a consistent approach across the organisation. It's recommended that the ambitions of this action are integrated into a broader action in the revised Plan, to embed BER Outcomes into corporate planning and decision making.
<b>Ecological advice and expertise</b>			
7	Continue to deliver advice on ecological matters to services and establish	Ecological advice is provided by the Countryside Team, who support service delivery of departments across the organisation.	The provision of advice is generally a reactive process, responding to requests and queries as they come in. Such a system

	expert call off contract list for in depth advice on BER	There is an established relationship with many departments and it's clear that continuity and the ability to develop working relationships has been important in ensuring that ecological advice is built into service delivery. Support is provided in seeking additional advice and signposting to regulatory bodies / consultant ecologists where appropriate.	is reliant on an established relationship with departments, therefore does require some initial engagement / setting up of processes to ensure a consistent approach across the Council. There are extremely positive examples of engagement and collaborative working within the Council, however it's recommended that actions for the revised Plan include efforts to increase engagement and formalise working arrangements / processes.
<b>Flood Risk</b>			
8	Provide support to: Include BER in flood options appraisals; Include detail of BER options in Flood Risk works	Ecological advice is provided for flood defence works, Ordinary Watercourse Consents (OWC) and new flooding schemes. There are positive examples of integration of BER outcomes into these schemes, such as the flood defence scheme at Porthcawl, funded as part of the Coastal Risk Management Programme. Measures were put in place to protect and enhance biodiversity, including the introduction of structures to encourage colonisation of <i>Sabellaria</i> reef (Honeycomb worms), protection of the dune system and creation of a boardwalk to tackle issues of erosion.	In addition to new schemes and formal processes such as SABs and OWC, ensure that processes are in place in relation to maintenance of existing drainage infrastructure. Ecological input into new drainage schemes is established, however concern has been expressed on incompatibility between management of biodiversity features alongside maintenance as a drainage structure, therefore there would be merit in further collaborative working to agree design and maintenance schedules that meet both requirements.
<b>Planning</b>			
9	Provide observations through the planning system as considered appropriate. Report	There is an established consultation process for development control, with Countryside classed as statutory consultees for major developments and involved in discussions / meetings with developers where potential biodiversity constraints are identified.	Engagement is reliant on consultation by Development Control, therefore does leave some potential for gaps in the process, although there is no evidence that this is the

	content reflects BCBC commitment to BER outcomes and specific opportunities and impacts.	BER outcomes are a material consideration for planning decisions and are reflected in report content. There is a positive working relationship between Countryside and Planning, resulting in good outcomes for biodiversity through the planning process, with examples provided of refusal, mitigation and compensation. It was acknowledged that biodiversity enhancements had been more challenging to achieve, with evidence of enhancements being taken out by the Planning Inspectorate at appeal. Policies set out in Planning Policy Wales 10 in relation to enhancement will support future efforts to achieve net benefit to biodiversity.	case. In order to demonstrate a consistent approach, it's recommended that a review is carried out of the consultation process, which may simply be a formalisation of the process already in place. Additionally, there should be an increased focus on enhancement through the Planning process.
10	Local Development Plan - to be adopted by 2021 - to support the inclusion of BER through whole LDP adoption process, reflecting requirements of Environment Act, PPW 10 and Strategic Regional Planning and Well-being of Future Generations Act	<p>The Local Development Plan was adopted in 2013, with the revised LDP currently at deposit stage. The SEA (Strategic Environmental Assessment) reflects biodiversity requirements, whilst biodiversity is assessed in more detail for each allocation. Specific policies, developed in collaboration with Countryside, in relation to biodiversity are:</p> <p>DNP5: Local and Regional Nature Conservation Sites 193  DNP6: Biodiversity, Ecological Networks, Habitats and Species 194  DNP7: Trees, Hedgerows and Development 196  SP17: Conservation and Enhancement of the Natural Environment  DNP8: Green Infrastructure 201  DNP9: Natural Resource Protection and Public Health 203</p> <p>SINCs (Sites of Importance for Nature Conservation) were identified in 2011, and a light touch review was carried out by consultants for the new LDP, looking at SINCs that could be impacted by allocations. With exception to one SINC, influenced by there being an extant permission on the site, SINCs are typically only on the periphery of allocations or can be mitigated against loss. The 2021 Annual</p>	Maintain support of inclusion of BER Outcomes throughout the LDP process, to include establishing a process of SINC review.

		Monitoring Report for the LDP confirmed that there had been no proposals granted contrary to the advice of NRW or the Countryside team, which would be detrimental to the conservation of designated sites or protected species.	
<b>Local Transport Plan</b>			
11	To support consideration of BER outcomes through planned investment and maintenance of transport infrastructure	<p>Investment in transport infrastructure in delivery of the Local Transport Plan by the Council is primarily in delivery of the Active Travel network. BER outcomes are considered to some extent in delivery of schemes, although opportunities for mitigation or enhancement is likely to be affected by the route / footprint having already being established. Measures such as replacement of trees and treatment of invasive species are built into the schemes, as are ecological surveys to mitigate impacts on protected species.</p> <p>Maintenance: certain areas have been identified as conservation verges. These are managed by contractors and generally managed in line with the management regime. Some areas of open space have reduced cutting, with desire lines through them for walking / access.</p>	Investment in transport infrastructure would benefit from earlier engagement, particularly in assessment and design of routes. Environmental benefits of such routes are typically focussed on benefits to be had from reduced travel and increased cycling, and it's recommended that biodiversity / BER outcomes are given higher priority in design and / or location of routes.
<b>Transport Options Appraisals</b>			
12	Support included as part of transport options appraisal and evidenced.	See Action 11.	Action to be deleted and reflected within a revision of Action 11.
<b>Parks and Highways</b>			
13	Support the development of a Parks and Highways Biodiversity Enhancement Plan	The Highways and Parks Biodiversity Enhancement Strategy, 2019, has been developed. In addition to providing a strategic overview of measures that could be taken to enhance parks and highways assets, it identifies sites that could be enhanced through changes in management. A key recommendation is the review of the contract	The Strategy makes a number of recommendations that could be progressed, however although there are changes that have been made to Parks / Highways management, it wasn't generally felt that



		that has been awarded for the maintenance of highway verges and land, however it was recognised that this would be challenging within the duration of the contract period.	this was in direct response to the Plan. It would be beneficial to carry out an internal review of the Strategy, reviewing progress on delivery, setting key targets for inclusion in corporate reporting mechanisms. This should be done prior to a reissuing of the highways management contract to ensure that any agreed changes to management can be incorporated into any new contract.
<b>Schools Developments</b>			
14	To support BER considerations in: Development of options appraisals; Development of business plans	<p>There is good awareness of biodiversity requirements in the Schools Development Programme. Biodiversity is a consideration at initial feasibility stages of proposed schools, as well as design and delivery. There are examples of multi-disciplinary project boards being set up, which have included Countryside, whilst additional ecological support is secured through external consultants as a matter of course. Opportunities are pursued to deliver biodiversity as part of BREEAM excellence ratings.</p> <p>The value of biodiversity as an educational resource is recognised and there are examples of a proactive approach being taken to designing in biodiversity features, which support ecosystem resilience, whilst also acting as an educational tool.</p>	Build on the existing working relationship to ensure there is a consistent approach to proactively adopting new design and green infrastructure techniques to further strengthen the positive impact that can be made through sustainable design.
<b>Additional Question (WG Guidance)</b>			
15	Provide any examples of policies or procedures	There are many positive examples of collaborative working and integration of BER into projects or activities. However, these measures are often reliant on working relationships that have been	Seek to further embed biodiversity requirements into corporate processes, policies and procedures, with a stronger

	<p>changed to incorporate biodiversity.</p> <p>developed over time, rather than there being established processes in place. The exception to this is where planning requirements are well embedded into processes (for example in delivery of major capital schemes), and biodiversity will fall within that requirement.</p> <p>Increasingly, corporate strategies are recognising the importance of BER and their contribution to broader agendas. The Corporate Plan outlines the aim to ‘maintain and enhance the natural resources and biodiversity of Bridgend County Borough’, with indicators set for delivery of biodiversity schemes. The emerging Decarbonisation Strategy: Pathway to Net Zero by 2030 reflects the importance of biodiversity as part of the solution for climate change, through the role of trees, soils and waterbodies in sequestration of carbon.</p>	focus on indicators and targets that reflect a corporate commitment to delivery.
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#### 4.2 SAFEGUARD AND IMPROVE

BCBC activities which aim to safeguard and improve management of important species and habitats

Action		Progress	Recommendations
<b>Development Control: Advice to Developers</b>			
16	Support use of the SPG in discussion with developers, and work on Masterplans and Area Development Plans and land allocation.	The Biodiversity and Development SPG (SPG19) is available for viewing on the Council website and is included in the list of review documents associated with the emerging LDP. The SPG is referenced through Development Control observations made by Countryside and a proactive approach is taken to supporting use through discussions with developers.	To ensure that the SPG remains up to date, and reflective of new legislation and policies, there should be a review of the SPG carried out for the updated LDP.
<b>Digital Shepherd - Managed Grazing Project</b>			
17	Deliver the RDP partnership managed grazing project to	The Digital Shepherd Project was successfully delivered, and completed, by Bridgend REACH Team, to promote and support	Conservation grazing is an important tool in addressing biodiversity decline in rural and

	develop use of GPS as a management tool	conservation grazing. It was a partnership project, (also part of the NRW funded Sands of Life Project) with NRW, PONT Cymru, a local farmer and Farming Connect. It included awareness raising activities (including engagement with schools) and piloting of grazing tracking collars. Activities included the promotion of the importance of conservation grazing and activities to encourage responsible behaviour around livestock. An online learning tool was created at <a href="http://www.bridgendreach.org.uk/digital-shepherd">www.bridgendreach.org.uk/digital-shepherd</a> , which remains live as a learning tool.	peri urban areas, and should remain a consideration for management where appropriate. Additionally, there remains a need for ongoing action and awareness raising of the importance of responsible behaviour around livestock, including the need to keep dogs under control and dealing with dog fouling. Whilst it's recognised that dog fouling is a county wide issue, ensuring that problem agricultural areas are addressed alongside more urban environments, will be important in supporting efforts to maintain, or establish, conservation grazing.
<b>Local Nature Reserves</b>			
18	Delivery of Craig y Parcau Local Nature Reserve Management Plan actions including stabilisation of river bank.	A woodland group has been set up to support management activities within this LNR, Newbridge FAWR (Fields and Woodland Regeneration). Primary management issues comprised dealing with Ash Dieback, invasive species and riparian erosion, impacting on the riverside walk through the LNR. Stabilisation of the bank was achieved through a partnership project, alongside Bridgend Town Council, Keep Wales Tidy and Natural Resources Wales. The scheme was designed so as to include large woody debris and brash faggots as part of the structure, which would naturally silt up and revegetate over time. See Case Study 4.	General comments and recommendations for all LNRs: There is a budget in place for management of the LNRs, which is a positive demonstration of Bridgend Council's contribution to its Biodiversity Duty. There isn't currently a formal review and monitoring process in place, although management is generally underway.
19	Delivery of Frog Wood Pond Local Nature Reserve Management plan including achieving 90% open water.	The pond has been maintained and monitored to ensure retention of 90% open water. Additionally, FPW LNR was extended in June 2021 to include Village Farm Meadow, which provides a new management focus. Small scale coppicing was undertaken by volunteer work parties led by the Countryside Team.	In order to ensure that management and funding requirements remain up to date, a process of monitoring and review should be put in place, alongside retention of resources to ensure implementation.

		Extension of the LNR is a positive contribution by Bridgend Council to its Sct. 6 Duty, over and above the actions already delivered as part of the Plan, and further supporting the ecosystem resilience of Bridgend's biodiversity resource.	
20	Delivery of Lock's Common Local Nature Reserve Management Plan, including grassland mowing regime.	The site is subject to a scheme of management which is operated by the Greenspaces Team, with input from the Countryside Team. This involves a wildflower meadow cutting regime of two cuts a year, with more frequent cuts carried out to maintain access on paths through the grassland.	
21	Delivery of Tremains Wood Local Nature Reserve Management Plan, including circular walk.	Tremains Woodland Ranger Group is established and currently being supported by Llais y Goedwig. The group is carrying out monthly tasks and also inputting into the development of a circular walk, improving accessibility to the reserve. Primary management issues being dealt with are Ash Dieback, littering and some invasive species, which is being dealt with by additional support from the Council.	
22	Deliver the Kenfig National Nature Reserve (KNNR) Management Plan	<p>Prior to December, 2019, management of KNNR was overseen by the Site Warden, employed by Bridgend Council, who was responsible for implementation of the Management Plan. At this point, site management responsibilities reverted to Kenfig Corporation Trust, therefore Bridgend Council no longer has any control or influence over the site.</p> <p>Kenfig National Nature Reserve is also a SSSI (Site of Special Scientific Interest) and therefore afforded a good level of protection that will not be lost as a result of the change of management. Ongoing management will now be carried out by the Trust, who have put</p>	

		measures in place to facilitate ongoing management. However, the loss of ongoing involvement by Bridgend Council is likely to have at least a short-term detrimental impact on the site's biodiversity, from the loss of skills / knowledge from well-established staff who are no longer involved in the site management. Whilst it's anticipated that the future of the site will remain secure, the change of management arrangements does result in a reduced contribution by Bridgend Council towards the protection and enhancement of Bridgend's biodiversity resources.	
<b>Additional Activities to safeguard / enhance</b>			
23	Declaration of Bedford Park Local Nature Reserve	<p>Bedford Park was declared as a new Local Nature Reserve in June 2021. The LNR, forming part of the Bedford Park Site of Importance for Nature Conservation, includes marsh, woodland, grassland and wetland habitats, supporting both common and protected species, including Dormouse and Pipistrelle Bat. The Wildlife Trust of South and West Wales were commissioned to prepare a management plan for the site. Llais y Goedwig have been commissioned to implement the management plan, which will include woodland management in support of Dormouse and invasive species control.</p> <p>Declaration of a New LNR is a positive contribution by Bridgend Council to its Sct. 6 Duty, over and above the actions already delivered as part of the Plan, and further supporting the ecosystem resilience of Bridgend's biodiversity resource.</p>	
24	Implementation of the conservation verge management	Management of green space and highways as wildflower meadows is underway, with a regime of two cuts per season of identified naturalised areas. The areas of naturalised maintenance are:	Management of highways and greenspace is a key mechanism that Local Authorities can utilise to support efforts to reverse biodiversity decline, whilst also contributing

		<ul style="list-style-type: none"> <li>• Green Spaces: 22.56ha over 24 sites,</li> <li>• Highways: 9.1ha over 21 sites.</li> </ul> <p>Additional measures on the highway include a principle of hedgerows being managed outside of bird nesting (where not compromising highways safety).</p>	<p>to climate change efforts through increased soil and vegetation carbon sequestration. Whilst progress has been made in managing the green estate for biodiversity, efforts should be made to regularly increase the extent of highway and green space being managed proactively for biodiversity. Furthermore, an exploration of opportunities to implement measures to remove arisings should be carried out, in order to increase the biodiversity value of sites managed in this way.</p>
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### 4.3 RESTORE AND CREATE

BCBC activities which aim to restore degraded habitats or habitat creation

Action		Progress	Recommendations
<b>Biodiversity Enhancement Schemes: Ward Level</b>			
25	Deliver ward level biodiversity enhancement schemes involving town and community councils and schools.	<p>Positive examples have been provided of ward level schemes across the County. These include the biodiversity enhancement scheme delivered in Ogmores Washeries during 2020/21 in partnership with Ogmores Valley Community Council. (see Key Outcomes).</p> <p>A number of Green Infrastructure schemes are underway, or have been delivered, by the Strategic Regeneration Team. An example of such is the GI Enhancement Strategy for Bridgend Town Centre, which included a GI audit, GI project proposals and action plan, and a best practice GI design specification resource that can be utilised to inform</p>	<p>There are positive examples of enhancement schemes having been delivered, however collaborative and partnership working to broaden the influence of Bridgend Council remains an important focus for ongoing delivery. It's recommended that future delivery against this action includes an increased focus on supporting partners in developing and delivering biodiversity focused projects.</p>

		<p>future schemes within the County Borough's town centres. Additionally, a tree replacement planting scheme was delivered at Commercial Street, Maesteg Town Centre.</p> <p>There is a proactive approach to the integration of green infrastructure and sustainability measures being built into schools, including lighting reduction, solar power and waste management. Biodiversity is built into school ground designs and forest school is supported and utilised where possible. A positive example was provided of Penyfai Church in Wales Primary School, where a bat roost and commuting corridors were fully accommodated within the scheme, and the opportunity taken to create an educational resource, through the installation of CCTV. See Case Study 2.</p>	
<b>Dunes2 Dunes - Green Infrastructure Project</b>			
26	<p>Deliver RDP partnership project to re-instate biodiverse corridors between the two sand dune areas either side of Porthcawl. Kenfig Burrows and Merthyr Mawr Warren. Funding Application Pending.</p>	<p>Welsh Government SMS (Sustainable Management Scheme) funding was secured to deliver the Dunes2Dunes project, drawing down £312K. The project formed a collaboration of nature reserve managers, landowners and golf club owners to sustainably manage the coast, delivering training, engagement and habitat management. See Case Study 1 and <i>the Dunes 2 Dunes Celebration Film on <a href="#">YouTube</a></i>.</p>	<p>Dune2Dunes is an exemplar project, enhancing and showcasing the nationally and internationally important coastal habitats of Bridgend. It's recommended that efforts are made to support activity beyond the life of currently funded projects, particularly to increase connectivity with new sites where possible, taking up opportunities for grant funding as they arise.</p>

Tree Management Plan and Actions			
27	Produce a county wide holistic approach to management of trees.	<p>A Tree Management Policy was adopted in 2018, which sets out how Bridgend Council will manage its trees and woodlands, i.e. those which are the responsibility of the Council. It includes management of trees to reduce any associated hazard, whilst also recognising social, economic and environmental benefits of trees. Consequently, the policy sets out some guidance on where requests for removal of trees would be considered non-essential work, therefore demonstrating a positive approach to the retention of urban trees where safe to do so.</p> <p>The policy supplements (but does not supersede) additional measures and procedures in place in relation to trees, such as tree preservation orders and the new policy to included in the new Local Development Plan: SPG07 - Trees and Development.</p> <p>Additional work is underway to address measures needed to address Ash Dieback, in development of an Ash Dieback Action Plan.</p>	Maintain this function, implementing a consistent approach to management of trees and woodland in Bridgend, to include current (and new) issues such as Ash Dieback.

#### 4.4 TACKLE KEY PRESSURES

BCBC activities which aim to tackle key pressures which lead to habitat and species loss and fragmentation

Action		Progress	Recommendations
<b>Biodiversity &amp; Ecosystems Resilience: Demonstration projects</b>			
28	Develop externally funded, multi partner demonstrator projects for BER which support place-based working.	There are a number of multi-partner projects already detailed within this report, tackling key pressures which lead to habitat and species loss / fragmentation. These include the Digital Shepherd Project, dealing with issues such as dog fouling and promoting responsible visitor behaviour, the Dunes2Dunes project, supporting sustainable	Maintain this function.



		management practices and Ogmore Washeries, improving access to, and understanding of, nature, reconnecting people with the natural environment. The newly funded Cwm Taf Nature Network Project, will build on these activities, supporting volunteer involvement and action across a range of sites in Bridgend, tackling key pressures alongside direct habitat and species conservation action.	
<b>Public Services Board: opportunities and risks from BER</b>			
29	Support the development of a shared approach to BER across the PSB	The PSB Assets sub board is a delivery vehicle for the well-being plan. It is well attended by members of the Natural Resources team and is a conduit for collaborative working and engagement with key departments of PSB partners. The group is well placed to inform and influence priorities in the well-being plan and consequently provides a good opportunity to develop a shared approach to delivery of biodiversity and ecosystem resilience outcomes across the PSB. Activities include development, and delivery, of an Action Plan.	The Assets Sub-board is a positive example of collaborative working and has provided good opportunity to engage with colleagues within the Public Service Board. It is focused on managing the PSB green space estate in line with the PSB Wellbeing Plan and whilst this remains an important outcome, opportunity should be taken to influence greater action through seeking to integrate BER outcomes into broader policies and strategies of PSB partners, alongside other sustainability issues, in particular the decarbonisation and climate agenda.
<b>Rural Development Plan: Regional Working</b>			
30	Continue to input into opportunities for regional working on South East Wales regional projects involving local authorities and businesses up to 2020.	Input has continued to be made into regional working through the Rural Development Plan, however no opportunities have arisen with regards to BER outcomes. The focus for regional working has now shifted to South Central to tie in with Area Statement areas.	Lack of progress on this action is a reflection of lack of opportunity, rather than a failure to deliver on the action, however efforts to continue to pursue regional working opportunities remain important for future delivery. The focus for regional working has

			shifted towards the South Central region, to tie in with Area Statement boundaries, however, in the future a flexible approach should be adopted, to pursue opportunities that best suit biodiversity requirements and partnership opportunities.
<b>Single Revenue Grant</b>			
31	SRG funding proposals incorporate enhanced BER outcomes which demonstrate compliance with enhanced Biodiversity Duty and support BCBC approach to Green Infrastructure.	<p>SRG funding included a series of biodiversity enhancement projects and was a good funding avenue to support delivery of BER in Bridgend, whilst also providing the match funding opportunity to draw down additional grant funding. SRG funded activities included:</p> <ul style="list-style-type: none"> <li>• Development of the Parks and Highways Biodiversity Enhancement strategy;</li> <li>• Implementation of biodiversity enhancement works at seven sites within Bridgend County Borough, namely: Badgers Brook Allotments, Brackla; The Wilderness Park and Allotments, Porthcawl; Maesteg Welfare Park; Bryn y Cae Nursing Home Brackla; Bryngarw Country Park; Glanrhyd Hospital and Nantymoel Boys and Girls Club. These schemes included wildflower meadow creation, a tree nursery, woodland management, wetland creation and Hügelkultur (a horticultural technique of building a mound shaped raised bed);</li> <li>• Bat and tree training for BCBC officers;</li> <li>• Through a joint project with Bridgend Ford and Natural Resources Wales over 1200 trees were planted included heritage fruit trees and hedgerow planting.</li> </ul>	The Welsh Government Single Revenue Grant provided a much needed, and reliable, funding allocation to support delivery of biodiversity outcomes by Local across Wales, and consequently cessation of this funding stream is a loss for biodiversity delivery. Generally, current competitive funding mechanisms require higher levels of administration, highlighting a need to ensure there is sufficient staff capacity in order to deliver grant funded projects.
32	<b>Additional activities to tackle key pressures on species and habitats (WG Guidance)</b>	<p>There are a number of measures currently being undertaken which will support efforts to tackle key pressures on species and habitats:</p> <p>Invasive Species: the spread of invasive species is a considerable issue</p>	<p>Additional measures that should be reflected in the revised Plan:</p> <p>Procurement: alongside broader</p>

	<p>for Bridgend, as it is for many areas in Wales. Treatment of Japanese Knotweed is well established throughout the organisation and an Invasive Species Management Policy is being finalised, which will outline a more consistent approach to the management of invasive species, not limited only to Japanese Knotweed.</p> <p>Waste: there is a new team in place to promote recycling and carry out enforcement, with a focus on fly-tipping and dog fouling. The Council is also involved in the Caru Cymru Project (a pan Wales project led by Keep Wales Tidy), working with schools and promoting messages on litter, etc.</p> <p>Climate Change: The decarbonisation strategy is being developed and climate change is increasingly a corporate priority. Activities include a project to increase charging points for electric vehicles and design of new roads are incorporating ducting in preparation for future improvements for electric charging infrastructure.</p> <p>Water Quality: Natural Flood Management techniques have been utilised, with a good example of long-term partnership working provided in work carried out in the Upper Garw Valley, to address issues of siltation and high flow rates coming off the hillsides.</p>	<p>sustainability and climate related measures, procurement policies have a significant opportunity to influence positive action by suppliers. The recent inclusion of a 'carbon footprint' question by the Natural Resources Team in tender documentation is an example of the kind of influence that can be achieved by building in sustainability requirements to the procurement process. Expansion of this principle to include biodiversity, or general sustainability measures at a corporate level, would send a powerful message to businesses of the need to support efforts to address biodiversity decline.</p>
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## 4.5 EVIDENCE BASE

Activities which aim to improve BCBCs evidence base

Action		Progress	Recommendations
<b>Flood Risk management: Historic contamination</b>			
33	Undertake research on risk of historic contamination and flooding to biodiversity and well-being and plan for managing risk	<p>Research not undertaken however there is recognition of the issue and there has been some site-specific work carried out which has sought to deal with historic contamination of water course in the Upper Garw Valley. The valley suffers from high flow rates and deposition of silt in the lakes along the valley floor. Feasibility and design work has been carried out, with a view to carrying out interventions which reduce the sediment load reaching the lakes, whilst naturalising the channels and creating additional wetland habitat.</p> <p>Additionally, there is recognition of the issue within the planning system, with strategic flood consequences work carried out for the new Local Development Plan and consideration of flooding, alongside biodiversity constraints of sites, in the Strategic Environmental Assessment.</p>	There has been limited progress against this action however ongoing progress would be better served by ensuring that measures are in place to embed BER outcomes into schemes / activities designed to address historic contamination.
<b>Flood Risk Management: Invasive Species</b>			
34	Undertake research of biodiversity and well-being risk associated with invasive species and plan for managing risk	Research not undertaken however the impact of invasives species is broadly recognised and an invasives policy is currently being finalised, looking to deliver a consistent approach to dealing with invasive species on Council land, and in delivery of Council activities.	There has been limited progress against this action however ongoing progress would be better served by ensuring that measures are in place to embed BER outcomes into management of invasive species.

**Green Infrastructure Project: Bridgend; Swansea, Neath & Port Talbot**

35	Development and delivery of partnership project with Swansea and Neath & Port Talbot on evidence base and Green Infrastructure actions	The GI project was delivered during 2019. It created a new partnership across the three county areas, improving the evidence base for green infrastructure across the region. It provided a framework for action and delivery, and funding for initial implementation. 5 sites were enhanced through tree planting, enhancing publicly accessible greenspace. Additionally, it acted as a valuable engagement tool with PSB partners, generating interest in the broader value and importance of biodiversity as a key element of green infrastructure. The mapping work carried out has informed further design and identification of sites for tree planting.	Ongoing review, and utilisation, of the maps generated by the project is recommended, as part of building the evidence base for Bridgend.
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**Highways Maintenance**

36	Initiate research and planning on role of biodiversity in managing risks on highway infrastructure (drainage, tree maintenance and land management regimes)	Research not undertaken however there has been some activity in managing risk of trees on highways, with a survey of highway trees carried out and development of the Ash Dieback Plan.	There has been limited progress against this action however evidence on the role of biodiversity in managing risk on highway infrastructure is generally available. Therefore, recommended activity for progress would be to follow up on opportunities to deliver collaborative schemes (where those opportunities exist) and to ensure that measures are in place to ensure BER outcomes are considered as part of management of highway risk.
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**Natural Resources Wales: Area Statements**

37	Support NRW on development of Area Statement in order for it to contribute to BER outcomes	The Council were involved in development of the South Central Area Statement and remain engaged in ongoing progresses and implementation. Opportunities have been taken to align current	There is positive engagement between the Council and NRW on Area Statements, and ongoing alignment and engagement will need to be reflected in the revised Plan.
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	for BCBC including the LDP evidence base and well-being Plan.	plans and strategies with the Area Statement, including key documents such as the Well-being Plan and the LDP.	
<b>Public Services Board: Well-being Assessment</b>			
38	Work to ensure Biodiversity Forward Plans of PSB members inform the PSB's well-being assessment and well-being planning process.	The well-being assessment draws on the well-being objectives of PSB partners, therefore where these objectives are informed by respective Forward Plans, this will naturally flow through to the well-being assessment and ultimately the Well-being Plan. Additionally, members of the PSB Asset Board, which is well attended by lead officers in BER delivery, input to the assessment, providing additional opportunity to embed BER outcomes into the Well-being Plan. Whilst there hasn't been a formal process to draw on partner Forward Plans, there has been representation from the biodiversity sector, through involvement of the Council's Countryside Team and NRW in the PSB Asset Board.	Ongoing delivery of this action would benefit from establishing a process to ensure that the steps are in place to embed key outcomes from Partner Forward Plans to the well-being planning process.
39	<b>Additional activities to develop the evidence base</b>	<p>Biodiversity records by local recorders are fed through to SEWBREC, the South East Wales Biodiversity Records Centre. Developers are widely encouraged to make use of SEWBREC's services as part of their ecological assessments for planning.</p> <p>There is no established system for collating / building biodiversity data, however recommendations are made for ecological assessments to be built into scheduled works / project delivery. Staff within the Countryside team have good knowledge of many sites, however this information isn't held within a central place.</p> <p>There are ad hoc monitoring and surveys in place, such as Dormouse monitoring at Bedford Park and the ecological assessment that has</p>	There are processes in place to assess sites and make use of records that are available through the records centre, however it is recommended to supplement this process by the collation of records into a system that can systematically be accessed by all Countryside staff. This will support the need to build the evidence base for biodiversity in Bridgend, whilst also increasing resilience and providing continuity in the event of staff absence. It's recommended that this includes SINC data,

		been carried out in the Upper Garw Valley to inform management decision. There has been a review of the SINCs for the LDP, although not an in-depth one.	and consideration of establishing a process of their review.
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#### 4.6 GOVERNANCE

BCBC activities which contribute to the way in which BER is managed at the highest level in the Council and its partnerships and the systems for doing this.

Action		Progress	Recommendations
<b>Member Leadership</b>			
40	Support the Biodiversity Champion to act as an advocate for BER	The role of the Biodiversity Champion is held by the Cabinet Member for Education and Regeneration, who is supportive of the work carried out by the Countryside / Natural Resources Team. There is engagement between the team and the Biodiversity Champion, which provides the opportunity to share information and support the role of advocate for BER, however there isn't a regular arrangement for such meetings.	In order to act as an advocate for BER it would be beneficial to establish a more regular process of information sharing and engagement between the Biodiversity Champion and the Countryside Team. This will provide the opportunity for the Biodiversity Champion to be kept up to date on relevant activities and projects, whilst also becoming aware of issues or challenges that limits progress in delivery of BER outcomes.
<b>Decision Making: Judicial Review of BCBC Decisions</b>			
41	Support BCBC to manage risk of external challenge on decisions via Judicial Review	The risk of external challenge is managed by ensuring that appropriate processes are in place to avoid harm or damage to biodiversity and ecosystem resilience. The activities outlined in this	It's recommended that this action is revised, to set out a more general need to ensure that there are robust measures in place to

		report broadly outline the measures and approaches that have been taken to meet BER requirements, and therefore avoiding challenges via Judicial Review, or by any other means. There has been no challenge made to Bridgend Council during implementation of the BER Forward Plan.	ensure delivery of the Sct. 6 Duty, and the revised Forward Plan. This will include formalisation of processes, as outlined in Sct. 4.1 ('EMBED') and ensuring that monitoring and implementation is underway.
<b>Development Control: Challenge to Decisions</b>			
42	Deliver coherent approach to BER through Section 6 Duty, LDP and approach to PPW (10)	There is positive integration of BER outcomes into the planning process, as outlined earlier in this report. There isn't a recognised issue of challenges to decision through the development control process although it is recognised that there has been concern about enhancement and the potential for these decisions to be overturned.	Whilst positive outcomes have been evidenced with planning processes, it would be beneficial to review / monitor the approach to BER in the planning system, alongside formalisation of processes, as outlined in Sct. 4.1 ('EMBED').
<b>Local Development Plan: SE Wales Strategic Development Plan</b>			
43	Support the integration of BER in the South East Wales Strategic Development Plan	The LDP Team sit on SEWPOG, SE Wales Strategic Planning Officers group, and are involved in discussions on any proposed Strategic Development Plan. There isn't currently confirmation that the SDP will go ahead, and even if so, the timescale or mechanism by which it should happen.	Any proposed SDP isn't expected to be delivered within the timescale of the revised Forward Plan for Bridgend, therefore recommend removal of this action.
<b>Public Services Board: Bridgend Assets Board</b>			
44	Contribute to a new board under the PSB which will develop work to advance environmental sustainability, local economic sustainability (circular economy) and the use of assets to advance wellbeing.	The PSB Assets Sub Board has been established, with a strong focus on the environment and community engagement and benefit. It is chaired by the chief fire officer for Taf Morgannwg, and is attended by relevant officers of PSB partners, with stakeholder mapping having been carried out to aid delivery. The board aims to work together to improve the quality and extent of natural resources and is able to demonstrate good examples of project delivery and activities which support BER outcomes.	Delivery of the Assets Sub Board is a good demonstration of collaborative working in delivery of BER Outcomes. It also has the potential to influence positive change more broadly within PSB partner functions and it's recommended that a more strategic and policy-based approach is also taken, alongside the asset management work which is well established.



Public Services Board: Bridgend Nature Recovery Plan			
45	Support the delivery of Bridgend Nature Recovery Plan through PSB activity.	The Nature Recovery Plan is directly referenced in, and biodiversity is well integrated into, the Well-being Plan, as part of 'Healthy Choices in a Healthy Environment' well-being objective. Biodiversity focused activities have been delivered through the Asset sub board, with a strong focus on asset management and awareness raising. NRW Funding has been put in place to support delivery of PSB activities which deliver environmental outcomes, with activities such as the Green Spaces survey and web-based biodiversity resource pack successfully delivered.	The role of the PSB, and Asset sub board, will be key in ensuring ongoing delivery of BER outcomes in Bridgend. It has been a driver for collaborative working and for demonstrating delivery of biodiversity initiatives in Bridgend. There is potential to focus more on influencing policy and procedures within PSB partners, alongside standardising procedures within Bridgend Council, and the sub board will be a key delivery mechanism for achieving this.
46	<b>Additional activity to provide governance and support for BER delivery</b>	Currently there are 2 FTE posts which directly support delivery of BER outcomes. Additional progress in implementation of the plan has been achieved by collaborative working with the Rural Programme Coordinator, which has been particularly beneficial in increasing capacity to draw down additional funding and deliver biodiversity focused projects. However, this post is fixed term and currently only funded to December, 2022. Additional managerial support has been put in place by the creation of the Climate Change Response Manager. There is potential for a 3 year Local Places for Nature Post, however this is dependent on Welsh Government funding and is currently unconfirmed.	In order to fully support Bridgend Council in meeting its Sct 6 Duty and truly embedding biodiversity into standard working practices, there is a need to ensure that there is appropriate capacity in place. Current staff members are at capacity and the loss of the supporting function provided by the Rural Programmes Coordinator will be a loss to delivery. It's recommended that a review is carried out of staff resources, to include consideration of: - increasing capacity to provide ecological advice and further embed biodiversity into processes and activities carried out by Bridgend Council. This could include consideration of income generation, such as providing internal consultancy services, or

			<p>building in support for ecological advice to Planning Performance Agreements where appropriate.</p> <p>- securing, or increasing, capacity to secure and deliver grant funded projects / capital schemes and support delivery of partnership projects and initiatives. There is an opportunity to also deliver nature-based solutions which would support Climate action for this function, providing a holistic approach to delivery.</p>
		<p>Additional project delivery has been achieved by securing of external grant funding, as outlined through this action report. In addition, there is core funding in place for management of Local Nature Reserves, which is a positive demonstration of commitment to managing key sites within Bridgend.</p>	<p>In order to meet the need to reverse biodiversity decline, there will be a need to adequately resource delivery of the Sct. 6 Duty. Whilst recognising that there is pressure on Local Authority budgets, it's recommended that budget requirements for Sct. 6 delivery is considered as part of broader budget reviews.</p>

#### 4.7 COMMUNITY

Activities which aim to inform the communities' understanding of BER and /or engage them in management which supports it

Action		Progress	Recommendations
<b>Biodiversity Opportunity Maps: Ward Level</b>			
47	Production of ward maps on what to explore, what can be seen and	Ward maps have not been produced, although web-based resources have been created which showcase areas to visit and provide ideas on activities to enhance biodiversity.	There has been a lack of capacity to deliver this action, and it's recognised that it would be a resource requirement to deliver this

	opportunities to enhance biodiversity.		over in the subsequent plan period. However, it would be valuable resource, increasing engagement at a local level and providing opportunity to raise the profile of biodiversity with local members, therefore it is recommended to retain this action going forward.
<b>Parks: Mental Health</b>			
48	Develop opportunities for social prescribing through PSB and RDP work with partners.	Social prescribing has been actively promoted, and taken forward, by the PSB Asset Sub Board. A Social Prescribing framework has been established by Bridgend Council and third sector organisations (through Bridgend Association of Voluntary Organisations), and funded by the Integrated Care Fund. Delivery is taken forward through the sub board and the green network. Activities included identification of green spaces and creation of a Nature on your Doorstep leaflet, which was sent to doctors and Local Community. A Green Spaces survey was carried out, with over 400 respondents, 200 of which left contact details as they wished to be involved, resulting in the programming of volunteer taster sessions.	There has been good progress in this action, and ongoing delivery should be supported going forward, looking to maintain focus with Local Community Coordinators and further signposting. This could include raising the profile of the value of participating in general, community-based activities and volunteering, alongside more health focused activities.
<b>Parks: Maintenance Regimes</b>			
49	Support an approach to informing the public view of proactive approach to biodiversity through maintenance.	There have been a number of awareness raising initiatives which support delivery of this action. The newly established Cwm Taf Nature Network Project includes management of 10 sites for biodiversity alongside awareness raising activities, an approach which is seen in many of the projects already referenced within this report. Broader awareness raising has been achieved through publishing of press releases, such as 'Life on the Verge: how grass cutting has changed to boost biodiversity in Bridgend County Borough', issued in June, 2021.	Community involvement and engagement is an important element of a collectively tackling biodiversity decline and should be retained in the revised Plan, as part of a broader action to support and encourage community engagement and action.

## 5. Summary

The Council's progress in delivery against the Forward Plan is generally positive, with many examples of activities, projects and collaborative working that have delivered good outcomes for delivery. There are some areas which have been identified as requiring more progress, particularly in terms of formalising processes and embedding BER requirements into corporate procedures. Recommendations for specific actions are outlined in more detail within the Action Review, however some general principles to inform the Plan review are detailed below.

### 5.1 Recommendations

Engagement and accessibility to the Plan could be enhanced by some changes to the format and style of the report, and the actions on which it is based. The focus of actions has been weighted towards delivery by the Countryside team, therefore revised actions should have a greater focus on delivery by relevant departments, thereby encouraging greater ownership in delivery across the Council. In addition, terminology such as BER Outcomes could be defined and a generic term, such as biodiversity, used throughout the Plan. The Plan is a public document and provides an opportunity to raise the profile of biodiversity, the need for action, and the role that the Council has to play in achieving positive change.

The revised plan should have a stronger focus on establishing processes and systems that ensure a consistent approach in meeting the Sct. 6 Duty, and also in monitoring delivery. For some departments, this may simply mean formalising existing processes, whilst for some, there may be a need to put new measures in place. Similarly, there is a need to bring biodiversity into the corporate planning and decision-making processes, to ensure that opportunities are not lost to embed biodiversity into service delivery.

Delivery of the Sct. 6 Duty would be supported by efforts to increase the profile of biodiversity as a corporate priority. There are a number of measures that would help achieve this, including:

- Making a clear commitment to taking action to reverse biodiversity decline, such as signing up to the Edinburgh declaration or declaring a Nature Emergency.
- Greater member engagement and involvement, which could include member training and more regular dialogue between the Biodiversity Champion and the Countryside team.
- Setting additional targets within corporate reporting mechanisms, i.e., within the Corporate Plan.

There are good examples of public engagement / development of volunteer networks and this should remain a strong focus going forward. Elements of this, such as Bridgend Green Networks, is currently underpinned by external funding, so consideration will need to be made on how to ensure continuity. It's recommended that this is addressed alongside support for the Local Nature Partnership, which is an important network and source of additional expertise / knowledge to inform the evidence base for biodiversity in Bridgend.

It's recommended that there is an increased focus on building the evidence base. How this is done will be informed by available systems and processes but should provide a mechanism to record / collate data that is available to the Local Authority, to supplement existing processes.

In summary, it's recommended that the revised Plan, for 2022-25, has greater emphasis on raising the profile of biodiversity corporately, and embedding delivery across the organisation, whilst building on the good outcomes achieved by key departments. It's recognised that there is a resource requirement in delivery and therefore consideration will need to be given to ensuring that adequate staffing levels and budgets are in place to ensure that the Plan requirements, and Sct. 6 Duty, can be met.

## 5.2 Next Steps

The findings of this report should now be used to inform ongoing delivery of the Sct. 6 Duty by the Council. The measures that the Council will take to meet this duty will, as required by the legislation, need to be set out within a Plan, which must be made available to the public. The revised Plan will be developed by Catrin Evans Consultancy. There are a number of approaches that could be taken in development of a revised Plan, as outlined below.

### Option 1 – Refresh of existing plan

The current Forward Plan, for 2018-2022 puts in place a number of measures that support the Council's efforts in meeting the Sct 6 Duty. A refresh of this Plan, would bring it up to date with current issues and opportunities, whilst continuing to deliver against actions that are already established in ways of working, and have been agreed by current departments. However, this approach would not provide sufficient opportunity to address the recommendations made within this report, and therefore is not recommended as a way forward.

### Option 2 – Produce an updated Plan, based on recommendations

Review of the Plan, and engagement with key departments, has enabled recommendations to be made to improve delivery of specific actions, and to put more robust measures in place to provide improved delivery against the Sct. 6 Duty throughout the Council. There is sufficient information in place for the revised Forward Plan to be written, and for an internal consultation process to be held to seek feedback on the draft Plan, prior to seeking formal approval by Council.

This approach would provide the opportunity for the revised Plan to be ambitious and focused on best delivery options for biodiversity and ecosystem resilience. However, this approach would not meet the principles of the Well-being and Future Generations Five Ways of Working, particularly in terms of collaboration and involvement. It also increases the likelihood of lack of engagement with the process and recognition of the collaborative approach that is needed to meet the Sct. 6 Duty, therefore, this is not recommended as a way forward.

#### Option 3 – Produce an updated Plan, based on recommendations with input from key departments

Review of the Plan has identified key departments, and officers, who would be directly involved with supporting and delivering against the revised Forward Plan. This report has set out the recommendations for improved delivery against the Sct. 6 Duty, for existing actions and for the introduction of new measures to be put in place. Involvement of key officers in agreeing individual actions would ensure that actions embedded in the revised Plan are achievable and supported, whilst reinforcing the message that delivery of the Sct. 6 Duty is a corporate responsibility.

**It is therefore recommended that a collaborative approach is taken in development of actions within the revised Plan, with the aim of addressing all recommendations within this report.** In order to achieve this, appropriate support will need to be provided by the Council, to enable engagement between relevant staff and Catrin Evans Consultancy, details of which will be outlined within an agreed Engagement Plan.

## Appendix A – Delivery against the Well-being Goals

WFG Well-being Goals	Delivery against the Well-being Goals
<b>A prosperous Wales</b>	Biodiversity and Ecosystem Resilience is an integral part of Bridgend County Borough's economic prosperity, supporting tourism, local livelihoods and providing vital ecosystem services. Whilst all actions will ultimately support this goal, examples of delivery with a particular focus include the Dunes 2 Dunes project, which included enhancing the visitor experience to the golf courses; Digital Shepherd, which helped farmers reduce barriers to conservation grazing; and the development of skills through training and project involvement.
<b>A resilient Wales</b>	Delivery of all actions within the Forward Plan have directly contributed towards the Resilient Wales goal, by protecting, and enhancing the biodiversity and resilience of Bridgend's ecosystems. This has included protection through the planning process, management of Council assets, delivery of partnership and community focused projects to manage valuable habitats and public engagement in activities that people can carry out in their gardens.
<b>A healthier Wales</b>	Involvement in volunteer activities, improved access to, and information on, Bridgend's green spaces, increased social prescribing all provide good examples of how delivery of this Plan has delivered against the healthier Wales goal. In addition, habitat enhancement work and tree planting initiatives all contribute towards a healthier natural environment, improving air quality, reducing flooding and supporting efforts to address climate change.
<b>A more equal Wales</b>	Volunteering and engagement activities have provided opportunities for all people to experience and benefit from biodiversity and the natural environment, whilst increasing information on local sites have increased accessibility for a greater range of people.

<b>A Wales of cohesive communities</b>	Volunteer activities and support for community groups have supported and brought people together in achieving common goals to improve their local environment. Integration of green infrastructure into urban design has provided attractive places to visit and live, whilst providing broader benefits such as urban cooling from solar shade.
<b>A Wales of vibrant culture and thriving Welsh language</b>	The Welsh language has been promoted through the consistent provision of bilingual resources, including school activities, 'how to' guides and places to visit. Involvement in local volunteering and projects has provided opportunities to share, and learn, about local cultures and heritage, with natural heritage often closely entwined with broader cultural and social heritage.
<b>A globally responsible Wales</b>	The Council's commitment to local biodiversity initiatives, particularly in terms of protection of local sites and habitat enhancement activities all contribute towards global ambitions to address biodiversity decline. In addition, awareness raising and engagement activities have provided the opportunity to increase understanding on the role that people have in contributing towards global well-being.



# BRIDGEND BIODIVERSITY DUTY PLAN

## 2022-25



## Executive Summary

Bridgend County Borough Council has a legal duty to maintain and enhance biodiversity, and in so doing, promote ecosystem resilience, often referred to as the Sct. 6 Duty. The Council produced the *Biodiversity and Ecosystem Resilience Forward Plan* for the period 2018-2022, setting out the actions it would take to meet this legislative requirement. Delivery of the 2018-22 Plan was reviewed, the findings of which are set out as the Bridgend *Biodiversity and Ecosystem Resilience Progress Report, 2018-21*.

This new Plan, the Bridgend Biodiversity Duty Plan, 2022-25, sets out the actions the Council will take for the next three years. It is informed by the recommendations of the Progress Report, which highlighted both strengths on which to build, and areas for improved delivery.

The actions of this Plan are intended to embed biodiversity delivery across the whole organisation, reflecting the broad range of activities and functions that have the potential to contribute towards global, national and local efforts to reverse the decline in biodiversity. The Duty is a Council wide responsibility; therefore, the Plan has been developed with input of the staff and departments that will be responsible for its delivery.

The Sct. 6 Duty, and subsequently the actions in the Plan, relate to Council functions and activities, i.e., those which can be carried out directly by the Council. The Plan, therefore, does not include actions for partner organisations, community groups or the public, however, it does set out actions for the Council, where it can play a role in supporting partnership working, engagement and awareness raising, recognising the importance of working collaboratively to achieve real change.

The measures set out in this Plan are part of broader ambitions by the Council to deliver a healthy natural environment, supporting communities and livelihoods. Biodiversity underpins all elements of our lives, providing goods, regulating ecosystem services such as carbon, and contributing to health and cultural heritage. Delivery of the Bridgend Biodiversity Duty Plan will therefore play a vital role in contributing to the Well-being Goals for Wales, and meeting aims and objectives set within the Bridgend Corporate Plan.

Cover Images: Hedgehog, © *Alexas Fotos on Unsplash*; Rest Bay Beach; Wildflower Meadow, Kenfig NNR; 'The Keeper of the Fields', Aber Fields



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## 1. Introduction

### 1.1 Setting the Scene

The nature crisis is increasingly making headlines due to the alarming rate of biodiversity decline, with growing recognition that biodiversity needs to be given equal priority and urgency as that given to climate change.

Research by the Natural History Museum and RSPB in 2021, identified Wales as one of the most nature depleted countries in the world, ranked sixteenth worst of 240 countries assessed. In 2019, the State of Nature Report identified an ongoing decline in biodiversity, with 17% of assessed species considered to be at risk of extinction from Wales.

There is an urgent need for action to reverse this global decline in biodiversity, and Bridgend County Borough Council (the Council) recognises it must be part of a collective movement to achieve the change needed. This Plan sets out the actions the Council will take for biodiversity over the next three years, from adoption of the Plan until the end of 2025.

### 1.2 Background

The Environment (Wales) Act, 2016, introduced an enhanced **biodiversity and ecosystem resilience duty** (the Section 6 Duty) for all public authorities in Wales. The duty is set out in more detail in Appendix 1, but in summary, it requires that public authorities must seek to

*maintain and enhance biodiversity, so far as consistent with the proper exercise of their functions, and in so doing promote the resilience of ecosystems.*

#### Biodiversity and Ecosystem Resilience (BER)

The capacity for an ecosystem to withstand pressures or demands, whilst still functioning as an ecosystem. Generally influenced by diversity, extent, condition and connectivity.

As required by the legislation, the Council published its first Plan, the **Bridgend Biodiversity and Ecosystems Resilience (BER) Forward Plan<sup>1</sup>**, setting out how it would meet this duty, for the period 2018 to 2022. The Act also requires all public authorities to report on implementation of the Plan every three years, demonstrating compliance with the Sect. 6 Duty.

<sup>1</sup> [Bridgend CBC Biodiversity and Ecosystem Resilience Forward Plan 2018-22](#)

An independent review was carried out by Catrin Evans Consultancy, which included a series of workshops with relevant departments throughout the Council. As part of the workshops, each of the actions were reviewed, providing the opportunity for multiple departments to collectively inform progress in delivery, whilst also providing feedback on challenges in delivery, and opportunities for improved ways of working.

The outcome of the review was presented as the **Bridgend Biodiversity and Ecosystem Resilience Progress Report, 2018-21**. The review identified many examples of positive action for biodiversity and ecosystem resilience, however it also set out a number of recommendations for improvements in delivery, to be addressed in a revised Plan.

These include:

- Building on the many positive examples of grant funded project delivery and volunteer engagement.
- Maintaining the well-established web resources, which provide excellent opportunities for people to engage with wildlife related activities.
- Having a stronger focus on establishing processes and systems that ensure a consistent approach in meeting the Sct. 6 Duty.
- Increasing the profile of biodiversity as a corporate priority.
- Building the evidence base for biodiversity, ensuring mechanisms exists to share and collect data.

This Plan, the **Bridgend Biodiversity Duty Plan, 2022-25**, sets out the actions that the Council will take to meet its Sct. 6 Duty for the following three years, building on the progress made during 2018-2021. Produced by [Catrin Evans Consultancy](#), the Plan has been developed with the involvement of key departments throughout the Council, and seeks to embed the recommendations made in the Progress Report.

### 1.3 Implementation of the Plan

Delivery of the Plan, and the Sct. 6 Duty, is the responsibility of the Council as a whole. There are a number of council activities which are of particular relevance for biodiversity, which have been addressed as targeted actions within the plan. However, it should be noted that other council activities may well meet the legislative requirements of the Sct. 6 Duty, and these should be identified, and addressed, through ongoing engagement and development of working procedures throughout implementation of this Plan.

Responsibility for advice, support and collation of reporting data for the Plan has been delegated to the Countryside Team, which sits within the Economy, Natural Resources and Sustainability Section of the Communities Directorate. Monitoring and reporting procedures are set out in Section 5.



## 2. Biodiversity of Bridgend

### 2.1 Overview

Bridgend is a diverse County Borough, with upland areas dissected by the Llynfi, Garw and Ogmore river valleys and extensive coastal landscapes. Within these areas and landscapes there are a mosaic of habitats, such as ancient woodlands and hedgerow boundaries, wet and chalky grasslands, river valleys, coastal sand dunes and saltmarsh.

There are sites of European Significance to be found, with 3 Special Areas of Conservation (SAC) in the County Borough. These are the Old Sessile Oak Woods of Blackmill SAC, Dune Grassland, Slacks and Atlantic Salt Meadows of Kenfig SAC, and Cefn Cribwr Grasslands SAC, designated for its Purple Moor-grass Grasslands and Marsh Fritillary Butterfly.

The above SACs were already designated as Sites of Special Scientific Interest (SSSI), being the best examples of the given habitat and due to their size. In total, Bridgend has 14 SSSIs, one of which is a geological SSSI at Stormy Down. The coastal habitats are prominent features of Bridgend's coastline, with Merthyr Mawr National Nature Reserve and Kenfig SAC at opposite corners of the coastal boundary. These extensive dune systems are important refuges of a habitat that previously extended from the Ogmore River to the Gower Peninsula.

In between these dune systems, there are other notable habitats, such as that found at Lock's Common. The Common provides the hinterland to Rest Bay where there are species rich grasslands, scrub, maritime heath and a large outcrop of limestone pavement, which has a very specialised ecology.



Upper Garw Valley



There are 5 Local Nature Reserves within Bridgend, providing good opportunities for people to access nature, as do flagship sites such as Bryngarw Country Park and Park Slip Nature Reserve.



Iconic species, such as Dormouse, Water Vole and Shrill Carder Bee, are found here, whilst the rare, and fragile, Fen Orchid, found only on a small number of sites in the UK, has seen a success story at Kenfig NNR as a result of recent conservation efforts.

Other green spaces also provide great opportunities for wildlife and help connect habitats. These green spaces include former coal working sites that are succumbing to natural processes. These sites are yielding a range of rare species on a local, national and potentially international basis.

## 2.2 Bridgend Nature Recovery Plan

The Nature Recovery Plan for Bridgend sets out the biodiversity, and underlying ecosystem services, for Bridgend, providing recommendations for how they can be enhanced. It is supported by the Biodiversity and Ecosystem Services Assessment, Technical Report. Together, the two documents are known as the Local Biodiversity Action Plan (LBAP).

The Bridgend Nature Recovery Plan identifies actions for 16 terrestrial habitats and 29 species, alongside a statement for the marine environment. This document provides an important evidence base which should be used to guide action for biodiversity in Bridgend.

### 3. Legislative and Policy Context

#### 3.1 Environment (Wales) Act, 2016

This legislation puts in place the duty for public bodies to maintain and enhance biodiversity, promoting the resilience of ecosystems, in the exercise of their functions. This duty is frequently referred to as the Sct. 6 Duty.

Sct. 7 of the Act sets the framework for the identification of species and habitats of principal importance in Wales, which are considered to be of key significance to sustain and improve biodiversity. It is the responsibility of Welsh Ministers to publish, and keep these lists under review.



Water Vole, Sct. 7 Species. ©[Jonathan Ridley](#), [Unsplash](#)

The Sct. 6 Duty requires the Council to have regard to the Sct. 7 habitats and species, alongside the broader requirement for ecosystem resilience. For this purpose of this Plan, the general term **Biodiversity** will be used to reflect all elements of **Biodiversity and Ecosystem Resilience** associated with the Duty.

#### 3.2 Well-being of Future Generations (Wales) Act, 2015

The Well-being of Future Generations (Wales) Act, 2015, was put in place to improve the social, economic, environmental and cultural well-being of Wales. The Act lays out seven well-being goals, which public bodies must work towards achieving, and five sustainable development principles to adopt. The well-being goals and sustainable development principles, alongside how plan implementation will contribute to the goals, are set out in Appendices 2 and 3.

The Act requires public bodies in Wales to work in a way that delivers long term benefits for the well-being of people, with the natural environment seen as a key element of achieving that aim. The Resilient Wales Goal seeks to achieve ‘a nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change’.

Recent analysis by the Well-being Commissioner, on setting well-being objectives and steps to meet requirements of the Resilient Wales Goal, highlighted an overreliance by public bodies on environmental issues such as recycling, cleanliness, fly-tipping and



reducing emissions<sup>2</sup>. This Plan will seek to ensure that biodiversity outcomes are integrated into delivery of the Well-being Goals for Bridgend.

### 3.3 Bridgend PSB Well-being Plan, 2018-23

Bridgend Public Services Board's (PSB) current Well-being Plan outlines how it wants Bridgend to look in the future, and the activities it will take forward to meet its well-being objectives, set out below.

Objective 1: Best Start in Life

Objective 2: Support Communities in Bridgend to be safe and cohesive

Objective 3: Reduce Social and Economic Inequalities

Objective 4: Healthy Choices in a Healthy Environment

Delivery of each of the 4 objectives have the potential to contribute towards the Resilient Wales Goal, whilst Objective 4, 'Healthy Choices in a Healthy Environment' is the primary means of meeting this Goal. Delivery of biodiversity outcomes is a key requirement in the priorities and steps set out to achieve this objective, which include building the evidence base for biodiversity, improving public estate and green space and awareness raising.

### 3.4 Corporate Plan 2018-23 (reviewed for 2022-23)

The Corporate Plan sets out the Council's vision, 'One Council Working Together to Improve Lives', with its own well-being objectives.

<sup>2</sup> [The Future Generations Report, 2020](#).

Well-being Objective 3, 'Smarter Use of Resources', identifies 'Decarbonisation and Environmental Sustainability' as a priority area, which recognises the need to **maintain and enhance the natural resources and biodiversity of Bridgend County Borough**.

Bridgend Council's Well-being Objectives



### 3.5 Local Development Plan and Planning

The Local Development Plan (LDP) guides and promotes appropriate development in the County Borough, used to inform the determination of planning applications. Biodiversity is a key consideration of the planning process, the detail of which is set out within the Supplementary Planning Guidance 19: Biodiversity and Development<sup>3</sup>.

<sup>3</sup> [SPG 19: Biodiversity and Development](#).

The vital role of the planning system in nature conservation is highlighted further within Welsh Government's *Technical Advice Note 5: Nature Conservation and Planning*<sup>4</sup>, which sets out the principles of enhancement, or net gain, for biodiversity in the planning system.

### 3.6 A Route Map to Net Zero by 2030

Climate Change presents a real threat to biodiversity, as well as people and communities across the globe. The emerging strategy sets out measures that will be taken by the Council to achieve net zero by 2030, recognising the role that biodiversity has to play in removing carbon from the air, through the sequestration of carbon in soils, vegetation and watercourses.

### 3.7 Destination Management Plan

The Destination Management Plan (DMP) for Bridgend outlines a vision to

*'Develop a thriving visitor economy in Bridgend which celebrates the unique strengths of the place, supports jobs, generates business opportunities and improves the range of amenities available for visitors and local people'.*

The DMP reflects the important role that biodiversity, and the natural environment, plays in tourism, setting the priority of *'supporting the development of tourism infrastructure by enhancing the countryside resource'*.

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<sup>4</sup> [TAN 5: Nature Conservation and Planning](#)

### 3.5 National Biodiversity Policies

Nationally, there are a number of documents which set out the framework for delivery to improve biodiversity and ecosystem resilience across Wales.

The **State of Natural Resources Report** (SoNaRR), produced by Natural Resources Wales, provides the most up to date account of the status of biodiversity in Wales. The **Natural Resources Policy**, provides a policy framework by the Welsh Government, priorities from which are set out locally through **Area Statements**. The **Nature Recovery Action Plan** is the National Biodiversity Strategy and Action Plan for Wales.

#### [The State of Natural Resources Report](#)

SoNaRR, prepared and published by NRW, provides an evidence base for Welsh Ministers in development, and review, of the Natural Resource Policy; for NRW in preparation of Area Statements; and local planning authorities when refreshing Local Development Plans. First published in 2016, an updated document in 2020 assesses the sustainability of natural resources management in Wales, concluding that Wales is not yet meeting the long term aims set in the 2016 report.

#### [Natural Resources Policy](#)

The NRP sets out how governmental policies can deliver both economic and environmental objectives, recognising that environmental issues should no longer be considered separately. It sets out the key challenges and opportunities in Wales in relation to

our natural environment, identifying 3 national priorities:

- Delivering nature-based solutions
- Increasing renewable energy and resource efficiency
- Taking a place-based approach.

#### South Central Area Statement

Natural Resources Wales are responsible for the production of Area Statements, that specify local priorities, risks and opportunities to implement the priorities of the Natural Resources Policy. Wales has been split into seven areas and Bridgend falls within the South-Central Wales area, with Vale of Glamorgan, Merthyr Tydfil, Rhondda Cynon Taff and Cardiff.

The themes of the South-Central Area Statement are:

- Building resilient ecosystems
- Connecting people with nature
- Working with water
- Improving our health
- Improving our air quality.

#### Nature Recovery Action Plan for Wales (NRAP)

The NRAP sets out how the United Nations Environment Programme's Convention on Biological Diversity's Strategic Plan for Biodiversity, and the associated Aichi Targets<sup>5</sup>, will be addressed in Wales.

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<sup>5</sup> CBD Aichi Targets: <https://www.cbd.int/sp/targets/>

**Part 1: Our strategy for Nature**, sets out the Welsh Government's ambition for reversing the loss of biodiversity in Wales, and the objectives that need to be met to achieve this ambition, referred to as the NRAP Objectives.

NRAP Ambition: To reverse the decline in biodiversity, for its intrinsic value, and to ensure lasting benefits to society.

NRAP Objectives:

- Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels
- Objective 2: Safeguard species and habitats of principal importance and improve their management
- Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation
- Objective 4: Tackle key pressures on species and habitats
- Objective 5: Improve our evidence, understanding and monitoring
- Objective 6: Put in place a framework of governance and support for delivery

Delivery of this Biodiversity Duty Plan will directly support delivery of the Nature Recovery Action Plan for Wales.

## 4. Actions

In accordance with the Welsh Government's guidance on Sct. 6 delivery and reporting, the actions which form the basis of this Plan have been set within the framework of the NRAP Objectives. Whilst each action has been allocated to the most relevant NRAP Objective, the vast majority will undoubtedly deliver against multiple objectives.

These actions are for implementation throughout the duration of the 3 Year Plan, with progress against each of the measures to be reported, as appropriate, each year. An indicative Lead Department for each measure has been set out, however this is intended as a guide, and does not preclude other teams or departments from their implementation.

### 4.1 Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels

No.	Action	Measure	Lead Department
1	Demonstrate the Council's commitment to meeting its Sct 6 Duty and tackling biodiversity decline, recognising biodiversity as a corporate priority, alongside broader ambitions for climate change.	Make a public commitment on the Council's intent to deliver biodiversity action, such as signing up to the Edinburgh Declaration and declaring a Nature Emergency, supported by actions to achieve these aims.	Countryside
		Review corporate priorities, exploring opportunities to set biodiversity as a priority alongside climate action.	Countryside
		Set measurable targets within the Corporate Plan, which demonstrate a corporate approach to meeting the Sct. 6 Duty.	Countryside
2	Embed biodiversity outcomes into corporate, and departmental, strategies and policies.	Demonstrate how biodiversity outcomes have been embedded into broader strategies and policies.	All
		Report on measures that have been taken to embed biodiversity into procurement processes. This should include building biodiversity into existing processes where appropriate, and consideration of biodiversity outcomes in the next review of the Socially Responsible Procurement Strategy.	Procurement

3	Support further development of a shared, and collaborative, approach to biodiversity across the PSB, exploring opportunities for integration of BER outcomes into broader policies, strategies and activities.	<p>Establish a process to ensure that key outcomes from Partner Biodiversity Duty Plans, and relevant biodiversity information, are considered as part of the well-being planning and assessment process.</p> <p>Report on actions taken to support, or encourage, embedding of biodiversity outcomes into PSB partner strategies and policies.</p>	<p>Partnership Services</p> <p>CHEX (PSB Support)</p>
4	Ensure biodiversity is fully considered in the committee decision making process, either as part of the WFG Act Implications assessment, or as a stand-alone requirement.	The process for review of biodiversity as part of the decision-making process is reported, providing examples of positive outcomes for biodiversity as appropriate.	Countryside
5	Support awareness raising and capacity building through integration of biodiversity into corporate / member training and maintaining an ongoing process of engagement and awareness raising as opportunities arise.	<p>Demonstration of how biodiversity is built into corporate e-learning module for new staff.</p> <p>Report on delivery of training / engagement with elected members</p> <p>Report on internal awareness raising or biodiversity training undertaken, responding to opportunities as they arise or where a new requirement is identified.</p>	<p>Countryside</p> <p>Countryside</p> <p>All / Countryside</p>
6	Undertake an audit of services and their potential to impact on, and contribute to, biodiversity and ecosystem resilience. Working collaboratively, establish working procedures to ensure a consistent approach to protection and enhancement of biodiversity.	A record is made of all services engaged across the Council, and the resulting measures put in place to protect and enhance biodiversity.	Countryside
7	Further embed biodiversity procedures and measures into day-to-day activities, ensuring a consistent approach is taken in implementation of the Sct. 6 Duty.	Evidence is provided of biodiversity procedures being followed across service areas, with an emphasis on early engagement on ecological advice.	All

8	Put measures in place to ensure a consistent approach to the protection and enhancement of biodiversity in management of Council assets.	Biodiversity protection and enhancement measures, and policies, embedded in the 2022-2030 Asset Management Plan are reported.  Biodiversity protection and enhancement procedures in management or disposal of Council assets are consistently implemented and reported.	Corporate Landlord  Corporate Landlord / All
9	Opportunities to protect and enhance biodiversity are embedded into the SABs (SuDS Advisory Board) process.	Ecological input is included in design and implementation of SuDS assessed through the SABs process.	H&GS
10	Ensure that biodiversity requirements are embedded into planning, design and implementation of new schemes and projects, through early engagement on ecological issues.	Biodiversity protection and enhancement measures in delivery of new schemes are consistently implemented and reported.	All

#### 4.2 Objective 2: Safeguard species and habitats of principal importance and improve their management

No.	Action	Measure	Lead Department
11	Opportunities to protect and enhance biodiversity through the planning process are consistently applied.	A review of the Biodiversity SPG for the replacement LDP is undertaken, reflecting any new legislation or policies, outlining measures to safeguard and enhance biodiversity through the planning process.  A review of planning policies is undertaken, to ensure opportunities for enhancement and ecosystem resilience are fully addressed, alongside protection measures.  Planning decision report content fully reflects ecological observations provided, with a monitoring system established on adoption of the ecological observations.	Planning / Countryside  Planning / Countryside  Planning / Countryside

12	Ensure that measures are consistently taken to protect and enhance biodiversity in management of land / assets under Council ownership or control. This includes (but is not limited to) management of property, greenspace and countryside sites, highways (including PROW) and drainage, structures, education and social services assets, etc.	<p>An internal review of the Highways and Parks Strategy is carried out, to include a review of the mowing regime and further measures to be implemented.</p> <p>Measures to manage and enhance biodiversity through maintenance of greenspace and highways are implemented and reported.</p> <p>An increase in land being managed to promote biodiversity and ecosystem resilience is demonstrated, to include exploration of the feasibility of removal of arisings.</p>	<p>Countryside / H&amp;GS</p> <p>H&amp;GS / All (as relevant)</p> <p>H&amp;GS / All / Countryside</p>
13	Review and implement Local Nature Reserve Management Plans, ensuring that the budget and resources remains in place for their delivery.	All LNR Management Plans have been reviewed or are up to date, to include setting out monitoring requirements. Progress against implementation is reported.	Countryside

#### 4.3 Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation

No.	Action	Measure	Lead Department
14	Positively engage with key partners, such as town and community councils, and other landowners, to increase extent, and connectivity, of land being managed for biodiversity.	Positive examples of landowners / partners engaged in delivery of biodiversity creation / enhancement are reported.	Countryside / All
15	As opportunities arise, seek additional funding for biodiversity project delivery through external grant funding mechanisms, where possible, working collaboratively and / or regionally to maximise potential benefit.	<p>Sufficient staff capacity exists to develop and take forward partnership and externally funded projects to support delivery of the Sct. 6 Plan.</p> <p>Grant application and project delivery activities and outcomes are reported.</p> <p>Resources permitting, establish funding mechanisms that enable community focused action for biodiversity.</p>	<p>Countryside</p> <p>All</p> <p>Countryside</p>

16	Take a consistent approach to management of trees and woodland in Bridgend, implementing the Tree Management and LDP SPG07 (Trees and Development) Policies, alongside emerging / corporate policies or plans, such as the Ash Dieback Action Plan.	Status, and implementation, of relevant policies to support ecologically sustainable management / planting of trees and woodland is reported.	All
17	Green Infrastructure mapping and evidence is used to inform broader action for biodiversity, supporting ecosystem resilience and connectivity.	<p>The Green Infrastructure Assessment has been carried out and kept under review, with ecological input, as part of the evidence base for the Replacement LDP.</p> <p>Green Infrastructure evidence and mapping is utilised to inform positive action for biodiversity and ecosystem resilience.</p> <p>Finalise and utilise habitat connectivity report to inform action for improved connectivity and ecosystem resilience.</p>	<p>Planning</p> <p>Countryside / All</p> <p>Countryside</p>

#### 4.4 Objective 4: Tackle key pressures on species and habitats

No.	Action	Measure	Lead Department
18	Take a consistent approach to INNS through implementation of the emerging Invasive Species Management Policy. This should include tackling existing INNS, alongside avoidance of INNS in landscaping schemes.	<p>Status, and implementation, of the Invasive Species Management Policy is reported.</p> <p>A dedicated Officer to oversee INNS management is in place.</p>	<p>H&amp;GS</p> <p>Countryside</p>
19	Take action to address climate change through implementation of the Decarbonisation Strategy, ensuring that climate change action is not carried out to the detriment of existing biodiversity.	<p>Progress in implementation of the Decarbonisation Strategy is reported.</p> <p>Opportunities to utilise nature-based solutions in decarbonisation is reported, to include recognition of the role of soil and wetland carbon stores, as well as woodland and trees.</p>	<p>Natural Resources</p> <p>Natural Resources</p>



20	Embed biodiverse and native nature-based solutions into Regeneration Projects on urban design and delivery of landscaping / green infrastructure initiatives.	Green infrastructure initiatives, designed with ecological input, are reported.	Strategic Regeneration / All (as relevant)
21	Support efforts to utilise and increase use of conservation grazing as a tool for biodiversity enhancement and ecosystem resilience.	Positive examples of supporting / working collaboratively to enable conservation grazing are reported.  A task and finish group is set up, to address issues impacting on conservation grazing, and to encourage responsible dog ownership and use of the countryside.	Countryside  Countryside

#### 4.5 Objective 5: Improve our evidence, understanding and monitoring

No.	Action	Measure	Lead Department
22	Establish a system that ensures biodiversity data is accessible and able to inform delivery of Council activities and biodiversity action.	A system for collation, and sharing, of biodiversity data within the Countryside team, and to SEWBReC, is established.  Ensure that Record Centre Searches (SEWBReC) are carried out where advised by Countryside.	Countryside  All
23	Build the evidence base for biodiversity by carrying out targeted habitat and species surveys or monitoring, as deemed appropriate.	The Local Nature Partnership is supported in carrying out, or facilitating, ecological surveys to build the evidence base for Bridgend.  Through partnership working, making use of funding opportunities, or where required to inform council activities, ecological surveys and monitoring are carried out and fed into a data recording system.  Establish a system to keep SINC data under review.	Countryside  Countryside / All  Countryside

24	The Local Nature Partnership is in place to provide expertise and knowledge to inform biodiversity action and advice.	Secretariat Support is provided to ensure the Local Nature Partnership can function as an advisory, expert and delivery group.	Countryside
25	Continue alignment with Area Statements, and support NRW in ongoing development or amendment.	Report on where plans and strategies have aligned with Area Statements, to include the Well-being Plan and Local Development Plan.  Where relevant, support is provided to NRW in review of Area Statements.	All  Countryside

#### 4.6 Objective 6: Put in place a framework of governance and support for delivery

No.	Action	Measure	Lead Department
26	Support the Biodiversity Champion to act as an advocate for biodiversity, through regular engagement and information sharing.	Regular meetings between the Biodiversity Champion (BC) and Countryside team are held.  Examples of support, advocacy and involvement of Biodiversity Champion in delivery of biodiversity activities and initiatives is reported.	BC / Countryside  BC
27	Biodiversity is appropriately represented at corporate and cross-departmental meetings and discussions.	Input into corporate or senior management meetings is reported, either through direct involvement or by provision of supporting information.	Countryside
28	Review budget and staff capacity to deliver the requirements of the Sct 6 Duty, with a view to increasing current capacity for ecological advice and project delivery.	Staff capacity is reviewed and subsequent decision is reported.  Budget requirements for delivery of the Sct. 6 Duty is considered as part of broader budget reviews.	Natural Resources  Natural Resources

29	Support the delivery of biodiversity action through PSB activity and collaborative working.	<p>Collaborative projects, which include positive action for biodiversity, are implemented by existing working groups, linking in to PSB activity where appropriate.</p> <p>Report on actions taken to support development, and delivery, of individual partner Biodiversity Duty Plans</p>	<p>All</p> <p>Countryside / Partnership Services</p>
30	Enable community focused action, knowledge and engagement through support and facilitation of networks and partnerships such as the Local Nature Partnership and Bridgend Green Network.	<p>The Local Nature Partnership is active and supported by the Council. Report on meetings supported and delivery of projects / activities.</p> <p>Ongoing support is provided for Community and volunteer focused partnerships, such as the Bridgend Green Network, recognising that ongoing funding / resources will be required to provide this function. Report on meetings supported and delivery of projects / activities.</p>	<p>Countryside</p> <p>Countryside</p>
31	Promote community action through provision of BER web-based material, training and awareness raising activities.	<p>Web based biodiversity resources are maintained and updated as appropriate. If funding becomes available, this may include production of ward maps, or landscape style maps, on what to explore, what can be seen and opportunities to enhance biodiversity.</p> <p>A programme of community focused training / engagement activities for biodiversity are delivered and reported.</p>	<p>Countryside</p> <p>Countryside</p>
32	Ensure the Sct. 6 Duty is monitored and reviewed.	<p>Through alignment with the Corporate Plan, a system to monitor and review progress against the Sct. 6 Duty is in place and being implemented, to include political and corporate scrutiny and oversight.</p> <p>A methodology to embed reporting on biodiversity outcomes into service delivery reporting is established.</p>	<p>Countryside</p> <p>Countryside</p>

## 5 Monitoring and Reporting

Monitoring of the Plan will be carried out on an annual basis, with a full review scheduled for the end of 2025. The review will inform production of an Implementation Report, to be published and reported to Welsh Government. N.B. Relevant progress against delivery, which falls between the production of the Implementation Report 2018-21 and adoption of the 2022-25 Plan, will be included in monitoring activities and reporting of the new Plan.

The collation of all monitoring data and information, and production of the Implementation Report, will be carried out by the Countryside Team. Implementation of the Plan is reliant on input from departments across the organisation, and therefore the process will be facilitated by the development of a monitoring system, tying in to existing departmental reporting mechanisms, and aligning with Corporate Plan requirements, as much as possible. Training will be provided by the Countryside Team, where needed, to support delivery of the Plan and associated Sct. 6 Duty.

Progress against implementation of the Plan will be reported to Scrutiny Committee Three, and Cabinet as required. Additional oversight and support will be provided by the Biodiversity Champion.



## Appendices

### Appendix 1: Biodiversity and resilience of ecosystems duty (Extracts from Environment (Wales) Act, 2016)

(1) A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

(2) In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects—

- a) diversity between and within ecosystems;
- b) the connections between and within ecosystems;
- c) the scale of ecosystems;
- d) the condition of ecosystems (including their structure and functioning);
- e) the adaptability of ecosystems.

(4) In complying with subsection (1)—

- a) the Welsh Ministers, the First Minister for Wales, the Counsel General to the Welsh Government, a Minister of the Crown and a government department must have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992, and
- b) any other public authority must have regard to any guidance given to it by the Welsh Ministers.

(5) In complying with subsection (1), a public authority other than a Minister of the Crown or government department must have regard to—

- a) the list published under section 7;
- b) the state of natural resources report published under section 8;
- c) any area statement published under section 11 for an area that includes all or part of an area in relation to which the authority exercises functions.

(6) A public authority other than a Minister of the Crown or government department must prepare and publish a plan setting out what it proposes to do to comply with subsection (1).

(7) A public authority must, before the end of 2019 and before the end of every third year after 2019, publish a report on what it has done to comply with subsection (1).

(8) A public authority that has published a plan under subsection (6)—

- a) must review the plan in the light of each report that it publishes under subsection (7), and
- b) may revise the plan at any time.

## Appendix 2: Well-being Goals

WFG Well-being Goals	Well-being Goals Description	Biodiversity Duty Plan Delivery
<b>A prosperous Wales</b>	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	Biodiversity and Ecosystem Resilience is an integral part of Bridgend County Borough's economic prosperity, supporting tourism, local livelihoods and providing vital ecosystem services.
<b>A resilient Wales</b>	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	Delivery of all actions within the Biodiversity Duty Plan will directly contribute towards the Resilient Wales goal, by protecting, and enhancing the biodiversity and resilience of Bridgend's ecosystems. This will include protection through the planning process, management of Council assets, delivery of partnership and community focused projects to manage valuable habitats and public engagement in activities that people can carry out themselves.
<b>A healthier Wales</b>	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.	Involvement in volunteer activities and improved access to Bridgend's green spaces will support delivery of the healthier Wales goal. In addition, habitat enhancement work all contribute towards a healthier natural environment, improving air quality, reducing flooding and supporting efforts to address climate change.

A more equal Wales	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).	Volunteering and engagement activities will provide opportunities for all people to experience and benefit from biodiversity and the natural environment, whilst increasing information on local sites will increase accessibility for a greater range of people.
A Wales of cohesive communities	Attractive, viable, safe and well-connected communities.	Volunteer activities and support for community groups will support and bring people together in achieving common goals to improve their local environment. Integration of green infrastructure and biodiversity features into urban design will provide attractive places to visit and live, whilst providing broader ecosystem benefits.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.	Delivery of awareness raising and engagement activities will provide the opportunity to provide bilingual services, further promoting the Welsh language. Involvement in local volunteering and projects will provide opportunities to share, and learn, about local cultures and heritage, with natural heritage often closely entwined with broader cultural and social heritage.
A globally responsible Wales	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being	The Council's commitment to local biodiversity initiatives, particularly in terms of protection of local sites and habitat enhancement activities all contribute towards global ambitions to address biodiversity decline. In addition, awareness raising and engagement activities will provide the opportunity to increase understanding on the role that people have in contributing towards global well-being.

### Appendix 3: Sustainable Development Principles

The Well-being and Future Generations Act puts in place a ‘sustainable development principle’ which tells organisations how to go about meeting their duty under the Act.

In this Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Public bodies need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future.

There are 5 things that public bodies need to think about to show that they have applied the sustainable development principle. Following these ways of working will help organisations work together better, avoid repeating past mistakes and tackle some of the long-term challenges we are facing.

Collaboration	Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.
Integration	Considering how the public body’s well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.
Involvement	The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.
Long-term	The importance of balancing short-term needs with the need to safeguard the long-term needs.
Prevention	How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

#### PROPOSED EXTENSION TO FROG POND WOOD LOCAL NATURE RESERVE

##### 1. Purpose of report

- 1.1 The purpose of this report is to seek approval from Cabinet to extend the Frog Pond Wood Local Nature Reserve.

##### 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** – 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.

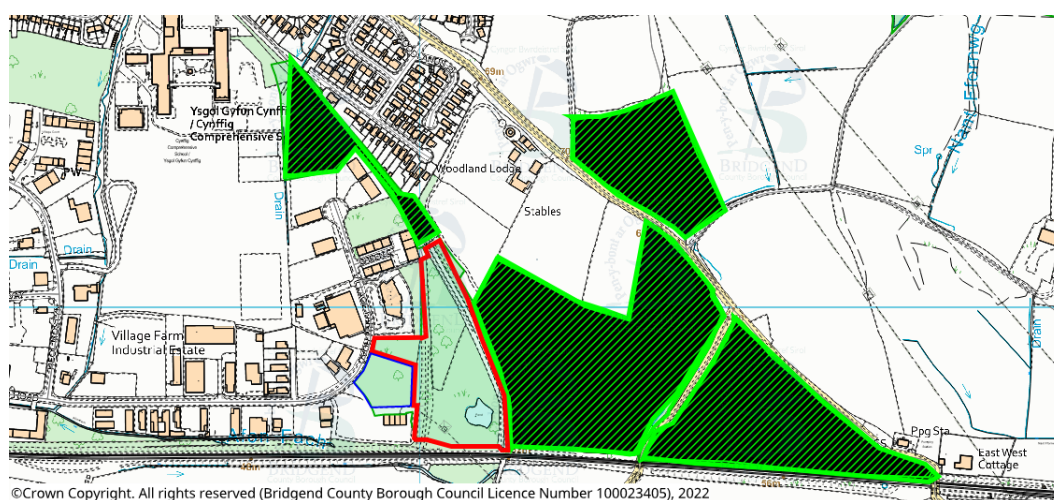
##### 3. Background

- 3.1 Local Nature Reserves (LNRs) exist to protect habitats and species and provide opportunities to increase awareness about the natural environment within communities. LNRs are established and managed by local authorities, following consultation with Natural Resources Wales (NRW), under the National Parks and Access to the Countryside Act 1949. For a site to become an LNR it must have natural features of special interest to the local area, and the authority must either have a legal interest in the land or have an agreement with the owner to manage the land as a reserve. In Wales LNRs have been designated over a number of years, from 1970 to the present day, and are on-going.
- 3.2 Frog Pond Wood LNR is in Pyle near the Village Farm Industrial estate. Extending Frog Pond Wood LNR is something that Bridgend County Borough (BCBC) has the power to do and aligns with national and local policies.
- 3.3 Section 21 of the National Parks and Access to the Countryside Act 1949 gives Local Authorities, in consultation with the NRW, the power to designate and extend sites in their control as LNRs. In using these powers to extend Frog Pond Wood LNR, BCBC would be committing to manage these areas as nature reserves and to protect them from inappropriate uses or development.

- 3.4 The Well-being of Future Generations (Wales) Act 2015 requires public bodies to consider improving the social, economic, environmental and cultural well-being of Wales. This Act also means that, for the first time, public bodies must operate in a sustainable way. Public bodies need to make sure that when making their decisions they consider the impact they could have on people living their lives in the future.
- 3.5 This is reinforced by the Environment (Wales) Act 2016 which seeks to reverse the decline and secure long-term resilience of biodiversity in Wales. Section 6 of this Act places a duty on public authorities to seek to maintain and enhance biodiversity so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to promote the resilience of ecosystems.

#### 4. Current situation/proposal

- 4.1 At the Cabinet meeting on 6 April 2021 Cabinet resolved to approve the extension of Frog Pond Wood LNR to incorporate an additional parcel of contiguous land known as Village Farm Meadow to within the LNR designation. Adjacent to Village Farm Meadow is another plot of land that has naturally colonised and is in the process of becoming a woodland. This recolonisation process has progressed over a period of in the region of 30 years. Through this natural colonisation, this plot of land has enhanced ecological value, connectivity and adds to the ecological resilience of Frog Pond Wood LNR within the surrounding landscape.
- 4.2 With regards enhanced ecological connectivity and resilience, these points are illustrated in the plan below, which shows the existing LNR boundary (red boundary), the proposed extension plot (blue boundary) and the wider ecological network comprising Sites of Importance for Nature Conservation (SINCs) (green hatched area). SINCs are sites of local and regional ecological importance that receive protection under Policy ENV 4 of the Adopted Bridgend County Borough Local Development Plan (LDP) 2006-2021 and reaffirmed in the emerging Bridgend County Borough LDP.



- 4.3 On the basis that this site has recolonised over a 30-year period, it would appear that this plot of land is no longer required for economic purposes. The freehold of the land belongs to BCBC. Therefore, the Natural Resources Team approached BCBC's Corporate Landlord as the holding department to determine if this land can be included within Frog Pond Wood LNR. In principle the Corporate Landlord has agreed that the land can be released from their portfolio subject to member

agreement and further consultation with Planning and Development Services. At the time of the April 2021 Cabinet report, it was not considered that this was an option. However, subsequent discussions have indicated that it is.

- 4.4 The proposed extension plot is within the site boundary of the Village Farm Industrial Estate, Pyle, and is approximately 0.5 hectares in area. This plot is identified in the Frog Pond Wood LNR Management Plan 1994 as a wooded area/screen, which would indicate that this plot has been wooded for more than 30 years. Besides not being within the Frog Pond Wood LNR boundary, this plot is physically separated from the LNR by means of a steep bank with no formal path access connecting both sites. Consequently, the woodland has been subject to natural succession, with grey willow *Salix cinerea* becoming dominant and locally invasive. Another invasive species noted within the woodland is Himalayan balsam which is included on the list of Wildlife and Countryside Act 1981 (as amended) Schedule 9 species that make it an offence for this species to grow in the wild.
- 4.5 Therefore, it is considered appropriate to include the extension plot within the Frog Pond Wood LNR designation as a means of physically linking both sites and to manage this woodland and invasive species for purposes of ecological diversity and climate change resilience.
- 4.6 As well as Section 21 of the National Parks and Access to the Countryside Act 1949 giving Local Authorities, in consultation with the NRW, the power to designate and extend sites in their control as LNRs, the further extension of Frog Pond Wood LNR is justified on a number of grounds. Not least, current approaches to the management of green spaces seek to mutually promote the multiple benefits that they can provide such as ecology, landscape and well-being along with socio-economic benefits. The importance of the multiple benefits of green assets has been realised at national policy level such as the Well-being of Future Generations (Wales) Act 2015.
- 4.7 Frog Pond Wood LNR is managed by the Natural Resources Team, who undertake various management tasks including coppicing, meadow and pond management works. However, management is subject to resource availability.
- 4.8 With the support of the Green Links Project, Plantlife (a British Conservation Charity) are working with BCBC to promote the LNRs within the County Borough through initiatives such as citizen science, promoting volunteering and the development and support of groups to help manage the LNRs.
- 4.9 Furthermore, Frog Pond Wood LNR forms part of the Cwm Taf Nature Network (CTNN) suite of sites that is seeking to develop community support for managing sites such as Frog Pond Wood LNR. The aims of the CTNN include promoting green spaces to create a sense of place and up skilling e.g., through the training of volunteers in woodland management operations.

## **5. Effect upon policy framework and procedure rules**

- 5.1 There is no effect upon the Council's policy framework or procedure rules as a result of this report. Under Section 21 of the National Parks and Access to the Countryside Act 1949 BCBC, in consultation with the NRW, has the power to designate and

extend sites in their control as LNRs. Additionally, the extension to Frog Pond Wood LNR is in accord with the emerging Local Development Plan as referred to above.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, 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 BCBC is committed to promoting sustainable development and to discharge our duties under the Well-being of Future Generations (Wales) Act 2015. A summary of the implications relating to the five ways of working is outlined below:

- Long-term: By seeking to secure the future management of this site BCBC is seeking to improve these areas beyond their current conditions for use and access in the long-term.
- Prevention: Seeking approval to extend Frog Pond Wood LNR will ensure that the condition of the site does not deteriorate further and that the biodiversity that exists there can be enhanced.
- Integration: The proposal will achieve this way of working by recognising the approaches that are proposed for support are those that have been identified by internal and external stakeholders and the proposal itself will integrate with other existing activity in the area as well as aligning with management approaches adopted more widely on Frog Pond Wood LNR.
- Collaboration: Future action at Frog Pond Wood LNR as outlined above will take place in collaboration with internal departments and external partners to ensure a co-ordinated approach.
- Involvement: Proposals relating to the future of Frog Pond Wood LNR will be developed and delivered in close partnership with key stakeholders. Discussions and development with key BCBC officers will be undertaken.

## **8. Financial implications**

- 8.1 It is currently considered that there are no additional financial implications as a result of the proposed extension of Frog Pond Wood LNR and that its management will be met through existing budgets within the Economy, Natural Resources and Sustainability budgets.
- 8.2 The extension to Frog Pond Wood LNR comes within the ownership of the Council, so there are no land acquisition costs.

## **9. Recommendation**

- 9.1 It is recommended that Cabinet approve the extension of Frog Pond Wood Local Nature Reserve proposed in this report and authorise the Corporate Director Communities to take any action necessary to achieve the extension.

**Janine Nightingale**  
**COPORATE DIRECTOR COMMUNITIES**  
**November 2022**

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**Background documents**

None

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

### CONSULTATION PROCESS FOR TRAFFIC REGULATION ORDERS

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek the approval of Cabinet to adopt a revised procedure when consulting with local members, individuals and organisations and when giving public notice related to permanent Traffic Regulation Orders (TRO's) in order to streamline the process.

#### 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 An important element of traffic management work is to inform and engage the local community when permanent changes to their road network are planned. Publicising permanent orders provides the public with the opportunity to consider proposals, and to make comments or objections, for consideration by the Council.
- 3.2 The manner in which the Council is required to consult formally or give public notice in relation to permanent TRO's is contained within the Road Traffic Regulation Act 1984 and The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the Regulations" and all references to a Regulation in the report are to the Regulations)). This legislation prescribes the statutory process which must be followed before a TRO can be made and implemented. This can include:
- Other Highway authorities (adjacent LA's)
  - Crown authorities
  - Road concessionaires
  - Operators of bus services
  - Chief officers of NHS trusts (incl Ambulance)
  - Chief officers of Fire authorities
  - Freight Haulage association
  - Road Haulage Association
  - Other organisations representing those likely to be affected as the order making authority deems appropriate to consult

- 3.3 Additionally before an order is made the Council is required to consult with the Chief Officer of Police in accordance with Schedule 9 Part III of the Road Traffic Regulation Act 1984.
- 3.4 A report submitted and approved by Cabinet on 1<sup>st</sup> April 2014 outlined a consultation procedure to be adopted when consulting with individuals, organisations and local members when giving public notice in respect of traffic management and road safety proposals. The introduction of the revised national default speed limit by Welsh Government in built up areas has prompted a review of this procedure, and identified some aspects of the engagement and consultation process requiring amendment to create a more efficient process moving forward. A copy of the procedure adopted by Cabinet in 2014 is attached as **Appendix 1** to this report.

#### **4. Current situation/proposal**

##### **4.1 Consultation**

- 4.1.1 Outlined below is the consultation process generally to be undertaken prior to the statutory public notice stage and before a permanent TRO can be implemented. Dependant upon the size and scale of the TRO process this may result in different engagement methods.
- 4.1.2 Regulation 6 prescribes organisations which must be consulted subject to the type of order which include :
- o Police Service
  - o Freight Transport Association
  - o Road Haulage Association
  - o Appropriate Ambulance / NHS bodies
  - o Fire Service
  - o Appropriate Bus Operators if affected by the scheme
  - o Such other organisations (if any) representing persons likely to be affected by any provision in the order as the order making authority thinks it appropriate to consult.
- 4.1.3 Traffic and Transportation Highways Officers will have the discretion to engage with any additional individuals or organisations as appropriate to the proposed TRO.
- 4.1.4 Traffic and Transport Highways Officers will consider any responses from the consultation, and this may result in the original proposals being amended or withdrawn as appropriate.
- 4.1.5 Following the consultation, delegated powers will then be obtained to progress to the advertisement of proposals stage.
- ##### **4.2 Statutory Public Notice**
- 4.2.1 When delegated approval has been obtained, relevant documentation and instruction is sent to Legal Services to follow the appropriate statutory procedure.
- 4.2.2 In the case of traffic regulation orders, Regulation 7 requires that there is adequate publicity of a proposed TRO so that those affected can give full consideration to the



scheme. It is therefore necessary that a notice is advertised in the press and, if considered appropriate by Highways Officers, the erection and maintenance of street notices for the duration of the advertisement stage, depending upon the type and location of the proposals.

- 4.2.3 From the commencement date of advertisement of a proposed TRO and notification of all relevant persons/bodies as is required by the legislation, a minimum of 21 days must be allowed for the submission of any comments or objections. All objections must be made in writing. This period may be increased as necessary, depending on the scope of the proposal and its anticipated impact on the local community. This objection period must be specified in the notice.
- 4.2.4 Provided that no valid and relevant objections/representations to the advertised proposal are received, a TRO can be made after the 21 day period has expired. A TRO must be made within a maximum of two years of the date that notice of intention to make an order was advertised, and a notice confirming that the TRO has been made must appear in the local press within 14 days of the TRO being made. The making of a TRO should correspond with the modification/introduction of any lining and signing for the new TRO scheme.

#### 4.3 **Consideration of Objections**

- 4.3.1 If valid and relevant objections are received to the advertised proposal then the following process outlined below is proposed to be followed.
- 4.3.2 Any valid and relevant objections received must be considered by Traffic and Transport Highways Officers prior to a TRO being made.
- 4.3.3 Objections are submitted to and acknowledged by Legal Services and forwarded to Highways Officers, who will consider objections to determine if they are relevant, valid and duly made to the advertised proposal and not withdrawn following closure of the public notice period. This may result in Highways Officers contacting individuals or groups depending on the nature of the objection, as deemed appropriate by the officer. Highways Officers retain a record of all incoming and outgoing objection correspondence.
- 4.3.4 Upon consideration of comments, and valid and duly made objections received by Highways Officers, it may be appropriate to make modifications to the proposed TRO after it has been advertised.
- 4.3.5 Where Highways Officers consider these modifications do not represent a substantial change to the TRO, further public notice is not required prior to a report being prepared for consideration by the Cabinet Member Communities.
- 4.3.6 Further to 4.3.5, before a TRO is made with modifications which appear to the order making authority to make a substantial change in the order, the Authority shall take such steps as appear to the Authority appropriate for informing persons likely to be affected by the modifications, giving those persons an opportunity of making representations, and ensuring that any such representations are duly considered by the Authority.

4.3.7 The Authority is able to make a TRO in part by making an order giving effect to some of the proposals to which the order relates whilst deferring a decision on the remainder. Where an order has been made in part, the Authority may subsequently deal with the remaining proposals to which the order relates in any, or any combination, of the following ways— (a) abandon them, (b),defer a decision on them (c) make an order or orders giving effect to them in whole or in part. Where an authority has deferred a decision on any proposals under 4.3.6, it may subsequently deal with those proposals in any way permitted by that paragraph.

4.3.8 In some instances, objections must be considered at a Public Inquiry. However, this only applies where loading/unloading is prohibited at all times, or for certain parts of the working day, or prohibits or restricts the passage of public service vehicles along a road. In addition the Authority may hold a Public Inquiry for any other order if it deems appropriate.

#### 4.4 **Progression of Traffic Regulation Orders with duly made Objections**

4.4.1 Upon consideration of valid and duly made objections, if Highways Officers determine that they are not able to be resolved, a report will be prepared and submitted to the Cabinet Member Communities for determination, detailing the nature of the objection(s) and the Highways Officers comments in respect of the objection(s) in compliance with the Council's appeals procedure.

4.4.2 If the Cabinet Member, Communities determines that the order should be progressed, Legal Services will then arrange for the TRO to be made, notice advertised in the press, and also for appropriate bodies/individuals to be notified of the decision.

4.5 The main changes proposed by this report in comparison to the previous consultation procedure approved by Cabinet are as follows:

- Clarification that 'scheme originator' refers to Highways Officers;
- Clarification of the roles of officers who will consider objections to determine if they are relevant, valid and duly made to determine if formal response or resolution required;
- Removal of Appendix A of the 2014 procedure which outlined potential consultees as this list is neither current nor a legal requirement. It is proposed that apart from statutory consultees, Highways Officers can exercise discretion to consult any party they consider may be affected by the proposal both prior to and following amendments/modifications to a scheme;
- Clarification of the position of Highways Officers in the consideration of minor modifications to the TRO.

#### 5. **Effect upon policy framework and procedure rules**

- 5.1 The change in the proposed approach will still provide the Cabinet Member Communities with sufficient information to determine any unresolved objections to the order making process.

## **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**

The Well-being of Future Generations (Wales) Act 2015 Assessment based on the 5 ways of working has been considered, as summarised below, and there are no significant or unacceptable impact upon the achievement of well-being goals/objectives as a result of this report.

### **7.1 Long Term**

The proposed amendment to the consultation procedure for Traffic Regulation Orders, will allow a more efficient process of introducing Traffic Management and Road Safety Measures – meaning that areas of concern can be addressed quicker and more effectively leading to long term road safety improvements within the community.

### **7.2 Prevention**

The proposed amendments are deemed necessary to prevent delays from occurring during the consultation process for Traffic Regulation Order, which can cause unexpected delays which may put communities at risk from safety aspects for longer than necessary.

### **7.3 Integration**

The introduction of traffic management and road safety measures also support all 7 goals of the Well-being of Future Generations (Wales) Act 2015. In the longer term, the swift introduction of highway safety measures reduces communities perception of road danger, encouraging sustainable methods of transport which will improve public health (especially of vulnerable individuals including children and elderly pedestrians and cyclists and those of deprived communities), and support the reduction in collisions and casualties. This perception is also likely to lead to greater social cohesion which brings further societal and health benefits. There can also be knock on effects of environmental benefits associated with reductions in noise and air pollution, reduction in congestion and other associated economic benefits from increased viability of local businesses.

The issue of introducing traffic management and road safety measures cross-cuts all three priorities in the Corporate Improvement Plan and specifically supports the

following aims “To support local people develop skills and take advantage of opportunities to succeed”, ‘To create town centre and communities that improve the quality of life for citizens”, ‘To develop more active healthy and resilient communities by working in partnership with the third sector, Town and community councils and community groups, ‘To Create conditions for growth and enterprise’, ‘To improve the efficiency of, and access to, services by redesigning our systems and processes’ as finally ‘To work collaboratively to make the most of natural and physical assets’.

Road safety also forms part of the aims of the Community Strategy to have safer communities where crime levels decline and fear of crime is tackled so that all local people feel safe and secure.

In addition to the above, the Welsh Government in 2013 published their Road Safety Framework setting targets for Casualty Reduction which all partners have a responsibility to work towards, ultimately to achieve the vision of “A continued reduction in the number of people killed and seriously injured on Welsh roads, with the ultimate aspiration of no fatalities”.

#### 7.4 **Collaboration**

The proposed amendment to the consultation procedure will ensure that all relevant parties are formally consulted to gauge their views on any proposal which will be considered or integrated into the Traffic Regulation Orders.

#### 7.5 **Involvement**

The proposed amendment to the consultation procedure will ensure that all relevant parties are formally consulted to gauge their views on any proposal which will be considered or integrated into the Traffic Regulation Orders.

### 8. **Financial implications**

- 8.1 Costs for Authority sponsored Traffic Regulation Orders are either funded from within existing budgets or funded from third parties. There are therefore no financial implications arising from this report.

### 9. **Recommendations**

- 9.1 Cabinet is recommended to approve that:

- a) The Consultation Procedure for Traffic Regulation Orders 2014 as set out in the Cabinet Report attached as **Appendix 1** is amended as outlined at paragraph 4.5 and to delegate authority to the Corporate Director Communities to make the necessary amendments;
- b) All future traffic management and road safety proposals follow the amended procedure as set out in this report.

Janine Nightingale  
**Corporate Director – Communities**  
November 2022

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**Background documents:** None

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**BRIDGEND COUNTY BOROUGH COUNCIL**  
**REPORT OF THE CORPORATE DIRECTOR COMMUNITIES**

**CABINET**

**1 APRIL 2014**

**CONSULTATION PROCEDURE FOR TRAFFIC REGULATION ORDERS**

**1. Purpose of Report.**

- 1.1 To seek the approval of Cabinet to adopt a revised procedure when consulting formally with Ward Members, individuals and organisations and when giving Public Notice related to permanent Traffic Regulation Orders (TRO's) in order to streamline the process.

**2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.**

- 2.1 The issue of introducing traffic management and road safety measures cross-cuts a number of aims in the Corporate Improvement Plan. This includes Children Today, Adults Tomorrow where our aim *"is for all our children and young people to live healthy and safe lives"* and A Diverse and Sustainable Economy where our aim is *"to make our towns and valleys accessible and safe for all"*. Road safety also forms part of the aims of the Community Strategy to have safer communities where crime levels decline and fear of crime is tackled so that all local people feel safe and secure.
- 2.2 In addition to the above, the Welsh Government in 2013 published their Road Safety Framework setting targets for Casualty Reduction which all partners have a responsibility to work towards.

**3. Background.**

- 3.1 Traffic Orders can be used for a wide range of purposes. They can be permanent, temporary or experimental, and used for circumstances ranging from temporary closures to enable road works to take place to permanent changes to parking restrictions or road lay-outs. However this report will specifically deal with permanent traffic orders.
- 3.2 An important element of traffic management work is to inform and engage the local community when permanent changes to their road network are planned. In the case of permanent orders, the publicity provides the public with the opportunity to consider proposals, and to make objections if they wish to, which must then be considered by the Council.
- 3.3 The manner in which the Council is required to consult formally or give public notice in relation to permanent TRO's is contained within the Road Traffic Regulation Act 1984 and The Local Authorities' Traffic Orders (Procedure) (England and Wales)

Regulations 1996 (the Regulations). This legislation prescribes the statutory process which must be followed before a TRO can be made and implemented.

- 3.2 The installation of certain Traffic Calming and Pedestrian Crossing works have a prescribed consultation process which generally follows that of the traffic order process but does not require an order to be made.
- 3.3 A report was submitted and approved by Cabinet on the 18<sup>th</sup> October 2011 (CONSULTATION PROCEDURE FOR TRAFFIC MANAGEMENT AND ROAD SAFETY PROPOSALS) which outlined a procedure to be adopted when consulting formally with Ward Members, individuals and organisations when giving public notice in respect of future traffic management and road safety proposals which now needs to be revised. It is now considered that given the requirements of that report are excessively onerous in respect of what is required by the relevant legislation, particularly so due to existing staff shortages, and these requirements are resulting in delays in the order making process.

#### **4. Current Situation / Proposal**

- 4.1 In order to discharge the legal responsibilities to consult and inform, it is proposed to set down and explain a streamlined procedure in comparison to the previous report approved by Cabinet, for permanent traffic orders which is in accordance with the relevant legislation, and should be followed each time schemes of this nature are progressed.
- 4.2 **Consultation** - Outlined below are the proposed consultation steps to be taken before a permanent TRO can be implemented:
- A preliminary scheme design is produced by the scheme originator showing the extent of the proposal
  - Consultation correspondence must be sent out by the scheme originator to the following:
    - Appropriate Local Ward members (this is not specifically required under the relevant legislation)
    - Chief Constable of Police
    - Freight Transport Association
    - Road Haulage Association
    - Appropriate Ambulance / NHS bodies
    - Fire Service
    - Appropriate Bus Operators if affected by the scheme
    - Other organisations considered likely to be affected by the proposals
- 4.2.1 A list of individuals and organisations which it is considered meets the consultation requirements are included at **APPENDIX A**.
- 4.2.3 The scheme originator will also have the discretion to consult any additional individuals or organisations as deemed appropriate who may be affected by the proposal.
- 4.2.4 The scheme originator will then consider the responses and this may result in the original proposals being amended if appropriate



- 4.2.5 Following initial consultation, delegated powers will then be obtained in order to progress to the next stage.

#### 4.3 **Advertisement of Proposed Scheme**

- 4.3.1 When delegated approval has been obtained by the scheme originator, a copy of the delegated power, along with a list of all formal consultees, consultation documents, a statement outlining why the order is proposed and a copy of the TRO schedules and any existing Orders to be revoked are sent to the Legal & Regulatory Services Department.
- 4.3.2 The Regulations require that there is adequate publicity of a proposed TRO so that those affected can give full consideration to the scheme. It is therefore necessary that a notice is advertised in the press and, if considered appropriate, the erection and maintenance of street notices for the duration of the advertisement stage, depending upon the type and location of the proposed scheme.
- 4.3.3 From the commencement date of advertisement of a proposed TRO and notification of all relevant persons/bodies as is required by the legislation, a minimum of 21 days must be allowed for the submission of any comments or objections. All objections must be made in writing. This period may be increased as necessary, depending on the scope of the proposal and its anticipated impact on the local community. This objection period must be specified in the notice.
- 4.3.4 Provided that no objections/representations are received, an Order can be made as soon as the 21 day period has expired. An Order must be made within a maximum of two years of the date that it was first advertised, and a notice confirming that the Order has been made must appear in the local press within 14 days of an order being made. The making of an order should correspond with the modification/introduction of any lining and signing for the new TRO scheme.
- 4.4 **Consideration of Objections** – If objections are received then the process outlined below must be followed.
- 4.4.1 Any objections submitted must be taken into consideration prior to an Order being made by the scheme originator. In certain specified circumstances, objections must be determined by Public Inquiry i.e. where loading/unloading is prohibited at all times, or for certain parts of the working day and other circumstances as specified in the relevant legislation.
- 4.4.2. Objections are submitted to Legal Services and are acknowledged by Legal Services and then forwarded to the scheme originator for a formal response or resolution. Legal Services retain a record of all incoming and outgoing objection correspondence.
- 4.4.3 Upon consideration of comments and objections received by the scheme originator, it may be appropriate to make minor modifications to the proposed TRO after it has been advertised. In such cases, the minor adjustments can be implemented provided that those likely to be affected by the modifications are notified, and that they are given the opportunity to comment or object in respect of the proposed amendment.

- 4.4.4 If objections cannot be resolved, a report is then prepared and submitted to the Appeals Panel for determination.
- 4.5 If the Appeals Panel determines that the order should be progressed, the Legal & Regulatory Services Department will then arrange for the Order to be made and also for appropriate bodies/individuals to be notified.
- 4.6 The main changes proposed by this report in comparison to the previous report approved by Cabinet are as follows:
- The removal of the need to use this consultation process when introducing Traffic Calming and formal Pedestrian Crossings.
  - Removal of the requirement to give two weeks prior notice to ward members prior to going to public consultation. Ward members will be consulted however as part of the formal consultation stage and it is likely that members would be aware of the proposals before this stage in any event.
  - **Appendix A** has been updated as some of the previous consultees no longer wish to be consulted.
  - Rather than prescribe consultees in relation to those premises which abut the section of the highway the report proposes that officers exercise discretion to consult any party they consider may be affected by the proposal.

## **5. Effect upon Policy Framework& Procedure Rules.**

- 5.1 The change in the proposed approach will have no effect upon Policy Framework and Procedural Rules.

## **6. Equalities Impact Assessment.**

- 6.1 There are no negative equality implications in relation to this consultation process, however, each proposal will have its own equality impact assessment.

## **7. Financial Implications.**

- 7.1 The costs of the proposals will be met fully by the Department or Body requiring the Order unless otherwise agreed.

## **8. Recommendations**

- 8.1 Cabinet is recommended to approve that:
- a) The Cabinet Report dated 18<sup>th</sup> October 2011 (CONSULTATION PROCEDURE FOR TRAFFIC MANAGEMENT AND ROAD SAFETY PROPOSALS) is superseded by this report.
  - b) For all future traffic management and road safety proposals the procedure set out in this report is adopted when making a Permanent Road Traffic Regulation Order.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR - COMMUNITIES**

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**Background documents:**  
Cabinet Report dated 18<sup>th</sup> October 2011

**APPENDIX A****LIST OF INDIVIDUALS AND ORGANISATIONS TO BE CONTACTED ON TRAFFIC MANAGEMENT PROPOSALS**

BCBC Local Member(s) for Ward(s) within which the proposed scheme is located
Clerk to Community/Town Council for area(s) within which the proposed scheme is located
Chief Constable, South Wales Police
Traffic Management Officer, South Wales Police
Chief Fire Officer, S Wales Fire and Rescue Service
Officer in Charge, Bridgend Fire Station
Regional Director, Welsh Ambulance Services NHS Trust (SE Region)
Locality Ambulance Officer, Bryncethin Ambulance Station
Chief Executive, Abertawe Bro Morgannwg University Health Board
Freight Transport Association (Cardiff Office)
Road Haulage Association (Midlands and Western Office)
Head of Public Affairs, Automobile Association (Head Office)
Secretary, Bridgend Driving Instructors Association
Bridgend Visually Impaired Society (when appropriate)
Bridgend Coalition for Disabled People
Sustrans Cymru (Cardiff)
Secretary, Bridgend Civic Trust Society (for schemes within Bridgend Town area only)
Secretary, Porthcawl Civic Trust Society (for schemes within Porthcawl Town area only)
Manager of all Service Bus Operators with services running along roads within proposed scheme
Regional Secretary, Confederation of Passenger Transport (Wales)
Licensing and Registration Officer, Bridgend County Borough Council
Transport Co-Ordinating Manager, Bridgend County Borough Council
Principal Conservation and Design Officer, Bridgend County Borough Council
Group Manager Street Works, Bridgend County Borough Council
Highways Network Manager, Bridgend County Borough Council
Such other individuals or organisations representing persons likely to be affected by the proposals (if any) as officers think it appropriate to consult.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

### PUBLIC SPACE PROTECTION ORDERS

#### 1. Purpose of report

1.1 The purpose of this report is to seek Cabinet approval to consult with the Police, the Police and Crime Commissioner and other relevant bodies in relation to:

- The creation of a PSPO relating to Dog Control in Bridgend County
- To note that following the consultation, a further report will be made to cabinet for a decision on creating the PSPO

#### 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 Anti-social behaviour is a broad term to describe the day to day incidents of crime, nuisance and disorder that make many people's lives a misery: from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords. The Home Office has reformed the anti-social behaviour powers to give professionals the increased flexibility they need to deal with certain situations.

- 3.2 The Anti-social Behaviour, Crime and Policing Act 2014 ('the Act') makes provision about anti-social behaviour, crime and disorder. The Act sets out the following 6 new tools for responsible bodies and responsible authorities:
- i. Injunction
  - ii. Criminal Behaviour Order (CBO)
  - iii. Dispersal power's
  - iv. Community Protection Notice's (CPN)
  - v. Closure Power's
  - vi. Public Spaces Protection Orders (PSPO)
- 3.3 The previous PSPO in Bridgend County Borough was enacted on 18 June 2019 and related to the control of alcohol, restriction of access to public space and dog control. It expired on 18 June 2022.
- 3.4 A PSPO is an effective deterrent to deal with particular nuisance or problems in a specified area that is detrimental to the quality of life of the local community.
- 3.5 A PSPO works by imposing conditions on the use of a specified area, which applies to everyone. A PSPO is designed to ensure that residents and visitors can enjoy public spaces without experiencing anti-social behaviour.
- 3.6 In accordance with s60 (2) of the Anti-Social Behaviour Crime and Police Act 2014, ('the Act') a PSPO may not have effect for more than 3 years, unless extended under S60 (3) or S60 (4).
- 3.7 The PSPO for Dog Control enabled officers from Bridgend County Borough Council to give direction in regards to dogs off lead and dogs causing nuisance in a public place. This includes dog fouling and other related issues.
- 3.8 The previous PSPO enabled the Council to take preventative enforcement action in public places. Detailed information is outlined below.

### **3.9 Dog Control Order**

This relates to all public open spaces throughout the borough and imposes the following conditions on the use of that land:-

- a) Person(s) within the Restricted Area will collect and dispose of the faeces of dogs within their control by removing it and depositing the dog faeces in a bag which should be left in a litter bin or taken home
- b) Person(s) within the Restricted Area who have dogs within their control must carry bags or other suitable means for the collection of dog faeces
- c) Person(s) within the Restricted Area must when requested to do so by an Authorised Officer place dogs in their control on a lead. The Authorised Officer must specify the location and duration covered by a direction given under Paragraph 6 (C) of this Order.

#### **4. Current situation/proposal**

- 4.1 Before the Council can make, extend or vary a PSPO there is a procedure set down by statute which must be followed. In particular a Local Authority must carry out the necessary consultation, the necessary publication and the necessary notification (if any).

Necessary consultation means that a Local Authority must consult with:

- I. the chief officer of police and the local policing body for the police area that includes the restricted area (statutory guidance issued states that this should be done through the chief officer of and the Police and Crime Commissioner but details could be agreed by working level leads)
  - II. any community representatives the local authority thinks it is appropriate to consult (community representative means any individual or body appearing to the authority to represent the views of people who live in, work in or visit the restricted area). Community representatives could include residents' groups or particular groups of individuals who use a local amenity (e.g. regular users of the park or specific activities such as busking or other types of street entertainment).;
  - III. the owner or occupier of land within the restricted area (this does not apply to land owned and occupied by the Local Authority and applies only if, or to the extent that, it is reasonably practicable to consult the owner or occupier of the land).
- 4.2 If approved the statutory consultation will commence on 9 January 2023 and continue for 12 weeks.
- 4.3 The Consultation will seek views on the creation of a PSPO regarding dog control in Bridgend County.
- 4.4 The PSPO relating to dog control shall not apply to Disabled persons as defined by the Equality Act 2010 where the person suffers from a disability which would prevent them from collecting their dog faeces.
- 4.5 All Town and Community Councils in the areas covered by the PSPO will be notified.
- 4.6 Specific consultees outlined in the legislation will be contacted directly via letter. These are:
- Elected members as representatives of their constituents
  - The South Wales Police and Crime Commissioner
  - The South Wales Police Chief Superintendent for the area
  - All town and community councils
  - Bridgend Association of Voluntary Associations (BAVO)
  - Bridgend Business Against Crime (BBAC)
  - Bridgend Dogs Trust
  - The Kennel Club

- 4.7 An on line survey will be available on the BCBC website. This will be promoted via social media platforms to individuals who live in, work in, or visit Bridgend County.

## **5. Effect upon policy framework and procedure rules**

- 5.1 None

## **6. Equality Act 2010 implications**

- 6.1 **Information/Administrative report** – 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.

- 6.2 Full Equality Impact Assessments were carried out when the PSPOs were created in 2018.

- 6.3 A new EIA screening will be carried out when the consultation is completed and the results of that screening reported to cabinet alongside the consultation report to inform whether a further full EIA is required.

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

- 7.1 The recommendations in this report demonstrate the sustainable development principle by ensuring that by meeting the needs of the present they do not compromise the ability of future generations to meet their own needs and this is evidenced through the 5 ways of working:

- Long term – the report seeks to address the long term problems associated with anti-social behaviour. These include addressing issues relating to control of dogs.
- Prevention – working with partners to prevent the negative effects of anti-social behaviour on those living, working or visiting Bridgend County Borough
- Integration – the project contributes to the wellbeing goals: a healthier Wales, a Resilient Wales, and a Wales of Cohesive Communities and to the Wellbeing objective Supporting communities in Bridgend to be Safe and Cohesive
- Collaboration – the initiative is a collaboration between Bridgend County Borough Council Communities Directorate, the Bridgend Community Safety Partnership South Wales Police and South Wales Fire and Rescue Service
- Involvement – the consultation with partners, stakeholders, local residents, communities and elected members will inform the decision of whether to extend the PSPOs.

## **8. Financial implications**

- 8.1 None with this report. If the creation of the new PSPO is approved there will be costs associated with signage and promotion of the PSPO in local press.

- 8.2 The estimated costs for the dog control order, which will be met from existing budgets:



Advertising and printing £3000

## **9. Recommendation**

- 9.1 Cabinet is recommended to give approval to commence a public consultation on the proposal to create a Public Space Protection Order as outlined in paragraph 4.3 of this report.
- 9.2 The outcome of the consultation will be reported to Cabinet in due course.

**Janine Nightingale**  
**Corporate Director - Communities**  
**15 November 2022**

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

##### APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1.

#### 2. Connection to corporate 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**:
- **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 In accordance with the Council's 'Guidance on the appointment of local education authority governors', approved by Cabinet on 14 October 2008, officers have considered applications received for current vacancies for local authority governor positions on school governing bodies (see paragraph 4.1 and Appendix A).

#### 4. Current situation/proposal

- 4.1 For the six current local authority governor vacancies at the six schools in the table below, all applicants met the approved criteria for appointment as a local authority governor and there was no competition for these vacancies. Therefore, the recommended appointments are as follows:

Name of applicant	School
Cllr Paul Davies	Caerau Primary School

Mr Karl Jones	Newton Primary School
Mr Damien Faulkner	Oldcastle Primary School
Miss S Wootton	Ysgol Gynradd Gymraeg Calon y Cymoedd
Mrs Tracey Evans	Coleg Cymunedol Y Dderwen
Dr Elaine Venables	Pencoed Comprehensive School

## **5. Effect upon policy framework and procedure rules**

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

## **6. Equality Act 2010 implications**

6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, 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 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

### **Long-term**

While it is desirable for local authority governors to have previous or relevant experience of the role, in the short-term, the local authority may support any person for such an appointment who is interested in supporting schools, is not disqualified from being a school governor and is willing and able to dedicate the necessary time to the role.

### **Prevention**

The local authority assesses the suitability of applicants for the local authority governor vacancy/vacancies applied for. The local authority, in conjunction with the Central South Consortium, supports governors with a comprehensive programme of both mandatory and voluntary training and access to resources, to enable them to develop and maintain their knowledge and skills, and be successful in fulfilling the role.

### **Integration**

School governing bodies have a strategic role in running schools and ensuring that all pupils are supported to learn and achieve so that they can access opportunities for further learning and employment, know how to maintain their wellbeing, can play active roles in their communities and can contribute positively to society as a whole.

### **Collaboration**

School governing bodies have a strategic role in ensuring that schools safeguard the health and well-being of pupils and staff. The local authority, in conjunction with the Central South Consortium, provides training to governors to enable them to

develop and maintain their relevant knowledge, skills and effectiveness in this respect.

## **Involvement**

The local authority treats all applications for local authority governor vacancies fairly, to ensure equality of opportunity. School governing bodies have a strategic role in ensuring that schools safeguard the health and well-being of pupils and staff. The local authority, in conjunction with the Central South Consortium, provides training to governors to enable them to develop and maintain their relevant knowledge, skills and effectiveness in this respect.

## **8. Financial implications**

8.1 There are no financial implications regarding this report.

## **9. Recommendation**

9.1 Cabinet is recommended to approve the appointments detailed at paragraph 4.1.

**Mr Lindsay Harvey**  
**Corporate Director – Education and Family Support**

**15 November 2022**

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## **Background documents**

None

## Appendix A

The following table represents current and future local authority governor vacancies (up to the end of December 2022) subject to the approval of the recommended appointments in paragraph 4.1.

Name of school	Number of current and future vacancies	Latest date for submission of an application
Afon y Felin Primary School	1 (current)	18 November 2022
Brackla Primary School	1 (current)	18 November 2022
Bryntirion Infant School	1 (current)	18 November 2022
Caerau Primary School	1 (vacant from 19 December 2022)	4 January 2023
Cefn Glas Infant School	1 (current)	18 November 2022
Coychurch (Llangrallo) Primary School	1 (current)	18 November 2022
Ffaldau Primary School	1 (current) 1 (vacant from 19 December 2022)	18 November 2022 4 January 2023
Garth Primary School	1 (current)	18 November 2022
Litchard Primary School	2 (current)	18 November 2022
Llangewydd Junior School	1 (current) 1 (vacant from 19 December 2022)	18 November 2022 4 January 2023
Maes yr Haul Primary School	1 (current)	18 November 2022
Mynydd Cynffig Primary School	1 (current)	18 November 2022
Pîl Primary School	1 (current)	18 November 2022

<b>Name of school</b>	<b>Number of current and future vacancies</b>	<b>Latest date for submission of an application</b>
Plasnewydd Primary School	2 (current)	18 November 2022
St Robert's Roman Catholic Primary School	2 (current)	18 November 2022
Tondu Primary School	1 (current)	18 November 2022
Tremains Primary School	1 (current)	18 November 2022
Tynyrheol Primary School	2 (current)	18 November 2022
Ysgol Bryn Castell	1 (current)	18 November 2022
Ysgol Cynwyd Sant	2 (current)	18 November 2022
Ysgol Gymraeg Bro Ogwr	1 (current)	18 November 2022
Ysgol Gynradd Gymraeg Calon y Cymoedd	1 (current)	18 November 2022
Ysgol y Ferch o'r Sgêr	1 (current)	18 November 2022
Coleg Cymunedol Y Dderwen	2 (current)	18 November 2022
Cynffig Comprehensive School	1 (vacant from 19 December 2022)	4 January 2023
Pencoed Comprehensive School	2 (current)	18 November 2022
Ysgol Gyfun Gymraeg Llangynwyd	1 (current)	18 November 2022

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## BRIDGEND COUNTY BOROUGH COUNCIL REPORT TO CABINET

15 NOVEMBER 2022

### REPORT OF THE CORPORATE DIRECTOR – EDUCATION AND FAMILY SUPPORT

#### SCHOOL MODERNISATION

#### PORTHCAWL WELSH-MEDIUM SEEDLING SCHOOL

#### 1. Purpose of report

- 1.1 This report seeks Cabinet approval to present a report to Council seeking permission for a capital budget for the proposed Porthcawl Welsh-medium seedling school scheme's design and survey costs up to tender stage to be included in the Council's capital programme, funded from Bridgend County Borough Council (BCBC) resources initially, on the assumption that costs will be recovered once Welsh Government has approved the re-submitted business justification case.

#### 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**:

- **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 of all people in the county borough.
- **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 deliver the Council's well-being objectives.

- 2.2 On 3 March 2015, Cabinet approval was received for the Council to adopt revised principles as a framework for school organisation in Bridgend. Five key principles were set out to inform the organisation and modernisation of our schools. These are:

- commitment to high standards and excellence in provision;
- equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend;
- inclusive schools, which cater for the learning needs of all their pupils;
- community-focused schools, where the school actively engages with its local community; and
- value for money.

- 2.3 The Policy and Planning Framework sets out 17 areas where these principles should be applied in practice.

### **3. Background**

- 3.1 Following a desktop appraisal of options for developing a Welsh-medium seedling school in the Porthcawl area, a report was submitted to Cabinet in September 2021, who approved the submission of an expression of interest to Welsh Government in respect of the second tranche of the Welsh-medium capital grant.
- 3.2 Welsh Government subsequently approved, in principle, the expression of interest and a business justification case was therefore submitted to them in May 2022.

### **4. Current situation/proposal**

- 4.1 Despite the business justification case being submitted to Welsh Government for approval in May, the local authority has recently been advised that it needs to be re-submitted once tenders relating to the scheme have been returned.
- 4.2 The Welsh-medium capital grant commits Welsh Government to 100% of the scheme funding but only upon their approval of the business case.
- 4.3 Cabinet approval is now required therefore, to submit a report to Council on 16 November 2022 seeking permission for a capital budget for this scheme's design and survey costs (up to tender stage) to be included in the Council's capital programme.

### **5. Effect upon policy framework and procedure rules**

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

### **6. Equality Act 2010 implications**

- 6.1 An initial Equalities Impact Assessment (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 of Future Generations (Wales) Act 2015 has been considered in formulating the proposal

The assessment provides a comprehensive summary of the outcomes expected from the implementation of the service.

Long-term	Supports the statutory duty to provide sufficient pupil places and promote the Welsh language.
Prevention	Councils have a statutory duty to ensure there is a sufficient supply of school places, and these schemes will safeguard the Council's position in terms of any potential legal challenge in this regard.
Integration	Providing sufficient places ensures that the curriculum can be delivered and meets social, environmental and cultural objectives.
Collaboration	The local authority works effectively with schools, Estyn and with the Central South Consortium, health, community councils and many internal and external partners to ensure that the building meets the short-term and future needs of the users and the community which it will serve.
Involvement	This area of work involves the engagement of potential stakeholders including Cabinet, members, governors, community, internal and external partners which will include third sector organisations.

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 upfront design/survey costs (required in order to develop the scheme to tender stage and thereby meet the Welsh Government business justification re-submission requirements) are currently estimated to be approximately £370k. These costs will need to be funded from uncommitted capital in the interim.
- 8.2 The Welsh-medium capital grant commits Welsh Government to 100% of the funding upon approval of the business case. Permission will be sought from Council for a budget for this scheme's design and survey costs (up to tender stage) to be included in the Council's capital programme, initially funded from BCBC resources, but on the assumption that costs will be fully recovered once Welsh Government has approved the re-submitted business justification case.
- 8.3 Council approval will be sought to accept the risk in the interim - the risk being that should Welsh Government ultimately fail to approve the business case, the incurred design and survey costs (up to tender stage) would need to be funded by the Council as abortive revenue costs.

## **9. Recommendation**

- 9.1 It is recommended that Cabinet recommends to Council that a capital budget for the proposed Porthcawl Welsh-medium seedling school scheme's design and survey costs up to tender stage (£370k) be included in the Council's capital programme, initially funded from BCBC resources on the assumption that costs will be recovered from grant once Welsh Government has approved the re-submitted business justification case.

**Lindsay Harvey**  
**Corporate Director – Education and Family Support**  
**15 November 2022**

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### **Background documents**

Where appropriate, relevant papers are in the public domain

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CHIEF OFFICER LEGAL, HR AND REGULATORY SERVICES

#### LOCAL AIR QUALITY MANAGEMENT – ANNUAL PROGRESS REPORT 2022

##### 1. Purpose of report

- 1.1 The purpose of this report is to seek approval for the 2022 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR) based upon the air quality datasets obtained in 2021. This report requires Cabinet approval in order to submit a final version to Welsh Government (WG).
- 1.2 The report also provides an update on progress towards the DRAFT Air Quality Action Plan for the Park Street Air Quality Management Area.

##### 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. Background

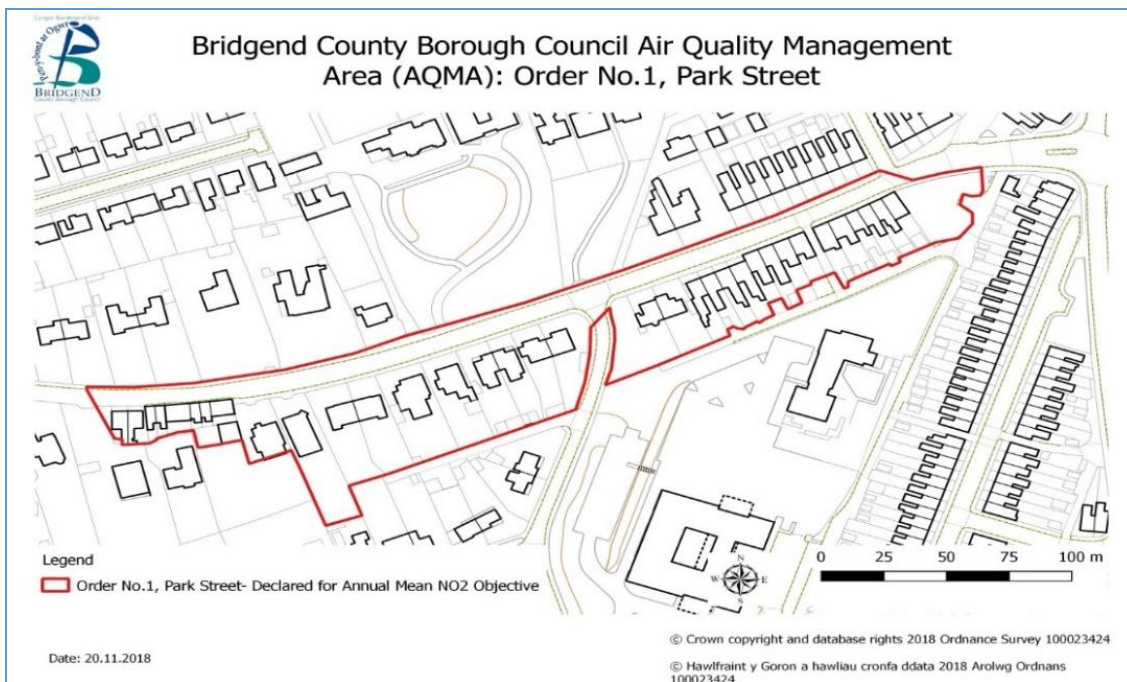
- 3.1 Under Section 82 of the Environment Act 1995 every local authority has an obligation to regularly review and assess air quality in their areas, and to determine whether or not air quality objectives to protect health are likely to be achieved. Where the air quality reviews indicate that the air quality objectives are not being achieved, or are not likely to be achieved, Section 83 of the 1995 Act requires local authorities to designate an Air Quality Management Area ('AQMA'). Section 84 of the Act ensures that action must then be taken at a local level which is outlined in a specific Air Quality Action Plan (AQAP) to ensure that air quality in the identified area improves.

- 3.2 The Annual Progress Report, attached as Appendix 1, provides details on the ratified data for the air quality monitoring undertaken in 2021 within Bridgend County Borough.
- 3.3 Welsh Government issues statutory policy guidance to Local Authorities under section 88 of the Environment Act 1995 to bring the local air quality management system in Wales into line with the sustainable development principle outlined in the Well-being of Future Generations (Wales) Act, 2015. This guidance, which local authorities must have regard to when carrying out their air quality functions under the Environment Act 1995, sets out that authorities in Wales have to produce a draft Annual Progress Report each year and submit a final version to Welsh Government by the 31<sup>st</sup> of December at the latest. This report must include monitoring results for the previous calendar year, a progress report on action plan implementation and an update on any new policies or developments likely to affect local air quality.
- 3.4 This Annual Progress Report satisfies the above criteria examining ratified datasets for air quality monitoring undertaken in 2021 within Bridgend County Borough.

#### **4. Current situation/proposal**

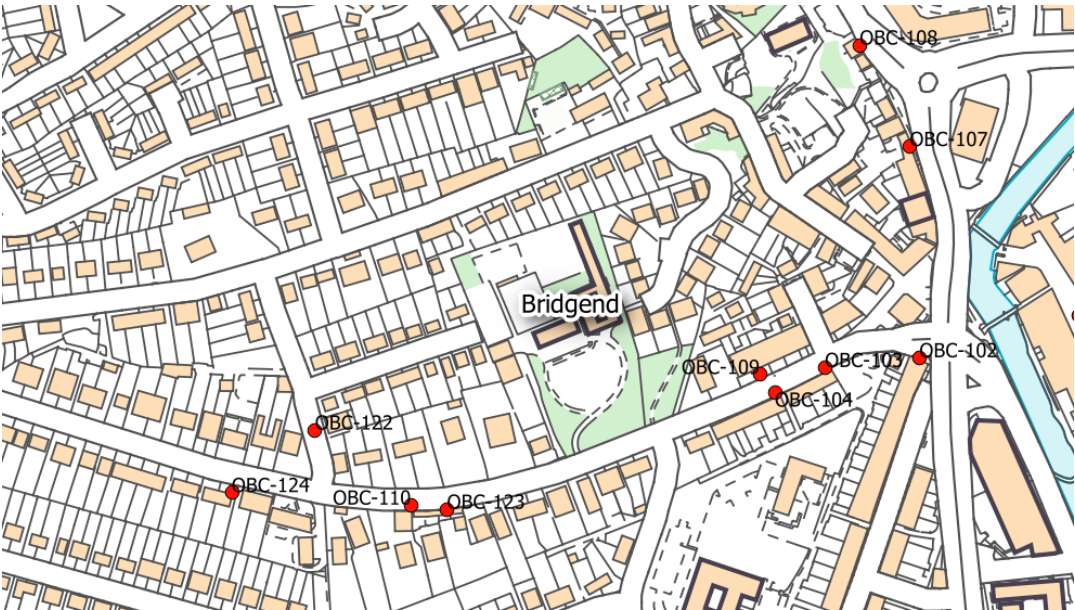
- 4.1 The 2022 Annual Progress Report confirms that in 2021, two sites located on Park Street exceed the air quality objective for nitrogen dioxide as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002. All other locations within Bridgend County Borough continue to meet the relevant air quality objectives.
- 4.2 The Park Street, Bridgend Air Quality Management Area Order was raised on the 1<sup>st</sup> January 2019. The area comprising the Bridgend County Borough Council Air Quality Management Area Order Number 1, Park Street is outlined in Figure 1, below.

**Figure 1 - Extent of the Park Street Air Quality Management Area**



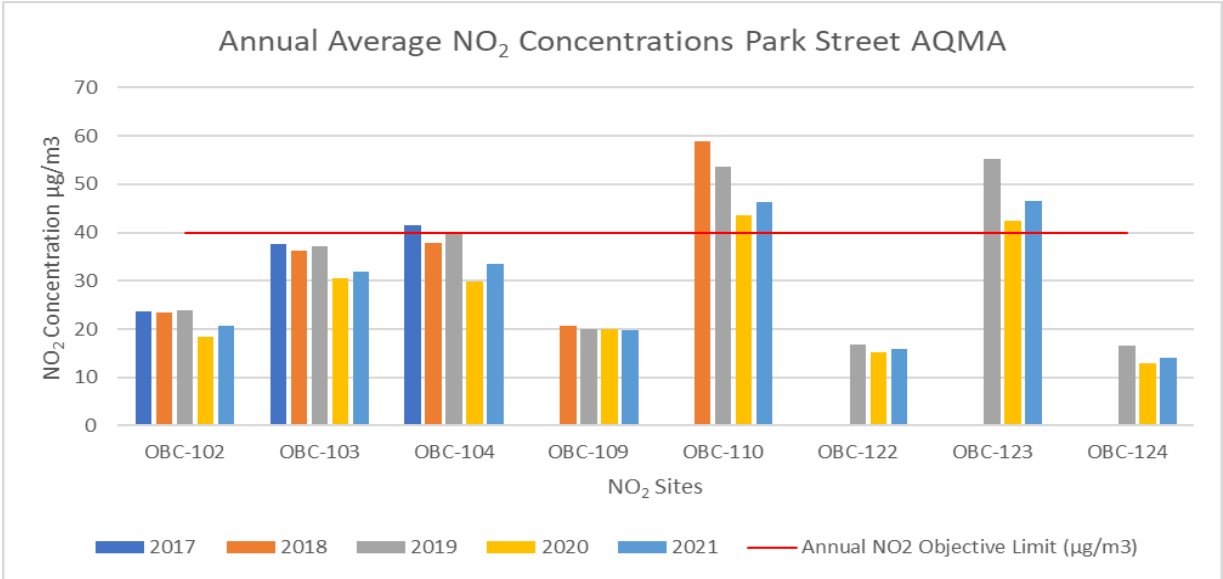
4.3 Figure 2 below depicts the non-automated monitoring sites located in and around the Park Street Air Quality Management Area.

Figure 2 - 2021 NO<sub>2</sub> Diffusion Tube Monitoring Locations, Park Street/ Tondur Road



4.4 It is noted that monitoring undertaken in 2021 at monitoring sites **OBC-110 & OBC-123**, located on Park Street residential facades, still demonstrates annual average levels in exceedance of the annual average air quality objective set at (40 µg/m<sup>3</sup>) for NO<sub>2</sub>, despite the generally lower NO<sub>2</sub> levels experienced in the monitoring period. Thus the annual mean NO<sub>2</sub> concentration for **OBC-110** is calculated at **46.3 µg/m<sup>3</sup>** while the annual mean NO<sub>2</sub> concentration for **OBC-123** is calculated at **46.5 µg/m<sup>3</sup>** respectively, as shown in Figure 3 below.

Figure 3 - Trends in annual mean NO<sub>2</sub> concentrations in the Park Street AQMA





- 4.5 An automated air quality monitoring system (AMS) is now located in the grounds of the Quaker Meeting House on Park Street. Following its installation and commissioning in December 2020, the monitoring site measures and records on a 24/7 basis the levels of NO<sub>2</sub> and PM<sub>10</sub>, and forms part of the Welsh Air Quality Network. This development is over and above the non-automated monitoring network, and the results recorded by the newly installed AMS can be viewed online at <http://www.welshairquality.co.uk>.
- 4.6 Longer term, the AMS will allow for air quality trends to be examined on a high temporal resolution basis and therefore be able to assist with underpinning those short term periods whereby raised levels of NO<sub>2</sub> are particularly prevalent in the area.

#### **Park Street, AQMA Action Plan Update**

- 4.7 As part of the Local Air Quality Management statutory duties, from the date of raising the AQMA Order (in this instance 1<sup>st</sup> January 2019) Shared Regulatory Services (SRS) and BCBC had 18 months in which to prepare a DRAFT Air Quality Action Plan (AQAP) to improve air quality in the area, and once agreed, this plan was to be formally adopted before two years had elapsed.
- 4.8 While SRS and BCBC have made good headway in developing this AQAP in accordance with Welsh Government's Policy Guidance, inevitably the impacts and associated difficulties of the COVID-19 pandemic have meant that the timeline has had to be extended in consultation with Welsh Government.
- 4.9 In order to develop ideas and ensure an effective AQAP which considers all aspects, and prioritising public health, an AQAP Work Steering Group was established, comprising specialists from the various departments of Bridgend County Borough Council, as well as from partner agencies. Collating the ideas and suggestions generated by the AQAP Work Steering Group, a list of proposed mitigation measures has previously been created.
- 4.10 Following the indicative Cost Benefit Analysis on these proposals, detailed air quality and transportation modelling was commissioned on those mitigation options that would manage and improve traffic flows through the Park Street AQMA, and in so doing, likely deliver air quality improvements in the **shortest time possible**, and in line with the ambitions of Welsh Government and BCBC; reduce levels to **as low as reasonably practicable**.

4.11 These options have now been modelled under the following *Do Minimum* and *Do Something* scenarios:

- **Do Minimum - DM**

- Introduction of a right turn holding lane at the Junction of Park Street with Heol y Nant (measure 21);

- **Do Something - DS (inclusive of the above)**

- Deny all access onto St Leonards Road (Measure 18);
- Optimise the Park Street/Angel Street/Tondu Road Junction (Measure 20).

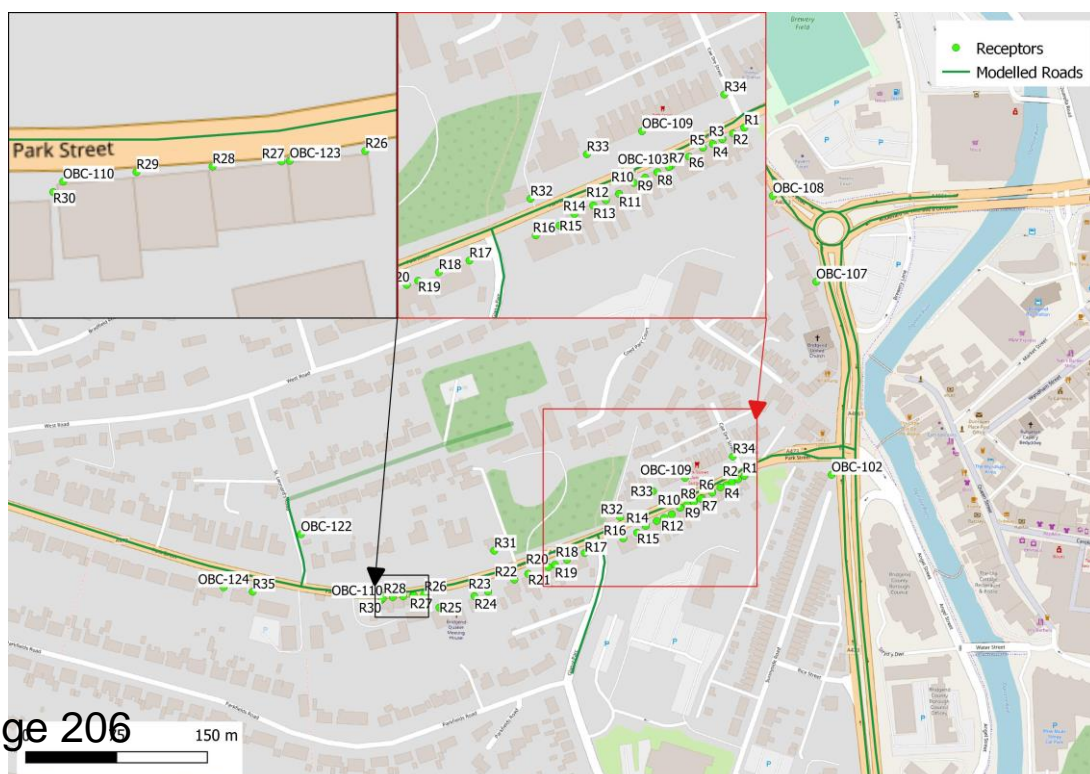
4.12 Under the requirement of Condition 27 of Planning consent P/18/1006/FUL, of the former Ysgol Bryn Castell site (Llangewydd Road, Cefn Glas) there was a requirement to introduce a right turn holding lane at the Junction of Park Street with Heol y Nant. This has been modelled as the **Do Minimum (DM)** scenario in the modelling exercises, as this change has now been implemented. Modelling of the right turning lane demonstrated congestion reduction on Park Street from vehicles turning right onto Heol-y-Nant.

4.13 In order to fully assess the impacts on air quality, the dispersion model has identified 35 receptor points (R1 – R35) along Park Street and surrounding streets in addition to modelling concentrations at the existing monitoring locations on Park Street (designated by the OBC- prefix). These locations allow an assessment of relevant exposure across a wider area to assess the impact of the interventions. The results of analysis are summarised in

4.14

4.15 Table 1 and the locations of the modelling points are shown in Figure 4 below.

**Figure 4 - Air Quality Modelling Locations**



4.16 As detailed in

4.17

4.18 **Table 1** below, the implementation of the right turn holding lane at the Junction of Park Street with Heol y Nant provides an improvement in NO<sub>2</sub> concentrations along Park Street, when compared to the Base year of 2019. However a number of the modelled receptor locations demonstrate continued exceedances of the air quality objective for NO<sub>2</sub>.

4.19 The results indicate that under the **Do Something (DS)** scenario, NO<sub>2</sub> concentrations at the majority of modelled receptor locations would achieve compliance with the annual average air quality objective for NO<sub>2</sub> of 40 µg/m<sup>3</sup> by the end of 2023, if implemented in 2022. This includes all currently monitored locations within the AQMA. Only two of the modelled locations indicate marginal exceedance of the air quality object namely locations R27 and R28 where the NO<sub>2</sub> results are currently forecasted to be 41.5 µg/m<sup>3</sup> and 41.7 µg/m<sup>3</sup> respectively.

**Table 1 - Air Quality Results NO<sub>2</sub> µg/m<sup>3</sup> Park Street AQMA**

Modelling Location Reference	Base 2019	DM 2023	DS 2023
R1	41.6	32.7	31.4
R2	42.0	33.1	31.7
R3	41.1	32.3	31.0
R4	39.9	31.3	30.0
R5	41.5	32.6	31.1
R6	39.0	30.6	29.2
R7	37.0	29.1	27.7
R8	36.2	28.4	27.0
R9	36.2	28.4	27.0
R10	36.2	28.4	27.0
R11	36.3	28.3	27.0
R12	35.2	27.4	26.3
R13	22.1	17.5	16.9
R14	21.6	17.2	16.6
R15	20.3	16.2	15.7
R16	21.4	17.0	16.5
R17	27.5	21.8	20.9
R18	27.5	21.8	20.7
R19	27.1	21.5	20.3
R20	26.9	21.4	20.1
R21	25.4	20.1	18.6
R22	24.1	19.1	17.6
R23	21.8	17.3	16.0
R24	21.5	17.0	15.8

Modelling Location Reference	Base 2019	DM 2023	DS 2023
R25	20.0	15.9	14.8
R26	56.8	44.6	39.2
R27	60.2	47.2	41.5
R28	60.5	47.5	41.7
R29	57.4	44.8	39.1
R30	49.0	38.2	33.4
R31	17.6	14.1	13.3
R32	37.8	29.5	28.1
R33	19.6	15.6	15.1
R34	27.1	21.5	20.7
R35	22.0	14.9	14.8
OBC-103	35.3	27.7	26.4
OBC-123	56.4	44.2	38.8
OBC-124	19.9	13.4	13.3
OBC-110	50.7	39.5	34.6
OBC-122	16.9	12.9	10.9
OBC-107	35.3	29.3	29.1
OBC-108	29.5	23.7	24.8
OBC-104	39.8	31.3	30.0
OBC-109	23.2	18.4	17.7
OBC-102	29.3	23.5	23.1

- 4.20 The draft AQAP is now subject to an ongoing public consultation, which closes on the 21<sup>st</sup> November 2022.
- 4.21 Following completion of the public consultation BCBC/SRS will review the results of the consultation to enable the finalisation of the AQAP with a view that a final AQAP is reported to Cabinet for approval in early 2023 in advance of the final AQAP being submitted to Welsh Government. The final AQAP will provide a full implementation timeline of the preferred measures.

### **Covid-19 Impacts**

- 4.22 The unprecedented circumstances of the COVID 19 pandemic have impacted on local air quality monitoring and the development of the action plan for the Park Street AQMA, both in terms of its scheduling and delivery. Welsh Government has been kept up to date with the position and inevitable delays in delivering the action plan. Welsh Government recognise the need to allow for a further extension period to facilitate the delivery of the action plan as detailed above.

## **5. Effect upon policy framework and procedure rules**

- 5.1 The Report does not have any impacts on 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 EIA 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 SRS & BCBC adopt the principles of The Well-being of Future Generations (Wales) Act 2015 (WFGA). The act is a significant enabler to improve air quality as it calls for sustainable cross-sector action based on the principles of long-term, prevention-focused integration, collaboration and involvement. It intends to improve economic, social, environmental and cultural well-being in Wales to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 7.2 Subject to approval, declaration of the AQMA on Park Street and the subsequent production of an Action Plan, will ensure that future decision making in terms of air quality complies with the WFGA, and the Council meets the five ways of working, as detailed below:
- Long term – The action plan will balance short-term needs of improving air quality, and will also look at measures to safeguard the ability of meeting long-term needs.
  - Prevention – By implementing measures which will be set out in the Action Plan, the Council should ensure improvements in air quality and will be able to prevent air quality deteriorating in the future.
  - Integration – SRS will look to ensure that the work undertaken as part of the Action Plan integrates with public body's environmental well-being objectives.
  - Collaboration –The Action Plan will be developed in collaboration with many departments within the Council and other external organisations, i.e., Public Health Wales.
  - Involvement – The action plan will be subject to public consultation, and will ensure that those who have a strong interest in improving air quality will be fully involved and their ideas considered.

## **8. Financial implications**

- 8.1 SRS has an existing budget to complete a programme of air quality monitoring across Bridgend.
- 8.2 Transport and air quality monitoring within the Park Street AQMA has been completed within the identified budget for this work. Should any further detailed assessments be required, then this would necessitate discussion with the Section 151 Officer as to how that additional work could be funded.

## **9. Recommendations**

Cabinet is requested:

- 9.1. To note the results of air quality monitoring gathered in 2021 and to agree the finalisation of the 2022 Annual Progress Report (attached as Appendix 1) for submission as a final version to Welsh Government by 31<sup>st</sup> December 2022.
- 9.2. To note the progress made in developing the Air Quality Action Plan for Park Street.

**Kelly Watson**  
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**November 2022**

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### **Background documents:**

Appendix 1- Bridgend County Borough Council Local Air Quality Management Annual Progress Report 2022



# Bridgend 2022 Air Quality Progress Report

In fulfilment of Part IV of the Environment Act 1995

Local Air Quality Management

Date: June 2022

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<b>Department</b>	Specialist Enterprise Services
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<b>Report Reference number</b>	2022 Air Quality Progress Report for Bridgend Borough County Council
<b>Date</b>	June 2022



## Executive Summary: Air Quality in Our Area

What has become distinctly apparent is that air Pollution is a local and national problem. Long-term exposure reduces life expectancy by increasing mortality, as well as increasing morbidity risks from heart disease and strokes, respiratory diseases, lung cancer and other effects.

What we know is that poor air quality in Wales poses a significant concern for Public Health and is regarded as the most significant environmental determinant of health. Its associated adverse risk to public health is particularly prevalent within urban areas and near major roads. The pollutants of primary concern for public health are particulate matter and primary/ secondary derived nitrogen dioxide (NO<sub>2</sub>). Both pollutants primarily originate from motor vehicles.

The UK expert Committee on the Medical Effects of Air Pollution (COMEAP) estimates that air pollution is responsible for “an effect equivalent of between 28,000 and 36,000 deaths (at typical ages) each year”<sup>1</sup>. This does not mean there are ‘actual’ deaths from air pollution exposure; rather, that the reduced life expectancy which everyone experiences because of air pollution exposure (6-8 months on average but could range from days to years) is ‘equivalent’ to between 28,000 and 36,000 deaths when summed. In Wales, based on the latest data available (for 2017)<sup>2</sup>, Public Health Wales estimates the burden of long-term air pollution exposure to be the equivalent of 1,000 to 1,400 deaths (at typical ages) each year.

Despite the efforts made by national government and local authorities there is an apparent disconnect between air quality management and Public Health. The status of Air Quality management in Wales focuses upon a hotspot approach and fails to reference other factors such as socioeconomic status or exposure to other environmental determinants of health.

Fundamentally, it is plausible that air pollution affects everyone to some extent. Whilst the legislative air quality limit values are based on epidemiological evidence and are ultimately intended to protect public health, there is also recognition that health effects may be experienced below these thresholds for some of the key pollutants (e.g., PM<sub>2.5</sub> and NO<sub>2</sub>), particularly affecting the most

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<sup>1</sup> COMEAP (2018). Associations of long-term average concentrations of nitrogen dioxide with mortality. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/734799/COMEAP\\_NO2\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf)

<sup>2</sup> Welsh Government StatsWales. <https://statswales.gov.wales/Catalogue/Environment-and-Countryside/Air-Quality/airqualityindicators>

susceptible groups: young children, the elderly and those with pre-existing health conditions and comorbidities. Acknowledged as the triple jeopardy concept- air pollution combines with other aspects of the social and physical environment to create an inequitable disease burden on more deprived parts of society; populations of areas with low socioeconomic status are prone to exacerbated effects from exposure to air pollution. In part this is because they are more likely to suffer pre-existing health conditions because of their poorer living conditions and lifestyle, and also as they are more vulnerable, being more likely to be living in areas with higher levels of air pollution.

The COVID-19 pandemic has impacted air quality at local, regional, and national scales and presented challenges to Local Authorities in undertaking statutory LAQM duties.

As stated in the Bridgend 2021 APR<sup>3</sup>, in 2020 an average reduction of 22% in NO<sub>2</sub> annual mean concentration was experienced at roadside diffusion tube monitoring sites across the County Borough relative to 2019. Although still exceeding the NO<sub>2</sub> annual objective of 40 µg/m<sup>3</sup>, sites OBC-010 and OBC-123 in the Park Street AQMA, saw a reduction in NO<sub>2</sub> annual mean concentration of 21.2% and 24.1% respectively, relative to 2019.

Analysis was undertaken by air quality consultants Ricardo, on behalf of Welsh Government<sup>4</sup>, to assess the impact of lockdown on air quality during the period of the 16<sup>th</sup> of March 2020 to 31<sup>st</sup> of May 2020. This analysis showed decreased concentrations in nitrogen oxides during this period due to reduced emissions with less traffic on our roads.

Analysis of a limited sample of traffic data shows a significant drop in vehicle flows at the time of the lockdown, mostly in the Car/Light Van and Bus categories as expected. The fall-off in vehicle counts for the heavier goods vehicles is less significant.

### **Air Quality in Bridgend**

Local authorities have a statutory duty under Part IV of the Environment Act 1995 & Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 to manage local air quality. Under

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3 <https://www.srs.wales/Documents/Air-Quality/Bridgend/Bridgend-APR-2021.pdf>

4 [https://airquality.gov.wales/sites/default/files/documents/2020-08/Analysis\\_of\\_Welsh\\_Air\\_Quality\\_Data\\_Impacts\\_of\\_Covid-19\\_Final\\_Issue2.pdf](https://airquality.gov.wales/sites/default/files/documents/2020-08/Analysis_of_Welsh_Air_Quality_Data_Impacts_of_Covid-19_Final_Issue2.pdf)

Section 82 of the Environment Act 1995 the Local Air Quality Management (LAQM) process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether air quality objectives are likely to be achieved.

The air quality objectives applicable to LAQM in Wales are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138) and Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298). Where the air quality reviews indicate that the air quality objectives may not be met the local authority is required to designate an Air Quality Management Area (AQMA). Action must then be taken at a local level and outlined in a specific Air Quality Action Plan (AQAP) to ensure that air quality in the identified area improves.

In line with the Local Authorities' statutory duties under Part IV of the Environment Act 1995, in 2021 Shared Regulatory Services (SRS) on behalf of BCBC undertook regular air quality monitoring at specifically allocated locations across Bridgend using automated and non-automated principles for ambient air nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub>) & sulphur dioxide (SO<sub>2</sub>).

With regards to prioritising ambient air quality sampling locations, the Council adopts a risk-based approach to any allocation of monitoring sites, considering the requirements of The Department for Environment, Food and Rural Affairs' (Defra) Local Air Quality Management (LAQM) Technical Guidance 16 (TG16), April 2021. The designated monitoring locations are assigned based on relevant exposure and where the certain Air Quality Objective levels for a particular pollutant applies. TG16 states that annual mean objectives should apply at "All locations where members of the public might be regularly exposed. Building facades of residential properties, schools, hospitals, care homes etc."

Bridgend Council's 2018 APR documented and made the recommendation to implement and raise an Order for an Air Quality Management Area (AQMA), designated to Park Street, Bridgend. On 18th September 2018 BCBC's Cabinet approved the 2018 LAQM APR 2018 for Bridgend. The report examined datasets captured during 2017 and noted that Park Street, Bridgend was an area of particular concern and subsequently an Air Quality Management Area (AQMA) was required. It was reported that two nitrogen dioxide (NO<sub>2</sub>) non-automated monitoring locations situated at residential facades on Park Street, as detailed in Table 1 & Figure 1 recorded elevated and exceeding annual average levels of NO<sub>2</sub> when compared to the annual mean NO<sub>2</sub> Air Quality Objective of 40 µg/m<sup>3</sup>.

**Table 1 - 2017 Park Street Exceedances**

Site ID	Annual Mean Concentration ( $\mu\text{g}/\text{m}^3$ ) AQS = 40 $\mu\text{g}/\text{m}^3$ (2)  2017
OBC- 102	23.7
OBC- 103	37.6
OBC- 104	<b>41.5</b>

Notes: Exceedances of the NO<sub>2</sub> annual mean objective of 40  $\mu\text{g}/\text{m}^3$  are shown in bold.

NO<sub>2</sub> annual means exceeding 60 $\mu\text{g}/\text{m}^3$ , indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in bold and underlined.

(1) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

(2) Diffusion tube data has been “bias adjusted” in accordance with Box 7.11 in LAQM.TG16 and “annualised” as per Boxes 7.9 and 7.10 in LAQM.TG16 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

(3) Diffusion tube data has been corrected for distance to represent relevant exposure in accordance with Sections 7.77-7.79 in LAQM.TG16 “Fall-off in NO<sub>2</sub> concentrations with Distance from the Road”

**Figure 1 – 2017 Park Street NO<sub>2</sub> Monitoring Locations**

Based on the 2017 NO<sub>2</sub> datasets, in accordance with Welsh Government's (WG) Policy Guidance and Section 83 of the Environment Act 1995, SRS/ BCBC was required to legally declare an Air Quality Management Area (AQMA) for Park Street, and in doing so raise an AQMA order that defines the detail and locality of the AQMA.

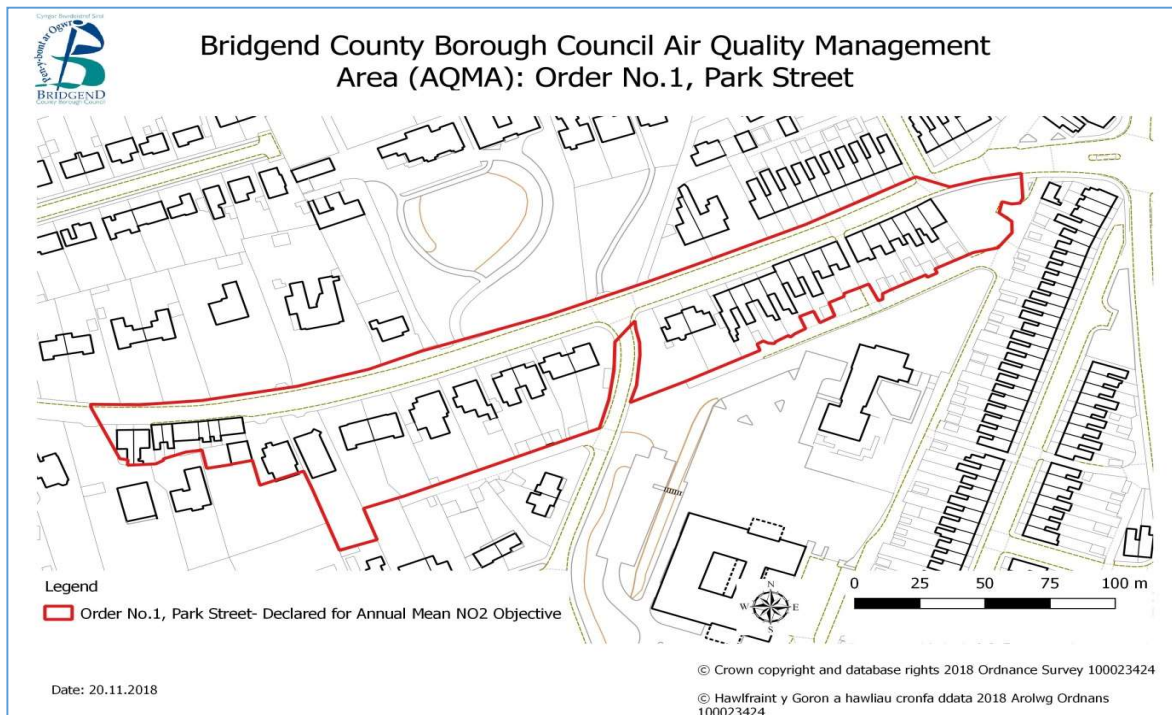
### **Park Street, Bridgend AQMA**

There has been a delay in publishing the Air Quality Action Plan (AQAP) since its declaration in 2019. This delay was caused by the COVID-19 pandemic and associated restrictions. This prevented traffic consultants from gathering accurate data for traffic outputs required to produce the air quality modelling detailed assessment. At the time of writing this report, the draft AQAP has been completed and is due for public consultation in the summer of 2022. A final AQAP will be submitted to Welsh Government later this year once the results of the public consultation have been duly considered.

The Park Street, Bridgend AQMA Order was officially implemented on the 1st of January 2019. The area comprising the Bridgend County Borough Council Air Quality Management Area Order No. 1, Park Street is that contained within the following boundary.

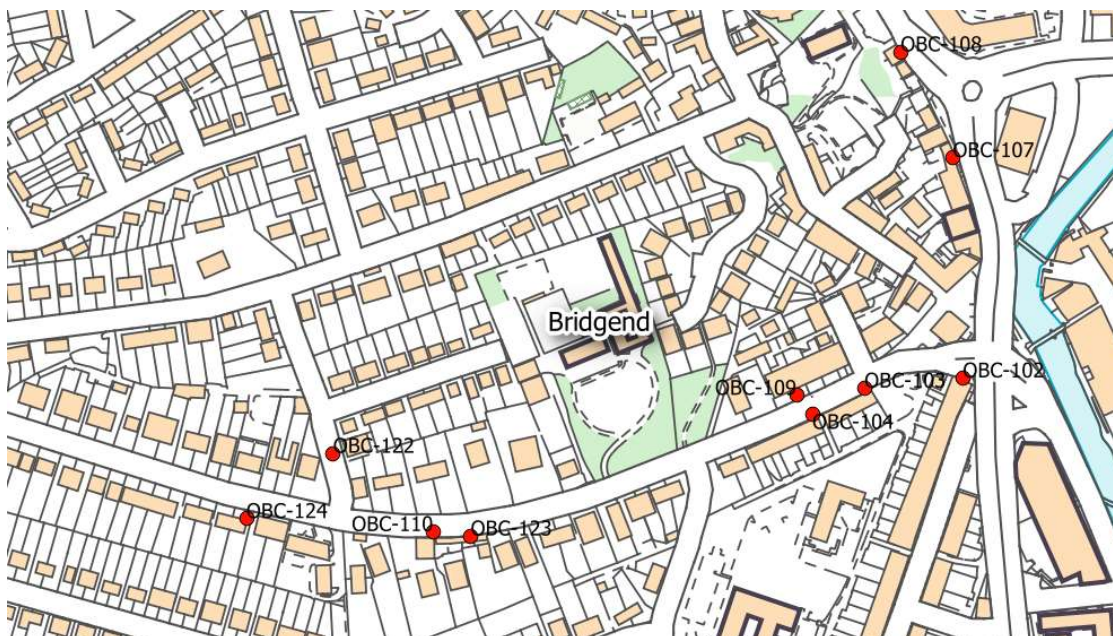
The designated area borders the green space area prior to the rear entrance of properties located on Sunnyside Road. The designated area incorporates all north facing properties, including their open space areas between 39 Park Street and 105 Park Street. The boundaries' northern side borders the open space areas that front the south facing properties encapsulating the public access pathway.

**Figure 2 – Map of Park Street AQMA**

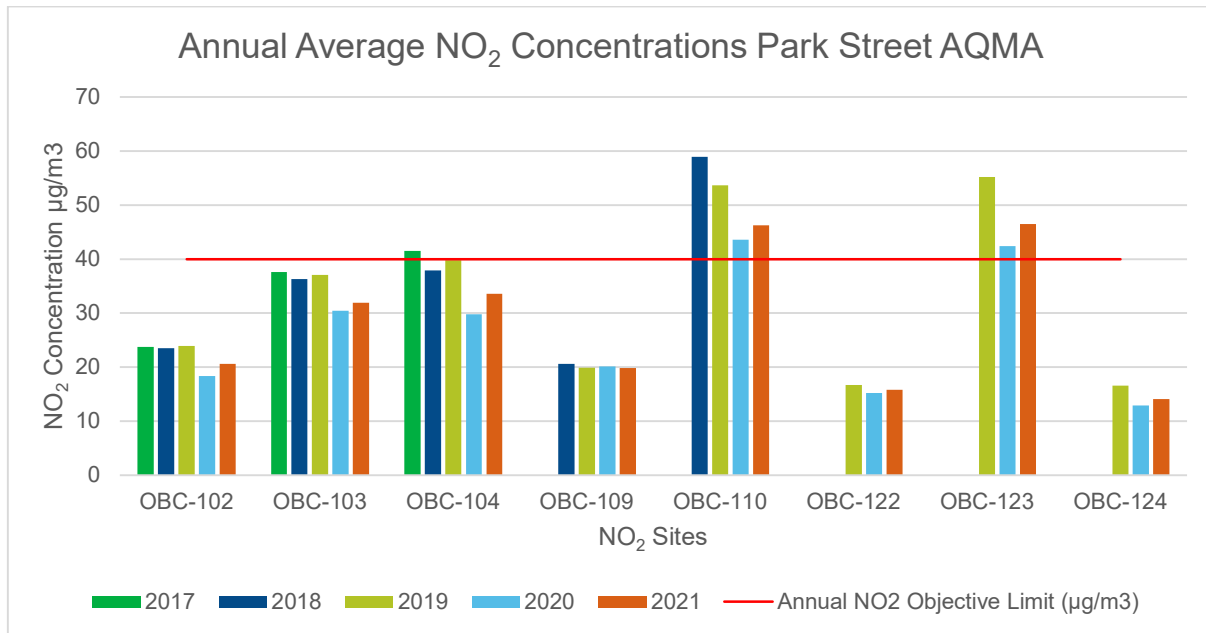


Since 2017, monitoring for NO<sub>2</sub> was further increased along Park Street and adjoining road networks. Figure 3 illustrates the network of monitoring for Park Street & Tondu Road.



**Figure 3 - Park Street AQMA NO2 Monitoring Locations Since 2019**

This Annual Progress Report confirms that in 2021 air quality was a prevalent concern along Park Street and coincides with the geographical boundary of the Park Street, Bridgend AQMA Order raised on the 1<sup>st</sup> January 2019.

**Figure 4 - Park Street AQMA Annual Mean NO<sub>2</sub> Monitoring Results 2017 – 2021**

In **Figure 4** It is noted that in 2021, monitoring undertaken at sites **OBC-110 & OBC-123**, located on Park Street residential facades, exceeds the annual average air quality objective set at (40 µg/m<sup>3</sup>) for NO<sub>2</sub>.

Despite the referenced sites of concern, all other monitoring locations across Bridgend demonstrate compliance with the applicable air quality objectives.

With particular focus on nitrogen dioxide (NO<sub>2</sub>), in December 2020 BCBC introduced an automated air quality monitoring system within the Park Street AQMA. The equipment allows air quality trends to be examined on a high temporal resolution basis and therefore be able to assist with underpinning those short-term periods whereby raised levels of NO<sub>2</sub> and PM<sub>10</sub> are particularly prevalent. This data will be particularly useful in assigning traffic control measures for certain time periods.

SRS/ BCBC examined potential locations along Park Street, within the AQMA boundary to implement the automated air quality monitoring equipment. Following preliminary site visits with air quality monitoring equipment suppliers and Bridgend's Highways Team, it was evident that Park Street posed as a rather difficult area to implement an air quality monitor due to narrow foot ways and



the fact that Park Street is designated as traffic sensitive, only allowing highway works between restricted hours.

To overcome these concerns, it was noted that the Quaker's Meeting House (Bridgend Quaker Meeting, 87 Park St, Bridgend, CF31 4AZ) car park offered a preferable location and would be a representative location for data collection.

SRS & BCBC recognises that to tackle known pockets of poor air quality, a more suitable and constructive approach is required to target the whole of Bridgend, improving overall air quality. With the implementation of correct long-term measures, highlighted road networks and identified areas of concern, Bridgend should be able to benefit from improved air quality.

Welsh Government's guidance on local air quality management recommended two clear goals:

- (1) achieve compliance with the national air quality objectives in specific hotspots and
- (2) reduce exposure to pollution more widely, to achieve the greatest public health benefit.

Collective efforts, therefore, should look beyond targeted action in localised air pollution hotspots and do this in parallel with universal action to reduce risks for everyone.

As stated by WG's policy guidance the following ways of working should be incorporated when devising any AQAP:

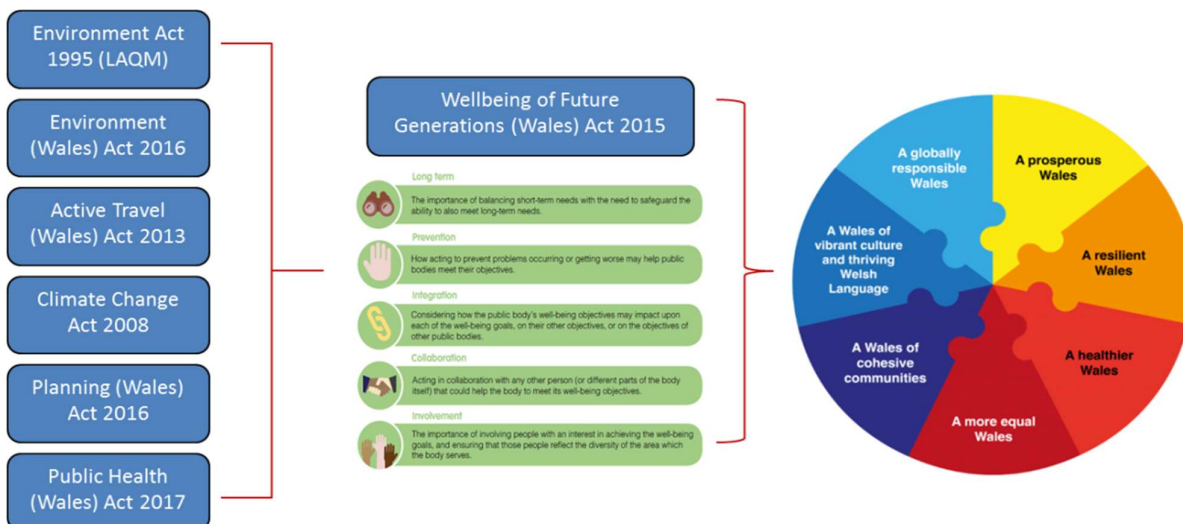
- Looking to the **long term** so we do not compromise the ability of future.
- Generations to meet their own needs.
- Taking an **integrated** approach.
- **Involving** a diversity of the population in the decisions affecting them.
- Working with others in a **collaborative** way to find shared sustainable solutions.
- Acting to **prevent** problems from occurring or getting worse.

In sight of these aspirations SRS & BCBC adopts the principles of The Well-being of Future Generations (Wales) Act 2015. The Act is a significant enabler to improve air quality as it calls for sustainable cross-sector action based on the principles of long-term, prevention-focused integration, collaboration, and involvement. It intends to improve economic, social, environmental, and cultural well-being in Wales to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. The Act places responsibilities on public bodies in Wales to work in new ways (including via Public Services Boards) towards national Well-being goals. Progress is measured against a suite of well-being and Public Health Outcomes Framework indicators; there is one specifically concerned with air pollution.

As Figure 5 illustrates below, the Act is the legislative vehicle for "Health in all Policies in Wales" and provides the underpinning principles for all policy and decision making, including economic

development, in Wales. Reducing air pollution, health risks and inequalities can help contribute to most, if not all, of the well-being goals. As such, the Act presents excellent opportunities to change policy and practice to enhance air quality management arrangements across Bridgend (and wider).

**Figure 5 - The Well-being of Future Generations (Wales) Act 2015 Matrix**



## Welsh Government, Clean Air Plan for Wales, Healthy Air Healthy Wales

At the time of drafting this report WG has published its latest plan which underpins its commitment and long-term ambition to improve air quality in Wales. The plan sets out WG's policy direction and proposed actions to reduce air pollution to support improvement in public health and the natural environment. Actions are proposed across four thematic themes, examined as People, Environment, Prosperity, and Place.

The plan and its proposed actions are available at:

<https://gov.wales/sites/default/files/publications/2020-08/clean-air-plan-for-wales-healthy-air-healthy-wales.pdf>

SRS/ BCBC support the aspirations of the plan and welcome the development of more stringent mitigation measures that will enable a cohesive approach to air quality management and protecting public health and the natural environment.

## Actions to Improve Air Quality

To improve its monitoring capabilities, for 2021 as part of a yearly review SRS have amended and improved the network of diffusion tubes previously assigned in previous years used for the LAQM regime. The amendments include improved monitoring locations to represent the locality of

monitoring objectives and implementation of additional sites to increase the network's geographical footprint.

An automatic air monitoring station was installed within the Park Street AQMA. This monitoring station measures concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). This monitoring station is part of the Welsh Automatic Urban Pollution Monitoring Network. Details of for this monitoring station can be found at <https://airquality.gov.wales/>

### **Local Priorities and Challenges**

For air quality work within Bridgend, the Park Street Air Quality Action Plan (AQAP) is being prioritised. As discussed previously, due to the COVID-19 pandemic there have been delays in achieving statutory timescales for completion of this document. We are keen to hear opinions on this issue from members of the public through the consultation period, and we hope a list of measures for the AQAP can be agreed on. Air quality monitoring within and around the Park Street AQMA will continue and be prioritised during this time.

### **How to Get Involved**

BCBC welcomes any correspondence relating to air quality enquiries or concerns. Shared Regulatory Services (SRS) Specialist Services Team represents BCBC for air quality and therefore is contactable via the webpage [www.srs.wales/en/Home.aspx](http://www.srs.wales/en/Home.aspx) OR via their direct team email [AirQuality-SRSWales@valeofglamorgan.gov.uk](mailto:AirQuality-SRSWales@valeofglamorgan.gov.uk).

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# 1 Actions to Improve Air Quality

## 1.1 Previous Work in Relation to Air Quality

### First Round of Review and Assessment

Between 1999 and 2001, Bridgend County Borough Council published reports corresponding to stages 1, 2 and 3 of the first round of review and assessment of air quality. Seven key pollutants were examined (carbon monoxide, benzene, 1,3-butadiene, lead, nitrogen dioxide, fine particles (PM<sub>10</sub>) and sulphur dioxide). These assessments predicted no exceedances of any of the objectives. It concluded that to fulfil the requirements of the Environment Act 1995, air quality should be reviewed and assessed again in 2003.

### Second Round of Review and Assessment

Following new technical and policy guidance issued by Defra, Bridgend County Borough Council published its first Updating and Screening Assessment (USA) in June 2003. Of the seven pollutants subjected to the updating and screening assessment process, it was concluded that the likelihood of the air quality objectives for carbon monoxide, benzene, 1,3-butadiene, lead, and sulphur dioxide being exceeded was negligible and that it was not necessary to carry out a detailed assessment of any of these pollutants. However, the updating and screening assessment for nitrogen dioxide and PM<sub>10</sub> revealed gaps in the data gathered and concluded that there was evidence to suggest non-compliance with the air quality objectives for PM<sub>10</sub> and NO<sub>2</sub> at three locations resulting from road traffic emissions. It was suggested that there was a requirement to continue to a Detailed Assessment for the following locations:

- A48 Ewenny Cross, Bridgend
- The western end of Cowbridge Road, Bridgend
- The western end of the Bridgend Cross Valley Link Road.

In addition, it was also recommended to carry out a co-location exercise to determine the bias correction for the passive nitrogen dioxide detector tubes provided and analysed by Severn Trent Laboratories.

In July 2005, Bridgend County Borough Council's Local Air Quality Management Progress Report recommended that:

- All currently held data should be, as far as possible, ratified.

- Data shall continue to be gathered from the three sites identified in the June 2003 USA to enable conclusions to be drawn on the current and future air quality at these locations. The results will be presented in a Detailed Assessment of Air Quality at these locations by 31<sup>st</sup> December 2005.
- The mobile PM<sub>10</sub> and NO<sub>x</sub> monitoring station should be added to the Welsh Air Quality Forum Network of sites and receive appropriate Quality Assurance and Quality Control (QA/QC) to validate any data gathered.

In March 2006 a Detailed Assessment for Nitrogen Dioxide and Particles (PM<sub>10</sub>) was and concluded that the current air quality objectives for nitrogen dioxide and particles PM<sub>10</sub> are being met and that the 2010 Air Quality Daughter Directive limit value for nitrogen dioxide will also be achieved at the three road junctions assessed. However, it also recommended that monitoring data from the three road junction sites identified in the June 2003 USA should continue to be gathered to enable assessment of future air quality at these locations.

### **Third Round of Review and Assessment**

Bridgend County Council published its second USA in May 2006. The assessment concluded that there was no requirement to proceed to a detailed assessment for any pollutant in Bridgend County Borough.

The Council published Progress Reports in 2007 and 2008. Both reports coincided with one another, issuing similar conclusions and recommendations. They indicated that no air quality objectives prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002 will be breached at any relevant locations.

In terms of monitoring locations, the reports highlighted the following:

- Data on NO<sub>2</sub> concentrations will continue to be gathered at relevant locations adjacent to A48 Ewenny Cross, the western end of Cowbridge Road and at Tondy Road on the western end of the Bridgend Cross Valley Link Road.
- Monitoring of PM<sub>10</sub> and NO<sub>2</sub> will continue at Kenfig Hill adjacent to the opencast coal site operated by Celtic Energy Ltd.
- Monitoring of NO<sub>2</sub> and sulphur dioxide (SO<sub>2</sub>) will take place at relevant locations adjacent to Rockwool Ltd, Wern Fawr, Pencoed when the new factory extension becomes operational.

### **Fourth Round of Review and Assessment**

The Bridgend County Borough Council published its third USA in June 2009. There was no evidence of any significant breaches of the air quality objectives prescribed in the Air Quality



(Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002, at any relevant locations. The report did however draw attention upon an ongoing trend for NO<sub>2</sub> concentrations at Ewenny Cross, Bridgend, and Tondu Road, Bridgend, at the façade of the nearest houses, to be at or close to the air quality objective for NO<sub>2</sub> for 2007. It was decided that monitoring would continue at the two highlighted sites as part of an ongoing Detailed Assessment to be produced later that year.

The 2010 Progress Report stated the following:

The conclusions for the new monitoring data in relation to Ewenny Cross and Tondu Rd show that Ewenny Cross has exceeded the annual mean National Air Quality Objective for nitrogen dioxide (NO<sub>2</sub>) and this will be reported in depth in the Detailed Assessment to be produced later this year.

The results for nitrogen dioxide at Tondu Rd show that the annual mean National Air Quality Objective for nitrogen dioxide (NO<sub>2</sub>) has not been exceeded. However, in view of the results which are very close to the objective, monitoring will continue at this location for at least another year.

There are no new local developments likely to give rise to a significant impact on air quality within the County Borough.

There are no other issues that give rise to concern in terms of impact on air quality within the County Borough.

The Detailed Assessment for Ewenny Cross is near completion and will be produced in May 2010. A further progress report will be produced early in 2011.

The 2010 Detailed Assessment for Ewenny Cross was subsequently submitted and stated:

This Detailed Assessment of Air Quality has shown that the current air quality objectives for nitrogen dioxide (NO<sub>2</sub>) are not being met at the southwestern sector of Ewenny Cross, Bridgend but are being met at the Bridgend Cross Valley Link, Tondu Road, Bridgend.

In view of the above, the following recommendations have been made:

- Monitoring should continue at its present level at the Bridgend Cross Valley Link, Tondu Road and at Ewenny Cross, Bridgend.

- A continuous monitor, together with a meteorological station, should be installed at or as near to the southwestern sector of Ewenny roundabout as is practical.

Following discussions with Welsh Assembly Government and University of the West of England (UWE) it was decided that the Detailed Assessment should remain ongoing and that any decision

to declare an AQMA for Ewenny Cross should be delayed until continuous monitoring data for 2010 has been collated and analysed.

The 2011 Progress report stated the following:

Following the Detailed Assessment submitted in June 2010 and the response from WAG, the Authority decided, in consultation with WAG and UWE to defer a decision to declare an AQMA for Ewenny Cross until a full calendar year of continuous monitoring data had been collated and analysed.

Due to equipment failure and contractual issues, continuous monitoring at Ewenny Cross has been significantly delayed. Continuous sampling commenced in March 2011 as did a diffusion tube co-location study.

The conclusions from annualised monitoring data obtained since the last report show that one sampling point at Ewenny Cross has exceeded the annual mean National Air Quality Objective for nitrogen dioxide (NO<sub>2</sub>). The other nine around the Cross remain within the annual mean National Air Quality Objective.

The results for nitrogen dioxide diffusion tube monitoring at Tondu Rd show that the National Air Quality Objective's annual mean for nitrogen dioxide (NO<sub>2</sub>) has not been exceeded. However, results are very close to the objective and monitoring will continue at this location for another year.

No continuous PM<sub>10</sub> data could be retrieved for South Cornelly or Kenfig Hill due to equipment failure.

The nitrogen dioxide diffusion tube sampling locations in Maesteg town centre which were set up in July 2010 following local concerns have shown to date, an exceedance at one sampling point. As a result, more monitoring location points have been put in place and will be reported upon in the next USA report.

### **Fifth Round of Review and Assessment**

Bridgend County Council published its fourth USA May 2012. In addition, a Detailed Assessment was submitted for Ewenny Cross. The reports identified:

- There were no indications of any significant breaches of the air quality objectives prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002.

-There was an exceedance of the objective for Nitrogen Dioxide at one location in Maesteg. However, this was marginal and the other sample points in the immediate vicinity were below the National Objectives for Nitrogen Dioxide. Monitoring continued at this site and extra sample sites, in addition to those already in place were set up where practicable. The data so far for this location, in view of the above, does not suggest that a Detailed

Assessment is necessary at this time, although this will be subject to review as more data is collected and analysed.

-The positioning of an Automated Continuous NO<sub>x</sub> Analyser and co-location study at Ewenny Cross has provided robust information as to the air quality situation and indicates that Nitrogen Dioxide levels do not exceed the National Air Quality Objectives. This Automated Continuous NO<sub>x</sub> Analyser will be retained at this site to gather more data over the coming year.

-The Detailed Assessment 2012 completed in tandem with this Report concluded that it is not necessary at this point in time to proceed with declaring an Air Quality Management Area at Ewenny Cross. The situation will continue to be monitored by way of the co-location study utilising the Automated Continuous NO<sub>x</sub> Analyser and the numerous Nitrogen Dioxide Diffusion Tube sites situated at Ewenny Cross.

The 2013 Progress report provided the following findings and recommendations:

- The Report has not identified a need to proceed to a Detailed Assessment for any pollutant.
- The Report has identified a need to continue monitoring for Nitrogen Dioxide in Maesteg Town Centre.
- Monitoring of Nitrogen Dioxide and PM<sub>10</sub> will continue at the same sites as at the end of 2012.

The Automated Continuous NO<sub>x</sub> Analyser and co-location study will continue at Ewenny Cross Roundabout for this year to acquire more robust data. In the light of the acquired data, the positioning and possible relocation of the Automatic Monitoring Station will be decided at the end of 2013.

Bridgend County Borough Council will submit a Progress Report in May 2014.

The 2014 Progress report stated the following:

- the exception of Ewenny Cross Roundabout as highlighted above; the Progress Report has not identified a need to consider proceeding to a Detailed Assessment for any other pollutant.
- Monitoring of Nitrogen Dioxide and PM<sub>10</sub> will continue at the same sites as at the end of 2013.
- Bridgend County Borough Council will submit a progress report in May 2015.

## **Sixth Round of Review and Assessment**

Bridgend County Council published its fourth USA September 2015. The assessment identified no need to proceed to a Detailed Assessment for any pollutant.

2016 Annual Progress Report highlighted no concerns, and no objectives were exceeded.

### **2017 Annual Progress Report**

BCBC's 2017 Annual Progress Report highlighted that air quality within Bridgend County Borough continued to meet the relevant air quality objectives as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002.

Reporting described the amendments to the non-automatic NO<sub>2</sub> network with 10 new locations commissioned for 2017.

Quality and technical issues were outlined regarding the automatic monitoring at Ewenny Cross Roundabout, for both NO<sub>2</sub> and PM<sub>10</sub>. The inability to conform to the frequency of calibration checks and technical issues faced with the PM<sub>10</sub> Met One E Sampler were noted. Data capture was also an issue at the Rockwool Ltd site for SO<sub>2</sub> monitoring, recorded at 47.1%.

### **2018 Annual Progress Report**

BCBC's 2018 Annual Progress Report highlighted elevated and exceeding annual average levels of nitrogen dioxide (NO<sub>2</sub>) and outlined the requirement to proceed to implement and formalise an Air Quality Management Area (AQMA) Order for Park Street, Bridgend. On January 1<sup>st</sup> 2019 an official AQMA Order was raised for Park Street, Bridgend, designated on the basis of exceeding annual average NO<sub>2</sub> air quality objectives/ limit values.

### **2019 Annual Progress Report**

BCBC's 2019 Annual Progress Report highlighted general compliance for monitoring undertaken in 2018, however it did note the elevated and exceeding annual average levels of nitrogen dioxide (NO<sub>2</sub>), especially within and close to the established Park Street AQMA boundary. The report outlined the works initiated to develop an effective Air Quality Action Plan (AQAP) to support the AQMA. In doing so the report highlighted the commitment of a designated work steering group to develop appropriate mitigation measures that would not only benefit the Park Street AQMA "hot spot" but would also generate wider air quality benefits to improve and protect the amenity of public health. The report specified commitments to gather public engagement on the AQAP's development via public drop-in sessions through the course of December 2019. It outlined how suggested mitigation measures would be assessed and

indicated that detailed transportation and air quality modelling would be required to quantify the impacts derived by any preferred options. The report also noted the need for enhanced monitoring capabilities in the form of automated monitoring within the Park Street AQMA to improve understanding and provide a platform for public to access data.

## **2020 Annual Progress Report**

BCBC'S 2020 Annual Progress Report showed continued elevated and exceeding levels of NO<sub>2</sub> at sensitive receptor locations situated on Park Street within the established AQMA Order boundary. Development of Air Quality Action Plan (AQAP) continued, and full approval was given to locate an automatic monitoring station within the Park Street, Bridgend AQMA. Despite the areas of concern within the Park Street AQMA, compliance with the air quality objectives was achieved at all other monitoring locations.

## **2021 Annual Progress Report**

The 2021 Annual Progress Report shown a reduction in NO<sub>2</sub> concentrations at all locations, although still slightly exceeding the annual air quality objective at two locations within Park Street. Monitoring continued at all locations within the Park Street AQMA with the addition of an automatic air quality monitoring station in December 2020.

## **1.2 Air Quality Management Areas**

### **Park Street AQMA**

Welsh Government's (WG) Policy Guidance<sup>5</sup> states;

*4.8 A Local Authority must by order designate as an AQMA any part of its area in which it appears one or more of the national air quality objectives is not being achieved or is not likely to be achieved.*

*4.11 Local Authorities should declare or extend an AQMA as soon as possible after recognising the need for it to be declared or extended. A copy of the new or amended*

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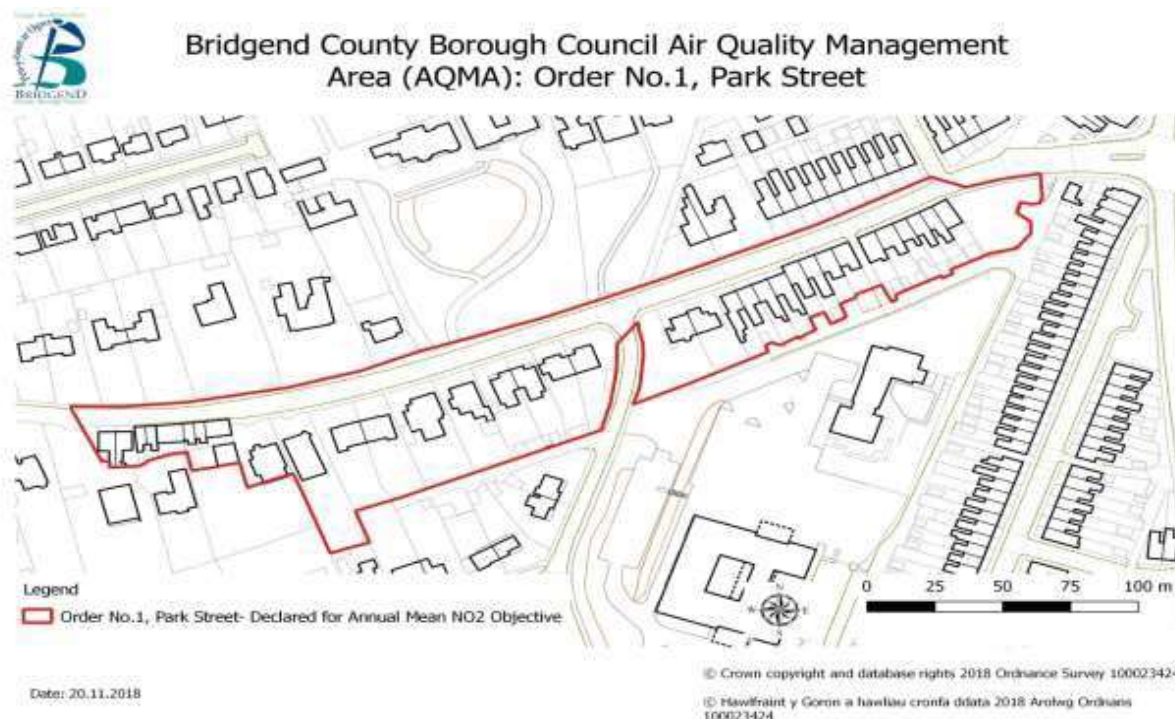
<sup>5</sup> <https://gov.wales/sites/default/files/publications/2019-04/local-air-quality-management-in-wales.pdf>

*AQMA order should be submitted to the Welsh Government and Defra, together with a GIS shape file of the AQMA boundary. The order must also be made public and drawn to the attention of people living and working within the AQMA boundary.*

Based on the 2017 NO<sub>2</sub> datasets, in accordance with WG's Policy Guidance and Section 83 of the Environment Act 1995, SRS/ BCBC is legally required to declare an Air Quality Management Area (AQMA) for Park Street, and in doing so raise an AQMA order that defines the detail and locality of the AQMA.

The Park Street, Bridgend AQMA Order was officially implemented on the 1st of January 2019. The area comprising the Bridgend County Borough Council Air Quality Management Area Order No. 1, Park Street is that contained within the following boundary.

The designated area borders the green space area prior to the rear entrance of properties located on Sunnyside Road. The designated area incorporates all north facing properties, including their open space areas between 39 Park Street and 105 Park Street. The boundaries' northern side borders the open space areas that front the south facing properties encapsulating the public access pathway.

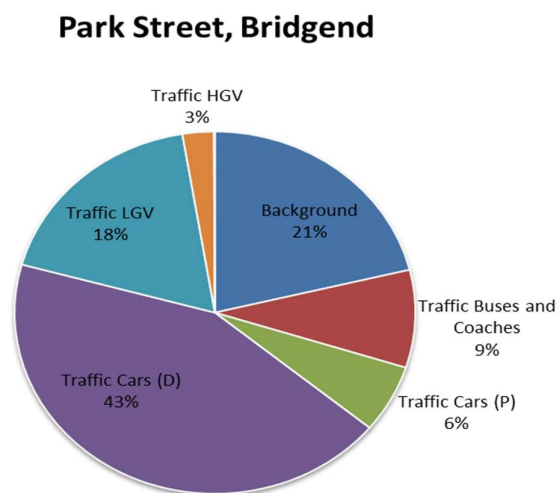


### 1.3 Source Apportionment Analysis

Using the available 2017 DfT manual count data and adopting the guidance outlined in Local Air Quality Management (LAQM) Technical Guidance 16, Box 7.5, the percentage proportion of various vehicle classifications contributing towards measured annual average NO<sub>2</sub> concentrations has been quantified.

The analysis confirms that a large percentage of NO<sub>2</sub> levels experienced at sensitive receptor locations along Park Street is attributed by cars (predominantly diesel models), as well as Light Goods Vehicles (LGVs). The analysis is detailed in Figure 6:

**Figure 6 - Park Street NO<sub>2</sub> Source Apportionment Assessment**



It can thus be concluded that diesel cars are overwhelmingly the main contributor to NO<sub>2</sub> concentrations; therefore, reducing the number of diesel cars (and queuing) on Park Street should be the focus of the action plan for the Park Street AQMA.

### 1.4 Diesel Cars and Increased NO<sub>2</sub>

The high contribution of diesel cars to NO<sub>x</sub> emissions and the resulting concentrations of NO<sub>2</sub> is something that has been widely acknowledged and is an unwanted consequence of a

greater uptake of diesel cars due, in part, to government incentives to reduce emissions of carbon dioxide.

Although NO<sub>x</sub> emissions overall have been declining because of improved engine technology and the transition to electric vehicles, primary NO<sub>2</sub> emissions have increased due to technology designed to lower the emissions of particulate. This is explained in the scientific article 'Emission reduction versus NO<sub>2</sub> air quality concentrations, a trade-off?' by Peter J Sturm and Stefan Hausberger of Graz University of Technology, Austria<sup>6</sup>.

*'The reasons for increasing NO<sub>2</sub> shares are mainly a catalytic exhaust gas after treatment such as diesel oxidation catalysts and coated diesel particulate filter (DPF) and the increasing exhaust gas recirculation rates for modern vehicles. High NO<sub>2</sub> levels at the raw exhaust gas are desired for the passive regeneration of the DPF at lower exhaust gas temperatures. Thus, the exhaust gas after treatment to reduce fine particle emissions is at least partly responsible for the actual NO<sub>2</sub> situation.'*

In accordance with WG's Policy Guidance:

*4.12 A draft action plan must be produced for review by the Welsh Government within **18 months** of the coming-into-force date of the AQMA order, and the action plan must be **formally adopted before two years have elapsed**. A Local Authority failing to produce a draft action plan for review by the Welsh Government within two years of declaring or extending an AQMA will, in the absence of a compelling explanation, be issued with a direction from the Welsh Ministers under section 85(3) of the 1995 Act.*

To develop ideas and ensure an effective AQAP which considers all aspects prioritising public health, an AQAP Work Steering Group has been established consisting of representatives from Bridgend's internal departments of interest, as well as persons from the local Public Services Board (PSB).

In addition to the discussions held by the AQAP Work Steering Group, several informal 'drop-in' sessions were facilitated by the Council in December 2019 which provided opportunity for the public to find out more about air quality in the area, AQAP updates and suggest ideas for the AQAP.

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<sup>6</sup> [https://online.tugraz.at/tug\\_online/voe\\_main2.getVollText?pDocumentNr=145519&pCurrPk=52228](https://online.tugraz.at/tug_online/voe_main2.getVollText?pDocumentNr=145519&pCurrPk=52228)



Collaborating the ideas and suggestions made to date, a list of proposed mitigation measures has been compiled. Table 2 documents the proposed list of mitigation measures for the Park Street AQMA. A further description of each action is provided in the text below .

A qualitative cost benefit analysis assessment has also been provided for each action as detailed in Table 3. The potential actions have been scored for cost benefit and the resulting rank to identify the most deliverable actions. Estimated costs (1 for high cost to 5 for low cost) were multiplied by a sum of the likely benefit from reducing pollution and people's exposure to the pollution (10 for high and 1 for low) to provide a score. The highest score shows the greatest cost benefit according to the opinions of the project team. The measures in Table 3 are listed in order of their ranking score, with the most deliverable at the top.

It is acknowledged that some measures may score highly despite not affecting air pollution, because they instead may help reduce people's exposure to the pollution.

To note; following this indicative Cost Benefit Analysis it has been agreed by the AQAP Work Steering Group to assess in more detail mitigation options that will manage and improve traffic flows through the Park Street AQMA. As previously outlined queuing and inconsistent traffic flows would appear to be the principal cause of the portrayed poor air quality levels. It is also concerning given the level of surrounding development that has been scheduled, as there is the likelihood of increased pressure on the network and consequentially air quality levels along Park Street. It is necessary that to proceed with the development of a successful and meaningful AQAP the Council need to undertake detailed transport and air quality assessments to ensure that correct mitigation measures are considered before any implementation.

Table 2 - Proposed AQAP Mitigation Measures for Park Street AQMA

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
1	Public health information campaign (highlight most vulnerable groups and people with certain health concerns; asthmatics, Chronic Obstructive Pulmonary Disease etc.). Increase public education messages which promote healthier choices for short journeys (<2 miles).	Public Information	Via the internet/ leaflets/ other	Cwm Taf Morgannwg University Health Board/ Public Health Wales/ BCBC/ SRS/ Charity organisations; Global Action Plan; Living Streets/ TfW	<p>The number of hits on website.</p> <p>Number of initiatives delivered.</p> <p>Delivery of a public education campaign.</p> <p>Cross reference obtained air quality results to the applicable air quality objectives.</p> <p>Improvements to those figures outlined in Bridgend LTP 2015 using data acquired by 2011 Census.</p> <p>The 2011 census total, 59,235 of Bridgend residents travelled to work with <b>82.5%</b> travelling by car, or 83% including taxis. About <b>75%</b> of car users were classified as the driver which meant that they travelled alone; 5.5% used public transport; 9% walked or cycled with cycling contributing less than 1% (0.8%); other transport modes including motorcycle constituted 1.1%</p>	No reduction in concentration in Nitrogen Dioxide, however there would be an exposure reduction for residents.	Improved capacity on road network/ reduced congestion/ improved journey times. Improved public awareness. Related health improvements.	Unknown
2	Support the creation of a local "Air Quality Action Group".	Public Information	Via the internet/ leaflets/ other	BCBC/ SRS/ Local Communities Forum/ local Cllrs	Number of associated members.	Negligible	Improved awareness of the issues locally	Unknown

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
3	Increase the monitoring capabilities of the Council with investment in more air quality monitoring techniques. Creation of an online platform linked to the Air Quality Index.	Public Information	Via the internet	BCBC/ SRS; possibility to link with Public Health Wales and an appointed approach in Cardiff.	Cross reference obtained air quality results to the applicable air quality objectives.	N/A	Improved Public awareness.  Improved understanding for air quality trends with the production of diurnal datasets.  Increased understanding for other associated pollutants; PM10/ PM2.5.	Ongoing
4	Electronic “pollutant signage” within AQMA and local area; Signage encourages drivers to switch off their engines in standing traffic queues, linked to signalling. Example; “Do you need to drive today?”	Public Information/ Traffic Management	Other	BCBC/ SRS	Cross reference obtained air quality results to the applicable air quality objectives.	Unknown	Improved Public awareness/ Increase in the use of sustainable alternatives.	Unknown.
5	Signs and banners for engine idling; Signage at key intersections, near junctions and on public transport / taxis encouraging people to switch off	Public Information/ Traffic Management	Other	BCBC/ SRS	Cross reference obtained air quality results to the applicable air quality objectives.	Unknown	Improved Public awareness.	Unknown.

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
6	Develop Supplementary Planning Guidance (SPG) to provide a specific guidance for air quality in accordance with new developments.	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	BCBC/ SRS	Production of an SPG.	N/A.	Improved Street Scene.  Improvements for other environmental factors such as noise and odour.  Optimise the planning process.  Reduced congestion.	Ongoing
7	Planning guidance for the provision of Electric Vehicle Charging Points. To note; EV points are now compulsory in England	Policy Guidance and Development Control	Other	BCBC	Number of properties where a power spur for an electric vehicle charge point is installed.  Number of planning applications approved with a vehicle charge point as an advisory or required condition.	Unknown	% reduction in NOx emissions compared to a diesel/ petrol.  Reduction in PM10 and PM2.5, although some studies do suggest increases associated with EV, therefore enhanced monitoring capabilities particularly for PM is crucial.	Unknown

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
8	Revise BCBC's Walking and Cycling Strategy; Revise the existing 2009 document	Policy Guidance and Development Control/ Promoting Travel Alternatives	Promotion of cycling	BCBC/ SRS	Production of a revised document.	N/A	Related Health improvements.  % reduction in NOx emissions compared to a diesel/ petrol.  Reduction in PM10 and PM2.5.	Unknown
9	Endorse SP19; Biodiversity and Development. Further influence the use of green infrastructure for new developments.	Policy Guidance and Development Control	Other	BCBC/ SRS	Number of trees planted.	Unknown. Provision of a barrier to protect residents and visitors.	Improved street scene.  Absorption of Greenhouse gas emissions.	Ongoing
10	Implement 'smoke control zone' for Bridgend. Wood burners installations would need authorisation to operate and receive permissions in accordance with the Clean Air Act.	Policy Guidance and Development Control	Other policy	BCBC/ SRS	Number of nuisance complaints generated.	Unknown	% reduction in NOx emissions.  Reduction in PM10 and PM2.5.	Unknown
11	School Active Travel Plans	Promoting Travel Alternatives	Incentivise active travel campaign & infrastructure	BCBC/ SRS/ Living Streets "WOW" Scheme/ Sustrans/ WG Young Dragons Educational Package/ Global Action Plan	Number of participating schools.	N/A	Related Health improvements.  Improved public awareness.	Ongoing

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
							Reduced Congestion.	
12	Encourage/ Facilitate homeworking. BCBC/ SRS is one of the largest employers in Bridgend and therefore could look to adopt more flexible/ agile working patterns	Promoting Travel Alternatives	Encourage / Facilitate homeworking.	BCBC/ SRS	Produce Healthy Travel Charter.  Number of individuals enrolled on programme.	Unknown	Quality of life improvements.  Saved costs on office space.  Eliminate time lost travelling to office meaning shorter working days.  Reduced congestion during peak times.	
13	Work with local businesses to develop active travel to work programme's. Cardiff Staff Travel Charter currently being rolled out but only for public sector establishments.	Promoting Travel Alternatives	Other	BCBC/ Cwm Taf Morgannwg University Health Board/ Public Health Wales.	Produce Healthy Travel Charter.  Number of individuals enrolled on programme.	Unknown	Quality of life improvements.  Saved costs on office space.  Eliminate time lost travelling to office meaning shorter working days.  Reduced congestion during peak times.	

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
14	Park and Ride facilities to be implemented at strategic sites (Broadlands)/ Shuttle bus service linking Bridgend train station to strategic points (Broadlands/ Hospital/ Coity/ McArthur Glen). There is also the potential to look at shared shuttle service for persons accessing proposed Health Centres.	Alternatives to private vehicle use	Bus Park and Ride scheme	BCBC/ Bus operators/ TFW	Bus patronage figures.	Unknown	Reduced congestion during peak times.  Bus services profit.	
15	Anti-idling implemented as TROs specific to sensitive areas such as outside schools, hospitals, care homes, as well as Park Street AQMA.  <b>Under Road Traffic (Vehicle Emissions) (Fixed Penalty) Regulations 2003, regulation 6 (3) BCBC has the power to implement "no vehicle idling" areas. BCBC will need to assess the feasibility and likely benefits.</b>	Traffic Management	Anti-idling enforcement	BCBC	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Anti-idling implemented as a TRO specific to Park Street AQMA.	Related Health improvements.  Improved public awareness.	

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
	Run this as a pilot study.							
16	Introduce a pilot scheme "20mph speed limit" to Park Street.	Traffic Management	Reduction of speed limits	BCBC	Evaluation of annual air quality datasets for NO2.  Reduction in vehicle speeds via traffic flow analysis  Any marked improvement in collision/ incident rates.  Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Unknown	Improved road safety.	
17	Ghost right hand turn onto Heol-Y-Nant.	Traffic Management	Strategic highway improvement	BCBC	Reduction in capacity captured via traffic flow analysis.	Unknown	Reduced congestion.	Completed February 2022.
18	Deny all access onto St Leonard's Road for all traffic movements.	Traffic Management	Strategic highway improvement	BCBC	Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Unknown	Reduced congestion.  Improved Road Safety.	
19	Deny a through route movement from Angel Street onto Park Street.	Traffic Management	Strategic highway improvement	BCBC	Reduced capacity on Park Street captured via traffic flow analysis.	Unknown	Reduced Congestion on Park Street.	



No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
20	Optimise the traffic signals at the Tondur Rd/ Park Street/ Angel Street Junction- Adopt a MOVA system. Utilise external consultancy expertise to undertake a feasibility study.	Traffic Management	Strategic highway improvement	BCBC/SRS/ Externally Appointed Consultant	Reduced capacity on Park Street captured via traffic flow analysis.  Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Unknown	Improved road junction efficiency.  Reduced Congestion	
21	Implement a 4-phase junction (3 traffic, 1 pedestrian) at the Heol-y-Nant turning	Traffic Management	Strategic highway improvement	BCBC/SRS/ Externally Appointed Consultant	Reduced capacity on Park Street captured via traffic flow analysis.  Cross reference obtained air quality results on Park Street to the applicable air quality objectives.	Unknown	Improved road junction efficiency.  Reduced Congestion	
22	Bus Programme- Strategic Bus Network. Buses not to use St Leonard's Road due to the experienced access constraints	Transport Planning and Infrastructure	Bus Route Improvements	BCBC/ Bus Operators	Customer satisfaction questionnaires from the bus operators.	Unknown	Improved Road safety at the Park Street/ St Leonard's Junction.  Reduced congestion on Park Street.	

No.	Measure	EU Category	EU Classification	Responsibility/ Lead Authority	Key Performance Indicator	Target Annual Emission Reduction in the AQMA	Associated Improvements	Timescale
	onto and off Park Street.							

## 1.5 Implementation of Action Plan

As highlighted, the unprecedented circumstances of Covid-19 have had an impact on the local air quality monitoring and the development of the action plan for the Park Street AQMA, in terms of its scheduling and delivery. Welsh Government have been made aware of delays to delivering the action plan and making an appropriate decision to undertake any detailed transport and air quality modelling to support the action plan. In doing so Welsh Government recognise the need to allow for an extension period to facilitate the delivery of the DRAFT action plan. It has been confirmed that an extension for the DRAFT action plan has been accepted by Welsh Government's Minister. The draft AQAP is now subject to an ongoing public consultation, which closes on the 21<sup>st</sup> November 2022.

Following completion of the public consultation BCBC/SRS will review the results of the consultation to enable the finalisation of the AQAP with a view that a final AQAP is approved in early 2023 in advance of the final AQAP being submitted to Welsh Government.

The final AQAP will provide a full implementation timeline of the preferred measures.

Table 3 - Cost Benefit Analysis Park Street AQMA

Measure No.	Cost benefit (cost x [pollution reduction + exposure reduction] = score)					
	Measure	Cost 1 = >£1m 2 = £250k-1m 3 = £50k - 250k 4 = £10k - £50k 5 = <£10k	Air pollution reduction 10 = greatest air quality gain 1 = least air quality gain	Exposure reduction 10 = greatest exposure reduction 1 = least exposure reduction	Score = cost x benefit	Rank 1 = most cost benefit effective
20	Optimise the traffic signals at the Tondy Rd/ Park Street/ Angel Street Junction.	4	6	2	32	1
1	Public health information campaign.	5	2	4	30	2
15	Anti-idling implemented as TROs specific to sensitive areas such as outside schools, hospitals, care homes, as well as Park Street AQMA.	5	4	2	30	2
18	Deny all access onto St Leonard's Road for all traffic movements.	4	5	2	28	3
6	Develop Supplementary Planning Guidance (SPG).	5	3	2	25	4
16	Introduce a pilot scheme "20mph speed limit" to Park Street.	5	3	2	25	4

Measure No.	Cost benefit (cost x [pollution reduction + exposure reduction] = score)					
	Measure	Cost 1 = >£1m 2 = £250k-1m 3 = £50k - 250k 4 = £10k - £50k 5 = <£10k	Air pollution reduction 10 = greatest air quality gain 1 = least air quality gain	Exposure reduction 10 = greatest exposure reduction 1 = least exposure reduction	Score = cost x benefit	Rank 1 = most cost benefit effective
7	Planning guidance for the provision of Electric Vehicle Charging Points.	5	3	1	20	6
2	Support the creation of a local "Air Quality Action Group".	5	2	1	15	7
10	Implement 'smoke control zone' for Bridgend.	5	2	1	15	7
12	Encourage/ Facilitate homeworking.	5	2	1	15	7
17	Ghost right hand turn onto Heol-Y-Nant.	5	2	1	15	7

Measure No.	Cost benefit (cost x [pollution reduction + exposure reduction] = score)					
	Measure	Cost 1 = >£1m 2 = £250k-1m 3 = £50k - 250k 4 = £10k - £50k 5 = <£10k	Air pollution reduction 10 = greatest air quality gain 1 = least air quality gain	Exposure reduction 10 = greatest exposure reduction 1 = least exposure reduction	Score = cost x benefit	Rank 1 = most cost benefit effective
14	Park and Ride facilities to be implemented at strategic sites.	2	4	3	14	8
4	Electronic “pollutant signage” within AQMA and local area.	3	2	2	12	9
5	Signs and banners for engine idling	3	2	2	12	9
11	School Active Travel Plans	4	2	1	12	9
22	Bus Programme- Strategic Bus Network.	3	2	2	12	9
3	Increase the monitoring capabilities of the Council.	4	1	2	12	9
19	Deny a through route movement from Angel Street onto Park Street.	4	2	1	12	9

Measure No.	Cost benefit (cost x [pollution reduction + exposure reduction] = score)					
	Measure	Cost 1 = >£1m 2 = £250k-1m 3 = £50k - 250k 4 = £10k - £50k 5 = <£10k	Air pollution reduction 10 = greatest air quality gain 1 = least air quality gain	Exposure reduction 10 = greatest exposure reduction 1 = least exposure reduction	Score = cost x benefit	Rank 1 = most cost benefit effective
8	Revise BCBC's Walking and Cycling Strategy.	5	1	1	10	10
9	Endorse SP19; Biodiversity and Development. Further influence the use of green infrastructure for new developments.	5	1	1	10	10
13	Work with local businesses to develop active travel to work programmes.	5	1	1	10	10

## 1.6 Detailed Transport and Air Quality Assessment

As previously discussed, queuing and inconsistent traffic flows appear to be the principal cause of the measured poor air quality levels in the Park Street AQMA. After the Cost Benefit Analysis, it has been agreed by the AQAP Work Steering Group to assess in more detail mitigation options that will manage and improve traffic flows through the Park Street AQMA, with the principal objective to reduce NO<sub>2</sub> concentrations in line with air quality objectives.

The preferred options of the initial draft AQAP included the following three options under a Do Minimum and Do Something Scenario:

### Do Minimum

- Introduction of a right turn holding lane at the Junction of Park Street with Heol y Nant (Measure 17). This was implemented by the developer (Persimmon) of the former Ysgol Bryn Castell site (Llangewydd Road, Cefn Glas) under the requirement of Condition 27 of Planning consent P/18/1006/FUL. It was opened to traffic in February 2022.

### DoSomething

- Deny all access onto St Leonards Road (Measure 18);
- Implementation and optimisation of 4-phase junction at Park Street. Angel Street/Tondu Road Junction (Measure 20).

SRS/ BCBC commissioned external consultants to undertake transport and air quality modelling work for the above options to illustrate any benefits to nitrogen dioxide currently identified as exceeding objective limits. Since the above measures work in conjunction with one another, the two scenarios where transport and air quality modelling have been undertaken would assess two options cumulatively as one preferred scenario.

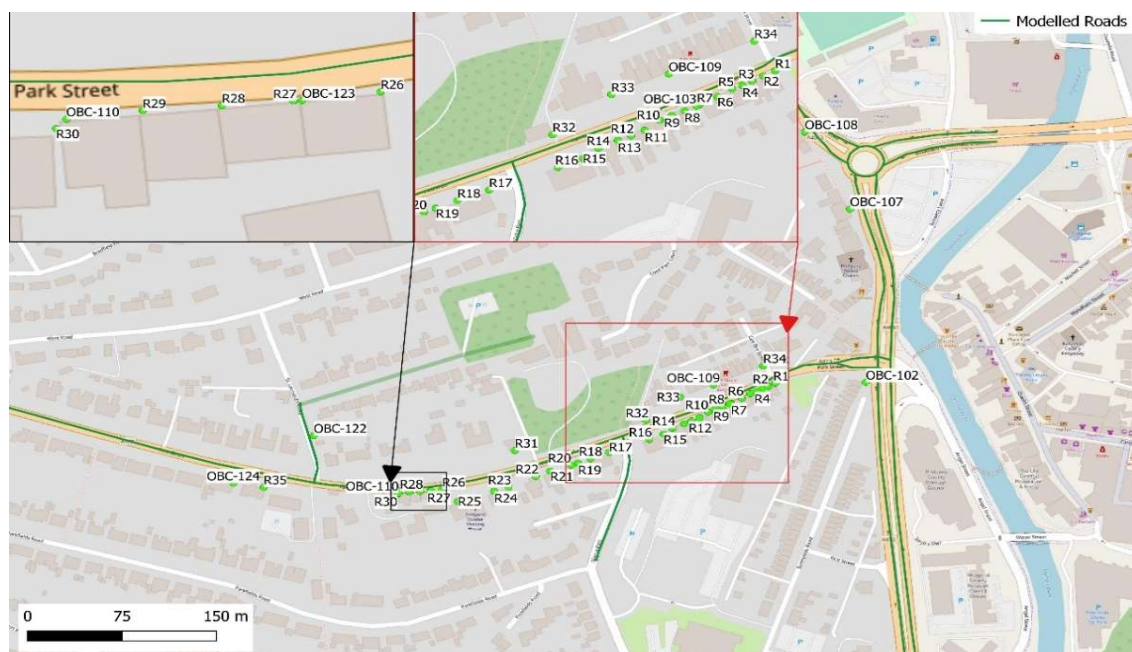
To fully assess the impacts on air quality, the air quality dispersion model has identified 35 receptor points along Park Street and surrounding streets in addition to modelling concentrations at the existing monitoring locations on Park Street. These locations allow an assessment of relevant exposure across a wider area to assess the impact of the interventions.



The study area includes all roads within 200 metres of the AQMA in the traffic model and the A473 between Boulevard de Villenave d'Ornon/Tondu Road roundabout and the junction with Merthyr Mawr Road. Traffic changes have been screened between the DM and DS scenario to establish if there is the potential for traffic flow increases to cause a significant worsening of air quality. Traffic flow changes were compared against screening criteria within Table 6.2 of the Institute for Air Quality Management's Land-Use, Planning & Development Control: Planning for Air Quality<sup>7</sup>. There was only one other location outside of study area which breached the traffic screening thresholds, which is Tondu Road north of Boulevard de Villenave d'Ornon/Tondu Road roundabout which is estimated to experience an approx. 1,000 AADT increase. However, OBC-108 presented in Figure 7 - Air Quality Modelling Locations Figure 7 is estimated to experience concentrations of  $24.8 \mu\text{g}/\text{m}^3$   $\text{NO}_2$  in 2023. OBC-108 is considered a conservative representation of  $\text{NO}_2$  concentrations along Tondu Road and 1,000 AADT is not considered a compliance risk for  $\text{NO}_2$  air quality objectives given existing concentrations are  $24.8 \mu\text{g}/\text{m}^3$ .

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<sup>7</sup> <https://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

**Figure 7 - Air Quality Modelling Locations**

As detailed in Table 4 below, the implementation of the dedicated right turn from Park Street onto Heol-y-Nant under the DM 2023 scenario provides an improvement in NO<sub>2</sub> concentrations at the worst affected receptors along Park Street, when compared to the base year of 2019. However, several of the **modelled receptor** locations demonstrate continued exceedances of the air quality objective for NO<sub>2</sub>.

Table 4 also demonstrates the results of the do something scenario. This includes denying access to St Leonards Road from Park Street and Tondy Road/Park Street, signalling improvements with the addition of the Heol-Y-Nant right turn. The modelled concentrations show further improvements with only two **modelled receptors** slightly exceeding the annual objective limit for NO<sub>2</sub> of 40 µg/m<sup>3</sup>. Concentrations of NO<sub>2</sub> at all existing monitoring locations are identified to be compliant with the air quality objective.

Table 4 - Modelled Air Quality Results Park Street AQMA

Receptor ID	NO <sub>2</sub> (µg/m <sup>3</sup> ) Base 2019	NO <sub>2</sub> (µg/m <sup>3</sup> ) DM 2023	NO <sub>2</sub> (µg/m <sup>3</sup> ) DS 2023	NO <sub>2</sub> (µg/m <sup>3</sup> ) DS-DM
R26	56.8	44.6	39.3	-5.4
R27	60.2	47.3	41.6	-5.7
R28	60.5	47.5	41.8	-5.8
R29	57.4	44.9	39.3	-5.6
R30	49.0	38.3	33.6	-4.7
R35	22.0	16.1	16.4	0.3
OBC-124	19.9	14.6	14.9	0.4
OBC-108	29.5	23.7	24.8	1.1

Figure 8 – Comparisons of NO<sub>2</sub> Concentrations from Modelled Scenarios

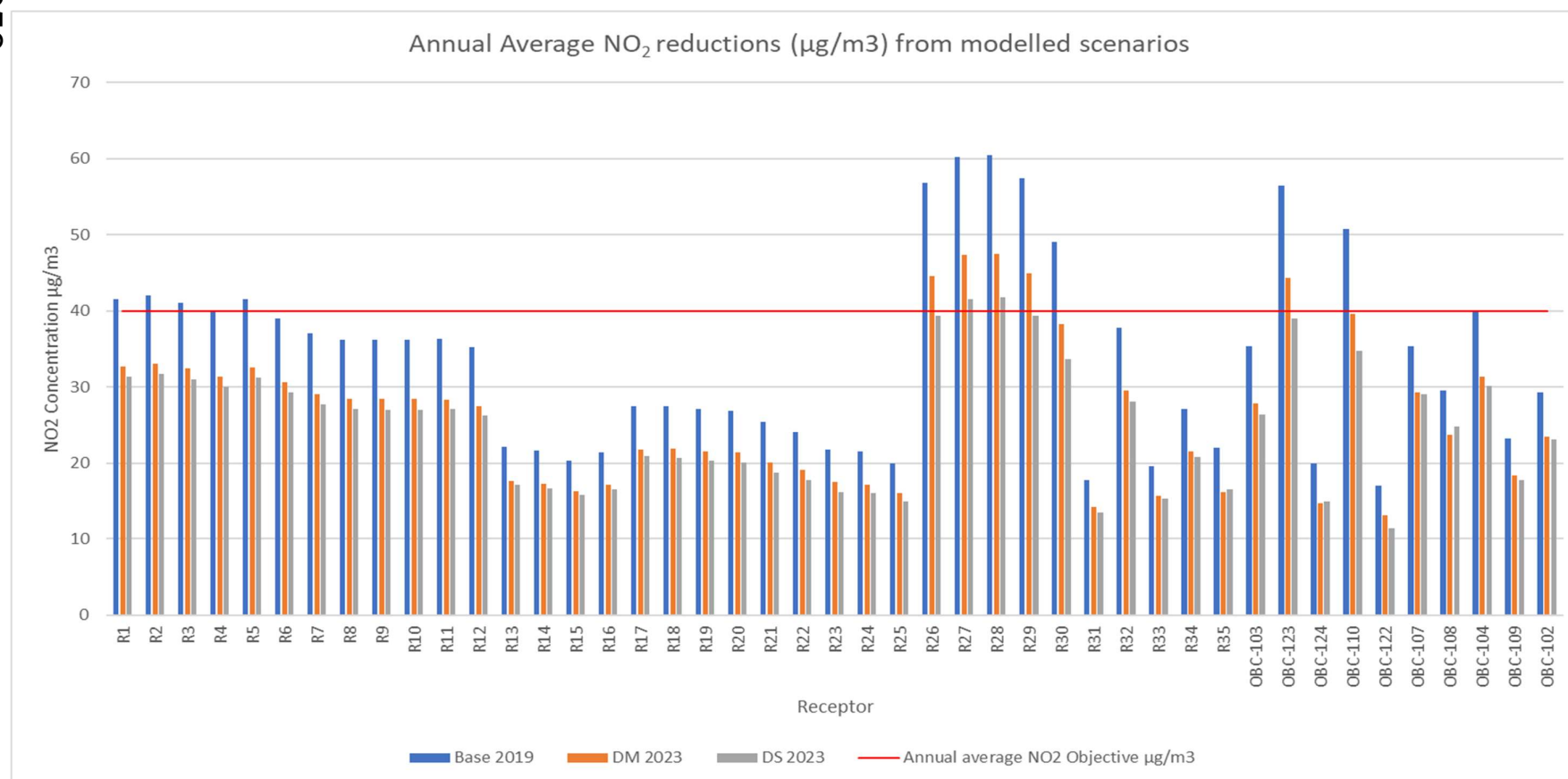


Figure 8 still shows slight exceedances at two receptors with the implementation of the 'do something' scenario, although this still a 12% improved reduction from base 2019 NO<sub>2</sub> concentrations.

Following the detailed modelling work it has been demonstrated that all but two currently monitored locations within the Park Street AQMA are classed as being compliant. Two modelled receptor locations do continue to show exceedance of the NO<sub>2</sub> annual mean after the DS schemes have been implemented. However, when the model uncertainty is factored in, an additional two modelled receptors in the Park Street AQMA are still likely to be in exceedance. The non-compliant and 'at risk' receptors all feature on one row of houses along Park Street, where high concentrations are due to receptors being so close to the road (<1 metre).

It is recommended to implement the changes described in the 'do something' scenario as modelling shows that these changes will decrease Nitrogen Dioxide concentrations by up to 12% at the worst affected receptors. Further measures may also be required to improve air quality for a small section of Park Street to fully achieve compliance with the NO<sub>2</sub> annual mean.

## **2 Air Quality Monitoring Data and Comparison with Air Quality Objectives**

### **2.1 Summary of Monitoring Undertaken in 2021**

#### **2.1.1 Automatic Monitoring Sites**

This section sets out what monitoring has taken place and how results compare with the objectives.

SRS on behalf of BCBC undertook automatic (continuous) monitoring at the Park Street AQMA site during 2021. Table 5 presents the details of the sites. The monitoring site measures nitrogen dioxide, PM10 and forms part of the Welsh Air Quality Network. The station is calibrated by a Local Authority Officer on a fortnightly basis and serviced and maintained by an approved contractor on a six-monthly basis following QA/QC checks. Data obtained from the monitor is checked for validation and ratified by Ricardo-AEA. Monitoring results are available at <https://airquality.gov.wales/>

A Map showing the location of the automatic monitoring site is provided in Figure

#### **2.1.2 Non-Automatic Monitoring Sites**

SRS on behalf of BCBC undertook non- automatic (passive) monitoring of NO<sub>2</sub> at 32 sites during 2021, and Table 6 presents the details of the sites.

Maps showing the location of the monitoring sites are provided in Figure 10. Further details on Quality Assurance/Quality Control (QA/QC) and bias adjustment for the diffusion tubes are included in Appendix C.

Table 5 - Details of Automatic Monitoring Sites

Site ID	Site Name	Site Type	Associated with (Named) AQMA?	X OS Grid Reference	Y OS Grid Reference	Pollutants Monitored	Monitoring Technique	Inlet Height (m)	Distance from monitor to nearest relevant exposure (m) (1)	Distance from Kerb to Nearest Relevant Exposure (m)	Distance from Kerb to Monitor (m)
AQMA 1	Bridgend Park Street AQMA	Roadside	Y	290040	179704	NO2, PM10	Chemiluminescence / Beta Attenuation Monitor with Gravimetric Equivalence	1.5	4	5.5	1.5

**Notes:**

(1) 0m indicates that the sited monitor represents exposure and as such no distance calculation is required.

Figure 9 Map of Automatic Monitoring Site in Park Street

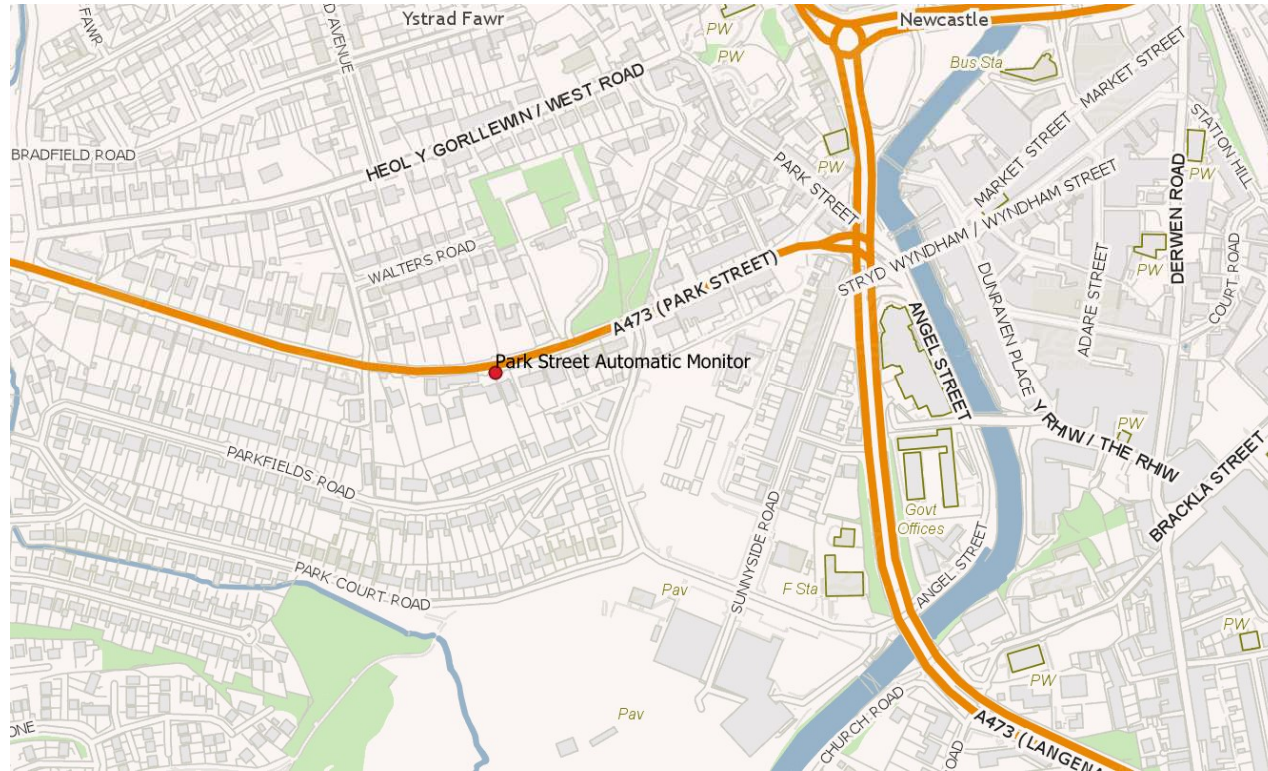




Table 6 - Details of Non-Automatic Monitoring Sites

Site ID	Area	Site Name	Site Type	X OS Grid Ref.	Y OS Grid Ref.	Site Height (m)	Pollutants Monitored	In AQMA	Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with (m) to relevant exposure)	Distance to kerb of nearest road in metres	Worst-case Location?
TONDU ROAD ROUNDABOUT												
OBC-107	A	Tondu Road	Roadside	290347	179959	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
OBC-108	A	Tondu Road	Kerbside	290311	180032	2	NO <sub>2</sub>	N	N	(Y) 0.00	0.9	Y
EWENNY CROSS ROUNDABOUT												
OBC-113	B	Priory Avenue	Roadside	290616	178394	2	NO <sub>2</sub>	N	N	(Y) 0.00	10	Y
OBC-115	B	Ewenney Road	Roadside	290667	178529	2	NO <sub>2</sub>	N	N	(Y) 0.00	12	Y
NOLTON STREET/ EWENNY CROSS LINK/ A473 COWBRIDGE ROAD												
OBC-105	C	Cowbridge Road	Roadside	290899	179185	2	NO <sub>2</sub>	N	N	(Y) 0.00	4.1	Y

OBC-106	C	Cowbridge Road	Kerbside	290826	179210	2	NO <sub>2</sub>	N	N	(N) 3.30	0.9	N
OBC-111	C	Cowbridge Road	Roadside	290700	179305	2	NO <sub>2</sub>	N	N	(Y) 0.00	4.95	Y
OBC-112	C	Cowbridge Road	Kerbside	290798	179244	2	NO <sub>2</sub>	N	N	(Y) 0.00	0.9	Y
OBC-121	C	Cowbridge Road	Roadside	291540	178734	2	NO <sub>2</sub>	N	N	(Y) 0.00	5	Y
BRIDGEND TOWN CENTRE												
OBC-101	D	Bridgend town Centre	Urban Centre	290469	179837	2	NO <sub>2</sub>	N	N	(Y) 0.00	1	Y
PARK STREET												
OBC-102	E	Sunnyside Street	Roadside	290354	179807	2	NO <sub>2</sub>	N	N	(Y) 0.00	2.95	Y
OBC-103	E	Park Street	Roadside	290250	179782	2	NO <sub>2</sub>	Y	N	(Y) 0.00	1.2	Y
OBC-104	E	Park Street	Roadside	290286	179800	2	NO <sub>2</sub>	Y	N	(Y) 0.00	1.05	Y
OBC-109	E	Park Street	Roadside	290239	179795	2	NO <sub>2</sub>	Y	N	(Y) 0.00	7.5	Y
OBC-110	E	Park Street	Kerbside	289988	179701	2	NO <sub>2</sub>	Y	N	(Y) 0.00	0.9	Y
OBC- 122	E	St Leonards Road	Kerbside	289919	179755	2	NO <sub>2</sub>	N	N	(N) 4.00	1	N

OBC- 123	E	Park Street	Roadside	290014	179698	2	NO <sub>2</sub>	Y	N	(Y) 0.00	0.9	Y
OBC- 124	E	Park Street	Roadside	289859	179710	2	NO <sub>2</sub>	N	N	(Y) 0.00	7	Y
OBC-131		Park Street Co-Location	Roadside	290041	179303	1.5	NO <sub>2</sub>	Y	Y	(Y) 0.00	1	Y
OBC-131		Park Street Co-Location	Roadside	290041	179303	1.5	NO <sub>2</sub>	Y	Y	(Y) 0.00	1	Y
OBC-131		Park Street Co-Location	Roadside	290041	179303	1.5	NO <sub>2</sub>	Y	Y	(Y) 0.00	1	Y
COITY ROAD												
OBC-097	F	Coity Road, Bridgend	Roadside	290687	180185	2	NO <sub>2</sub>	N	N	(Y) 0.00	5.3	Y
OBC-099	F	Coity Road, Bridgend	Roadside	290663	180251	2	NO <sub>2</sub>	N	N	(Y) 0.00	5.6	Y
MAESTEG TOWN CENTRE												
OBC-125	G	Commercial Street, Maesteg	Roadside	285299	191136	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
OBC-128	G	Mill Street, Maesteg	Roadside	286218	189805	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
PORTHCAWL												
OBC-120	H	New Road. Porthcawl	Kerbside	282264	177237	2	NO <sub>2</sub>	N	N	(Y) 0.00	0.9	Y

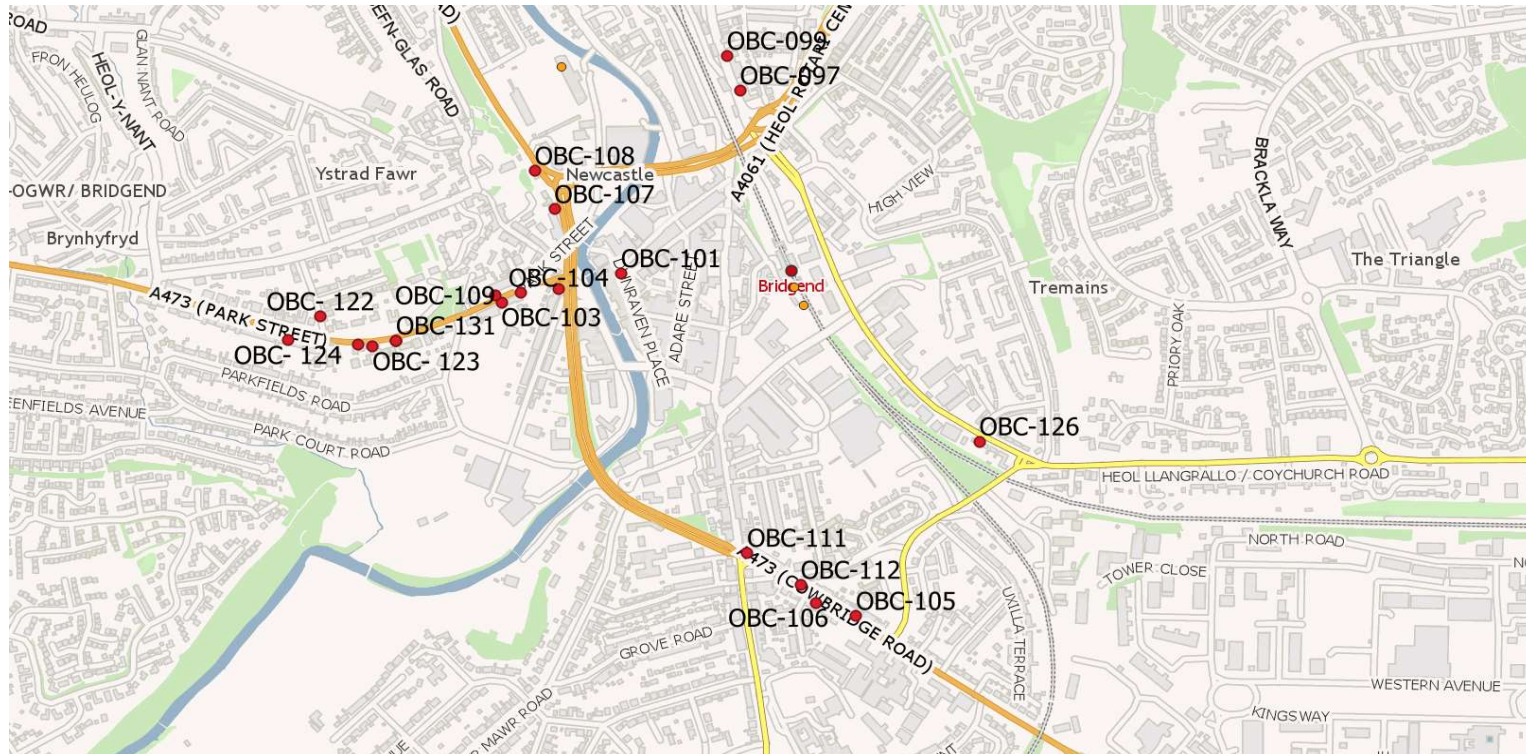
PENCOED												
OBC-116	I	Hendre Road, Pencoed	Kerbside	295886	181642	2	NO <sub>2</sub>	N	N	(Y) 0.00	0.9	Y
OBC-117	I	Hendre Road, Pencoed	Roadside	295641	181687	2	NO <sub>2</sub>	N	N	(Y) 0.00	8.4	Y
OBC-129	I	Wern Fawr (Near Rockwool)	Urban Background	296439	184111	50	NO <sub>2</sub>	N	N	(Y) 0.00	N/A	Y
OBC-133	I	Coychurch Road	Roadside	295899	181363	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
TREMAINS ROAD												
OBC-126	J	Tremains Road	Roadside	291125	179517	2	NO <sub>2</sub>	N	N	(Y) 0.00	8.2	Y
COYCHURCH ROAD, BRACKLA												
OBC-127	K	Coychurch Road	Roadside	292236	179473	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
A4061 / BLACKMILL ROAD												
OBC-130	L	Opposite Mason Arms	Roadside	291386	184168	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y
OBC-132	L	Meadow View	Roadside	293418	186662	2	NO <sub>2</sub>	N	N	(Y) 0.00	2	Y

**Notes:**

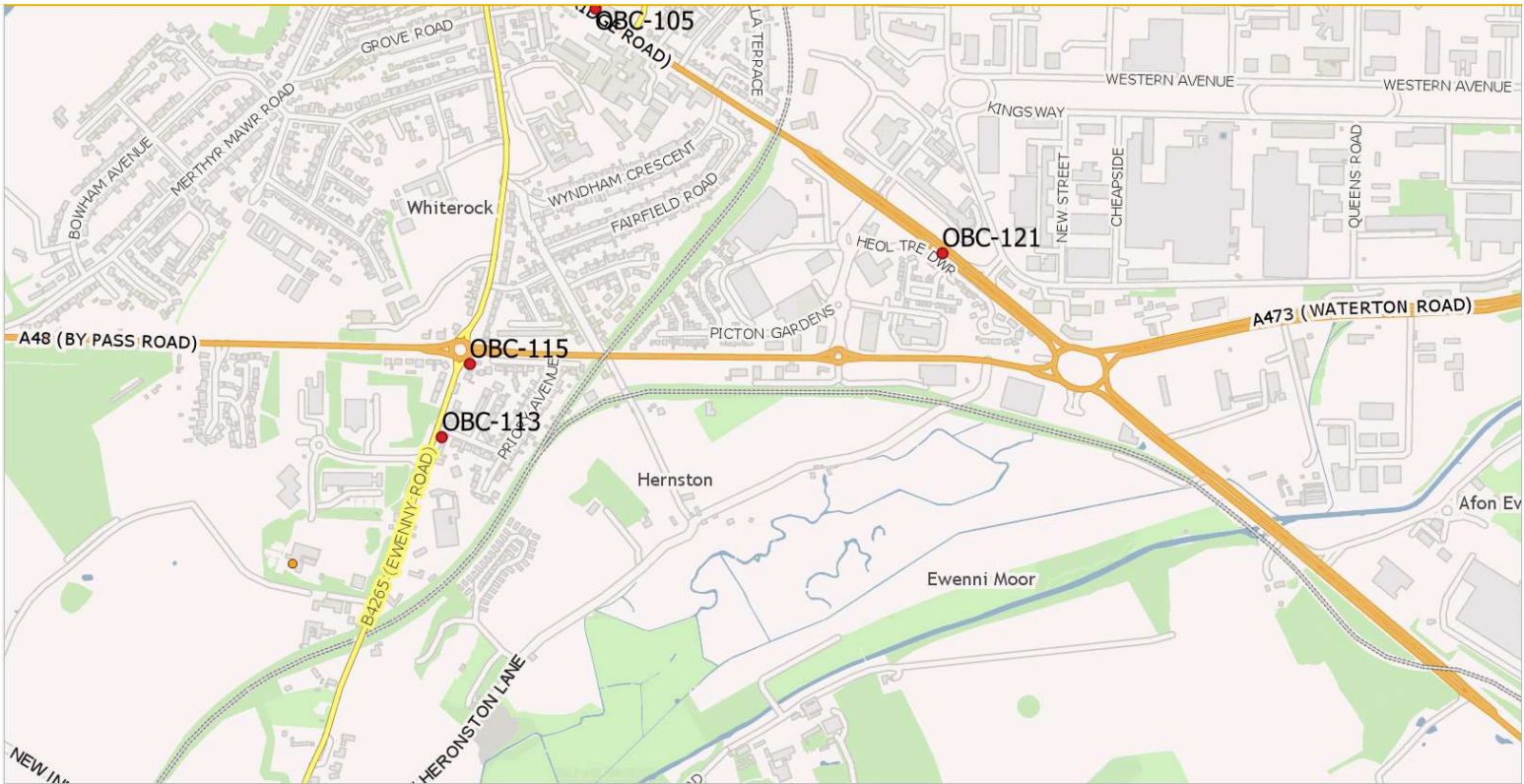
- (1) 0m indicates that the sited monitor represents exposure and as such no distance calculation is required.

Figure 10 - Map of Non-Automatic Monitoring Sites in Bridgend

Park Street AQMA / Bridgend Town Centre / Coity Road / Cowbridge Road

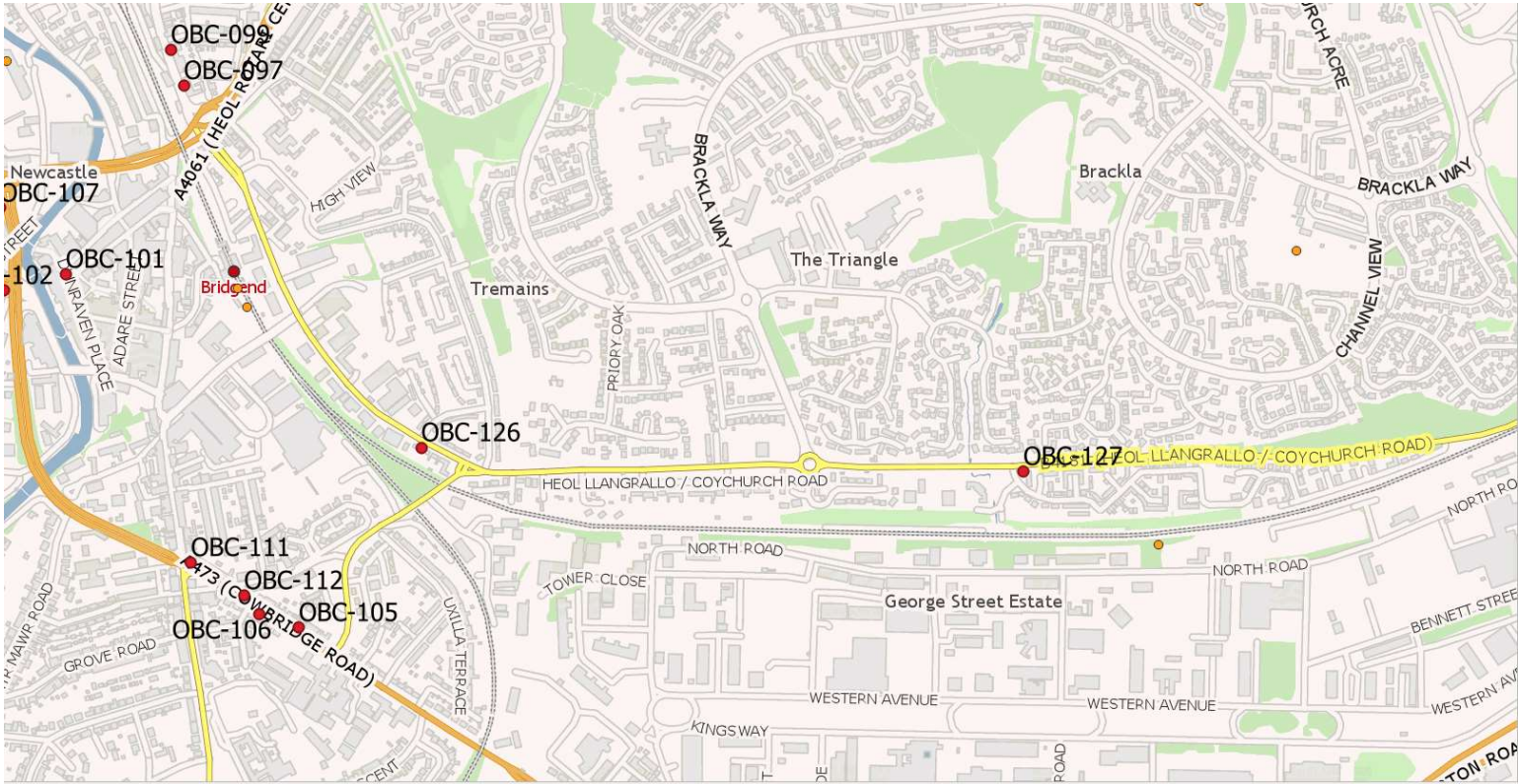


Ewenny Cross Roundabout A48 / A473 Cowbridge Road





Tremains Road / Brackla

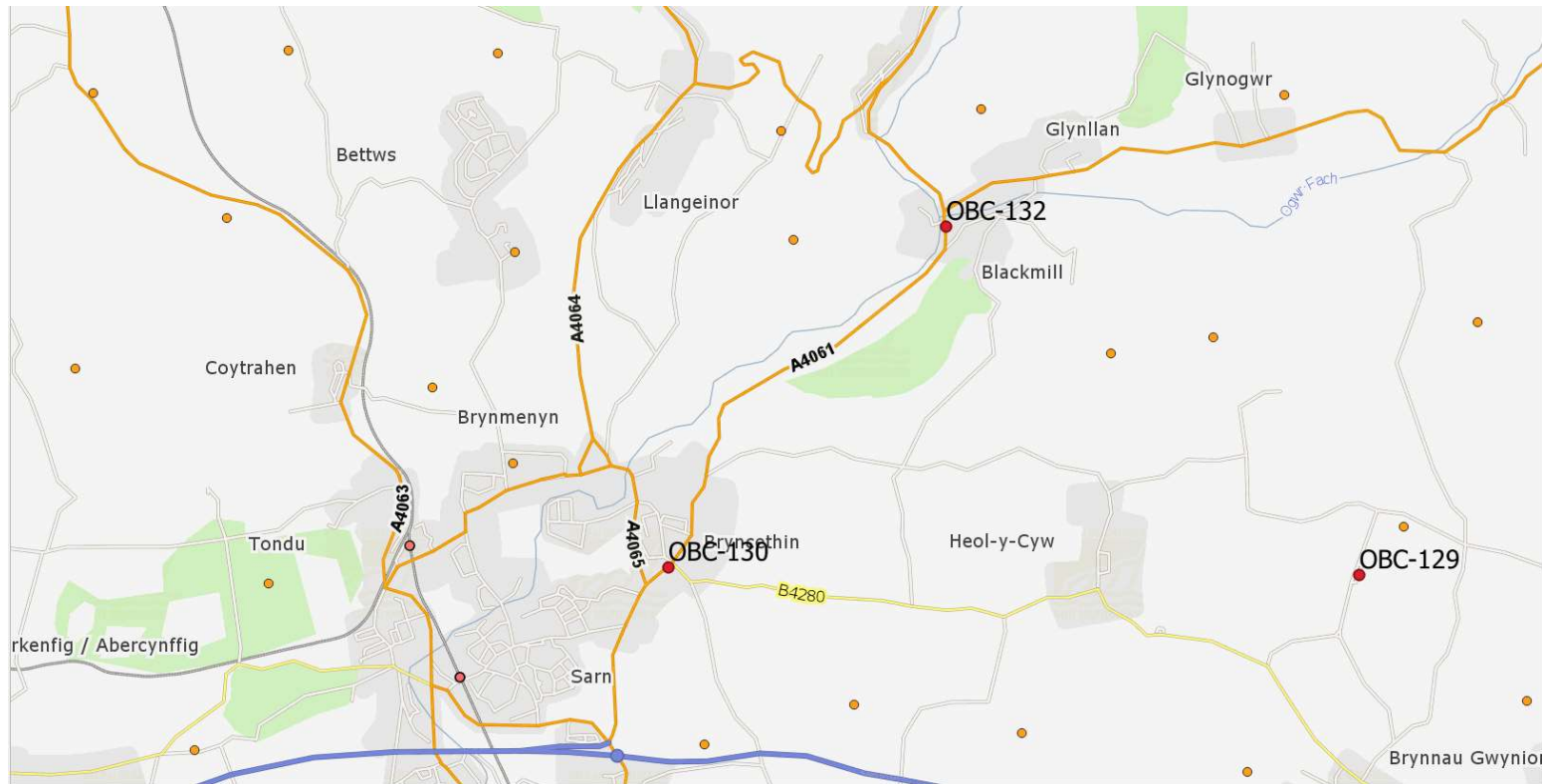




Maesteg



### Blackmill Road / A4061

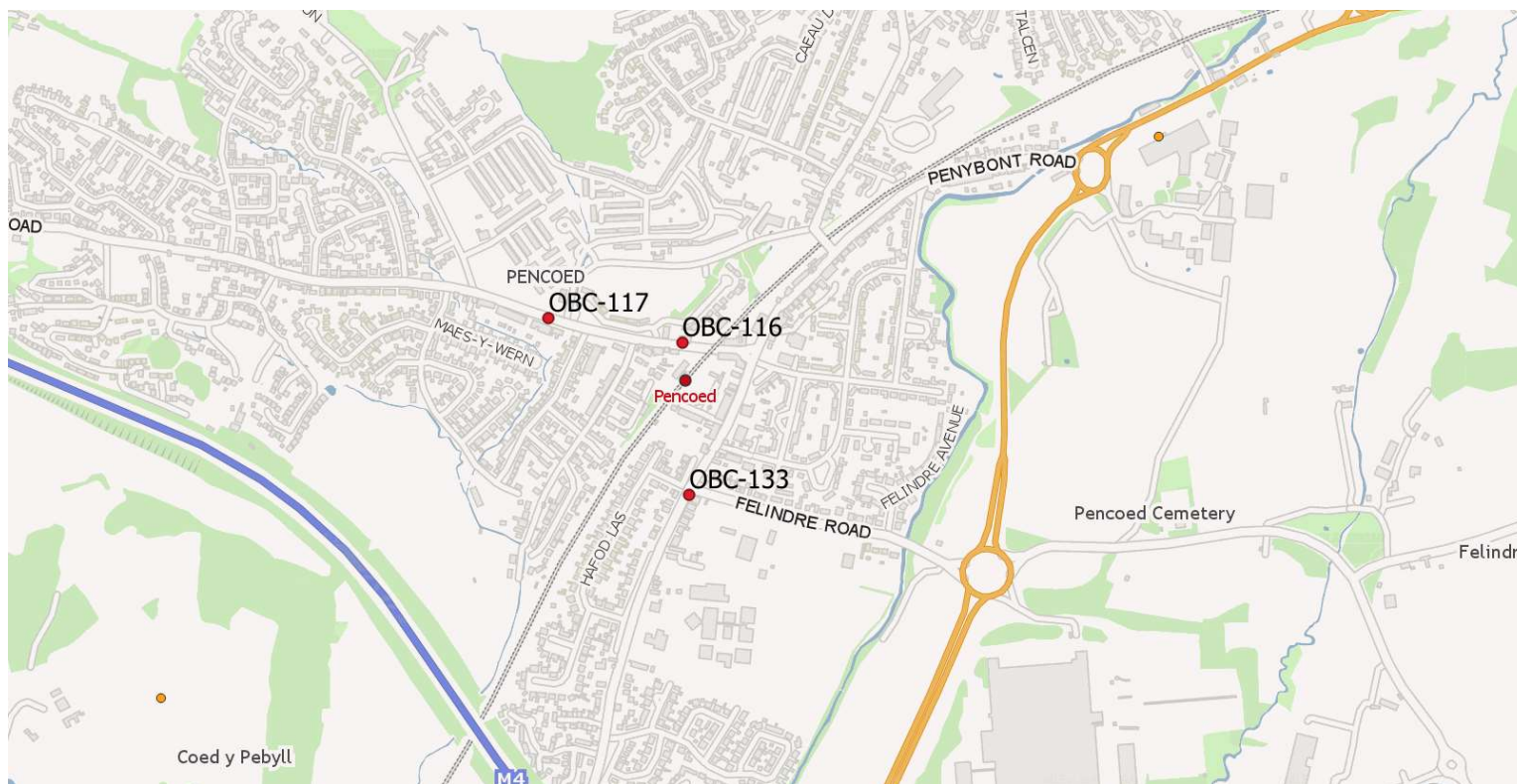


Porthcawl

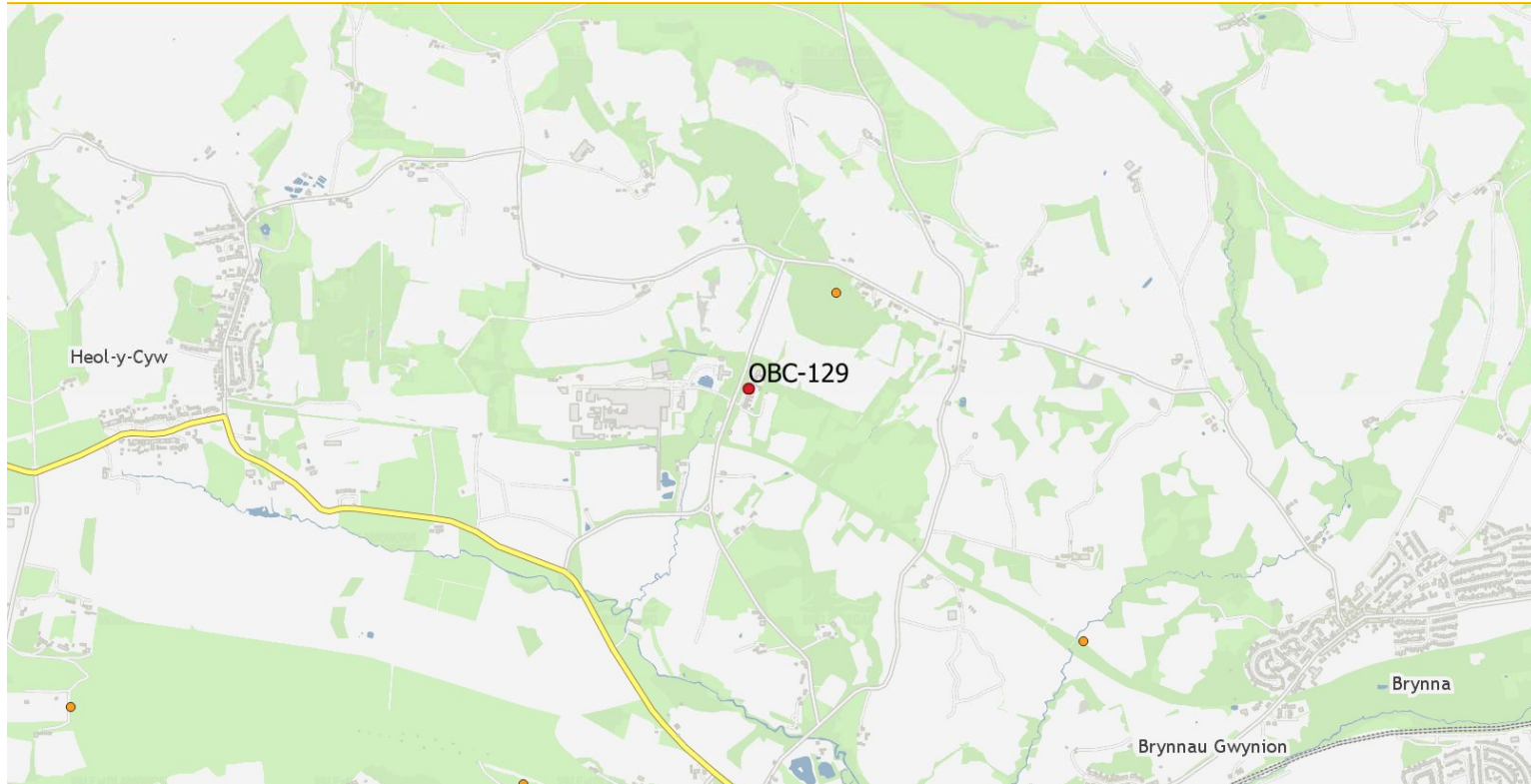




# Pencoed



**Wern Fawr near Pencoed**



## 2.2 2021 Air Quality Monitoring Results

### 2.2.1 Annual NO<sub>2</sub> Monitoring results

Table 7 - Annual Mean NO<sub>2</sub> Concentration Park Street Automatic Monitor

Site ID	Site Type	Within AQMA?	Valid Data Capture 2021 % (2)	Annual Mean Concentration (µg/m <sup>3</sup> )
				2021
Park Street Automatic Monitor	Roadside	Y	97	27

Table 8 - Annual Mean NO<sub>2</sub> Non-Automatic Sites

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
A473 COWBRIDGE ROAD											
OBC-105	Roadside	Diffusion Tube	100	N	-	-	24.6	22.6	21.2	16.1	19.2
OBC-106	Kerbside	Diffusion Tube	100	N	-	-	30.4/ 25.2 <sup>(2 &amp; 3)</sup>	26.7 <sup>(2 &amp; 3)</sup>	24 <sup>(3)</sup>	25.8	26.1
OBC-111	Roadside	Diffusion Tube	100	N	-	-	-	26.2	25.8	19.7	22.4
OBC-112	Kerbside	Diffusion Tube	92	N	-	-	-	32.1 <sup>(2)</sup>	36.2 <sup>(2)</sup>	23.7 <sup>(2)</sup>	29.2
OBC-121	Roadside	Diffusion Tube	100	N	-	-	-	-	18.5	14.9	15.8

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
EWENNY CROSS ROUNDABOUT											
OBC-113	Roadside	Diffusion Tube	100	N	-	-	-	15.9	14.7	12.2	13.8
OBC-115	Roadside	Diffusion Tube	100	N	-	-	-	22.3	20.9	16.3	18.5

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
BRIDGEND TOWN CENTRE											



OBC-101	Urban Centre	Diffusion Tube	83	N	-	-	18.1 <sup>(2)</sup>	17.9	18.6	13.6 <sup>(2)</sup>	15.3
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Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
PARK STREET											
OBC-102	Roadside	Diffusion Tube	100	N	-	-	23.7	23.5	23.9	18.3	20.6
OBC-103	Roadside	Diffusion Tube	100	Y	-	-	37.6	36.3 <sup>(2)</sup>	37.1	30.4	31.9
OBC-104	Roadside	Diffusion Tube	100	Y	-	-	41.5	37.9 <sup>(2)</sup>	39.8	29.8 <sup>(2)</sup>	33.6
OBC-109	Roadside	Diffusion Tube	100	Y	-	-	-	20.6	19.9	20.1 <sup>(2)</sup>	19.8
OBC-110	Kerbside	Diffusion Tube	100	Y	-	-	-	58.9 <sup>(2)</sup>	53.7	43.6	46.3
OBC-122	Kerbside	Diffusion Tube	75	Y	-	-	-	-	16.7	15.2	15.8
OBC-123	Roadside	Diffusion Tube	100	Y	-	-	-	-	55.2	42.4	46.5

OBC-124	Roadside	Diffusion Tube	92	N	-	-	-	-	16.6	12.9	14.1
OBC-131	Roadside	Diffusion Tube	92	Y	-	-	-	-	-	-	28.3
OBC-131	Roadside	Diffusion Tube	100	Y	-	-	-	-	-	-	28.3
OBC-131	Roadside	Diffusion Tube	100	Y	-	-	-	-	-	-	28.3

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
TONDU ROAD ROUNDABOUT											
OBC-107	Roadside	Diffusion Tube	100	N	-	-	-	31.7	32	24.3	27.7
OBC-108	Kerbside	Diffusion Tube	100	N	-	-	-	38.5	36.2	27.5	31.7

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
COITY ROAD											

OBC-097	Roadside	Diffusion Tube	100	N	-	-	26.3	24.6	24.8	19.5	21.4
OBC-099	Roadside	Diffusion Tube	100	N	-	-	23.8	15.1	22.2	17.9	18.1

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
MAESTEG											
OBC-125	Roadside	Diffusion Tube	92	N	-	-	-	-	18.8	19.3 <sup>(2)</sup>	9.8
OBC-128	Roadside	Diffusion Tube	83	N	-	-	-	-	-	11 <sup>(2)</sup>	16.8

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
PORTHCAWL											

OBC-120	Kerbside	Diffusion Tube	92	N	-	-	-	15.1	16	10.9 <sup>(2)</sup>	12.6
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Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
PENCOED											
OBC-116	Kerbside	Diffusion Tube	83	N	-	-	-	22.1	20.8	15.8	18.5
OBC-117	Roadside	Diffusion Tube	100	N	-	-	-	16.7	16.9	12.8	13.7
OBC-129	Urban Background	Diffusion Tube	100	N	-	-	-	-	-	9.1	7.7
OBC-133	Roadside	Diffusion Tube	50	N	-	-	-	-	-	-	17.8

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration ( $\mu\text{g}/\text{m}^3$ ) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)

TREMAINS ROAD / COYCHURCH ROAD BRACKLA											
OBC-126	Roadside	Diffusion Tube	83	N	-	-	-	19.7	17.2	18.5	18.7
OBC-127	Roadside	Diffusion Tube	83	N	-	-	-	-	15.1	13.7	15.6

Site ID	Site Type	Monitoring Type	Valid Data Capture 2021 (%) <sup>(1)</sup>	Within AQMA?	Annual Mean Concentration (µg/m³) <sup>(2)</sup>						
					2015 (Bias Adjustment Factor = 0.81)	2016 (Bias Adjustment Factor = 0.78)	2017 (Bias Adjustment Factor = 0.77)	2018 (Bias Adjustment Factor = 0.76)	2019 (Bias Adjustment Factor = 0.75)	2020 (Bias Adjustment Factor = 0.76)	2021 (Bias Adjustment Factor = 0.78)
A4061 / BLACKMILL ROAD											
OBC-130	Roadside	Diffusion Tube	83	N	-	-	-	-	-	-	31.1
OBC-132	Roadside	Diffusion Tube	83	N	-	-	-	-	-	-	25.1

**Notes:**

Exceedances of the NO<sub>2</sub> annual mean objective of 40  $\mu\text{g}/\text{m}^3$  are shown in **bold**.

NO<sub>2</sub> annual means exceeding 60  $\mu\text{g}/\text{m}^3$ , indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

Means for diffusion tubes have been corrected for bias. All means have been “annualised” as per LAQM.TG16 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

### 2.2.2 Trends in Annual Mean NO<sub>2</sub> Concentrations

Figure 11 shows exceedances at two monitoring points in 2021. All other locations within the AQMA are compliant with the annual NO<sub>2</sub> objective.

**Figure 11 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Park Street AQMA**

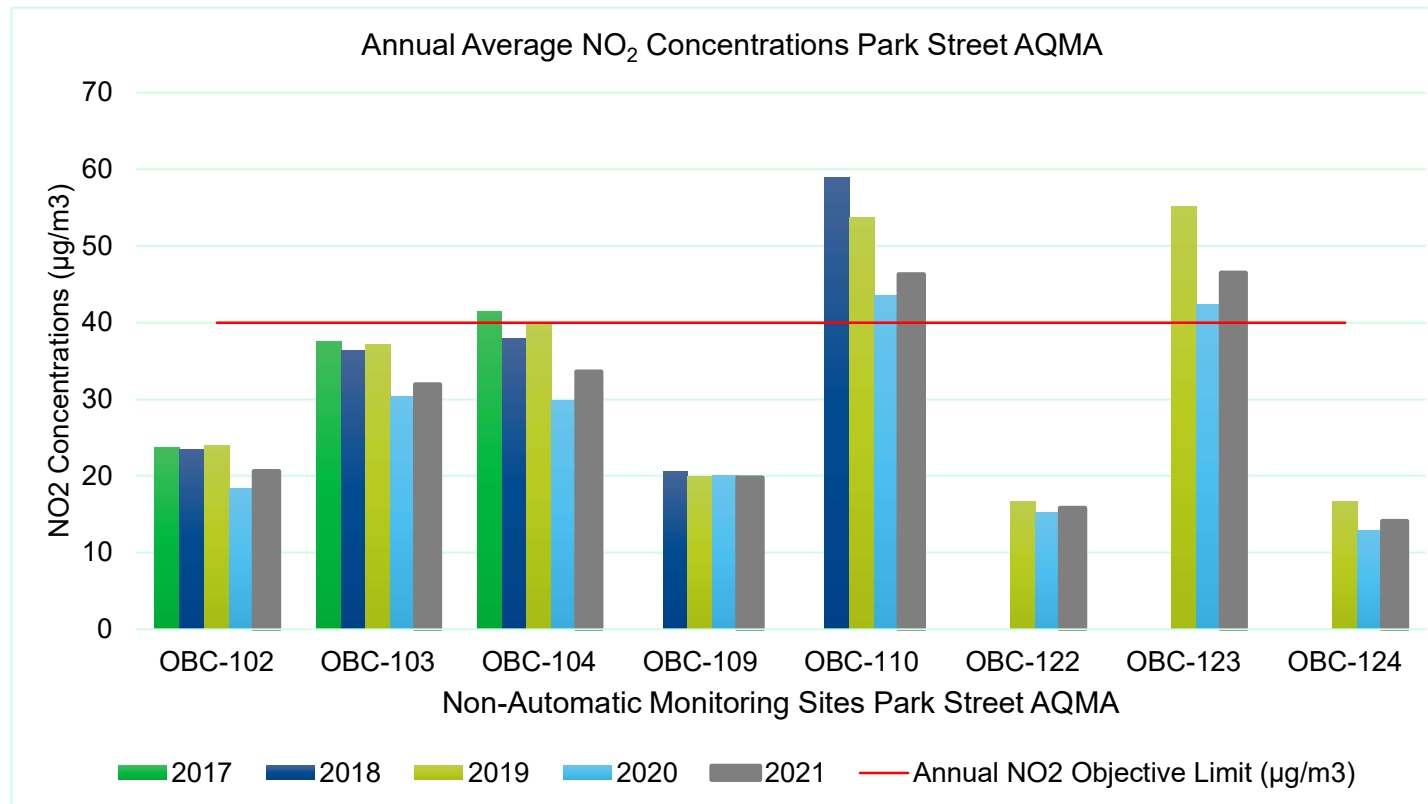


Figure 12 shows compliance with the annual NO<sub>2</sub> objective at both locations since 2018.

**Figure 12 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Tondur Roundabout**

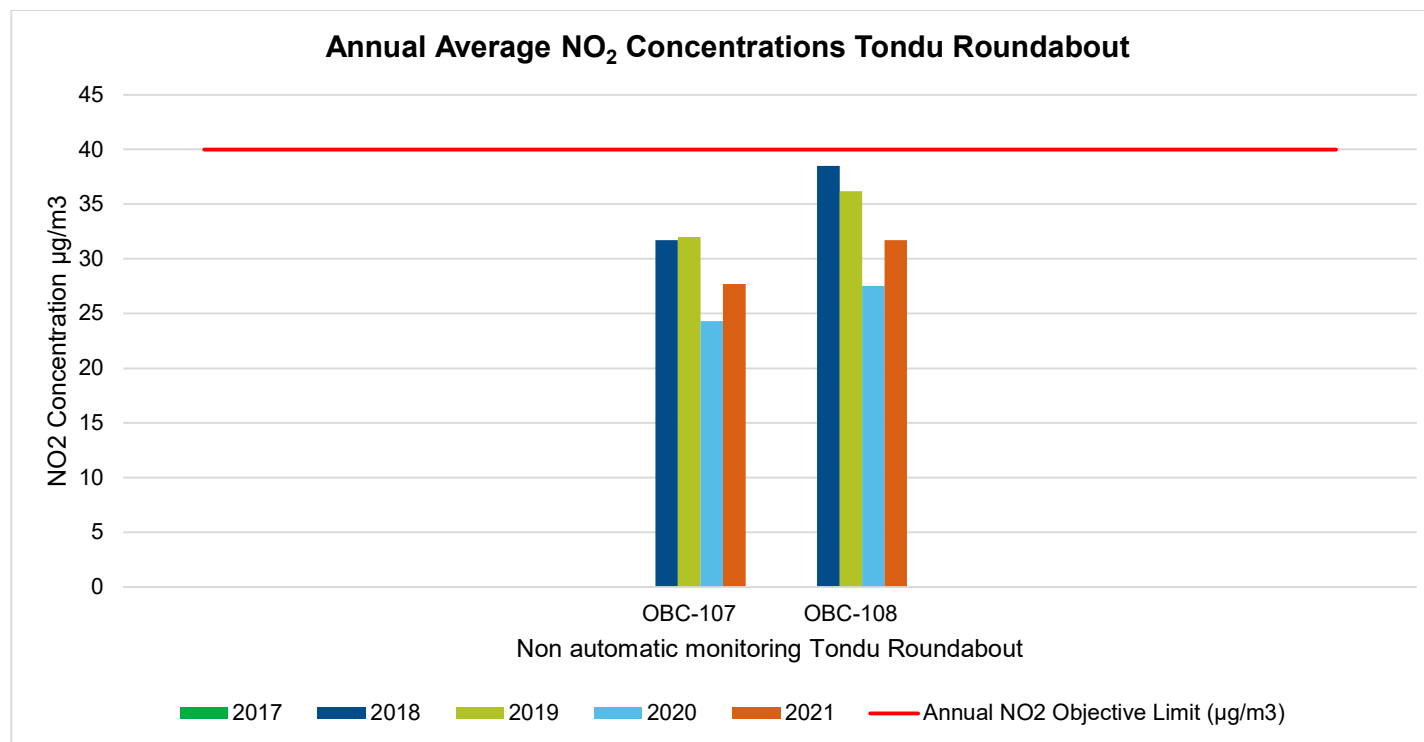


Figure 13 shows compliance with the annual NO<sub>2</sub> objective at all locations since 2017 . .

**Figure 13 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations A473 Cowbridge Road**

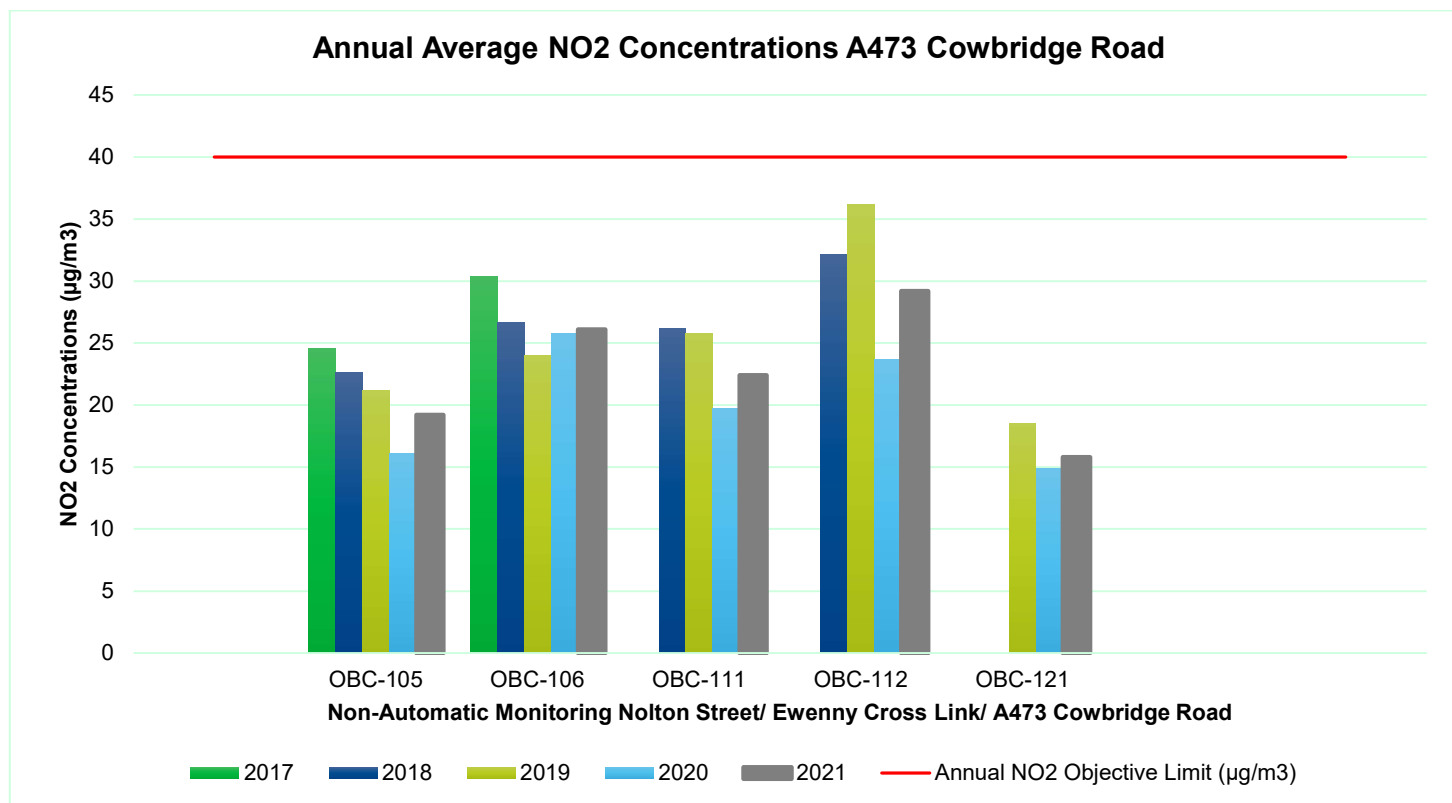




Figure 14 shows compliance with the annual NO<sub>2</sub> objective at all locations since 2018.

**Figure 14 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Ewenny Cross Roundabout A48**

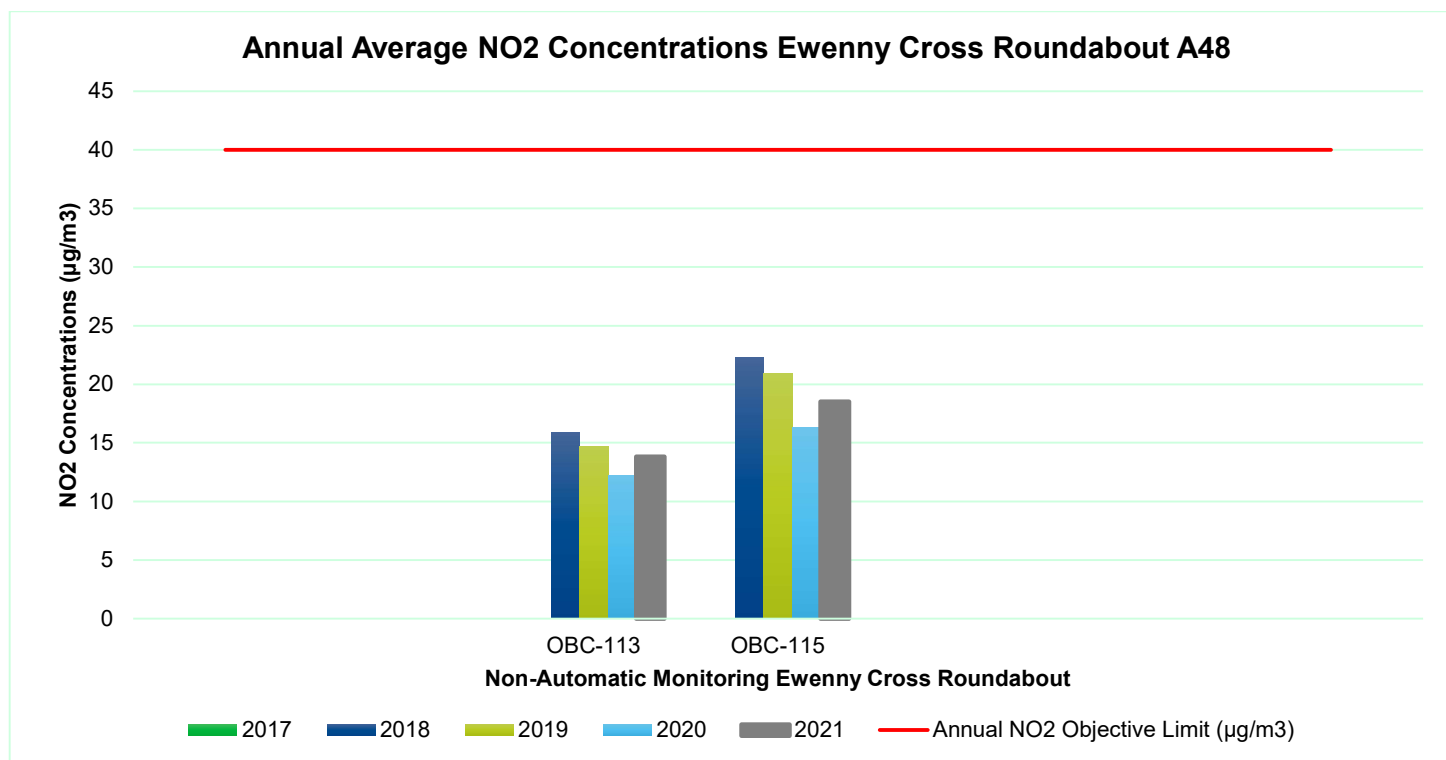


Figure 15 shows compliance with the annual NO<sub>2</sub> objective at all locations since 2017.

**Figure 15 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Bridgend Town Centre/Coity Road and Brackla**

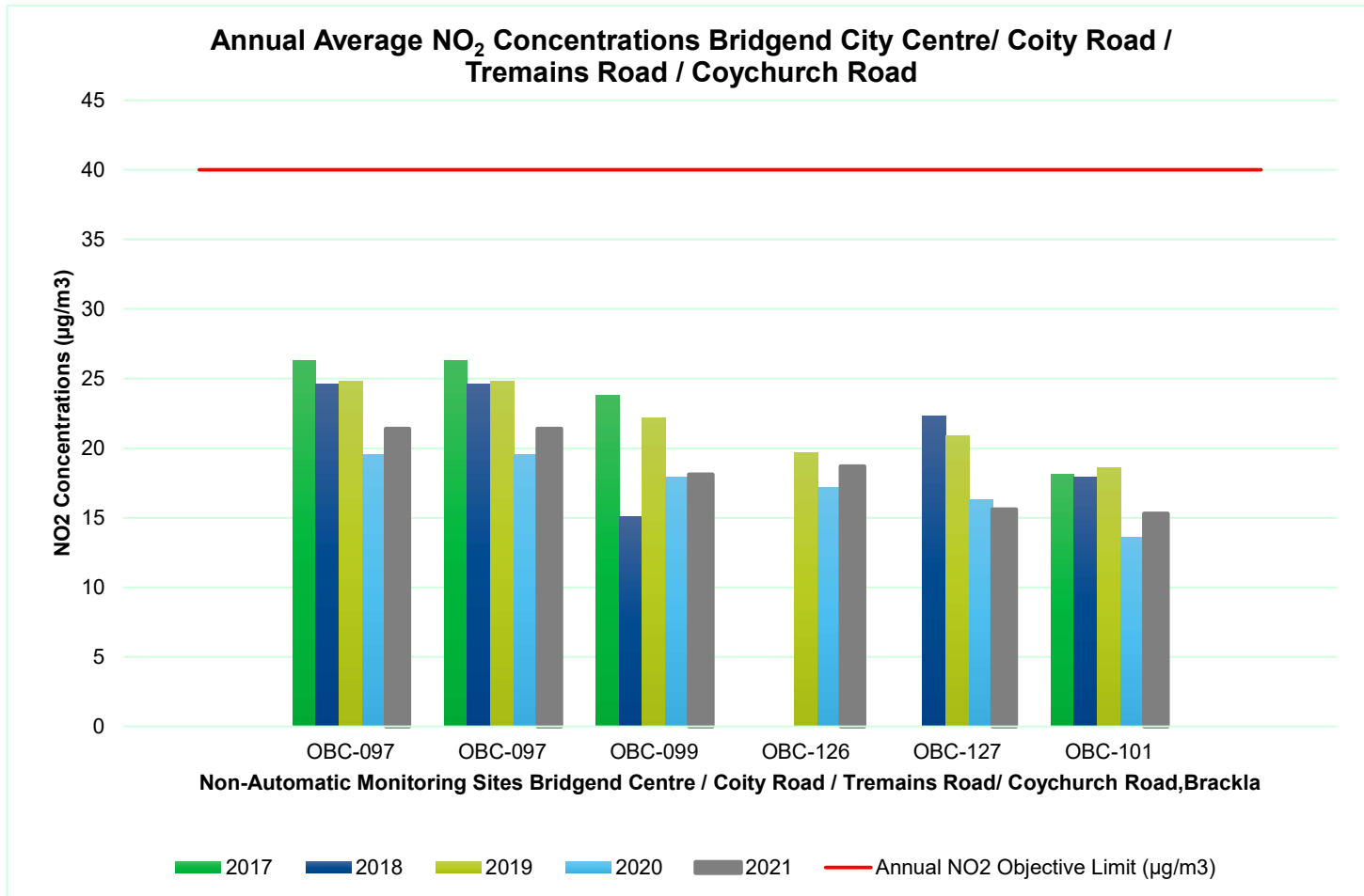


Figure 16 shows compliance with the annual NO<sub>2</sub> objective at both locations since 2019.

**Figure 16 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Maesteg**

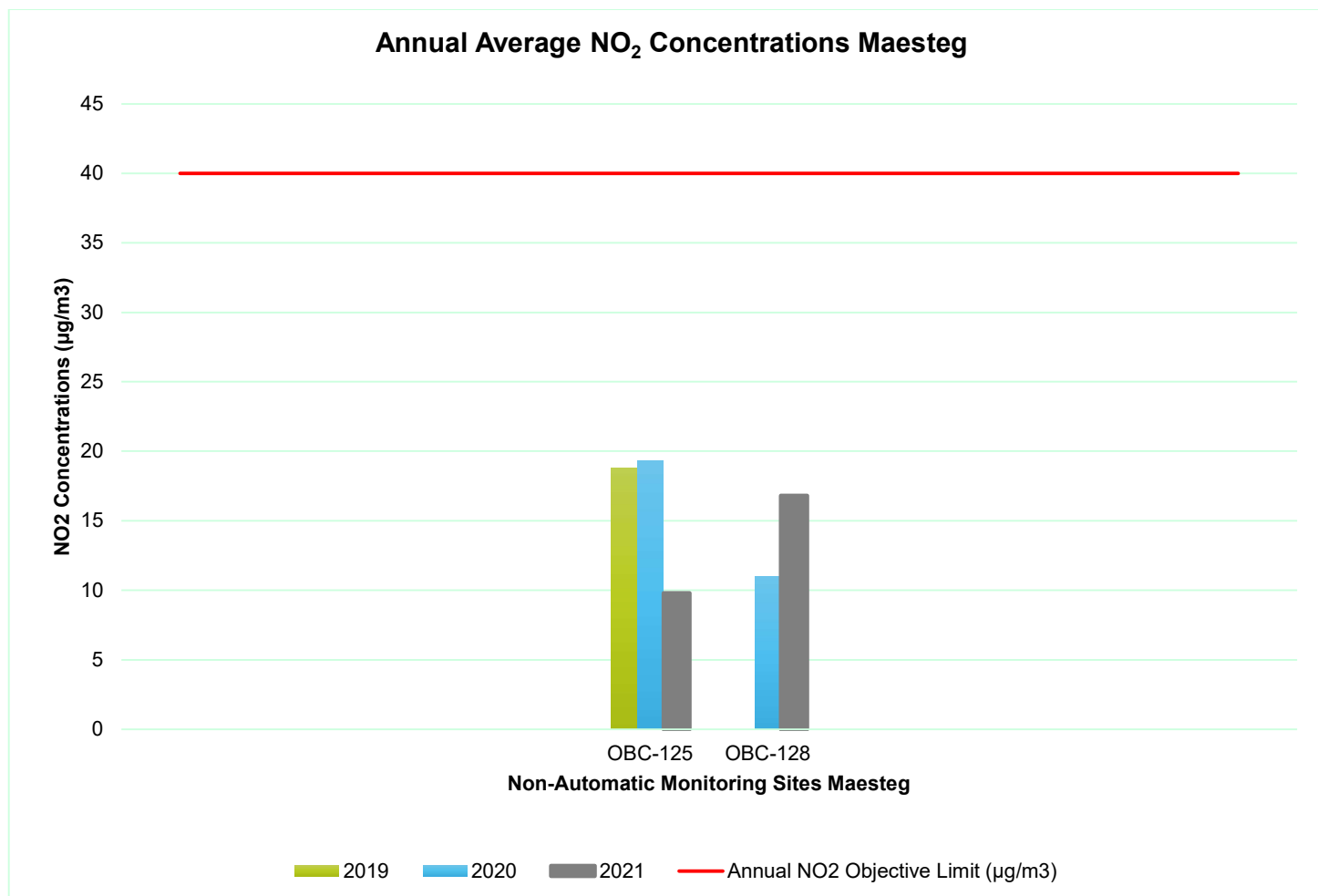


Figure 17 shows compliance with the annual NO<sub>2</sub> objective at all locations since 2018.

Figure 17 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Porthcawl

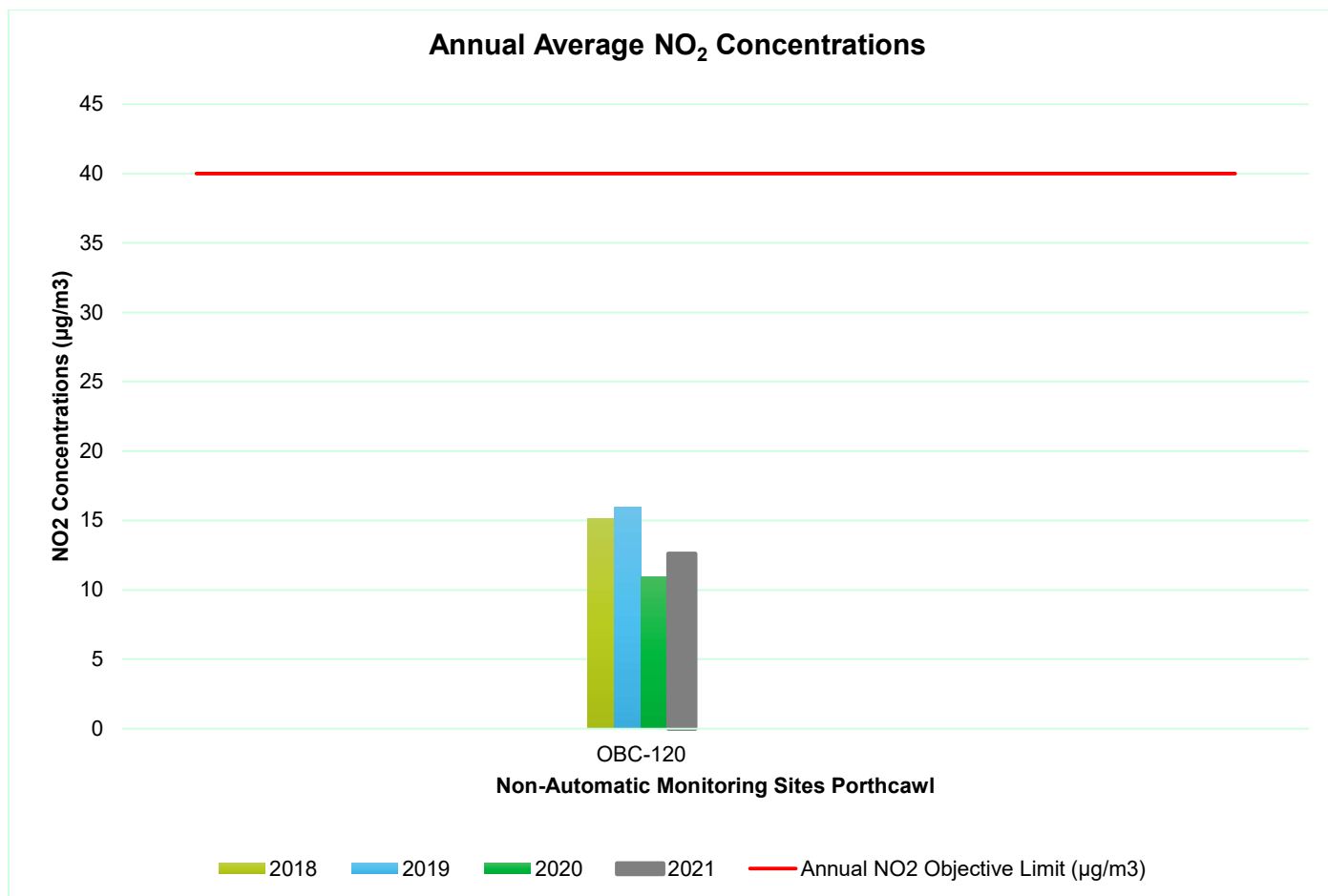
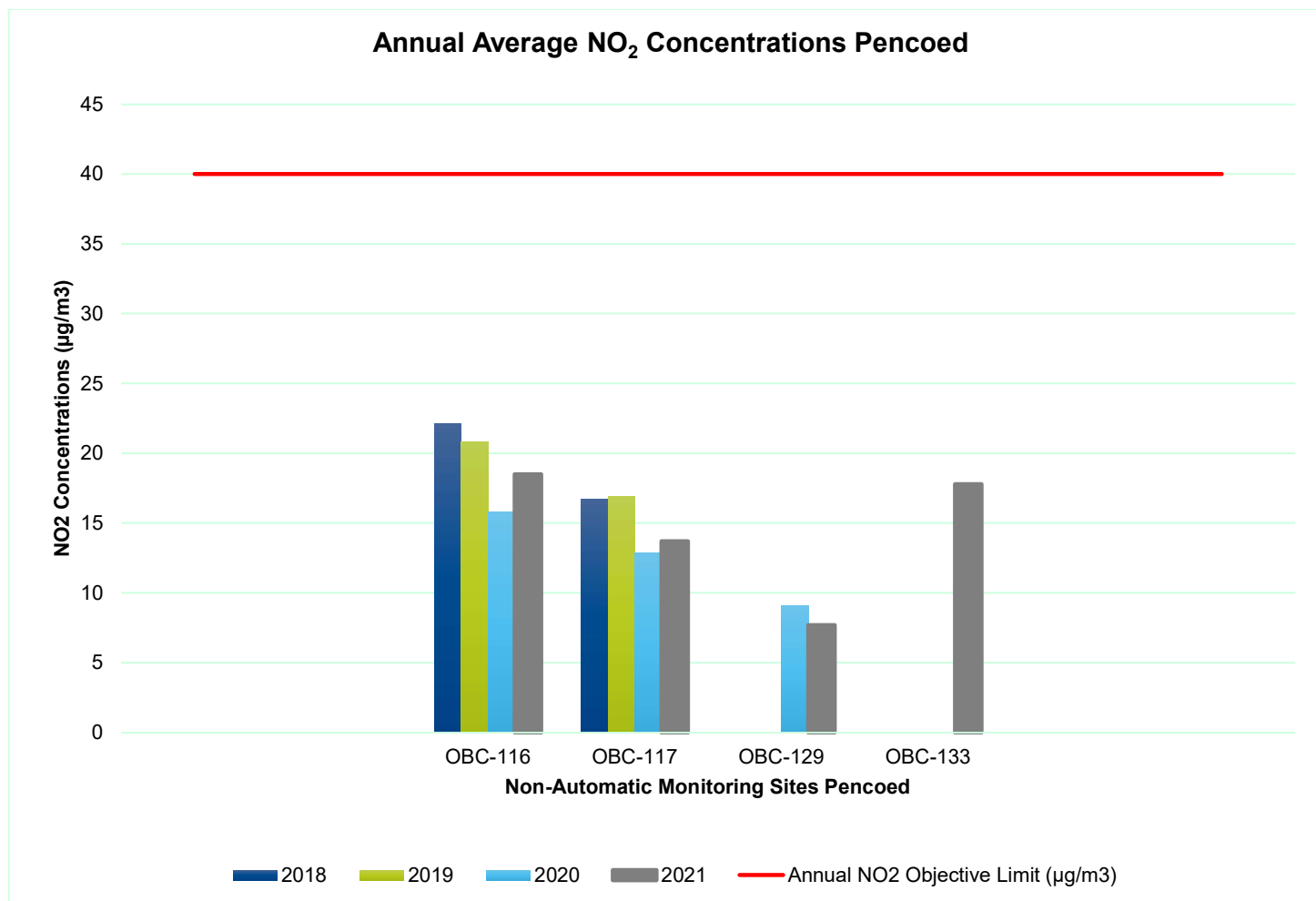


Figure 18 shows compliance with the annual NO<sub>2</sub> objective since 2018.

**Figure 18 - Chart Showing Trends in Annual Mean NO<sub>2</sub> Concentrations Pencoed**



### 2.2.3 Automated Monitoring Results

The following tables present data captured from the Automated Monitoring Station situated on Park Street.

**Table 9 - 1-Hour Mean NO<sub>2</sub> Monitoring Results, Number of 1-Hour Means >200 µg/m<sup>3</sup> .**

Site ID	Site Type	Monitoring Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2021 (%) <sup>(2)</sup>	2022
Park Street Automatic Monitor	Roadside	Automatic	97	97	0

**Notes:**

Exceedances of the NO<sub>2</sub> 1-hour mean objective (200 µg/m<sup>3</sup> not to be exceeded more than 18 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 99.8<sup>th</sup> percentile of 1-hour means is provided in brackets.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

**Table 10 – Annual Mean PM<sub>10</sub> Monitoring Results (µg/m<sup>3</sup>)**

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2020 (%) <sup>(2)</sup>	2021
Park Street Automatic Monitor	Roadside	88	88	17

**Notes:**

Exceedances of the PM<sub>10</sub> annual mean objective of 40 µg/m<sup>3</sup> are shown in **bold**.

All means have been “annualised” as per LAQM.TG16 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Table 11 – 24-Hour Mean PM<sub>10</sub> Monitoring Results, Number of PM<sub>10</sub> 24-Hour Means > 50 µg/m<sup>3</sup>

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2021 (%) <sup>(2)</sup>	2021
Park Street Automatic Monitor	Roadside	88	88	0

**Notes:**

Exceedances of the PM<sub>10</sub> 24-hour mean objective (50 µg/m<sup>3</sup> not to be exceeded more than 35 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 90.4<sup>th</sup> percentile of 24-hour means is provided in brackets.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).



## 2.3 Comparison of 2021 Monitoring Results with Previous Years and the Air Quality Objectives

During 2021, monitoring was carried out for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>).

### 2.3.1 Nitrogen Dioxide (NO<sub>2</sub>)

Nitrogen dioxide was measured during 2021 by a network of 34 passive diffusion tubes.

To ratify the 2021 diffusion tube dataset, a bias adjustment factor of 0.78 was applied to the annual average readings. The factor was derived from the Defra website which gave the average correction factor from 23 co-location studies across the UK, whereby the analytical laboratory and method used was the same as BCBC, in this instance Socotec UK Ltd, Didcot.

Annual average datasets outline continued elevated and exceeding levels of NO<sub>2</sub> at sensitive receptor locations situated on Park Street within the established AQMA Order boundary. It is noted that monitoring undertaken in 2021 at sites OBC-110 & OBC-123, located on Park Street, demonstrates annual average levels in exceedance of the annual average air quality objective set at (40µg/m<sup>3</sup>) for NO<sub>2</sub>. The annual average figure examined at sites OBC-110 & OBC-123 are calculated at **46.3 µg/m<sup>3</sup> & 46.5 µg/m<sup>3</sup>** respectively.

The draft Air Quality Action Plan (AQAP) for Park has now been completed and the at the time of writing this report, is due to be presented for public consultation. The detailed assessment produced in conjunction with this AQAP shows an improvement in NO<sub>2</sub> concentrations at the locations in exceedance of the objective with implementation of the following options –

- Deny all access onto St Leonards Road (Measure 18);
- Implementation and optimisation of 4-phase junction at the Park Street/ Angel Street/ Tondu Road Junction (Measure 20).

It is essential that these monitoring in continued within the Park Street AQMA, and suitable action is taken where necessary in conjunction with the AQAP. Such action may involve amendments to the AQMA Order including revisions of the geographical boundary to encapsulate a wider area and reasoning for declaration.

Nitrogen dioxide concentrations at all other non-automatic locations were shown to be compliant the annual air quality objective for NO<sub>2</sub> of **40µg/m<sup>3</sup>**.

Automatic monitoring carried out by the monitor located on Park Street shows compliance with the annual air quality objective for NO<sub>2</sub>. The annual average figure shown at this site in 2021 was **27 µg/m<sup>3</sup>**. This automatic monitor also showed no exceedances of the 1-hour NO<sub>2</sub> objective of **200 µg/m<sup>3</sup>** not to be exceeded more than 18 times annually.

### 2.3.2 Particulate Matter (PM<sub>10</sub>)

Particulate matter (PM<sub>10</sub>) monitoring was carried out by the automatic monitoring station located in Park Street AQMA. The annual average figure shown at this site in 2021 was **17 µg/m<sup>3</sup>** which is compliant with the PM<sub>10</sub> annual average objective of **40 µg/m<sup>3</sup>**. There were also no exceedances of the 24-hour PM<sub>10</sub> objective of **50 µg/m<sup>3</sup>** not to be exceeded more than 35 times annually.

## 2.4 Summary of Compliance with AQS Objectives as of 2021

SRS on behalf of BCBC has examined the results from monitoring in the Bridgend.

Concentrations within the Park Street AQMA still exceed the annual objective for nitrogen dioxide. Therefore, this AQMA should remain.

Despite the examined non-compliant annual average NO<sub>2</sub> levels recorded within the Park Street, Bridgend AQMA (OBC-110 & OBC-123), all automated and non- automated datasets show compliance with the air quality objectives at **every other monitored location**.

### 3 New Local Developments

SRS on behalf of BCBC can confirm that there are no new significant developments since the Progress Report in 2021.

#### 3.1 Road Traffic Sources (and Other Transport)

SRS on behalf of BCBC can confirm that there are no new significant road traffic sources since the 2020 Annual Progress Report in 2021.

#### 3.2 Industrial / Fugitive or Uncontrolled Sources / Commercial Sources

P/21/173/ESO - Llynfi Biomass Plant, Llangynwyd

A scoping opinion was received for an Energy Recovery Facility and ancillary infrastructure for Llynfi Biomass Plant, Llangynwyd. The applicant provided a methodology for an air quality assessment which was agreed with air quality officers. There has been no further progress made with this application.

#### 3.3 Other Sources

SRS on behalf of BCBC confirms that there are no new or newly identified local developments which may have an impact on air quality within the Local Authority area.

SRS on behalf of BCBC confirms that all the following have been considered:

1. Road traffic sources
2. Other transport sources
3. Industrial sources
4. Commercial and domestic sources
5. New developments with fugitive or uncontrolled sources.

## 4 Policies and Strategies Affecting Airborne Pollution

Local Development Plan (LDP) 2006- 2021. The document provides a framework for sustainable development within the County Borough of Bridgend, outlining strategies and policies for future land use and development. One of the main strategic LDP objectives is highlighted in Strategic Policy 4 (SP4) which promotes the conservation and enhancement of the natural environment. SP4 illustrates that development proposals will not be permitted where they have an adverse impact upon the quality of natural resources, including water air and soil.

Also highlighted within the LDP document is Policy ENV 7 (Natural Resource Protection and Public Health). “Development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity due to air pollution” Where proposed developments indicate negative impacts, measures and mitigation methods must be detailed to enable impacts to be minimised to an acceptable level. For example, in terms of air quality, measures can include the production of an Air Quality Assessment and the implementation of conditions. The LDP documentation for Bridgend County Council is available at [http://www1.bridgend.gov.uk/media/174812/ldp\\_text.pdf](http://www1.bridgend.gov.uk/media/174812/ldp_text.pdf)

The LDP document has been under review since 2018. SRS are feeding into this document where necessary to outline air quality as an influential consideration and ensure its importance within the decision-making process. Refer to the following link for useful questions and answers regarding the new plan’s development. <https://www.bridgend.gov.uk/news/the-replacement-local-development-plan-explained>

### 4.1 Local Transport Plans and Strategies

The Local Transport Plan (LTP) 2015- 2030. The Welsh Government now requires local authorities in Wales to prepare and adopt Local Transport Plan (LTPs) as the framework for identifying local transport schemes for improvements. LTPs therefore replace Regional Transport Plans.

Under guidance from the Welsh Government, local authorities have the choice to develop and adopt either joint LTPs with neighbouring local authorities or a stand-alone LTP for their own geographical area.

Bridgend County Borough Council has opted for the latter approach in view of the uncertainty of the future of local authority boundaries and structures amid discussions of reorganisation of local government.

The LTP looks to tackle growing traffic levels (and hence air quality impacts) by providing strategies which focus upon providing efficient and effective transport networks. “The Council is mindful of the broader negative impact of transport related emissions on health and the natural environment” “To reduce the environmental impact of transport, the LTP includes measures and interventions that will increase opportunities for active travel, encourage the use of public transport and promote modal integration.”

The LTP policy recognises the Council’s objective to achieving sustainable travel (alternatives to using cars) and reducing negative impacts on the environment. The policy suggests that through improved transport infrastructure and transport services this can be achieved. Bridgend County Borough Council LAQM Annual Progress Report 2021 69 The LTP policy is available at <http://www1.bridgend.gov.uk/media/352797/bridgend-ltp-wg-approved-version-may-2015.pdf>

## 4.2 Active Travel Plans and Strategies

In September 2014, the Welsh Government introduced the Active Travel (Wales) Act. This measure legally requires Welsh local authorities to map and plan suitable routes for Active Travel within certain areas, as designated by the Welsh Government.

Following formal public consultation and review by Welsh Government, BCBC has produced Integrated Network Maps (INM) that show highlighted routes dedicated to pedestrians and cyclists. The maps are available to download from; <https://www.bridgend.gov.uk/residents/roads-transport-and-parking/active-travel-routes/>

## 4.3 Local Authorities Well-being Objectives

In 2015 Welsh Government made a new law called the Well-being of Future Generations (Wales) Act. The new law has the sustainable development principle at its heart. This means that we need to work in a way that improves wellbeing for people today without doing anything that could make things worse for future generations.

As highlighted in the earlier Figure 5 there are seven national well-being goals that form the basis of the Act and five ways of working which support the goals.

Public, third and business sectors have come together in Bridgend to form a Public Services Board (PSB). Bridgend PSB is committed to working together to improve wellbeing in Bridgend County Borough now and in the future. Bridgend PSB has used the sustainable development principle and the new five ways of working to develop a Well-Being Plan (2018-2023).

The plan outlines the things that Bridgend PSB will work together on, over the next five years, well-being objectives and steps, and provide a vision for how Bridgend will look in 10 years' time. The plan is seen as a mechanism that provides the best possible means of working to help understand the underlying causes of problems and prevent those problems getting worse or happening in the future.

Contributing to the seven national well-being goals and long-term vision for Bridgend, Bridgend PSB has developed four main objectives.

**Figure 19- Bridgend PSB Four Well-being Objectives**



In accordance with air quality, as part of the objective for "Healthy Choices in a Healthy Environment" Bridgend PSB outlines that resources are best utilised and collaborative working ensures that the built, cultural and natural environment remains resilient in future. The priority areas to endorse and encourage the success of the objective will include working together to maximise benefit from cultural, built and natural assets. It will also look at promoting a more resource and energy efficient way of living and working. In order to measure the success of promoting a more resource and energy way of living air quality, particularly NO2 levels will be examined.

Bridgend PSB Well-being Plan is available at.

<https://www.bridgend.gov.uk/media/3657/bridgend-wellbeing-bps-plan-e-0518.pdf>

## 4.4 Green Infrastructure Plans and Strategies

Outlined in Bridgend's Local Development Plan (LDP) 2006- 2021, Policy ENV5 focuses upon Green infrastructure.

### Policy ENV5

#### Green Infrastructure

Green infrastructure will be provided through the protection and enhancement of existing natural assets and the creation of new multi-functional areas of green space. Green infrastructure corridors will connect locations of natural heritage, green space, biodiversity or other environmental interest. They will be safeguarded through:

- 1) Not permitting development that compromises their integrity and therefore that of the overall green infrastructure framework;
- 2) Using developer contributions to facilitate improvements to their quality and robustness;
- 3) Investing in appropriate management, enhancement and restoration, and the creation of new resources.

A Supplementary Planning Guidance (SPG) concerning Green Infrastructure was produced in 2014 by BCBC to provide a detailed understanding to the elements raised in the LDP.



-The document highlights how the Council expect habitats to be considered as part of development proposals within the County Borough of Bridgend. It also introduces the concept of adopting a *Green Infrastructure Approach* to development.

In addition to the above, outlined within the Bridgend PSB Well-being Plan, as part of the objective “Healthy Choices in a Healthy Environment” and priority area to include working together to maximise benefit from cultural, built and natural assets, the steps involved will;

- identify opportunities to improve the green asset base by implementing the Bridgend Nature Recovery Plan.

- improve the public estate and green spaces in urban areas by encouraging award of green flag status.

## 4.5 Climate Change Strategies

### 4.5.1 Bridgend 2030 Strategy



Bridgend County Borough Council declared its own climate emergency in June 2020 and set up a Climate Emergency Response programme to commit to the Net Zero 2030 target as an organisation.

The Bridgend 2030 Net Zero Carbon Strategy, or 'Bridgend 2030 Strategy' is the initial strategic step in achieving this commitment. The strategy will also remain an integral part of the council's Corporate Plan and Wellbeing Plan. At the time of writing this report the Bridgend 2030 Strategy is out for public consultation <https://www.bridgend.gov.uk/media/14059/appendix-1-bridgend-2030-net-zero-carbon-strategy-250222.pdf>.

Further details of the Final Strategy will be presented in the 2023 APR.

### 4.5.2 Climate Change Commitment within the LDP

Prior to the development of the 2030 Strategy the LDP ,made reference to Climate Change in Policy PLA4 . This stated all development proposals will be required to make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change and Peak Oil issues. Means of achieving this may include:

- Having lower carbon energy requirements by reducing energy demand, and promoting energy efficiency;
- Utilising local materials and supplies wherever feasible;
- Encouraging the development of renewable energy generation;
- Having a location and layout which reflects sustainable transport and access principles, thereby reducing the overall need to travel;
- Having a design, layout and landscaping which:
  - (i) helps wildlife and habitats to adapt to the changing climate;



(ii) assists cooling of the urban environment, including the use of passive building techniques where appropriate;

- Using resources more efficiently and minimising wastewater use and pollution;  
Avoiding or minimising the risk from flooding and/ or adapting to the increased risk of flooding, coastal erosion and warmer annual mean temperatures; and
- Promoting sustainable building methods and drainage systems where appropriate.

## 5 Conclusion and Proposed Actions

### 5.1 Conclusions from New Monitoring Data

Annual average datasets outline continued elevated and exceeding levels of NO<sub>2</sub> at sensitive receptor locations situated on Park Street within the established AQMA Order boundary. It is noted that monitoring undertaken in 2021 at sites OBC-110 & OBC-123, located on Park Street at residential facades exceed the annual average air quality objective set at (40µg/m<sup>3</sup>) for NO<sub>2</sub>. All automated and non- automated datasets show compliance with the air quality objectives at **every other monitored location**.

### 5.2 Other Conclusions

There are no other conclusions to be drawn from the information provided herein.

### 5.3 Proposed Actions

SRS/ BCBC are working in accordance with WG's Policy Guidance to finalise an Air Quality Action Plan (AQAP) for Park Street AQMA. The draft AQAP is due for public consultation in the summer of 2022 and will be finalised following the consultation process.

## References

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2. Welsh Government, Local Air Quality Management in Wales, Policy Guidance, June 2017.
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[https://airquality.gov.wales/sites/default/files/documents/2021-01/Clean Air Advisory Panel report-Impacts of the Covid-19 pandemic on air quality in Wales English.pdf](https://airquality.gov.wales/sites/default/files/documents/2021-01/Clean_Air_Advisory_Panel_report-Impacts_of_the_Covid-19_pandemic_on_air_quality_in_Wales_English.pdf)
4. Provisional Analysis of Welsh Air Quality Monitoring Data – Impacts of Covid-19  
[https://airquality.gov.wales/sites/default/files/documents/2020-08/Analysis of Welsh Air Quality Data Impacts of Covid-19 Final Issue2.pdf](https://airquality.gov.wales/sites/default/files/documents/2020-08/Analysis_of_Welsh_Air_Quality_Data_Impacts_of_Covid-19_Final_Issue2.pdf)
5. Provisional Analysis of Welsh Air Quality Monitoring Data – Impacts of Covid-19, Public Health Wales Opinion  
[https://airquality.gov.wales/sites/default/files/documents/2020-08/Covid and air quality-a public health opinion final English.pdf](https://airquality.gov.wales/sites/default/files/documents/2020-08/Covid_and_air_quality-a_public_health_opinion_final_English.pdf)

## BRIDGEND COUNTY BOROUGH COUNCIL LAQM REPORTS

<https://www.srs.wales/en/Environmental-Health/Noise-and-Air-Pollution/Air-quality-and-pollution/Air-Quality-and-Pollution.aspx>

- First Stage Review and Assessment of Air Quality in Bridgend County Borough, September 1999
- Second Stage Review and Assessment of Air Quality in Bridgend County Borough, December 2000
- Updating and Screening Assessment of Air Quality in Bridgend County Borough, July 2003
- Local Air Quality Management Progress Report, July 2005
- Detailed Assessment of Nitrogen Dioxide and Particles (PM<sub>10</sub>), March 2006

- Updating and Screening Assessment of Air Quality in Bridgend County Borough, May 2006
- Local Air Quality Management Progress Report, August 2007
- Local Air Quality Management Progress Report, August 2008
- Updating and Screening Assessment of Air Quality in Bridgend County Borough, June 2009
- Local Air Quality Management Progress Report, June 2010
- Detailed Assessment of Nitrogen Dioxide and Particles (PM<sub>10</sub>), June 2010
- Local Air Quality Management Progress Report, April 2011
- Updating and Screening Assessment of Air Quality in Bridgend County Borough, May 2012
- Local Air Quality Management Progress Report, June 2013
- Local Air Quality Management Progress Report, June 2014
- Updating and Screening Assessment of Air Quality in Bridgend County Borough, May 2015
- Local Air Quality Management Progress Report, June 2016
- Local Air Quality Management Progress Report, August 2017
- Local Air Quality Management Progress Report, August 2018
- Local Air Quality Management Progress Report, August 2019

## Appendices

Appendix A: Monthly Diffusion Tube Monitoring Results

Appendix B: A Summary of Local Air Quality Management

Appendix C: Air Quality Monitoring Data QA/QC

Appendix D: AQMA Boundary Maps

# Appendix A: Quality Assurance / Quality Control (QA/QC) Data

Table 12 - Full Monthly Diffusion Tube Results for 2021 ( $\mu\text{g}/\text{m}^3$ )

Site No	Nitrogen Dioxide Sites, Bridgend CBC	Class	07/01/2021 - 06/02/2021	06/02/2021 - 06/03/2021	06/03/2021 - 30/03/2021	30/03/2021 - 06/04/2021	06/04/2021 - 02/04/2021	02/04/2021 - 30/04/2021	30/04/2021 - 06/05/2021	06/05/2021 - 31/05/2021	31/05/2021 - 30/06/2021	30/06/2021 - 01/07/2021	01/07/2021 - 30/07/2021	30/07/2021 - 06/08/2021	AVERAGE SINCE JAN 21	Bias Corrected (Correction Factor 0.78)
<b>TONDU ROAD ROUNDABOUT</b>																
OBC-107	17 Tondur Road, Bridgend	Roadside	39.40	34.1	37.5	33.3	30.8	24.4	30.0	31.3	37.3	39.1	47.1	42.3	35.6	27.7
OBC-108	43 Tondur Road, Bridgend	Kerbside	45.4	36.7	46.3	38.4	39.8	30.9	36.6	32.8	42.1	44.4	49.3	45.2	40.7	31.7
<b>PARK STREET</b>																
OBC-102	4 Sunnyside	Roadside	30.2	30.7	27.2	29.4	22.0	19.7	17.7	22.4	27.8	23.6	34.6	31.1	26.4	20.6
OBC-103	39 Park Street	Kerbside	48.7	42.8	45.7	33.9	31.1	38.2	37.4	34.9	39.7	44.8	45.3	47.5	40.8	31.9
OBC-104	51 Park Street	Kerbside	48.1	35.6	40.8	42	43.3	41.1	40.1	37.1	47.2	44.6	51.4	45.6	43.1	33.6
OBC-109	32 Park Street	Roadside	29.8	22.3	56.8	23.4	18.9	18.3	16.6	17.4	21.5	20.9	30.8	27.2	25.3	19.8
OBC-122	Post on St Leonards Road	Kerbside	28.0	23.6	21.2		17.8	14.7	12.4	15.6	21.4		27.2	20.2	15.8	
OBC-123	93 Park Street Bridgend	Roadside	66.5	55.4	61.7	61.6	57.6	48.3	57.2	48.2	54.9	57.1	80.4	66.5	59.6	46.5
OBC-124	133 Park Street	Roadside	28.0	19.6	17.8	17.1	13.1		12.1	11.1	14.3	16.5	25.5	23.7	18.1	14.1
OBC-110	101/103 Park Street	Kerbside	80.0	52.8	24.1	52.8	56.0	52.7	55.2	46.5	68.3	64.5	79.3	79.5	59.3	46.3
OBC-131	Park Street Co-Location 1	Kerbside	30.1	35.9	40.9	35.9	35.8	32.0	32.9	23.5	38.5		51.1	42.9	36.3	28.3
OBC-131	Park Street Co-Location 2	Kerbside	46.5	33.5	38.3	37.5	26.1	22.5	31.0	28.3	38.5	39.2	54.6	40.1	36.3	28.3
OBC-131	Park Street Co-Location 3	Kerbside	43.4	33	37.4	35.4	35.4	29.7	30.3	31.2	35.8	37.9	51.5	34.3	36.3	28.3
<b>BRIDGEND CITY CENTRE</b>																
OBC-101	Bridgend City Centre	Urban Centre	28.5	18.6	20.1	19	15.1	13.0	14.3		18.2	19.3	30.5		19.7	15.3
<b>NOLTON STREET / EWENNY RD CROSS LINK/ A473 Cowbridge Road</b>																
OBC-111	01 Cowbridge Road	Roadside	39.3	29.8	28	30.3	24.2	20.3	19.8	21.0	27.0	27.0	44.7	33.8	28.8	22.4
OBC-105	65 Cowbridge Road	Roadside	33.7	23.2	24.8	27.5	19.4	16.6	17.2	16.4	23.5	23.8	38.7	30.0	24.6	19.2
OBC-106	38/40 Cowbridge Road	Kerbside	52.9	37.7	40.7	32.3	28.9	20.6	23.0	23.0	31.0	32.4	46.5	32.4	33.5	26.1
OBC-121	29 Heol Tre Dwr	Roadside	29.5	20.5	21.8	23.5	14.5	11.4	15.1	14.3	20.2	18.6	27.7	26.0	20.3	15.8
OBC-112	33 Cowbridge Road	Kerbside	50.6	25.9	31.9	52.4	34.5	30.7	28.8	28.2		33.3	52.0	43.2	37.4	29.2
<b>EWENNY ROUNDABOUT</b>																
OBC-113	127 Priory Avenue	Roadside	24.7	15.8	18.5	17.8	13.4	13.0	15.6	11.2	14.6	19.2	27.4	21.8	17.8	13.8
OBC-115	105 Eweny Road	Roadside	31.5	23.1	26.3	26.4	19.2	16.0	18.4	18.3	23.5	21.7	32.7	27.4	23.7	18.5
<b>MAESTEG</b>																
OBC-128	25 Mill Street Maesteg		16.3	15.4	13.3	12.8	10.3	10.8	9.6	8.9	11.8	11.3	17.1		12.5	9.8
OBC-125	60 Commercial Street, Maesteg	Roadside	26.7	20.3	21		15.3	12.8	18.4		20.5	22.5	32.7	24.7	21.5	16.8
<b>COITY ROAD, BRIDGEND</b>																
OBC-097	22 Coity Road, Bridgend	Roadside	33.9	26.8	25.5	28.7	23.9	22.5	21.6	21.7	29.6	27.60	36.90	31.2	27.5	21.4
OBC-099	42 Coity Road, Bridgend	Roadside	32.1	23.4	20.6	24.3	16.5	18.9	19.1	17.7	24.2	24.20	29.90	28.1	23.3	18.1
<b>PENCOED</b>																
OBC-116	20 Hendre Road, Pencoed	Roadside	32.8	24.6	23	24.1	20.4	21.4	18.6	19.4	23.6		29.50		23.7	18.5
OBC-117	47 Hendre Road, Pencoed	Roadside	21	16.6	18.8	18.2	13.4	13.7	14.4	13.1	18.1	16.50	23.60	23.4	17.6	13.7
OBC-129	Wern Fawr (Near Rockwool)	Urban Background	14.5	10.3	12.4	8	8.0	9.3	7.7	8.4	9.1	7.4	12.3	10.7	9.8	7.7
OBC-133	Coychurch Road, Pencoed								19.5	18.8	24.5	24.7	34.0	29.1	25.1	17.8
<b>PORHCRAWL</b>																
OBC-120	105 New Road, Porthcawl	Roadside	18.9	13.7	16.2		14.0	13.8	12.6	14.2	17.4	14.90	23.80	18.4	16.2	12.6
<b>BRIDGEND TREMAINS ROAD / BRACKLA</b>																
OBC-126	Tremaims Guest House, Tremaims Road, Bridgend	Roadside	27.3	23.9	25.8	25.7	17.3	17.4	20.2	17.0	23.4	25.4	33.1	31.2	24.0	18.7
OBC-127	Coychurch Road/Longacre, Brackla	Kerbside	25	20.3	20.8	14.2	15.8	14.9	16.6	12.8	21.8	19.1	30.5	28	20.0	15.6
<b>A4061 / BLACKMILL ROAD</b>																
OBC-130	A4061 / Opposite Mason Arms	Roadside	49.8	30.8		37.5	39.6	36.3	32.1	29.9	44		58.5	40.3	39.9	31.1
OBC-132	A4061 / Meadow View Signpost	Roadside	39.2	33.9	31.5	32.9	31.2	29.2	25.2	27.7	33	32.6	35.7	33.9	32.2	25.1

**Notes:**

Exceedances of the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **red**.

NO<sub>2</sub> annual means exceeding 60µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

(1) See Appendix C for details on bias adjustment and annualisation.

(2) Distance corrected to the nearest relevant public exposure

## Appendix B: A Summary of Local Air Quality Management

### Purpose of an Annual Progress Report

This report fulfils the requirements of the Local Air Quality Management (LAQM) process as set out in the Environment Act 1995 and associated government guidance. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas and to determine whether or not the air quality objectives are being achieved. Where exceedances occur, or are likely to occur, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) within 18 months of declaration setting out the measures it intends to put in place in pursuit of the objectives. Action plans should then be reviewed and updated where necessary at least every five years.

For Local Authorities in Wales, an Annual Progress Report replaces all other formal reporting requirements and have a very clear purpose of updating the general public on air quality, including what ongoing actions are being taken locally to improve it if necessary.

### Air Quality Objectives

The air quality objectives applicable to LAQM in Wales are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138), Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298), and are shown in table 13.

The table shows the objectives in units of microgrammes per cubic metre  $\mu\text{g}/\text{m}^3$  (milligrammes per cubic metre,  $\text{mg}/\text{m}^3$  for carbon monoxide) with the number of exceedances in each year that are permitted (where applicable).



**Table 13 - Air Quality Objectives Included in Regulations for the Purpose of LAQM in Wales**

<b>Pollutant</b>	<b>Air Quality Objective: Concentration</b>	<b>Air Quality Objective: Measured as</b>	<b>Date to be achieved by</b>
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>	200µg/m <sup>3</sup> not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>	40µg/m <sup>3</sup>	Annual mean	31.12.2005
<b>Particulate Matter (PM<sub>10</sub>)</b>	50µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	24-hour mean	31.12.2010
<b>Particulate Matter (PM<sub>10</sub>)</b>	40µg/m <sup>3</sup>	Annual mean	31.12.2010
<b>Sulphur dioxide (SO<sub>2</sub>)</b>	350µg/m <sup>3</sup> , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
<b>Sulphur dioxide (SO<sub>2</sub>)</b>	125µg/m <sup>3</sup> , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
<b>Sulphur dioxide (SO<sub>2</sub>)</b>	266µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005
<b>Benzene</b>	16.25µg/m <sup>3</sup>	Running annual mean	31.12.2003
<b>Benzene</b>	5µg/m <sup>3</sup>	Annual mean	31 12 2010
<b>1,3 Butadiene</b>	2.25µg/m <sup>3</sup>	Running annual mean	31.12.2003
<b>Carbon Monoxide</b>	10.0mg/m <sup>3</sup>	Maximum Daily Running 8-Hour mean	31.12.2003
<b>Lead</b>	0.25µg/m <sup>3</sup>	Annual Mean	31.12.2008

## Appendix C: Air Quality Monitoring Data QA/QC

### QA/QC of Diffusion Tube Monitoring

#### Diffusion Tube Bias Adjustment Factors

A database of bias adjustment factors determined from Local Authority co-location studies throughout the UK has been collated by the LAQM Helpdesk. The National Diffusion Tube Bias Adjustment Factor Spreadsheet (Version 06/21) was used to obtain an overall adjustment factor of 0.78 from the input data shown in the following screenshot. This overall factor is based on 42 co-location studies where the tube preparation method and analysis laboratory used were the same as those used by SRS.

Figure 20 - National Diffusion Tube Bias Adjustment Factor Spreadsheet

National Diffusion Tube Bias Adjustment Factor Spreadsheet						Spreadsheet Version Number: 03/22				
Follow the steps below in the correct order to show the results of relevant co-location studies						This spreadsheet will be updated at the end of June 2022				
Data only apply to tubes exposed monthly and are not suitable for correcting individual short-term monitoring periods						LAQM Helpdesk				
Whenever presenting adjusted data, you should state the adjustment factor used and the version of the spreadsheet						This spreadsheet will be updated every few months; the factors may therefore be subject to change. This should not discourage their immediate use.				
This spreadsheet will be updated every few months; the factors may therefore be subject to change. This should not discourage their immediate use.						LAQM Helpdesk				
The LAQM Helpdesk is operated on behalf of Defra and the Devolved Administrations by Bureau Veritas, in conjunction with contract partners AECOM and the National Physical Laboratory.						Spreadsheet maintained by the National Physical Laboratory. Original compiled by Air Quality Consultants Ltd.				
Step 1:		Step 2:		Step 3:		Step 4:				
Select the Laboratory that Analyses Your Tubes from the Drop-Down List		Select a Preparation Method from the Drop-Down List		Select a Year from the Drop-Down List		Where there is only one study for a chosen combination, you should use the adjustment factor shown with caution. Where there is more than one study, use the overall factor* shown in blue at the foot of the final column.				
If a laboratory is not shown, we have no data for this laboratory.		If a preparation method is not shown, we have no data for this method at this laboratory.		If a year is not shown, we have no data.		If you have your own co-location study then see footnote*. If uncertain what to do then contact the Local Air Quality Management Helpdesk at LAQM-Helpdesk@bureauveritas.com or 0800 0327953				
Analysed By	Method	Year	Site Type	Local Authority	Length of Study (months)	Diffusion Tube Mean Conc. (Dm) (µg/m³)	Automatic Monitor Mean Conc. (Cm) (µg/m³)	Bias (B)	Tube Precision*	Bias Adjustment Factor (A) (1/offset)
SOCOTEC Didcot	50% TEA in acetone	2021	UB	City of York Council	11	17	13	38.2%	G	0.72
SOCOTEC Didcot	50% TEA in acetone	2021	R	City of York Council	12	25	20	27.0%	G	0.79
SOCOTEC Didcot	50% TEA in acetone	2021	R	City of York Council	12	22	17	29.0%	G	0.77
SOCOTEC Didcot	50% TEA in acetone	2021	R	City of York Council	12	37	25	45.5%	G	0.69
SOCOTEC Didcot	50% TEA in acetone	2021	U	North Lincolnshire Council	12	17	14	19.9%	G	0.83
Socotec Didcot	50% TEA in acetone	2021	R	Bridgend Borough County Council / Shared Regula	12	36	25	42.9%	G	0.70
Socotec Didcot	50% TEA in acetone	2021	UB	Derry City and Strabane District Council	12	11	9	28.4%	G	0.78
Socotec Didcot	50% TEA in acetone	2021	R	Derry City and Strabane District Council	12	30	30	2.4%	G	0.98
Socotec Didcot	50% TEA in acetone	2021	R	East Suffolk Council	11	30	25	22.3%	P	0.82
Socotec Didcot	50% TEA in acetone	2021	KS	Manglebone Road Intercomparison	10	56	42	32.9%	P	0.75
Socotec Didcot	50% TEA in acetone	2021	R	North East Lincolnshire Council	10	27	29	-7.6%	G	1.08
Socotec Didcot	50% TEA in acetone	2021	R	North East Lincolnshire Council	9	45	33	34.5%	P	0.74
Socotec Didcot	50% TEA in acetone	2021	R	Leeds City Council	13	40	29	35.5%	G	0.74
Socotec Didcot	50% TEA in acetone	2021	KS	Leeds City Council	12	34	25	37.9%	G	0.73
Socotec Didcot	50% TEA in acetone	2021	R	Leeds City Council	9	43	31	40.8%	G	0.71
Socotec Didcot	50% TEA in acetone	2021	UC	Leeds City Council	12	31	23	37.4%	G	0.73
SOCOTEC Didcot	50% TEA in acetone	2021	Overall Factor* (23 studies)						Use	0.78

#### Discussion of Choice of Factor to use

The bias adjustment factor applied to all 2021 data is 0.78. The applied bias adjustment factor has been calculated using the national diffusion tube bias adjustment factor spreadsheet version 03/22.

## QA/QC of Diffusion Tube Monitoring

The diffusion tubes are supplied and analysed by Socotec UK Ltd Didcot, using the 50% triethanolamine (TEA) in water method. Socotec UK Ltd Didcot participates in the Annual Field Inter-Comparison Exercise and Workplace Analysis Scheme for Proficiency (WASP) inter-comparison scheme for nitrogen dioxide diffusion tube analysis. From April 2014 the WASP Scheme was combined with the STACKS scheme to form the new AIR scheme, which Socotec UK Ltd Didcot participates in. The AIR scheme is an independent analytical proficiency testing scheme operated by LGC Standards and supported by the Health and Safety Laboratory (HSL).

**The laboratory Socotec UK Ltd Didcot is regarded ranked as the highest rank of satisfactory in relation to the WASP intercomparison scheme for spiked nitrogen dioxide diffusion tubes.**

Information regarding tube precision can be obtained via <http://laqm.defra.gov.uk/diffusion-tubes/precision.html> Information regarding WASP results can be obtained via <http://laqm.defra.gov.uk/diffusion-tubes/qa-qc-framework.html>

**Table 14 - Bias Adjustment Factor**

Year	Local or National	National Reference	Adjustment Factor
2021	National	03/22	0.78
2020	National	06/21	0.76
2019	National	09/20	0.75
2018	National	06/19	0.77

### NO<sub>2</sub> Fall-off with Distance from the Road

No diffusion tube NO<sub>2</sub> monitoring locations within Bridgend required distance correction during 2021.

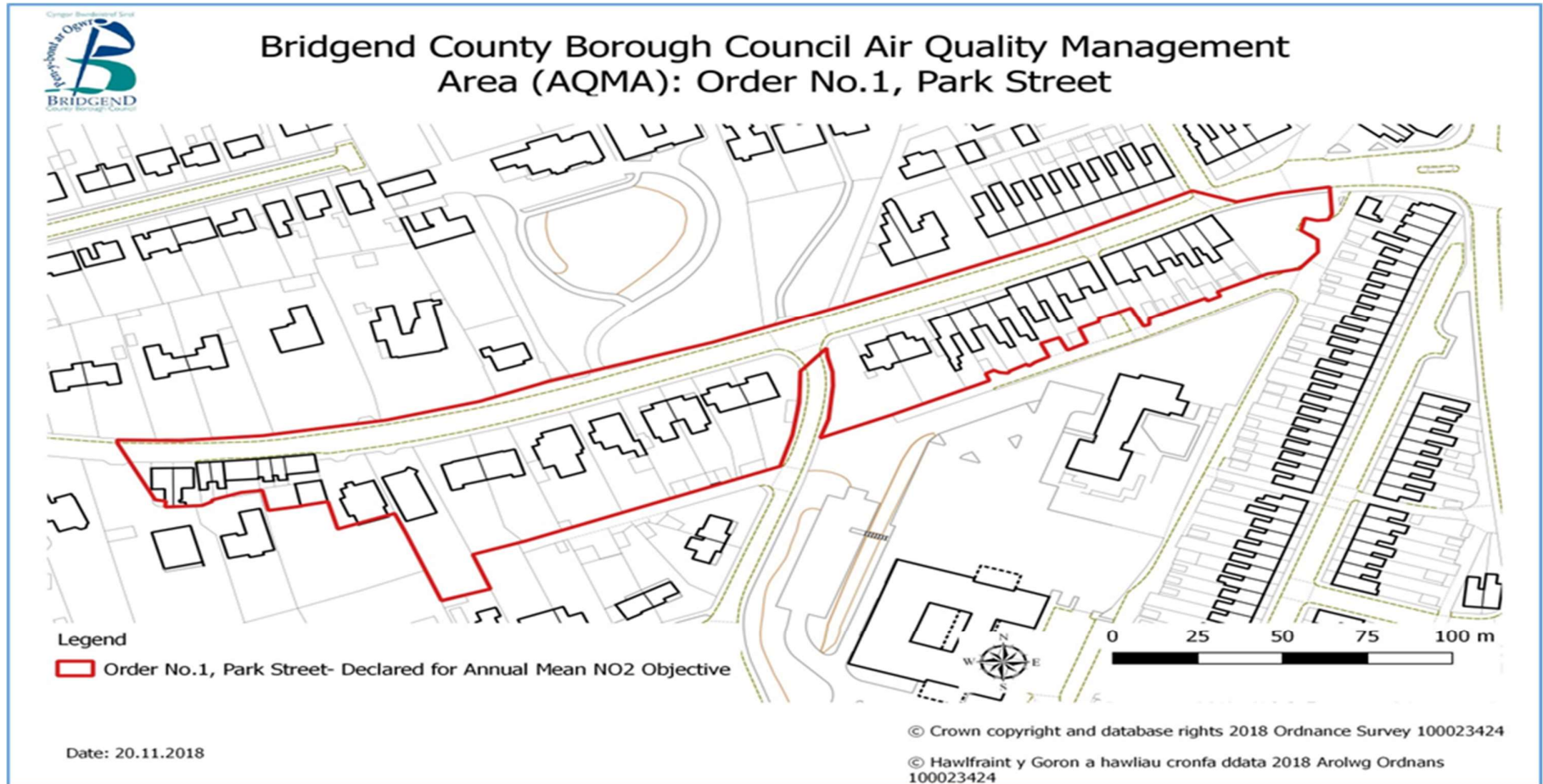
### NO<sub>2</sub> Fall-off with Distance from the Road

No automatic NO<sub>2</sub> monitoring locations within Bridgend required distance correction during 2021.

**Table 15 - Annualisation Summary (concentrations presented in  $\mu\text{g}/\text{m}^3$ )**

Site ID	Annualisation Factor Site 1 Name	Annualisation Factor Site 2 Name	Average Annualisation Factor	Raw Data Annual Mean	Annualised Annual Mean	Comments
OBC-133	Cardiff City Centre	Newport, St Julians	0.9106	25.1	17.8	Bias adjustment factor of 0.78 also included in annualised annual mean

## Appendix D: AQMA Boundary Maps



## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the LA intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
APR	Air quality Annual Progress Report
AURN	Automatic Urban and Rural Network (UK air quality monitoring network)
Defra	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges – Air quality screening tool produced by Highways England
FDMS	Filter Dynamics Measurement System
LAQM	Local Air Quality Management
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO <sub>2</sub>	Sulphur Dioxide

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 2022

#### REPORT OF THE CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HUMAN RESOURCES AND CORPORATE POLICY

#### LOCAL LAND CHARGES NATIONAL PROGRAMME

#### 1. Purpose of report

- 1.1 The purpose of this report is to update Cabinet in relation to the Local Land Charges National Programme and the schedule for Bridgend County Borough Council (BCBC) to migrate across its Local Land Charges data in 2022/23.

#### 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 In 2015, HM Land Registry (HMLR) was given the authority under the Infrastructure Act 2015 to create a single, national, digital register of Local Land Charges (LLC) across England and Wales. It is the Government's ambition that the national register becomes a trusted and guaranteed source of LLC information, containing all local authority records in England and Wales by 2025. This is a historic step forward in the ambition to make the home-buying process simpler, faster and cheaper. HMLR is working in partnership with local authorities to standardise and migrate local land charges register information to one accessible place.
- 3.2 Anyone will be able to access the national register 24/7. Each search result will provide details of entries on the local land charges register relating to the land or property concerned. Local authorities will continue to provide replies to CON29 enquiries, such as nearby road schemes or outstanding notices, which may affect a purchaser's decision on whether or not to proceed. Once the Council's local land charges data has been migrated to HMLR members of the public will no longer be able to get a local land charges search from the Council.
- 3.3 The benefits of the central register will be as follows:
- Guaranteed search results that provide the highest level of due diligence
  - The full spatial extent of every charge appears on the search result
  - Standard £15 fee for each search

- Consistent quality of data which provides clear and accurate search results
- Instant online search results with 24/7 access to the data, reducing delays in receiving search results
- Unlimited repeat searches for six months to check for any new charges before completing a transaction
- Search history dashboard giving access to previous searches at any time.

3.4 The geospatial data set eventually created by HMLR will bring the following benefits to the Council:

- data that can be shared across different departments to help deliver services more effectively and transparently;
- spatial data which can be overlaid with other mapping systems to provide a holistic picture of the Council's assets, locally maintained areas and features; and
- free access to spatial data which will allow staff to self-serve when answering queries, reducing the number of requests for information between departments.

#### **4. Current situation/proposal**

- 4.1 A report was presented to Cabinet on 9 March 2021 outlining the schedule for BCBC to migrate across its LLC records in 2022/23 and seeking authority to enter into a Collaborative Agreement with HMLR to formalise the arrangements and enable HMLR to receive data from BCBC and begin data assessment activities.
- 4.2 Since project inception, the Council has worked collaboratively with the Early Engagement Team at HMLR in relation to the first stages of the migration process and completed a number of tasks to ensure the data in the Council's LLC register is ready for migration and to ensure an efficient transfer. The Council's dataset of LLC records, including both the textual and spatial elements, was shared with HMLR to enable them to run a digital assessment through their Data Analysis Dashboard Tool. This tool is available to those local authorities not currently in the migration process but who want to start preparing their data for migration. The Tool has been completed by HMLR and the findings discussed with relevant officers to identify which LLCs can be fixed automatically and which charges require manual fixing. These findings have been documented and prioritised so that the Council knows which amendments to concentrate on, thereby having a better understanding of the time and resources needed for the migration process.
- 4.3 Arrangements have been made to move the Council into Migration Delivery and a Migration Manager at the HMLR has been allocated for the migration journey. HMLR will also offer the Council a HMLR Supplier as part of the process. The single end to end supplier will work closely with the Council to compile a digital data set and manage the migration with HMLR support and supervision.
- 4.4 On 18<sup>th</sup> October 2022 officers from HMLR visited the Civic Offices to formally start the project and introduce the mobilisation / discovery on-site meeting whereby the Council's data sources were interrogated in detail. BCBC officers will continue to work with HMLR to maintain the smooth data transitions required to coordinate the move of the LLC data to the national digital register. In December, the Council is expected to receive the HMLR proposed delivery plan following their on-site visit and will utilise its capabilities to fully collaborate with the HMLR during this important transition.



4.5 It should be noted that during this transition period LLC search results may be delayed resulting in the land charges team having a significant backlog of searches. At the time of this report, the Council currently has a 30 day turnaround. Clearly further delays will cause frustration and, in some cases, could lead to transactions not completing at all. HMLR have informed officers that they will provide all necessary public communication to circumnavigate any delays.

4.6 The Council will be required to formally sign off the delivery plan and enter into a Licence Agreement with HMLR providing for the Council's LLC data to be provided to HMLR on the terms set out in the agreement and to license intellectual property rights (if any) that it has in the data.

## **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon 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.

6.2 An assisted digital process will be available for anyone who cannot access the HMLR GOV.UK Service. Essentially customers will contact their LLC Processing Team and they will undertake the search on their behalf. As the Authority moves towards Go-Live, all relevant customers will be informed of the change. At this point targeted solutions will be implemented for any customers who might be digitally excluded.

## **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 The cost of migrating to the central register is fully funded by HMLR and resources are free to all local authorities throughout the migration.

8.2 HMLR are required to consider the impact of implementation and provide funding to cover the costs to local authorities in line with the Ministry of Housing, Communities and Local Government's burdens doctrine. HMRL will assess the amount that is to be paid when a formal engagement to migrate the register is made, taking into account the number of local land charges and how long the migration process may take.

- 8.3 Payments may also be made for activities once the Council has migrated to HMLR to cover additional activities undertaken in the period immediately after the Council goes live and work in applying to add, vary and cancel charges that is additional to that required under the previous process. The Council will also lose the current income generated from search fees. The Medium Term Financial Strategy approved by Council in February 2022 included a £500,000 budget pressure to mitigate emerging pressures, to be allocated in line with need. In the Budget monitoring 2022-23 – quarter 1 revenue forecast to Cabinet on 19 July 2022 it was reported that £66,780 of this budget pressure was allocated to address this shortfall in income.

## **9. Recommendations**

It is recommended that Cabinet note the report and:

- 9.1 Delegate authority to the Chief Officer – Legal and Regulatory Services, HR and Corporate Policy to formalise the delivery arrangements with HMLR and sign off the delivery plan on behalf of the Council and enter into further contractual agreements as necessary with HMLR;
- 9.2 In consultation with the Section 151 Officer, formally accept all appropriate funding from HMLR and determine appropriate expenditure in order to meet the Council's obligations under any formal delivery plan;
- 9.3 Receive a further report as the project progresses.

**Kelly Watson**

**CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HUMAN RESOURCES  
AND CORPORATE POLICY**

**November 2022**

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**Background documents:** None

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

15 NOVEMBER 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 Cabinet 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 Cabinet, it was resolved to approve a revised procedure for the presentation to Cabinet 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 Cabinet:-

###### Title

###### Date Published

Strengthening works at Brackla 1  
Multistorey Car Park

9 November 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. They are 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 Cabinet acknowledges the publication of the document listed in this report.

K Watson

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

9 November 2022

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**Background documents:** None.

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **REPORT TO CABINET**

**15 NOVEMBER 2022**

### **REPORT OF THE CORPORATE DIRECTOR COMMUNITIES**

#### **STRENGTHENING WORKS AT BRACKLA 1 MULTISTOREY CAR PARK**

#### **1. Purpose of report**

- 1.1 The purpose of this report is to notify Cabinet of the authorisation for an exemption, under Rule 3.1.6 of the Contract Procedure Rules, from obtaining tenders for urgent strengthening works at Brackla 1 multistorey car park.

#### **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**:-
- **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 If the works were not undertaken this could have exposed the authority to even greater expenditure than currently required .

#### **3. Background**

- 3.1 Following review of structural information relating to Brackla 1 multistorey car park it was identified that certain structural elements within the car park required strengthening to improve their safety factor, to avoid the potential of a failure that may occur without prior notice.
- 3.2 Due to the inability to carry out more detailed assessment of the elements without compromising the structure it was recommended that strengthening was undertaken as soon as possible.
- 3.3 Taking into consideration the car park town centre location, and the inability to further quantify the risk, it was deemed prudent to expedite the strengthening as an urgent matter and seek a single contractor for the works.
- 3.4 Approval under the Council's Scheme of Delegation was subsequently given (under decision reference CMM-TE-22-086) following discussion with the Head of

Operational Services and the Corporate Director Communities on the 18<sup>th</sup> October 2022 to seek a single quotation for the works in order to expedite the strengthening works. We are currently working with a local fabricator, Coity Engineering, utilising their expertise to arrive at a cost effective and practicable solution, thereafter an order will be placed and the strengthening works undertaken.

#### **4. Current situation/proposal**

- 4.1 The exemption used in delegated power CMM-TE-22-086 is contained in paragraph 3.1.6 of the Council's Contract Procurement Rules which state that the Contract Procedure Rules do not apply:

'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.'

- 4.2 The exemption was enacted following an on-site visit in October where officers were advised of a risk to the safety of the car park that could not be fully quantified without compromising the structure of the car park. Therefore a decision was taken that such urgent action to strengthen the structure met the requirements of the exemption under the contract procedure rules.

#### **5. Effect upon policy framework and procedure rules**

- 5.1 There are no implications for the Council's policy framework or 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 EIA 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 of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is outlined below in respect of the proposal:

- **Long-term**  
Maintains the structure in a safe manner to meet health and safety standards
- **Prevention**  
Strengthening work improves the safety factor to maintain the structure in a safe manner to meet health and safety standards

- **Integration**  
N/A
- **Collaboration**  
N/A
- **Involvement**  
N/A

## **8. Financial implications**

- 8.1 Strengthening works are estimated to be in the order of £40,000 and will be funded from within existing directorate budgets.

## **9. Recommendation**

- 9.1 It is recommended that Cabinet notes the exemption from the requirement to tender, in accordance with Rule 3.1.6 of the Contract Procedure Rules.

Janine Nightingale  
**Corporate Director – Communities**  
 November 2022

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### **Background documents:**

SCHEMES OF DELEGATION OF FUNCTIONS – Record of Decision – CMM-TE-22-086

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