

CABINET - TUESDAY, 19 SEPTEMBER 2023

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 19 SEPTEMBER 2023 AT 14:30

Present

Councillor HJ David – Chairperson

JC Spanswick

N Farr

W R Goode

J Gebbie

HM Williams

JPD Blundell

Apologies for Absence

Officers:

Alex Rawlin	Corporate Policy & Public Affairs Manager
Carys Lord	Chief Officer - Finance, Performance & Change
Claire Marchant	Corporate Director Social Services and Wellbeing
Janine Nightingale	Corporate Director - Communities
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Mark Shephard	Chief Executive
Lindsay Harvey	Corporate Director Education and Family Support
Michael Pitman	Technical Support Officer – Democratic Services
Stephen Griffiths	Democratic Services Officer - Committees

222. DECLARATIONS OF INTEREST

Item 4

Cllr J Spanswick – Prejudicial Interest

Item 12

Cllr N Farr – Personal Interest

Cllr J Gebbie – Personal Interest

Cllr JP Blundell – Personal Interest

223. APPROVAL OF MINUTES

RESOLVED: That the minutes of the 18/07/2023 be approved as a true and accurate record.

224. A 3 YEAR SUSTAINABILITY PLAN TO IMPROVE OUTCOMES FOR CHILDREN AND FAMILIES SERVICES IN BRIDGEND

The Corporate Director Social Services and Wellbeing presented a report which sought Cabinet approval to approve a 3 year plan to improve outcomes for children and families in Bridgend.

She explained that a detailed expert review undertaken by the Institute of Public Care (IPC) commissioned by the Corporate Management Board (CMB). The analysis from that review is summarised in this report and is the underpinning evidence to support the system changes in the plan.

The Corporate Director Social Services and Wellbeing highlighted the findings/statistics from the IPC review which were set out at section 3 of the report.

The IPC review covered the following themes:

1. Hearing and acting on the voice of children and families
2. Securing a stable, well-supported, motivated and permanent workforce.
3. Improving practice.
4. Maximising the impact of our services and interventions.
5. A more effective response to families with complex needs
6. Seamless working with partners
7. Better intelligence and information systems

The key strategic actions that had been set out for BCBC to undertake over the next 3 years and how progress will be measured were set out in the plan at Appendix 1.

The deputy leader stated that the report had been a long time coming, and while it was a change to the current operating model, it was a necessary and sustainable plan to ensure the safety of our residents. She added that all evidence from our independent advisers, the Institute of Public Care, JICPA and Care Inspectorate Wales have all indicated that a 3 year sustainability plan to improve the outcomes for children and family services in Bridgend is essential.

The Cabinet Member for Community Safety and Wellbeing asked what would be different with the new model compared with the current model.

The Corporate Director Social Services and Wellbeing explained that while services users will access a range of options how they see fit, the new model will look to condense these options into a single point of access. An example of this elsewhere in Wales was Gwent Council and their SPACE model which cuts down on handoffs to other services, cross referrals and waiting lists for services.

The Cabinet Member for Finance, Resources and Legal asked how were we going to monitor the progress of this plan and how well it was working.

The Corporate Director Social Services and Wellbeing explained that following a recent Scrutiny meeting one of the recommendations was to ensure that the service was tighter in the measuring of progress against the performance. One of the ways we would look to do this is establish a Social Services Improvement Board with the Leader others Cabinet Members and CMB being part of that of that board.

RESOLVED: That Cabinet:

- Approve 'Think Family', the 3 year sustainability plan for children and families in Bridgend.
- Agreed that the budget virement of £1m to social services be submitted to Council for approval in accordance with the Council's Financial Procedure Rules;
- Noted the additional use of £2.5m EMR's in the current financial year to support the service as detailed in the report.

225. **SOCIAL SERVICES AND WELLBEING DIRECTORATE POLICIES - THE EUROPEAN UNION SETTLEMENT SCHEME**

The Corporate Director Social Services and Wellbeing presented a report which sought Cabinet approval of the new policy named and attached within the document at Appendix 1 in order to support care experienced children and young people who have the right to apply to settle under the European Union Settlement Scheme.

Relevant members of the Social Services and Wellbeing Directorate were engaged and provided support in the drafting of the policy content regarding the need for each relevant area of the service.

The European Union Settlement Scheme (EUSS) policy has been developed to support the processes of identifying and supporting any children and young people looked after by Bridgend County Borough Council (BCBC) or care leavers that are or potentially are eligible to settle in the UK under this scheme. Further information was at section 3 of the report.

The Deputy Leader stressed the importance of this policy and referred members to 6.5 of Appendix 1 which set out the circumstances of children and why they would be put on the scheme. The number of children who will need this scheme is going to increase across Wales and so it was right and proper to implement this scheme swiftly.

RESOLVED: That Cabinet consider and approve the new policy for the European Union Settlement Scheme as attached as Appendix 1.

226. **HYBONT PROJECT GATEWAY REVIEW**

The Corporate Director Communities presented a report which provided a review on the HyBont Project to date and ask Cabinet to determine the way forward. It outlines what are currently considered to be the next steps and estimated associated costs if Cabinet agree for the Council to continue in its current role in the project.

She explained that the report did not go into a full risk analysis, but rather the financial implications of continuing with the project.

She stated that for BCBC to complete the required forthcoming milestones it is currently considered that a revenue budget in the region of circa £525,000 is required between now and July 2025 (£215,000 in 2023/24 and £310,000 in 2024/25). Additionally, the capital funding required has been estimated to be in the region of £6 million. further details were at section 3 of the report.

The Cabinet Member for Climate Change and the Environment commented that it was an unfortunate report to see before us. It provides a realistic outlook on the financial position of our authority as well as many other authorities in Wales. The feasibility of continuing the project was not possible particularly when we need to be careful about every penny spent.

He added that while he believed that green hydrogen was part of the future, the Council was not in a financial position to continue with the project at this time.

The Cabinet Member for Housing, Planning & Regeneration echoed these comments and stressed the difficulty in funding projects during such difficult financial times for the Council.

The Cabinet Member for Finance, Resources & Legal added that the Council must provide services that are essential, and therefore projects like Hybont, although important for the 2030 Net Zero goals, was not as essential as education and social care.

The Leader added that as a Cabinet we need to make difficult choices, and continuing to fund potentially up £6 million was not a financially viable option at this time.

RESOLVED: that Cabinet:

1. Noted this report and the detailed work undertaken to date on this project.
2. Agreed to pursue Option B and withdraw from the project at this stage, due to the Council's inability to meet the significant financial commitments required and the timescales of the project. However, it is also recommended that the Council has a dialogue with partners, including Welsh Government and for them to identify an alternative route forward with MEL.
3. Delegated authority to the Corporate Director – Communities, in consultation with the Section 151 Officer and Monitoring Officer, to give notice to MEL of the intention to withdraw from the Memorandum of Understanding dated 8th July 2022.

227. SHARED REGULATORY SERVICES ANNUAL REPORT 2022-23

The Head of SRS presented a report on the Shared Regulatory Services Annual Report 2022-23 for noting.

The key aspects of operational performance across the region from the Annual Report were set out at section 3 of the report. The various appendices outlined the SRS performance measures, concluded prosecutions, provisional outturn statement and the business plan for 2023-24.

The Cabinet Member for Housing, Planning & Regeneration stated that the report showcased what work can be done when it was shared across the region and as the Chairperson of the Shared Regulatory Committee he saw the work that was done throughout Bridgend, the Vale of Glamorgan and Cardiff. He added that with regards to the prosecutions mentioned in the report, it was a testament to how hard the team have worked to gather all the required information needed.

The Cabinet Member for Housing, Planning & Regeneration was pleased to see that Bridgend was 98% compliant when it comes to food hygiene standards. This is particularly pleasing with all the new restaurants that have opened in the past couple of years.

The Cabinet Member for Climate Change and the Environment mentioned about houses that are at a poor standard of energy efficiency but tenants are afraid to complain to the landlords about this. He asked what the SRS could do to tackle these issues.

The Head of SRS stated that this was a new area of work for SRS and so the approach taken has been to work with the tenants and landlords to ensure compliance, however it is a lengthy process that requires steps, and various landlords were at different stages of this process. There were also a number of legislations in place that means there are exemptions on certain properties which also provided a challenge.

RESOLVED: That Cabinet Noted the Shared Regulatory Services Annual Report for 2022-23

228. LOCAL AIR QUALITY MANAGEMENT ANNUAL PROGRESS REPORT 2023

The Operational Manager, Enterprise And Specialist Services, Shared Regulatory Services presented a report which:

1. Sought approval for the 2023 Bridgend County Borough Council (BCBC) Local Air Quality Management (LAQM) Annual Progress Report (APR) based upon the air quality datasets obtained in 2022.

2. Updated Cabinet on progress towards the Air Quality Action Plan (AQAP) for the Park Street Air Quality Management Area.
3. Provided details of a public health campaign designed to improve awareness of air quality issues and Park Street AQMA. Funding for this project has been approved from Welsh Government through the Local Air Quality Management support fund scheme 2023-24.

He explained that the 2023 Annual Progress Report confirms that in 2022, 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) Page 222 Regulations 2002. All other locations within Bridgend County Borough continue to meet all other relevant air quality objectives.

He further explained the work around Park Street and town centre area and highlighted the figures relating to NO₂ and the action plan following these results following a Do Minimum (DM) and Do Something (DS) model. Further details were highlighted at section 3 of the report.

The Cabinet Member for Housing, Planning & Regeneration welcomed the report and stated that Bridgend was very fortunate to only have 1 area that did not meet the standards of air quality. He explained that living in London for over 10 years was an eye opener of what poor air quality can do to the health of residents. It was pleasing to see that action was being taken on the area of concern in Bridgend and looked forward to seeing further detail in an upcoming Cabinet meeting.

The Leader echoed these comments and stated that people in poor air quality areas often suffer with major health concerns and in some cases it can kill. We are lucky in Bridgend that the air quality was of good standard but looked forward to seeing improvements at Park street in the future.

RESOLVED: That Cabinet

- Noted the results of air quality monitoring gathered in 2022 and approve the 2023 Annual Progress Report (attached as Appendix 1) for submission as a final version to Welsh Government by 31st December 2023.
- Noted the progress made in developing the Air Quality Action Plan for Park Street and that a separate Cabinet report to approve the final AQAP will be brought to Cabinet in due course.

229. **STRATEGIC WORKFORCE PLAN**

The Group Manager – HR and Organisational Development presented a report which sought Cabinet approval for the draft Strategic Workforce Plan 2023- 2028.

The Draft Strategic Workforce Plan 2023-2028 is at Appendix 1 and included:

- Alignment to our Corporate Plan and other key strategic priorities,
- Our workforce profile,
- Our future workforce themes and priority actions

He advised that the plan had been developed and considered by the Corporate Overview & Scrutiny Committee, with the committee's recommendations being incorporated which included clarity on the turnover rate of staff, the ongoing need to record vacancies across each directorate, and the future monitoring of the plan. Further details were at section 3 of the report.

Cabinet Member for Finance, Resources & Legal welcomed the report and thanked all those involved in producing the Plan. He stated that the Council's biggest asset was its workforce and therefore a Workforce Plan was essential. He added that it was important to have the right people with the right skills, in the right jobs and to ensure that we facilitate the development of those people which the Plan will help us do.

The Cabinet Member for Community Safety and Wellbeing asked how the Plan addressed diversity in the workforce and does our workforce reflect that of the community we live in.

The Group Manager – HR and Organisational Development explained that page 348 of the Plan holds some of our workforce data which shows our position in relation to that of the county borough.

2.2% of the county are ethnic minority and our workforce are at 1.6%. Some of the reasons for this are that not all of our employees live within the county borough boundaries.

He added that staff are asked to keep personal information up to date through Trent Self Service to ensure that statistics are obtained through that means, as they are not required to provide this in a job application it can be difficult to obtain these figures otherwise.

The Deputy Leader made reference to a number of ways we work but were not referenced in the Plan itself, she asked that this be included on its next revision.

RESOLVED: that Cabinet:-

- 1) Noted the work undertaken to develop the Strategic Workforce Plan, in particular the engagement outlined at paragraph 3.5
- 2) Approved the Strategic Workforce Plan attached at Appendix 1 and notes the ongoing work needed to develop delivery plans.

230. INFORMATION REPORT FOR NOTING

The Chief Officer Legal & Regulatory Services, HR and Corporate Policy presented a report which informed Cabinet of the Information Report for that had been published since its last scheduled meeting.

She explained that the report related to Ombudsman Annual Letter 2022-23 and asked Cabinet to note the contents of the report.

The Deputy Leader asked for clarity to be provided to Members on what the process was when a Member gets referred to the Standards Committee, and how long that process will take.

The Chief Officer Legal & Regulatory Services, HR and Corporate Policy explained that the Members can receive a Code of Conduct complaint which covered alleged breaches of the Code of Conduct which are firstly referred to the ombudsman. The ombudsman will then investigate whether there was actually a breach, and then decide on the severity of the breach whether or not they will carry out the investigation themselves, or refer to the Standards Committee for determination. The process can be very short or can take years in some cases depending on the complexity of the case. A recent case took approximately 18 months to conclude.

RESOLVED: That Cabinet acknowledged the publication of the report referred to in paragraph 3.1 of the report.

231. **RELATIONSHIP BUILDING TOGETHER PROJECT (RBT)**

The Corporate Director Education and Family Support presented a report which updated Cabinet on the Relationship Building Together (RBT) project and to delegate authority to the Corporate Director Education and Family Support to approve the final terms and enter into the funding service level agreement (SLA) on behalf of the Council.

He explained that since February 2023, the RBT project has been in a co-design phase working closely with the commissioned evaluation team from the University of Kent. The codesign phase was finalised in June 2023 and a joint project/evaluation proposal was submitted to the YEF Committee for approval. The proposal was approved by the Committee on 24 July 2023. Further background was at section 3 of the report.

The Cabinet Member for Education welcomed the report and stated that we were the only Council in Wales and one of a handful in the whole of the UK to receive this funding which showed how high regard our youth justice service was seen across the country.

RESOLVED: That Cabinet:

- Noted the content of the report;
- Delegated authority to the Corporate Director Education and Family Support to approve the final terms of the service level agreement (SLA) in consultation with the Chief Finance Officer and the Chief Officer – Legal and Regulatory Services, HR and Corporate; and
- Authorised the Corporate Director Education and Family Support to execute the SLA once in final form on behalf of the Council.

232. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Corporate Director Education and Family Support presented a report which sought approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraphs 3.1 and 3.2.

He explained that for the 15 current local authority governor vacancies at the 15 schools in the table at section 3 of the report, the applicants met the approved criteria for appointment as a local authority governor and there was no competition for the vacancy.

He added that there was competition for 2 vacancies and 1 school and details of this and the recommended appointments were at section 3 of the report.

RESOLVED: That Cabinet approved the appointments detailed at paragraphs 3.1 and 3.4.

233. **SCHOOL MODERNISATION PROGRAMME - COETY PRIMARY SCHOOL - OUTCOME OF STATUTORY NOTICE**

The Corporate Director Education and Family Support presented a report which:

- informed Cabinet of the outcome of the published statutory notice in respect of the proposed enlargement of Coety Primary School; and

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- sought approval to issue and publish a decision letter, as prescribed by the School Organisation Code, 2018 (the Code).

He explained that in order to address the demand for places at Coety Primary School, Officers undertook an options appraisal which identified the need to increase provision at the school. In June 2022 Council approval was received to include the scheme in the capital programme and to utilise BCBC capital resources to fund the extension. Further background was at section 2 and 3 of the report.

The Corporate Director Education and Family Support advised an objection report must now be published summarising the objections and the local authority's response to those objections. The objection report is detailed at Appendix A. Cabinet was now requested to consider the outcome of the process and determine whether to implement the proposal. Cabinet can either decide to accept, reject, or modify the proposal.

The Cabinet Member for Education stated that this was the next step in the road for an extension into Coety Primary School. He thanked everyone for providing their input during the consultation as the comments had been answered in the report.

The Cabinet Member for Community Safety and Wellbeing asked what action we were taking regards to the objections we had received on the Welsh medium provision in the Coety/Brackla area. A comprehensive response and further discussions can be found [here](#).

RESOLVED: That Cabinet

- noted the outcome of the published statutory notice to make a regulated alteration to enlarge Coety Primary School to a 2.5 form-entry school;
- determined whether to implement the proposal;
- gave approval to publish the objection report; and
- gave approval to issue and publish a decision letter, as required by the Code.

234. SCHOOL ATTENDANCE ENFORCEMENT POLICY AND FIXED PENALTY NOTICES FOR UNAUTHORISED ABSENCE - CODE OF CONDUCT

The Corporate Director Education and Family Support presented a report which sought Cabinet approval of the revised School Attendance Enforcement Policy (Appendix 1) and fixed penalty notices for unauthorised absence from school – Code of Conduct (Appendix 2).

He explained that while there had been an improvement on school attendance each year since the Pandemic, the council is determined to improve the figures to pre-pandemic levels. A task and finish group, chaired by the Group Manager (Family Support) has been established with representative headteachers and other partners to progress this work.

The Corporate Director Education and Family Support outlined section 3.4 of the report which provided the criteria for a revised School Attendance Enforcement Policy and FPNs.

The Cabinet Member for Education stated that while FPN's have been discussed as part of the report, this was not the first port of call. He explained that this was a tool at our

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disposal should it be needed, but served more so as a deterrent. Further questions and discussions on the subject of FPN's can be found [here](#).

RESOLVED: That Cabinet:

- Approved the School Attendance Enforcement Policy; and
 - Approved the FPNs for unauthorised absence from school (Code of Conduct).
235. WELSH IN EDUCATION STRATEGIC PLAN (2022-2032)

The Corporate Director Education and Family Support presented a report which updated Cabinet on the implementation and the progress of the Welsh in Education Strategic Plan (WESP) 2022-2032.

He explained that Bridgend's 5 year WESP was submitted to Welsh Government by the stipulated deadline of 16 December 2022, this was attached at Appendix 2. The Annual Report for 2022-23 was attached at Appendix 3. Background to the report was set out at section 3 of the report.

The Cabinet Member for Education thanked the Officers for the work that went into the report. He mentioned that many people in Bridgend may be critical that BCBC does not do enough for provision of Welsh medium education in Bridgend, however the work was evident in the reports presented today and can be seen across the borough over the last few years.

The Cabinet Member for Housing, Planning & Regeneration asked how we ensure that there is adequate teaching provision to facilitate these new schools and that the quality of education is of a good standard.

The Corporate Director Education and Family Support explained that staffing had been a challenge particularly with regards to Welsh speaking ALN and STEM staff. Welsh Government have been working with schools to support younger learners in understanding the value of the Welsh language and the benefits to employment.

Officers from the Welsh in Education Forum sub groups spoke further on the operational work being done and answered further questions from the Cabinet.

RESOLVED: That Cabinet noted the progress made and provided any feedback as necessary.

236. URGENT ITEMS

None

237. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following item of business as it contains exempt information as defined in Paragraphs 14 and 16 of Part 4 and Paragraph 21 of Part 5 of Schedule 12A of the Act.

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

238. **APPROVAL OF EXEMPT MINUTES**

RESOLVED: That the exempt minutes of the 18/07/2023 be approved as a true and accurate record.

239. **INTERIM WASTE COLLECTION SERVICES CONTRACT 2024 TO 2026**

The Corporate Director Communities presented a report which:

1. advised Cabinet of the outcome of the tender process (B782 – Waste Collection Services) for an interim contract for recycling and waste collections / community recycling centre management. And;
2. sought approval for the award of contract to the successful tenderer Plan B Management Solutions Ltd (Plan B) and for a budget virement of £300,000 from the uncommitted funding set aside in the Medium Term Financial Strategy (MTFS) 2023-2027 for emerging budget pressures to the waste budget, in line with the Council's Financial Procedure Rules.

She advised that on 19th July 2023 Council approved funding for the acquisition of the existing vehicles, plant and equipment utilised in the provision of the current service with Kier Services Limited. This was approved as part of the Capital Programme Update Quarter 1 2023-24 report. This plant and equipment will be utilised for the interim contract.

The Corporate Director Communities explained that the procurement procedure for the interim contract was conducted as an Open Competition advertised on Sell2Wales and Find a Tender. The procurement exercise was processed in accordance with the Authority's Contract Procedure Rules (CPR's) and managed on EtenderWales. Details of the tenders received and the evaluation process were at section 3 of the report.

She advised that Plan B Management Solutions were successful with their bid and therefore recommended to reward the contract to them.

She outlined the financial implications of the new contract and added that there were no changes planned to the way collections were carried out.

The Cabinet Member for Climate Change and the Environment stated that we were very fortunate that the cost implications of the new contract were not substantially higher, given the cost of living and increases in drivers wages, equipment needed and vehicles.

The Cabinet Member for Finance, Resources & Legal asked if the £7.84million will be a fixed annual rate, and that this wont go up next year.

The Corporate Director Communities confirmed that this was the case. She added that if we extended the contract past this point, then inflation may cause this to rise.

RESOLVED: That Cabinet:

1. authorised the award of the contract for the Council's Waste Collection and Community Recycling Centre Services to Plan B Management Solutions Ltd;
2. delegated to the Corporate Director – Communities, in consultation with the Section 151 Officer and Monitoring Officer, the finalisation and completion of the contract with Plan B Management Solutions Ltd for the Council's Waste Collection and Community Recycling Centre Services and any further deeds and documents which are supplemental to the contract.

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3. approved a budget virement of £300,000 from the uncommitted funding set aside in the Medium Term Financial Strategy (MTFS) 2023-2027 for emerging budget pressures, to the waste budget, in line with the Council's Financial Procedure Rules.

The meeting closed at Time Not Specified